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AGENDA

ORDINARY MEETING OF COUNCIL FOR WEDNESDAY 17 APRIL 2019 TO BE HELD AT CIVIC CENTRE, PUNT ROAD COBRAM COMMENCING AT 5:00 PM

RECORDING

Consistent with section 72 of our Meeting Procedures Local Law, Council officers have been authorised to record the public session of this meeting using an audio recording device.

1. CALLING TO ORDER – CEO

2. PRAYER

Almighty God we humbly ask you to guide our deliberations for the welfare and benefit of the Moira Shire and its people whom we serve.

Amen

3. ACKNOWLEDGEMENT OF COUNTRY

We, the Moira Shire Council, would like to acknowledge the traditional owners of the land upon which we meet and pay our respects to their Elders both past and present.

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

5. DECLARATION UNDER ACTS, REGULATIONS, CODES OR LOCAL LAWS

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Recommendation: “That the minutes of the Ordinary Council Meeting held on Wednesday, 27 March 2019, as prepared, be confirmed.”

8. COUNCILLOR REPORTS

COUNCILLORS TO PROVIDE VERBAL REPORTS

9. OFFICER REPORTS FOR DETERMINATION

9.1 OFFICE OF CEO

NIL

9.2 CORPORATE	
9.2.1 MOIRA SHIRE COUNCIL DRAFT BUDGET 2019/20 AND 2019-2023 STRATEGIC RESOURCE PLAN	3
9.2.2 QUARTERLY BUDGET REVIEW - MARCH 2019	5
9.2.3 PROPOSAL TO DISCONTINUE AND SELL A SECTION OF ROAD RESERVE ALONGSIDE HAY AVENUE COBRAM	15
9.2.4 VEC LOCAL GOVERNMENT ELECTORAL REPRESENTATION REVIEW - PRELIMINARY REPORT SUBMISSION	17
9.2.5 ASSEMBLIES OF COUNCIL	19
9.3 COMMUNITY	
NIL	
9.4 INFRASTRUCTURE	
9.4.1 AMENDMENT TO A DEVELOPMENT PLAN - 3479 MURRAY VALLEY HIGHWAY COBRAM	22
9.4.2 C018/19 - CONSTRUCTION OF DRAINAGE UPGRADES, YARRAWONGA	29
9.4.3 C014/19 - GATEWAY SIGNAGE PROJECT	33
9.4.4 C016/19 - FORGES PUMP LANE INTERSECTION UPGRADE, YARRAWONGA	36
10. ACTION OFFICERS LIST	
10.1 ACTION OFFICERS' LIST	39
11. NOTICES OF MOTION	
NIL	
12. PETITIONS AND JOINT LETTERS	
12.1 PETITION - ROAD SAFETY AT PUNT ROAD AND GREGORY STREET INTERSECTION, COBRAM	41
13. COUNCIL SEAL	
NIL	
14. GENERAL BUSINESS	49
15. QUESTIONS FROM PUBLIC GALLERY	50
16. CLOSE OF MEETING	

FILE NO: F18/551
4. SMARTER DELIVERY OF SERVICES AND
PROGRAMS

ITEM NO: 9.1.1

MOIRA SHIRE COUNCIL DRAFT BUDGET 2019/20 AND 2019-2023 STRATEGIC RESOURCE PLAN

RECOMMENDATION

That Council:

1. Accept the draft 2019/20 Budget
2. Accept the draft Strategic Resource Plan
3. Authorise commencement of the statutory (S223) community consultation process for the draft budget and strategic resource plan as described in the Local Government Act 1989 and in doing so
 - Receive written submissions until 5pm Thursday 23 May 2019.
 - If required, convene a Committee of Council comprising all available councillors to meet at 5pm Wednesday 29 May 2019 to hear any person wishing to be heard in support of their submission.
 - Schedule a Special Council Meeting at 5pm Wednesday 12 June 2019 to consider adoption of the 2019/20 Budget with or without amendment.

1. Executive Summary

This report requests council's approval to seek community feedback on the draft 2019/20 Budget and the draft Strategic Resource plan 2019-2023 through the community consultation process required under the Local Government Act 1989 (Section 223).

If approved,

- The draft 2019/20 budget will be available for public inspection at Council service centres and on council's website from **Wednesday 24 April 2018**.
- Members of the community will be invited to view and make written submissions on the draft Budget by **5pm Thursday 23 May 2019**.
- If required, a committee of council meeting will meet on **Wednesday 29 May 2018** to hear any person who has indicated in their written submission that they would like to speak in support of their submission on the draft 2019/20 Budget, and
- Council will consider the submissions before considering a recommendation to adopt the draft 2019/20 budget with or without amendments at the Special Council Meeting to be held at **Wednesday 12 June 2019**.

The timelines should ensure council fulfils its obligation to adopt the annual budget by 30 June 2019.

The draft Budget 2019/20 and Strategic Resource Plan 2019-2023 will be provided to council under separate cover prior to the meeting and tabled at the meeting.

FILE NO: F18/551
4. SMARTER DELIVERY OF SERVICES AND
PROGRAMS

ITEM NO: 9.2.1

**MOIRA SHIRE COUNCIL DRAFT BUDGET 2019/20 AND 2019-2023 STRATEGIC
RESOURCE PLAN**
(cont'd)

2. Discussion

The Local Government Act requires councils to

- Prepare, seek community feedback on and then adopt an annual budget by 30 June each year and submit the adopted budget to the Minister within 28 days of adoption by Council.
- Review the four year strategic resource plan each year to ensure it continues to support the delivery of the Council Plan and seek community feedback prior to adopting the revised plan if there is material change to the SRP.

The draft Budget and Strategic Resource Plan have been prepared through a series of council and management workshops and briefings.

3. Financial Implications

The Draft Budget 2019/20 enables the Council to fund its approved operational activities and capital projects for the year ending 30 June 2020.

The draft Strategic Resource Plan outlines the priority areas for council in coming years. The priorities are reviewed each year.

4. Risk Management

The budget and SRP seek to balance the competing needs and interests expressed by the community with council's legal obligations that are defined in many acts and regulations

5. Legislative / Policy Implications

The proposed budget has been prepared in accordance with the Local Government Act and Regulations and the Model Financial Report.

6. Conflict of Interest Considerations

There are no officer conflict of interest issues to consider within this report.

7. Conclusion

The draft budget seeks to service the many and often competing needs of the Moira community in a financial sustainable manner that is equitable across a large geographic Shire.

This report seeks Council's endorsement of the proposed budget and authorisation to commence community consultation through a statutory S223 process to further test and understand community acceptance of the proposed Budget.

Attachments

- 1 Draft 2019/20 Budget - *printed in separate document*

FILE NO: F16/701
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

QUARTERLY BUDGET REVIEW - MARCH 2019

RECOMMENDATION

1. That Council notes the projections for the 2018/19 financial year contained in the March 2019 Quarterly Budget Review.
2. That Council notes the Environment Upgrade Agreements quarterly performance report.

1. Executive Summary

Income Statement

There has been an increase in the forecast budget from a deficit of \$1.03 million in the Approved December 2018 forecast to a deficit of \$1.63 million in the March 2019 forecast. The increase is mainly due to timing differences in Capital Grants budgeted in 2018/19 being reforecast to 2019/20 following reassessment of ability to complete existing works program within the current financial year; the movements in the Income statement are discussed in the financial implications in item 3.1.

Balance Sheet

The Balance Sheet of Moira Shire continues to remain strong.

Cash Flow Statement

The cash position of Moira Shire continues to remain strong.

Capital Expenditure

The capital works forecast for March 2019 is \$19.41 million this is an increase of \$0.07 million on the Approved December 2018 forecast \$19.36 million. This is mainly due to completion of 2017/18 funded capital works projects and a reassessment of ability to complete existing works program within the current financial year.

Financial Performance indicators

All Financial performance indicators remain within an acceptable range.

2. Background and Options

The quarterly budget review mandated under Section 138 of the Local Government Act 1989. The Act requires that at least every three months the Chief Executive Officer must ensure a statement comparing the budgeted revenue and expenditure for the financial year with actual revenue and expenditure to date presented to the Council.

3. Financial Implications

3.1 Summary of changes to projected operating result for the 2018/19 financial year

The deficit for the March 2019 forecast expected to be \$1,626,820 – an increase of \$597,682 compared to the Approved December 2018 forecast deficit of \$1,029,138.

FILE NO: F16/701
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

QUARTERLY BUDGET REVIEW - MARCH 2019 (cont'd)

Approved December 2018 Forecast vs Proposed Forecast March 2019	(Favourable) / Unfavourable \$
Deficit – December Forecast 2018	1,029,138
Capital Grants	1,506,418
Numukah Tyre Stockpile Removal Grant	(670,000)
Capital Contributions	(78,532)
Interest Income	(150,000)
Net Gain on Disposal of Property, Plant & Equipment	(68,499)
Other Operating Income	(102,786)
Employee Costs	(224,959)
Materials & Consumables	(176,460)
Contract Services	(112,500)
Numukah Tyre Stockpile Removal Contractors and Materials	690,000
Other Operating Expenditure	(15,000)
Proposed March 2019 Forecast Deficit	1,626,820

The major reasons for the increase in the deficit are as follows:

- a) **Capital Grants** – Grants for projects anticipated for completion in 2019/20 including (Cobram Piazza/Federation Park Redevelopment, Cobram Commercial Waste Project and Apex Reserve Cobram Redevelopment) reforecast to be received in the 2019/20 financial year.
- b) **Numurkah Tyre Stockpile Removal Grant** – Additional operating grant from EPA Victoria to meet the additional costs associated with the removal of the stockpile of tyres in Numurkah, this offsets a similar increase Contractor/Material expenses. On completion, the EPA grants will completely offset the direct costs of the tyre removal.
- c) **Capital Contributions** – Developer contributions to Yarrowonga Wetlands Drainage Reserve.
- d) **Interest Income** – Additional interest income from a higher average cash balance available for investment due to early receipt of Financial Assistance Grant.
- e) **Net Gain on Disposal of Property, Plant & Equipment** – Additional income from the sale of light fleet and heavy plant.
- f) **Other Operating Income** – Income derived from higher planning and subdivision fees and additional contributions to the Open Space Reserve.
- g) **Employee Costs** – Savings from delays in backfilling roles during the 2018/19 financial year.
- h) **Materials and Services** – Savings in EPA Levy on Cobram Landfill due to lower demand and savings on Telephone and Internet charges following transfer to new plans with Telstra.

FILE NO: F16/701
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

QUARTERLY BUDGET REVIEW - MARCH 2019 (cont'd)

- i) **Contract Services** – Savings from lower Organic Waste collection costs and Asset Management and Infrastructure costs following recruitment of internal replacements.
- j) **Numurkah Tyre Stockpile Removal Contractors and Materials** – Additional costs associated with the removal of the stockpile of tyres in Numurkah, this offsets a similar increase in Operating Grants.

