



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT COBRAM
CIVIC CENTRE,
WEDNESDAY 24 OCTOBER 2018

The meeting commenced at 6:00 pm.

PRESENT Councillor Libro Mustica (Mayor)
Councillor John Beitzel
Councillor Kevin Bourke
Councillor Wendy Buck
Councillor Gary Cleveland
Councillor Peter Lawless
Councillor Peter Mansfield
Councillor Marie Martin

IN ATTENDANCE: Mark Henderson Chief Executive Officer
Andrew Close General Manager Infrastructure
Simon Rennie General Manager Corporate
Sally Rice General Manager Community
Nancy Mustica Governance Officer

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

Read by the Mayor.

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.

Read by the Mayor.

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

Cr Cox is an apology for tonight's meeting.

MOTION

CRS GARY CLEVELAND / PETER LAWLESS

That Cr Cox's apology be accepted.

(CARRIED)

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

Nil

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

Cr Mansfield declared an interest in item 9.3.2 being an indirect interest due to close association.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS KEVIN BOURKE / GARY CLEVELAND

"That the minutes of the Ordinary Council Meeting held on Wednesday, 26 September 2018, as prepared, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

- Cr Mansfield reported on his attendance at the Yarrawonga Historic Society 150 years of Yarrawonga Book Launch and presented the Mayor with a copy.
- Cr Buck reported on her attendance at the Victorian 2018 Tidy Towns Awards and a Goulburn Valley Waste & Resources Forum and Tour.
- Cr Martin reported on her attendance at the Rural Council Victoria Forum, the MAV Conference, a Regional Outlook Conference and the Numurkah Show.
- Cr Lawless reported on his attendance at the Yarrawonga Historic Society 150 years of Yarrawonga Book Launch , Cobram Trots footpath unveiling and trophy presentation, the Stave Government Opposition's funding announcement for drainage in Yarrawonga and support for the Yarrawonga Mulwala Bridge green route, S86 CoM at Yarrawonga, Katamatite, St James and Tungmah and the Disability Advisory Committee meeting.
- Cr Cleveland reported on his attendance at the MAV conference and dinner where Cr Cox was presented with an award for 15 years' service as a Councillor and the impressive work being done around Cobram by the Infrastructure Department.
- Cr Bourke reported on his attendance at S86 CoM AGM's, the amount of user groups at the Nathalia Recreation Reserve and his upcoming attendance at the Victorian Regional Development Awards and congratulated Rich Glen and Remax on their nominations.

9. OFFICER REPORTS FOR DETERMINATION

9.1 OFFICE OF CEO

NIL

FILE NO: F13/277
1. A GREAT PLACE TO LIVE

ITEM NO: 9.2.1

TELSTRA LEASE - WILBY

Executive Summary

Telstra Corporation Ltd (Telstra) currently leases an area of approximately 150m² within the parcel of land owned by Council at 7 Swanson St Wilby (the Wilby Hall). The lease is due to expire on 31 August 2019 and Telstra wishes to enter into a new 20 year (10+5+5) lease over the area currently occupied.

The new lease proposes essentially the same lease conditions as the current lease with the exception that the proposed lease has been prepared using current writing styles and legal requirements. The rental has also been increased from \$650 to \$750 per annum indexed by 2% annually.

A copy of the proposed lease is attached to this report.

Council is requested to authorise the publication of a public notice advising the community of Council's intention to enter into the lease in accordance with section 190 of the Local Government Act (LGA), and invite submissions under section 223 of the LGA.

A Committee of Council meeting will be convened to hear any objections received. If no objections are received, Council authorisation for the Chief Executive Officer to sign and seal the lease documents is sought.

MOTION

CRS WENDY BUCK / PETER MANSFIELD

That Council:

1 Authorise the Chief Executive Officer to:

- a) give public notice of Council's intention to enter into a lease with Telstra Corporation Ltd for the defined area within the parcel of land at the Wilby Hall 7 Swanson St Wilby;
- b) make the lease proposal available for public inspection;
- c) invite submissions in accordance with Section 223 of the Local Government Act 1989;
- d) receive submissions until 5pm Friday 30 November 2018; and
- e) if no submissions are received sign and seal the lease.

2 If required:

- a) convene a Committee of Council comprising Cr Lawless, Cr Mansfield and General Manager Corporate to meet at 6pm Wednesday 5 December 2018 at the Councillor Briefing Room, 44 Station Street Cobram to hear any person wishing to be heard in support of their written submission.
- b) consider a recommendation to proceed with the lease with or without amendment at the December Ordinary Council meeting.

