



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**

### **SCHEDULED MEETING OF COUNCIL** **FOR** **WEDNESDAY 23 JUNE 2021** **TO BE HELD AT COBRAM CIVIC CENTRE** **COMMENCING AT 4:00 PM**

#### **RECORDING**

Consistent with section 12.3 of our Governance Rules, 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 to allow those interested in viewing proceedings greater access to Council decisions and debate, without attending the meeting in person.

#### **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 Committee of Council Meeting held on Monday 7 June 2021 and Scheduled Council Meeting held on Wednesday, 26 May 2021, as prepared, be confirmed.”

---

<b>8. COUNCILLOR REPORTS</b>	
COUNCILLORS TO PROVIDE VERBAL REPORTS	
<b>9. PUBLIC QUESTION TIME</b>	
<b>10. OFFICER REPORTS FOR DETERMINATION</b>	
<b>10.1 OFFICE OF CEO</b>	
10.1.1 CHILD SAFE POLICY	4
10.1.2 LAKE MULWALA BRIDGE GREEN ROUTE SUPPORT	10
<b>10.2 CORPORATE</b>	
10.2.1 ANNUAL MAYORAL AND COUNCILLOR ALLOWANCES	12
10.2.2 LEASE AGREEMENT WITH THE BUREAU OF METEOROLOGY	15
10.2.3 MOIRA SHIRE COUNCIL USE OF THE COMMON SEAL AND CONDUCT AT COUNCIL MEETINGS LOCAL LAW NO1 2021	18
10.2.4 MOIRA SHIRE COUNCIL BUDGET 2021/22	28
10.2.5 MOIRA SHIRE COUNCIL PLAN 2021 - 2025	31
10.2.6 MOIRA SHIRE COUNCIL FINANCIAL PLAN 2021 - 2031	33
10.2.7 MOIRA SHIRE COUNCIL REVENUE AND RATING PLAN 2021 - 2025	36
10.2.8 AUDIT AND RISK COMMITTEE - MEETING MINUTES 13 MAY 2021	38
<b>10.3 COMMUNITY</b>	
NIL	
<b>10.4 INFRASTRUCTURE</b>	
NIL	
<b>11. ACTION OFFICERS LIST</b>	
11.1 ACTION OFFICERS REPORT	43
<b>12. NOTICES OF MOTION</b>	
NIL	
<b>13. PETITIONS AND JOINT LETTERS</b>	
NIL	
<b>14. COUNCIL SEAL</b>	
NIL	
<b>15. GENERAL BUSINESS</b>	<b>44</b>
<b>16. MEETING ADJOURNMENT</b>	<b>45</b>
<b>17. CONFIDENTIAL BUSINESS</b>	
<b>18. GENERAL CONFIDENTIAL BUSINESS</b>	
<b>19. CLOSE OF MEETING</b>	

**File No: Various**

**Item No: 9**

### QUESTIONS FROM THE PUBLIC GALLERY

Questions of Council are an opportunity for the general public to submit a question prior to the Ordinary Meeting and receive a response from Council in the Questions of Council time.

- (1) The Council will hold Questions of Council Time for up to 30 minutes duration at the beginning of each Ordinary Meeting to allow questions of Council. Extension of time may be granted at the discretion of the Mayor.
- (2) Questions of Council are an opportunity for the general public to submit a question prior to the Ordinary Meeting and receive a response from Council in the Questions of Council time.
- (3) Council meetings are recorded and broadcasted to the public, this includes community questions and responses.
- (4) Questions of Council time will not apply during any period when the Council has resolved to close the meeting in respect of a matter under section 66 (1) of the Act.
- (5) Questions of Council may be on any matter relevant to the jurisdiction of the Council except if it:
  - (a) is considered malicious, defamatory, indecent, abusive, offensive, irrelevant, trivial, or objectionable in language or substance;
  - (b) relates to confidential information as defined under the Act;
  - (c) relates to the personal hardship of any resident or ratepayer; or
  - (d) relates to any other matter which the Council considers would prejudice the Council or any person.
  - (e) Deals with a subject matter already answered
- (6) No more than two questions will be accepted from any person at any one meeting.
- (7) Where the Chief Executive Officer does not accept a question, the submitter is to be informed of the reason or reasons for which their question was not accepted.
- (8) A question submitted in writing by a member of the public, which has been disallowed by the Chief Executive Officer will be provided to any Councillor on request.
- (9) Questions may be read by the submitter where they are present at the meeting. Where the submitter is not present they shall be read by a delegate of the Chief Executive Officer and may be abridged to get to remove unnecessary commentary and only state the question.
- (10) Questions submitted to the Council must be:
  - (a) in written form;
  - (b) contain the name, address and email or contact telephone number of the person submitting the question;
  - (c) in a form approved or permitted by the Council (Template available on Council's website);
  - (d) addressed to the Chief Executive Officer; and
  - (e) submitted no later than the day prior to the meeting by email to [info@moira.vic.gov.au](mailto:info@moira.vic.gov.au) clearly stating is a question for the meeting.

FILE NO: 0000  
4. A WELL RUN COUNCIL

ITEM NO: 10.1.1

## CHILD SAFE POLICY

### RECOMMENDATION

That Council approves the reviewed Child Safe Policy.

#### 1. Executive Summary

The Child Safe Policy outlines the requirements of Council staff, Councillors and volunteers to prevent child abuse, and increase the effectiveness of responses to allegations of child abuse.

#### Background and Options

In July 2017, Moira Shire Council adopted the initial Child Safe Policy. This is the first review of the document since it was implemented and only minor changes have been made to update related policies and documents. The content of the policy document itself has not changed.

#### 2. Financial Implications

There are no financial implications with this policy.

#### 3. Risk Management

The policy addresses a compulsory requirement by the Victorian government to ensure Council is compliant and implementing the child safe standards within the organisation

#### 4. Internal and External Consultation

The Child Safe Policy has been reviewed internally by the Employee Consultative Committee, the Governance team and also the Corporate Management Team. All feedback was considered. There is no requirement for external consultation.

#### 5. Regional Context

The policy addresses a compulsory requirement by the Victorian government to ensure all Councils are compliant and implementing the child safe standards within their organisation. The focus of the child safe standards is to help organisations drive cultural change so that protecting children from abuse is embedded in everyday thinking and practice.

#### 6. Council Plan Strategy

The Child Safe Policy is consistent with the following strategy set out in the Council Plan:

*Strategy 4 – A well run Council.*

#### 7. Legislative / Policy Implications

The policy is in accordance with Council guidelines.

#### 8. Environmental Impact

No environmental impact as a result of this policy.

#### 9. Conflict of Interest Considerations

There is no conflict of interest for consideration.

FILE NO: 0000  
4. A WELL RUN COUNCIL

ITEM NO: 10.1.1

**CHILD SAFE POLICY**  
(cont'd)

**10. Conclusion**

The compulsory Child Safe Standards were introduced by the Victorian Government and are applicable to all Councils, and it is timely that the Child Safe Policy is reviewed.

**Attachments**

- 1 Child Safe Policy

FILE NO: 0000  
4. A WELL RUN COUNCIL

ITEM NO: 10.1.1

## CHILD SAFE POLICY (cont'd)

### ATTACHMENT No [1] - Child Safe Policy

#### Child Safe Policy



<b>Policy type</b>	Council
<b>Adopted by</b>	Moira Shire Council
<b>Responsible General Manager</b>	Chief Executive Officer
<b>Responsible officer</b>	Manager Organisational Development
<b>Date adopted</b>	
<b>Scheduled for review</b>	This policy will be reviewed four years from the date of adoption, or sooner if required.

#### PURPOSE

The purpose of this policy is to ensure compliance with State Government mandated Child Safe Standards to protect children from harm, abuse and neglect and to comply with the *Child Wellbeing and Safety Act 2005*.

