



MINUTES

**SCHEDULED MEETING OF COUNCIL HELD AT COBRAM
CIVIC CENTRE, PUNT ROAD COBRAM VIC 3644,
WEDNESDAY 23 NOVEMBER 2022**

The meeting commenced at 6.00 PM.

PRESENT

Councillor Peter Lawless (Mayor)
Councillor Julie Brooks (Deputy Mayor)
Councillor Ed Cox
Councillor Peter Elliott
Councillor Judy Heather
Councillor Wayne Limbrick
Councillor Peter Mansfield

IN ATTENDANCE:

Clare Keenan	Chief Executive Officer
Josh Lewis	Director Infrastructure Services
Rosanne Kava	Acting Director Sustainable Communities
Brant Doyle	Director Corporate Governance and Performance
Matt Jarvis	Chief Financial Officer
Amanda Chadwick	Manager Governance & Performance
Nancy Mustica	Senior Governance Officer

RECORDING

Consistent with section 13.3 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. WELCOME 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 TRADITIONAL OWNERS

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 / LEAVE OF ABSENCE

Nil

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

Nil

6. DISCLOSURE OF CONFLICTS OF INTEREST

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS ED COX / WAYNE LIMBRICK

"That the minutes of the Scheduled Council Meeting held on Wednesday, 28 September 2022 and the minutes of the Unscheduled Meeting of Council held on Wednesday, 9 November 2022, as prepared, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

Cr Peter Elliott attended Seniors Week celebrations.

Cr Peter Mansfield attended Yarrawonga Scared Heart Year 12 graduation and requested council investigate the tip operating hours.

Cr Wayne Limbrick attended the opening and blessing of St Frances in Nathalia, Wunghnu District Voice AGM, Tri State Games Dinner and the Nathalia Remembrance Day Service.

Cr Heather met with Cahils Road residents with flooding concerns.

Cr Julie Brooks attended the All Abilities Advisory Committee meeting, Seniors Week events and involved in GV Libraries CEO recruitment and Governance Structure project.

Cr Ed Cox acknowledged Kevin Crowe contribution to the Cobram East Levee Design Steering Committee.

Mayor Cr Peter Lawless acknowledged the flood situation and also attended the Tri State Games opening and closing dinners.

9. OFFICERS REPORTS

**Director of Corporate, Governance and Performance – Brant Doyle
Recruitment**

During September and October, Council advertised 16 positions, and filled 10 vacancies. These included casual backfill, temporary and ongoing opportunities. We welcome our new team members to Council.

Training and Development

October was Safe Work Month and variety of Council staff participated in a number of activities, including information seminars hosted by WorkSafe and a health and safety breakfast.

During September and October, we provided OHS leadership training to our managers and supervisors, with over 50 staff attending these sessions.

Drug and Alcohol

Council continued to undertake random drug and alcohol testing of 18 staff during September, resulting in no non-negative results reported.

The flooding event over the past month has caused significant challenges, including workforce redeployed from day to day business to support with the emergency. Our staff during time have been amazing and we thank them for their commitment to both the community and the Council.

In September, four employees made application for COVID-19 Special Leave. In October, there were no applications received.

Our customer experience team continue to assist the community with their enquiries. For September the team logged just over 3,800 customer requests, with rates and planning enquiries carrying the highest volume. During October, call volume was up 7%, with the team taking over 3,700 calls. We had just under 4,300 customer requests lodged, with planning, rates and waste being the top categories for enquiries.

And finally, we have developed a page on the Moira Shire website for community groups to submit an expression of interest to present to Councillors at a Council Briefing. These sessions are informal meetings of Council where issues and topics are discussed prior to any decision-making. Search 'Present to Council' to complete the online request.

Chief Financial Officer – Matt Jarvis

Second Instalment Rates Notice Extension

Due to the recent flood event, the due date for the second instalment for those ratepayers paying on a quarterly basis has been extended by three weeks. The new date is Wednesday 21 December 2022. Second instalments can be paid at any stage prior to this date.

Second instalment reminder notices will go out shortly with messaging that encourages any ratepayer who is experiencing difficulty in paying the second instalment to contact council's rates team.

The messaging also confirms that Council is currently undertaking impact assessments and gathering information to help understand which properties have experienced destruction due to the flood event. A supplementary valuation may be applicable for these properties where material property destruction has occurred, which will take into account any flood damage to buildings. These supplementary valuation notices will be issued in early 2023 to properties that qualify and be applied across the remaining instalments, effective as at the date of the flood event.

Understandably there will be ratepayers that may still have been impacted, even if their properties did not suffer damage. We encourage those ratepayers that will have difficulty making payment of this instalment to contact Council's rates team on (03) 5871 9222.