(CARRIED)

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

ITEM NO: 9.2.2

ASSEMBLIES OF COUNCIL

Executive Summary

This report details the Assembly of Councillors for September 2018 is prepared in accordance with the requirements of the Local Government Act (the Act) 1989 section 80A.

MOTION

CRS JOHN BEITZEL / GARY CLEVELAND

That Council receive and note the Records of Assembly of Councillors.

(CARRIED)

FILE NO: C024/18
4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

C024/18 - PROVISION OF OPERATING LEASE SERVICES

Executive Summary

Following an Expression of Interest (EOI) process, Moira Shire Council invited submissions from five suitably qualified and experienced leasing companies for the provision of a Master Operating Lease Facility of information and communications technology equipment.

After consideration of the submissions, the evaluation panel recommends that the Council delegate to the Chief Executive Officer the authority to enter into negotiations with the preferred tenderer, Commonwealth Bank of Australia to achieve a best value outcome for the Council.

MOTION

CRS WENDY BUCK / PETER LAWLESS

That Council:

1. Authorise the CEO to undertake negotiation with the Preferred Tenderer, Commonwealth Bank of Australia to finalise a Master Operating Lease / Rental Facility to achieve a best value outcome and award contract C024/18 – Provision of Operating Lease Services.
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

(CARRIED)

FILE NO: F13/119
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

WILBY DEVELOPMENT PRIORITIES CONSULTATION RESULTS

Executive Summary

Council has allocated \$285,000 in the 2018/19 budget for projects in the Wilby district. As part of the recent budget bid process members of the Wilby community identified three projects as a priority for the town. These projects are:

- replacement of the Wilby Bridge;
- dust suppression; and
- repair of the Wilby Hall.

The budget allocation is insufficient to deliver all three community projects, accordingly, Council Officers sought feedback from residents of Wilby and District (including Pelluebla, Almonds, Boweya North, Boomahnoomoonah and east of the Three Chain Rd in Telford and Tungamah) regarding their project priorities.

The consultation occurred via a letter asking residents to rank their priorities from 1 (most important) to 3 (least important). Residents were also asked to provide additional comments. A summary of the votes and full details of comments received are attached to this report.

The consultation identified that the top priority was remediation of the Wilby Memorial Hall, followed by replacement of the Wilby Bridge and finally dust suppression. This report recommends proceeding with capital works in the current budget in line with the priorities as identified through the community consultation.

MOTION

CRS MARIE MARTIN / PETER MANSFIELD

That Council:

1. Allocate capital budget of \$285,000 to remediate the Wilby Community Hall in accordance with the communities first preference.
2. Resolves that any residual funds will be allocated to the replacement of the Wilby Bridge in accordance with the communities second preference.

(CARRIED)

FILE NO: F18/213
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.2

**2018/19 COMMUNITY STRENGTHENING GRANTS MINOR AND MAJOR GRANT
ROUND 1**

Cr Mansfield left the meeting at 6:23 PM due to his previously declared conflict of interest.

Executive Summary

The 2018/19 Community Strengthening Grants Program has a total budget of \$254,000 and are being offered in three categories Major to \$10,000 (one round), Minor up to \$5,000 (two rounds) and Quick Response up to \$1,000 (always open). Round One comprising the Major and Minor grant were open for applications via Smarty Grants in July/August 2018.

Council received 31 applications for the first round of the 2018/19 Community Strengthening Grants Program. 27 of the applications passed the pre-eligibility stage. Following assessment, 21 are recommended for funding at a total cost of \$140,291. Projects not recommended for funding are either ineligible, require further planning, provide limited community benefit and/or the applications were of poor quality.

MOTION

CRS KEVIN BOURKE / PETER LAWLESS

That Council approve 21 projects totalling \$140,291 as part of the 2018/19 Community Strengthening Grants Program.

(CARRIED)

Cr Mansfield returned to the meeting at 6:27 PM.

FILE NO: D18/7276
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.3

MOIRA SHIRE COUNCIL MEMORIALS AND PLAQUES POLICY

Executive Summary

Moirā Shire Council recognises that members of the community may wish to use public or open space to commemorate a person or group of people or event. The purpose of this policy is to provide a framework for the consideration and installation of plaques and memorials in Moira Shire.

MOTION

CRS KEVIN BOURKE / WENDY BUCK

That Council endorse the Moira Shire Memorials and Plaques Policy.

