



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT
NUMURKAH PRESIDENTS ROOM, MELVILLE STREET
NUMURKAH,
WEDNESDAY 27 MAY 2020

The meeting commenced at 5:06 pm.

PRESENT

- Councillor Libro Mustica (Mayor)
- Councillor Peter Lawless (Deputy Mayor)
- Councillor Ed Cox
- Councillor John Beitzel
- Councillor Kevin Bourke
- Councillor Wendy Buck
- Councillor Gary Cleveland
- 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

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.

LIVE STREAMING

Council meetings will now be lived streamed, allowing those interested to view proceedings without attending the meeting. This gives access to Council decisions and debate and enables residents to comply with COVID19 stay at home directions.

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

Nil

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 / PETER LAWLESS

"That the minutes of the Ordinary Council Meeting held on Wednesday, 22 April 2020, as prepared, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

- Councillor Bourke reported on the Hawker Street Nathalia drainage works.
- Councillor Martin reported on the Crear Road, Invergordon sealing works.

FILE NO: F13/2657-2
1. A GREAT PLACE TO LIVE

ITEM NO: 9.1.1

PROSPECTIVE DECISION MAKING ON PLANNING APPLICATION FOR YARRAWONGA LIBRARY PROJECT

Executive Summary

A planning permit application has been lodged for the demolition of the Community Hall in Yarrowonga and to construct a replacement building principally used for the purpose of a Library.

There is significant community interest in the project and its consequences with a Heritage Victoria Register nomination for the Shire Hall and Community Hall under consideration.

Therefore it is recommended that Council request the Minister to determine the planning application for the demolition of the Yarrowonga Community Hall and to construct a new replacement Library building, pursuant to Section 97C of the said Act

MOTION

CRS GARY CLEVELAND / WENDY BUCK

That pursuant to Section 97C of the Planning and Environment Act 1987, Council request the Minister for Planning to decide the planning permit application for the demolition of the Yarrowonga Community Hall and construction of a new replacement Library building.

(CARRIED)

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

ITEM NO: 9.2.1

ASSEMBLIES OF COUNCIL

Executive Summary

This report details the Assembly of Councillors for April 2020. This report is prepared in accordance with the requirements of the section 80A of the Local Government Act 1989.

MOTION

CRS KEVIN BOURKE / GARY CLEVELAND

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

(CARRIED)

FILE NO: F13/22222
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

FRAUD CONTROL POLICY

Executive Summary

The purpose of the Fraud Prevention and Control Policy (Fraud Policy) is to protect public funds and Council property and provide guidance on the measures Council will take to prevent fraudulent behavior.

A review of the Fraud Policy proposes a number of relatively minor amendments that seek to improve the clarity and readability of the document and reflect the suggestions for amendments received from the internal consultation process.

The Policy remains relevant and supports a number of other referenced documents including the Employee Code of Conduct, which together, form the overall framework of fraud prevention within the organisation.

MOTION

CRS PETER LAWLESS / GARY CLEVELAND

That Council adopt the Fraud Prevention and Control Policy

(CARRIED)

FILE NO: F13/493
4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

RE-ESTABLISHMENT OF THE AUDIT AND RISK COMMITTEE AND CHARTER

Executive Summary

The Local Government Act 2020 (**LGA 2020**) received Royal Assent on 24 March 2020 and will commence in 4 stages between 6 April 2020 and 1 July 2021. As each stage is proclaimed, the corresponding sections of the 1989 Act are repealed.

Section 139 of the LGA 1989 requiring Council to establish an Audit Committee was repealed on 1 May 2020 and was replaced with sections 53 & 54 in LGA 2020.

Council is therefore required to re-establish the Audit & Risk Committee in accordance with section 53 of LGA 2020 and also adopt an Audit & Risk Committee Charter in accordance with section 54 before 1 September 2020.

MOTION

CRS PETER LAWLESS / ED COX

That Council:

- 1) Establish the Audit & Risk Committee under section 53 of the Local Government Act 2020.
- 2) Approve the Audit & Risk Committee Charter under section 54 of the Local Government Act 2020.