Know Your Council – Data Release

The 2021/22 Local Government Sector Performance data is now live on the Know Your Council website. Local Government Victoria notes that the Local Government Sector Performance data has become a reliable source of public information.

Members of the public can visit knowyourcouncil.vic.gov.au to search for a council and view performance data over a number of service areas such as Animal Management, Food Safety, Roads and Financial Performance.

Two financial performance indicators of note for Moira Shire in 2021/22 are the Expenses per property assessment (amount of council expenditure per property) and Average rate per property assessment. Both are below the average of Similar Councils (other councils classified as Large Shires) and also below the average of all Victorian councils.

Director of Infrastructure Services – Josh Lewis

Flooding / Wet Weather

Firstly our thoughts go out to all impacted through the recent flood event – it's incredibly sad to know that there are those in our community that have had their properties flooded and acknowledge the toll this takes physically, mentally and emotionally. If you need help, please make sure you contact someone!

Flood restoration will be a significant focus over the coming months as Council quantifies the damage that has been sustained – expected to be in the millions of dollars. Council will look to claim back applicable costs through the National Disaster Funding Assistance program and will undoubtedly hamper the delivery of existing Council capital works.

Internal resourcing is also an issue as we continue to respond to the ongoing flood event including closing and reopening roads, rostering staff at our Municipal Emergency Coordination Centre and having staff at the Regional Incident Control Centre based in Shepparton. Unfortunately Council will need to continue its wet-weather preparedness as La Nina weather patterns persist across much of Australia.

Operations

Weather conditions for the past several months has significantly delayed Council's road maintenance program with many roads remaining closed across the municipality due to flooding. Maintenance grading and pothole patching have recently recommenced as weather conditions marginally improve.

Council continue to actively engage with our civil contractors as part of long-term contracts in best managing fuel pricing which has significantly increased throughout the year to date. Council is ensuring a reasonable approach in ensuring best value whilst recognising the financial impact these increases have had on our contractors

Planning

Council continues to receive a high number of Planning Permit applications which is tracking at around a third higher than pre-Covid permit activity, this equates to in excess of 100 additional applications required to be processed annually.

The Planning Team is currently processing around 70% of applications within the sixty day timeframe which is up from a figure of around 30% earlier this year, a substantial improvement which I am proud of. Having said this, the Team are currently under-resourced and we continue to actively seek additional planning staff, both statutory and strategic – please contact me if your planner looking for some work!

Building

The Building Department has continued to receive a very high number of building applications. The pressure on this team is also increased through their involvement with Secondary Impact Assessments of flood affected properties along with staff vacancies.

We are actively recruiting for additional staff members in this Team, so if you're a building inspector or surveyor, again I'd love to hear from you.

Constructions and Assets

We welcomed a new Manager along with 3 new project managers to this Team over the past 2 months who will greatly assist in progressing outstanding capital works projects.

With the flooding and continued supply chain issues experienced with some material supplies, Council's Road Management Plan remains suspended however we will continue to do our best in ensuring inspections and intervention levels are maintained in the interest of public safety.

There is a lot of road signage out across the road network presently, whether it be to advise of a road hazard, a road closure, a reduced speed zone – I encourage everyone to treat these signs with respect as they are there for your safety, please do not become complacent despite the volume of signage currently out there.

Parks, Recreation and Facilities

New playground equipment has been installed at both George Graham Park and Wunghnu which are looking great.

Slashing, mowing, spraying along with the general maintenance of our towns continues to be problematic as the wet weather throws a spanner in the works, however despite this our Teams have been doing a fantastic job.

In consultation with our contractor, we've suspended footpath works along the Murray Valley Highway at Yarrawonga due to the availability of sub-consultants (concreters) however expect these works to recommence early in the new year.

There's a number of challenges associated with the delivery of the Yarrawonga Splash Park which we continue to work through, however are excited for when this project will be available for use by our Community

An interesting statistic which I'd like to share – over the past 12 months we have renewed 7 playgrounds throughout the municipality

Projects Update

There have been delays with the Yarrawonga Library project due to geotechnical issues which will require the implementation of a new footing design for this building. I'd like to take this opportunity to thank Ultra Project Services for their commitment to the project along with their professionalism and look forward to seeing this project come to life.

It was with great excitement that the federal government confirmed the grant funding for the Yarrawonga Multi-Sport Pavilion – This now makes the project a reality and will be one of the single largest projects Council has ever undertaken.

Acting Director Sustainable Communities - Rosanne Kava

Community Wellbeing and Health

Maternal and Child Health – Birth Notifications Received:

	2020	2021	2022
	October	October	October
Cobram	3	8	8
Nathalia	2	1	2
Numurkah	3	7	8
Strathmerton	0	0	1
Yarrawonga	12	13	10
Total Birth Notifications	20	29	29

Active Clients in Programs:

	2020	2021	2022
	October	October	October
Enhanced MCH	24	48	93
Sleep and Settling	6	16	16

Immunisation Statistics:

	2020	2021	2022
	October	October	October
Infants	58	102	77
Students		251	181
Adults		1	5
Staff			
Total Clients	58	354	263
Total Encounters	143	497	386

Community Strengthening Grants

The revised Community Strengthening Grants Policy being presented at the November Council Meeting. No grants awarded for the last month.