(CARRIED)

FILE NO: F13/150-2
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.4

DISABILITY ADVISORY COMMITTEE - MEMBER NOMINATION

Executive Summary

Council's Disability Advisory Committee (DAC) includes representatives from relevant disability, community and health organisations, community members, Councillors and a Council Officer.

The role of the DAC is to provide expert and personal advice on accessibility issues. This is to ensure that appropriate consultation and participation occurs and that Council effectively advocates for a more accessible and inclusive community.

In preparation for the expiration of the current DAC's office term in September 2018, advertising for new members has occurred. A total of 13 nominations were received, this is a significant increase from previous years.

This report recommends accepting all nominations to the DAC. This therefore increases the community membership from two to five. The attached DAC Terms of Reference reflect these changes and offer a new term of expiry for 30 October 2022. Otherwise the Terms of Reference have been reviewed and are considered current and relevant and are therefore unchanged.

MOTION

CRS WENDY BUCK / KEVIN BOURKE

That Council:

1. Accept all nominations the Disability Advisory Committee; and,
2. Endorse the amended Disability Advisory Committee Terms of Reference

(CARRIED)

FILE NO: F17/819
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.5

SECTION 86 COMMITTEES OF MANAGEMENT - OUTGOING AND INCOMING MEMBER AMENDMENTS

Executive Summary

Council has 33 Special Committees who manage community facilities located on both Crown land and Council land. These special committees are established under section 86 of the *Local Government Act 1989* and are commonly referred to as Section 86 Committees.

At the 27 September 2017 Council meeting, Council, in exercise of the powers conferred by section 86 of the *Local Government Act 1989*, resolved to appoint persons as Community or User Group representatives on the Special Committees to 30 September 2021. Council resolution is required for the removal of outgoing committee members and the appointment of nominated incoming members.

Each year, Councillors are presented with a report which details the current special committees for which Councillor representation is required. In turn, Councillors are nominated to these special committees for the coming 12 months.

MOTION

CRS MARIE MARTIN / KEVIN BOURKE

That Council approve the removal of outgoing representatives and appointment of nominated incoming representatives to 30 September 2021 for Community or User Groups on the Special Committees of Management as detailed below.

Committee of Management	User Group	Outgoing representative	Incoming representative
Baulkamaugh Recreation Reserve	Community		Eric Schmidt
Bundalong Dan Cronin Recreation Reserve and Public Hall	Community	Mathew Prestage	Peter Vipond
Bundalong Dan Cronin Recreation Reserve and Public Hall	Community	Terry Booth	Neville Blake
Cobram Scott Reserve	Community	Matthew Ross-Soden	
Invergordon Recreation Reserve	Community		Jamie Guthrie
Koonoomoo Recreation Reserve	Cobram Campdrafting Club Inc	Trudy Holden	
Koonoomoo Recreation Reserve	Carriage Horse Driving Trials Club	Rob Robertson	Alice Austin
Koonoomoo Recreation Reserve	Northern Country Carriage Driving Club		Leanne Kirby
Koonoomoo Recreation Reserve	Northern Country Carriage Driving Club		Vicki Stevenson
Koonoomoo Recreation Reserve	Community		Greg White
Strathmerton Recreation Reserve	Community		Elly Burley
Wunghnu Recreation Reserve	Moir Miniature Railway Club	Robin Glasson	Tony Carter
Yarroweyah Recreation Reserve	Community	Sam Opray	Mick Stephan

FILE NO: F17/819
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.5

**SECTION 86 COMMITTEES OF MANAGEMENT - OUTGOING AND INCOMING
MEMBER AMENDMENTS (cont'd)**

Yarrawonga Eastern Foreshore	Community	Thomas Hutchison	
Cobram Showgrounds Apex Reserve	Cobram Agricultural Society	Anthony Hicks	Andrew Wilson
Numurkah Showgrounds Reserve	Numurkah Football Netball Club	Steven Dalitz	
Numurkah Showgrounds Reserve	Numurkah Agricultural Society	Hank Sanders	Jeffery Stanyer
Numurkah Showgrounds Reserve	Community		Beverly Patrick
Yarrawonga Showgrounds Reserve / Victoria Park	Yarrawonga & District Garden Club (Alternative Representative)	Tony Farey	
Strathmerton Public Hall	Strathmerton Branch of the Returned Soldiers League		Joanne Donelan
Wilby Memorial Hall	Community		Louise Regan
Cobram Historical Precinct	Community	Ann Rampling	Josie Cassidy
Nathalia Historical Precinct	Nathalia & District Historical Society Inc	Alan Lubke	

- Amend the composition of the respective committees as follows:
Invergordon Recreation Reserve – add one community representative position
Koonoomoo Recreation Reserve – add two Northern Country Carriage Driving Club representative positions
- Provide incoming representatives with appointment information and write and thank outgoing representatives.