The policy also outlines Council's commitment to child safety by creating and maintaining a child safe environment and a child safe workplace that supports the health and wellbeing of all children in Moira Shire.

#### SCOPE

Council is committed to creating a culture of child safety and recognises that protecting children and preventing and responding to child abuse is an organisation wide responsibility.

This policy applies to all Moira Shire staff, Councillors and Volunteers associated with Moira Shire Council.

#### DEFINITIONS

Child	A person under 18 years of age
Aboriginal Children	A person under the age of 18 who is of Aboriginal or Torres Strait Islander descent, identifies as Aboriginal or Torres Strait Islander, and is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.
Child abuse	Any act committed against a child involving: physical violence, sexual offences, serious emotional or psychological abuse and serious neglect.
Children from culturally and/or linguistically diverse backgrounds	A person under the age of 18 who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language spoken at home or because of their parents' identification on a similar basis.
Child safe organisation	In the context of the child safe standards, a child safe organisation is one that meets the child safe standards by proactively taking measures to protect children from abuse.
Children with a disability	A person under 18 with a disability, which can be any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. A disability can occur at any time in

FILE NO: 0000  
4. A WELL RUN COUNCIL

ITEM NO: 10.1.1

**CHILD SAFE POLICY**  
(cont'd)

**ATTACHMENT No [1] - Child Safe Policy**

**Child Safe Policy**



	life. Children can be born with a disability or acquire a disability suddenly through an injury or illness. Some disabilities may be obvious while others are hidden.
Neglect	Serious neglect is the continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life threatening situations.
Reasonable belief	If an adult has a reasonable belief that an incident has occurred then they must report the incident. Factors contributing to reasonable belief may be: <ul style="list-style-type: none"> <li>- A child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)</li> <li>- Behaviour consistent with that of an abuse victim is observed</li> <li>- Someone else has raised a suspicion of abuse but is unwilling to report it</li> <li>- Observing suspicious behaviour</li> </ul>
Mandatory reporters	<ul style="list-style-type: none"> <li>- Nurses (including school nurses, Maternal Child Health Nurses)</li> <li>- Early years, primary and secondary school teachers, and principals</li> <li>- Registered practitioners and police</li> </ul>
Child Safe Champions	Child Safe Champions will be a point of contact for staff that may have questions or concerns or want to report an allegation of child abuse. Council's Child Safe Champions are: <ul style="list-style-type: none"> <li>- Team Leader, Maternal and Child Health and Immunisation</li> <li>- Team Leader Community Services</li> <li>- Manager Organisational Development</li> <li>- Team Leader Human Resources</li> </ul>

**POLICY**

Significant research into child abuse in organisations has occurred over the last decade. Measures have been identified that reduce the risk of children being exposed to or experiencing harm. As a result, Victoria introduced compulsory minimum standards (Child Safe Standards) applicable to organisations that provide services for children to help ensure their safety.

FILE NO: 0000  
4. A WELL RUN COUNCIL

ITEM NO: 10.1.1

## CHILD SAFE POLICY (cont'd)

### ATTACHMENT No [1] - Child Safe Policy

## Child Safe Policy



The seven Child Safe Standards are:

- Standard 1:** Strategies to embed an organisational culture of child safety, including through effective leadership arrangements
- Standard 2:** A child safe policy or statement of commitment to child safety
- Standard 3:** A code of conduct that establishes clear expectations for appropriate behaviour with children
- Standard 4:** Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel
- Standard 5:** Processes for responding to and reporting suspected child abuse
- Standard 6:** Strategies to identify and reduce or remove risks of child abuse
- Standard 7:** Strategies to promote the participation and empowerment of children

Council is committed to acting in children's best interests, with a zero tolerance to child abuse and commitment to creating and maintaining a child safe and child friendly environment where all children feel safe and protected from abuse. All children in Moira Shire have a right to feel and be safe, with the adoption of a Child Safe culture being a Council wide responsibility.

Council has dedicated Child Safe Champions supporting the implementation of this Policy.

Council's Child Safe Champions are:

- Team Leader Maternal and Child Health and Immunisation
- Team Leader Community Services
- Manager Organisational Development
- Team Leader Human Resources

### 1. Valuing Diversity

Council values diversity and will not tolerate any discriminatory practices.

To achieve this Council will:

- Promote the cultural safety, participation and empowerment of Aboriginal children and their families
- Promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds and their families
- Welcome children with a disability and their families and act to encourage their participation

### 2. Recruiting Staff and Volunteers

Council will implement accurate and effective screening tools during the recruitment process to employ suitable staff and volunteers; this will include robust reference checking and criminal history checks, and working with children checks for appropriate positions within the organisation.

### 3. Training and supporting Staff and Volunteers

Training and education is important to ensure that everyone understands that child safety is everyone's responsibility with the organisation. All staff will be made aware of their obligations and expectations of working in a child safe organisation via Council's Code of Conduct, employee induction, awareness and training sessions.



FILE NO: 0000  
4. A WELL RUN COUNCIL

ITEM NO: 10.1.1

## CHILD SAFE POLICY (cont'd)

### ATTACHMENT No [1] - Child Safe Policy

## Child Safe Policy



#### 4. Risk Management

Council recognises the importance of a risk management approach to minimising the potential for child abuse or harm to occur and use this to inform our policy and procedures.

In addition to general occupational health and safety strategies, Council will proactively manage risks of abuse to children and ensure they comply with the Child Safe Standards.

#### 5. Reporting

Council is committed to complying with all legal requirements regarding child safety concerns and where an alleged / suspected incident occurs.

Council has reporting and responding procedures for Council staff, Councillors, and Volunteers who have a reasonable belief that a child is at significant risk of harm (abuse or neglect).

Council takes allegations of abuse seriously and will investigate all allegations fairly and appropriately to protect and support the health and wellbeing of children.

#### RELATED LEGISLATION

*Child Wellbeing and Safety Act 2005 (VIC)*

*Child Wellbeing and Safety Amendment Act 2015 (VIC)*

*Children, Youth and Families Act 2005 (VIC)*

*Betrayal of Trust: Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations Report 2015*

#### RELATED POLICIES/DOCUMENTS

*Moirá Shire Council Employee Code of Conduct*

*Moirá Shire Council Councillors Code of Conduct 2021*

*Maternal and Child Health Mandatory Reporting*

*Moirá Shire Council Recruitment and Selection Procedure*

*Moirá Shire Council Risk Management Policy*

*Moirá Shire Council Community Asset Committee Manual*

Moirá Shire Council  
ABN: 20 530 141 700  
Post: PO Box 578, Cobram, Vic 3643  
DX: 37801, Cobram

Cobram Administration Centre:  
44 Station Street, Cobram  
Yarrowonga Service Centre:  
100 Belmont 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: F21/06  
1. A GREAT PLACE TO LIVE

ITEM NO: 10.1.2

## LAKE MULWALA BRIDGE GREEN ROUTE SUPPORT

### RECOMMENDATION

That Council note the consultation by Transport NSW on bridge alignment options for Yarrowonga Mulwala and lodge a submission re-iterating Councils continued support for the green route alignment based on road safety, freight efficiency and removing trucks from Belmore Street and the foreshore on both sides of the lake.

#### 1. Executive Summary

This report seeks Council's re-endorsement of the green route as Council's preferred alignment for the replacement of the Yarrowonga-Mulwala Bridge.

#### 2. Background and Options

In 2015, the Victorian Department of Transport led investigations to identify the best location for a new river crossing which endorsed the grey route as the preferred option of both the Victorian and NSW Government at that time.