(CARRIED)

FILE NO: C055/19
4. A WELL RUN COUNCIL

ITEM NO: 9.3.1

C055/19 - CONSTRUCTION OF A LANDFILL CELL (CELL 9), COBRAM

Executive Summary

Moira Shire Council invited tender submissions for the construction of Cobram landfill Cell 9 and associated works to achieve Environmental Protection Authority (EPA) approval.

Following the initial evaluation, the four highest scoring tenderers were invited to make a presentation of their proposal to the Evaluation Panel.

After consideration of the submissions and subsequent presentations, the evaluation panel recommends that contract C055/19 be awarded to Northern Constructions Group (Aust.) Pty Ltd.

MOTION

CRS PETER LAWLESS / KEVIN BOURKE

That Council:

1. Award contract C055/19 – Construction of a Landfill Cell (Cell 9) to Northern Constructions Group (Aust.) Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

(CARRIED)

FILE NO: F18/213
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.3.2

2019/20 COMMUNITY STRENGTHENING GRANTS PROGRAM - ROUND 2 - MINOR GRANTS AND ONE OFF ARTS AND CULTURE GRANTS

Executive Summary

The 2019/20 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 two comprising Minor Grants were open for applications via Smarty Grants in February/March 2020. The 2020 Arts and Culture Grants (a one off grant program) with a total budget of \$60,000 were also offered via Smarty Grants in February / March 2020.

Council received 17 applications for the second round of the 2019/20 Community Strengthening Grants Program. 14 of the applications passed the pre-eligibility stage. Following assessment, 12 are recommended for funding at a total cost of \$48,329.

Council received 11 applications for the 2020 Arts and Culture Grants Program. All applications passed the pre-eligibility stage. Following assessment 8 are recommended for funding at a total cost of \$60,900. While this exceeds the total funding available for the one off Arts and Culture Program of \$60,000, it is proposed that available funds from the Community Strengthening Grants, arts stream, be utilised to cover the \$900 shortfall, given both the eligibility for these projects to be considered as part of that program and the core role these projects will play in promoting social recovery from the current COVID 19 pandemic.

All projects recommended have been considered with the additional lens necessitated by the implications of the COVID19 pandemic and arrangement to support our communities' recovery from this disaster. Council Officers will work with organisations to deliver their projects.

Projects not recommended for funding are ineligible (3) or applications were poor quality (5).

Through the 2019/20 Community Strengthening Grants – Round 2 program the Assessment Panel are recommending that the following projects be funded.

MOTION

CRS MARIE MARTIN / KEVIN BOURKE

That Council approve

- Twelve projects totalling \$48,329 are funded as part of the 2019/20 Community Strengthening Grants Program – Round 2 – Minor Grants; and
- Eight projects totalling \$60,900 are funded as part of the 2020 Arts and Culture Grants.

FILE NO: F18/213
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.3.2

2019/20 COMMUNITY STRENGTHENING GRANTS PROGRAM - ROUND 2 - MINOR GRANTS AND ONE OFF ARTS AND CULTURE GRANTS (cont'd)

AMENDMENT

CRS GARY CLEVELAND / JOHN BEITZEL

That Council approve

1. Twelve projects totaling \$48,329 are funded as part of the 2019/20 Community Strengthening Grants Program – Round 2 – Minor Grants; and
2. Eight projects totaling \$60,900 are funded as part of the 2020 Arts and Culture Grants.
3. A one off donation of \$20,000 be allocated to the Albury Wodonga Cancer Centre Hilltop accommodation project.

(CARRIED)

Cr Bourke called for a division.

