

# UNCONFIRMED MINUTES

Greater Shepparton City Council

## COUNCIL MEETING

**3:00PM, Tuesday 18 May 2021**

Council Boardroom

### 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.

**UNCONFIRMED MINUTES  
FOR THE  
COUNCIL MEETING  
HELD ON  
TUESDAY 18 MAY 2021 AT 3:00PM**

**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)
<b>Almost Certain (5)</b> Would be expected to occur in most circumstances (daily/weekly)	<b>LOW</b>	<b>MEDIUM</b>	<b>HIGH</b>	<b>EXTREME</b>	<b>EXTREME</b>
<b>Likely (4)</b> Could probably occur in most circumstances (i.e. Monthly)	<b>LOW</b>	<b>MEDIUM</b>	<b>MEDIUM</b>	<b>HIGH</b>	<b>EXTREME</b>
<b>Possible (3)</b> Reasonable probability that it could occur (i.e. over 12 months)	<b>LOW</b>	<b>LOW</b>	<b>MEDIUM</b>	<b>HIGH</b>	<b>HIGH</b>
<b>Unlikely (2)</b> It is not expected to occur (i.e. 2-5 years)	<b>LOW</b>	<b>LOW</b>	<b>LOW</b>	<b>MEDIUM</b>	<b>HIGH</b>
<b>Rare (1)</b> May occur only in exceptional circumstances (i.e. within 10 years)	<b>LOW</b>	<b>LOW</b>	<b>LOW</b>	<b>MEDIUM</b>	<b>HIGH</b>

**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 Greg James  
 Cr Shane Sali  
 Cr Sam Spinks  
 Cr Fern Summer

<b>Officers:</b>	<b>Peter Harriott</b>	<b>Chief Executive Officer</b>
	<b>Phil Hoare</b>	<b>Director Infrastructure</b>
	<b>Geraldine Christou</b>	<b>Director Sustainable Development</b>
	<b>Chris Teitzel</b>	<b>Director Corporate Services</b>
	<b>Fiona Le Gassick</b>	<b>Acting Director Community</b>
	<b>Darryl Hancock</b>	<b>Manager Governance</b>
	<b>Marcus Daniel</b>	<b>Acting Team Leader Governance</b>
	<b>Ropate Cabealawa</b>	<b>Official Minute Taker</b>
	<b>Boboleia Kom</b>	<b>Deputy Minute Taker</b>

## 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 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

**Moved by Cr Sali**

**That the apology from Cr Geoff Dobson be noted and a leave of absence be granted.**

## 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. O’Keeffe declared a material conflict of interest in relation to Item 10.2 – Greater Shepparton Sports Hall of Fame – Revision of Nominee Guidelines for Council Adoption.**

## 7 Confirmation of Minutes of Previous Meetings

**Moved By Cr Spinks  
Seconded by James**

**That the minutes of the 20 April 2021 Council Meeting and the 11 May 2021 Additional Council Meeting as circulated, be confirmed.**

**CARRIED UNOPPOSED**

## 8 Public Question Time

**Nil Received.**



## 9 Deputations and Petitions

### 9.1 Petition for Lights and Upgrade at Shepparton Skatepark

**Moved By Cr Spinks  
Seconded by Cr Abdullah**

**That the Council receive and note the petition titled 'Petition for Lights and Upgrade at Shepparton Skatepark' in accordance with Governance Rule 80.**

**CARRIED UNOPPOSED**

## 10 Community Directorate

### 10.1 Youth Strategy Update 2020 and Future Directions

Moved By Cr Abdullah  
Seconded by Cr Spinks

1. note the achievements of the Greater Shepparton Youth Strategy over the past twelve months; and
2. note the proposed future direction of the Youth Committee.