(CARRIED)

FILE NO: .
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.6

APPOINTMENT OF REPRESENTATIVES TO THE YARRAWONGA LIBRARY PROJECT STEERING COMMITTEE

Executive Summary

This reports seeks council's appointment of two representatives, Jan Parker and Janet Schwatz, from the Yarrawonga Town Hall Precinct and Library Project Community Reference Group (Reference Group) to join the Yarrawonga Library Project Steering Committee (Steering Committee).

The Steering Committee's terms of reference provides for two representatives from the Reference Group to join the committee to enable views and ideas to be shared between the two groups. Jan and Janet were selected via a vote by members of the Reference Group at the 9 October meeting.

MOTION

CRS PETER LAWLESS / CRS PETER MANSFIELD

That Council appoint Jan Parker and Janet Schwartz to the Yarrawonga Library Project Steering Committee as representatives of the Yarrawonga Town Hall Precinct and Library Project Community Reference Group.

(CARRIED)

FILE NO: 52018140
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.1

**PLANNING PERMIT APPLICATION 52018140 - 30-36 TUNNOCK ROAD,
NUMURKAH, 2 LOT SUBDIVISION**

Executive Summary

Planning Permit Application 52018133 was lodged with Council on 7 July 2018 for 2 Lot Subdivision over 30-36 Tunnock Road, Numurkah.

Council sought clarification regarding the legality of assessing the proposal. Specifically, a lot is proposed to contain land in the General Residential Zone and Farming Zone – proposed lot 2 (3.406ha). Legal Advice was received by Council on 23 August 2018 advising that the application can be assessed.

The proposal was referred to the Goulburn Broken Catchment Management Authority (GBCMA) who did not object. Flood information provided by the GBCMA is recommended to be included as a planning note, specifically:

The Authority's best estimate of the 100-year ARI flood level for the location described above is 108.25 metres AHD, which was established from Numurkah Floodplain Management Study and Plan Final Study Report (2017) Based on available ground surface level information, the property would flood up to 0.7 metres deep in a 100-year ARI flood event.

The proposal was advertised to adjoining and nearby owners and occupiers in accordance with the *Planning and Environment Act 1987*.

Seventeen (17) objections have been received. The objectors are concerned that the proposed subdivision creates a lot (proposed lot 2) which may be further subdivided in the future. If additional lots are created in the future and dwellings are constructed objectors are concerned that flooding impacts will be exacerbated. Objections are addressed later in the report.

The applicant has advised they do not wish to hold a mediation meeting to discuss the proposal with objectors.

The proposed development accords with the Moira Planning Scheme and it is recommended that a planning permit be issued subject to conditions.

MOTION

CRS JOHN BEITZEL / PETER LAWLESS

That Council approve Planning Permit Application 52018140 for '2 Lot Subdivision' over 30-36 Tunnock Road, Numurkah and issue a Notice of Decision to Grant a Permit subject to the following conditions:

1. The subdivision as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
2. Prior to the Certification under the Subdivision Act 1988, any easements for the purpose of draining lots to the legal point of discharge must be created.
3. Prior to the issue of a Statement of Compliance all roof, water from buildings and surface water from hard paved areas must be controlled and conveyed to a legal point of

FILE NO: 52018140
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.1

**PLANNING PERMIT APPLICATION 52018140 - 30-36 TUNNOCK ROAD,
NUMURKAH, 2 LOT SUBDIVISION (cont'd)**

discharge so as to prevent stormwater nuisance to adjoining land, to specifications to the satisfaction of the Responsible Authority.

4. Prior to the issue of a Statement of Compliance, each proposed lot must have a practical and safe point of access known as a vehicle crossing that serves that lot. All new and existing vehicle crossings must be constructed to the specifications and satisfaction of the Responsible Authority.
5. The owner of the land must enter into an agreement with:
 - a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
 7. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
 8. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
 9. This permit will expire if:
 - (a) The plan of subdivision is not certified within two years from the date of this permit;
 - (b) The subdivision is not completed within five years from the date of certification of the plan of subdivision.

The Responsible Authority may extend the time if a request is made in writing before the permit expires or within six months afterwards.

