



44 Station Street  
Cobram Vic 3644  
[www.moirā.vic.gov.au](http://www.moirā.vic.gov.au)  
[info@moirā.vic.gov.au](mailto:info@moirā.vic.gov.au)

## AGENDA

**ORDINARY MEETING OF COUNCIL  
FOR  
WEDNESDAY 23 OCTOBER 2019  
TO BE HELD AT CIVIC CENTRE, PUNT ROAD COBRAM  
COMMENCING AT 6:00 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, 25 September 2019, as prepared, be confirmed.”

#### **8. COUNCILLOR REPORTS**

COUNCILLORS TO PROVIDE VERBAL REPORTS

#### **9. OFFICER REPORTS FOR DETERMINATION**

##### **9.1 OFFICE OF CEO**

NIL

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

ITEM NO: 9.2.1

## QUARTERLY BUDGET REVIEW - SEPTEMBER 2019

### RECOMMENDATION

1. That Council notes the projections for the 2019/20 financial year contained in the September 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 surplus of \$2.73 million in the Adopted Budget 2019/20 to a surplus of \$4.17 million in the September 2019 forecast. This is mainly due to the recognition of capital income for projects to be completed in the 2019/20 financial year including Apex Reserve Cobram; e-Waste Storage Facilities and Cobram Piazza and Federation Park redevelopment and new Blackspot roads funding for Campbell Road Cobram and Stewarts Bridge Road.

#### 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 the September 2019 quarter is \$28.17 million this is an increase of \$5.88 million on the Adopted Budget 2019/20 of \$22.29 million. This is mainly due to the completion of 2018/19 projects in the 2019/20 financial including Apex Reserve Cobram; e-Waste Storage Facilities, Cobram Piazza and Federation Park redevelopment and Stewarts Road 3 Bridges projects and new Blackspot roads projects as Campbell Road Cobram and Stewarts Bridge Road and Roads to Recovery allocation to Hawker Street Nathalia renewal works.

#### 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 surplus for the September 2019 Forecast expected to be \$4,174,018 – an increase of \$1,447,417 compared to the Adopted Budget surplus of \$2,726,601.

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**QUARTERLY BUDGET REVIEW - SEPTEMBER 2019 (cont'd)**

Budget 2019/20 vs Proposed Forecast Sep 2019	(Favourable) / Unfavourable \$
<b>Surplus – Adopted Budget 2019/20</b>	<b>(2,726,601)</b>
Rates	(556,364)
Operating Grants	(739,384)
Capital Grants	(1,589,538)
Capital Contributions	(271,786)
Other Operating Income	(9,405)
Employee Costs	167,000
Materials & Consumables	1,086,241
Contract Services	453,019
Other Operating Expenditure	12,800
<b>Proposed September 2019</b>	<b>(4,174,018)</b>

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

- a) **Rates** – Supplementary rates income from Numurkah Solar Farm assessment and waste charges from new Organic Waste Collection rollout.
- b) **Operating Grants** – Additional operating grant received for extension of Regional Fruit Fly program to June 2020, fully offset by increased employee costs, materials and consumables and contract services.
- c) **Capital Grants** – Recognition of grants received for projects to be completed in the 2019/20 financial year; Apex Reserve Cobram; e-Waste Storage Facilities and Cobram Piazza and Federation Park redevelopment. New Blackspot roads funding for Campbell Road Cobram and Stewarts Bridge Road.
- d) **Capital Contributions** – Recognition of community contributions to Nathalia Showgrounds oval and court lighting and Apex Reserve Cobram projects.
- e) **Employee Costs** – Increase in employee costs for Regional Fruit Fly program fully funded by state government grant.
- f) **Materials and Consumables** – Increase driven by new expenditure associated with the extended Regional Fruit Fly Program fully funded by the grant and costs associated with advertising the rollout of the new Organic Waste Collection service, increased general insurance and legal costs and costs associated with repurposing the Cobram Caravan Park and Yarrawonga Saleyards sites.
- g) **Contract Services** – Additional contract costs for collection of Organic Waste from properties included in the rollout and contract costs associated with the extended Regional Fruit Fly Program fully funded by the grant.

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**QUARTERLY BUDGET REVIEW - SEPTEMBER 2019 (cont'd)**

**3.2 Income Statement**

Income Statement	Adopted Budget 2019/20	YTD Actuals 2019/20	Proposed Forecast 2019/20	Budget 2019/20 vs Proposed Forecast Sep 2019
<b>Income</b>				
Rates	(37,524,437)	(37,969,991)	(38,080,801)	556,364
Operating Grants	(6,254,583)	(1,693,502)	(6,993,967)	739,384
Capital Grants	(9,712,493)	(395,280)	(11,302,031)	1,589,538
Capital Contributions	(815,000)	(71,786)	(1,086,786)	271,786
Operating Contributions	(38,500)	(63,284)	(38,500)	-
Contributions - non-monetary	(200,000)	-	(200,000)	-
Reimbursements and Subsidies	(58,475)	(17,162)	(58,645)	170
User Charges	(1,997,288)	(638,134)	(2,006,523)	9,235
Statutory Fees and Fines	(1,347,000)	(469,468)	(1,347,000)	-
Interest Income	(590,000)	(22,758)	(590,000)	-
Other Revenues	(447,423)	(98,909)	(447,423)	-
Net Gain on Land Held for Resale	(25,000)	19,772	(25,000)	-
Net Gain on Disposal of Property, Plant & Equipment	(58,000)	(52,915)	(58,000)	-
<b>Income Total</b>	<b>(59,068,199)</b>	<b>(41,473,417)</b>	<b>(62,234,676)</b>	<b>3,166,477</b>
<b>Expenditure</b>				
Employee Costs	21,939,037	5,589,394	22,106,037	(167,000)
Materials & Services	15,507,929	4,964,310	16,590,156	(1,082,227)
Contract Services	6,377,353	1,147,834	6,830,372	(453,019)
Utilities	1,065,359	320,868	1,069,373	(4,014)
Bad and Doubtful Debts	10,000	-	10,000	-
Depreciation	10,262,000	2,566,101	10,262,000	-
Other Expenses	516,216	101,975	529,016	(12,800)
Interest on Borrowings	153,704	40,042	153,704	-
Interest on Unwinding of Discount of Provisions	300,000	-	300,000	-
Share of Net Loss of Associated Entity	10,000	-	10,000	-
<b>Expenditure Total</b>	<b>56,341,598</b>	<b>14,730,524</b>	<b>58,060,658</b>	<b>(1,719,060)</b>
<b>Operating Result</b>	<b>(2,726,601)</b>	<b>(26,742,893)</b>	<b>(4,174,018)</b>	<b>1,447,417</b>

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4. A WELL RUN COUNCIL

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**QUARTERLY BUDGET REVIEW - SEPTEMBER 2019 (cont'd)**

**3.3 Balance Sheet**

	<b>Adopted Budget 2019/20</b>	<b>Proposed Forecast 2019/20</b>	<b>Budget 2019/20 vs Proposed Forecast Sep 2019</b>
<b>Balance Sheet</b>			
Current Assets	31,744,000	31,423,231	(320,769)
Non-Current Assets	602,788,000	627,507,241	24,719,241
<b>Total Assets</b>	<b>634,532,000</b>	<b>658,930,472</b>	<b>24,398,472</b>
Current Liabilities	8,828,000	8,828,000	-
Non-current Liabilities	13,883,000	13,883,000	-
<b>Total Liabilities</b>	<b>22,711,000</b>	<b>22,711,000</b>	<b>-</b>
<b>Net Assets</b>	<b>611,821,000</b>	<b>636,219,472</b>	<b>24,398,472</b>
Equity	611,821,000	616,328,065	<b>24,398,472</b>

**3.4 Statement of Cash Flow**

	<b>Adopted Budget 2019/20</b>	<b>Proposed Forecast 2019/20</b>	<b>Budget 2019/20 vs Proposed Forecast Sep 2019</b>
<b>Statement of Cash Flow</b>			
Net cash flows provided by operating activities	12,063,000	15,156,472	3,093,472
Net cash flow used on investing activities	(18,835,000)	(24,719,241)	(5,884,241)
Net cash flows provided by financing activities	(1,142,000)	(1,142,000)	-
<b>Net change in cash held</b>	<b>(7,914,000)</b>	<b>(10,704,769)</b>	<b>(2,790,769)</b>
Cash at the beginning of the year	34,138,000	36,608,000	<b>2,470,000</b>
<b>Cash at the end of the year</b>	<b>26,224,000</b>	<b>25,903,231</b>	<b>(320,769)</b>

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**QUARTERLY BUDGET REVIEW - SEPTEMBER 2019 (cont'd)**

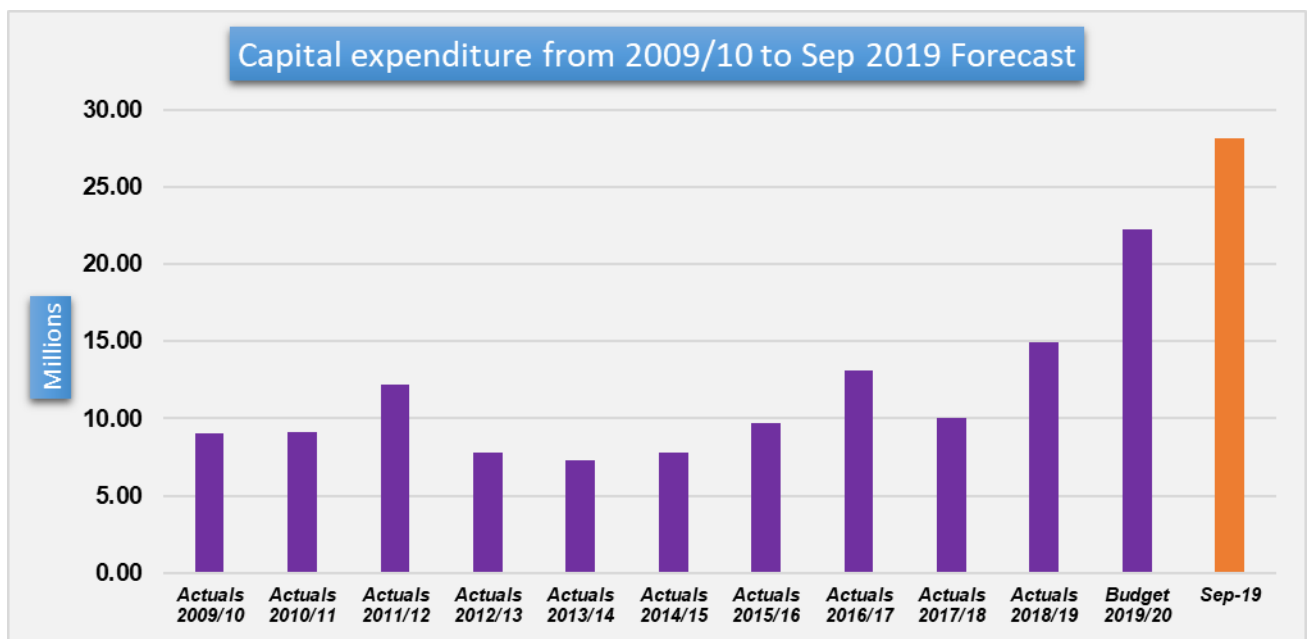
**3.5 Capital**

Capital	Adopted Budget 2019/20	YTD Actuals 2019/20	Proposed Forecast 2019/20	Budget 2019/20 vs Proposed Forecast Sep 2019
Total capital income	(11,292,493)	(519,981)	(13,153,817)	(1,861,324)
Total capital expenditure	22,288,000	3,310,853	28,172,241	5,884,241
<b>Grand Total</b>	<b>10,995,507</b>	<b>2,790,872</b>	<b>15,018,424</b>	<b>4,022,917</b>

Capital Expenditure commitments outstanding of \$5,433,776.

**3.6 Capital Expenditure**

Historical expenditure on capital works:

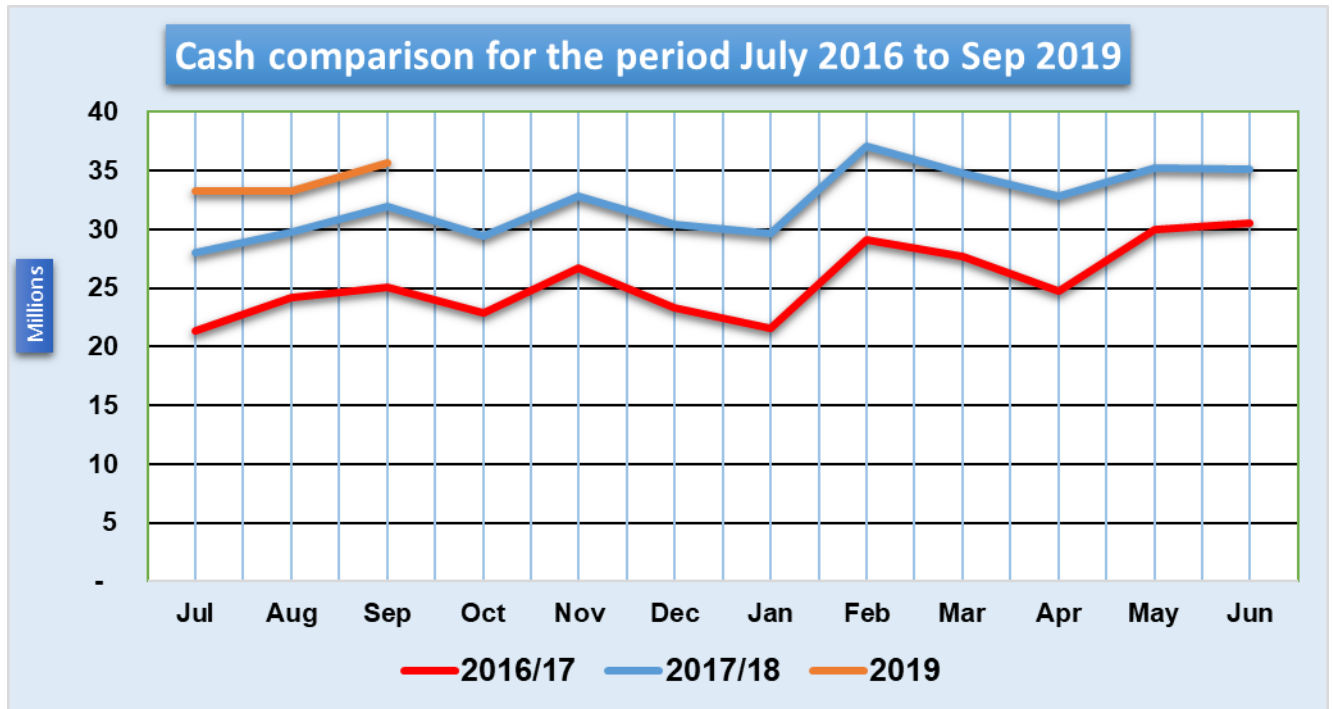


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**QUARTERLY BUDGET REVIEW - SEPTEMBER 2019 (cont'd)**

**3.7 Cash Balance**



The balance of Cash and cash equivalents at 30 June 2020 proposed to be \$25.90 million.



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**QUARTERLY BUDGET REVIEW - SEPTEMBER 2019 (cont'd)**