3.2 Income Statement

Income Statement	Adopted Budget 2018/19	YTD Actuals 2018/19	Approved Forecast Sep 2018	Approved Forecast Dec 2018	Proposed Forecast Mar 2019	Approved December 2018 Forecast vs Proposed Forecast March 2019
Income						
Rates	(36,390,877)	(36,471,760)	(36,380,535)	(36,430,535)	(36,445,535)	(15,000)
Operating Grants	(6,094,427)	(7,112,951)	(7,008,740)	(7,136,452)	(7,136,452)	-
Numurkah Tyre Stockpile Removal	-	-	-	(1,500,000)	(2,170,000)	(670,000)
Capital Grants	(6,610,753)	(4,061,907)	(7,132,753)	(7,339,300)	(5,832,882)	1,506,418
Capital Contributions	(3,349,760)	(467,332)	(937,760)	(537,400)	(615,932)	(78,532)
Operating Contributions	(53,200)	(92,995)	(62,350)	(62,350)	(92,510)	(30,160)
Contributions - non-monetary	(200,000)	-	(200,000)	(200,000)	(200,000)	-
Reimbursements and Subsidies	(60,949)	(94,971)	(96,715)	(96,715)	(110,994)	(14,279)
User Charges	(2,389,831)	(1,426,234)	(2,389,831)	(2,230,499)	(2,225,394)	5,105
Statutory Fees and Fines	(1,244,500)	(1,088,969)	(1,244,500)	(1,340,500)	(1,380,776)	(40,276)
Interest Income	(450,000)	(377,642)	(450,000)	(450,000)	(600,000)	(150,000)
Other Revenues	(620,394)	(252,229)	(620,394)	(620,394)	(628,570)	(8,176)
Net Gain on Land Held for Resale	(13,000)	(549,787)	(13,000)	(122,902)	(122,902)	-
Net Gain on Disposal of Property, Plant & Equipment	(51,900)	(427,278)	(51,900)	(81,779)	(150,278)	(68,499)
Income Total	(57,529,591)	(52,424,054)	(56,588,478)	(58,148,826)	(57,712,225)	436,601
Expenditure						
Employee Costs	22,035,221	14,665,995	22,098,811	21,760,381	21,535,422	(224,959)
Materials & Services	15,673,657	10,317,773	16,231,564	16,663,187	16,591,727	(71,460)
Contract Services	5,987,861	5,485,033	6,152,598	6,200,628	6,088,128	(112,500)
Numurkah Tyre Stockpile Removal Contractors and Materials	-	-	-	1,500,000	2,190,000	690,000
Utilities	1,045,366	785,716	1,075,866	1,074,866	969,866	(105,000)
Bad and Doubtful Debts	10,000	395	10,000	10,000	10,000	-
Depreciation	10,632,000	7,088,000	10,632,000	10,632,000	10,632,000	-
Other Expenses	582,908	280,829	594,908	592,908	577,908	(15,000)
Interest on Borrowings	233,994	178,168	233,994	233,994	233,994	-
Interest on Unwinding of Discount of Provisions	300,000	-	300,000	300,000	300,000	-
Written Down Value of Infrastructure Replaced	200,000	-	200,000	200,000	200,000	-
Share of Net Loss of Associated Entity	10,000	-	10,000	10,000	10,000	-
Expenditure Total	56,711,007	38,801,909	57,539,741	59,177,964	59,339,045	161,081
Operating Result	(818,584)	(13,622,145)	951,263	1,029,138	1,626,820	597,682

FILE NO: F16/701
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

QUARTERLY BUDGET REVIEW - MARCH 2019 (cont'd)

3.3 Balance Sheet

	Adopted Budget 2018/19	Approved Forecast Sep 2018	Approved Forecast Dec 2018	Proposed Forecast Mar 2019	Approved December 2018 Forecast vs Proposed Forecast March 2019
Balance Sheet					
Current Assets	27,498,000	35,634,448	35,794,562	35,196,880	(597,682)
Non-Current Assets	580,009,000	580,009,000	579,771,011	579,771,011	-
Total Assets	607,507,000	615,643,448	615,565,573	614,967,891	(597,682)
Current Liabilities	10,717,000	10,717,000	10,717,000	10,717,000	-
Non-current Liabilities	14,302,000	14,302,000	14,302,000	14,302,000	-
Total Liabilities	25,019,000	25,019,000	25,019,000	25,019,000	-
Net Assets	582,488,000	590,624,448	590,546,573	589,948,891	(597,682)
Equity	582,489,000	585,261,948	585,184,073	584,586,391	(597,682)

3.4 Statement of Cash Flow

	Adopted Budget 2018/19	Approved Forecast Sep 2018	Approved Forecast Dec 2018	Proposed Forecast Mar 2019	Approved December 2018 Forecast vs Proposed Forecast March 2019
Statement of Cash Flow					
Net cash flows provided by operating activities	11,439,000	15,156,472	14,938,816	14,272,635	666,181
Net cash flow used on investing activities	(20,670,000)	(19,137,024)	(18,759,254)	(18,690,755)	(68,499)
Net cash flows provided by financing activities	(1,356,000)	(1,356,000)	(1,356,000)	(1,356,000)	-
Net change in cash held	(10,587,000)	(5,336,552)	(5,176,438)	(5,774,120)	597,682
Cash at the beginning of the year	32,225,000	35,191,000	35,191,000	35,191,000	-
Cash at the end of the year	21,638,000	29,854,448	30,014,562	29,416,880	597,682

3.5 Capital

	Adopted Budget 2018/19	YTD Actuals 2018/19	Approved Forecast Sep 2018	Approved Forecast Dec 2018	Proposed Forecast Mar 2019	Approved December 2018 Forecast vs Proposed Forecast March 2019
Capital						
Total capital income	(10,289,413)	(4,956,517)	(8,399,413)	(8,235,479)	(6,876,092)	1,359,387
Total capital expenditure	21,106,725	10,864,593	19,573,749	19,335,760	19,412,572	76,812
Grand Total	10,817,312	5,908,076	11,174,336	11,100,281	12,536,480	1,436,199

FILE NO: F16/701
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

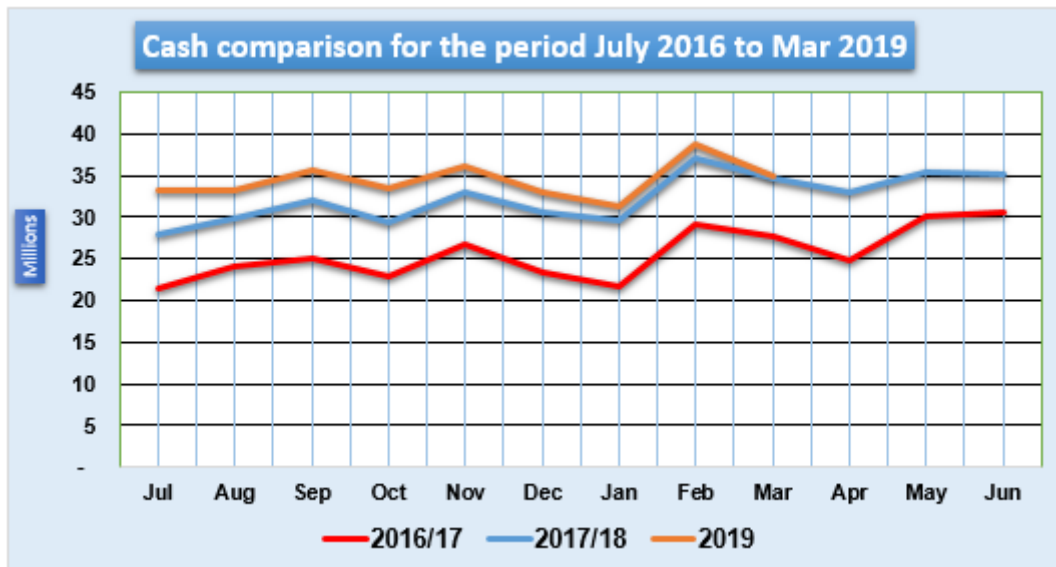
QUARTERLY BUDGET REVIEW - MARCH 2019 (cont'd)

Total Capital Expenditure including commitments outstanding is \$14,755,489.

The capital works forecast increase of \$76,812 on the Approved December 2018 program driven by anticipated completion of the Stewarts Road Three Bridges Project and the Bridge Guardrails and Approaches program, and completion of Telephone System Renewal project. The increase offset by delays in capital works projects at The Point Yarrowonga, Cobram Commercial Waste Sorting facility and Cobram Piazza and Federation Park.

Capital income for projects funded from successful grant applications: Apex Reserve Cobram; Cobram Piazza and Federation Park; and Cobram Commercial Waste Sorting reforecast to 2019/20 in line with anticipated project completion dates.

3.6 Cash Balance



The balance of Cash and cash equivalents at 30 June 2019 proposed to be \$29.38 million.

FILE NO: F16/701
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

QUARTERLY BUDGET REVIEW - MARCH 2019 (cont'd)

3.7 Financial Performance Measures

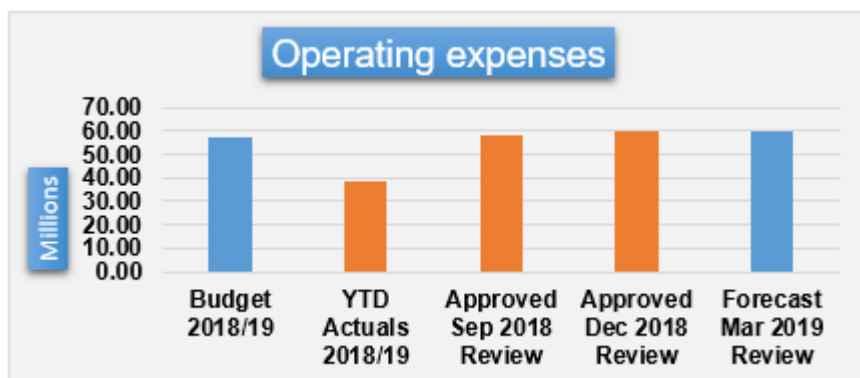
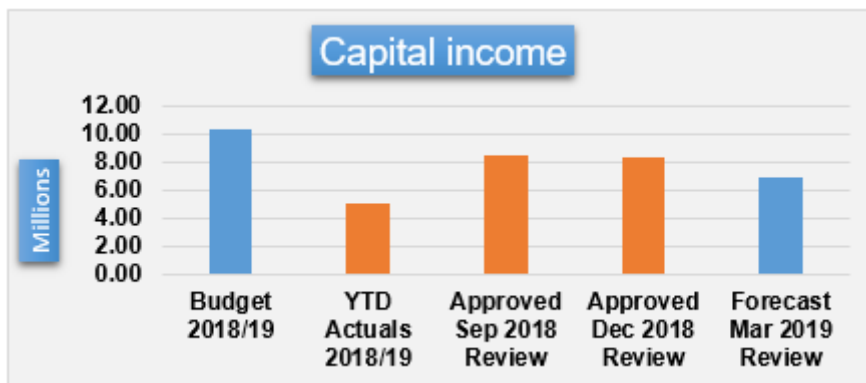
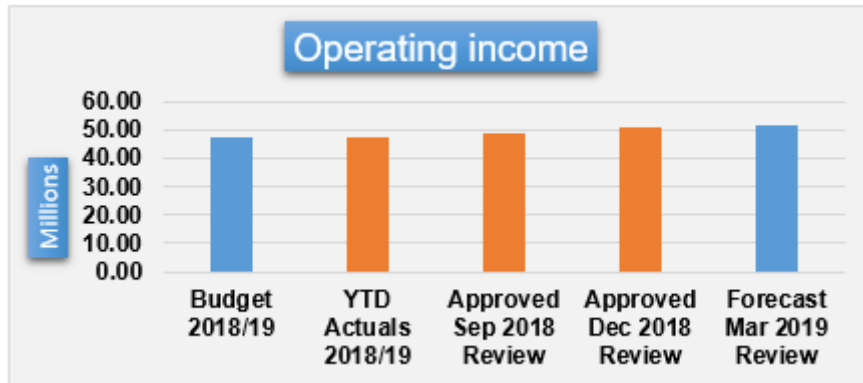
	Dimension/indicator /measure	Band / Range	Results 2017	Results 2018	Budget 2018/19	Sep 2018 Review	Dec 2018 Review	Mar 2019 Review
	Efficiency							
	Revenue level							
E1	<i>Average residential rate per residential property assessment</i> [Residential rate revenue / Number of residential property assessments]	\$700 to \$2,000	\$1,853	\$1,856	\$1,889	\$1,876	\$1,872	\$1,859
	Expenditure level							
E2	<i>Expenses per property assessment</i> [Total expenses / Number of property assessments]	\$2,000 to \$5,000	\$2,976	\$2,963	\$3,258	\$3,303	\$3,417	\$3,417
	Workforce turnover							
E3	<i>Resignations and terminations compared to average staff</i> [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100	5% to 20%	9.11%	9.75%	9.00%	9.00%	9.00%	9.00%
	Liquidity							
	Working capital							
L1	<i>Current assets compared to current liabilities</i> [Current assets / Current liabilities] x100	225% to 350%	399.38%	444.74%	256.58%	332.50%	333.23%	328.06%
	Unrestricted cash							
L2	<i>Unrestricted cash compared to current liabilities</i> [Unrestricted cash / Current liabilities] x100	110% to 250%	318.30%	360.82%	177.75%	253.68%	251.35%	246.18%
	Obligations							
	Asset renewal							
O1	<i>Asset renewal compared to depreciation</i> [Asset renewal expense / Asset depreciation] x100	75% to 100%	89.95%	77.59%	83.62%	83.62%	83.62%	83.62%
	Loans and borrowings							
O2	<i>Loans and borrowings compared to rates</i> [Interest bearing loans and borrowings / Rate revenue] x100	0% to 20%	13.54%	10.07%	6.75%	6.75%	6.74%	6.74%
O3	<i>Loans and borrowings repayments compared to rates</i> [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	0% to 5%	3.98%	3.82%	3.09%	3.10%	3.09%	3.09%
	Indebtedness							
O4	<i>Non-current liabilities compared to own source revenue</i> [Non-current liabilities / Own source revenue] x100	25% to 40%	37.29%	33.41%	34.70%	34.67%	34.57%	34.33%
	Operating position							
	Adjusted underlying result							
OP1	<i>Adjusted underlying surplus (or deficit)</i> [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100	0% to 3%	14.30%	11.34%	-6.68%	-5.35%	-4.72%	-5.87%
	Stability							
	Rates concentration							
S1	<i>Rates compared to adjusted underlying revenue</i> [Rate revenue / Adjusted underlying revenue] x100	40% to 70%	56.22%	60.70%	67.98%	66.00%	63.47%	64.10%
	Rates effort							
S2	<i>Rates compared to property values</i> [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.40% to 0.70%	0.63%	0.64%	0.61%	0.60%	0.60%	0.60%