Homelessness Update:

A further 500 'Where to go! Quick Guide on where to get help' brochures have been received and distributed.

The Yarrawonga Community Shower Program is due to commence on Friday 25 November 2022 and the Cobram Community Shower Program has commenced.

Disability Action Plan:

The first draft of the Disability Action Plan 2022-2026 has been circulated along with a survey monkey requesting feedback.

Community Events and Activities:

Japanese Encephalitis Vaccine (JEV) program was held in Yarrawonga on Saturday 19 November 2022 – approximately 200 people were vaccinated. Sessions planned in Barmah, Cobram, Nathalia and Numurkah in coming weeks.

Tri-State Games activities and events held across Cobram and Yarrawonga. Between 250 and 300 people took part in the games.

Flood Recovery:

Moirs Flood Recovery Hub was opened on Monday 14 November 2022. A public launch will be held on Monday 28 November 2022.

Visit to Barmah by mobile Recovery Hub on Tuesday 29 November 10.30am-2.00pm. State agencies and other recovery support organisations are attending. JEV vaccinations scheduled that day. Lunchtime community BBQ also being held to encourage locals to gather, talk and access services available.

Secondary Impact Assessment teams (comprising Co-ordinator, Building Surveyor, Environmental Health Officer and Community Liaison officer) commenced visits to accessible flood affected properties on 23 November.

Tourism

Our tourism industry across Moira Shire is facing very difficult trading conditions with negative media coverage of floods, road closures, mosquitoes and damage or lack of accessibility to several of our tourism operators.

Moirs Shire has been active with attendance at the Victorian Tourism Industry Council (VTIC) local government meetings, Murray Regional Tourism region meetings, and meetings with neighboring councils on flood impacts; cooperation on recovery projects and on common issues we are facing. We ensure the actions we take are consistent and supportive of the whole Moira Shire.

We encourage all of our local residents to invite their friends and family to visit when they can, as there are many activities to enjoy, such as drive the Melbourne to the Murray Silo Art Road Trip, visit our Murray Farm Gate Operators, explore new stores that have opened across the Shire and remind everyone that Lake Mulwala is the best water body on the river for anyone seeking to boat or fish.

Safety and Amenity Unit

The recent wet weather has resulted in a large amount of grass growth on properties. Residents are encouraged to address this in order to protect their own and neighbouring properties for the oncoming Fire Prevention season. Fire is a serious matter with risk to human life and property and heavy penalties may be incurred if people do the wrong thing.

Parking Officers will be on patrol from December. Residents and visitors are reminded to comply with the signposted parking restrictions, so everyone can access businesses and services.

We are currently recruiting School Crossing Supervisors (Part Time and casual) and a casual Safety and Amenity Officer. If you are interested, please contact Fiona from our People and Safety team.

Residents are encouraged to pay their overdue animal registration. Our Officers are following up on 206 overdue dog/cat animal registrations. Please avoid a penalty by paying up now.

For the month of October the Safety and Amenity Unit impounded 27 cats and 8 dogs. Of these impoundments, 4 cats and 2 dogs were surrendered to Council.

Sustainability

Council received grant funding from the State Government for Transfer Station Upgrade Fund Round 2 for upgrading of Transfer station sites to accept Glass and FOGO (Food and Garden Organics).

Council also received grant funding from the State Government for an Integrated Water Management Project at Yarrawonga Victoria Park Precinct.

Flood Waste

Flood waste is being accepted at the Cobram Landfill and the Transfer Stations. Two transfer stations have been flood affected – Nathalia and Barmah – and will re-open as soon as access roads are open and any necessary repairs undertaken.

Council is working with Emergency Response Victoria's funded contractor to organise flood hard waste collection for affected areas, as soon as water has subsided and roads are classed as safe for heavy vehicles. Areas will be notified when this service will be available.

Staff across the organisation have been actively involved in flood response, including in the Emergency Relief Centre in Nathalia. We thank them for their efforts.

10. PUBLIC QUESTION TIME

1. What year is stage 2 planned to be built of the Multi sport stadium? Would it not in the long term be more cost effective to build the indoor aquatic component at the same time as the basketball courts, that is combine stage 1 and 2.

2. Council has on numerous occasions mentioned that the ever increasing cash reserves are earmarked for projects already approved. In the interest of transparency can Council list those projects and the amounts provided for each.