**3.8 Financial Performance Measures**

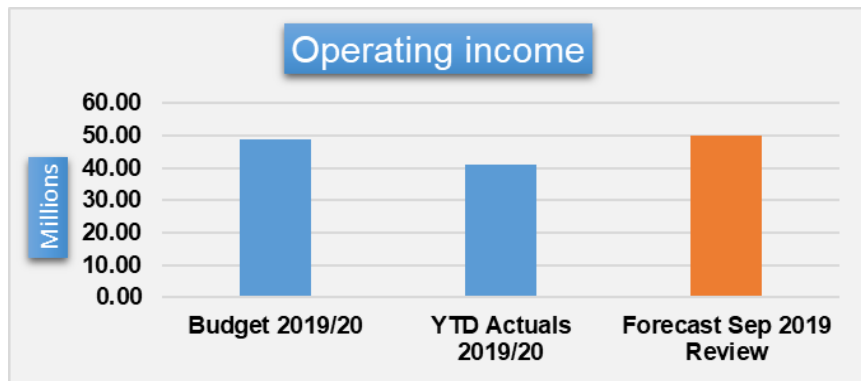
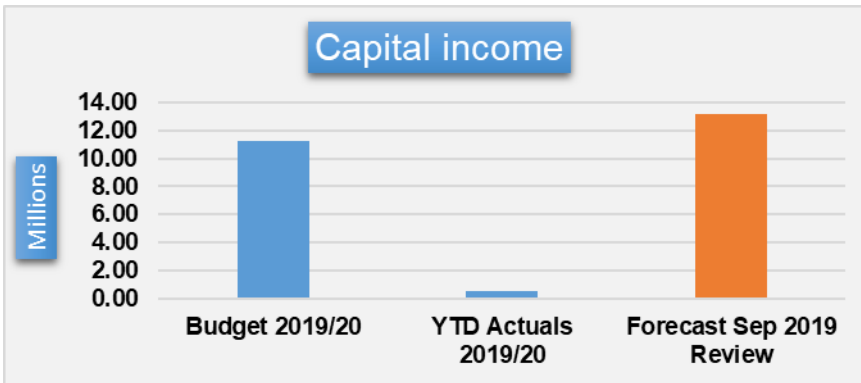
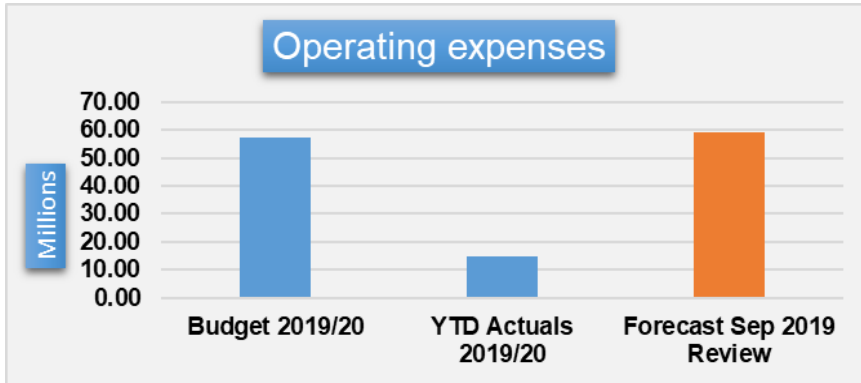
	<i>Dimension/indicator /measure</i>	<i>Band / Range</i>	<i>Results 2018</i>	<i>Results 2019</i>	<i>Budget 2019/20</i>	<i>Sep 2019 Review</i>
<b>Efficiency</b>						
<b>Revenue level</b>						
E1	<i>Average residential rate per residential property assessment</i> [Residential rate revenue / Number of residential property assessments]	<b>\$700 to \$2,000</b>	\$1,853	\$1,856	\$1,889	\$1,862
<b>Expenditure level</b>						
E2	<i>Expenses per property assessment</i> [Total expenses / Number of property assessments]	<b>\$2,000 to \$5,000</b>	\$2,976	\$2,963	\$3,268	\$3,338
<b>Workforce turnover</b>						
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	<b>5% to 20%</b>	9.11%	9.75%	9.00%	9.00%
<b>Liquidity</b>						
<b>Working capital</b>						
L1	<i>Current assets compared to current liabilities</i> [Current assets / Current liabilities] x100	<b>225% to 350%</b>	399.38%	444.74%	359.58%	355.95%
<b>Unrestricted cash</b>						
L2	<i>Unrestricted cash compared to current liabilities</i> [Unrestricted cash / Current liabilities] x100	<b>110% to 250%</b>	318.30%	360.82%	263.90%	260.27%
<b>Obligations</b>						
<b>Asset renewal</b>						
O1	<i>Asset renewal compared to depreciation</i> [Asset renewal expense / Asset depreciation] x100	<b>75% to 100%</b>	89.95%	77.59%	86.64%	86.64%
<b>Loans and borrowings</b>						
O2	<i>Loans and borrowings compared to rates</i> [Interest bearing loans and borrowings / Rate revenue] x100	<b>0% to 20%</b>	13.54%	10.07%	3.90%	3.84%
O3	<i>Loans and borrowings repayments compared to rates</i> [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	<b>0% to 5%</b>	3.98%	3.82%	2.64%	2.59%
<b>Indebtedness</b>						
O4	<i>Non-current liabilities compared to own source revenue</i> [Non-current liabilities / Own source revenue] x100	<b>25% to 40%</b>	37.29%	33.41%	33.02%	32.58%
<b>Operating position</b>						
<b>Adjusted underlying result</b>						
OP1	<i>Adjusted underlying surplus (or deficit)</i> [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100	<b>0% to 3%</b>	14.30%	11.34%	1.52%	3.37%
<b>Stability</b>						
<b>Rates concentration</b>						
S1	<i>Rates compared to adjusted underlying revenue</i> [Rate revenue / Adjusted underlying revenue] x100	<b>40% to 70%</b>	56.22%	60.70%	64.52%	62.24%
<b>Rates effort</b>						
S2	<i>Rates compared to property values</i> [Rate revenue / Capital improved value of rateable properties in the municipality] x100	<b>0.40% to 0.70%</b>	0.63%	0.64%	0.63%	0.57%

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**QUARTERLY BUDGET REVIEW - SEPTEMBER 2019 (cont'd)**

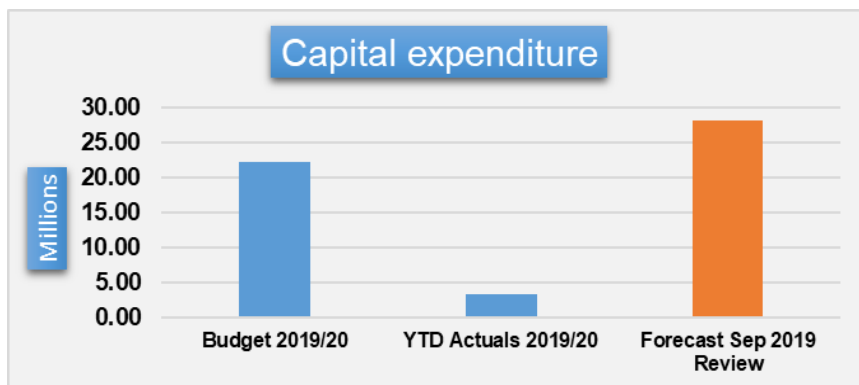
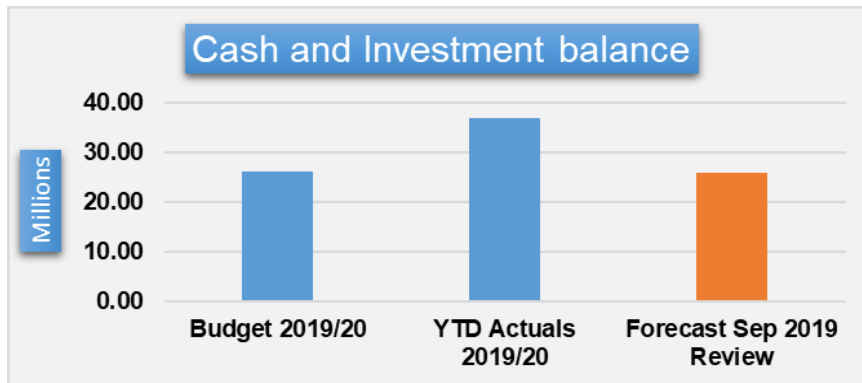
**3.9 Financial Indicators**



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**QUARTERLY BUDGET REVIEW - SEPTEMBER 2019 (cont'd)**



**4. Risk Management**

It is appropriate to examine the risks as they may affect Council's financial position. The areas identified are flagged to highlight 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 2019/20, total \$11.3 million and operating grants \$6.99 million (this excludes the \$5.74 million of 2019/20 Financial Assistance Grant received in 2018/19).

**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.

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## QUARTERLY BUDGET REVIEW - SEPTEMBER 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 30 September 2019
a) Each environmental upgrade agreement entered into in the last quarter, and the rateable land to which the agreement relates	No new agreements were entered into during the reporting period
b) Each environmental upgrade charge approved in respect of the agreements referred to in paragraph (a), and the value of the charges	No new agreements were entered into during the reporting period
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.	\$5,264,571.86

### 6. Internal and External Consultation

The following members of staff consulted:

- Corporate Management Team
- All Managers
- Finance Manager

The Council's September 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.

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## QUARTERLY BUDGET REVIEW - SEPTEMBER 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 \$25.90 million as at 30 June 2020.

An operating surplus of \$4.17 million forecast as at 30 June 2020.

A total capital works program of \$28.17 million with a 2019/20 capital budget of \$22.28 million.

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

### Attachments

Nil

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4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

## RISK MANAGEMENT POLICY REVIEW

### RECOMMENDATION

That Council adopt the revised Risk Management Policy.

#### 1. Executive Summary

The purpose of the Risk Management Policy is to provide guidance to Council and staff to understand and manage the numerous risks to which Council is exposed.

A review of the Risk Management Policy proposes a number of relatively minor amendments that seek to improve clarity and readability of the document and which are reflective of changes to the risk management standard ISO 31000:2018.

It is recommended that the Policy remains relevant and is supported by the Risk Management Plan which provides the operational framework for risk management throughout the organisation.

#### 2. Background and Options

The Risk Management Policy was last adopted by Council on 19 September 2016 and provides guidance to the organisation in regard to the broad framework of Council's commitment, tolerances and attitude towards management of the many risks to which it is exposed.

The policy provides evidence to support the Council Plan objective to demonstrate good governance and it is a critical component in the defence of third party liability claims against Council.

The policy is supported by the Risk Management Plan which provides the operational framework for risk management throughout the organisation.

The proposed amendments generally relate to a revision of terminology, sentence structure and grammar. A summary of the proposed amendments follows:

Reference	From	To
<b>Purpose</b>	To document Council's commitment to understand, manage and mitigate the potential risks that Council is exposed to.	To document Council's commitment to identify, manage and mitigate Council's risk exposure.
<b>Residual Risk</b>	Residual risk is defined as the risk remaining after risk treatment and can contain unidentified risk.	Residual risk is defined as the risk remaining after completion of all risk mitigation treatments but which still has the potential to disrupt Council's operations.
<b>Risk Appetite</b>	The risk <b>appetite</b> of council is determined by the types and degree of risk that it is willing to accept and place on the Risk Register.	The risk <b>attitude</b> of council is determined by the types and degree of risk that it is willing to accept and place on the Risk Register.
<b>Policy(6<sup>th</sup> Dot</b>	Council is committed to the practice	Council is committed to the practice of

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## RISK MANAGEMENT POLICY REVIEW (cont'd)

<b>Point)</b>	of effective risk management to provide: - improved incident management and reduction in loss and the cost of risk, including commercial insurance premiums;	effective risk management to provide: - improved incident management; - reduction in loss and the cost of risk, including commercial insurance premiums;
<b>Policy Point 4</b>	A degree of risk exists in everything Moira Shire Council does and it is the responsibility of all Council officers to effectively manage risk. The risk <b>appetite</b> of Moira Shire Council is dynamic in nature <b>and will be reviewed on a regular basis</b> . Council is willing to accept a higher level of risk to achieve strategic goals but a lower level of acceptance for strategic <sup>1</sup> , operational <sup>1</sup> and community <sup>1</sup> risks.	A degree of risk exists in everything Moira Shire Council does and it is the responsibility of all Council officers to effectively manage risk. The risk <b>attitude</b> of Moira Shire Council is dynamic in nature and <b>may vary in accordance with reviews of the Risk Register</b> . Council is willing to accept a higher level of risk to achieve strategic goals but has a lower level of acceptance for strategic <sup>1</sup> , operational <sup>1</sup> and community <sup>1</sup> risks.
<b>Policy Point 6</b>	While committed to the effective implementation of Risk Management throughout the organisation, Council acknowledges that it is unable to remove all risks associated with the wide range of functions it is responsible to perform.	While committed to the effective implementation of Risk Management throughout the organisation, Council acknowledges that it is unable to remove all risks associated with the wide range of functions it performs.
<b>Related Legislation</b>	<i>Local Government Act 1989 Occupational Health and Safety Act 2004 Development of Policy Documents, and Policy Guideline</i>	<i>Local Government Act 1989 Occupational Health and Safety Act 2004 Charter of Human Rights &amp; Responsibilities Act 2006</i>
<b>References</b>	Moira Shire Council Plan Moira Shire Council Risk Management Plan Australia/New Zealand Standard – Risk Management Principles and Guidelines AS/NZS ISO 31000:2009	Moira Shire Council Plan Moira Shire Council Risk Management Plan ISO 31000:2018 Risk Management

### 3. Financial Implications

There are no direct financial implications associated with this report. The level of financial commitment made by Council to risk management is determined through the annual budget process.

### 4. Risk Management

The Risk Management Policy provides the guidance to Council and staff to understand and manage the numerous risks to which Council is exposed.

This Policy is a major component of Council's overall risk management framework.

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## **RISK MANAGEMENT POLICY REVIEW (cont'd)**

### **5. Internal and External Consultation**

Amendments to the policy were made following feedback received from Senior Managers, Managers, Governance Officers and other internal staff. All amendments to the policy were made in consultation with the General Manager Corporate and supported by the Corporate Management Team.

The revised policy was endorsed by the Audit Committee on 12/9/2019.

### **6. Regional Context**

As an internal Council document, this policy has no regional significance.

### **7. Council Plan Strategy**

As a component of Council's risk management framework, the policy evidence of the Council Plan objective to demonstrate good governance.

### **8. Legislative / Policy Implications**

ISO 31000:20018 and its earlier versions have been used as the basis for the development of Council's risk management framework.

### **9. Environmental Impact**

There are no direct environmental considerations associated with this report, however, environmental sustainability is included on the Risk Register.

### **10. Conflict of Interest Considerations**

There are no conflict of interest considerations relating to this policy.

### **11. Conclusion**

A review of the Risk Management Policy was conducted and included an internal consultation process. The policy is aligned with ISO 31000:2009 Risk Management Standard and remains an important component in Council's overall risk management framework.

## **Attachments**

- 1 Risk Management Policy



FILE NO: F13/2478  
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

## RISK MANAGEMENT POLICY REVIEW (cont'd)

### ATTACHMENT No [1] - Risk Management Policy

#### Risk Management Policy



Policy type	Council
Adopted by	Moirā Shire Council
Responsible General Manager	General Manager Corporate
Responsible officer	Manager Commercial Services
Date adopted	
Scheduled for review	This policy will be reviewed four years from the date of adoption, or sooner if required.

#### PURPOSE

To document Council's commitment to identify, manage and mitigate Council's risk exposure.

#### SCOPE

This policy applies to all aspects of Council's operations, works and services.

#### DEFINITIONS

##### Risk

Risk is defined as the effect of uncertainty on objectives and is characterised by a reference to the likelihood and consequences of a potential event.

##### Risk Management

The co-ordinated activities, culture and processes that are directed towards realising the potential opportunities whilst managing the adverse effects of risks.

##### Residual Risk

Residual risk is defined as the risk remaining after completion of all risk mitigation treatments but still has the potential to disrupt Council's operations.

##### Risk Attitude

The risk attitude of Council is determined by the types and degree of risk that it is willing to accept and place on the Risk Register.

#### POLICY

1. Council is committed to the practice of effective risk management to provide:
  - a more confident and rigorous basis for decision-making and planning;
  - better identification of opportunities and threats;
  - value from uncertainty and variability;
  - pro-active rather than re-active management;
  - more effective allocation and use of resources;
  - improved incident management;
  - reduction in loss and the cost of risk, including commercial insurance premiums;
  - improved stakeholder confidence and trust;
  - improved compliance with relevant legislation; and
  - better corporate governance.

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4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

## RISK MANAGEMENT POLICY REVIEW (cont'd)

### ATTACHMENT No [1] - Risk Management Policy

#### Risk Management Policy



2. Council requires risk management to be integrated within the whole Council Plan, Strategic Resource Plan, Budget, staff position descriptions and staff performance appraisals, with training needs identified and delivered through the training plan.
3. Council will utilise a Risk Management Plan to provide guidance for managing risks within the organisation. The Risk Management Plan will define roles, responsibilities and accountabilities, and provide guidance to assess and manage risks.
4. A degree of risk exists in everything Moira Shire Council does and it is the responsibility of all Council officers to effectively manage risk. The risk attitude of Moira Shire Council is dynamic in nature and may vary in accordance with reviews of the Risk Register. Council is willing to accept a higher level of risk to achieve strategic goals but has a lower level of acceptance for strategic<sup>1</sup>, operational<sup>1</sup> and community<sup>1</sup> risks.
5. Council will determine the level of acceptable residual risk through the regular review of the Risk Register and review of the Risk Management Plan.
6. While committed to the effective implementation of Risk Management throughout the organisation, Council acknowledges that it is unable to remove all risks associated with the wide range of functions it performs.
7. Council will provide the strategic direction and the financial and physical resources through the budget process to enable the organisation to perform reasonable risk control activities in the context of the competing priorities faced by Council.
8. Council will apply the risk management concepts, standards and definitions as applicable in accordance with AS/NZS ISO 31000 Risk Management - Principles and Guidelines.
9. Council will seek input from all relevant stakeholders as detailed in Council's Risk Management Plan to ensure that all risk management processes are completed to the extent that is reasonably possible.

#### RELATED LEGISLATION

*Local Government Act 1989*  
*Occupational Health and Safety Act 2004*  
*Charter of Human Rights & Responsibilities Act 2006*

#### REFERENCES

Moira Shire Council Plan  
Moira Shire Council Risk Management Plan  
ISO 31000:2018 Risk Management

Note 1: Strategic, operational and community risks as defined in the Moira Shire Council Risk Management Plan

Moira Shire Council  
ABN: 20 538 141 700  
Post: PO Box 578, Cobram, Vic 3643  
DX: 37801, Cobram

Cobram Administration Centre:  
44 Station Street, Cobram  
Yarrowonga Service Centre:  
100 Belmore Street, Yarrowonga

Phone: 03 5871 9222  
Fax: 03 5872 1567  
NRS: 133 677

Email: [info@moira.vic.gov.au](mailto:info@moira.vic.gov.au)  
[moira.vic.gov.au](mailto:moira.vic.gov.au)



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4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

## CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION

### RECOMMENDATION

That Council:

1. Revoke the 2016 Moira Shire Council Caretaker Policy
2. Adopt the 2020 Moira Shire Council Caretaker (Election Period) Policy

### 1. Executive Summary

This report seeks council's approval to revoke the existing 2016 Moira Shire Council Caretaker Policy and replace it with the reviewed and updated 2020 Moira Shire Council Caretaker (Election Period) Policy.

The updated policy will apply for the 2020 Local Government elections and specifically for the period from midnight Friday 18 September 2020 through to 6 pm Saturday 24 October.

As required under the Local Government Act (Act), management reviewed the policy adopted by council for the 2016 elections.

- A number of administrative elements eg dates, website addresses have been updated.
- The review did not identify any need for material changes to the policy.

Once the Policy is adopted, the policy will be provided to all councilors and will be available to candidates and the broader community via council's website.

### 2. Background Information

The key role of the policy is to guide the conduct of council, councilors and management during the five weeks (caretaker period) immediately preceding the Local Government Council Elections.

- The caretaker policy applies from **midnight Friday 18 September 2020** through to **6pm Saturday 24 October**.

During the caretaker period council operates in a limited capacity. The policy

- adds clarity to the requirements detailed in the Local Government Act
- enables council operations to continue
- ensures council decision making and official functions and duties are not confused with the election campaigns of individual candidates which may include existing councilors.

### Review of Policy

- In 2016 all councils were required to adopt an [Election Period Policy](#), commonly known as Caretaker Policy,
- The Act requires council to review, refresh and again adopt the policy 12 months prior to the next general election.