FILE NO: F16/701
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

QUARTERLY BUDGET REVIEW - MARCH 2019 (cont'd)

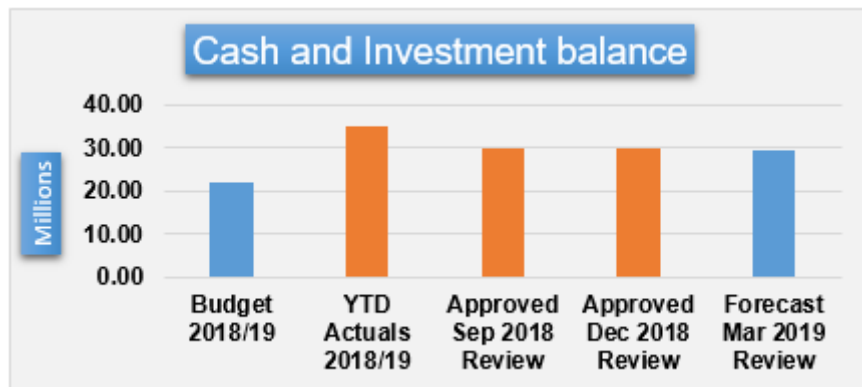
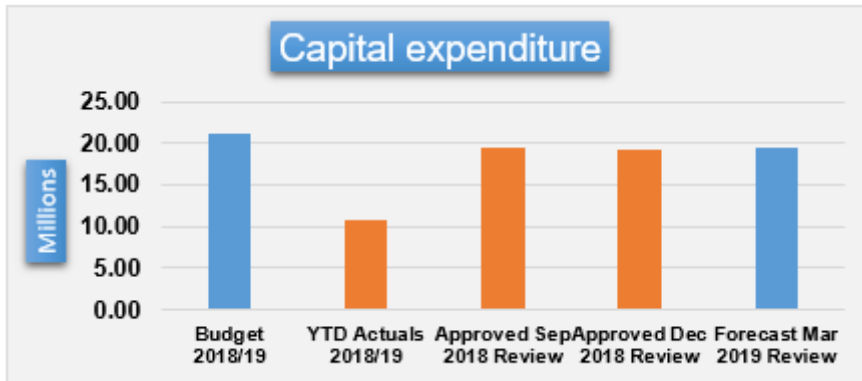
3.8 Financial Indicators



FILE NO: F16/701
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

QUARTERLY BUDGET REVIEW - MARCH 2019 (cont'd)



4. Risk Management

It is appropriate to examine the risks as they may impact on Council's the financial position. The areas identified highlight the potential impacts on Council.

Capital Works

Council's capital works need to be managed prudently to strengthen Council's financial position and ensure Council meets all the low risk financial sustainability indicators as specified by the Victorian Auditor-General's Office.

Grant Income

Council has a significant level of government grants. These grants underpin several capital works projects and operating programs, all of which are of importance to the Moira community. Capital grants for 2018/19, total \$5.83 million and operating grants \$9.31 million (this excludes the \$5.39 million of 2018/19 Financial Assistance Grant received in 2017/18).

5. Environmental Upgrade Agreement (EUAs) - Quarterly Performance Reporting

This report provides an update on the Environmental Upgrade Agreements involving Council, as required by Section 181G of the Local Government Act.

FILE NO: F16/701
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

QUARTERLY BUDGET REVIEW - MARCH 2019 (cont'd)

EUAs provide a mechanism to assist business located within Moira Shire to fund works that improve the energy, water or environmental efficiency or sustainability of a building on their rateable land.

Under a EUA, councils administer the recovery of the EUA charges and transfer the funds to the funding body. Council does not provide funding or assume financial risk.

Councils are required to report quarterly on the performance of EUAs involving council.

Reporting requirement	Status as at 31 March 2019
a) Each environmental upgrade agreement entered into in the last quarter, and the rateable land to which the agreement relates	There has been one new EUA entered into this quarter. The rateable land has a CIV of \$192,000.
b) Each environmental upgrade charge approved in respect of the agreements referred to in paragraph (a), and the value of the charges	The value of the charges total \$56,698.
c) The total number of environmental upgrade charges in operation in the last quarter;	3
d) The total value of all environmental upgrade charge payments that have fallen due and have not been paid;	Nil
e) The total value of all environmental upgrade charge payments that are yet to fall due.	\$5,749,982

6. Internal and External Consultation

The following members of staff consulted:

- Corporate Management Team
- All Managers
- Financial Accountant

The Council's March 2019 budget review provided for public viewing in accordance with Council's open and transparent governance policy.

7. Regional Context

There are no regional issues to consider within this report.

8. Council Plan Strategy

A well run Council.

9. Legislative / Policy Implications

This report complies with Sections 138 and 181G of the Local Government Act 1989, and Council's Budget and Financial Reporting policy.

10. Environmental Impact

Council's sound financial position continues to allow Council to implement and maintain its environmental projects.

FILE NO: F16/701
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

QUARTERLY BUDGET REVIEW - MARCH 2019 (cont'd)

11. Conflict of Interest Considerations

There are no officer conflicts of interest issues to consider within this report.

12. Conclusion

The projected cash position is \$29.38 million as at 30 June 2019.

An operating deficit of \$1.63 million forecast as at 30 June 2019.

A total capital works program of \$23.46 million with a 2018/19 capital budget of \$19.41 million.

Council continues to manage its position and continues to seek additional revenue streams and monitor expenditure.

Attachments

Nil

FILE NO: F
4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

PROPOSAL TO DISCONTINUE AND SELL A SECTION OF ROAD RESERVE ALONGSIDE HAY AVENUE COBRAM

RECOMMENDATION

That Council:

1. Discontinue the road reserve alongside Hay Avenue Cobram.
2. Authorise the Chief Executive Officer to sell the land to the adjoining landholder and to complete the associated contractual and administrative processes.

1. Executive Summary

This report requests Council's authorisation for the Chief Executive Officer to proceed with the proposal to:

- discontinue a road reserve alongside Hay Avenue Cobram, and
- sell a portion of land (triangle shaped parcel) to the adjoining land owner.

The legislated processes for council to discontinue a road and to sell public owned land require council to seek community feedback on the proposal before making a decision to proceed or otherwise.

The community consultation process concluded on 4 April and Council did not receive any submission on this proposal.

It is recommended Council proceed with this proposal to discontinue the road reserve and authorise the Chief Executive Officer to sell the land by private treaty to the adjoining landholder for the price determined by the independent valuation in accordance with section 189 of the Local Government Act 1989.

2. Background and Options

Council has received a request from the adjoining landholder to purchase a portion of the road reserve to realign their property title and allow vehicle access to their property via Hay Avenue.

In accordance with the Road Management Act 2004 and the Local Government Act 1989 council is required to seek community feedback (LGA s223) before it makes a decision to proceed or otherwise.

The community feedback process concluded on 4 April and council did not receive any submissions.

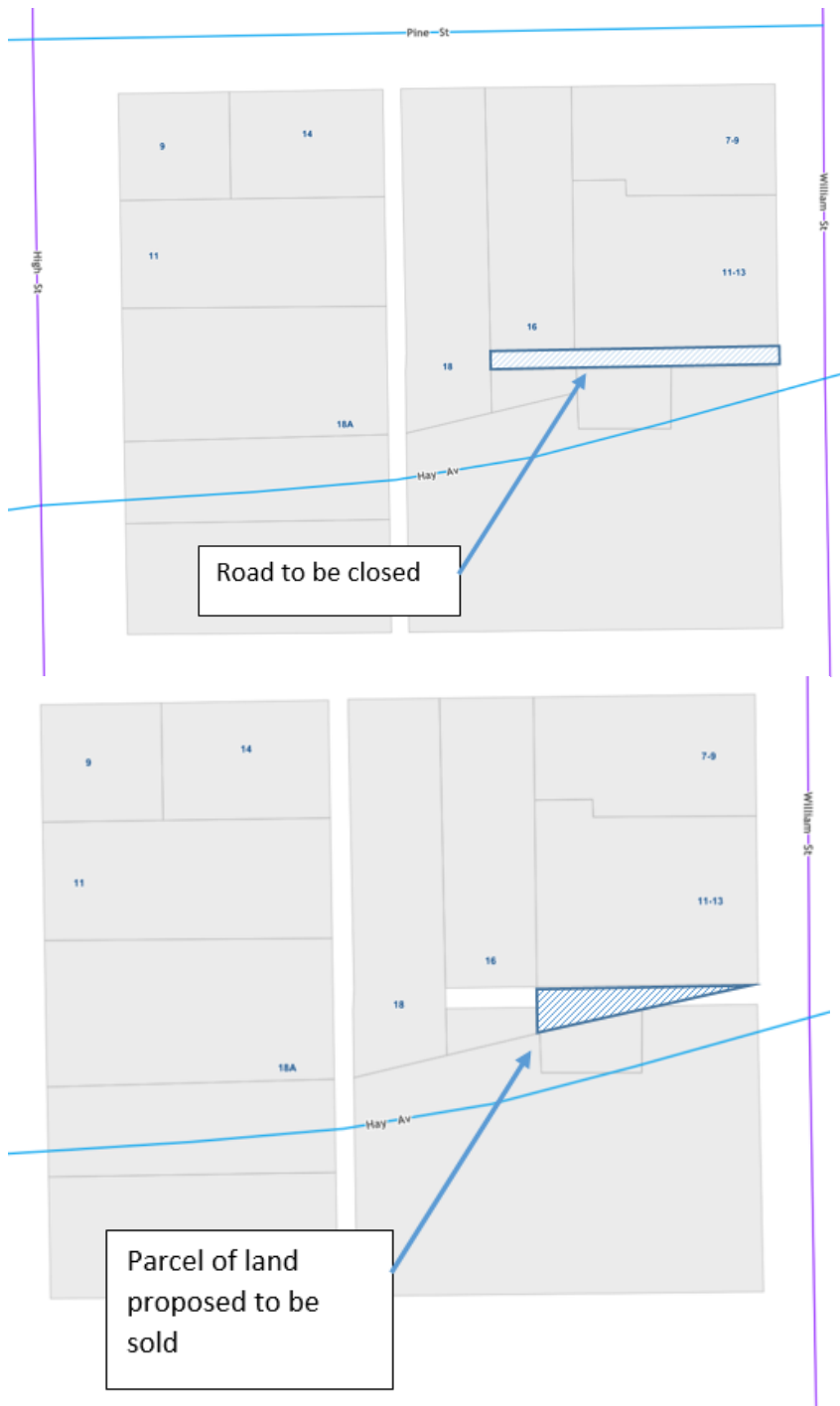
It is recommended Council resolves to continue with the proposal and authorise the CEO to undertake the next steps to proceed with the sale that includes by not limited to:

- Discontinuing the road reserve.
- Realignment of boundaries to create the triangle shaped parcel of land.
- Obtain an independent valuation of the triangle shaped parcel of land no more than 6 months prior to the sale.
- The sale of the triangle shaped parcel of land by private treaty to the adjoining landowner to consolidate with the parcel of land to the north at 11-13 William Street.
- Consolidating the remaining portion of the road reserve (white rectangle) to Moira Shire's Maternal and Child Health Centre site.

FILE NO: F
4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

**PROPOSAL TO DISCONTINUE AND SELL A SECTION OF ROAD RESERVE
ALONGSIDE HAY AVENUE COBRAM (cont'd)**



3. Conflict of Interest Considerations

There are no officer conflicts of interest associated with the preparation of this report.

4. Conclusion

It is recommended that Council resolves to discontinue the road reserve and authorise the Chief Executive Officer to sell the land to the adjoining landholder.

Attachments

Nil

FILE NO: F19
4. A WELL RUN COUNCIL

ITEM NO: 9.2.4

**VEC LOCAL GOVERNMENT ELECTORAL REPRESENTATION REVIEW -
PRELIMINARY REPORT SUBMISSION**

RECOMMENDATION

That council authorise a submission to be presented to the VEC that

1. Expresses council's support for the Preliminary Report's recommendations
2. Requests the opportunity to speak to our submission at the public hearing to be held 6pm Wednesday 8 May 2019 in Cobram
3. Authorises the CEO to take the necessary administrative steps to ensure the submission is received by the VEC by 1 May 2019 via the online submission process.
4. Nominates the Mayor and Deputy Mayor to present on behalf of council at the public hearings.

1. Executive Summary

This report seeks council's formal endorsement of the submission prepared in response to the Preliminary Report released by the Victorian Electoral Commission as the second stage in its Local Council Representation Review for the Moira Shire.