However, since then the Governments have seen growing support from communities on both sides of the border for the green route which is endorsed by both Councils. As a result, the Hon Paul Toole PM, New South Wales Minister for Regional Transport and Roads and The Hon Jacinta Allan Victorian Minister for Transport Infrastructure have joined forces to seek community input on the preferred alignment for a new bridge.

#### 3. Financial Implications

There are no financial implications for Council other than the Mayor and CEO's time for continued advocacy and minor costs associated with advocacy material.

#### 4. Risk Management

Until there is consensus on the preferred route with all relevant Governments the badly required new bridge for Lake Mulwala will be delayed. The green route significantly reduces the risk of a truck roll over at the northern end of Belmore Street as it provides a more direct route between the towns along the railway alignment.

#### 5. Internal and External Consultation

Moira shire has consistently supported the green route and following a community plebiscite and survey supporting green Federation Shire now also supports green.

#### 6. Regional Context

While the Victorian Government and Vicroads have initially led the way on the bridge planning project support and funding is also required from the NSW and Federal Governments. Both Federal M.P.'s and the Deputy Prime Minister have indicated their support for green.

#### 7. Council Plan Strategy

A great place to live

#### 8. Legislative / Policy Implications

There are no legislative implications arising from this report.

#### 9. Environmental Impact

There are no environmental impact considerations associated with this report

FILE NO: F21/06  
1. A GREAT PLACE TO LIVE

ITEM NO: 10.1.2

## **LAKE MULWALA BRIDGE GREEN ROUTE SUPPORT (cont'd)**

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

There are no conflict of interest considerations associated with this report.

### **11. Conclusion**

The Moira and Federation Councils and local community members combined advocacy over many years has led to stage where both State Governments have agreed to review their past support for the grey route so that a final decision on a preferred bridge alignment can be determined and the future planning of both towns progress based on that alignment.

### **Attachments**

Nil

FILE NO: 000  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.1

## ANNUAL MAYORAL AND COUNCILLOR ALLOWANCES

### RECOMMENDATION

That Council retain the annual allowances for the Mayor and Councillors at the maximum limit set for a Category 2 Council, being:

- (a) Mayoral Allowance – \$81,204
- (b) Councillor Allowance – \$26,245

### 1. Executive Summary

The purpose of this report is to finalise the review and consultation process required for the annual allowance levels set for the Mayor and Councillors, in accordance with section 39 of the *Local Government Act 2020*.

At its Ordinary Council Meeting in March 2021 Council resolved to commence a consultation process on a proposal to retain the annual allowances for the Mayor and Councillors at the maximum limit set for a Category 2 Council.

Community consultation commenced on 31 March 2021 to allow submissions to be received by 5pm Wednesday 28 April 2021 and in line with the statutory 223 process requirements. No submissions were received therefore the Committee of Council Meeting was not required.

The Mayoral and Councillor allowances will remain in place until the Remuneration Tribunal make a determination under section 23A of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

### 2. Background and Options

Mayors and Councillors are entitled to receive an allowance while performing their duty as an elected official under section 39 of the *Local Government Act 2020*. This section also provides for the transition of power to determine future mayoral, deputy mayoral and councillor allowances to the Remuneration Tribunal.

Councils are divided into three categories based on the income and population of each Council and the Minister for Local Government sets the upper and lower levels for allowances paid to Councillors for each of the categories. Moira Shire is a Category 2 Council and the Minister for Local Government approved Mayoral and Councillor allowances, effective 1 December 2019, of \$10,914 - \$26,245 for Councillors per annum and up to \$81,204 for the Mayor per annum.

The Mayoral and Councillor allowances will remain in place until the Remuneration Tribunal make a determination under section 23A of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

A Mayor, Deputy Mayor or Councillor may elect to receive:

- a) the entire allowance to which they are entitled; or
- b) a specified part of the allowance to which they are entitled; or
- c) no allowance.

Allowance levels are subject to annual automatic adjustments that are announced in the Victoria Government Gazette by the Minister for Local Government.

FILE NO: 000  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.1

## ANNUAL MAYORAL AND COUNCILLOR ALLOWANCES (cont'd)

Mayoral and Councillor allowances are also subject to the addition of the equivalent of the Superannuation Guarantee Charge (9.5%).

Councillors are entitled to be reimbursed for any necessary out-of-pocket expenses they incur while performing their duties as a Councillor. Councils are also required to adopt and maintain a policy in relation to the reimbursement of Councillor expenses.

Councils are required to publish in their Annual Report the details of the expenses paid to Councillors.

### 3. Financial Implications

The proposed councillor allowances do not change current budget requirements and the allowance level determined by the Council remains in place until the Remuneration Tribunal make a determination under section 23A of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

### 4. Risk Management

Council conducted a review of allowance levels in accordance with the requirements of the Act.

### 5. Internal and External Consultation

External consultation occurred on the proposed allowances and no submissions were received.

There was no internal consultation required.

### 6. Regional Context

Councils are divided into three categories based on the income and population of each Council and the Minister for Local Government sets the upper and lower levels for allowances paid to councillors for each of the categories. Moira Shire is a Category 2 Council.

### 7. Council Plan Strategy

This report aligns with the Council Plan Strategy of 'A Well Run Council'.

### 8. Legislative / Policy Implications

Section 39 of the *Local Government Act 2020* provides for the transition of power to determine future mayoral, deputy mayoral and councillor allowances to the Remuneration Tribunal.

Under section 23A of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*, the Remuneration Tribunal will have six months to make a determination from the date determination is requested by the Minister.

### 9. Environmental Impact

Nil

### 10. Conflict of Interest Considerations

Councillors do not have a conflict of interest when voting on the payment of allowances to the Mayor or Councillors.

### 11.

FILE NO: 000  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.1

## ANNUAL MAYORAL AND COUNCILLOR ALLOWANCES (cont'd)

### Conclusion

The setting of Mayoral and Councillor allowances is a statutory requirement for Council to undertake following a general election. The review has been conducted within the timeframe set under the Act and in the prescribed manner.

Public notice of Council's intention to set allowances was provided in local papers beginning Wednesday 31<sup>st</sup> March 2021, in addition to being included on Council's website.

As no submissions were received within the specified timeframe Council should now finalise setting Mayoral and Councillor allowances, which will remain in place until the Remuneration Tribunal make a determination under section 23A of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

### Attachments

Nil

FILE NO:  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.2

## LEASE AGREEMENT WITH THE BUREAU OF METEOROLOGY

### RECOMMENDATION

That Council:

- a) Enter into a lease agreement with the Bureau of Meteorology for a portion of land at the Yarrawonga Aerodrome; and
- b) Authorise the Chief Executive Officer to negotiate, sign and seal the lease document.

### 1. Executive Summary

At the Ordinary Council meeting on the 28<sup>th</sup> April 2021 Council authorised the Chief Executive Officer to commence community consultation on the proposal to lease an additional area of land at the Yarrawonga Aerodrome to the Bureau of Meteorology (BOM) and to convene a Committee of Council meeting on the 7<sup>th</sup> June 2021 to hear any person wishing to be heard in support of their written submission.

Community consultation commenced on the 5<sup>th</sup> May 2021 with advertisements printed in the local newspapers and a webpage developed in the 'Have Your Say' section of our website. A total of 3 submissions were received in support of the proposal. There was no request to be heard in support of a submission therefore the issue was not discussed at the Committee of Council Meeting held on the 7<sup>th</sup> June.

Following consideration of the submissions received, it is proposed that the Council enter into a lease agreement with the BOM for a portion of land at the Yarrawonga Aerodrome for the purpose of a new Weather Watch Radar Station.

### 2. Background and Options

The Bureau of Meteorology (BOM) currently lease an area of approximately 256m<sup>2</sup> within the parcel of land owned by Council at the Yarrawonga Aerodrome for the purposes of a Weather Watch Radar Station. The BOM intend to construct a new Weather Watch Radar Station adjacent to the current site and decommission the existing infrastructure and therefore wishes to enter into a new 20 year lease (10+5+5).