### Outcomes of Review

- Management has reviewed council's 2016 policy and has updated dates, websites and similar administrative elements.
- No material changes were identified as required.

### Next steps

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## CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)

Once adopted the policy

- Will be provided to all councilors and will be available to candidates and the broader community via council's website.
- Council officers will review their forward program through to October 2020 to consider the timing and need for key decisions that could be impacted.

### 3. Risk Management

The policy is a key tool in ensuring council, councillors and management act in accordance with the requirements of the Local Government Act during the caretaker period.

### 4. Conflict of Interest Considerations

There are no officer conflicts of interest identified in the preparation of this report.

### 5. Conclusion

This report seeks council's approval of the reviewed and updated Caretaker Policy. This will ensure the Policy is adopted within the timelines prescribed in the Local Government Act and enable publication of the policy to councilors, candidates, the community and management well in advance of the commencement of the caretaker period.

## Attachments

- 1 Moira Shire Council Caretaker Policy (Election Period Policy)

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**CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)**

ATTACHMENT No [1] - Moira Shire Council Caretaker Policy (Election Period Policy)



# Caretaker Policy

(Election Period Policy)

Adopted by Moira Shire Council  
xx xx 2019

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**CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Caretaker Policy (Election Period Policy)**

**Caretaker Policy**



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**CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Caretaker Policy (Election Period Policy)**

**Caretaker Policy**



<b>Policy type</b>	Council
<b>Adopted by</b>	Moira Shire Council
<b>Responsible General Manager</b>	General Manager Corporate
<b>Responsible officer</b>	Senior Governance Officer
<b>Date adopted</b>	

**1. Introduction**

Moira Shire Council is committed to providing good governance and to fair and democratic elections and therefore adopts and endorses the principles and procedures within this policy to apply during the 2020 election period. This policy will be maintained and reviewed no later than 12 months before the commencement of each subsequent general election.

Council will be in a caretaker role during the five-week election period leading up to the next Council Election to be held on 24 October 2020. During this time, Council will operate in a limited capacity to safeguard the authority of the incoming Council, with actions or decisions being rescheduled where possible.

In addition to being a statutory requirement, observance of a caretaker period is important to support probity and confidence in the election process. A caretaker period is a moral obligation that has evolved over time, following federal and state government conventions. It provides fairness to all candidates by preventing elected representatives from receiving an advantage or carrying out inappropriate electioneering.

This policy commits Council to:

- Avoid making significant new policies or decisions that could unreasonably bind a future Council.
- Avoid making inappropriate decisions or using resources inappropriately.
- Rescheduling the release of publications and communications where possible. Any publications and communications must be checked and certified by the Chief Executive Officer as not containing any electoral matter before being released.
- Avoid holding Council meetings, Special (section 86) Committee meetings, Advisory Committee meetings (including the Audit Committee) unless there are special circumstances. Councillors will not attend any Special or Advisory Committee meetings held.
- Avoid holding public consultation, Council events, functions or other meetings.
- Ensuring that public resources, including staff time, are not used in election campaigning, or in a way that may improperly influence the result of an election, or advantage existing Councillors as candidates.
- Ensuring that information held by Council, which would normally be available to Councillors, is made equally available and accessible to all candidates during the election.

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## CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)

### ATTACHMENT No [1] - Moira Shire Council Caretaker Policy (Election Period Policy)

#### Caretaker Policy



#### 2. Definitions

**document** has the same meaning as the *Interpretation of Legislation Act 1984*

**Election period**, in relation to an election, means the period that –

- (a) Starts on the last day on which nominations for that election can be received; and
- (b) Ends at 6 p.m. on election day.

**electoral advertisement, handbill, pamphlet or notice**, means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper announcing the holding of a meeting.

**electoral matter**, means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the returning officer for the purposes of conducting an election. Without limiting the definition, **electoral matter** is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to or comment on:

- (a) the election; or
- (b) a candidate in the election; or
- (c) an issue submitted to, or otherwise before the voters in connection with the election.

**inappropriate decisions** made by a Council during an election period includes any of the following—

- (a) decisions that would affect voting in an election;
- (b) decisions that could reasonably be made after the election.

**publish** means publish by any means including by publication on the Internet;  
**the Act** means the *Local Government Act 1989*

#### 3. Start and finish dates

This Caretaker Policy applies for the Election Period which:

- Starts at **midnight on Friday 18 September 2020**; the end of the last day for nominations to be received, and
- Finishes at **6.00pm on Saturday 24 October 2020** on Election Day.

#### 4. Roles and Responsibilities

##### Councillors

- Observe the protocols for interactions with Council staff.
- Avoid misuse of Council resources for electioneering.
- Establish an alternative email and computer network for electioneering to achieve zero use of Council's IT resources.
- Be mindful that when representing Council at external meetings it is not appropriate to use the opportunity for electioneering.
- Do not use the role of Councillor or access to Council staff and resources to gain media attention in support of an election campaign.
- When publishing any campaign material on your own behalf, assume responsibility for compliance and not purport that the material to be originating from, or authorised by Moira Shire Council (eg by use of Council logos).
- Refrain from moving motions or raising matters at a Council meeting that could potentially influence voting in the election (should special circumstances require a meeting to be held).



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## CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)

### ATTACHMENT No [1] - Moira Shire Council Caretaker Policy (Election Period Policy)

#### Caretaker Policy



#### Chief Executive Officer

- Responsible for overseeing implementation of Council's Caretaker Policy.
- Manage and monitor interactions between staff and Councillors (or candidates).
- Approve and certify publications or communications to be released.
- Ensure that information held by Council, which would normally be available to Councillors, is made equally available and accessible to all candidates.

#### Council staff (or contractors)

- Observe the protocols for interaction with Councillors and apply the same to candidates.
- Remain neutral and don't become involved or interested in candidates or the politics of the election.
- Avoid participating in activities which support a candidate, including fundraising or campaign activities.
- Avoid misuse of Council resources, specifically for electioneering by candidates.
- Seek approval from the Chief Executive Officer for any publication or communication that needs to proceed.
- Consider the requirements within this policy before making a decision under delegation.

#### 5. Why is a Caretaker Policy required?

The Act requires Council to prepare, adopt and maintain an election period policy in relation to procedures to be applied by Council during the election period leading up to a general election. Council more commonly refers to this policy as the Caretaker Policy.

The policy will safeguard the authority of the incoming council and ensure that elections are not compromised by inappropriate electioneering by existing councillors. These statutory requirements are minimum governance standards.

In addition to meeting legislative requirements, the policy will meet Council's moral obligation of observing a caretaker period. As a result the transparency and accountability of the Council, Councillors, Council staff (or contractors) during the election period will be enhanced.

#### 6. Is my proposed action affected by this policy?

The following is a quick reference on where to find guidance:

- You are involved in making a decision for Council (under delegation). refer to section 7
- You are involved in creating any kind of Council publication or communication. refer to section 8
- You are about to publish material which has reference to a candidate (which included sitting Councillors), or the election, or an issue before the voters in connection with the election. refer to section 8
- You are involved in preparing an agenda for a Council meeting, Special Committee or Advisory Committee meeting (meetings will only be held under special circumstances) refer to section 8
- You are involved in planning a public consultation process. refer to section 9
- You are involved in planning an event, ceremony, function or meeting. refer to section 9

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**CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Caretaker Policy (Election Period Policy)**

**Caretaker Policy**



- You are a sitting Councillor who is planning to attend a function or event. refer to section 9
- You provide administrative support to Councillors. refer to section 10
- You are a Councillor or candidate requesting access to Council information. refer to section 11
- You are a Councillor requesting media advice or services refer to Section 12
- You have been requested to provide assistance or advice to a candidate refer to Section 13

**7. Decisions**

The timing of decisions will be scheduled to avoid the election period when Council is in a caretaker role. During the election period, Council commits to only making appropriate decisions, whether for operational purposes or pursuant to a statutory requirement.

There are no Council meetings or Special (section 86) Committee meetings scheduled to be held during the election period. The Chief Executive Officer or a member of Council staff acting under delegation can also make decisions.

Guidance in this policy is not legally binding on the Council. If it becomes important to make a decision contrary to this policy during the election period, the necessity will need to be justified to the Chief Executive Officer or demonstrated to the community.

**Prohibited decisions**

Section 93A of the Act prohibits major policy decisions being made. Council may apply in writing to the Minister for an exemption if it considers that there are extraordinary circumstances.

Prohibited decisions	Source
Employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer.	Section 93A
Terminating the appointment of a Chief Executive Officer under section 94.	Section 93A
Entering into a contract with a total value exceeding either \$150,000 for goods or services, or \$200,000 for works, or 1% of Council's rates revenue (based on the preceding financial year), whichever is the greater (\$233,941 for 2018/19)	Section 93A
Exercising any power under section 193 of the Act (entrepreneurial powers) where the sum assessed under section 193(5A) in respect of the proposal exceeds either \$100,000 or 1% of Council's rates revenue (based on the preceding financial year), whichever is the greater (\$233,941 for 2018/19)	Section 93A
An irrevocable decision that significantly affects the municipality	Caretaker Policy
Any other significant decisions not specified above which will bind the incoming Council. For example a major planning scheme amendment or a change to the strategic objectives or strategies in the Council Plan.	Caretaker Policy

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**CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Caretaker Policy (Election Period Policy)**

**Caretaker Policy**



Allocating community grants or other forms of direct funding for community organisations including the following programs: Community and Events Grants, and Achievers Award Assistance Program.	Caretaker Policy
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**Allowable decisions**

Council will operate in a limited capacity while it is in a caretaker role. Appropriate decisions will be made by Council staff to allow day-to-day operational matters to continue. Before making a decision the "inappropriate decision" criteria under section 93B(5) will be considered:

- (1) Could the decision reasonably be made after the election;
- (2) Would the decision affect voting at the election.

Advice must be sought from the Chief Executive Officer or their delegate if there is any doubt on where a decision fits within the policy or if it should be made at all.

**8. Publications and Communications**

Publications and communications are broadly considered to be documents or information prepared for the community, for example:

- Council newsletters
- Advertisements and notices
- Agendas for Council or Special Committee (section 86) meetings
- Media releases
- Brochures, leaflets and posters
- Mail-outs or emails to multiple addressees
- Material on Council's internet sites
- Social media, blogs etc

Where possible the release of publications or communications will be scheduled to avoid the election period when Council is in a caretaker role.

During the election period all publications and communications must be checked, then signed off and certified by the Chief Executive Officer that they do not contain electoral matter before being released.

Guidance will be provided to recognise electoral matters with instructions on the process to be followed to obtain approval and certification by the Chief Executive Officer.

**Statutory requirements**

It is prohibited under the Act for Council to:

- (a) print, publish or distribute; or
- (b) cause, permit or authorise others to print, publish or distribute on behalf of the Council,

any advertisement, handbill, pamphlet or notice during the election period unless it has been certified, in writing by the Chief Executive Officer. There is an exception for any document required to be published in accordance with, or under, any Act or regulation.

The Chief Executive Officer must not certify any material about the election, unless it is information about the election process. The power to certify material under s55D of the Act cannot be delegated by the Chief Executive Officer to a member of Council staff or any other

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**CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Caretaker Policy (Election Period Policy)**

**Caretaker Policy**



person.

**Certification of publications and communications by the Chief Executive Officer**

The Chief Executive Officer will ensure that information is provided to Councillors and Council staff (or contractors) prior to the election period to preclude unauthorised publication of materials during the election period.

The Chief Executive Officer's certification must be in writing and importantly, cannot be delegated.

**Criteria for Chief Executive Officer's approval (certification)**

In considering whether to grant approval for the publication of material during the election period, in accordance with the provisions in the Act, the Chief Executive Officer:

- (a) **Must not permit** any materials to be published which include reference to:
  - (i) the election; or
  - (ii) a candidate in the election; or
  - (iii) an issue before the voters in connection with the election; or
  - (iv) a current Councillor; or
  - (v) the strengths or weaknesses of a candidate; or
  - (vi) advocates the policies of the Council or of a candidate; or
  - (vii) responds to claims made by a candidate; or
  - (viii) publicises the achievements of the elected Council.
- (b) **May approve** publication of material which only contains information:
  - (i) about the election process itself; or
  - (ii) which is essential for the conduct of Council operations; and
  - (iii) does not include any reference to a current Councillor otherwise precluded by this policy.

**Council's internet and social media sites**

In the months, leading up to the election period Council's internet and social media sites will be examined and where appropriate any material that might reasonably influence voters in connection with the election will be temporarily withdrawn.

Social media includes, but is not limited to Facebook, Instagram, Twitter, YouTube, Flickr, LinkedIn, Pinterest. Council sites include:

Moira Shire Council

- <http://www.moira.vic.gov.au/>
- <https://www.facebook.com/moirashirecouncil/>
- <https://www.facebook.com/moirayouth/>
- <https://www.facebook.com/moirabusiness/>

Sun Country on the Murray

- <http://www.visitthemurray.com.au/places-to-go/central/suncountry>
- <https://www.facebook.com/visitsuncountry/>
- <http://www.cobrambarooga.com.au>
- <https://www.facebook.com/cobrambarooga/>

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**CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Caretaker Policy (Election Period Policy)**

**Caretaker Policy**



<http://nathaliabarmah.com.au/>  
<https://www.facebook.com/NathaliaBarmahTourism>  
<https://www.facebook.com/NumurkahTourism>  
<http://www.farmgatetrail.com.au>  
<http://www.yarrawongamulwala.com.au/> \*  
<https://www.facebook.com/yarrawongamulwalatourism/> \*

\* collaborate with Yarrawonga Mulwala Tourism on their site

During the election period Council internet and social media sites will not contain material which contravenes this policy. Any references to the election will only relate to the election process. Information about Councillors will be restricted to their name, a photograph, contact details, title, membership of special committees and other bodies to which they have been appointed by the Council.

A disclaimer will be included on the front page of Moira Shire Council internet and social media sites indicating that during the election period, while Council is in a caretaker role, content will only be added to this site in accordance with Council's Caretaker Policy.

**Council meeting agendas**

Council meetings will not be held during the election period. However, should special circumstances require that a meeting be held, the content of the agenda will be checked to ensure that no agenda item would potentially:

- (a) influence voters' intentions; or
- (b) encourage use by councillor candidates for electioneering.

Once checked the agenda will require certification by the Chief Executive Officer before distribution.

**Council's Annual Report**

Information about Councillors in the 2019-20 Annual Report will be restricted to names, photographs, contact details, titles and membership of special committees and other bodies to which they have been appointed by the Council.

**Email usage**

The Chief Executive Officer will ensure that information is provided to Councillors, staff and contractors prior to the election period to preclude unauthorised publication of materials via Council's email system during the election period.

**Council notice boards and buildings**

During the election period Council noticeboards and buildings will not be used to display electoral matter.

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**CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Caretaker Policy (Election Period Policy)**

**Caretaker Policy**



**9. Public Consultation, Events, Functions and Meetings**

Council will avoid holding or sponsoring public consultation, events, citizenship ceremonies, functions and meetings while Council is in a caretaker role. The timing of these activities will be scheduled to be held before the election period or after the new Council is elected.

If special circumstances require public consultation to be held, Council will justify to the community why it is necessary and how the risks of affecting voting at the election will be mitigated or prevented.

If special circumstances require an event, function or meeting to be held the reasons must be justified and any risk of affecting voting at the election will need to be mitigated, or prevented, to the satisfaction of the Chief Executive Officer.

**Council, Special (section 86) Committee and Advisory Committee meetings**

Meetings are not scheduled to be held during the election period. If special circumstances require a Special (section 86) or Advisory Committee meeting to be held the Councillor representative will not attend.

**Events staged by external bodies**

Councillors may continue to attend events and functions during the election period. However, Councillors need to be mindful that they are representing Council and not use the opportunity for electioneering.

**Speeches or keynote addresses**

Councillors should not give welcome speeches, speeches or keynote addresses at any events, whether organised by Council or by an external body.

**Recording of attendance at external meetings and functions**

The presence of Councillors at external meetings and functions may be recorded in attendance records, except where this record of attendance is in conjunction with information or promotional material (text or images) that may be considered as electoral material.

**Publication of promotional material**

Any material promoting an event, function or meeting that has permission to proceed from the Chief Executive Officer must be consistent with the controls under section 8 – Publications and Communications.

**10. Council resources**

Council resources refer to anything owned, purchased, leased or paid for by Council. For example council vehicles, buildings, property, equipment, stationery, hospitality, email, phones, Council employees or contractors.

Due propriety will be observed in the use of Council resources. Councillors, Council staff and contractors are required to exercise appropriate discretion and diligence in that regard.

Council staff and contractors must avoid assisting the Mayor or Councillors in ways that could be perceived as being connected directly or indirectly with an election campaign.

Guidance on the use of resources will also be taken from Local Government Victoria's Governance Practice Note No. 5 on Election Caretaker Arrangements.

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**CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Caretaker Policy (Election Period Policy)**

**Caretaker Policy**



**Support to the Mayor and Councillors**

Support services to the Mayor and Councillors will be kept to a minimum. Council staff, including support staff for Mayor and Councillors, must not be asked to undertake any tasks connected directly or indirectly with an election campaign.

**Correspondence**

The Mayor will avoid sending correspondence during the election period. If a response is required it will be made by the Chief Executive Officer or their delegate, provided it meets the criteria for certification under section 8 – Publications and communications.

**Council branding and stationery**

No Council logos, letterheads, or other Moira Shire Council branding will be used for, or linked in any way, to a candidate's election campaign.

**Councillor photographs**

Councillors are not permitted to use photos or images taken by, or provided by Council, for the purposes of their election campaign (including photographs that appear on Council's websites).

**Use of Council equipment and services by Councillors**

Councillors may continue to use any equipment and services provided to them to facilitate their duties in accordance with Council's Reimbursement of Expenses and Support Policy. When using Council equipment and services during and leading up to the election period Councillors should avoid incurring costs to Council which are or could be perceived to be for election related purposes.

**Expenses incurred by Councillors**

Payment or reimbursement of costs must relate to actual out-of-pocket expenses that are necessary in the performance of Council duties. Councillors are responsible for expenses that relate to, or could be perceived to relate to, an election campaign.