FOR

Cr Beitzel
Cr Buck
Cr Cleveland
Cr Cox
Cr Lawless
Cr Mustica

AGAINST

Cr Bourke
Cr Mansfield
Cr Martin

THE AMENDMENT WAS (CARRIED) AND BECAME THE MOTION

THE MOTION WAS PUT AND (CARRIED)

Minor Grants

Organisation Project	Project Description	Total Project Cost	Recommended Amount (requested amount if different)
Cobram Barooga Canoe Club New Signage and Equipment	Installation of new signage, upgrading equipment.	\$11,138	\$5,000
Assessment Panel comments: Good project which promotes physical activity to support community health and wellbeing.			
Wilby and District Memorial Hall Section 86 Committee of Management Install Heating and Cooling System	Purchase and install split system air conditioner units.	\$11,010	\$5,000
Assessment Panel comments: Project will complete the upgrade to the building. Good contribution by group. A condition to be included that maintenance and cleaning will be the responsibility of the applicant.			

FILE NO: F18/213
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.3.2

2019/20 COMMUNITY STRENGTHENING GRANTS PROGRAM - ROUND 2 - MINOR GRANTS AND ONE OFF ARTS AND CULTURE GRANTS (cont'd)

Yarrawonga Mulwala Little Athletics Purchase Mower	Purchase ride on mower to maintain grounds.	\$6,299	\$5,000
Assessment Panel comments: Good project for council owned asset.			
Numurkah Croquet Club New Air Conditioning Units	Installation of split system units in shared club rooms.	\$5,500	\$5,000
Assessment Panel comments: There is an established need for this project, Good project benefiting multiple user groups. A condition to be included that maintenance and cleaning will be the responsibility of the applicant.			
Cobram Showgrounds Apex Reserve Committee of Management Tennis Court Renewal	Pressure cleaning and remarking lines on tennis courts and repair of the perimeter fencing.	\$5,500	\$3,219 (\$5,500)
Assessment Panel comments: A good project reducing the spread of weeds and enhancing the facility. Note: This application was to include crushed granite around the perimeter of the tennis courts however it has been determined that this is not a safe solution and therefore the recommended amount has been reduced.			
Yarrawonga Mulwala Cricket Club Public Seating Project	Installation of aluminum three tier seating for the small Junior Ovals Pavilion.	\$10,000	\$5,000
Assessment Panel comments: A good project enhancing sporting facility.			
Women's Health Goulburn North East Women at the edge: Access and Beyond	A community forum bringing together key organisations and community members to discuss local access issues barriers with a focus on outcomes	\$17,825	\$5,000
Assessment Panel comments: Great project supporting women and women with a disability in our community to come together and hear positive strategies and stories to offer support.			
Parkrun Inc Parkrun for Numurkah	Parkrun for Numurkah. Free timed 5km community event focusing on physical activity and community connections	\$7,500	\$5,000
Assessment Panel comments: A proven concept with good social and health benefits. All inclusive.			
Waaia Community Plan Committee Inc Waaia Community Garden Improvements	A plant garden, ground cover and watering system.	\$1,500	\$1,000
Assessment Panel comments: Nice little project for a small community. Will support their town action planning. A positive project for a small community			
Nathalia and District Historical Society Protecting the Historic Fowler Traction Engine	Construct pergola over Traction Engine.	\$11,270	\$5,000

FILE NO: F18/213
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.3.2

2019/20 COMMUNITY STRENGTHENING GRANTS PROGRAM - ROUND 2 - MINOR GRANTS AND ONE OFF ARTS AND CULTURE GRANTS (cont'd)

Assessment Panel comments: A valuable project protecting a piece of history, significant contribution from the group. Links to the Barmah Forest Heritage and Education Centre.			
Lions Club of Katamatite Inc. Big Day Out Event, Family entertainment	Free entertainment for families at the Big Day Out event Katamatite.	\$1,610	\$1,610
Assessment Panel comments: Good community capacity project and community event.			
Numurkah Historical Society Artifacts Display	Upgrade to internal shelving displays and install pergola.	\$4,850	\$3,000
Assessment Panel comments: Project allows group to enhance their displays and interpretative information for the benefit of the community, visitors to the town and for future generations.			