The VEC's Preliminary Report recommends

- no change to Moira Shire's current number of councillors – 9 councillors
- no change to the electoral structure of the council - unsubdivided

After considering the information and analysis provided in the Preliminary Report it is recommended that council's submission endorse the VEC's recommendations.

2. Background and Options

The Victorian Electoral Commission is undertaking representation reviews for 31 councils in 2019 and 2020. Moira Shire is included in the first 12 councils.

VEC Preliminary Report

The first round of public submissions concluded 6 March and the VEC subsequently released its Preliminary Report that considers the submissions received and makes recommendations regarding

- for the number of councillors
- the electoral structure of the council (whether the council should be unsubdivided or divided into wards and, if subdivided, the details of the wards).

The VEC is now seeking feedback on the Preliminary Report and its recommendations with a submission deadline of 6 March 2019.

VEC Recommendations and Alternative

The VEC does not recommend an increase or reduction in the number of councillors.

- This is consistent with Council's submission that did not support an increase in the number of councillors.

FILE NO: F19
4. A WELL RUN COUNCIL

ITEM NO: 9.2.4

VEC LOCAL GOVERNMENT ELECTORAL REPRESENTATION REVIEW - PRELIMINARY REPORT SUBMISSION (cont'd)

The VEC has recommended Moira Shire remain unsubdivided, however the VEC has also provided an alternative electoral structure of 3 councilors in each of 3 wards.

- The alternative is provided to assist consultation and feedback from the community.

The VEC report highlights a number of key challenges in moving to a subdivided electoral structure notably

- Wards can create the perception that a local councilor is elected to represent the interests of the ward, which is not consistent with the legislated duty to govern in the interests of the entire shire.
- To achieve appropriate balance of population in each ward, current communities of interest will be broken up for example smaller communities and towns in the east of the shire that gravitate to Yarrawonga as their main town will be aligned with Cobram.
- The different rates of population growth across the shire would require the boundaries to be reset regularly.

Council's Submission

This report seeks council's authorization for a submission to be presented to the VEC that

- expresses council's support for the Preliminary Report's recommendations
- Requests the opportunity to speak to our submission at the public hearing to be held 6pm Wednesday 8 May 2019 in Cobram.

The submission process occurs via an online portal and hence to enable this process to occur in a timely manner this report seeks council's authorization the CEO to take the necessary administrative steps to ensure the submission is received by the VEC by the due date via the required online submission process.

Presentation to hearings

It is proposed that the Mayor and Deputy Mayor present on behalf of council at the public hearings on 8 May.

3. Conflict of Interest Considerations

No officer conflicts of interest were identified in the preparation of this report.

4. Conclusion

After considering the information and analysis provided in the VEC's Preliminary Report it is recommended that council's submission endorse the VEC's recommendations while also recognizing the importance of broad community involvement and feedback into the VEC review process.

Attachments

Nil

FILE NO: F13/503
4. A WELL RUN COUNCIL

ITEM NO: 9.2.5

ASSEMBLIES OF COUNCIL

RECOMMENDATION

That Council receive and note the Record of Assemblies of Councillors.

1. Executive Summary

This report details the Assembly of Councillors for March 2019. Report is prepared in accordance with the requirements of the Local Government Act (the Act) 1989 section 80A.

2. Background and Options

This report fulfills Council's legislative obligation to report the matters considered and whether a conflict of interest disclosure was made by a Councillor at

- A meeting of an advisory committee where at least one Councillor is present; or
- A meeting, briefing or other activity where at least half of the Council and a member of Council staff are present; and
- Where the matters considered may be subject to a decision of Council or exercise of a function, duty or power of the Council that has been delegated to a person or committee.

Meeting	Present at meeting	Matters discussed	Declaration of Interest(s)
Yarrowonga Library Steering Committee 1 March 2019	Councillors: Peter Lawless Peter Mansfield Staff: Community Development Officer, Hayley Benson Senior Communications Officer, Fiona Blick	<ul style="list-style-type: none"> • Draft concept masterplan of Yarrowonga Library and Town Hall community consultation review 	Nil
Council Briefing 13 March 2019	Councillors: Libro Mustica Peter Lawless John Beitzel Kevin Bourke Wendy Buck Gary Cleveland Ed Cox Peter Mansfield Staff: Chief Executive Officer, Mark Henderson General Manager Community, Sally Rice General Manager Corporate, Simon Rennie Manager Governance and Communication, Linda Nieuwenhuizen	<ul style="list-style-type: none"> • Draft Council Agenda review • Rating Strategy • Health merger • Yarrowonga Aerodrome • Yarrowonga Library • Section 86 discussion 	Nil

FILE NO: F13/503
4. A WELL RUN COUNCIL

ITEM NO: 9.2.5

ASSEMBLIES OF COUNCIL (cont'd)

Meeting	Present at meeting	Matters discussed	Declaration of Interest(s)
Council Budget Workshop 20 March 2019	<p>Councillors: Libro Mustica Kevin Bourke Wendy Buck Gary Cleveland Ed Cox Peter Mansfield Marie Martin</p> <p>Staff: Chief Executive Officer, Mark Henderson General Manager Community, Sally Rice General Manager Corporate, Simon Rennie Manager Governance and Communication, Linda Nieuwenhuizen Governance Officer, Nancy Mustica Manager Assets, Graham Henderson</p>	Draft budget	Yes Cr Mustica draft budget proposal – Karook St, Cobram
Yarrowonga Multisport Stadium Feasibility Study Steering Committee 27 March 2019	<p>Councillor: Peter Mansfield</p> <p>Staff: Team Leader Community and Recreational Development, Lyn Cooper Grants Officer, Clinton Shand</p>	Approach to community fundraising	Nil
Council Briefing 27 March 2019	<p>Councillors: Libro Mustica Peter Lawless John Beitzel Kevin Bourke Wendy Buck Gary Cleveland Ed Cox Peter Mansfield Marie Martin</p> <p>Staff: Chief Executive Officer, Mark Henderson General Manager Community, Sally Rice General Manager Corporate, Simon Rennie Manager Governance and Communication, Linda Nieuwenhuizen</p>	Agenda review	Nil

FILE NO: F13/503
4. A WELL RUN COUNCIL

ITEM NO: 9.2.5

ASSEMBLIES OF COUNCIL (cont'd)

3. Conflict of Interest Considerations

There are no council officer conflict of interest issues to consider within this report.

4. Conclusion

The Assembly of Councillors records incorporated into this report are a true and accurate record of all assemblies of Councillors reported during March 2019.

Attachments

Nil

FILE NO: F15/257
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.4.1

AMENDMENT TO A DEVELOPMENT PLAN - 3479 MURRAY VALLEY HIGHWAY COBRAM

RECOMMENDATION

That Council approve the amendment to the Development Plan for 3479 Murray Valley Highway Cobram (Ref: M3188 ODP Revision 13).

1. Executive Summary

A request has been received to amend an approved Development Plan for a parcel of land on the south side of Murray Valley Highway, Cobram. The proposed amendment is to delete the aged care facility or similar, reduce the number of residential lots and modify the subdivision and design layout.

The Development Plan was advertised for comment and two submissions were received.

The Development Plan was referred and no objections have been received.

The Development Plan Amendment satisfies the requirements of the Development Plan Overlay of the Planning Scheme.

It is recommended that the Amendment to Development Plan for 3479 Murray Valley Highway Cobram be approved.

2. Background and Options

The Development Plan for this site was approved by Council at its meeting on 25 July 2016. It included the following:

- Large residential lots of between 1500 and 2800m² to provide a transition from the existing low density residential lots to the west.
- Medium density development in the form of a retirement community
- Community facilities to support the retirement community
- Provision of an open space reserve incorporating drainage detention facilities
- Landscaping buffers

The provisions of the Overlay required the applicant to submit the following reports which were considered satisfactory in support of the original Development Plan:

- A Fauna and Flora Assessment;
- A Due Diligence Cultural Heritage Assessment;
- A Stormwater Management Plan;
- A Drainage Management Plan;
- A Preliminary Soil Assessment; and
- A Traffic Management and Impact Mitigation Plan.

To support the amendment to Development Plan, modified reports (Stormwater Management and Traffic Management) were submitted and found to be satisfactory.

The options available to Council with respect to this proposed Amended Development Plan are:

- 1) Approve the Development Plan
- 2) Refuse the Development Plan
- 3) Defer consideration

FILE NO: F15/257
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.4.1

**AMENDMENT TO A DEVELOPMENT PLAN - 3479 MURRAY VALLEY HIGHWAY
COBRAM (cont'd)**

3. Proposal

The proposed amended Development Plan includes:

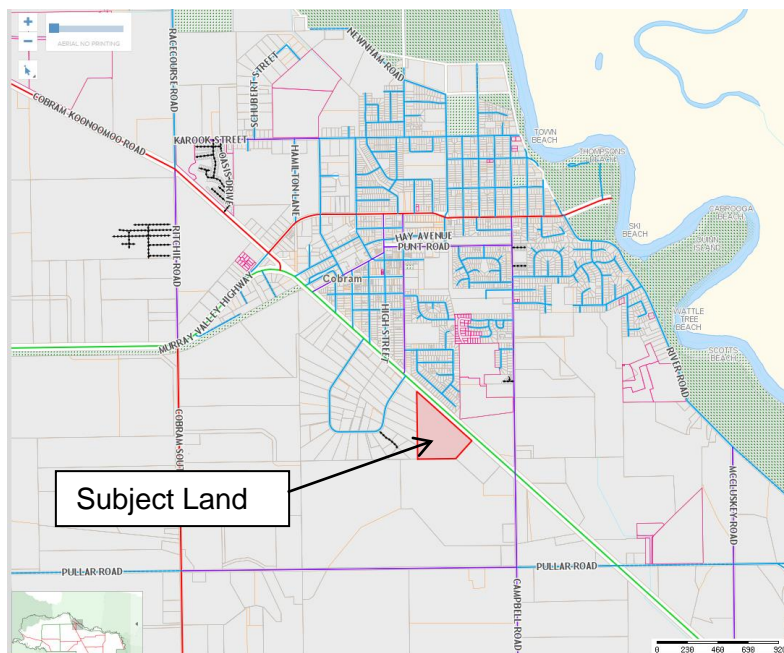
- Deletion of the Aged Care Facility or the like
- Stage 2, 3 & 4 will have a reduced number of lots from 76 to 64 and a modified design layout
- The roads in stages 2, 3 & 4 will become Council roads rather than common property roads

An Amended Stormwater Management Plan and a Traffic Management and Impact Assessment Plan were submitted and are considered satisfactory.

4. Subject Land and Locality

The subject land, having an area of 12.49ha, is located on the south side of Murray Valley Highway, approximately 430 metres west of Campbell Road. It is surrounded by low density residential development to the west, cool stores to the east, agriculture (horticulture) to the south and conventional residential development to the north.

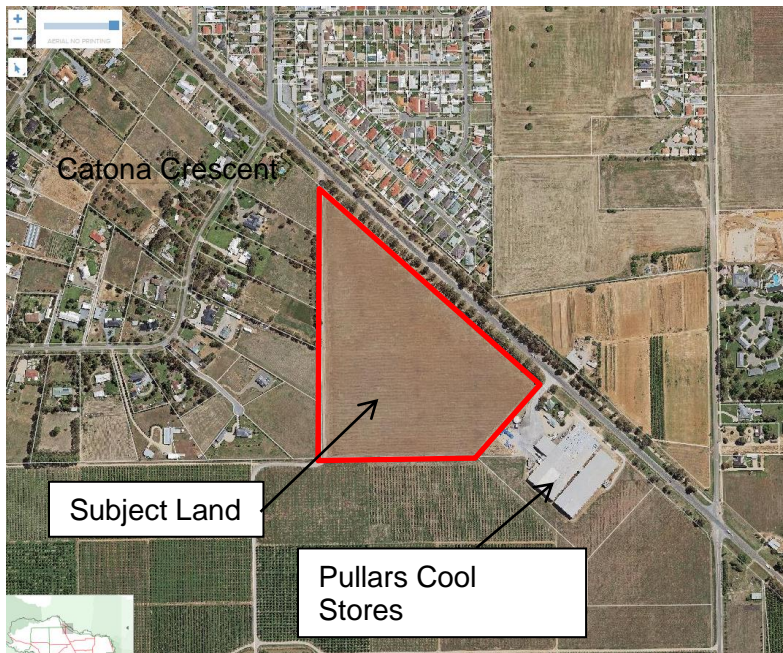
It is noted that Stage 1 of the Development Plan has essentially been completed involving 22 large residential lots, construction of a road and drainage basin.