FILE NO: 52018140
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.1

**PLANNING PERMIT APPLICATION 52018140 - 30-36 TUNNOCK ROAD,
NUMURKAH, 2 LOT SUBDIVISION (cont'd)**

Planning Notes

Goulburn Broken Catchment Management Authority

- (1) The Authority's best estimate of the 100-year ARI flood level for the location is 108.25 metres AHD, which was established from the Numurkah Floodplain Management Study and Plan Final Study Report (2017) Based on available ground surface level information, the property would flood up to 0.7 metres deep in a 100-year ARI flood event.

Moir Shire Council

- (2) Prior to works commencing on public land or roads, the applicant must obtain a permit from the relevant authority giving Consent to Work Within a Road Reserve.

(CARRIED)

Cr Bourke called for a division.

FOR

Cr Beitzel
Cr Buck
Cr Cleveland
Cr Lawless
Cr Mustica

AGAINST

Cr Bourke
Cr Mansfield
Cr Martin

Cr Bourke and Cr Martin left the meeting at 6:48 PM and did not return.

FILE NO: F13/877
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.4.2

NAMING OF GRAHAM STREET, WUNGHNU

Executive Summary

Council has the authority and responsibility to name roads and geographic features using the principles and procedures of the Naming rules for places in Victoria - Statutory requirements for naming roads, features and localities 2016 (the naming rules).

Council has received a request from a resident to eliminate the confusion caused by similar road names in Wunghnu; Grahams Road and Graham Street.

Re-naming of one road is required to remove duplication and confusion for emergency service. There are no houses on Graham Street which is located within Broken Boosey State Park. The road is approximately 620m long and extends from Taylor Street through to Wunghnu Road, Wunghnu.

Support for the naming has been received from Parks Victoria who manage the Park.

MOTION

CRS GARY CLEVELAND / PETER LAWLESS

That Council:

1. Adopt Bretherton Road as the interim name for the section of Graham Street, Wunghnu South East off Taylor Street, Wunghnu to Wunghnu Road, Wunghnu.
2. Place advertisements in local papers seeking comments on the proposed names within 30 days.
3. Write to owners of properties adjoining this road seeking comments within 30 days, and
4. Adopt the interim name if no objections are received and submit them to the Office of Geographic Names.

(CARRIED)

FILE NO: C025/18
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

C025/18 - SUPPLY AND DELIVERY OR FINANCE OF TWO TRACTORS

Executive Summary

Moirā Shire Council sought submissions from suitably qualified companies for the supply and delivery or finance of two 4WD Tractors:

- 1 x 140 – 150 hp 4WD Tractor
- 1 x 160 – 170 hp 4WD Tractor.

The tender provided the option for Council to purchase the tractors or to lease them over five years.

Following an analysis of the purchase and lease options submitted by the tenderers, it is recommended that the tractors be purchased outright. The analysis concludes that the lump sum purchase option is more favorable to Council. For more information, please refer to Appendix A – Evaluation Summary (Confidential).

After consideration of the submissions, including price, specification requirements and inspection of the top three submissions, the evaluation panel recommends that contract C025/18 Supply and Delivery of Two Tractors be awarded to Bertoli Farm Machinery Pty Ltd who will supply two Kubota tractors.

MOTION

CRS PETER LAWLESS / PETER MANSFIELD

That Council:

1. Award contract C025/18 – Supply and Delivery of Two Tractors to Bertoli Farm Machinery Pty Ltd for the lump sum purchase price of \$243,555.00 inc GST.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

(CARRIED)

FILE NO: C001/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.4

C001/19 - MAINTENANCE GRADING PANEL

Executive Summary

Moirā Shire Council invited submissions from suitably qualified contractors to form a panel of suppliers to perform gravel maintenance grading for the 2018/2019 through to 2020/2021 financial years.

After consideration of the submissions, the evaluation panel recommends that contract C001/19 – Maintenance Grading Panel be awarded to the following tenderers as per their submitted schedule of rates:

- Trustee for AAEBT Trust t/a NGH Earthmoving
- Precision Grading Pty Ltd
- SP & LA O'Brien Pty Ltd
- Andrew Goldman Excavations Pty Ltd
- The Trustee for the Dwane O'Loughlin Family Trust t/a O'Loughlin Excavations
- CJ & BB Lawrence Pty Ltd t/a Lawrence Brothers

MOTION

CRS PETER LAWLESS / JOHN BEITZEL

That Council:

1. Award the schedule of rates contract to the following tenderers under Panel Contract C001/19 – Maintenance Grading for an initial term of 1 year with the option to extend in single 1 year periods to a maximum contract period of 3 years (1+1+1):
 - Trustee for AAEBT Trust t/a NGH Earthmoving
 - Precision Grading Pty Ltd
 - SP & LA O'Brien Pty Ltd
 - Andrew Goldman Excavations Pty Ltd
 - The Trustee for the Dwane O'Loughlin Family Trust t/a O'Loughlin Excavations
 - CJ & BB Lawrence Pty Ltd t/a Lawrence Brothers
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

(CARRIED)

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

ITEM NO: 10.1

ACTION OFFICERS' LIST

MOTION

CRS GARY CLEVELAND / PETER LAWLESS

That Council receive and note the Action Officers' List.