The Planning Permit Plan 5/2021/126 issued to Moira Shire Council on 8/9/2021 show no internal changes to the Town Hall even though council approved at an Urgent Meeting in February 2022 Stages 1 & 2. What changes are planned for inside the Town Hall in the current building works?

With the recommended Heritage listing of the town Hall, will stage 2 (enhancement of the Town Hall) still proceed under permit no 5/2021/126 3 ?

1. With the Town Hall and furniture recommended for Heritage listing does anyone know where the Old Yarrawonga Shire Gavel & base is stored?

2. To Complete the Picture History can the last photograph of the final Yarrawonga Councillors be hung in the Gallery?

1. Would like to have a discussion around the lack of support for elderly/vulnerable and disabled people who struggle with putting their bins in and out on collection days. Want to have an understanding why it is not already incorporated into the service to support those cohorts.

2. There are numerous shires within Australia to have "assisted waste collection" as part of their bin service. Can the shire incorporate this into the current service being run.

Would like to raise a question relating to "assisted waste collection services" for people living with a disability and/or ageing residents who do not have the capacity to move the bins themselves. This is on behalf of one of your rate payers living in the shire.

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.1
(SENIOR GOVERNANCE OFFICER, NANCY
MUSTICA)
(DIRECTOR CORPORATE GOVERNANCE
AND PERFORMANCE BRANT DOYLE)

EMERGENCY SITUATION CEO REPORT ON MEETINGS

Executive Summary

The purpose of this report is to provide the Council with a report of the circumstances requiring the action taken in respect of the postponement and further cancellation of the 2022 October Scheduled Council meeting and Mayoral Election.

As a result of an extreme weather event causing flooding within our shire and neighboring councils the SES Incident Control Centre (ICC) was activated which triggered the activation of our Municipal Emergency Coordination Center (MECC).

In response to this emergency situation within the municipality the Chief Executive Officer, in accordance with the Governance Rules (4.2.1), postponed the Scheduled October Council meeting and Mayoral Election to focus on flood relief efforts. Management and senior leaders were called upon to undertake emergency management roles within the MECC and ICC.

The Mayoral Election was conducted in accordance with s25 & s26 of the Local Government Act 2020 (the Act) on 9 November 2022 following the resignation of two Councillors including former Mayor Libro Mustica.

A full written report is required as per the Governance Rules (rule 4.2.2).

MOTION

CRS ED COX / JULIE BROOKS

That Council note the Chief Executive Officer report providing the circumstances leading to the cancellation of the October 2022 Council Meeting.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.2.1
(CHIEF FINANCE OFFICER, MATT JARVIS)
(CHIEF EXECUTIVE OFFICER, CLARE
KEENAN)

CONTRACTS AWARDED UNDER DELEGATION REPORT

Executive Summary

Council's *Instrument of Delegation to the Chief Executive Officer* was adopted on 27 October 2021 which provides a delegation to the CEO to award contracts up to the value of \$350,000.

The Procurement Policy (adopted 27 October 2021) requires purchases between \$150,001 (exc GST) and \$350,000 (exc GST) to follow an advertised RFQ (Request for Quote) process.

This report lists all contracts awarded under delegation for the first quarter of the 2022/2023 financial year.

MOTION

CRS ED COX / JULIE BROOKS

That Council note the report on contracts awarded under delegation for the first quarter of the 2022/2023 financial year.

(CARRIED)

FILE NO: F13/771
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.2.2
(PROPERTY ADMINISTRATION OFFICER,
LYNDA TINKER)
(CHIEF FINANCE OFFICER, MATT JARVIS)

RECOVERY OF UNPAID COUNCIL RATES AND CHARGES

Executive Summary

It is recommended that legal proceedings commence to sell 9 properties as detailed in the body of this report for the purpose of recovering unpaid Council rates and charges in accordance with Section 181 of the *Local Government Act 1989* and Section 114 of the *Local Government Act 2020*.

All other avenues of collection have been exhausted; the use of Section 181 of the Act is considered a last resort. Often communication by Council of the intention to sell generates payment of the rates avoiding the sale of property from occurring.

MOTION

CRS WAYNE LIMBRICK / ED COX

That Council approve the commencement of legal proceedings in accordance with Section 181 of the *Local Government Act 1989* and Section 114 of the *Local Government Act 2020* on nine properties detailed within this report.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.2.3
(FINANCIAL ACCOUNTANT, ANDREW
WILSON)
(CHIEF FINANCE OFFICER, MATT JARVIS)

QUARTERLY BUDGET REVIEW - SEPTEMBER 2022

Executive Summary

The September 2022 Quarterly Budget Review projects an operating surplus of \$2.93 million, compared to the Adopted Budget surplus of \$14.06 million. This is mainly due to a reduction in capital grants income originally expected to be recognised as income in 2022/23 but under the relevant accounting standards is now expected for 2023/24 and future financial years. The reduced capital grant income does include two capital grant applications, worth \$1.8 million, that were unsuccessful.