FILE NO: F15/257
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.4.1

**AMENDMENT TO A DEVELOPMENT PLAN - 3479 MURRAY VALLEY HIGHWAY
COBRAM (cont'd)**



5. Financial Implications

The approval of the Amended Development Plan will allow the proponent to lodge planning permit applications for the subdivision of land. Statutory fees will apply to any planning permit application and the certification of plans of subdivision.

Any development costs associated with the subdivision of land ie construction of roads, drainage, provision of services (electricity, water, sewerage, telecommunications, gas) are borne by the developer.

6. Risk Management

The Development Plan provides the opportunity for future development that must produce assessments or reports on various aspects mentioned elsewhere in this report. Any problem with the development in this area would be identified and therefore could be addressed through the planning permit process.

7. Internal and External Consultation

The proposed Development Plan Amendment was referred to both internal departments and external authorities.

Department / Authority	Comments
Infrastructure – Assets and Construction	Following some minor modifications to the submitted Amended Development Plan, no objections are raised to the approval of the Plan.
VicRoads	No objection to Development Plan. Permit conditions will be required once a Planning Permit Application is lodged and referred.

FILE NO: F15/257
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.4.1

**AMENDMENT TO A DEVELOPMENT PLAN - 3479 MURRAY VALLEY HIGHWAY
COBRAM (cont'd)**

	Suggested conditions provided.
Goulburn Valley Water	Provided proposed conditions for the subdivision of land
Powercor	Provided proposed condition for the subdivision of land

8. Community Consultation

There are no statutory processes in exhibiting a Development Plan, an amendment to a Development Plan or for making submissions. Such plan(s) is prepared only to the 'satisfaction of the Responsible Authority' without the statutory requirement to give notice, ability to consider objections or provide a right of review.

Notwithstanding the above, the Development Plan Amendment was advertised in the Cobram Courier to allow the community to comment on the plan. No submissions were received.

9. Regional Context

There is no regional context associated with this proposal, given its scale and location.

10. Council Plan Strategy

One of the strategic actions to the Strategy to develop a thriving local economy:

- Facilitating growth by working with developers to provide industrial, commercial and residential land to satisfy projected demand.

A Development Plan provides the means to create residential neighbourhoods in areas that are growing or expanding in a coordinated manner, hence this strategy is achieved.

11. Legislative / Policy Implications

The Moira Planning Scheme requires that prior to any approval of a planning permit, a Development Plan be approved under Clause 43.04 of the Scheme.

As previously stated there is no statutory process in approving a Development Plan (or an amendment), exhibiting a Plan or for making submission to a Plan.

Once a Development Plan is approved a planning permit application is able to be lodged for consideration. Such application must generally accord with the approved Development Plan.

If the planning permit application accords with the approved Development Plan, it is exempt from the Public Notice requirements and appeal rights, pursuant to Clause 43.04-2 of the Planning Scheme.

12. Environmental Impact

The approval of this Development Plan is unlikely to result in an adverse effect on the environment.

13. Conflict of Interest Considerations

No officer conflict of interest applies to the matters in this report.

FILE NO: F15/257
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.4.1

**AMENDMENT TO A DEVELOPMENT PLAN - 3479 MURRAY VALLEY HIGHWAY
COBRAM (cont'd)**

14. Conclusion

The proposed amendment to the Development Plan shows modifications to the land use designations and residential layout, however, they are not contrary to the Development Plan Overlay.

No objections have been received to the Amended Development Plan from either the public, referral authorities or internal departments.

The amendments are considered reasonable, therefore approval is recommended.

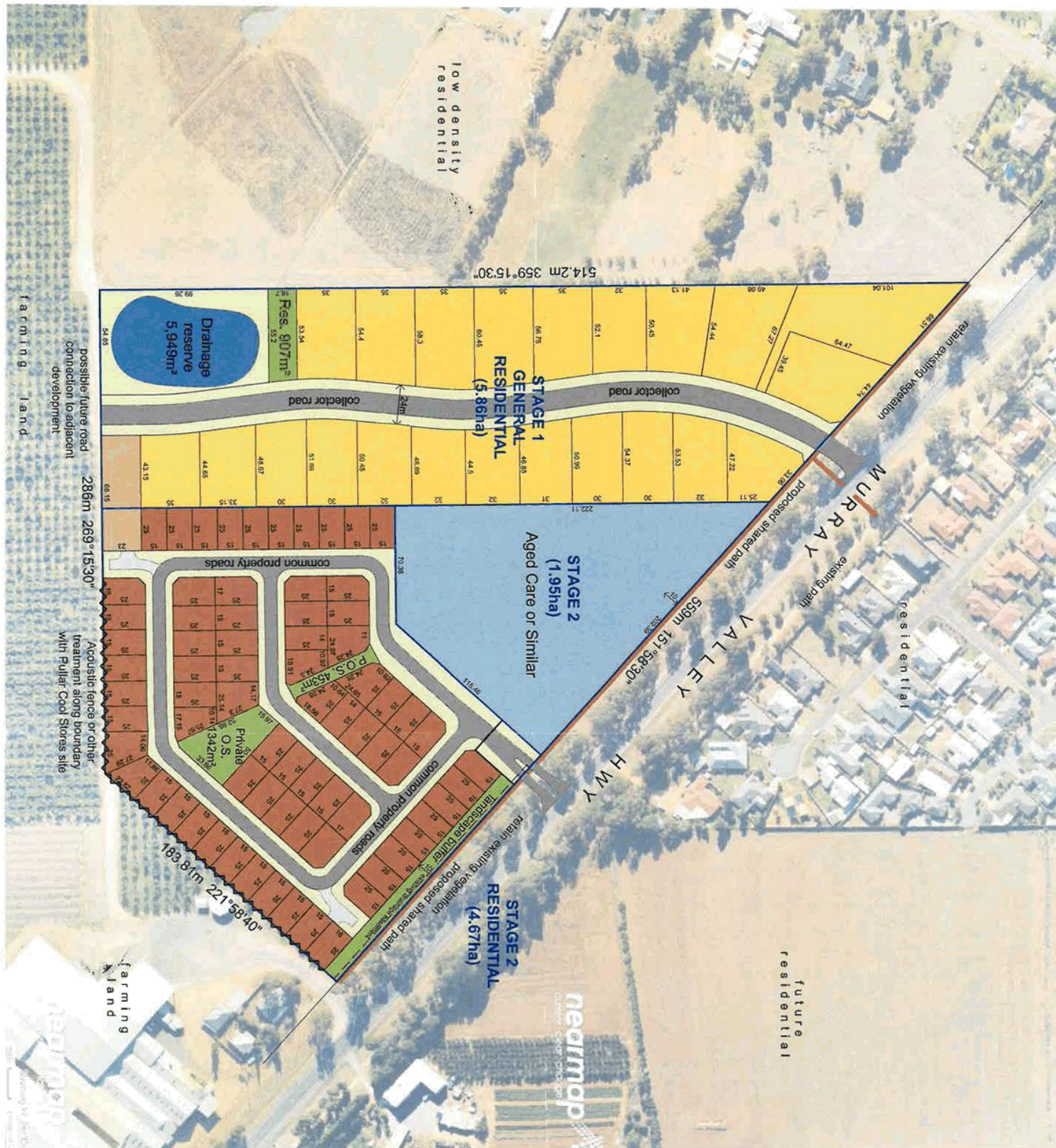
Attachments

- 1 Approved Development Plan
- 2 Proposed Amended Development Plan

AMENDMENT TO A DEVELOPMENT PLAN - 3479 MURRAY VALLEY HIGHWAY COBRAM (cont'd)

ATTACHMENT No [1] - Approved Development Plan

CONCEPT DEVELOPMENT PLAN



PLANNING & ENVIRONMENT ACT 1987
MOIRA PLANNING SCHEME

This Development Plan is pursuant to the Development Plan

Overlay Number 8

Council approved this plan at its meeting on 25/7/2016

Delegate [Signature]

Date 5/10/2016

- 95 lots (22 + 73 approx. medium density)
- Features:
- Limited to two access points from the Murray Valley Hwy
 - 22 Large lots and open space as a buffer to adjacent low density development to the west
 - Public reserve to south west corner providing unencumbered land for recreation and recreational land for VNSLD
 - Road connection to possible future residential development to the west of the site
- Stage 2
- Privately owned and managed medium density development with common property road access
 - Site for Aged Care or similar facility

LEGEND

- Medium density
300 - 600m² small lots
- Aged Care or Similar
- Residential lots
>1400m² large residential lots
- Storage area/ Car parking
For caravans, boats and other vehicles
- Open space
Unencumbered open space private and public as noted
- Reserve
Encumbered - road and/or drainage function

NORTH EAST SURVEY DESIGN

For: Serg Bachetta
At: 3479 Murray Valley Hwy, Cobram
Title: CONCEPT DEVELOPMENT PLAN
Residential Subdivision

Drawing No: M3118_ODP
Project No: M3118
Revision: 7
Drawn by: NW
Checked/Designed by: MS

Scale: 1:1500 @ A1 / 1:5000 @ A0

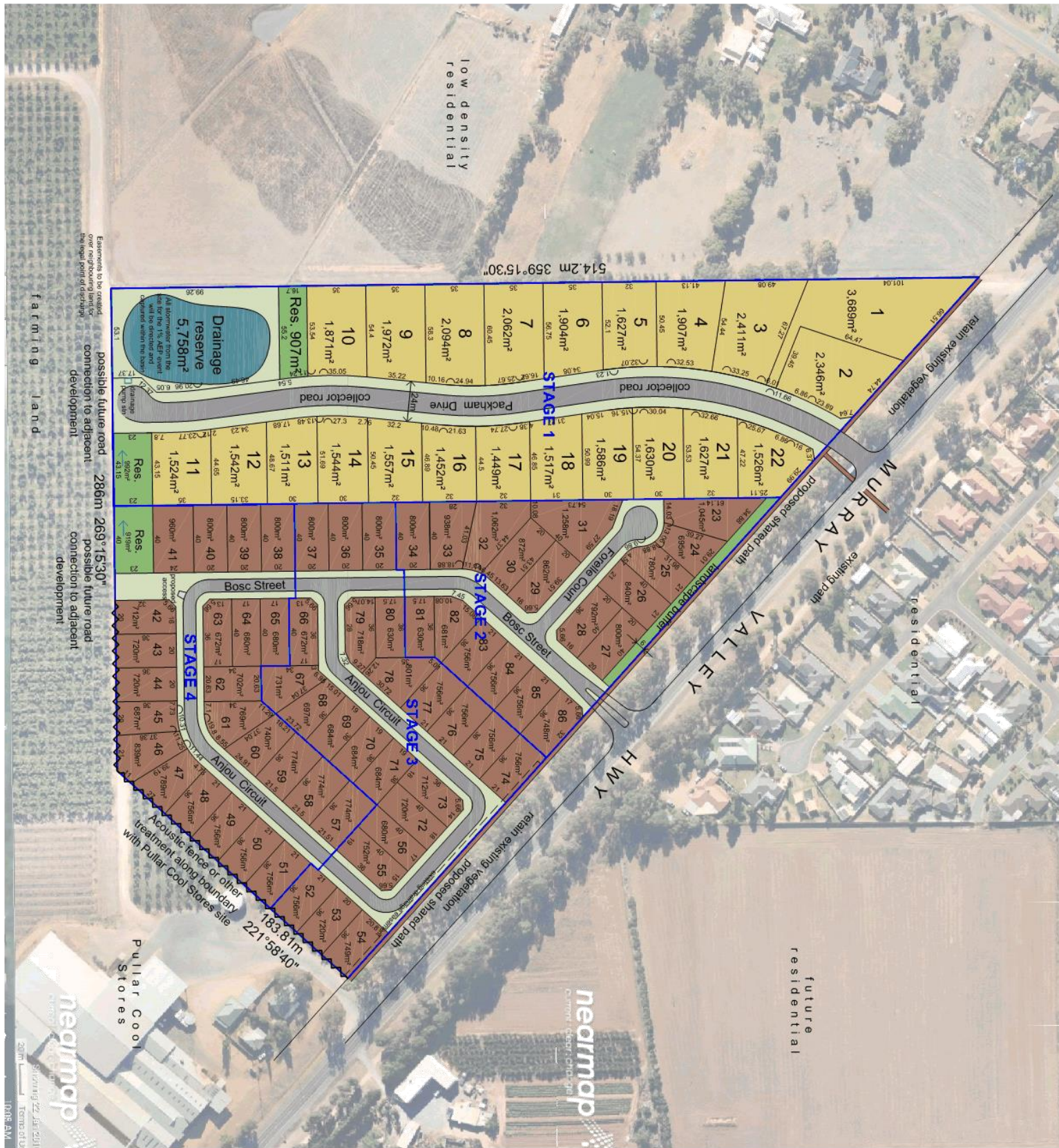
Drawing Question Date: 4/10/2016
Pkg / Issue Date: 4/10/2016
Pkg Location: [Address]

FOR COUNCIL ENDORSEMENT

AMENDMENT TO A DEVELOPMENT PLAN - 3479 MURRAY VALLEY HIGHWAY COBRAM (cont'd)

ATTACHMENT No [2] - Proposed Amended Development Plan

CONCEPT DEVELOPMENT PLAN



LEGEND

- Residential lots
600 - 1,400m² lots
- Large residential lots
> 1400m²
- Open space
Unencumbered open space private and public as road
- Reserve
Encumbered - road and/or drainage function
- Indicative drainage - refer to Stormwater Management Plan for further details.