If it can be demonstrated that an expense covers both Council and electoral business the Chief Executive Officer may approve partial payment or reimbursement for Council duties.

Councillors will be required to make a declaration that any expenses incurred accord with this policy, when:

- making a claim for out-of-pocket expenses; or
- making requests for Council payment for services.

**Forums**

No local community forums, including opportunities for discussion, meet and greet sessions or community afternoon teas will be organised for Councillors during the election period.

**11. Access to Council information**

Information held by Council, which would normally be available to Councillors, will be made equally available and accessible to candidates during the election.

There will be transparency in the provision of all information and advice during the election period. Where practicable, and not prohibited by legislation, information that is made available to Councillors will also be made available to candidates.

Preparation of briefing notes and weekly newsletter for Councillors will be suspended during

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4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

**CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Caretaker Policy (Election Period Policy)**

**Caretaker Policy**



the election period, and Council briefing meetings will not be held.

Requests for information will be directed to the Chief Executive Officer or their delegate for determination and distribution to all Councillors and candidates, if appropriate. Once approved and certified by the Chief Executive Officer the information will be circulated, usually via an email or by publishing on Council's internet site.

**12. Media and corporate communications**

During the election period Council's media and corporate communications will be restricted to essential advice for the community and must not be used in any way that might favour a candidate.

**Media advice**

Any requests for media advice or assistance from Councillors during the election period will be channelled through the Chief Executive Officer or their delegate. No media advice or assistance will be provided on election issues or publicity that involves specific Councillors.

**Media releases/spokespersons**

Media releases will not refer to specific Councillors. Where it is necessary to identify a spokesperson in relation to an issue the Chief Executive Officer will determine the appropriate person. A media release must be certified and approved by the Chief Executive Officer before being released.

**Publicity campaigns**

During the election period, publicity campaigns, other than for the purpose of conducting the election will be avoided. Where a publicity campaign is deemed necessary for a Council activity, it must be approved by the Chief Executive Officer or their delegate.

**Councillors**

Councillors will not use their access to Council staff and other Council resources, to gain media attention in support of an election campaign.

**Council employees**

During the election period employees must not make any public statement that relates to an election issue unless statements have been approved and certified by the Chief Executive Officer.

**13. Misuse of position (by a Councillor)**

Section 76D prevents Councillors from misusing their position, and section 76E prevents Councillors giving improper direction, or exerting improper influence over a member of Council staff. Penalties apply for breaching these sections and the penalty for 76D includes possible imprisonment.

**14. Equity in assistance and advice**

The Council affirms that all candidates for the Council election will be treated equally.

**Candidate assistance and advice**

Any assistance and advice provided to a candidate as part of the conduct of the Council election will be provided equally to all candidates.



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4. A WELL RUN COUNCIL

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**CARETAKER (ELECTION PERIOD) POLICY - FOR DECISION (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Caretaker Policy (Election Period Policy)**

**Caretaker Policy**



**Election process enquiries**

Enquiries from Councillors or candidates relating to the election process will be directed to the Returning Officer appointed by the Victorian Electoral Commission. Where the matter is outside the responsibilities of the Returning Officer, enquiries will be referred to the Chief Executive Officer or their delegate.

**15. Breach of policy**

Any breach of this policy relating to staff conduct is to be referred to the Chief Executive Officer.

Alleged breaches relating to all other matters are to be referred to the Local Government Inspectorate at <https://w.www.vic.gov.au/lgi.html> or 03 7017 8212.

**16. Related Policies**

Checking and certifying Publications – CEO Policy.

**17. Related Legislation**

Local Government Act 1989

**18. References**

Moira Shire Council  
Employee Code of Conduct 2017  
Councillor Code of Conduct 2017  
Local Government Victoria  
Reforms arising from the Local Government Amendment (Improved Governance) Act 2015 -  
A guide for councils  
Governance Practice Note No. 5 – Election Caretaker Arrangements

**19. Review**

This policy will be reviewed before the commencement of the next general election caretaker period (ie by 22 September 2023) as required under section 93B of the *Local Government Act 1989*, with operational amendments as required in accordance with Council's approval.

Moira Shire Council  
ABN: 20 538 141 700  
Post: PO Box 578, Cobram, Vic 3643  
DX: 37801, Cobram

Cobram Administration Centre:  
44 Station Street, Cobram  
Yarrowonga Service Centre:  
100 Belmore Street, Yarrowonga

Phone: 03 5871 9222  
Fax: 03 5872 1567  
NRS: 133 677

Email: [info@moira.vic.gov.au](mailto:info@moira.vic.gov.au)  
[moira.vic.gov.au](http://moira.vic.gov.au)



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

ITEM NO: 9.2.4

## 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 September 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)
Council Briefing 11 September 2019	<p>Councillors: Libro Mustica Peter Lawless Wendy Buck John Beitzel Gary Cleveland Ed Cox Marie Martin Peter Mansfield</p> <p>Staff: Chief Executive Officer, Mark Henderson General Manager Community, Sally Rice General Manager Corporate, Simon Rennie Manager Infrastructure, Andrew Close Manager Governance and Communication, Linda Nieuwenhuizen Manager Community Development Georgia Hills</p>	<ul style="list-style-type: none"> <li>• VAGO Fraud and Corruption Report</li> <li>• Draft Joint Management Plan – Barmah National Park</li> <li>• Presentation from Yarrowonga Community Action Group</li> <li>• S86 Transition Principles</li> <li>• Draft agenda review</li> </ul>	Nil

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

ITEM NO: 9.2.4

**ASSEMBLIES OF COUNCIL (cont'd)**

Meeting	Present at meeting	Matters discussed	Declaration of Interest(s)
Youth Council 11 September 2019	Councillors: Peter Mansfield Marie Martin  Team Leader Community Services, Jess Orr Community Services Officer, Justin Boschetti Youth Development Officer, Hollie Barnes	<ul style="list-style-type: none"> <li>Youth Council Graduation</li> </ul>	Nil
Community Safety Committee 25 September 2019	Councillor: Marie Martin  Staff: Acting Team Leader Community and Recreation Development, Jessica Orr	<ul style="list-style-type: none"> <li>Preventing Family &amp; Gender Violence sub-committee</li> <li>Road Safety sub-committee</li> <li>Youth Program update</li> <li>L2P Program</li> <li>Community safety Strategy review</li> <li>New police role – farm crime liaison</li> </ul>	Nil
Council Briefing 25 September 2019	Councillors: Libro Mustica Peter Lawless John Beitzel Kevin Bourke Wendy Buck Gary Cleveland Ed Cox Marie Martin Peter Mansfield  Staff: Chief Executive Officer, Mark Henderson General Manager Community, Sally Rice General Manager Corporate, Simon Rennie Manager Infrastructure, Andrew Close Acting Manager Governance and Communications, Nancy Mustica	<ul style="list-style-type: none"> <li>Agenda review</li> </ul>	Nil

**3. Conflict of Interest Considerations**

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

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4. A WELL RUN COUNCIL

ITEM NO: 9.2.4

## ASSEMBLIES OF COUNCIL (cont'd)

### 4. Conclusion

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

### Attachments

Nil

FILE NO: F18/560  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

## DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026

### RECOMMENDATION

That Council approve the Draft Arts and Cultural Strategy 2020 – 2026 be made available for a community consultation process for a period of 4 weeks.

#### 1. Executive Summary

This report presents the inaugural Moira Shire Council *Draft Arts and Culture Strategy 2020 – 2026* (the Strategy). This draft strategy aims to position Moira as a vibrant modern Shire where:

- our First Nations peoples, our cultural heritage and creativity, and the cultural diversity of our communities are celebrated;
- our artistic and culture endeavour builds on our strengths, our social connectivity and our wellbeing and identity; and
- we celebrate the prosperity and vibrancy of the citizens who have built Moira Shire.

The Strategy provides the mandate for the development of up to four Arts Hubs. These Hubs will progress implementation of the shire wide Action Plan through planning for and delivering localised arts and culture activities, across the Shire.

This report recommends that the draft Strategy be released for final public consultation in mid-October 2019 for one month. Following that the feedback will be considered with a view to presenting the Strategy to Council at the November 2019 Council meeting for adoption.

#### 2. Background and Options

The *Draft Arts and Culture Strategy 2020 – 2026* identifies with 3 strategies and 6 goals in the Moira Shire Council Plan through which arts progresses the implementation of the Council vision of a prosperous rural community.

The strategies and goals identified correspond with the wide range of views and aspirations expressed by the community in the formulation of the Strategy. Through the implementation of this strategy, in conjunction with community, we want to continue to grow a thriving, cultural environment that respects our arts and the unique cultural values.

Over the past few years' Council has provided financial assistance to Moira Arts and Culture (MAC) Inc through a 3-year sponsorship agreement and yearly successful budget bids to GRAIN Store and Across the Arts. These funds have been provided to support the planning and delivery of artistic and cultural endeavors across the Shire.

The Strategy proposes this funding be used to develop up to four Creative Hubs strategically located across the shire. MAC Inc, GRAIN Store and Across the Arts are well positioned to be major players in the Hubs but the intent is not to limit conceptualization of the "Hub" construct to these, albeit key, stakeholders.

Moira Shire's broad cultural mix includes indigenous First Peoples, Soldier Settlers, Italian, Arabic, and Pilipino migrants to name but a few. Moira Shire celebrates the cultural heritage and the growth of local creative talent in the form of visual artists, musicians, dancers, performers and creative arts groups.

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## DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)

Our four major centers, Yarrowonga, Nathalia, Cobram, and Numurkah are where annual arts and cultural events are delivered through groups such as MAC Inc, GRAIN Store, Across the Arts, the Numurkah Singers, Barmah Forest Heritage and Education Centre and the Allegro Theatre Company, along with artists, artists groups, libraries and historical societies.

The Action Plan details specific activities, programs and priorities which meet the communities needs as articulated through the consultation process. The provision for the development of Arts Hubs recognises the wide geographical area of the Shire and the subsequent need for a localised approach to delivery of artistic and cultural programs.

The five principles for evaluation of the Action Plan are those outlined in the Cultural Development Planning Framework (CDN), namely:

- Stimulation of creativity;
- Aesthetic enrichment;
- Generation of new knowledge and insight;
- Appreciation of cultural diversity; and
- Strengthening connections to shared heritage (CDN, 2017).

These principles sit alongside the Council's existing measures for livability, economic, environmental and sustainable governance. KPI's relevant to identified activities in both the overarching and the Hub's Action Plans will measure achievements against the above principles. The majority of these KPI's will be developed as the local Action Plans are developed and implemented.

### 3. Financial Implications

It is envisaged that an annual budget for the implementation of the Strategy will be determined as part of the 2020/2021 budget process. These funds will be distributed across the Shire with a minimum of a quarter going to each Hub (in the case that four are proposed) to support their establishment and delivery of their Action Plan. Should two or more areas wish to merge they will receive the appropriate proportion of the funds, subject to adoption of the Strategy by Council.

Following an EOI process, successful Hubs will enter into funding agreements with Council to deliver their Action Plans.

### 4. Risk Management

There is no foreseeable risk associated with this report.

### 5. Internal and External Consultation

External consultation has taken place through a facilitated community workshop with major stakeholders and creative community members. Additionally, a survey, a cultural mapping exercise, and community engagement and consultation have been conducted in the development of this strategy.

Preparation of the Strategy has been informed by research conducted at state and federal levels, discussed issues with the Cultural Development Network, Regional Arts Victoria, MAV Arts Advisory Committee, and the Yorta Yorta Nation.

### 6. Regional Context

This strategy has been developed using surveys, cultural mapping, community engagement and consultation. Through delivery of this strategy in conjunction with

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## DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)

community, we want to continue to grow a thriving, cultural environment that respects the arts and our unique cultural values and the identify of Moira Shire.

### 7. Council Plan Strategy

The Strategy Plan aligns with the Council Plan strategic focus.

### 8. Legislative / Policy Implications

There is no legislative / policy impact associated with this report.

### 9. Environmental Impact

There is no environmental impact associated with this report.

### 10. Conflict of Interest Considerations

There is no conflict of interest associated with this report.

### 11. Conclusion

The inaugural *Draft Arts and Culture Strategy 2020 – 2026* is now be presented for approval to commence the final public consultation process, in advance of presentation of the Draft Strategy to Council for adoption.

The Strategy provides for the development of up to four community based Creative Hubs. These Hubs will plan for and deliver the artistic and cultural activities and programs identified in their localised Action Plans.

### Attachments

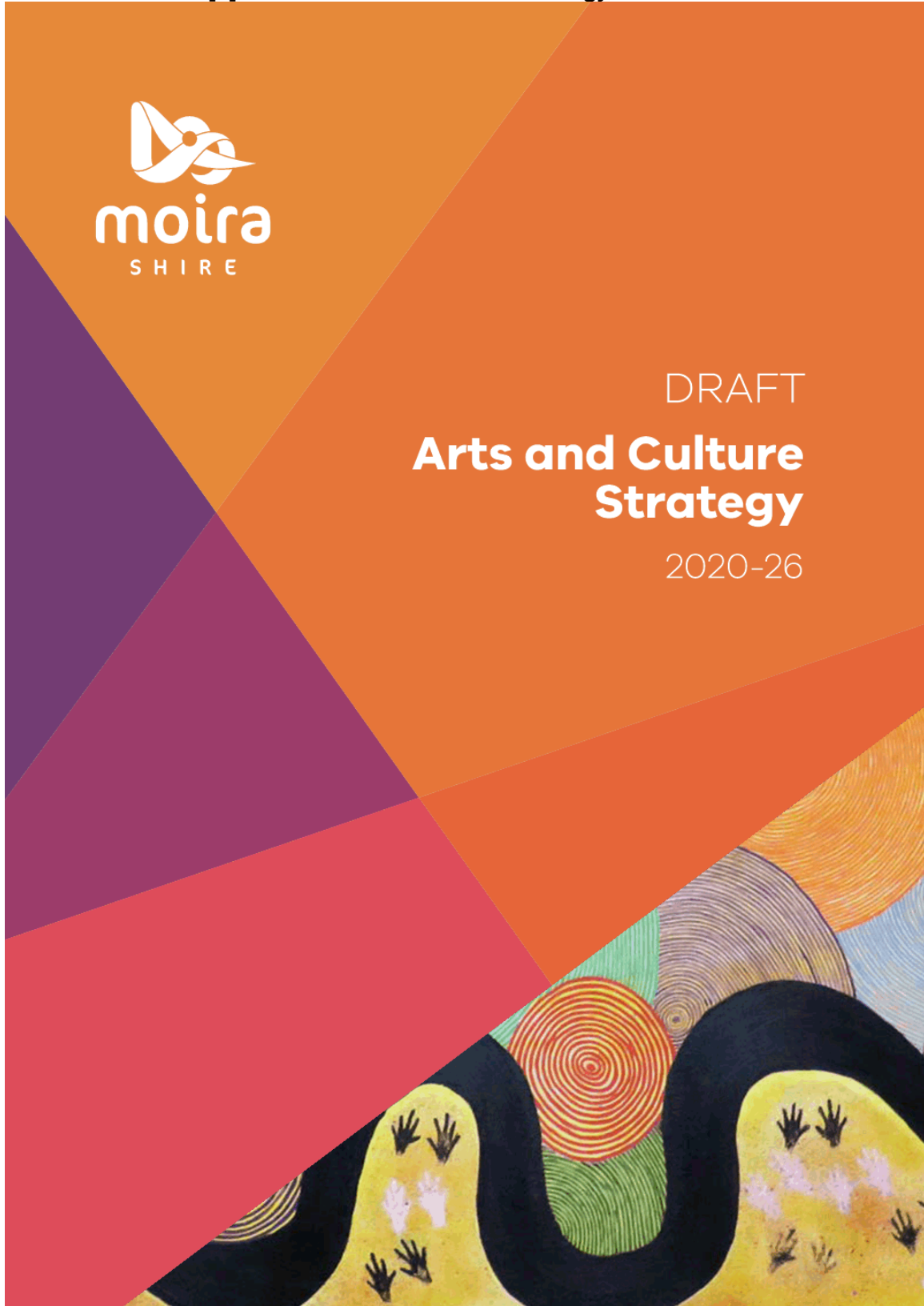
- 1 Draft Arts and Cultural Strategy 2019 - 2025
- 2 Summary

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**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025





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**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

**ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025**

## Acknowledgement of Country

The Moira Shire Council acknowledges that Aboriginal and Torres Strait Islanders are the first Australians. The Shire recognises that the arts have played an integral role in indigenous life and culture for more than 50,000 years. The Shire appreciates that indigenous peoples hold ancestral connections to the land where the Moira Shire Council meets, and that the traditional owners bare a unique cultural responsibility toward the land and the Murray and Goulburn Rivers.