**CARRIED UNOPPOSED**

## **10.2 Greater Shepparton Sports Hall of Fame - Revision of Nominee Guidelines for Council Adoption**

**Cr O’Keeffe declared a material conflict of interest in relation to Item 10.2 – Greater Shepparton Sports Hall of Fame – Revision of Nominee Guidelines for Council Adoption.**

**Cr O’Keeffe vacated the chair and left the meeting at 3.11pm.**

**Cr Priestly assumed the chair.**

**Moved By Cr Anthony Brophy  
Seconded by Cr Shane Sali**

**That the Council:**

- 1. endorse the recommended changes to the guidelines for the Greater Shepparton Sports Hall of Fame - Hall of Fame, Honour Roll and Junior Honour Roll for Criteria 1b), Criteria 5 and Criteria 6;**
- 2. endorse the recommended removal of Criteria 3. “A nominee shall not be considered for induction in the Greater Shepparton Sports Hall of Fame until after a two (2) year waiting period post retirement from their respective representative level” to the Greater Shepparton Sports Hall of Fame - Hall of Fame, Honour Roll and Junior Honour Roll;**
- 3. endorse the recommended changes to the Greater Shepparton Sports Hall of Fame - Honour Roll Criteria 1.d);**
- 4. endorse the recommended changes to Greater Shepparton Sports Hall of Fame – Junior Honour Roll Criteria 1.a) but to read ‘The Nominee must have resided within the City of Greater Shepparton for at least five (5) years; and**
- 5. endorse the recommended changes to Greater Shepparton Sports Hall of Fame – Junior Honour Roll: Criteria 1.c).**

**CARRIED 4/3**

**Cr O’Keeffe returned to the meeting and assumed the chair at the end of the voting at 3.26pm.**

## 11 Corporate Services Directorate

### 11.1 Borrowing Policy

Moved By Cr Spinks  
Seconded by Cr Priestly

That the Council adopt the Borrowing Policy as attached to this Report.

**CARRIED UNOPPOSED**

## **11.2 Contracts Awarded under Delegation - April 2021**

**Moved By Cr James  
Seconded by Cr Sali**

**That the Council:**

- 1. note the contracts awarded by the Chief Executive Officer under delegated authority;**
- 2. note the contracts awarded by the Director under delegated authority;**
- 3. note the contracts awarded by the Manager under delegated authority; and**
- 4. note the Requests for Tenders advertised but not yet awarded.**

**CARRIED UNOPPOSED**

### **11.3 Appointments to the Audit and Risk Management Committee**

**Moved By Cr Priestly  
Seconded by Cr Brophy**

**That the Council:**

- 1. appoint Goran Mitrevski as the Chair of the Audit and Risk Management Committee until 30 April 2022; and**
- 2. appoint Stephen Coates and Vibek Chopra as Independent Members of the Audit and Risk Management Committee until 30 April 2024.**

**CARRIED UNOPPOSED**

## **11.4 Monthly Financial Report - April 2021**

**Moved By Cr Abdullah  
Seconded by Cr Priestly**

**That the Council receive and note the April 2021 Monthly Financial Report.**

**CARRIED UNOPPOSED**

## 12 Sustainable Development Directorate

### 12.1 Electrical Reserve Land Sale

Moved By Cr Sali  
Seconded by Cr Summer

That the Council:

1. authorise the sale of Electrical Reserve Land known as Yakka Basin Reserve at 42 Southdown Street, Shepparton, described as Reserve 1 on Plan of Subdivision 823641; and
2. authorise the Chief Executive Officer to carry out all necessary actions to effect the sale and to sign and seal all associated documents.

**CARRIED UNOPPOSED**



## 12.2 2 Lot Subdivision - 7185 Goulburn Valley Highway, Kialla

Moved By Cr Summer  
Seconded by Cr Priestly

That the Council:

1. note that on 2 February 2021 notice was given by the respondent (Mr Nejat MacKali) in Victorian Civil and Administrative Tribunal (VCAT) proceeding P2415/2019 that he proposed to substitute amended plans as the plans in the VCAT proceeding.
2. note VCAT's Order that:

*15 By no later than 4:00pm on 21 May 2021, the responsible authority must file in writing with the Tribunal and serve on all other parties at the same time:*