88 lots (22 + 64 residential)

Features:

- Limited to two access points from the Murray Valley Hwy
- Stage 1 - under construction
- 22 Large lots and open space as a buffer to adjacent low density development to the west
- Public reserve in south west corner providing unencumbered open space for future residential development
- Road connection to possible future residential development to the south of the site

Stages 2 to 4

- 64 residential lots
- Public reserve in southwest corner providing overland flow path to basin

FOR COUNCIL ENDORSEMENT

Drawing Creation Date: 20/08/2018
Preliminary Date: 26/03/2019
Final Location: [Redacted]

Scale: 1:1250 @ A1 / 1:2500 @ A3

NORTH EAST SURVEY DESIGN

For: Saig Biachetta
At: 3479 Murray Valley Hwy, Cobram
Title: CONCEPT DEVELOPMENT PLAN
Residential Subdivision

Drawing No: M3118_ODP
Project No: M3118
Revision: 13
Drawn By: KW
Checked/Signed By: MS

0 12.5 25 37.5 50 62.5m

Scale: 1:1250 @ A1 / 1:2500 @ A3

DATE: 22 JUN 2019
TIME: 10:06 AM

FILE NO: C018/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.2

C018/19 - CONSTRUCTION OF DRAINAGE UPGRADES, YARRAWONGA

RECOMMENDATION

That Council:

1. Award the lump sum contract C018/19 to Cartwright Civil Contracting Pty Ltd.
2. Allocate an additional \$200,000 from Council reserves toward the project budget in the Council's 2019/2020 Capital Works Budget.
3. Authorise the Chief Executive Officer to sign and seal the contract documents.

1. Executive Summary

Moira Shire Council invited submissions from suitably qualified organisations or individuals to construct the drainage improvement works for Anchorage Way, Fields Avenue, Fiona Drive and Lakeviews Circuit, Yarrowonga.

After consideration of the tender submissions, the evaluation panel recommends that all parts of contract C018/19 be awarded to Cartwright Civil Contracting Pty Ltd as per the tendered lump sum.

For more information, please refer to Appendix A – Evaluation Summary (Confidential).

2. Background and Options

The package of works is separated into four parts; tenderers were to make a submission for all parts to be considered conforming. The parts are:

PART A – Anchorage Way
PART B – Fields Avenue
PART C – Fiona Drive
PART D – Lakeviews Circuit

The works were to be priced as Separable Portions. Due to budget considerations, Council reserved the right to not award all parts.

Contract Details

The contract will be for a lump sum.

Works under contract are expected to be completed by 31 August 2019.

Date of Public Notice

Paper	Date
The Age	2 February 2019
Border Mail	2 February 2019
Shepparton News	5 February 2019
Cobram Courier	6 February 2019

FILE NO: C018/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.2

**C018/19 - CONSTRUCTION OF DRAINAGE UPGRADES, YARRAWONGA
(cont'd)**

Numurkah Leader	6 February 2019
Yarrawonga Chronicle	6 February 2019

The tender closed 4pm Wednesday 27 February 2019.

Receipt of Tenders

A total of 4 submissions were received:

1. Cartwright Civil Contracting Pty Ltd
2. O'Loughlin Excavation Pty Ltd
3. Andrew Goldman Excavations Pty Ltd
4. Excell Gray Bruni Pty Ltd

Supervision

Superintendent – Manager Construction and Assets

Superintendent Representative – Coordinator Design and Construction

Panel Membership

The submissions were independently evaluated in TenderSearch by the following positions:

- Coordinator Design and Construction
- Development Assessment Engineer
- Project Engineer

The evaluation was moderated by the Procurement Coordinator.

Non-conforming tenders

All submissions were conforming.

Tender Evaluation

The criteria and weightings utilised are detailed below:

Evaluation Criteria	Evaluation Weighting
Price	40%
Track Record	15%
Skills and Resources	15%
Management of Schedules	15%
Contribution to Local Economy	10%
Compliance with Specification	5%

For more information, please refer to Appendix A – Evaluation Summary (Confidential).

FILE NO: C018/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.2

**C018/19 - CONSTRUCTION OF DRAINAGE UPGRADES, YARRAWONGA
(cont'd)**

3. Financial Implications

The prices submitted by the recommended tenderer are considered fair and reasonable, however, exceed the 2018/19 allocated budget for this project.

The Council will be asked to allocate a further \$200,000 toward the project to provide for:

- the shortfall in the budget
- provision to award all parts avoiding the need to re-tender the parts outside of the current budget,
- provision of contingency.

For more information, please refer to Appendix A – Evaluation Summary (Confidential)

4. Risk Management

To minimise the risks associated with the works under the contract, the following conditions are required to be met by the successful contractor:

- The successful contractor will be appointed as the Principal Contractor under the Occupational Health and Safety Act 2004.
- The contractor must supply the Superintendent with the final agreed Works Program.
- Superintendent Representative will conduct regular site visits.
- All on-site personnel are required to undertake a Moira Shire Council site induction.
- A plant risk assessment is required for each item of heavy plant to be supplied, hired or expected to enter the work site.

5. Internal and External Consultation

The public tender was advertised on Council's TenderSearch website, The Age, Shepparton News, Border Mail and the local papers.

The specification was approved by the responsible officer, Procurement Coordinator, Coordinator Design and Construction, Manager Construction and Assets and General Manager Infrastructure.

6. Council Plan Strategy

The Council Plan addresses the need for a well-run Council by implementing a transparent, engaging and accountable governance structure for current and future generations. The processes undertaken to award the contract meet the legislative and policy requirements relating to procurement and tendering.

7. Legislative / Policy Implications

The tender process was undertaken in accordance with the requirements of the section 186 of the Local Government Act and Council's adopted Procurement Policy.

8. Environmental Impact

Section 3.25 and 4.30 of the specification stipulates the contractor's environmental responsibilities and will form part of the contract.

In addition, 4.20 of the specification states that the successful contractor must clearly mark and protect all existing trees and vegetation.

9. Conflict of Interest Considerations

There was no conflict of interest declared for this tender evaluation process.

FILE NO: C018/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.2

**C018/19 - CONSTRUCTION OF DRAINAGE UPGRADES, YARRAWONGA
(cont'd)**

10. Conclusion

After consideration of the tender submissions, the evaluation panel recommends that all parts of contract C018/19 be awarded to Cartwright Civil Contracting Pty Ltd as per the tendered lump sum.

Attachments

- 1 APPENDIX A - EVALUATION SUMMARY - *printed in separate document*

FILE NO: C014/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

C014/19 - GATEWAY SIGNAGE PROJECT

RECOMMENDATION

That Council:

1. Authorise the Chief Executive Office to undertake negotiations with the preferred tenderer, Croz Pty Ltd ATF Aloï Family Trust & Brabner Family Trust Partnership T/A Sign Express to achieve a best value outcome and award contract C014/19 – Gateway Signage Project.
2. Following negotiations, authorise the Chief Executive Officer to sign and seal the contract documents.

1. Executive Summary

Moira Shire Council invited submissions from suitably qualified organisations or individuals to fabricate and install Gateway and Township Signage at various locations within the Moira Shire local government area.

Tenderers were provided with a broad framework of signage designs and size options and were required to submit their schedule of rates for each option.

After consideration of the submissions, the evaluation panel recommends that Croz Pty Ltd ATF Aloï Family Trust & Brabner Family Trust Partnership T/A Sign Express be appointed as the preferred tenderer for all parts of contract C014/19 – Gateway Signage Project.

For more information, please refer to Appendix A – Evaluation Summary (Confidential).

2. Background and Options

The project is for the fabrication and installation of Gateway Signage at various locations within the Moira Shire Council boundary. The signs to be fabricated and installed are:

1. Large scale panel signs comprised of three (3) curved coloured panels with signage.
2. Smaller scale panel signs comprised of flat coloured panels with signage.

All signs will include Council's logo, name, locality name (or welcome) and locality motif.

For more information, please refer to Appendix B – Sign Designs.

Contract Details

The contract is a schedule of rates contract subject to rise and fall.

Works under contract are expected to be completed by 31 December 2020.

Date of Public Notice

Paper	Date
The Age	19 January 2019
Border Mail	19 January 2019
Shepparton News	22 January 2019

FILE NO: C014/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

C014/19 - GATEWAY SIGNAGE PROJECT (cont'd)

Cobram Courier	23 January 2019
Numurkah Leader	23 January 2019
Yarrawonga Chronicle	23 January 2019

The tender closed 4pm Friday 8 March 2019.

Receipt of Tenders

A total of 8 submissions were received:

1. Armsign Pty Ltd
2. Claude Neon Pty Ltd
3. Church Communities Australia Ltd t/a Danthonia Designs
4. Icon Creations Pty Ltd
5. Michel Signs Pty Ltd ATF The Michel Family Trust
6. Skope Group Pty Ltd t/a Scream Visual
7. Croz Pty Ltd ATF the Aloi Family Trust & Brabner Family Trust Partnership t/a Sign Express
8. SMS Singleton Moore Sign Co Pty Ltd

Supervision

Superintendent – Manager Operations

Superintendent Representative – Team Leader Administration, Operations

Panel Membership

The submissions were independently evaluated in TenderSearch by the following positions:

- Manager Construction and Assets
- Manager Governance and Communications
- Team Leader Administration, Operations
- Governance Officer

The evaluation was moderated by the Procurement Coordinator.

Non-conforming tenders

No submission was considered non-conforming.

Tender Evaluation

The criteria and weightings utilised are detailed below:

Evaluation Criteria	Evaluation Weighting
Price	30%
Track Record	20%
Management of Schedules	20%
Skills and Resources	10%
Contribution to Local Economy	10%
Compliance with Specification	10%

For more information, please refer to Appendix A – Evaluation Summary (Confidential).

FILE NO: C014/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

C014/19 - GATEWAY SIGNAGE PROJECT (cont'd)

3. Financial Implications

The price for the full scope of the project exceeds the available budget. However, negotiations with the preferred tenderer is required in order to meet the full scope of works within the available budget.

Please refer to Appendix A – Evaluation Summary (Confidential).

4. Risk Management

To minimise the risks associated with the works under the contract, the following conditions are required to be met by the successful contractor:

- The successful contractor will be appointed as the Principal Contractor under the Occupational Health and Safety Act 2004.
- The contractor is responsible for applying for and paying for all permits required to undertake the works under contract. Included, but not limited to VicRoads and Powercor.
- Superintendent Representative will conduct regular site visits.
- All on-site personnel are required to undertake a Moira Shire Council site induction.

5. Internal and External Consultation

The public tender was advertised on Council's TenderSearch website, The Age, Shepparton News, Border Mail and the local papers. The specification was approved by the responsible officer, Procurement Coordinator, Manager Operations and General Manager Infrastructure.

6. Council Plan Strategy

The Council Plan addresses the need for a well-run Council by implementing a transparent, engaging and accountable governance structure for current and future generations. The processes undertaken to award the contract meet the legislative and policy requirements relating to procurement and tendering.

7. Legislative / Policy Implications

The tender process was undertaken in accordance with the requirements of the section 186 of the Local Government Act and Council's adopted Procurement Policy.

8. Environmental Impact

Section 3.18 of the specification stipulates the contractor's environmental responsibilities and will form part of the contract. In addition, 4.18 of the specification states that the successful contractor must clearly mark and protect all existing trees and vegetation.

9. Conflict of Interest Considerations

There was no conflict of interest declared for this tender evaluation process.

10. Conclusion

After consideration of the submissions, the evaluation panel recommends that Croz Pty Ltd ATF Aloi Family Trust & Brabner Family Trust Partnership T/A Sign Express be appointed as the preferred tenderer for all parts of contract C014/19 – Gateway Signage Project **Attachments**

- 1 APPENDIX B - SIGN DESIGNS - *printed in separate document*
- 2 Appendix A - EVALUATION SUMMARY (CONFIDENTIAL) - *printed in separate document*

FILE NO: C016/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.4

C016/19 - FORGES PUMP LANE INTERSECTION UPGRADE, YARRAWONGA

RECOMMENDATION

That Council:

1. Award Contract C016/19 – Forges Pump Lane Intersection Upgrade, Yarrowonga to Bitu-Mill (Civil) Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

1. Executive Summary

Moira Shire Council invited submissions from suitably qualified organisations or individuals for the upgrade of the intersection of Forges Pump Lane and Murray Valley Highway, Yarrowonga.