The new lease proposes essentially the same lease conditions as the current lease with the exception that the new lease has been prepared using current writing styles and legal requirements. The rental will remain the same and is currently set at \$1 per annum.

The current lease with the BOM over approximately 256m<sup>2</sup> of Council land located within the Yarrawonga Aerodrome commenced on 1 July 2001 is due to expire on 30 June 2021. The Weather Watch Radar Station is currently located on the leased area which has operated, without issue, for the duration of the current lease.

The BOM wish to lease a larger portion of land adjacent to the current site for a period of 20 years (10 + 5 + 5) and it is proposed that the new lease commence from 1 July 2021.

FILE NO:  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.2

**LEASE AGREEMENT WITH THE BUREAU OF METEOROLOGY (cont'd)**



The existing Weather Watch Radar Station will be decommissioned and the site will be made good following the construction of the new radar station.

**3. Discussion**

Council completed a community consultation process in accordance with section 223 of the *Local Government Act 1989* and received 3 submissions which are available on council's website.

All submissions provided support for the valuable service that the BOM and the Weather Watch Radar provides to the farmers and members of the community and broader region.

**4. Financial Implications**

The proposed rental is \$1 per annum, which is the same as the current rental agreement amount.



FILE NO:  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.2

## LEASE AGREEMENT WITH THE BUREAU OF METEOROLOGY (cont'd)

### 5. Risk Management

The BOM will carry all risks associated with the leased area and their continued operations. The lease imposes no significant additional risk to Council and is protected from liability associated with the BOMs operations by the terms and conditions.

### 6. Internal and External Consultation

External consultation was conducted in accordance with section 223 of the Local Government Act 1989 with submissions sought on the proposal.

Internal consultation was conducted with the Manager Construction and Assets in relation to the terms and conditions of the lease agreement.

### 7. Regional Context

The Weather Watch Radar Station constructed by the BOM at Yarrawonga is a vital component of the local and regional weather monitoring system.

### 8. Council Plan Strategy

A well run council.

### 9. Legislative / Policy Implications

Council has complied with section 190 of the Act by advertising the proposed lease arrangement and inviting submissions in accordance with section 223 of the Local Government Act 1989.

### 10. Environmental Impact

The BOM already occupy a portion of land at the Yarrawonga Aerodrome and will make good this existing site following the construction of the new Weather Watch Radar Station.

The BOM have obligations within the lease to address any environmental issues associated with the construction of the station, their equipment and on-going activities.

### 11. Conflict of Interest Considerations

There are no known conflict of interest considerations.

### 12. Conclusion

Following community consultation and consideration of submissions received through this process, it is recommended that the Council enter into a lease agreement with the BOM for the portion of land at the Yarrawonga Aerodrome for the construction of a new Weather Watch Radar Station and to authorise the CEO to sign and seal the lease documents.

## Attachments

Nil

FILE NO: F20/576  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**MOIRA SHIRE COUNCIL USE OF THE COMMON SEAL AND CONDUCT AT  
COUNCIL MEETINGS LOCAL LAW NO1 2021**

**RECOMMENDATION**

That Council:

1. Adopt the Moira Shire Council Use of the Common Seal and Conduct at Council Meetings Local Law No1 2021; and
2. Revoke the Moira Shire Council Meeting Procedures Local Law 2017.

**1. Executive Summary**

This report seeks Council's adoption of the Moira Shire Council Use of the Common Seal and Conduct at Council Meetings Local Law No1. 2021.

The Governance Rules adopted 26 August 2020 address most aspects of the Meeting Procedures Local Law 2017 except for the use of the Common Seal, offences & penalties. The current Local Law will cease in May 2027 unless revoked sooner.

The *Local Government Act 2020* (the Act) requires the Common Seal to be used in accordance with any applicable Local Law. A Local Law is also required to create offences and to apply penalties for the misuse of the Common Seal and disorderly conduct at Council meetings.

The power to create a new Local Law remains under the *Local Government Act 1989* (89 Act) and the Section 223 process is required. This included the proposed Local Law being on display for 28 days and the community given the opportunity to comment or make a submission on the proposed Local Law. No submissions were received during this period.

It is recommended that the Council adopt the Moira Shire Council Use of the Common Seal and Conduct at Council Meetings Local Law No1. 2021 and revoke the Moira Shire Council Meeting Procedures Local Law 2017.

The proposed Local Law will come into effect on 24 June 2021 if Council proceed with this recommendation.

**2. Discussion**

As part of the implementation of the Act Council was required to develop and adopt Governance Rules. The Governance Rules guide the conduct of Council meetings and delegated committee meetings. Most aspects of the Meeting Procedures Local Law 2017 have been replaced by the Governance Rules except for the use of the Common Seal and the ability to enforce penalties for offences.

The Act requires the Common Seal to be used in accordance with any applicable Local Law. The Meeting Procedures Local Law 2017 will be repealed at the same time the proposed Local Law is considered by Council.

***External Consultation***

The S223 process provided the opportunity for the public to provide comments or make a submission on the proposed Local Law. No submissions were received during this time.

FILE NO: F20/576  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**MOIRA SHIRE COUNCIL USE OF THE COMMON SEAL AND CONDUCT AT  
COUNCIL MEETINGS LOCAL LAW NO1 2021 (cont'd)**

In addition to the S223 process legal advice was sought from Macquarie Local Government Lawyers and all the recommendations were applied to the proposed Local Law.

***Internal Consultation***

Internal consultations were held with the Corporate Management Team, Safety and Amenity Coordinator, EA to CEO and Governance Team.

**3. Conclusion**

That Council adopt the Moira Shire Council Use of the Common Seal and Conduct at Council Meetings Local Law No1. 2021 and revoke the Meeting Procedures Local Law 2017.

**Attachments**

- 1 Moira Shire Council Use of the Common Seal and Conduct at Council Meetings Local Law No1. 2021

FILE NO: F20/576  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**MOIRA SHIRE COUNCIL USE OF THE COMMON SEAL AND CONDUCT AT  
COUNCIL MEETINGS LOCAL LAW NO1 2021 (cont'd)**

ATTACHMENT No [1] - Moira Shire Council Use of the Common Seal and Conduct  
at Council Meetings Local Law No1. 2021



**Moira Shire Council Use of the  
Common Seal and Conduct at  
Council Meetings Local Law  
No.1 2021**

This Local Law was adopted by Moira Shire Council at the Scheduled  
Council Meeting held on <insert date>.

FILE NO: F20/576  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**MOIRA SHIRE COUNCIL USE OF THE COMMON SEAL AND CONDUCT AT  
COUNCIL MEETINGS LOCAL LAW NO1 2021 (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Use of the Common Seal and Conduct  
at Council Meetings Local Law No1. 2021**

Contents

Part 1 – Introduction .....	2
1.1 Title .....	2
1.2 Purpose of this Local Law .....	2
1.3 Authorising Provisions .....	2
1.4 Operational Commencement .....	2
1.5 Sunset .....	2
1.6 Definitions .....	2
Part 2 – The Common Seal .....	4
2.1 Use of the Common Seal .....	4
2.2 Authority for Use of the Common Seal .....	4
2.3 Security of the Common Seal .....	4
2.4 Unauthorised Use of the Common Seal .....	4
Part 3 – Offences & Penalties .....	5
3.1 Offences .....	5
3.2 Infringement Penalties .....	6

FILE NO: F20/576  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**MOIRA SHIRE COUNCIL USE OF THE COMMON SEAL AND CONDUCT AT  
COUNCIL MEETINGS LOCAL LAW NO1 2021 (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Use of the Common Seal and Conduct  
at Council Meetings Local Law No1. 2021**



## Part 1 – Introduction

### 1.1 Title

This local law is titled the Moira Shire Council Use of the Common Seal and Conduct at Council Meetings Local Law No.1 2021.