  - (a) its formal position on whether it supports or opposes the substitution of the permit application plans (revision B plans) with the amended plans circulated by the respondent on 2 February 2021 (revision C plans); and*
  - (b) its formal position on the merits of the amended permit application, including any consequential amendments required to the conditions in any permit granted.*
3. note the VCAT practice for the substitution of plans and the common practice that a party will not oppose plans being substituted on procedural grounds, but that the same party may still oppose the plans (once substituted) on their merits/substance;
4. in response to VCAT Order 15(a), not oppose the substitution of the permit application plans (revision B plans) with the amended plans circulated by the respondent on 2 February 2021 (revision C plans);
5. in response to VCAT Order 15(b), oppose the amended subdivision on the grounds that the small lot subdivision results in unacceptable planning outcomes because:
  - a. the subdivision does not lead to consolidation of land; and
  - b. the house lot exceeds 2ha.

**CARRIED UNOPPOSED**

## 13 Infrastructure Directorate

### 13.1 Asset Management Policy

Moved By Cr James  
Seconded by Cr Spinks

That the Council adopt the revised Asset Management Policy as attached to this Report.

**CARRIED UNOPPOSED**

## 13.2 Our Sporting Future Funding - Round Three 2020/2021

Moved By Cr Brophy  
 Seconded by Cr Sali

The Council note the Our Sporting Future Round Three 2020/2021 funds in the Sports Aid and Minors Categories Awards have been awarded, under delegated authority, to the following applicants:

### Our Sporting Future – Sports Aid

Club	Project	Grant amount Requested	Grant amount proposed
Grahamvale Sports Club	Strategic, Operational and Participation Growth Plan	\$3,500.00	\$3,500.00
Undera Recreation Reserve Committee of Management	Multipurpose Court Geotech Investigation	\$5,000.00	\$5,000.00
Merrigum Bowls Club	Bright Lights	\$5,000.00	\$5,000.00
	<b>SUB TOTAL</b>	<b>\$13,500.00</b>	<b>\$13,500.00</b>

### Our Sporting Future – Minors

Club	Project	Grant Amount Requested	Grant Amount proposed
Mooroopna Bowls Club	Repair Lights	\$6,658.00	\$6,658.00
	<b>SUB TOTAL</b>	<b>\$6,658.00</b>	<b>\$6,658.00</b>
	<b>TOTAL</b>	<b>\$20,158.00</b>	<b>\$20,158.00</b>

**CARRIED UNOPPOSED**

### 13.3 Road Closure of Part Shelby Court, Shepparton

Moved By Cr Sali  
Seconded by Cr Priestly

That the Council:

1. determine that the portion of the court bowl at Shelby Court, Shepparton as shown in the attached Proposed Plan of Subdivision is not required for public use as a road due to the realignment of the court bowl further to the east, and that it be formally closed;
2. determine that the land referred to in number 1 above be transferred to the adjoining properties being lot 2 and lot 3 on the Proposed Plan of Subdivision;
3. give notice of the road closure in the *Victorian Government Gazette*; and
4. authorise the signing and sealing of all documentation for Council to complete the road closure and transfer the land referred to in number 1 above to the adjoining property owner.

**CARRIED UNOPPOSED**

## **13.4 Appointment of Community Members to Shepparton Saleyards Advisory Committee**

**Moved By Cr James  
Seconded by Cr Brophy**

**That the Council appoint the following community representatives to the Shepparton Saleyards Advisory Committee for a term of two years commencing on 19 May 2021 and concluding on 18 May 2023:**

- **Barry Croke**
- **Jared Burke**
- **Graeme Montgomery**

**CARRIED UNOPPOSED**

## 14 Councillor Reports

### 14.1 Councillor Activities

#### 14.1.1 Councillor Activities - April 2021

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

**That the Council receive and note the summary of the Councillor's community interaction, briefing program and record of Assemblies of Councillors.**

**CARRIED UNOPPOSED**

#### **14.2 Council Committee Reports**

**Nil Received.**

#### **14.3 Notice of Motion, Amendment or Rescission**

**Nil Received.**

#### **15 Urgent Business not Included on the Agenda**

**Nil Received.**

#### **16 Close of Meeting**

**Meeting closed at 4.05pm.**