Works under contract include the widening of the road pavement, sealing, line marking, signage and associated drainage. The intersection will continue to be used throughout the contract period.

The contractor must be appropriately registered with VicRoads.

After consideration of the tender submissions, the evaluation panel recommends that contract C016/19 - Forges Pump Lane Intersection Upgrade, Yarrowonga be awarded to Bitu-Mill (Civil) Pty Ltd.

For more information, please refer to Appendix A – Evaluation Summary (Confidential).

2. Background and Options

Contract Details

The contract will be for a lump sum.

Works under contract are expected to be completed within 16 weeks from the date of acceptance.

Date of Public Notice

Paper	Date
Border Mail	9 March 2019
Shepparton News	12 March 2019
Cobram Courier	13 March 2019
Numurkah Leader	13 March 2019
Yarrowonga Chronicle	13 March 2019

The tender closed 4pm Wednesday 3 April 2019.

Receipt of Tenders

A total of 6 submissions were received:

FILE NO: C016/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.4

**C016/19 - FORGES PUMP LANE INTERSECTION UPGRADE, YARRAWONGA
(cont'd)**

1. Anthony T. Lindsay Pty Ltd
2. Bitu-Mill (Civil) Pty Ltd
3. Excell Gray Bruni Pty Ltd
4. Mawson Constructions Pty Ltd
5. North East Civil Construction Pty Ltd
6. Tactile Australia Pty Ltd t/a One Stop Civil

Supervision

Superintendent – Manager Construction and Assets

Superintendent Representative – Project Manager

Panel Membership

The submissions were independently evaluated in TenderSearch by the following positions:

- Manager Constructions and Assets
- Coordinator Design and Construction
- Project Manager

The evaluation was moderated by the Procurement Coordinator.

Non-conforming tenders

No submission was deemed non-conforming, however, Anthony T. Lindsay Pty Ltd were marked down considerably for failing to provide evidence of VicRoads pre-qualification.

As the works are also on a VicRoads intersection, it is a contract requirement to be VicRoads pre-qualified.

Tender Evaluation

The criteria and weightings utilised are detailed below:

Evaluation Criteria	Evaluation Weighting
Price	40%
Track Record	15%
Management of Schedules	15%
Skills and Resources	10%
Contribution to Local Economy	10%
Compliance with Specification	10%

For more information, please refer to Appendix A – Evaluation Summary (Confidential).

3. Financial Implications

Please refer to Appendix A – Evaluation Summary (Confidential).

FILE NO: C016/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.4

**C016/19 - FORGES PUMP LANE INTERSECTION UPGRADE, YARRAWONGA
(cont'd)**

4. Risk Management

To minimise the risks associated with the works under the contract, the following conditions are required to be met by the successful contractor:

- The successful contractor, the contractor must supply the Superintendent with the final agreed Works Program.
- Various Hold Points have been specified (Hold Points are points beyond which the work may not proceed without review by the Superintendent).
- The successful contractor will be appointed as the Principal Contractor under the Occupational Health and Safety Act 2004.
- The contractor must supply the Superintendent with the final agreed Works Program.
- Superintendent Representative will conduct regular site visits.
- All on-site personnel are required to undertake a Moira Shire Council site induction.
- A plant risk assessment is required for each item of heavy plant to be supplied, hired or expected to enter the work site.

5. Internal and External Consultation

The public tender was advertised on Council's TenderSearch website, Shepparton News, Border Mail and the local papers.

The specification was approved by the responsible officer, Procurement Coordinator, Coordinator Design and Construction, Manager Construction and Assets and General Manager Infrastructure.

6. Council Plan Strategy

The Council Plan addresses the need for a well-run Council by implementing a transparent, engaging and accountable governance structure for current and future generations. The processes undertaken to award the contract meet the legislative and policy requirements relating to procurement and tendering.

7. Legislative / Policy Implications

The tender process was undertaken in accordance with the requirements of the section 186 of the Local Government Act and Council's adopted Procurement Policy.

8. Environmental Impact

Section 3.25 and 4.25 of the specification stipulates the contractor's environmental responsibilities and will form part of the contract.

In addition, 4.15 of the specification states that the successful contractor must clearly mark and protect all existing trees and vegetation.

9. Conflict of Interest Considerations

There was no conflict of interest declared for this tender evaluation process.

10. Conclusion

After consideration of the tender submissions, the evaluation panel recommends that contract C016/19 - Forges Pump Lane Intersection Upgrade, Yarrowonga be awarded to Bitu-Mill (Civil) Pty Ltd. **Attachments**

- 1 APPENDIX A - EVALUATION SUMMARY (Confidential) - *printed in separate document*

FILE NO: F17/235
4. A WELL RUN COUNCIL

ITEM NO: 10.1

ACTION OFFICERS' LIST

RECOMMENDATION

That Council receive and note the Action Officers' List.

Meeting : 19 December 2018

Subject: Varapodio and Molochio exchange visit

That Council:

1. Acknowledge the invitation from the Mayor of Varapodio and seek the participation of local school students and community members with a view to sending a delegation to Varapodio and Molochio in July 2019.
2. Approve meeting the costs of two official council delegates with additional delegates to meet their own costs.
3. Determine that the Mayor be the lead delegate with one other delegate for planning purposes.

(CARRIED)

Activity

- Letter of acceptance sent to the Mayor of Varapodio
- Initial meeting held with secondary school representatives seeking expression of interest in being part of the delegation.
- Travel quotes sourced

Meeting: 27 March 2019

Subject – Urgent General Business

MOTION

That Moira Shire Council support the proposed merger of the Cobram, Nathalia and Numurkah hospitals on the basis that a united health service will enable Moira residents to access a broader range of locally available healthcare, create increased opportunity to attract specialist skills into the local health network, strengthen the united boards capacity to attract government funding for future capital improvements and provide increased career development opportunities for health staff.

(CARRIED)

Completed

Letter of support sent to the Victorian Minister for Health, The Hon Jenny Mikakos MLC.

FILE NO: F17/235 4. A WELL RUN COUNCIL

ITEM NO: 10.1

ACTION OFFICERS' LIST (cont'd)

Meeting: 27 March 2019

Subject: Yarrawonga Town Hall Precinct and Library Concept Plan
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That Council:

- | |
|---|
| <ol style="list-style-type: none">1. Pause development of detailed plans for a new library / community hub on the Yarrawonga Town Hall site while it undertakes further broad community engagement on the proposal.2. That an assessment of the former Yarrawonga Primary School site be undertaken to establish whether all or part of the site should be retained for community use. |
|---|

(CARRIED)

Activity

Broad community engagement has commenced as has an assessment of the former Yarrawonga Primary School site.

Attachments

Nil

FILE NO: F13/860-3
1. A GREAT PLACE TO LIVE

ITEM NO: 12.1

**PETITION - ROAD SAFETY AT PUNT ROAD AND GREGORY STREET
INTERSECTION, COBRAM**

RECOMMENDATION

That Council:

1. Thank the petitioners for their work and advise the authors of the attached letter with the petition, of Council's decision,
2. Undertake investigations to determine whether the warrants for the installation of a pedestrian crossing in Punt Road are met.
3. Undertake investigations regarding the development and ongoing use of the vacant block as a car park to facilitate a safer entrance to the Punt Road Kindergarten & Childcare Centre including assessing construction costs for all associated works.

1. Executive Summary

A petition has been received regarding road safety in Punt Road at the Gregory Street Intersection in the vicinity of the Punt Road Kindergarten & Childcare Centre.

The petition is requesting Council to consider installing a pedestrian crossing in Punt Road and also the use of the vacant block abutting the Kindergarten as a car park for dropping off and picking up children as a means of improving safety for all pedestrian and road users.

A pedestrian crossing is a major traffic control item under the Road Safety (Traffic Management) Regulations 2009 and require the consent of Regional Roads Victoria (RRV, formally Vicroads). In seeking approval from RRV to install a new crossing, Council officers must demonstrate certain warrants have been met.

Council Officers will also investigate the use of the vacant block as a car park including assessing construction costs for all associated works is required for providing a safer entrance to the Kindergarten.

The results of the investigations including construction cost estimates will be reported to Council for budget consideration.

2. Background and Options

a) Petition

A petition with 86 signatories has been received from the Committee of the Cobram District Children's Services to express concern over the safety of child pedestrians of all ages including their parents and road user traffic in Punt Road at the Gregory Street Intersection in Cobram within the vicinity of the Punt Road Kindergarten & Child Care Centre. Their concerns include a request for:

- A new pedestrian crossing in Punt Road near the intersection to improve safety for parents and their children to cross the road safely to the Kindergarten and also for school age children walking to the St Joseph Primary School and Cobram Secondary College;
- Allowing the Kindergarten to use the vacant block next to the Kindergarten as a car park for parents to pick up / drop off their children as a safer option to parking in Punt Road; and

FILE NO: F13/860-3 1. A GREAT PLACE TO LIVE	ITEM NO: 12.1
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**PETITION - ROAD SAFETY AT PUNT ROAD AND GREGORY STREET
INTERSECTION, COBRAM (cont'd)**

- Funding assistance to replace the old fence around the vacant block as the fence presents a trip hazard due to the fence's supporting braces, relocate the kindergarten's safe entry & electronic pin system, provide a new footpath between the vacant block and the Kindergarten plus a small walkway shelter so that families can enter & exit the Kindergarten without getting too wet in the winter.

The petition was tabled at the Ordinary Council Meeting held on 27 March 2019.

b) Proposed Investigations

To fully assess the Petition's request, Council Officers will undertake investigations which involve:

- Carrying out traffic and speed counts in Punt Road in the vicinity of the Kindergarten and the Gregory Road intersection for assisting in determining if the warrants of a pedestrian crossing are met in accordance with Vicroads Guidelines;
- Assessing the most appropriate location for a pedestrian crossing in consultation with the Council's Traffic Liaison Committee, Regional Roads Victoria, Police and the Cobram District Children's Services Committee;
- Assessing design and construction costs for provision of a new pedestrian crossing including associated footpath extension works as there is currently no footpath on the north side of Punt Road to link up with the existing path in Gregory Street.
- Assessing the suitability of the adjacent vacant block that is owned by Council for development into a formal car park including driveway entrance point
- Assessing the estimated costs to replace the existing fencing of the vacant block, new connecting footpath, shelter and relocation of the Kindergarten's electronic pin entry system.

It is intended that these investigations will be completed to allow the matter to be considered by Council's Traffic Liaison Committee at their next meeting scheduled for 6th June 2019.

3. Financial Implications

It is estimated that the cost of works may exceed \$100,000 depending upon the final scope of works.

4. Risk Management

The investigations will include assessment of risk to both pedestrian and road users including operational risk for parents dropping and picking up children at the Kindergarten.

FILE NO: F13/860-3 1. A GREAT PLACE TO LIVE	ITEM NO: 12.1
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**PETITION - ROAD SAFETY AT PUNT ROAD AND GREGORY STREET
INTERSECTION, COBRAM (cont'd)****5. Internal and External Consultation**

The investigation process will involve consultation with the Council's Traffic Liaison Committee, Regional Roads Victoria, Police and the Cobram District Children's Services Committee.

6. Regional Context

The Punt Road Kindergarten & Childcare Center services both the Cobram township and surrounding district. Other key facilities nearby include the Cobram Civic Centre & Library, Cobram Swimming Pool, the Eileen Taylor Kindergarten and St Joseph Primary School that also generate traffic in Punt Road

7. Council Plan Strategy

The request to change the entrance to the Punt Road Kindergarten & Childcare Centre and install a pedestrian crossing in Punt Road is linked to the Council Plan's Strategy 1 – "A great place to live" under the strategic action "Continuing to maintain and provide facilities and services that our community values and need".

8. Legislative / Policy Implications

Under the Road Safety (Traffic Management) Regulations 2009, the installation of a pedestrian crossing is listed as a Major Traffic Control Item and require the consent of Regional Roads Victoria (Vicroads).

Approval of budget for any works is by Council at its annual Budget meeting.

9. Environmental Impact

The investigations will include assessment of any environmental impacts that may arise from any infrastructure works.

10. Conflict of Interest Considerations

There are no Officer conflicts of interest with respect to this report

11. Conclusion

The Committee of the Cobram District Children's Services have raised road safety concerns in Punt Road in the vicinity of the Punt Road Kindergarten & Child Care Centre. The Committee have requested that Council consider installing a pedestrian crossing in Punt Road and also the use of the vacant block abutting the Kindergarten as a car park for dropping off and picking up children as a means of improving safety for all pedestrian and road users.