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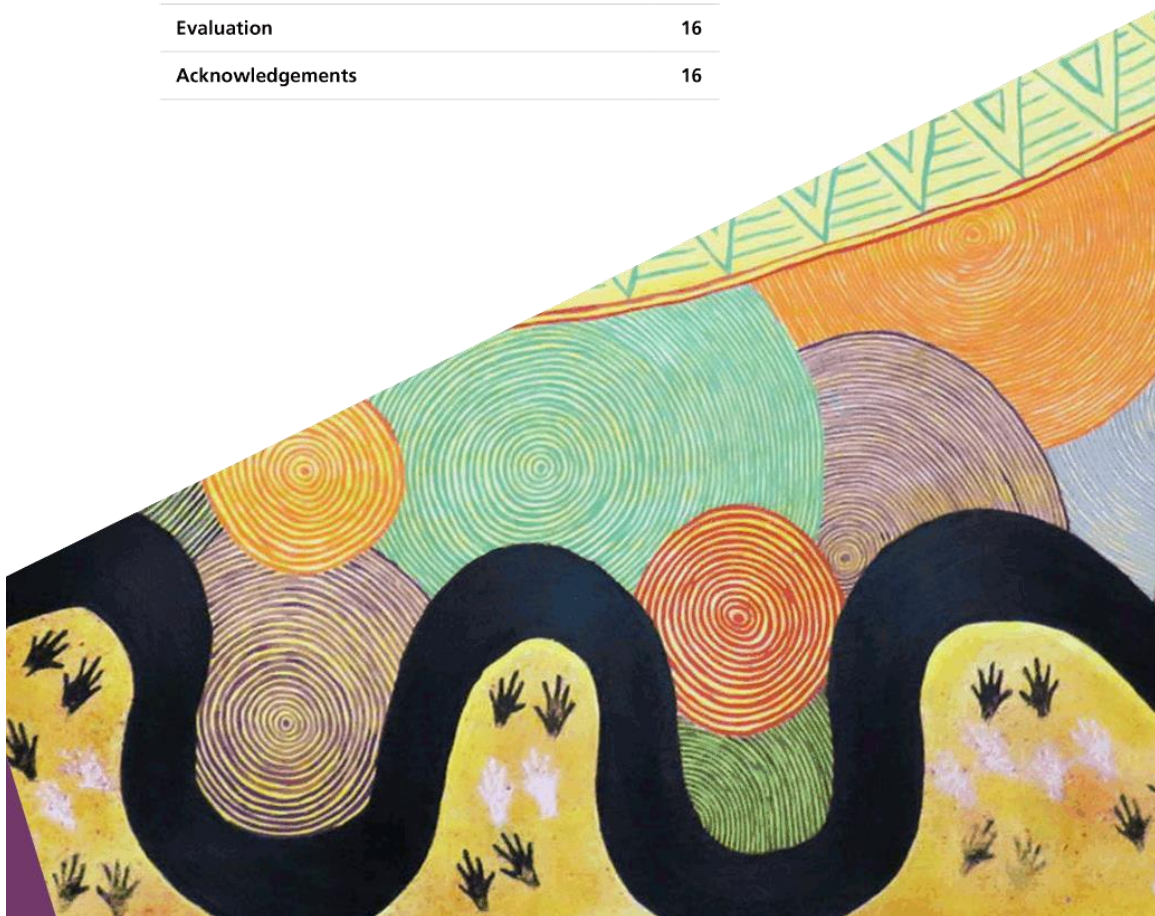
**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

**ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025**

Arts and Culture Strategy 2020-26 1

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## DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)

### ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025

2 Moira Shire Council

## Foreword



As a vibrant Australian Shire in the twenty first century we celebrate our First Nation peoples', our cultural heritage and the creativity and cultural diversity of our community.

Artistic and Cultural activity showcases the unique characteristics of the Shire and strengthens community social connectivity, wellbeing and identity, while celebrating the prosperity and vibrancy of the citizens who have built Moira Shire.

The Arts and Culture Strategy 2020-26 identifies 3 strategies and 6 goals in the Moira Shire Council Plan 2017-2021 through which the arts can progress implementation of the Council vision of a prosperous rural community.

The strategies and goals identified correspond with the wide range of views and aspirations expressed by the community in the formulation of the Arts and Culture Strategy.

Through delivery of this strategy in conjunction with community, we want to continue to grow a thriving, cultural environment that respects the arts and the unique cultural values and identity of Moira Shire.

**Cr Libro Mustica**  
**Mayor**



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**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

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Arts and Culture Strategy 2020-26 3

## Our Unique Cultural Identity and Environment

Moira Shire encompasses some of the richest heritage associated with the mighty Murray River incorporating natural resources such as the Barmah National Park and Wetlands (Ramsar site) and unique species of Flora and Fauna. River Steamers and punts once chugged their way up and down the Murray and its tributaries, developing the rich cultural commercial heritage, and providing vital social and economic connections on which our unique cultural identity was forged.

Moira Shire is located in the Hume region of Victoria and spans 4,045 square kilometres, with a population of 29,000 people encompassing a number of diverse cultural groups.

The broad cultural mix includes indigenous First Peoples, Soldier Settlers, Italian, Arabic and Filipino migrants to name but a few.

The economic strengths incorporate intensive irrigated and dry land agricultural production, the dairy industry, associated food processing industries and tourism. Moira Shire celebrates the cultural heritage and the growth of local creative talent in the form of visual artists, musicians, dancers, performers and creative arts groups.

Our 4 major centres are Yarrowonga, Nathalia, Cobram, and Numurkah where annual arts and cultural events are delivered through groups such as Mac Inc., The Grain Store, Across the Arts, the Numurkah Singers, Barmah Forest Heritage and Education Centre and the Allegro Theatre Company, along with artists, artists' groups, libraries and historical societies.



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## DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)

### ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025

4 Moira Shire Council

## Development of Arts and Cultural Strategy

Cultural activity makes us proud of our community and gives us a sense of achievement, and connection.

The four recognised areas (Pillars) for Community Sustainability are economic, environmental, cultural and social (Hawke). If we think of this in terms of a structure, each area (or pillar) holds up a harmonious, nurturing, engaged and healthy community.

### Cultural Area (Pillar)

Moira Shire communities recognise that a creative community concept is inclusive of all arts forms, and also has a broader reach to include architects, town planners, landscapers, engineers, performers, artists and musicians, all those who are creative.

Moira Shire Council also recognises the role the arts play in developing social wellbeing across all age levels and abilities and its essential role in promoting community resilience and recovery in times of crisis.

This strategy has been developed using surveys, cultural mapping, community engagement and consultation. We have relied on research conducted at state and federal levels to inform our goals, and to capitalise on funding opportunities as they arise, namely:

- A Culturally Ambitious Nation 2014-2019 Australia Council for the Arts (Federal);
- Creative State – Victoria's First Creative Industries Strategy 2016-2020;
- VicHealth Active Arts Strategy;
- Hume Regional Plan for Sustainable Communities 2010-2020;
- Victorian Aboriginal and Local Government Action Plan 2017; and
- Youth Policy – Building Stronger Youth engagement in Victoria.

We have identified three strategies and six goals from the Moira Shire Plan 2017-2021 and using the collective community feedback provided, we have developed an overarching Action Plan to meet these objectives.

Up to Four Arts Hubs will be funded across the Shire to deliver the Action Plan in a localised format to best meet the needs and values of their communities.

To maintain a Shire wide focus on artistic and cultural development, an Arts and Culture Advisory Committee comprising representation from each Hub will be established.

The five principles for evaluation of the Action Plan are those outlined in the Cultural Development Planning Framework (CDN) namely:

- Stimulation of creativity;
- Aesthetic enrichment;
- Generation of new knowledge and insight;
- Appreciation of cultural diversity; and
- Strengthening connections to shared heritage (CDN, 2017).

These principles sit alongside the Council's existing measures for liveability, economic, environmental and sustainable governance.

To measure achievement Key Performance Indicators (KPIs) will be established relevant to the activity under evaluation as the Action Plan is implemented.



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**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

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Arts and Culture Strategy 2020-26 5

## Definitions

One person's understanding of the scope of arts and culture, including creative enterprise, may differ from another's. For the purposes of this Strategy the term "cultural" includes:

### Arts

The arts represent an outlet of expression that is influenced by culture which in turn, helps to change culture.

The arts are an intellectual and physical manifestation of the internal creative impulse. Major branches of the arts include literature, music, dance, drama, and performing arts, visual arts, film and screen arts, design, architecture, media arts and digital forms of expression.

### Culture

Culture is the manifestation of human intellectual knowledge and achievement of a particular group of people, defined by everything from ideas, customs and social behaviour including language, kinship, religion, cuisine, social habits and traditions through all the arts disciplines. It can be seen as the growth of group identity fostered by social patterns unique to the group. Culture, therefore, also embraces heritage and heritage related assets and activity.



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**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

**ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025**

6 Moira Shire Council

**Creative Hub**

A Creative Hub will provide professional development and economic opportunities for arts groups, emerging artists and established artists. The Hub will encourage the broader community and regional visitor's access to the arts in each local setting.

To realise this vision Creative Hubs may work to achieve:

- Exhibition, studio and intimate performance spaces that enable artists and creatives to exhibit and perform in an affordable space;
- Public spaces that engages visitors, especially visitors from the local community and tourists to encourage community connectedness;
- Professional development opportunities to encourage and support emerging and established artists and creatives;
- Provide opportunities for artists to strengthen their community engagement;
- Development of community programs to encourage community engagement and interaction;
- Provide sales outlets to support artistic economic opportunities; and
- Support Cultural Mapping, an Arts Atlas and an Arts and Cultural Register (the Register) to document Moira Shire's arts and cultural assets.

**Arts Atlas**

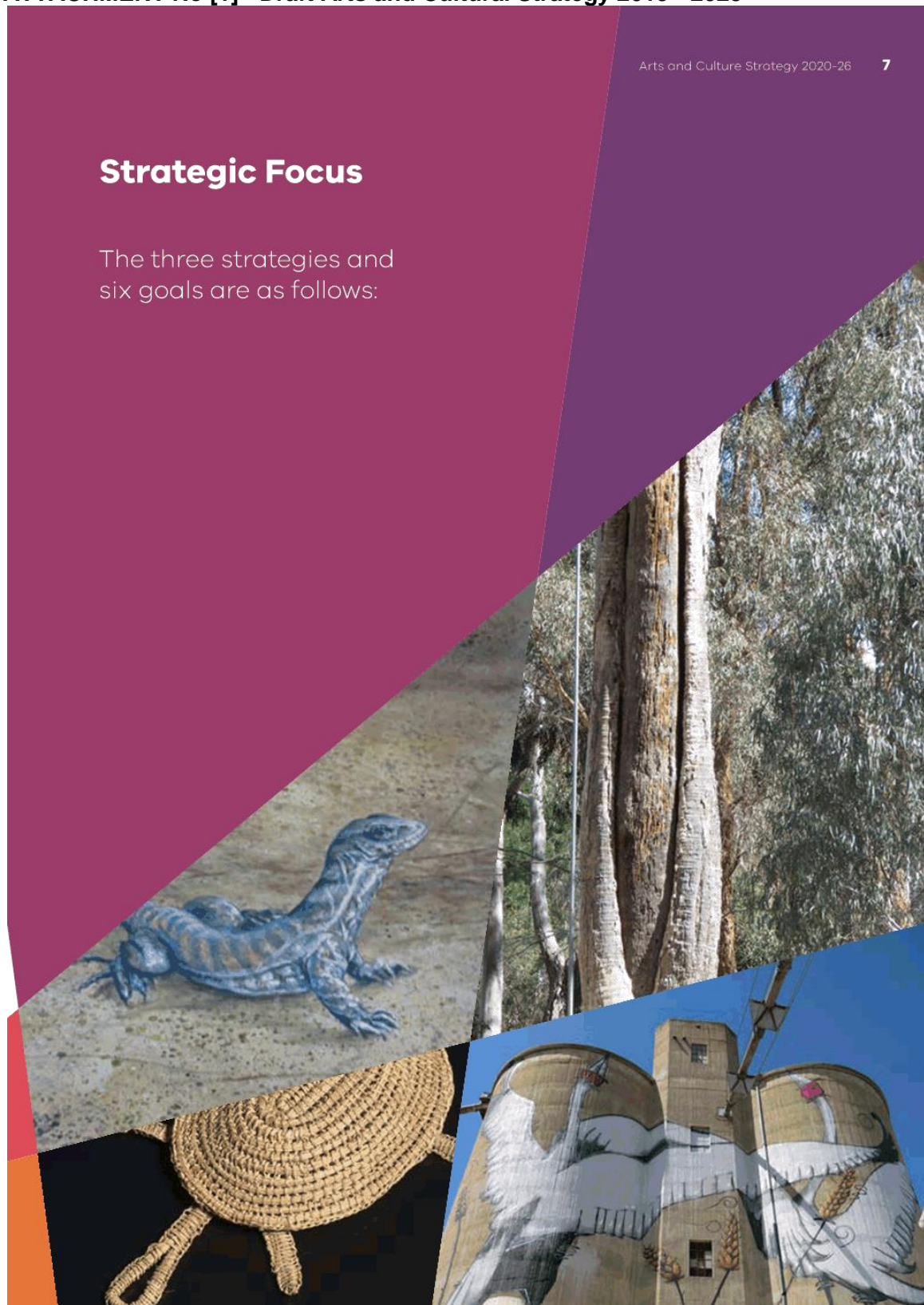
- We aim to establish a Moira Arts and Cultural Register. This online resource and information tool using Facebook as a social media platform will build a community of people who like to share what they do with others and who also like to know what's going on;
- The Register will provide a tool for sharing cultural resources amongst the entire community including businesses and organisations wishing to be included in artistic events;
- Develop an eNewsletter and a What's Happening calendar to which the community can submit information. Links to the arts atlas and arts register will be accessible from these publications; and
- Once developed there is opportunity to include and collaborate with neighbouring local government sectors to include their arts and cultural content, thereby extending the reach of the Arts Atlas and Register into regional areas.

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## DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)

### ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025

8 Moira Shire Council



## Council Plan Strategy: A great place to live

### STRATEGIC OBJECTIVE

We will have a connected and welcoming Shire for all by providing well planned places and quality services.

### GOAL 1

Recreation, sport, arts and cultural facilities and programs will respond to cultural diversity and community needs.

The link between creative opportunities, participation and social wellbeing is well documented.

Moira Shire is fortunate to have a dynamic artistic and cultural sector within the Shire; however, there is a need for more artistic and culturally creative opportunities to strengthen and improve connection and social wellbeing in our communities.

### THE COMMUNITY HAS TOLD US

That the main arts and cultural priorities they would like identified in the strategy and implemented over the next six years are the following:

- Make improvements to performing and visual arts venues;
- Create a more diverse and inclusive range of arts and cultural activities including festivals;
- Foster and promote arts and culture through the development of greater planning and resource management; and

- Deliver targeted promotion to encourage community involvement including diverse cultures and youth initiatives.

### CURRENTLY

There are established and emerging arts and cultural groups within Moira Shire focused in four major centres which deliver annual arts and cultural programs in these areas.

### THROUGH THE ACTION PLAN WE AIM TO

Work with artists and cultural organisations to:

- Establish an inclusive and collaborative environment;
- Support the delivery of welcoming and well-planned programs;
- Support quality activities that increase creativity, and celebrate diversity; and
- Support educational opportunities to provide connections with shared cultural heritage.



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**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

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**GOAL 2**

Our plans, strategies and services will match and evolve with the needs of our community.

It is well documented that community arts and cultural activities contribute much to the quality of life of participants.

In meeting the artistic and cultural needs of the community, a comprehensive understanding of our demographic region is critical. Of particular note with respect to this is the recognition in Moira Shire's Health and Wellbeing Plan 2017-2021. Our community is ageing and the number of older people living in our community will increase rapidly in the next fifteen years.

**THE COMMUNITY HAS TOLD US**

They would like access to a greater variety of activities. This was a significant theme in the early consultation with eighty percent of surveyed residents reporting their engagement in artistic and cultural pursuits.

Common themes for additional artistic and cultural offerings included:

- Increasing the diversity and number of festivals and community events;
- Increasing the visibility of public art;
- Providing space for exhibitions and performances;
- Building and strengthening indigenous and youth programs and activities;

- Building cultural tourism by preserving and showcasing heritage sites;
- Promoting and marketing arts and cultural workshops and education;
- Recognising the role the arts play in health and wellbeing; and
- Recognising the role the Arts play in disaster recovery.

**CURRENTLY**

There are well-established and emerging arts and cultural organisations that deliver programs throughout Moira Shire and engage the community and visitors in our cultural life.

These include: Mac Inc., The Grain Store, Across the Arts, the Numurkah Singers, Barmah Forest Heritage and Education Centre and the Allegro Theatre Company, along with artists, artists' groups, libraries and historical societies.

**THROUGH THE ACTION PLAN WE AIM TO**

Promote ongoing development of a vibrant arts sector which will provide opportunities, activities and events that meet the respective needs of, and forge connections between, our artistic and broader communities.



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1. A GREAT PLACE TO LIVE

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**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

**ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025**

10 Moira Shire Council

**GOAL 3**

To value the culture and heritage of our traditional owners.

The Victorian State Government has identified that local government must "advance indigenous self-determination and reduce inequality".

**THE COMMUNITY HAS TOLD US**

They recognise, celebrate and value local indigenous artists and culture.

**CURRENTLY**

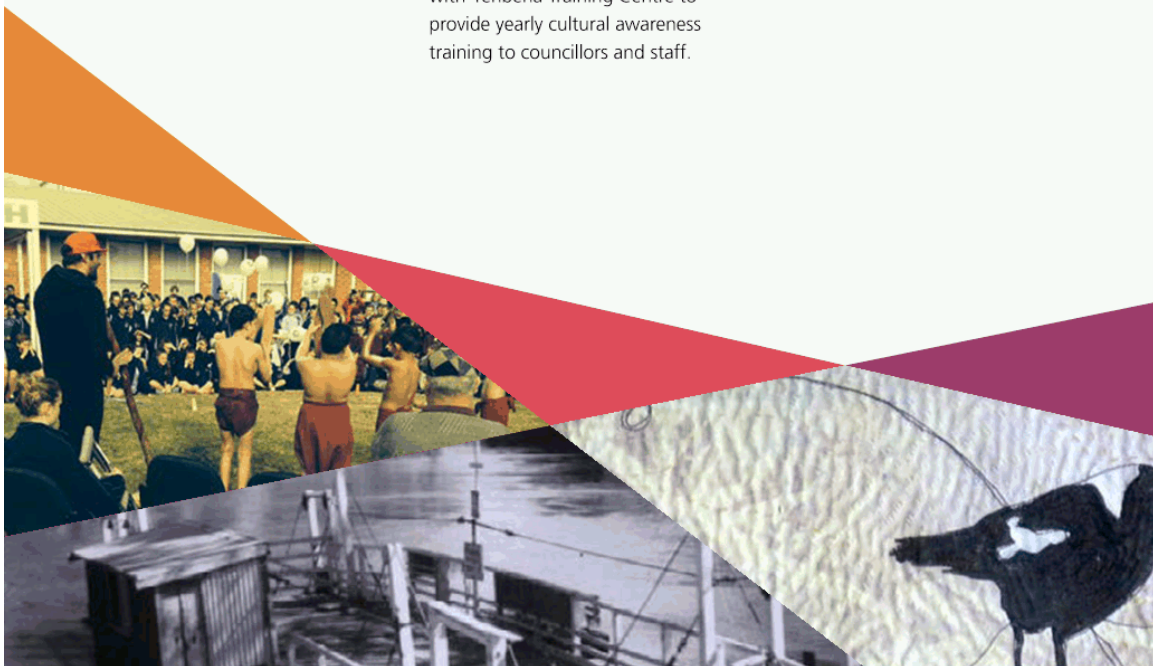
We acknowledge traditional owners at Council functions and invite local indigenous elders to conduct traditional welcome to country at events and festivals.