Arts and Culture Grants –

Organisation Project	Project Description	Total Project Cost	Recommended Amount (requested amount if different)
Katamatite Community Action Group Mural on Katamatite toilet block	3D Mural – Katamatite Toilet Block	\$10,000	\$10,000
Assessment Panel comments: A good project to tie into the silo art in the region.			
Katunga Parents and Friends Learning about Wildlife	Commission local artist to run workshops and exhibition for school aged children.	\$7,505	\$5,000
Assessment Panel comments: A good project which brings skill development for school aged children with broader community outcomes in celebrating and showcasing students work.			
Cobram Community Cinema Wiring of Raised Platform	Connect raised platform with wiring to projector, speakers and screens in both cinemas.	\$34,249	\$10,000
Assessment Panel comments: A great project that is part of a bigger project of getting the Cobram Cinema up and running. Application was well supported by evidence and it is clear they have a sound committee behind the project.			
Numurkah Community Learning Centre Arts Alive Numurkah	Commission and installation of street art in Numurkah on the Numurkah singers building	\$11,000	\$10,000
Assessment Panel comments: Good application. Good project which will have successful outcomes in the community and to build on the current murals in town and the region.			
Yarrowonga P-12 Parents and friends Association	Stage production incorporating, arts, puppetry, dance, theatre and	\$120,150	\$10,000

FILE NO: F18/213
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.3.2

2019/20 COMMUNITY STRENGTHENING GRANTS PROGRAM - ROUND 2 - MINOR GRANTS AND ONE OFF ARTS AND CULTURE GRANTS (cont'd)

Magical Mystery Tour Around the World	storytelling.		
Assessment Panel comments: Excellent project which will have great outcomes for all of the community.			
Katamatite Lions Club Inc Bunyip Sculpture	Sculpture incorporating 7 panels to telling the Bunyip story installed at Lions Park Katamatite.	\$7,898	\$6,750
Assessment Panel comments: A great project that builds on the existing sculpture in the town.			
Numurkah District Development Community Numurkah Outdoor Pool Pump Shed Montage	Photo montage installed on the Numurkah Pool Pump Shed.	\$7,500	\$7,500
Assessment Panel comments: Project has strong community outcomes for all of the community across all age groups. It will also bring art into a public space and adds value to an existing facility in town.			
Baulkamaugh Branch of the CWA Hat Mobile Van	Mobile Van Hat making – travelling teaching hat making, weaving and artistic textiles to country women	\$3,000	\$3,000
Assessment Panel Comments: Great project which brings a new skills development opportunity to the area.			

FILE NO: C063/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.1

C063/19 - DETAILED DESIGN OF THE YARRAWONGA SPORTS PRECINCT

Executive Summary

Moira Shire Council invited submissions from suitably qualified organisations or individuals to deliver the detailed design and tender specifications for the construction of the proposed Yarrowonga Multi Sports Centre.

Following the initial evaluation, the two highest scoring tenderers were invited to make a presentation of their proposal to the Evaluation Panel.

After consideration of the submissions and subsequent presentations, the evaluation panel recommends that contract C063/19 be awarded to N2SH Pty Ltd.

MOTION

CRS PETER MANSFIELD / PETER LAWLESS

That Council:

1. Award contract C063/19 – Detailed Design of the Yarrowonga Sports Precinct to N2SH Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

(CARRIED)

FILE NO: C060/19
4. A WELL RUN COUNCIL

ITEM NO: 9.4.2

C060/19 - PROVISION OF SECURITY AND CASH COLLECTION

Executive Summary

Moira Shire Council invited submissions from suitably qualified organisations or individuals to provide security services to Council's buildings and assets in Cobram, Yarrawonga, Numurkah, Wunghnu, Nathalia and Tungamah (Parts 1 to 5) and cash collection services at Cobram, Numurkah, Strathmerton and Yarrawonga (Part 6).

After consideration of the submissions, the tender evaluation panel recommends that:

1. Murray Security Services Pty Ltd be awarded Parts 1 and 3
2. Borderline Security Services be awarded Parts 2 and 4
3. Murray Security Services Pty Ltd and Borderline Security Services be appointed preferred tenderer status for Part 5 and negotiate the provision of this Part
4. Murray Security Services Pty Ltd is appointed preferred tenderer status for Part 6 and negotiate the provision of this Part.