It is recommended that Council Officers proceed with investigations to determine whether the warrants of installing a pedestrian crossing in Punt Road are met and the development and ongoing use of the vacant block as a car park including assessing construction costs for all associated works.

The results of the investigations including construction cost estimates will be reported to Council for future consideration.

Attachments

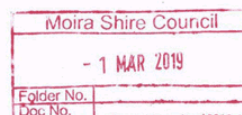
1 Covering letter

FILE NO: F13/860-3
1. A GREAT PLACE TO LIVE

ITEM NO: 12.1

**PETITION - ROAD SAFETY AT PUNT ROAD AND GREGORY STREET
INTERSECTION, COBRAM (cont'd)**

ATTACHMENT No [1] - Copy of Petition and covering letter
D19/13477



Cobram District Children's Services
39-41 Punt Road
Cobram, Vic, 3644

Mayor of Moira Shire Council
44 Station Street
Cobram, VIC, 3644

Dear Mayor Libro,

Re: Road Safety at Punt Road and Gregory Street Intersection

We are part of the committee that supports Punt Road Kindergarten & Childcare as well as Eileen Taylor Kindergarten and are writing to you to express our concerns around the road safety of Punt Road. Over time with town expansion, this road has become a main thoroughfare for cars and buses from the East of town into the towns centre. The speed limit used to be 60km per hour, however over years it has become 50km per hour with no signs to indicate this change. The reality is that because it is a long stretch of road cars are travelling in excess of 60km per hour on a regular basis.

Our Punt Road Kindergarten and Childcare centre is situated along this road opposite the Gregory Street intersection which has the local Cobram pool on the corner and also St Josephs Primary School a little further up. Cobram Secondary College is also in the vicinity which means that during the week on a daily basis there are a lot of varying age school students using this street to walk or ride to school and trying to cross Punt Road into Gregory Street to go onto their respective schools. The footpath is on the opposite side of the road so they need to navigate cars, buses, parked and reversing cars to cross this road safely. In addition to the traffic, this particular intersection has poor visibility for all road and footpath users due to parked cars, oncoming traffic and trees which makes this very dangerous at these peak school times. In particular it is very dangerous for the families at our centre as they have younger Kindergarten or Daycare students which do not know road rules trying to get in and out of the parked cars. There have been so many incidences where little children, primary school and even high school students have been nearly ran over and a few years back a car came out of this intersection, mounted the curb and crashed into our two to three year old playground fence, which luckily there was only structural damage and no one was injured.

FILE NO: F13/860-3 1. A GREAT PLACE TO LIVE
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ITEM NO: 12.1

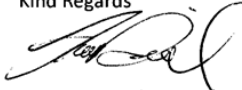
**PETITION - ROAD SAFETY AT PUNT ROAD AND GREGORY STREET
INTERSECTION, COBRAM (cont'd)****ATTACHMENT No [1] - Copy of Petition and covering letter**
D19/13477

As this road is getting busier and busier it really is only a matter of time before an accident happens which we feel can be prevented. Please find attached copies of a petition signed by the families of our centre which shows the concern we have in our community for the safety of children of all ages along this road. We are proposing that council assist us in a few ways;

- Firstly by putting in a pedestrian crossing so that the school and before and after care students can cross the road safely at this intersection from the footpath on Punt Road to go to both the primary & secondary schools in the vicinity.
- Secondly by allowing us to use the vacant block as car parking for our Punt Road Kindergarten & Childcare centre so that families do not need to park along the busy Punt Road and have a safe place to enter and exit the centre with little children.
- Thirdly, if you allow us to use this vacant land as our car park, as the only not for profit Kindergarten & Childcare centre in town if you could assist with any funding we would be so very grateful as relocating our entrance means that we would need to replace or relocate a number of items; the fence as it is old, dangerous and a tripping hazard (you can see from the photos), relocating our safe entry and electronic pin system for families, putting in a new foot path for families and also a small walkway shelter so families can enter and exit the centre without getting too wet in the winter.

We have included some maps, pictures of the traffic at this time and also copies of our petition for you to look at. We are more than happy to discuss this further with you, Thank-you for your time.

Kind Regards



Tamara Daniel
President



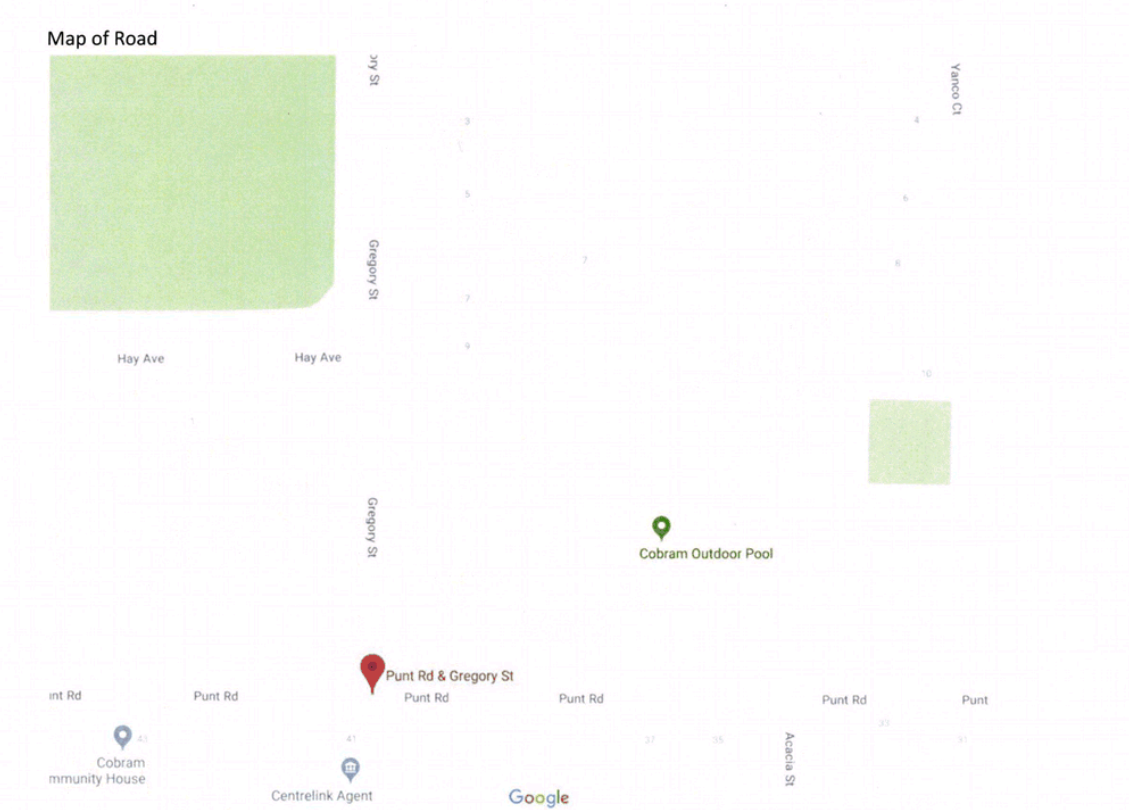
Simone Raco
Major Grants

FILE NO: F13/860-3
1. A GREAT PLACE TO LIVE

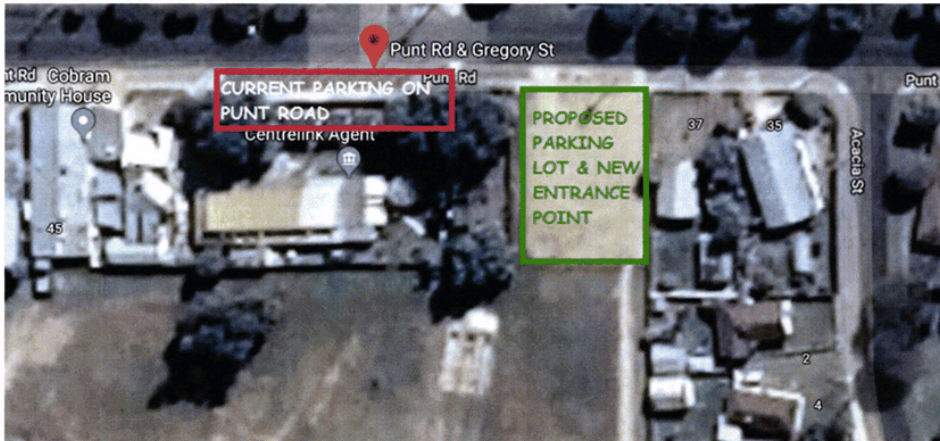
ITEM NO: 12.1

**PETITION - ROAD SAFETY AT PUNT ROAD AND GREGORY STREET
INTERSECTION, COBRAM (cont'd)**

**ATTACHMENT No [1] - Copy of Petition and covering letter
D19/13477**



Current parking situation and proposed new parking area and entrance point for Punt Road Kindergarten & Childcare



FILE NO: F13/860-3
1. A GREAT PLACE TO LIVE

ITEM NO: 12.1

**PETITION - ROAD SAFETY AT PUNT ROAD AND GREGORY STREET
INTERSECTION, COBRAM (cont'd)**

ATTACHMENT No [1] - Copy of Petition and covering letter
D19/13477

Busy traffic at intersection



FILE NO: F13/860-3
1. A GREAT PLACE TO LIVE

ITEM NO: 12.1

**PETITION - ROAD SAFETY AT PUNT ROAD AND GREGORY STREET
INTERSECTION, COBRAM (cont'd)**

ATTACHMENT No [1] - Copy of Petition and covering letter

D19/13477

Fence currently along proposed new car park & entrance which is a tripping hazard for young children



FILE NO: VARIOUS

ITEM NO: 14

URGENT GENERAL BUSINESS**Clause 60 of Council's "Meeting Procedures Local Law 2017 states:****60. Urgent general business**

- 1) Councillors must provide an outline of the matters to be considered before Council can accept the motion to consider urgent business. The outline must demonstrate how the matter meets the criteria for urgent business.
- 2) Urgent business can only be admitted by resolution of Council
- 3) Urgent business must not be admitted as urgent business unless
 - a) It relates to or arises out of a matter which has arisen since distribution of the agenda
 - b) Is manifestly urgent
 - c) Is material to the function of Council
 - d) Requires an urgent council resolution
 - e) Is otherwise determined by the CEO.
- 4) Only the mover of an urgency motion may speak to the motion before it is put.

FILE NO: VARIOUS

ITEM NO: 15

QUESTIONS FROM THE PUBLIC GALLERY

Clause 61 of Council’s “Meeting Procedures Local Law 2017 states:

61. Question Time

The Council will hold a Public Question Time of up to 30 minutes duration at each Ordinary Meeting, to enable members of the public to receive answers to questions previously submitted for consideration, and if the submitted questions are dealt with in less than the 30 minute period, the Chair can invite questions from the floor.

- 1) At every ordinary meeting of the Council a maximum of 30 minutes may be allocated to enable members of the public to submit questions to Council.
- 2) The time allocated may be extended by unanimous resolution of Council.
- 3) Sub-clause (1) does not apply during any period when the Council has resolved to close a meeting in respect of a matter under section 89(2) of the Act.
- 4) To assist the accurate recording of minutes and addressing any questions that may require written response or follow up, the Chief Executive Officer may require questions to be submitted in writing.
- 5) No person may submit more than two (2) questions at any one (1) meeting.
- 6) The Chairperson or member of Council staff nominated by the Chairperson may read a question to those present.
- 7) No question must be so read unless:
 - a) the person asking the same is in the gallery at the time it is due to be read; and
 - b) the person asking the question reads the same when called upon by the Chairperson to do so.
 - c) A question may be disallowed by the Chairperson if it:
 - d) relates to a matter outside the duties, functions and powers of Council;
 - e) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
 - f) deals with a subject matter already answered;
 - g) is aimed at embarrassing a Councillor or a member of Council staff;
 - h) relates to personnel matters;
 - i) relates to the personal hardship of any resident or ratepayer;
 - j) relates to industrial matters;
 - k) relates to contractual matters;
 - l) relates to proposed developments;
 - m) relates to legal advice;
 - n) relates to matters affecting the security of Council property; or
 - o) relates to any other matter which Council considers would prejudice Council or any person.
- 8) The Chairperson may request a Councillor or member of Council staff to respond, if possible, to the question.
- 9) Councillor or member of Council staff may require a question to be put on notice until the next Ordinary meeting, at which time the question must be answered, or elect to submit a written answer to the person asking the question.
- 10) A Councillor or member of Council staff may advise Council that it is his or her opinion that the reply to a question should be given in a meeting closed to members of the public. The Councillor or member of Council staff must state briefly the reason why the reply should be so given and, unless Council resolves to the contrary, the reply to such question must be so given.