The council supports community and state activities and programs such as NAIDOC week, school's arts programs, Reconciliation programs and exhibitions, the Kaiela writing competition through specific project funding such as the Community Strengthening grants program.

Council has a service agreement with Yenbena Training Centre to provide yearly cultural awareness training to councillors and staff.

**THROUGH THE ACTION PLAN WE AIM TO**

Partner with our First Nation's People to identify and support opportunities to promote and develop artistic and cultural expression and industry.



FILE NO: F18/560  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

**ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025**

Arts and Culture Strategy 2020-26 11



**Council Plan Strategy: A thriving local economy**

**STRATEGIC OBJECTIVE**

We will support local businesses and attract new investment to generate employment opportunities.

**GOAL 4**

Our region will offer year-round tourism product, services and destinations.

“Victoria’s Creative Industries bring twenty-three billion dollars into the state’s economy” (Creative State-Creative Victoria Strategic Plan).

Strengthening local creative enterprises by creating new employment opportunities will bring economic, social and cultural benefits to Victoria.

**CURRENTLY**

We provide a variety of cultural tourism opportunities, including historical walks, interpretive displays and exhibitions, cultural signage and venues. We employ local artists for these activities and services.

We provide skill development opportunities to a range of community stakeholders.

**GOAL 5**

Accessible training and education opportunities will boost employment prospects and skills.

**THE COMMUNITY HAS TOLD US**

Connections must be facilitated between Moira’s business and creative industries and the wider community to generate investment and employment where possible.

**THROUGH THE ACTION PLAN WE AIM TO**

Provide the mechanisms to ensure the economic benefit of cultural and artistic activity across the Shire is maximised.



FILE NO: F18/560  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

## DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)

### ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025

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## Council Plan Strategy: A well run Council

### STRATEGIC OBJECTIVE

We will implement a transparent, engaging and accountable governance structure for current and future generations.

### GOAL 6

Our community and stakeholders will trust Council to act in their best interests.

Creative State Victoria's first Creative Industry Strategy formally acknowledges the role and contribution of local government in supporting Victoria's creative and cultural industries, and proposes that this be recognised through a local government partnership. The strategy states "Creative Victoria will establish and resource a formal partnership with Municipal Association of Victoria (MAV) to work with local councils across the state on the growth of creative industries and activities, ensuring that actions are aligned with local priorities and increase the impact of the creative industries at the local level."

### THE COMMUNITY HAS TOLD US

That the role of the Council is to address the following community needs:

- Develop a cohesive arts and culture plan which encompasses the diverse wide ranging needs of the community;
- Create structures which provide support, guidance and mentorship for emerging creatives within the community;
- Embed culture as the fourth area (pillar) of community sustainability into the Moira Shire Council Plan;
- Recognise the role that the Arts play in health and wellbeing; and
- Financially invest in activities that promote artistic and cultural development.

### CURRENTLY

Moira Shire Council:

- Recognises the role that arts and culture play in the health, wellbeing and identity of the community (Moira Shire Wellbeing for all Ages Strategy 2017-2021);
- Recognises the number of residents across the shire who are creatively participating in the arts, libraries, cultural development programs and the heritage of the region;
- Financially invests in arts and cultural development; and
- Supports inclusive connected communities which identify Moira Shire as a destination that recognises, values, and promotes the contribution that arts and culture play in the liveability, wellbeing and identity of its communities.

### THROUGH THE ACTION PLAN WE AIM TO

Promote the intrinsic value of artistic and cultural endeavour through implementation of appropriate mechanisms to fund, evaluate and develop creative industries across the Shire.

FILE NO: F18/560  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

## DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)

### ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025

Arts and Culture Strategy 2020-26 13

## Our Action Plan

Our Action Plan will respond over six years to deliver the identified Objectives and Actions in the strategy.



### A great place to live

Celebration of our cultural heritage and diversity

#### OBJECTIVE

**We will have a connected and welcoming Shire for all by providing well planned places and quality services.**

#### ACTIONS

- Celebrate our First Nation People's culture and identity;
- Establish four Creative Hubs to build creative expertise in Yarrawonga, Nathalia, Cobram and Numurkah;
- Support libraries and cultural precincts in their endeavours;
- Celebrate our living culture by collaborating with established cultural groups;
- Provide opportunities to promote cultural tourism by maintaining our creative development, civic architecture, public art and environmental treasures;
- Build knowledge and understanding of our culturally diverse Moira identity through story-telling, festivals, events, and media reviews;
- Welcome new migrants by inclusive practices through festivals and events such as Harmony Day;
- Support youth focused programs across the shire and within each of the four Creative Hubs;
- Use digital communication to connect with and interpret heritage assets;
- Embed creative recovery strategies into the Municipal Emergency Management Plan (MEMP);
- Maintain current activities and engage more fully with First Nations People and community;
- Support indigenous artists through engagement;
- Encourage cultural awareness training; and
- Foster networking opportunities with Indigenous organisations.



FILE NO: F18/560  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

**ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025**

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 **A thriving local community**  
Building our creative expertise

**OBJECTIVE**

**We will support local businesses and attract new investment to generate employment opportunities.**

**ACTIONS**

- Invest in our youth by initiating arts and culture mentoring programs;
- Provide access to activities which promote artists and creative groups;
- Develop a register of Moira Shire artists and business people;
- Conduct an audit of venues and assets;
- Create an Arts Atlas and online register for community marketing and collaboration and the sharing of creative expertise with local business's, and regularly update these;
- Showcase creative skills in local industry to attract new professionals to the Shire;
- Encourage entrepreneurial skill and innovation to generate employment opportunities;
- Revamp existing art programs and introduce new activities with a sustainable economic focus;
- Provide focused knowledge based workshops and information sharing;
- Conduct an audit of local creative arts practitioners, bringing artists from all disciplines together to exchange ideas;
- Encourage the development of ethnic and cultural arts programming informed by collaborative partnerships with ethno-specific agencies;
- Promote cross-cultural arts exchange;
- Promote the positive health outcomes of creative engagement and strengthen partnerships with healthcare service providers and practitioners through the facilitation of community 'wellbeing days' or 'healthcare expos' that are inclusive of the arts;
- Deliver art-based mindfulness workshops;
- Actively seek sponsorship and grant funding;
- Embed creative recovery strategies into the Municipal Emergency Management Plan (MEMP); and
- Maintain existing cultural tourism initiatives.



FILE NO: F18/560  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

## DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)

### ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025

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#### OBJECTIVE

**We will implement a transparent, engaging and accountable governance structure for current and future generations.**

#### ACTIONS

- Identify Moira Shire as a destination that recognises, values and promotes the contribution that Arts and Culture play in the liveability, wellbeing and identity of its communities (Fourth Pillar of Sustainability);
- Support inclusive and connected communities by actively listening to their needs to meet community expectations;
- Explore funding opportunities to support current and new opportunities;
- Establish equitable Moira Shire funding to each Creative Hub;
- Establish Moira Shire dedicated spaces;
- Develop a Public Art Policy which stimulates new work in public spaces;
- Support the establishment of Volunteer programs in each Creative Hub;
- Foster and reward creative excellence through the establishment of a Creative Award;
- Continue to employ a dedicated Arts and Cultural officer, and establish an Arts and Culture Advisory committee to support arts and cultural development across the Shire;
- Promote leadership of cultural development where evidence supports the claim;
- Embed culture as the fourth area (pillar) of community sustainability into the Moira Shire Plan;
- Continue to financially support the small grants program and delivery of arts and cultural activities across the Shire;
- Explore funding opportunities to support current and new initiatives which broaden our programs;
- Recognise the opportunities inherent in new digital technology;
- Foster and reward creative excellence;
- Promote participation in intergenerational and ethnic cultural programs;
- Support indigenous people in local arts and cultural pursuits that are unique to Moira Shire; and
- Work with the Economic Development and Tourism units to design arts and cultural activities.





FILE NO: F18/560  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

## DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)

### ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025

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## Evaluation

The Action Plan will be evaluated utilising a variety of qualitative and quantitative methods structured to assess achievement against the five principles outlined in the Cultural Development Network - Cultural Development Planning Framework (as detailed on page 4) and Council's measures for liveability, economic, environmental and sustainable governance.

Methods of evaluation of KPI's established within the Action Plan will include but not limited to:

- Focus groups;
- Interviews with active and creative participants;
- Surveys and questionnaires' of local and visiting audience members;
- Arts based responses and participatory methods of storytelling; and
- Quantitative and financial data analysis.

## Acknowledgements

This Strategic Arts and Culture Plan was prepared by Moira Shire Council in consultation with the community. We wish to acknowledge Ms Maz McGann, Dr Susan Paterson and Dr Julie Gross- McAdam, and all those who participated in the consultation process. Thank you for your interest and your invaluable contributions.

**Ms Marilyn Gourley**  
Team Leader, Arts and Cultural and Events, Moira Shire

June 2019

FILE NO: F18/560  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

**ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025**



**ARTWORK CREDITS**

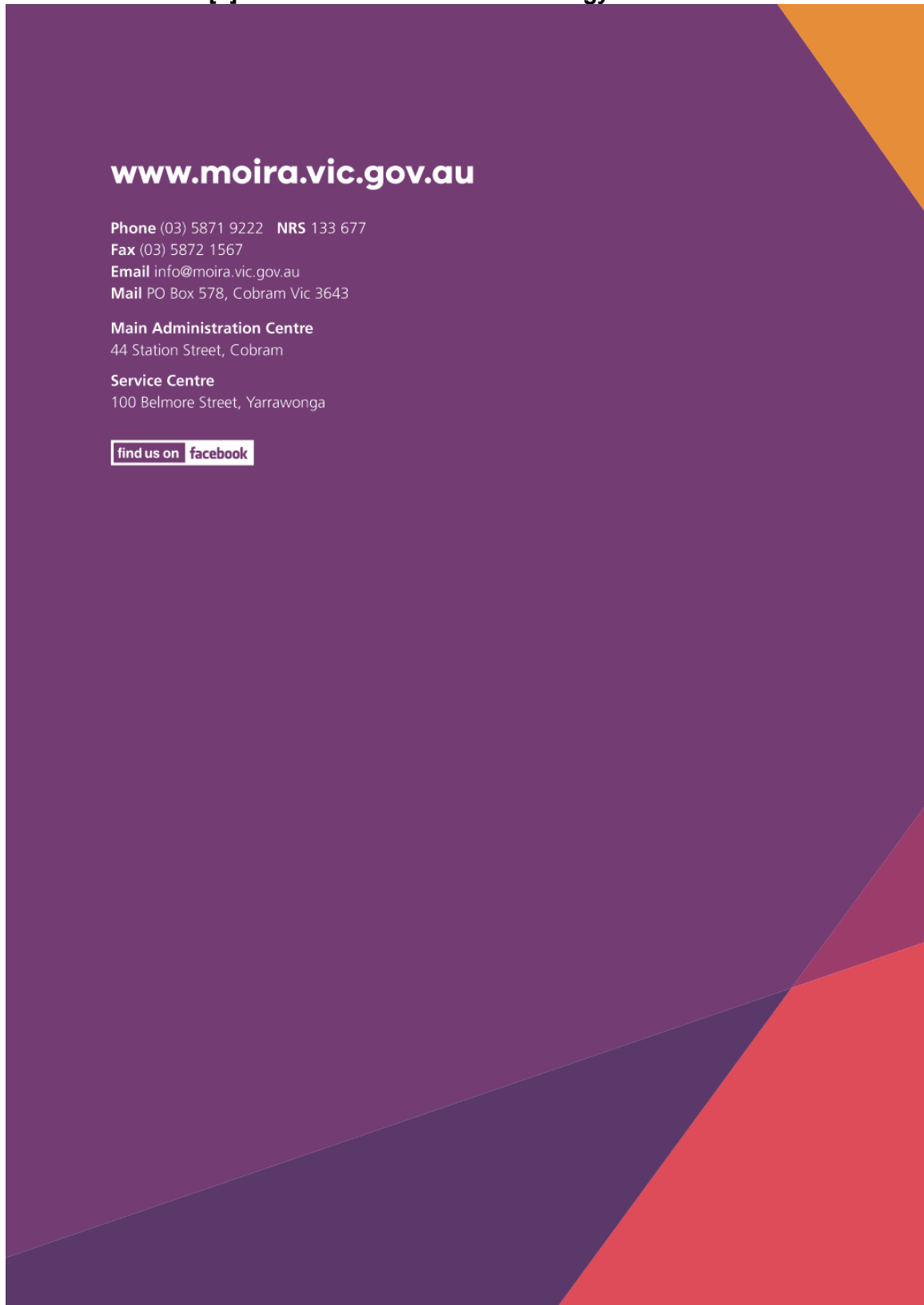
- Front Page**  
*Sand Hills*, Roxanne Atkinson
- Page 2**  
*Community Chalk Drawing at Multicultural and Youth Festival 2019*  
*Katamatite Mosaic sentinels*, Kerrie Murrell  
*Dhungala cool burn*, Dr Treahna Hamm  
*Doona*, Battle of the Bands Event
- Page 4-5**  
*Untitled*, Linden Lancaster  
*Saluting Their Service*, Numurkah Mural  
*Katamatite Anglican Church*  
*Tungamah Silo Art*, Sobrane
- Page 7**  
*Totem*, Dr Treahna Hamm  
*3D Floor at the Barmah Forest Heritage and Education Centre*, Ulla Taylor  
*Canoe Tree Barmah*, Yorta Yorta Nation  
*Tungamah Silo Art*, Sobrane
- Page 8-9**  
*Lomandra Breastplate*, Treahna Hamm,  
*Katamatite Eagle*, Andrew Whitehead  
*Cod fish*, Mark Rosenbrock  
*Untitled*, Rochelle Paton
- Page 10-11**  
*NAIDOC Day celebration at Yarrowonga Health*  
*The Barmah Point*  
*Maggies*, Lyndon Lancaster  
*Cobram Library*
- Page 13**  
*The Sleeper Cutter*, Be'la (Bill) Angyal  
*Leather face*, Jennifer Croft
- Page 14-15**  
*Canoe Tree Barmah*, Yorta Yorta Nation  
*Under the Sea*, The Workshop Yarrowonga P-12  
*Ceramic Long Neck Turtle*, Anne Timm
- Page 16**  
*Murray the Pelican*, Mark Rosenbrock  
Photographer Estelle Chalker

FILE NO: F18/560  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

**ATTACHMENT No [1] - Draft Arts and Cultural Strategy 2019 - 2025**



FILE NO: F18/560  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

**ATTACHMENT No [2] - Summary**

**Foreword**

As a vibrant Australian Shire in the twenty first century we celebrate our First Nation peoples', our cultural heritage and the creativity and cultural diversity of our community.

Artistic and Cultural activity showcases the unique characteristics of the Shire and strengthens community social connectivity, wellbeing and identity, while celebrating the prosperity and vibrancy of the citizens who have built Moira Shire.

The Arts and Culture Strategy 2020-26 identifies 3 strategies and 6 goals in the Moira Shire Council Plan 2017-2021 through which the arts can progress implementation of the Council vision of a prosperous rural community.

The strategies and goals identified correspond with the wide range of views and aspirations expressed by the community in the formulation of the Arts and Culture Strategy.

Through delivery of this strategy in conjunction with community, we want to continue to grow a thriving, cultural environment that respects the arts and the unique cultural values and identity of Moira Shire.

**Cr Libro Mustica**  
Mayor

Cultural activity makes us proud of our community and gives us a sense of achievement, and connection.

[www.moira.vic.gov.au](http://www.moira.vic.gov.au)  
Phone (03) 5871 9222 NRS 133 677  
Fax (03) 5872 1567  
Email [info@moira.vic.gov.au](mailto:info@moira.vic.gov.au)  
Mail PO Box 578 Cobram VIC 3643

Main Administration Centre  
44 Station Street, Cobram  
Service Centre  
100 Belmore Street, Yarrawonga



SUMMARY  
Arts & Culture  
Strategy  
2020-26



FILE NO: F18/560  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

**DRAFT ARTS AND CULTURAL STRATEGY 2020 - 2026 (cont'd)**

**ATTACHMENT No [2] - Summary**



**Arts and Culture Strategy  
2020-26**



**A great place to live**

**OBJECTIVE**

We will have a connected and welcoming Shire for all by providing well planned places and quality services.

**GOAL 1**

**Recreation, sport, arts and cultural facilities and programs will respond to cultural diversity and community needs.**

**GOAL 2**

**Our plans, strategies and services will match and evolve with the needs of our community.**

**GOAL 3**

**To value the culture and heritage of our traditional owners.**

**ACTIONS**

- Celebrate our First Nation People's culture and identity;
- Establish four Creative Hubs to build creative expertise in Yarrowonga, Nathalia, Cobram and Numurkah;
- Support libraries and cultural precincts in their endeavours;
- Celebrate our living culture by collaborating with established cultural groups;
- Provide opportunities to promote cultural tourism by maintaining our creative development, civic architecture, public art and environmental treasures;
- Build knowledge and understanding of our culturally diverse Moira identity through storytelling, festivals, events, and media reviews;
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- Welcome new migrants by inclusive practices through festivals and events such as Harmony Day;
- Use digital communication to connect with and interpret heritage assets;
- Embed creative recovery strategies into the Municipal Emergency Management Plan (MEMP);
- Maintain current activities and engage more fully with First Nations People and community;
- Support indigenous artists through engagement;
- Encourage cultural awareness training; and
- Foster networking opportunities with Indigenous organisations.