(CARRIED)

FILE NO: F18/23
1. A GREAT PLACE TO LIVE

ITEM NO: 11.1

**MASTER PLAN FOR RECREATIONAL FACILITIES AT WOODLANDS PARK
YARRAWONGA**

TAKE NOTICE that at the Council Meeting to be held on 24 October 2018, it is my intention to move the following motion:



Cr Peter Mansfield

Date: 8 October 2018

MOTION

CRS PETER MANSFIELD / PETER LAWLESS

That Council prepare a Master Plan for recreational facilities at Woodlands Park in conjunction with local residents and interested stakeholders.

(LOST)

FILE NO: F/22
4. A WELL RUN COUNCIL

ITEM NO: 12.1

PETITION AGAINST THE ESTABLISHMENT OF A CHICKEN FARM AT 197 LEAFS ROAD NATHALIA

Executive Summary

At the 26 September 2018 a petition containing nine signatures against the establishment of the proposed chicken farm at 197 Leafs Road Nathalia was tabled.

In accordance with Section 64 of Meeting Procedures Local Laws 2017, a petition or joint letter presented to the Council will lay on the table until the next ordinary meeting of the Council and no motion other than to receive the petition or joint letter may be accepted by the chair, unless the Council agrees to deal with it earlier.

Since receipt of the petition the applicant for Planning Permit Application No 52018133 for Intensive Animal Husbandry - Egg Production at 197 Leafs Road Nathalia has been withdrawn.

MOTION

CRS PETER LAWLESS / GARY CLEVELAND

That: Council

1. Receive the petition containing nine signatures against the establishment of the proposed chicken farm at 197 Leafs Road Nathalia.
2. Note the applicant for the chicken farm at 197 Leafs Road Nathalia has withdrawn their application.
3. Advise the petitioners of the withdrawal by writing to the organiser of the petition.

(CARRIED)

A petition was tabled requesting Moira Shire Council look into the cost of sealing Riley Street Cobram.

13 COUNCIL SEAL

NIL

FILE NO: VARIOUS

ITEM NO: 14

URGENT GENERAL BUSINESS

Nil

FILE NO: VARIOUS**ITEM NO: 15****QUESTIONS FROM THE PUBLIC GALLERY**

Questions were raised in relation to:

- Wilby Hall renovations timeframe and community involvement.
- Photos of Lake Mulwala drawn down near Hogan's Rd Yarrawonga.
- Development of Luton Park Yarrawonga.
- Yarrawonga Library Precinct.
- Cleaning of the Yarrawonga Community Hall.
- Yarrawonga Aerodrome
- Sealing of Ulupna Island Road.
- Council lobbying for irrigators.

FILE NO: VARIOUS

ITEM NO: 16

MEETING ADJOURNMENT

MOTION

CRS PETER MANSFIELD / GARY CLEVELAND

That the meeting be adjourned for 10 minutes.

(CARRIED)

The meeting adjourned at 7:27 PM

MOTION

CRS GARY CLEVELAND / JOHN BEITZEL

That the meeting be resumed.

(CARRIED)

The meeting resumed at 7:39 PM

MOTION

CRS GARY CLEVELAND / JOHN BEITZEL

That pursuant to Sections 89(2) (h) of the Local Government Act, 1989, this meeting of Council be closed to members of the public in order for Council to discuss personnel and contractual matters which the Council considers would prejudice the Council or any person.

(CARRIED)

MOTION

CRS GARY CLEVELAND / WENDY BUCK

That pursuant to Section 89(2) of the Local Government Act 1989, Council resolve to resume the Ordinary meeting in open session.

(CARRIED)

MOTION

CRS GARY CLEVELAND / WENDY BUCK

That the recommendations of the "Closed" Meeting of Council be adopted.

(CARRIED)

19. CLOSE OF MEETING: The meeting closed at: 7:47 PM.