### 1.2 Purpose of this Local Law

The purpose of this Local Law is to:

- (a) regulate the use of the common seal;
- (b) prohibit unauthorised use of the common seal and
- (c) make it an offence for non-compliance with the conduct provisions of Council's Governance Rules applying to Council meetings.

### 1.3 Authorising Provisions

This local law is made under section 111(1) of the *Local Government Act 1989*.

### 1.4 Operational Commencement

This Local Law:

- (a) comes into operation on 24 June 2021; and
- (b) operates throughout Council's municipal district .

### 1.5 Sunset

This Local Law will cease to operate on the 24 June 2031, unless revoked sooner by Council resolution.

### 1.6 Definitions

Unless the contrary intention appears in this Local Law, the following words and phrases are defined to mean:

Chairperson	means the Chairperson of a Council meeting
Chief Executive Officer	means the person appointed by Council to be its Chief Executive Officer or any person acting in this position.
common seal	means the common seal required under section 14 of the <i>Local Government Act 2020</i>

FILE NO: F20/576  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**MOIRA SHIRE COUNCIL USE OF THE COMMON SEAL AND CONDUCT AT  
COUNCIL MEETINGS LOCAL LAW NO1 2021 (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Use of the Common Seal and Conduct  
at Council Meetings Local Law No1. 2021**



Council	means Moira Shire Council
Councillor	means a person elected to hold the office of Councillor
Council meeting	means a Council meeting that complies with section 61 of the <i>Local Government Act 2020</i>
Governance Rules	means the Governance Rules developed by Council under section 60 of the <i>Local Government Act 2020</i>
penalty unit	means a penalty unit as prescribed in the <i>Sentencing Act 1991</i>

FILE NO: F20/576  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**MOIRA SHIRE COUNCIL USE OF THE COMMON SEAL AND CONDUCT AT  
COUNCIL MEETINGS LOCAL LAW NO1 2021 (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Use of the Common Seal and Conduct  
at Council Meetings Local Law No1. 2021**



## Part 2 – The Common Seal

### 2.1 Use of the Common Seal

The common seal of Council must be in the following form:

The Common Seal of the

Moira Shire Council

was hereunto affixed in the presence of

..... Chief Executive Officer

on the <insert day> of <insert month> <insert year>.

### 2.2 Authority for Use of the Common Seal

- a. The common seal may only be affixed to a document for the purpose of giving effect to a decision which has been made by Council resolution.

### 2.3 Security of the Common Seal

The Chief Executive Officer must ensure security of the common seal.

### 2.4 Unauthorised Use of the Common Seal

Any person who uses the common seal or any device resembling the common seal without authority is guilty of an offence.

Penalty: 5 Penalty Units.



FILE NO: F20/576  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**MOIRA SHIRE COUNCIL USE OF THE COMMON SEAL AND CONDUCT AT  
COUNCIL MEETINGS LOCAL LAW NO1 2021 (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Use of the Common Seal and Conduct  
at Council Meetings Local Law No1. 2021**



### Part 3 – Offences & Penalties

#### 3.1 Offences

It is an offence for:

- (a) A person, other than the Chief Executive Officer (or other Council Officer authorised by the Chief Executive Officer) to operate photographic, audio or video recording equipment or any other recording device at any Council meeting without first obtaining the consent of the Chairperson which may be revoked at any time during the course of such meeting by the Chairperson or resolution of Council;

Infringement Notice Penalty: 2 penalty units

Penalty: 5 penalty units.

- (b) A Councillor attending a Council meeting to not withdraw an expression considered by the Chairperson to be offensive or disorderly and apologise when called on by the Chairperson to do so;

Infringement Notice Penalty: 1 penalty unit

Penalty: 2 penalty units.

- (c) Any person, not being a Councillor, attending a Council meeting who is in breach of the conduct requirements of Council's Governance Rules, to not leave the meeting when directed by the Chairperson to do so;

Infringement Notice Penalty: 2 penalty units

Penalty: 5 penalty units

- (d) Any person, including a Councillor, attending a Council meeting who has been called to order and directed by the Chairperson to remain silent and/or to resume their seat and who fails to comply with the Chairperson's direction;

Infringement Notice Penalty: 1 penalty unit

Penalty: 2 penalty units.

- (e) A Councillor to refuse to leave a Council meeting on suspension; and

Infringement Notice Penalty: 2 penalty units

Penalty: 5 penalty units.

- (f) A person to fraudulently sign a petition or joint letter to be considered at a Council meeting.

Infringement Notice Penalty: 2 penalty units

Penalty: 5 penalty units

FILE NO: F20/576  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**MOIRA SHIRE COUNCIL USE OF THE COMMON SEAL AND CONDUCT AT  
COUNCIL MEETINGS LOCAL LAW NO1 2021 (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Use of the Common Seal and Conduct  
at Council Meetings Local Law No1. 2021**



**3.2 Infringement Penalties**

- 3.2.1 If an offence is committed against this Local Law, the Chairperson shall request the Chief Executive Officer to issue to the offender an infringement notice in a form approved by Council for the relevant number of penalty units as an alternative to a prosecution for the offence.
- 3.2.2 To avoid prosecution, a person to whom an infringement notice has been issued must pay to Council the amount specified in the notice within 28 days.
- 3.2.3 A person in receipt of an infringement notice is entitled to disregard the notice and defend a prosecution in court.

FILE NO: F20/576  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**MOIRA SHIRE COUNCIL USE OF THE COMMON SEAL AND CONDUCT AT  
COUNCIL MEETINGS LOCAL LAW NO1 2021 (cont'd)**

**ATTACHMENT No [1] - Moira Shire Council Use of the Common Seal and Conduct  
at Council Meetings Local Law No1. 2021**



The Moira Shire Council Local Law No. 1 Use of Common Seal and Conduct at Council Meetings was adopted by Council on <insert date>.

The Common Seal of the  
Moirā Shire Council  
was hereunto affixed in the presence of:  
..... Chief Executive Officer  
on the <insert day> of <insert month> <insert year>

FILE NO: F20/622  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.4

## MOIRA SHIRE COUNCIL BUDGET 2021/22

### RECOMMENDATION

That Council adopts the Moira Shire Council Budget 2021/22.

#### 1. Executive Summary

This report seeks Council's adoption of the Moira Shire Council Budget 2021/22.

The 2021/22 Budget comes at a time of recovery, stabilisation and growth for our communities as we transition out of the health, social and economic strains placed upon us all during the COVID-19 pandemic.

The modest rate cap increase of 1.5%, as set by the Victorian Government, will help preserve Council's ongoing financial sustainability and support the recovery of our community post the COVID-19 emergency.

Council capital works program of \$14.6 million will contribute meaningfully to the economic and social strength and stability to our shire.

Council will continue to deliver critical infrastructure, with a commitment of \$6.3 million for roads and bridges across the shire.

Council maintains a 4,000km network of sealed and unsealed local roads, 76 bridges and major culverts, 294km of kerb and channel, 160km of footpaths, 77 playgrounds, 43 public toilet blocks and public barbecues, plus 673 council buildings and facilities including sport and recreation areas, four libraries, a mobile library service and nine waste transfer stations.

#### Fees, Charges & Rates

The 2021/22 Budget acknowledges the challenges our communities faced during the pandemic and resulting economic shutdown with the majority of fees and charges having a 0% increase.

- Rates and the Municipal Charge, as set by the Victorian Government, will increase by 1.5%.
- 0% increase in fees and charges outside any statutory and local laws.
- 0% increase in venue hire fees.
- 0% increase in aquatic facilities entry fees.