**A thriving local economy**

**OBJECTIVE**

We will support local businesses and attract new investment to generate employment opportunities.

**GOAL 4**

**Our region will offer year round tourism product, services and destinations.**

**GOAL 5**

**Accessible training and education opportunities will boost employment prospects and skills.**

**ACTIONS**

- Invest in our youth by initiating arts and culture mentoring programs;
- Provide access to activities which promote artists and creative groups;
- Develop a register of Moira Shire artists and business people;
- Conduct an audit of venues and assets;
- Create an Arts Atlas and online register for community marketing and collaboration and the sharing of creative expertise with local business's, and regularly update these;
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- Promote cross-cultural arts exchange;
- Promote the positive health outcomes of creative engagement and strengthen partnerships with healthcare service providers and practitioners through the facilitation of community 'wellbeing days' or 'healthcare expos' that are inclusive of the arts;
- Deliver art-based mindfulness workshops;
- Actively seek sponsorship and grant funding;
- Embed creative recovery strategies into the Municipal Emergency Management Plan (MEMP); and
- Maintain existing cultural tourism initiatives.



**A well run Council**

**OBJECTIVE**

We will implement a transparent, engaging and accountable governance structure for current and future generations.

**GOAL 6**

**Our community and stakeholders will trust Council to act in their best interests.**

**ACTIONS**

- Identify Moira Shire as a destination that recognises, values and promotes the contribution that Arts and Culture play in the liveability, wellbeing and identity of its communities (Fourth Pillar of Sustainability);
- Support inclusive and connected communities by actively listening to their needs to meet community expectations;
- Explore funding opportunities to support current and new opportunities;
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- Continue to financially support the small grants program and delivery of arts and cultural activities across the Shire;
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- Recognise the opportunities inherent in new digital technology;
- Foster and reward creative excellence;
- Promote participation in intergenerational and ethnic cultural programs;
- Support indigenous people in local arts and cultural pursuits that are unique to Moira Shire; and
- Work with the Economic Development and Tourism units to design arts and cultural activities.

FILE NO: F13/2557  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.1

## ASSET MANAGEMENT POLICY

### RECOMMENDATION

That Council adopt the attached reviewed Asset Management Policy and revoke the version previously adopted 22 March 2017.

#### 1. Executive Summary

Council policies provide guidance as to Council's intent on the many functions, activities or services it provides. All policies previously adopted are regularly reviewed for relevancy to the corporate direction of Council.

The purpose of the Asset Management Policy is to provide a framework to achieve sustainable asset management, which is based on service delivery needs and integrated into Council's corporate and financial planning processes.

A review of the Asset Management Policy has found that it remains relevant with only minor changes required to apply the new policy template style and recognise that the Asset Management Strategy was adopted by Council in July 2018.

#### 2. Background and Options

The Asset Management policy was initially adopted by Council on 7 July 2003 and was last reviewed and adopted on 22 March 2017.

The policy aligns with the broad principles included in both the Local Government and Planning Ministers' Council - Local Government financial sustainability nationally consistent frameworks on asset planning and management and the Local Government Victoria asset management policy statement. A national approach is now being taken to assess how local government is performing with asset management.

A review of the Asset Management Policy has found that it remains relevant with only minor changes to the context of the policy document. This includes updating how Council aims to manage its assets and how Council aims to deliver on the policy objectives.

It is also recommended the asset management policy be reviewed every four years (currently two years), with operational amendments as required, in accordance with Council's approval.

#### 3. Financial Implications

Asset management is already incorporated into Council's operations and will result in no change to budget. There are no financial implications associated with this report.

#### 4. Risk Management

Managing Council assets is being done in line with International Infrastructure Management Manual 2015 guidelines and ISO 55001

FILE NO: F13/2557  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.1

## ASSET MANAGEMENT POLICY (cont'd)

### 5. Internal and External Consultation

Internal input into the policy review has been provided by the Infrastructure department and Asset Management Working Group.

### 6. Regional Context

N/A

### 7. Council Plan Strategy

Providing clear and consistent understanding of Council's role and capacity

### 8. Legislative / Policy Implications

The reviewed Asset Management Policy will support Council's obligations under the Local Government Act 1989, including the primary objective of a Council under section 3C to endeavour to achieve the best outcomes for the local community, having regard to the long term and cumulative effects of decisions.

Section 136 (3c) identifies the management and maintenance of assets as a risk which Council is required to manage prudently, having regard to economic circumstances to achieve sound financial management.

### 9. Environmental Impact

The sustainable management of Council's assets benefits the environment. Funding the renewal of existing assets over the creation of new assets reduces the demand for new materials and is also good for Council's budget

### 10. Conflict of Interest Considerations

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

### 11. Conclusion

The reviewed Asset Management policy remains relevant with only minor changes required.

## Attachments

- 1 Asset Management Policy

FILE NO: F13/2557  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.1

## ASSET MANAGEMENT POLICY (cont'd)

### ATTACHMENT No [1] - Asset Management Policy

#### Asset Management Policy



Policy type	Council
Adopted by	Council
Responsible General Manager	General Manager Infrastructure
Responsible officer	Manager Construction & Assets
Date adopted	
Scheduled for review	This policy will be reviewed four years from the date of adoption, or sooner if required.

#### PURPOSE

To set guidelines for implementing consistent Asset Management processes throughout Moira Shire Council

#### SCOPE

This policy provides guidance to Council, councillors, officers, and members of committees who are involved in the operation, maintenance, renewal, upgrade, development or disposal of a Council owned or managed asset.

#### DEFINITIONS

##### Asset Management

Asset Management is the combination of management, financial, economic, and engineering and other practices applied to physical assets with the objective of providing an agreed level of service in the most cost effective manner. It includes the management of the whole life cycle (design, construction, commissioning, operating, maintaining, repairing, modifying, replacing and decommissioning/disposal) of physical and infrastructure assets.

##### Asset

A physical asset built, constructed or purchased to provide a service to the community and requires life cycle management by Council. Physical assets include land, buildings, plant and equipment, roads, bridges, footpaths and bicycle paths, parks, sporting and leisure facilities, playgrounds and passive recreational reserves, art works, stormwater drains and associated structures.

#### POLICY

Council aims to manage its assets in a manner that:

- ensures Council assets are fit for purpose in accordance with its long term strategic direction;
- ensures assets are managed in the most cost effective, safe & ratepayer acceptable way possible;
- ensures that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to residents, visitors and the environment;
- safeguards Council assets by implementing appropriate asset management strategies and the appropriate financial resources to support those strategies;
- gives preference to funding the renewal of existing utilised assets over the upgrade of existing assets or creation of new assets;



FILE NO: F13/2557  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.1

## ASSET MANAGEMENT POLICY (cont'd)

### ATTACHMENT No [1] - Asset Management Policy

#### Asset Management Policy



- meets legislative, regulatory, audit and financial reporting requirements for asset management;
- Council aims to deliver on the policy objectives by:
- creating a culture where Council employees take an integral part in overall management of Council assets by creating and sustaining an asset management awareness across the organisation through training and development;
  - spending a minimum of 80% of the annual depreciation in each budget on the renewal of existing assets;
  - identifying resources and operational capabilities and allocating responsibility for asset management;
  - demonstrating transparent and responsible asset management processes that align with demonstrated best practice; and
  - operating a cross-functional Asset Management Working Group to oversee asset management responsibilities and to co-ordinate, advise on and facilitate the implementation of the adopted Asset Management Strategy.

#### RELATED LEGISLATION

*Local Government Act 1989*  
*Local Government (Best Value Principles) Act 1999*  
*Local Government (Finance and Reporting) Regulations 2014*  
*Road Management Act 2004*

#### REFERENCES

International Infrastructure Management Manual  
Infrastructure Design Manual  
Council Plan 2017-21  
Strategic Resource Plan 2018-22  
Asset Management Plan(s)  
Australian Accounting Standards  
Local Government and Planning Ministers' Council, Local Government financial sustainability nationally consistent frameworks, Framework 2 – Asset planning and Management (May 2009)  
Australian Centre of Excellence for Local Government – National Assessment Framework  
Australia Local Government Association – State of the Assets 2015  
The Local Government & Municipal Knowledge Base – Asset Management

Moirá Shire Council  
ABN: 20 538 141 700  
Post: PO Box 578, Cobram, Vic 3643  
DX: 37801, Cobram

Cobram Administration Centre:  
44 Station Street, Cobram  
Yarrowonga Service Centre:  
100 Belmore Street, Yarrowonga

Phone: 03 5871 9222  
Fax: 03 5872 1567  
NRS: 133 677

Email: [info@moira.vic.gov.au](mailto:info@moira.vic.gov.au)  
[moira.vic.gov.au](http://moira.vic.gov.au)



FILE NO: F15/698  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.2

## HUMBERSTONE STREET SPECIAL CHARGE SCHEME

### RECOMMENDATION

That Council:

1. Do not proceed with the implementation of a Special Charge Scheme to construct Humberstone Street and Pearce Street west of Hawker Street, Nathalia;
2. Incorporate dust suppressant sealing works in Pearce Street west of Humberstone Street in this Capital Works Program with the Hawker Street Renewal Project
3. Increase the capital works budget for the Hawker Street Renewal Project from \$508,979 to \$558,979 by use of the savings of Council's contribution for the Humberstone Street Special Charge Scheme.
4. Thank the respondents to the survey regarding the construction of Humberstone Street for their time and effort in replying to the survey.

### 1. Executive Summary

Council at its Ordinary Meeting held on the 23<sup>rd</sup> August 2017 considered a joint letter received from the property owners in Humberstone and Pearce streets requesting for the construction of Humberstone Street and in Pearce Street through to Hawker Street, Nathalia, to a full urban sealed standard.

Council resolved to develop a concept design and cost estimate to construct the streets and to consult with the property owners / likely contributors if there is sufficient support to develop a Special Charge Scheme to fund the works.

A survey of the property owners has since been conducted. Based on the results of the survey and follow up information sessions with Council officers, the abutting property owners have expressed that they do not support an implementation of a Special Charge Scheme to fund the works.

Landowners in Pearce Street are in support of Pearce Street to be treated with a dust suppressant seal treatment at full cost to Council.

The Quantity Surveyors estimate for the adjacent Hawker Street renewal project has come in at \$549,883 which includes works in Pearce Street in front of the two residents on the north side of the road and water main renewal works which have only been identified. It is recommended that the \$50,000 net saving from the Humberstone Street project be allocated to the Hawker Street renewal project increasing the available funds from \$508,979 to \$558,979 and thus providing sufficient funds to complete the works.

### 2. Background and Options

Council at its Ordinary Meeting held on 23<sup>rd</sup> August 2017 resolved to

- 1) Develop a concept and estimate to construction Humberstone Street, Nathalia, and;
- 2) Consult with the likely contributors to potential Scheme to determine if there is sufficient support within the property owners for Council to develop a formal Scheme for construction of Humberstone Street.

Since the Meeting, concept design plans and construction cost estimates including indication of apportionment of contributions for property owners have been prepared. A

FILE NO: F15/698  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.2

## HUMBERSTONE STREET SPECIAL CHARGE SCHEME (cont'd)

number of informal discussions with the four signatories of the original joint letter have also been held during the development phase of the concept plans and cost estimates.

A written survey of the property owners in Humberstone Street was conducted in May this year. The survey also included property owners in Pearce Street between Humberstone Street and Hawker Street as the original signed joint letter also requested that Pearce Street be constructed and sealed as part of the Humberstone Street works.

Pearce Street west of Hawker Street already has kerb & channel on one side but the road pavement is formed only with little pavement material. The sealing of Pearce Street would have provided a continuous sealed road surface through to McDonnell Street and the Nathalia Hospital via Humberstone Street.

### 3. Financial Implications

Council's adopted Capital Works Budget for this year has an allocation of \$350,000 for the construction of Humberstone Street with costs to be apportioned between abutting property owners in accordance with Council's Policy for Special Rates and Charges. Apportionment of cost is based on landowners contributing a sum of \$300,000 and Council contributing \$50,000 towards the project.

Council will achieve a net saving of \$50,000 in its Capital Works Budget as it no longer needs to contribute its share of cost Should Council decide not to proceed with the Special Charge Scheme to construct Humberstone Street.

The Quantity Surveyors estimate for the Hawker Street project has come in at \$549,883 which includes works in Pearce Street in front of the two residents on the north side of the road and water main renewal works which have only been identified. Applying the \$50,000 net saving from the Humberstone Street project to the Hawker Street renewal project will increase the available funds from \$508,979 to \$558,979, thus providing sufficient funds to complete the works.

### 4. Risk Management

By not proceeding with the implementation of a Special Charge Scheme to construct a sealed road under the Council's Special Rates and Charges Policy, Council's risk exposure in implementing such a scheme is eliminated.

### 5. Internal and External Consultation

Letters with survey questionnaire forms were sent to landowners for each of the six abutting properties in Humberstone and Pearce Streets on 30th April 2019 with landowners to respond by 31 May 2019. Landowners were asked to indicate their preference for the following questions:

- Support a scheme to construct Humberstone Street and Pearce Street west of Hawker Street to a full urban street sealed standard including kerb & channel, drainage and footpath works.
- Do not support a scheme to construct Humberstone Street and Pearce Street west of Hawker Street to a full urban street sealed standard including kerb & channel, drainage and footpath works.

FILE NO: F15/698  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.2

## HUMBERSTONE STREET SPECIAL CHARGE SCHEME (cont'd)

- Would like Council to conduct an information session regarding a scheme to construct Humberstone Street and Pearce Street west of Hawker Street to a full urban street sealed standard including kerb & channel, drainage and footpath works. At the sessions, Council Officers would be available to discuss the potential scheme with residents.

Four landowners representing five properties had responded to the survey by the closing date. Below is a summary of their response:

- Two in support of a scheme with one wanting Council to conduct an information session with the landowners
- One not in support of a scheme.
- One hadn't indicated their preference of support either way for a scheme but wanted Council to conduct an information session with the landowners.

A follow up information session was held 18 July 2019 at the Barmah Heritage Centre in Nathalia. Landowners for two of the abutting properties in Pearce Street were in attendance. Two landowners for properties in Humberstone Street were an apology unable to attend however one of the landowners was represented by their Real Estate Agent. Councillor Bourke was in attendance as were Council's General Manager Infrastructure and Manager Construction & Assets. Outcomes of the information session were:

- Landowners abutting Pearce Street were not in support of a special charge scheme for upgrade of Pearce Street between Humberstone Street and Hawker Street based on the cost impacts to them.
- In support of Pearce Street to be treated with a dust suppressant seal treatment at full cost to Council.
- Keep Humberstone Street as a separate Special Charge Scheme.

Since the follow up information session a further discussion was held with one of the Humberstone Street landowners that was unable to attend the July information session. The landowner indicated that they are unlikely to proceed with their subdivision development and would no longer be interested in supporting a special charge scheme for Humberstone Street. This leaves only one landowner out of the three landowners in support of a special charge scheme for Humberstone Street.

### 6. Regional Context

There are few regional implications in relation to this report. The original request for upgrading Humberstone Street was driven by abutting landowners looking to undertake future residential subdivision development of their properties on both sides of Humberstone Street and south side of Pearce Street.

FILE NO: F15/698  
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.2

## HUMBERSTONE STREET SPECIAL CHARGE SCHEME (cont'd)

### 7. Council Plan Strategy

The request for the construction of Humberstone Street 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

Should the Special Charge Scheme not proceed, Council still have the option for any future subdivision developers to fund the construction of Humberstone Street as part of their planning permit application. Currently there is no residential development on both sides of Humberstone Street.

Treatment of Pearce Street between Humberstone Street and Hawker Street with a dust suppressant seal treatment at full cost to Council will require approval by Council for inclusion in Council's Capital Works Budget.

### 9. Environmental Impact

Humberstone Street will remain as a dry weather access road should the Special Charge Scheme not proceed.

A dust suppressant seal treatment in Pearce Street will remove the dust pollution being experienced by the 2 residential properties in Pearce Street.

### 10. Conflict of Interest Considerations

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

### 11. Conclusion

Based on the results of the survey and follow up information sessions with Council Officers, the majority of the abutting property owners have expressed that they do not support an implementation of a special charge scheme to construction Humberstone Street and the section of Pearce Street between Humberstone Street and Hawker Street.

The property owners in Pearce Street have expressed that their preferred treatment for sealing of Pearce Street is a dust suppressant seal treatment at full cost to Council and not to be included in any future special charge scheme involving Humberstone Street.

It is suggested that the dust suppressant sealing works for Pearce Street be incorporated into Hawker Street Renewal Works Project being undertaken as part of this year's Capital Works Program.

It is recommended that Council does not proceed with the implementation of a special charge scheme for both Humberstone Street and Pearce Street on the basis of lack of support from the abutting landowners and that the savings of \$50,000 in Council's contribution for Humberstone Street be reallocated to the Hawker Street Renewal Project.

### Attachments

Nil

FILE NO: C040/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

**C040/19 - ROAD INFRASTRUCTURE, FOOTPATH AND PATHWAY  
CONDITION SURVEY ASSESSMENTS**

**RECOMMENDATION**

That Council:

1. Award Contract C040/19 – Road Infrastructure, Footpath and Pathway Condition Survey Assessments to Shepherd Services Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

**1. Executive Summary**

Moira Shire Council invited submissions from suitably qualified organisations or individuals to undertake a condition survey of Council's road infrastructure assets located within the Moira Shire Council boundary.

The condition data collected for all roads, footpaths and kerbs within the municipality is to include either full video imagery of all segments or photographic images at a minimum of 10 metre intervals along each segment.

The asset classes to be assessed include sealed road pavements, sealed road surfaces, unsealed road pavements, kerb and channel including traffic islands, carparks (on road and off road), footpaths and pathways. Sealed surfaces within the Yarrawonga Aerodrome including runway, apron, taxi-way and carpark are included in the scope of works.