The Balance Sheet of Moira Shire continues to remain strong influenced by strong reserves set aside to pay for \$27.81 million dollars of Capital works in 2022/23 as well as capital works carried forward.

The proposed capital works forecast for September 2022 is \$27.81 million. The 2022/23 Adopted Budget report \$53.88 million of capital works but disclosed that not all works were expected to be delivered in 2022/23. Capital Expenditure spend at the end of September 2022 is \$3.40 million with a further \$12.86 million in outstanding commitments.

All Financial performance indicators remain within an acceptable range.

Some minor amendments to the adopted rates and charges relating to the YMCA facilities are proposed. No new Environmental Upgrade Agreements were entered into in the last quarter.

MOTION

CRS PETER ELLIOTT / ED COX

That the Council:

1. Adopt the projections for the 2022/23 financial year contained in the September 2022 Quarterly Budget Review;
2. Adopt the amendments to User Fees and Charges as listed in Note 7.10; and
3. Note the Environment Upgrade Agreements quarterly performance report.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.2.4

**PROPOSAL TO SELL LOT 159 LP1834, CORNER OF PUNT ROAD AND MURRAY
VALLEY HIGHWAY, COBRAM**

Executive Summary

The purpose of this report is to seek Council's authorisation to seek community feedback on a proposal for the sale of Council owned land Lot 159 LP 1834, corner of Punt Road and Murray Valley Highway, Cobram.

Council has received an enquiry from an adjoining land owner to purchase the land from Council for the purpose of further business development. The vacant land in question is zoned Commercial 1, however, is small in size (approximately 152 square meters) and has restricted access that limits opportunities to develop the land as is. A private treaty is arguably the most suitable sale method.

To consider this request Council is required to conduct community consultation under s223 of the *Local Government Act 1989* and in accordance with our Community Engagement Policy.

Following on from the public feedback received a recommendation regarding this request will be submitted to the 22 February 2023 Council meeting for consideration.

MOTION

CRS PETER MANSFIELD / ED COX

That Council:

- 1 Authorise the Chief Executive Officer to:
 - a) give public notice of a proposal for Council to sell Lot 159 LP1834, corner of Punt Road and Murray Valley Highway, Cobram;
 - b) make the proposal available for public inspection;
 - c) invite submissions in accordance with Section 223 of the *Local Government Act 1989*;
 - d) receive submissions until 5pm Wednesday 30 December 2022.
- 2 If required:
 - a) convene a Committee of Council comprising Mayor Cr Peter Lawless, Deputy Mayor Cr Julie Brooks and Chief Financial Officer and/or delegate to meet at 2pm Wednesday 8 February 2023 at the Councillor Briefing Room, 44 Station Street, Cobram to hear any person wishing to be heard in support of their written submission;
 - b) consider a recommendation regarding the proposed sale with or without amendment at a future Council meeting.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.3.1
(GOVERNANCE OFFICER, NATALIE EVANS)
(DIRECTOR CORPORATE GOVERNANCE
AND PERFORMANCE BRANT DOYLE)

MOIRA SHIRE COUNCIL ANNUAL REPORT 2021/22

Read by the Mayor

As Mayor, I am pleased to present the 2021/2022 Annual Report. The Annual Report reviews Moira Shire Council's achievements from the first year of the 2021/2025 Council Plan and details the Council's financial position for the 2022/23 financial year. This report is a great chance to reflect on all the work we are doing as well as to identify all the important work that still needs to be done.

Our region is a great place to live, work and play and I am very proud of how the community has come together after the many impacts of the COVID-19 pandemic. During the reporting year the Moira Shire Community Vision 2035 was developed and subsequently adopted in consultation with the wider community.

We also entered into a Memorandum of Understanding with Indigo, Federation, and Berrigan Shire Councils to provide opportunities for improved service delivery, access to high quality community infrastructure, and positive social and economic outcomes without the restriction of borders. We have seen a large increase in internal tourism as well as a massive migration to our region.

With an excellent agricultural season and the return of regional and international tourism, our businesses have opened up with confidence and there is a sense of optimism and rejuvenation in all facets of life in our magnificent Moira. We look forward to supporting the community, local businesses and organisations as they go from strength to strength.

As we move forward into this exciting period for our Shire, now is the perfect time for us to re-evaluate and confirm our priorities, values, principles and plan for the future. We will place even more focus on engaging with our communities by using multiple platforms to talk to all the different and diverse groups in our community to ensure Moira Shire is an inclusive and vibrant place where all can voice their views and aspirations.