Rate payers will notice however a \$6.90 increase in waste charges in the final budget. The increase in the kerbside general waste service is to cover the increase in the State Government Landfill levy cost. The increase in the kerbside recyclable service is due to a contract renegotiation and price adjustment as part of that process.

FILE NO: F20/622  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.4

## MOIRA SHIRE COUNCIL BUDGET 2021/22 (cont'd)

### Major Projects

In 2021/22 Council proposes delivery of new assets and the expansion, upgrade and renewal of existing assets including:

- Yarrawonga Library project
- Karook Street, Cobram (Scott Reserve) drainage upgrade.
- Numurkah Footpath Renewal – stage 2 of project.
- Yarrawonga Multisport Stadium – progress design of master plan and commence building permit applications.
- Numurkah Shire Hall – installation of a solar energy system.
- Cobram Sports Stadium – installation of industrial air conditioning.
- Numurkah Flood Mitigation Scheme – continuing the design process.
- Katamatite Netball Court renewal project.
- Numurkah Town Hall – renewal of air conditioning.
- Wilby Equestrian Arena - plan and construct a new equestrian arena.

### Community Consultation

Councillors were involved in a number of budget workshops & briefings to develop the draft 2021/22 Budget.

The Budget formed part of the deliberative engagement process, councillors and staff held four community consultations in the main centres of Moira Shire – Cobram, Nathalia, Numurkah and Yarrawonga; a comprehensive survey was put on our website with hard copies available to those with no internet access; and an extensive advertising campaign was conducted including newspaper, radio and social media platforms.

Community consultation commenced from the 30 April 2021 where the public were given the opportunity to provide feedback through the section 223 process.

A total of 12 submissions were received and 11 of those submissions elected to speak in support of their submission at the Committee of Council Meeting held on the 7 June 2021.

Council would like to thank all those who took the time to provide feedback and those who presented their submission to the Committee of Council Meeting.

### Discussion

The Local Government Act requires councils to prepare, seek community feedback on and then adopt an Annual Budget by 30 June each year and submit the adopted Budget to the Minister within 28 days of adoption.

The draft 2021/22 Budget has been prepared through a series of council and management workshops and briefings.

## 2. Financial Implications

The draft 2021/22 Budget enables the Council to fund its approved operational activities and capital projects for the year ending 30 June 2022.

FILE NO: F20/622  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.4

## MOIRA SHIRE COUNCIL BUDGET 2021/22 (cont'd)

### 3. Risk Management

The draft 2021/22 Budget seeks to balance the competing needs and interests expressed by the community with council's legal obligations that are defined in many acts and regulations.

### 4. Legislative / Policy Implications

The draft 2021/22 Budget has been prepared in accordance with the Local Government Act and Regulations and the Model Financial Report.

### 5. Conflict of Interest Considerations

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

### 6. Conclusion

That Council adopt the Moira Shire Council 2021/22 Budget.

### Attachments

- 1 Moira Shire Council Budget 2021/22 - *printed in separate document*

FILE NO: F20/210/001  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.5

## MOIRA SHIRE COUNCIL PLAN 2021 - 2025

### RECOMMENDATION

That Council adopts the Moira Shire Council Plan 2021-2025.

#### 1. Executive Summary

This report seeks Council's adoption of the Moira Shire Council Plan 2021-2025.

The Council Plan is centered around five key strategic objective pillars – a welcoming and inclusive place; a diverse and dynamic economy; a clean green environment; customer focused and responsive; and transparent and accountable governance.

The Council Plan addresses the following:

- the strategic direction of Council;
- the strategic objectives for achieving that direction;
- strategies for achieving the objectives (for at least 4 years);
- strategic indicators for monitoring achievement; and
- description of initiatives and priorities for services, infrastructure and amenity.

The development of the Council Plan is a requirement of the *Local Government Act 2020* (the Act) and is to be adopted by 31 October in the year following a general election.

Council has undertaken a deliberative community engagement process that included:

- A facilitated Councillor workshop;
- Extensive advertising on radio, local newspapers, and social media;
- A community survey with feedback sought via our 'Have Your Say' section on the website;
- A series of community conversation sessions held in Cobram, Yarrawonga, Nathalia and Numurkah.

The community were also given another opportunity to provide feedback during May. Two submissions were received in this time.

#### 2. Background and Options

The Act (s90) requires Council to prepare and adopt a Council Plan of at least the next 4 financial years by 31 October in the year following a general election.

The Council Plan addresses the following:

- the strategic direction of Council;
- the strategic objectives for achieving that direction;
- strategies for achieving the objectives (for at least 4 years);
- strategic indicators for monitoring achievements; and
- description of initiatives and priorities for services, infrastructure and amenity.

The Council Plan is centered around five key strategic objective pillars – a welcoming and inclusive place; a diverse and dynamic economy; a clean green environment; customer focused and responsive; and transparent and accountable governance.

FILE NO: F20/210/001  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.5

## MOIRA SHIRE COUNCIL PLAN 2021 - 2025 (cont'd)

### Community Engagement Process

Councillors were involved in a facilitated workshop in February 2021 to brainstorm and develop the strategic objective of Council.

Our community plays a major role in developing the vision and priorities for the Council Plan 2021-2025. We have consulted widely with the community, ensuring they have their say for the future of Moira Shire, using deliberative engagement methods in accordance with the *Local Government Act 2020* during the development of this Council Plan.

As part of the deliberative engagement process, councillors and staff held four community consultations in the main centres of Moira Shire – Cobram, Nathalia, Numurkah and Yarrawonga; a comprehensive survey was put on our website with hard copies available to those with no internet access; and an extensive advertising campaign was conducted including newspaper, radio and social media platforms.

The community had another opportunity to have their say when the draft Council Plan 2021-2025 is released for feedback in May, with further extensive advertising across various media platforms. Two submissions were received during this feedback period.

### 3. Financial Implications

There are no additional financial implications.

### 4. Internal and External Consultation

Councillors, Corporate Management Team, Managers and community members have all had an input in developing this plan.

### 5. Regional Context

All Victorian Councils are required to develop a Council Plan.

### 6. Council Plan Strategy

Aligns with Council Plan Strategy 4 – A well run Council.

### 7. Conflict of Interest Considerations

There is no officer conflict of interest considerations.

### 8. Conclusion

That Council adopts the Moira Shire Council Plan 2021-2025.

## Attachments

- 1 Moira Shire Council Plan 2021-2025 - *printed in separate document*



FILE NO: F20/210/001  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.6

## MOIRA SHIRE COUNCIL FINANCIAL PLAN 2021 - 2031

### RECOMMENDATION

That Council adopt the Moira Shire Council Financial Plan 2021-2031.

### 1. Executive Summary

This report seeks Council's adoption of the Moira Shire Council Financial Plan 2021-2031.

The development of a Financial Plan is a new requirement that forms part of the implementation of the *Local Government Act 2020* (the Act).

The Financial Plan outlines:

- The financial resources required to give effect to the Council Plan and other strategic plans of Council;
- provide information about decisions and assumptions on which it is based; and
- outline any other resource requirements considered appropriate or contained in the regulations.

The Financial Plan defines the broad financial boundaries for the Council Plan, Asset Plan, other subordinates policies and strategies and budget processes.

Council has undertaken a deliberative community engagement process that included:

- A facilitated Councillor workshop;
- Extensive advertising on radio, local newspapers, and social media;
- A community survey with feedback sought via our 'Have Your Say' section on the website;
- A series of community conversation sessions held in Cobram, Yarrawonga, Nathalia and Numurkah.

The community was also given the opportunity to provide feedback on the draft Moira Shire Council Financial Plan 2021-2031 while it was on the public display during May and no submission were received during this period. The financial plan will be edited to reflect any changes in the draft Budget.