MOTION

CRS PETER LAWLESS / KEVIN BOURKE

That Council:

1. Award Murray Security Services Pty Ltd Parts 1 and 3 of Contract C060/19 – Provision of Security and Cash Collection ("Contract C060/19").
2. Award Borderline Security Services Parts 2 and 4 of Contract C060/19.
3. Appoint Murray Security Services Pty Ltd and Borderline Security Services as joint preferred tenderers for Part 5 of contract C060/19 and authorise the Chief Executive Officer to undertake negotiations to achieve a best value outcome.
4. Appoint Murray Security Services Pty Ltd as the preferred tenderer for Part 6 of contract C060/19 and authorise the Chief Executive Officer to undertake negotiations to achieve a best value outcome.
5. Authorise the Chief Executive Officer to sign and seal the contract documents.

(CARRIED)

FILE NO: F13/877
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

PROPOSAL TO DELIST KANGAN ROAD, KOONOOMOO, FROM COUNCIL'S REGISTER OF PUBLIC ROADS

Executive Summary

Council has received a request from the landowner of No 7075 Goulburn Valley Highway, Koonoomoo to close off the road known as "Kangan Road" to the general public as the road is used as a through road from Mywee-Koonoomoo Road to the Goulburn Valley Highway.

The road known as "Kangan Road" is actually a carriageway easement on the property of No. 7075 Goulburn Valley Highway, Koonoomoo. The carriageway easement only provides access for the four abutting properties that border the west side property boundary of No. 7075 Goulburn Valley Highway, Koonoomoo.

The carriageway easement does not grant access to any other person or the general public and therefore it does not meet the criteria to be considered as reasonably required to be declared as a public road by Council in accordance with the Road Management Act 2004 and the Local Government Act 1989.

MOTION

CRS ED COX / PETER LAWLESS

That:

1. Council remove the road named as "Kangan Road" from its Register of Public Roads as the road is no longer reasonably required for general public use in accordance with Section 17(4) of the Road Management Act 2004.
2. Council will advise the landowner of No 7075 Goulburn Valley Highway, Koonoomoo, that Council has delisted the road from its Register of Public Roads and that ongoing maintenance of the road is now the responsibility of the landowner

(CARRIED)

ACTION OFFICERS LIST

NIL

9. NOTICES OF MOTION

NIL

10. PETITIONS AND JOINT LETTERS

A Petition requesting Council seal Inverness Road between Marungi and Shepparton-Katamatite Road was tabled.

11. COUNCIL SEAL

NIL

FILE NO: VARIOUS

ITEM NO: 14

URGENT GENERAL BUSINESS

MOTION

CRS PETER MANSFIELD / KEVIN BOURKE

That urgent business in relation to responsible pet ownership be considered .

(LOST)

FILE NO: VARIOUS

ITEM NO: 15

QUESTIONS FROM THE PUBLIC GALLERY

Questions were raised in relation to:

- The proposed Yarrawonga Library consulting room size and building standards.

FILE NO: VARIOUS

ITEM NO: 16

MEETING ADJOURNMENT

MOTION

CRS PETER MANSFIELD / KEVIN BOURKE

That the meeting be adjourned for 5 minutes.

The meeting adjourned at 6:00 PM

MOTION

CRS JOHN BEITZEL / PETER LAWLESS

That the meeting be resumed.

The meeting resumed at 6:03 PM

MOTION

CRS GARY CLEVELAND / PETER LAWLESS

That pursuant to the provisions of the Local Government Act 2020 (the Act), the meeting will now be closed to members of the public to enable the meeting to discuss matters in items 17.1 and 17.2 which the Council may, pursuant to the provisions of Section 66 (2) of the Act resolve to be considered in closed session.

(CARRIED)

MOTION

CRS MARIE MARTIN / PETER LAWLESS

That pursuant to Section 66 (1) of the Local Government Act 2020, Council resolve to continue in open session.

(CARRIED)

MOTION

CRS GARY CLEVELAND / KEVIN BOURKE

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

(CARRIED)

19 MEETING CLOSE: 6:12 PM