We will represent your views as we make advocacy a priority, so your voice and concerns are heard by those who have the power to make the decisions that can improve life for the people of Moira Shire. I want to thank all Councillors for their commitment in what has been a challenging but rewarding year. Most of all, I would like to thank the community for their ongoing resilience and support.

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.3.1
(GOVERNANCE OFFICER, NATALIE EVANS)
(DIRECTOR CORPORATE GOVERNANCE
AND PERFORMANCE BRANT DOYLE)

MOIRA SHIRE COUNCIL ANNUAL REPORT 2021/22 (cont'd)

Executive Summary

Moirā Shire Council's 2021/22 Annual Report including the audited Financial Statements and Performance Statement is provided for noting by Council.

This Annual Report provides an overview of the functions, achievements and performance of the Moira Shire Council.

The Financial Report for the year ended 30 June 2022 and the Performance Statements for 2021/22 have been prepared in accordance with the Australian Accounting Standards, the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

MOTION

CRS ED COX / WAYNE LIMBRICK

That Council receives and notes the 2021/22 Annual Report, including the audited Financial Statements and Performance Statement.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.3.2
(SENIOR GOVERNANCE OFFICER, NANCY
MUSTICA)
(DIRECTOR CORPORATE GOVERNANCE
AND PERFORMANCE BRANT DOYLE)

COUNCIL MEETING DATES 2023

Executive Summary

The purpose of this report is to set the time, dates and place of the Scheduled Council Meetings for 2023.

In accordance with the Governance Rules - Rule 4.1.1:

- at or before the last Meeting each calendar year, Council must fix the date, time and place of all Council Meetings and any Delegated Committee Meetings for the following calendar year.

This report details the meeting schedule for 2023.

2023 Meeting Schedule

DATE	VENUE	MEETING
Wednesday 22 February	Cobram Civic Centre	Scheduled Council Meeting
Wednesday 22 March	Cobram Civic Centre	Scheduled Council Meeting
Wednesday 26 April	Cobram Civic Centre	Scheduled Council Meeting
Wednesday 24 May	Cobram Civic Centre	Scheduled Council Meeting
Wednesday 28 June	Cobram Civic Centre	Scheduled Council Meeting
Wednesday 26 July	Cobram Civic Centre	Scheduled Council Meeting
Wednesday 23 August	Cobram Civic Centre	Scheduled Council Meeting
Wednesday 27 September	Cobram Civic Centre	Scheduled Council Meeting
Wednesday 25 October	Cobram Civic Centre	Scheduled Council Meeting
Wednesday 8 November	Cobram Civic Centre	Mayoral Election
Wednesday 22 November	Cobram Civic Centre	Scheduled Council Meeting
Wednesday 13 December	Cobram Civic Centre	Scheduled Council Meeting

**FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE**

**ITEM NO: 11.3.2
(SENIOR GOVERNANCE OFFICER, NANCY
MUSTICA)
(DIRECTOR CORPORATE GOVERNANCE
AND PERFORMANCE BRANT DOYLE)**

COUNCIL MEETING DATES 2023 (cont'd)

MOTION

CRS PETER ELLIOTT / PETER MANSFIELD

That Council:

1. Set the following dates, time and place of Scheduled Council meetings in 2023 to:
 - be held in the Council Chambers at the Cobram Civic Centre; and
 - be held on the fourth Wednesday of the month for February 2023 to November 2023; and
 - the second Wednesday of the month for December 2023; and
 - the second Wednesday of November for the Mayoral Election; and
 - all meetings to commence at 4:30pm.

(CARRIED)

FILE NO: F13/503
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.3.3
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE GOVERNANCE
AND PERFORMANCE BRANT DOYLE)

ASSEMBLIES OF COUNCILLORS FOR SEPTEMBER AND OCTOBER 2022

Executive Summary

The purpose of this report is to detail the Assemblies of Councillors held in September and October 2022. These records provide transparency in councils decision making process, in line with Council's commitment to the principles for public transparency and Council's Public Transparency Policy.

MOTION

CRS JULIE BROOKS / WAYNE LIMBRICK

That Council receive and note the record of Assemblies of Councillors for September and October 2022.

(CARRIED)

FILE NO:
4. CUSTOMER FOCUSED AND RESPONSIVE

ITEM NO: 11.4.1
(CASUAL ADMINISTRATION SUPPORT
OFFICER, MELODIE HAWKINS)
(ACTING GENERAL MANAGER
SUSTAINABLE COMMUNITIES, ROSANNE
KAVA)

COMMUNITY STRENGTHENING GRANTS POLICY REVIEW

Executive Summary

The Community Strengthening Grants program aims to fund projects and events that improve the quality of facilities and services for the benefit residents of, and visitors to, Moira Shire.