### 2. Background and Options

A new requirement of the Act (s91) requires Council to develop and adopt a Financial Plan that includes an outlook for at least 10 years. This plan is also due by the 31 October in the year following a general election.

FILE NO: F20/210/001  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.6

## MOIRA SHIRE COUNCIL FINANCIAL PLAN 2021 - 2031 (cont'd)

### Financial Plan

The Financial Plan must:

- describe the financial resources required to give effect to the Council Plan and other strategic plans of Council;
- provide information about decisions and assumptions on which it is based; and
- outline any other resource requirements considered appropriate or contained in the regulations.

The Financial Plan defines the broad financial boundaries for the Council Plan, Asset Plan, other subordinates policies and strategies and budget processes.

### Community Engagement Process

Councillors were involved in a facilitated workshop in February 2021 to brainstorm and develop the strategic objectives of Council.

Our community plays a major role in developing the vision and priorities for the Financial Plan 2021-2031. We have consulted widely with the community, ensuring they have their say for the future of Moira Shire, using deliberative engagement methods in accordance with the *Local Government Act 2020* during the development of this Financial Plan.

Community engagement enables a deeper understanding of community members' perceptions of the topics and contexts on a particular issue and facilitates stronger relationships among and between community members.

As part of the deliberative engagement process, councillors and staff held four community consultations in the main centres of Moira Shire – Cobram, Nathalia, Numurkah and Yarrawonga; a comprehensive survey was put on our website with hard copies available to those with no internet access; and an extensive advertising campaign was conducted including newspaper, radio and social media platforms.

The community also has another opportunity to have their say when the draft Financial Plan 2021-2031 was released for feedback, however, no feedback was received during this period.

### 3. Financial Implications

There are no additional financial implications.

### 4. Internal and External Consultation

Councillors, Corporate Management Team, Managers and community members have all had an input in developing these plans.

### 5. Regional Context

All Victorian Councils are required to develop these plans.

### 6. Council Plan Strategy

Aligns with Council Plan Strategy 4 – A well run Council.

### 7. Conflict of Interest Considerations

There is no officer conflict of interest considerations.

FILE NO: F20/210/001  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.6

**MOIRA SHIRE COUNCIL FINANCIAL PLAN 2021 - 2031 (cont'd)**

**8. Conclusion**

That Council adopts the Moira Shire Council Financial Plan 2021-2031. The financial plan will be edited to reflect any changes in the draft Budget.

**Attachments**

- 1 Moira Shire Council Financial Plan 2021-2031 - *printed in separate document*

FILE NO: F20/210/001  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.7

## MOIRA SHIRE COUNCIL REVENUE AND RATING PLAN 2021 - 2025

### RECOMMENDATION

That Council adopts the Moira Shire Council Revenue and Rating Plan 2021-2025.

#### 1. Executive Summary

This report seeks Council's adoption of the Moira Shire Council Revenue and Rating Plan 2021-2025.

Council is required to develop a Revenue and Rating Plan by 30 June in the year following a general election.

The Plan provides a medium-term strategy for how Council will generate income to deliver on the Council Plan, program and services and capital works commitments over a 4-year period.

The Revenue and Rating Plan incorporates:

- how revenue will be generated through rates on properties (including differential rates on different property classes)
- fixed service charges that might be applied on services such as waste or recycling
- fees and charges for services and programs
- developer contributions and other revenue
- revenue generated from use or allocation of council assets (including the application of discounts and waivers)
- recurrent and non-recurrent operational and capital grants from other levels of government
- Other activities established to deliver programs or services and generate income or reduce costs.

The community were given the opportunity to provide feedback on the draft Revenue and Rating Plan during May. No feedback was received during this time.

#### 2. Background and Options

The *Local Government Act 2020* (the Act) (s93) requires councils to prepare and adopt a Revenue and Rating Plan by 30 June after a general election.

The Revenue and Rating Plan is a new requirement and must be for a period of at least 4 financial years. It provides a medium-term plan for how Council will generate income to deliver on the Council Plan, program and services and capital works commitments over a 4-year period. It defines the revenue and rating 'envelope' within which Council propose to operate.

FILE NO: F20/210/001  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.7

**MOIRA SHIRE COUNCIL REVENUE AND RATING PLAN 2021 - 2025 (cont'd)**

The Revenue and Rating Plan incorporates:

- how revenue will be generated through rates on properties (including differential rates on different property classes)
- fixed service charges that might be applied on services such as waste or recycling
- fees and charges for services and programs
- developer contributions and other revenue
- revenue generated from use or allocation of council assets (including the application of discounts and waivers)
- recurrent and non-recurrent operational and capital grants from other levels of government
- Other activities established to deliver programs or services and generate income or reduce costs

This Plan also includes transparent consideration of the policy objectives and social, economic, and environmental benefit delivered through subsidies, waivers, and discounts.

**3. Financial Implications**

There are no additional financial implications.

**4. Internal and External Consultation**

Councillors, Corporate Management Team & the Financial Controller provided feedback.

**5. Regional Context**

All Victorian Councils are required to develop a Revenue and Rating Plan.

**6. Council Plan Strategy**

Aligns with Council Plan Strategy 4 – A well run council.

**7. Conflict of Interest Considerations**

There are no officer conflict of interest considerations.

**8. Conclusion**

That Council adopts the Moira Shire Council Revenue and Rating Plan 2021-2025.

**Attachments**

- 1 Moira Shire Council Revenue and Rating Plan 2021-2025 - *printed in separate document*

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

ITEM NO: 10.2.8

## AUDIT AND RISK COMMITTEE - MEETING MINUTES 13 MAY 2021

### RECOMMENDATION

That Council:

1. Accept the Minutes of the Audit and Risk Committee Meeting held on 13 May 2021; and
2. Endorse the recommendations contained within the reports.

### 1. Executive Summary

In accordance with the Audit and Risk Committee Charter, the Minutes of the Audit and Risk Committee Meeting held on 13 May 2021 are attached under separate cover to this report to Councillors.

The following reports were considered by the Committee:

- Policy Register Update
- Review the Business Continuity Plan and IT Disaster Recovery
- Review the Internal Audit Program
- Quarterly Budget Review – March 2021
- VAGO Audit Strategy and Interim Management Letter 2020/2021
- Quarterly Claims Management Report – March 2021
- Risk Register Report
- Fraud Risk Register Report
- Internal Audit Action Status Report
- Internal Audit Report – Review of Infrastructure Asset Management
- Internal Audit Report – Statutory Planning
- WHS Status Report

The key recommendations from the Audit and Risk Committee are to refer these matters to Council for consideration.

### 2. Discussion

A brief summary of each of the reports presented at the meeting are provided below.

#### Policy Register Update

An update was provided on the program to ensure Council policies remain relevant to business needs and evolving statutory requirements.

Council currently has 40 adopted policies which are reviewed every 4 years or sooner, if required, to ensure they remain relevant. Since the last report 3 new policies were adopted, 3 existing policies were reviewed and 2 policies were revoked. There are currently 7 policies due for review.

The *Local Government Act 2020* has resulted in a number of required changes to policies over the four stages of implementation. New policies developed and adopted in accordance with the Act include the Community Engagement Policy and the Gift, Benefit and Hospitality Policy.

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

ITEM NO: 10.2.8

**AUDIT AND RISK COMMITTEE - MEETING MINUTES 13 MAY 2021 (cont'd)**

**Review Business Continuity Plan and IT Disaster Recovery**

The current review of the Business Continuity Plan (BCP) and IT Disaster Recovery Plan (IT DRP) will incorporate the experiences of the current COVID 19 situation including access to new technology and the effectiveness of alternative methods of work unknown during the development of the current plans. This will enable a change in the way in which Council manages future business continuity events.

