



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT COBRAM
CIVIC CENTRE, PUNT ROAD COBRAM,
WEDNESDAY 25 MARCH 2020

The meeting commenced at 6:00 pm.

PRESENT Councillor Libro Mustica (Mayor)
Councillor Peter Lawless (Deputy Mayor)
Councillor John Beitzel
Councillor Gary Cleveland
Councillor Peter Mansfield

IN ATTENDANCE: Mark Henderson Chief Executive Officer
Simon Rennie General Manager Corporate

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

Councillors; Kevin Bourke, Wendy Buck, Ed Cox and Marie Martin are apologies for tonight's meeting.

MOTION

CRS GARY CLEVELAND / PETER MANSFIELD

That Councillors; Kevin Bourke, Wendy Buck, Ed Cox and Marie Martin apologies be accepted.

(CARRIED)

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

Nil

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS GARY CLEVELAND / JOHN BEITZEL

"That the minutes of the Ordinary Council Meeting held on Wednesday, 26 February 2020, as prepared, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

Nil

9. OFFICER REPORTS FOR DETERMINATION

FILE NO: F/2020
4. A WELL RUN COUNCIL

ITEM NO: 9.1.1

EXPANDED CHIEF EXECUTIVE OFFICER'S DELEGATION DURING THE CURRENT PANDEMIC DECLARATION.

Executive Summary

The spread of COVID-19 has led Victorian councils to consider life without Council meetings. There is, for example, the possibility of the majority of Councillors being unable or unwilling to attend a Council meeting because of COVID-19.

Physical attendance at Council meetings is essential, unlike Boards of Regional Library Corporations, Councillors cannot participate in Council meetings by electronic or telephonic means.

The inability to form a quorum and conduct the normal business of the council would cause severe disruption to service delivery and so increasing the delegation to the CEO would enable the normal decision making of Council to continue in these unusual circumstances. The recommendation limits the extent and circumstances of when the increased delegation can be exercised.

MOTION

CRS GARY CLEVELAND / PETER LAWLESS

That

1. During the declared State Of Emergency arising from the global pandemic COVID-19 and in circumstances where a Council quorum cannot be formed the Council hereby resolves that the existing CEO's delegation is expanded to include all matters that would normally be determined by the Council excluding such matters that are specifically prohibited by the Local Government Act or any other relevant Act.
2. The CEO report to the next available meeting of the Council on decisions made under the expanded delegation.

(CARRIED)

MOTION

CRS GARY CLEVELAND / PETER LAWLESS

That items 9.2.2 through to and including 9.4.4 be considered in a block and the recommendations as listed in the agenda be adopted.

(CARRIED)

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10. ACTION OFFICERS LIST

NIL

11. NOTICES OF MOTION

NIL

12. PETITIONS AND JOINT LETTERS

A petition was tabled requesting Moira Shire Council gains access to the whole of the former Yarrowonga Primary School site of all available land parcels, through First Right of Refusal, at a discounted rate, for community purposes, and that the North East Water reserve should be retained as public land for community use.

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:

- The Chief Executive Officer's Delegation
- The former Yarrawonga Primary School site
- The impact of COVID-19 on Council's budget

FILE NO: VARIOUS

ITEM NO: 16

MOTION

CRS JOHN BEITZEL / PETER MANSFIELD

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

(CARRIED)

6:14 PM

MOTION

CRS GARY CLEVELAND / PETER MANSFIELD

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 / JOHN BEITZEL

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

(CARRIED)

CLOSE OF MEETING 6:18 PM