Following review of the policy in light of identified areas for improvement and with a view to the recommendations of the *VAGO Fraud Control Over Local Government Grants* report, the Community Strengthening Policy has been amended to strengthen the program in the following areas:

- CSG funding structure
- Capital projects
- Program eligibility
- Projects situated on private and Government properties
- Community Project Proposal (CPP) process
- Expenditure limits in relation to catering and accommodation, and
- Ensuring the Policy is accessible and inclusive.

The community has been consulted on the proposed changes with feedback received resulting in further minor amendments to the draft Policy. The community will be provided with further information following adoption of the new policy. Community members and groups will continue to be able to access one-on-one officer support to assist them to make compliant funding applications.

This report presents the revised Community Strengthening Grant Policy to Council for adoption.

MOTION

CRS ED COX / WAYNE LIMBRICK

That Council endorse the revised Community Strengthening Grants (CSG) Policy.

(CARRIED)

FILE NO:
2. A DIVERSE AND DYNAMIC ECONOMY

ITEM NO: 11.4.2
(TOURISM DEVELOPMENT COORDINATOR,
CAMERON SUTTON)
(ACTING GENERAL MANAGER
SUSTAINABLE COMMUNITIES, ROSANNE
KAVA)

COBRAM BAROOGA BUSINESS & TOURISM EVENTS PROPOSAL- COMMERCIAL TOURISM EVENTS

Executive Summary

Cobram Barooga Business & Tourism (CBBT) has proposed a package of tourism events to be delivered this year that require financial support (\$60,000). Despite this submission being provided in July, well after the February closure of Community Budget bids, these events align with our Tourism Plan 2022-26. Commercial tourism events have been identified in Council's new Tourism Plan, developed with the close co-operation of industry as the second highest priority for resourcing. The CBBT proposal merits careful consideration due to the events and benefits it will bring to the Shire in non-peak periods.

MOTION

CRS WAYNE LIMBRICK / ED COX

That Council Support the financial adjustments within the tourism budget to fund the CBBT event package for this current financial year.

(CARRIED)

**FILE NO:
3. A CLEAN GREEN ENVIRONMENT**

**ITEM NO: 11.4.3
(MANAGER SUSTAINABILITY, SCOTT
DRAPER)
(ACTING GENERAL MANAGER
SUSTAINABLE COMMUNITIES, ROSANNE
KAVA)**

ENVIRONMENTAL SUSTAINABILITY STRATEGY

Executive Summary

Council has finalized the Environmental Sustainability Strategy 2022-2026 incorporating feedback from the community consultation on the draft Environmental Sustainability Strategy (ESS) 2022-2026 (presented to April Council meeting). This is the third ESS that Moira Shire Council (Council) has developed. The 2022 ESS builds on the achievements of the 2017 ESS.

The Sustainability department have led a consultation phase for the drafting of the 2022 ESS. Consultation has been completed with key stakeholders including Council staff, Councilors and key agency partner representatives. Lessons from the feedback received via a survey and presentations were incorporated in the draft ESS.

The draft ESS was presented to the community through a comprehensive public consultation process and feedback received was incorporated into the final Environmental Sustainability Strategy 2022-2026. Therefore, this report proposes that Council endorses the final ESS 2022-2026.

MOTION

CRS PETER ELLIOTT / WAYNE LIMBRICK

That Council endorse the final Environmental Sustainability Strategy 2022-2026 incorporating feedback from the community consultation.

(CARRIED)

FILE NO:
2. A DIVERSE AND DYNAMIC ECONOMY

ITEM NO: 11.5.1
(COORDINATOR PLANNING, TRAVIS
BASHAM)
(MANAGER CONSTRUCTION AND ASSETS,
GRAHAM HENDERSON)

**PLANNING PERMIT APPLICATION 5/2021/251 - MOTOR RACING TRACK (SKID
PAD) - 716 KATUNGA NORTH ROAD, STRATHMERTON**

Executive Summary

The applicant seeks approval for the use and development of the land located at 716 Katunga North Road Strathmerton (Lot: 1 TP: 385409) for the purposes of a Motor Racing Track (skid pad).

The proposed motor racing track will include the construction of a cement skid pad for use in arranged burnout competition events (MadNats) and a constructed dirt mound to act as a sound barrier.

The site will host biannual events for a maximum of 300 spectators, between the hours of 10:00am - 5:30pm. Monthly testing and tuning of vehicles will also be carried out.

The application was referred to all relevant authorities who did not object to the proposal, with the exception of Victoria Police; who recommended not supporting the application.

62 submissions were received supporting the proposal; and 17 objections were received against the proposal. Therefore, the application is to be determined at a Council meeting.

The application has been assessed against the relevant policies and the provisions under the Moira Planning Scheme (the Scheme). On balance, it is recommended that a Notice of Decision to Grant a Planning Permit be issued.