After consideration of the tender submissions, the evaluation panel recommends that contract C040/19 – Road Infrastructure, Footpath and Pathway Condition Survey Assessments be awarded to Shepherd Services Pty Ltd.

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

**2. Background and Options**

**Contract Details**

The contract is for a lump sum.

The works under contract are expected to be completed prior to 31 December 2019.

**Date of Public Notice**

Paper	Date
The Age	10 August 2019
Shepparton News	13 August 2019
Cobram Courier	14 August 2019
Numurkah Leader	14 August 2019
Yarrawonga Chronicle	14 August 2019

The tender closed 4pm Wednesday 4 September 2019.

FILE NO: C040/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

**C040/19 - ROAD INFRASTRUCTURE, FOOTPATH AND PATHWAY  
CONDITION SURVEY ASSESSMENTS (cont'd)**

**Receipt of Tenders**

A total of 4 submissions were received:

1. ARRB Group Ltd
2. Peter Joseph Moloney t/a Moloney Systems
3. Shepherd Services Pty Ltd
4. The Trustee for Talis Unit Trust t/a Talis Consultants

**Supervision**

Superintendent – Manager Construction and Assets  
Superintendent Representative – Team Leader Assets

**Panel Membership**

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

- Manager Construction and Assets
- Manager Operations
- Coordinator Works
- Team Leader Assets

The evaluation was moderated by the Procurement Coordinator.

**Non-conforming tenders**

No submission was deemed non-conforming.

**Tender Evaluation**

The criteria and weightings utilised are detailed below:

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

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

**3. Financial Implications**

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

**4. Risk Management**

The works under contract provide Council with a three-year program to reduce the risks associated with its road infrastructure assets.

To minimise the risks associated with the works under the contract, the following requirements must be met by the recommended tenderer:

FILE NO: C040/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

**C040/19 - ROAD INFRASTRUCTURE, FOOTPATH AND PATHWAY  
CONDITION SURVEY ASSESSMENTS (cont'd)**

- All collected condition data is to be in accordance with industry standards
- Traffic management plans are to be provided and approved by Council prior to the commencement of works.
- Traffic control and road work signage is to be in accordance with the Road Management Act and relevant Codes of Practice.
- All personnel and sub-contractors are required to undertake a Moira Shire Council site and OH&S induction.

**5. Internal and External Consultation**

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

The specification was approved by the responsible officer, Procurement Coordinator, Team Leader Assets, Manager Construction and Assets and the 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 section 186 of the Local Government Act and Council's adopted Procurement Policy.

**8. Environmental Impact**

Section 1.13 of the contract stipulates the contractor's environmental responsibilities which includes the collection of data to identify environmental cracking of all sealed surfaces included in the specification.

**9. Conflict of Interest Considerations**

No conflicts of interest were declared for this tender evaluation process.

**10. Conclusion**

After consideration of the tender submissions, the evaluation panel recommends that contract C040/19 – Road Infrastructure, Footpath and Pathway Condition Survey Assessments be awarded to Shepherd Services Pty Ltd.

**Attachments**

- 1 APPENDIX A - Evaluation Summary (Confidential) - *printed in separate document*



FILE NO: C033/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.4

## C033/19 - GILMORE STREET, YARRAWONGA RECONSTRUCTION

### RECOMMENDATION

That Council:

1. Select O'Loughlin Excavations Pty Ltd as the preferred tenderer for contract C033/19 Reconstruction of Gilmore Street, Yarrowonga and authorise the Chief Executive Officer to undertake negotiations to achieve a best value outcome.
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 Gilmore Street between the Dunlop Street roundabout and the Woods Road intersection, Yarrowonga.

After consideration of the submissions received, including price and all specification requirements, the evaluation panel recommends that O'Loughlin Excavations Pty Ltd be appointed as the preferred tenderer for contract C033/19.

### 2. Background and Options

The works include road reconstructions, shared paths, drainage, car parking, outstands and pedestrian crossings with associated line marking and signage.

Contract C033/19 is a lump sum contract with the works expected to be completed within 16 weeks from the date of acceptance with additional contingencies for the Christmas and Easter closures.

### Date of Public Notice

The tender was advertised as follows:

Paper	Date
TenderSearch	31 August 2019
The Border Mail	31 August 2019
Shepparton News	3 September 2019
Cobram Courier	4 September 2019
Numurkah Leader	4 September 2019
Yarrowonga Chronicle	4 September 2019

The tender closed 25 September 2019.

### Receipt of Tenders

A total of eight submissions were received from the following organisations:

1. Apex Earthworks Pty Ltd
2. Bitu-mill (Civil) Pty Ltd
3. Cartwright Civil Contracting Pty Ltd
4. Excell Gray Bruni Pty Ltd
5. Jarvis Delahey Contractors Pty Ltd

FILE NO: C033/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.4

**C033/19 - GILMORE STREET, YARRAWONGA RECONSTRUCTION (cont'd)**

6. Mawson Construction Pty Ltd
7. O'Loughlin Excavations Pty Ltd
8. Tactile Australia 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:

- Manager Construction and Assets
- Coordinator Design and Construction
- Consultant Project Engineer

The evaluation was moderated by the Procurement Coordinator.

**Non-conforming tenders**

No submission was considered to be non-conforming.

**Tender Evaluation**

The criteria and weightings utilised and are detailed in the following table:

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

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

**3. Financial Implications**

The recommendation to appoint a preferred tenderer will allow for negotiations regarding the construction method, ensure a best value outcome for all stakeholders and allow for contingencies with latent contingencies.

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

**4. Risk Management**

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

- Prior to the commencement of works the successful contractor must supply the Superintendent with a detailed Site Management Plan inclusive of traffic management, environmental management and OH&S.
- Various Hold Points have been specified (Hold Points are points beyond which the

FILE NO: C033/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.4

**C033/19 - GILMORE STREET, YARRAWONGA RECONSTRUCTION (cont'd)**

work may not proceed without review by the Superintendent).

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

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

**6. Regional Context**

This project contributes to the strategic objective of continuing to maintain and provide facilities and services that our community value and need.

**7. 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.

**8. 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.

**9. Environmental Impact**

Section 1.12 of the specification stipulates the contractor's environmental responsibilities and will form part of the contract.

In addition, the contract is required to provide a provide an environmental management plan prior to the commencement of works.

**10. Conflict of Interest Considerations**

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

**11. Conclusion**

After consideration of the submissions received, including price and all specification requirements, the evaluation panel recommends that O'Loughlin Excavations Pty Ltd be appointed as the preferred tenderer for contract C033/19.

**Attachments**

- 1 APPENDIX A - Evaluation Summary (Confidential) - *printed in separate document*

FILE NO: C046/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.5

**C046/19 - KERB AND CHANNEL RECONSTRUCTION AND ASSOCIATED  
PAVEMENT WORKS, WADESON STREET COBRAM**

**RECOMMENDATION**

That Council:

1. Award Contract C046/19 – Kerb and Channel Reconstruction and Associated Pavement Works, Wadeson Street Cobram to O'Loughlin Excavations 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 Wadeson Street between Charles Street and Karook Street, Cobram.

After consideration of the submissions received, including price and all specification requirements, the evaluation panel recommends that Contract C046/19 be awarded to O'Loughlin Excavations Pty Ltd.

**2. Background and Options**

The works include drainage, kerb and channel with kerb ramps and driveways, road reconstructions with associated line marking and pedestrian paths with low height retaining walls.

Contract C046/19 is a lump sum contract with the works expected to be completed within 16 weeks from the date of acceptance.

**Date of Public Notice**

The tender was advertised as follows:

Paper	Date
TenderSearch	31 August 2019
The Border Mail	31 August 2019
Shepparton News	3 September 2019
Cobram Courier	4 September 2019
Numurkah Leader	4 September 2019
Yarrawonga Chronicle	4 September 2019

The tender closed 25 September 2019.

**Receipt of Tenders**

A total of five submissions were received from the following organisations:

1. Bitu-mill (Civil) Pty Ltd
2. Excell Gray Bruni Pty Ltd
3. O'Loughlin Excavations Pty Ltd
4. Tactile Australia Pty Ltd
5. Guiney Excavations Pty Ltd

FILE NO: C046/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.5

**C046/19 - KERB AND CHANNEL RECONSTRUCTION AND ASSOCIATED PAVEMENT WORKS, WADESON STREET COBRAM (cont'd)**

**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:

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

The evaluation was moderated by the Procurement Coordinator.

**Non-conforming tenders**

No submission was considered to be non-conforming.

**Tender Evaluation**

The criteria and weightings utilised and are detailed in the following table:

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

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

**3. Financial Implications**

The recommendation is within the approved budget for this project.

**4. Risk Management**

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

- Prior to the commencement of works the successful contractor must supply the Superintendent with a detailed Site Management Plan inclusive of traffic management, environmental management and OH&S.
- Various Hold Points have been specified (Hold Points are points beyond which the work may not proceed without review by the Superintendent).
- 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 tender was advertised on Council’s TenderSearch website, The Border

FILE NO: C046/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.5

**C046/19 - KERB AND CHANNEL RECONSTRUCTION AND ASSOCIATED  
PAVEMENT WORKS, WADESON STREET COBRAM (cont'd)**

Mail, Shepparton News and the local newspapers.

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

**6. Regional Context**

This project contributes to the strategic objective of continuing to maintain and provide facilities and services that our community value and need.

**7. 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.

**8. 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.

**9. Environmental Impact**

Section 1.24 of the specification stipulates the contractor's environmental responsibilities and will form part of the contract.

In addition, the contract is required to provide a provide an environmental management plan prior to the commencement of works.

**10. Conflict of Interest Considerations**

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

**11. Conclusion**

After consideration of the submissions received, including price and all specification requirements, the evaluation panel recommends that Contract C046/19 be awarded to O'Loughlin Excavations Pty Ltd.

**Attachments**

- 1 APPENDIX A - Evaluation Summary (Confidential) - *printed in separate document*

FILE NO: C029/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.6

## C029/19 - FINANCE OF ONE COMPACT STREET SWEEPER

### RECOMMENDATION

That Council:

1. Award contract C029/19 – Finance of One Compact Street Sweeper to Bucher Municipal 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 companies for the supply and delivery or finance of one Compact Street Sweeper.

The tender provided the option for Council to purchase the compact street sweeper or to lease it over a three, four or five-year term.

The submission and subsequent Conditions of Contract are in accordance with the Municipal Association of Victoria (MAV) contract NPN1.15 – Specialised Trucks and Bodies.

Following an analysis of the purchase and lease options submitted, it concludes that the 3-year lease term is more favorable to Council. For more information, please refer to Appendix A – Evaluation Summary (Confidential).

After consideration of the tender submissions, the evaluation panel recommends that contract C029/19 be awarded to Bucher Municipal Pty Ltd for a 3-year lease term.

### 2. Background and Options

The primary use of the compact street sweeper is for the sweeping of Councils footpaths in central business district areas.

The sweeper is expected to travel 5,500 kms per annum.

The sweeper is a replacement for the current sweeper which lease is due to expire in December 2019.

### Contract Details

The proposed contract will be for a 3-year lease term inclusive of maintenance.

### Date of Public Notice

Submissions were sought through the MAV contract NPN1.15 – Specialised Trucks and Bodies and were by invitation only. Tenders closed at 5.00pm on Monday 23 September 2019.

### Receipt of Tenders

A total of 3 submissions were received from the following companies:

- Hako Australia Pty Ltd
- Rosmech Sales & Service Pty Ltd
- Bucher Municipal Pty Ltd

FILE NO: C029/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.6

**C029/19 - FINANCE OF ONE COMPACT STREET SWEEPER (cont'd)**

**Supervision**

Superintendent –Manager Operations  
Superintendent Representative – Fleet and Store Administrator

**Panel Membership**

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

- Team Leader Parks and Town Maintenance, East
- Garbage Collection Multi Plant Operator
- Fleet and Store Administrator

The evaluation was moderated by the Procurement Coordinator.

**Non-conforming tenders**

Although no submission was considered to be non-conforming, the evaluation panel had concerns around the size and length of Hako Australia Pty Ltd proposal. Please refer to Appendix A – Evaluation Summary (Confidential) for further information.

**Tender Evaluation**

The criteria and weightings utilised are detailed below:

<b>Evaluation Criteria</b>	<b>Evaluation Weighting</b>
Price	40%
Compliance with Specification	30%
Track Record	10%
Management of Schedules	10%
Contribution to Local Economy	10%

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

**3. Financial Implications**

The 2019/20 contains sufficient funds to lease the sweeper. For more information, please refer to Appendix A – Evaluation Summary (Confidential).

**4. Risk Management**

In order to minimise the risks associated with the purchase of plant, the specification contained the following conditions:

- The vehicle shall comply with all Federal and State Government Legislative requirements as well as all relevant Australian Standards and Australian Design Rules.
- Two (2) copies each of the operator, parts and workshop manuals shall be supplied (one hard copy and one disk) for the vehicle.
- An independent plant risk assessment is required to be supplied prior to the delivery of the vehicle.
- On delivery, an induction of the capabilities of the vehicle is to be done for nominated Council staff.



FILE NO: C029/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.6

**C029/19 - FINANCE OF ONE COMPACT STREET SWEEPER (cont'd)**

**5. Internal and External Consultation**

The specification was approved by the responsible officer, Manager Operations and General Manager Infrastructure.

**6. Regional Context**

The primary purpose of the compact sweeper is for sweeping of Councils footpaths in CBD areas.

**7. Council Plan Strategy**

The purchase of the tip trucks will assist Council in meeting the objective of smarter delivery of existing services and programs; in addition, undertaking the tender process demonstrates good governance.

**8. 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.

**9. Environmental Impact**

The proposed vehicles meet all the latest pollution and environmental requirements for vehicles of this type.

**10. Conflict of Interest Considerations**

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

**11. Conclusion**

After consideration of the tender submissions, the evaluation panel recommends that contract C029/19 be awarded to Bucher Municipal Pty Ltd for a 3-year lease term.

**Attachments**

- 1 APPENDIX A - Evaluation Summary (Confidential) - *printed in separate document*

FILE NO: C045/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.7

## C045/19 - PAVEMENT STABILISING PROGRAM

### RECOMMENDATION

That Council:

1. Award contract C045/19 – Pavement Stabilising Program to G.W & B.R Crameri Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

### 1. Executive Summary

Moira Shire Council invited submissions from suitably qualified organisations or individuals for the in-situ cement or lime stabilisation of failed sections of existing sealed pavement throughout the municipality.

It is estimated that completion of approximately 8,000m<sup>2</sup> of road stabilisation will be required for the contract comprising of approximately 80 to 100 individual patches of various sizes.

After consideration of the submissions, including price and specification requirements, the evaluation panel recommends contract C045/19 be awarded to G.W & B.R Crameri Pty Ltd.

### 2. Background and Options

The contract is for the in-situ cement or lime stabilisation of failed sections of existing pavement throughout the municipality.

The contract is for 1 year and shall commence on the date agreed between Council and the Contractor.

#### Date of Public Notice

Paper	Date
The Age	14 September 2019
Border Mail	14 September 2019
Shepparton News	17 September 2019
Cobram Courier	18 September 2019
Numurkah Leader	18 September 2019
Yarrawonga Chronicle	18 September 2019

The tender closed 9 October 2019.

#### Receipt of Tenders

A total of 10 submissions were received from the following organisations:

1. GW & BR Crameri Pty Ltd
2. Stabilised Pavements (Australia) Pty Ltd
3. Cleaves Earthmoving and Drainage Pty Ltd
4. Stabilco Pty Ltd

FILE NO: C045/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.7

**C045/19 - PAVEMENT STABILISING PROGRAM (cont'd)**

5. Bitu-Mill (Civil) Pty Ltd
6. Szabolics Construction Pty Ltd
7. Central Vic Stabilising Pty Ltd
8. Apex Earthworks Pty Ltd
9. Country Wide Asphalt Pty Ltd
10. Hiway Stabilizers Australia Pty Ltd

**Supervision**

Superintendent – Manager Operations  
Superintendent Representative – Coordinator Works

**Panel Membership**

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

- Manager Operations
- Superintendent Works
- Team Leader Tungamah

The evaluation was moderated by the Procurement Coordinator.

**Non-conforming tenders**

No submission was considered to be non-conforming.

**Tender Evaluation**

The criteria and weightings utilised and are detailed in the following table:

Evaluation Criteria	Evaluation Weighting
Price	40%
Track Record	20%
Management of Schedules	10%
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**

The recommendation is within the approved budget.

**4. Risk Management**

To minimise the risks associated with the works under the contract, the following conditions are required to be delivered by the successful contractor and/or Council:

- All requirements under contract are to comply with current VicRoads specifications.
- The Contractor is responsible for the location and protection of services that may be in the vicinity of the works.
- Traffic control and roadwork signage shall be as per the Road Management Act 2004 Code of Practice Worksite Safety – Traffic Management.

FILE NO: C045/19  
4. A WELL RUN COUNCIL

ITEM NO: 9.4.7

## **C045/19 - PAVEMENT STABILISING PROGRAM (cont'd)**

- All 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 Councils worksite.

### **5. Internal and External Consultation**

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

The specification was approved by the Coordinator Works, Manager Operations and General Manager Infrastructure.

### **6. Regional Context**

The works under contract contributes to the repair, upgrades and replacement of Council's road network.

### **7. 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.

### **8. 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.

### **9. Environmental Impact**

Clause 1.24 and 2.15 of the specification stipulates the contractor's environmental responsibilities and will form part of the contract.

### **10. Conflict of Interest Considerations**

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

### **11. Conclusion**

After consideration of the submissions, including price and specification requirements, the evaluation panel recommends contract C045/19 be awarded to G.W & B.R Cramer 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:** 24 July 2019

**Subject:** Urgent General Business

That Council investigate the possibility of showers for the homeless being incorporated in existing or new toilet facilities in the shire and this report be brought to a council briefing session for consideration by Councillors.

(CARRIED)

**Activity**

Listed for future briefing.

**Meeting:** 28 August 2019

**Attachments**

Nil

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.