Penetration and vulnerability testing was conducted in relation to IT Disaster Recovery with the outcomes determining rectification works to strengthen network security and to ensure unauthorised devices could not be physically connected.

**Review Internal Audit Program**

AFS Chartered Accountants conduct internal audits in accordance with Internal Audit Program 2019 -2023

Audits conducted in December and included in this meeting were:

1. Statutory Planning; and
2. Infrastructure Asset Management.

Audits conducted in April which will be included in the next agenda were:

1. Review of Credit Cards including data mining; and
2. Local Laws.

**Quarterly Budget Review – March 2021**

Income Statement - There is a surplus increase to \$3.25 Million from the December forecast of \$1.27.

Balance Sheet - The balance sheet of Moira Shire continues to remain strong.

Cash Flow Statement - The cash flow position for Moira Shire continues to remain strong.

Capital Expenditure - There is no change to the 2020/2021 adopted budget Capital Works Program.

Financial Performance Indicators - All indicators remain within an acceptable level.

**VAGO Audit Strategy and Interim Management Letter 2020/2021**

The VAGO Audit Strategy Memorandum for the financial year ending 30 June 2021 and the final VAGO Interim Management Letter for 2020/21 were presented to the Audit and Risk Committee.

For the third consecutive year there are no management issues identified in VAGO's Interim Management Letter, which is an indication of Council's sound financial management systems.

**Quarterly Claims Report**

This report provides a summary of various aspects of Council's incidents and claims activity for the March 2021 Quarter.

Council received 20 incident reports including 13 liability claims this quarter. The receipt of a claim is not an indicator on whether Council is liable and claims are handled by Council's contracted insurance claims service.

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

ITEM NO: 10.2.8

**AUDIT AND RISK COMMITTEE - MEETING MINUTES 13 MAY 2021 (cont'd)**

**Risk Register Report**

Council maintains a Risk Register to record and manage the risks faced by Council at the corporate level. Risks are identified through internal and external audits, insurance audits, self-audits and ongoing risk assessments which are conducted in consultation with responsible officers.

This quarter a review was conducted on the risk ratings of the Top 15 risks as per Table 1.

Managers continue to review risk actions associated with their department and update the progress quarterly, including the Top 15 Organisational Risks.

**Table 1 – A summary of the number of risks last quarter to this quarter:**

Reporting Quarter	Extreme		High		Moderate		Low		Total
	Active	Residual	Active	Residual	Active	Residual	Active	Residual	
March 2021	0	0	3	10	12	23	0	6	54
December 2020	1	0	8	13	7	20	0	5	54

**Fraud Risk Register**

Council maintains a Fraud Risk Register for the purpose of recording and managing the risks faced by Council at the corporate level.

**Table 1 – A summary of the extreme, high, moderate and low risks:**

Reporting Quarter	Extreme		High		Moderate		Low		Total
	Active	Residual	Active	Residual	Active	Residual	Active	Residual	
March 2021	0	0	0	1	1	10	0	5	17
December 2020	0	0	0	1	1	10	0	5	17



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

ITEM NO: 10.2.8

**AUDIT AND RISK COMMITTEE - MEETING MINUTES 13 MAY 2021 (cont'd)**

**Internal audit action status report**

Internal audits are performed to show where Council can improve their processes and procedures. The following table provides the number of outstanding actions for each recent audit according to the Risk Rating, as determined by the Auditor.

Topic	Risk Rating		
	High	Medium	Low
Governance and Risk		2	
Maternal and Child Health		2	2
Event Management			9
IT Risk Management		1	2
Tree Management		5	
Waste Management		2	1
WHS Management			3

**Internal Audit Report – Review of Infrastructure Asset Management**

The audit found 11 indicators were well managed and found 5 moderate and 4 Minor opportunities for improvement.

Council has a strong strategic and policy foundation to mitigate risks associated with infrastructure asset management. The use and quality of external contractors' inspections was strong in allocating risk ratings to hazards and defects identified. Condition inspections performed internally by Council staff were found to be in accordance with intervals documented within the Asset Management Plans (AMPs). However, the AMPs used are in draft and have not been formally adopted by Council.

There are currently four AMPs in use by Council. These include:

- Buildings and Structures;
- Leisure and Recreation;
- Parks & Gardens; and
- Playgrounds.

Overall, Council have a strong foundation for asset management service delivery, however the risks may be further mitigated through further defining of responsibilities, finalisation and adoption of the AMP's and the implementation of reporting structures.

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

ITEM NO: 10.2.8

**AUDIT AND RISK COMMITTEE - MEETING MINUTES 13 MAY 2021 (cont'd)**

**Internal Audit Report – Statutory Planning**

The audit found 7 indicators were well managed, and found 3 Minor opportunities for improvement

There are several factors contributing to effective management of Councils Planning Statutory legislative and community obligations including:

- Procedures that exist for various aspects of operations to ensure methodical and consistent approach to assessment and administration of planning permit applications.
- Controls in place surrounding receipting of planning application fees payable by customers when applying for planning permits
- Monthly Planning Permit Activity Reports (PPARs) submitted to Victorian Department of Planning and Community Development
- The average time taken to decide planning applications which is 56 days compared to 62 for similar Council's
- Councils Risk Register that incorporates several operational risks associated with Statutory Planning services.

Overall council have a strong foundation for Statutory Planning service delivery

**WHS Status Report**

The report provides a summary of the WHS related incidents and activities for the December Quarter 2020.

There were nine incident reports received in the December Quarter compared to fourteen for December 2019.

Workcover premium for 2020/2021 financial year has been set at \$207,558.64 which is a reduction of \$96,620.02.

**Attachments**

- 1 Audit and Risk Committee Meeting Minutes 13 May 2021 – *confidential printed in separate document*

<b>FILE NO: F</b> 4. A WELL RUN COUNCIL
--

<b>ITEM NO: 11.1</b>
----------------------

**ACTION OFFICERS REPORT****RECOMMENDATION**

That Council receive and note the Action Officers List.

<b>Meeting Date</b>	26 May 2020
<b>Subject/File No</b>	Illegal Tobacco
<b>Resolution:</b>	15.1 General Business
<b>Status:</b>	Closed
<b>Responsible Officer:</b>	Beyond the Councils powers and therefore can't be acted upon.

**Attachments**

Nil

FILE NO: VARIOUS

ITEM NO: 15

**GENERAL BUSINESS****6.4. General business**

(1) If the Agenda for a Meeting makes provision for urgent business, business cannot be admitted as Urgent Business other than by resolution of Council and only then if:

- (a) It relates to or arises out of a matter which has arisen since distribution of the Agenda; and
- (b) deferring the item until the next Meeting will mean a decision on the item will not have any effect on the matter; or
- (c) the item involves a matter of urgency as determined by the Chief Executive Officer; and
- (d) it cannot be addressed through an operational service request process.
- (e) the matter does not:
  - substantially affect the levels of Council service;
  - commit Council to significant expenditure not included in the adopted budget;
  - establish or amend Council Policy; or
  - commit Council to any contractual arrangement.

(2) A Councillor proposing a matter be admitted as urgent business must lodge it in writing to the Chief Executive Officer four (4) hours prior to the Meeting.

(3) The Chief Executive Officer will advise the Mayor of any matter he or she determines appropriate for Council to consider admitting as urgent business.

FILE NO: VARIOUS

ITEM NO: Error! Reference source not found.

**MEETING ADJOURNMENT**

**RECOMMENDATION**

That the meeting be adjourned for 10 minutes.

**RECOMMENDATION**

That the meeting be resumed.

**RECOMMENDATION**

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 which the Council may, pursuant to the provisions of Section 66 (2) of the Act resolve to be considered in closed session.