FILE NO:
2. A DIVERSE AND DYNAMIC ECONOMY

ITEM NO: 11.5.1
(COORDINATOR PLANNING, TRAVIS
BASHAM)
(MANAGER CONSTRUCTION AND ASSETS,
GRAHAM HENDERSON)

**PLANNING PERMIT APPLICATION 5/2021/251 - MOTOR RACING TRACK (SKID
PAD) - 716 KATUNGA NORTH ROAD, STRATHMERTON (cont'd)**

MOTION

CRS JUDY HEATHER / PETER MANSFIELD

That Council:

Having considered the application on its merits and the submissions received, resolve to issue a Notice of Refusal to Grant a Planning Permit for the Use and development of a Motor racing track (skid pad) at 716 Katunga Road, Strathmerton, for the following reasons:

1. The proposal does not meet the purpose of the Farming Zone or the decision guidelines, and is not consistent with policy. In particular:
 - The proposal is inconsistent with policy at Clause 13.05-1S to ensure that community amenity and human health is not adversely impacted by noise emissions.
 - The proposal is inconsistent with the objectives of Clause 13.07-1S as it is incompatible with nearby sensitive land uses.
 - The proposal is inconsistent with policy at Clause 14.01-1S to:
 - Protect productive agricultural land from unplanned loss due to permanent changes in land use.
 - Prevent inappropriately dispersed urban activities in rural areas.
 - Protect strategically important agricultural and primary production land from incompatible uses.
 - The proposal is contrary to the purpose of the Farming Zone to encourage the retention of productive agricultural land and to ensure that non-agricultural uses do not adversely affect the use of land for agriculture.
2. The proposal will produce unacceptable amenity impacts (noise, air, dust and odour emissions) and in particular the skid pad will result in unacceptable noise impacts on the surrounding properties. Whilst noise limits may or may not be achieved, the increase in the prevailing background noise levels from the new noise source and the acoustic nature of the noise source is unacceptable.

(CARRIED)

FILE NO:
2. A DIVERSE AND DYNAMIC ECONOMY

ITEM NO: 11.5.2
(COORDINATOR PLANNING, TRAVIS
BASHAM)
(DIRECTOR INFRASTRUCTURE SERVICES,
JOSHUA LEWIS)

PLANNING PERMIT APPLICATION 5/2021/345 - CARWASH - 18-22 TELFORD STREET, YARRAWONGA

Executive Summary

The application seeks approval for the use and development of land located at 18-22 Telford Street, Yarrawonga for the purposes of a car wash, installation of business signage, creation of access to a road zone category 1 and removal of an easement.

The subject site is within the General Residential Zone (GRZ) and is not affected by any overlays.

The car wash will consist of four washing bays with one boat wash, vacuum bays, a dogwash area and an ancillary laundromat and car detailing building. The hours of operation are 7am-10pm, seven days a week.

The site will be accessed via a single crossover to Telford Street (Murray Valley Highway).

A 3.5m high, 12.45m² pole sign is proposed along the Telford Street frontage.

The application was referred to the Department of Transport (DoT), North West Water and the EPA, all of whom did not object to the proposal subject to conditions. The application was also referred to VicTrack, who have not responded to date.

The application was advertised, and 10 objections were received, requiring the proposal to be determined at a Council meeting.

The application has been assessed against the relevant policies and the provisions under the Moira Planning Scheme (the Scheme). On balance, it is recommended that a Planning Permit should issue and that a Notice of Decision to Grant a Planning Permit be issued.

MOTION

CRS WAYNE LIMBRICK / ED COX

That Council:

Having considered the application on its merits and the objections received, resolve to approve planning permit application 5/2021/345 and issue a Notice of Decision to Grant a Planning Permit for the use and development of 18-22 Telford Street, Yarrawonga for the purposes of a car wash, installation of business identification signage, creation of access to a road in a Transport Zone 2 and the removal of part of an easement, subject to the conditions in Attachment 1.

(CARRIED)

FILE NO: C030/22
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.5.3
(PROCUREMENT COORDINATOR, JOVIAL
MATHEWS)
(MANAGER CONSTRUCTION AND ASSETS
GRAHAM HENDERSON)

C030/22 - PROVISION OF PROFESSIONAL SERVICES FOR PLANNING AND BUILDING SERVICES PANEL

Executive Summary

Moirra Shire Council invited submissions from suitably qualified organisations or individuals to create a panel of consultants for the provision of professional services relating to Council's planning and building services such as

- Strategic Planning – Part B
- Statutory Planning – Part C
- Assistance with Building Assessments & Inspections – Part D

After consideration of the submissions, the evaluation panel recommends that contract C030/22 – Provision of Professional Services for Planning and Building Services be awarded to the following tenderers for Part B – Strategic Planning & Part C – Statutory Planning

- Niche Planning Studio Pty Ltd
- Spiire Australia Pty Ltd
- Currie & Brown (Australia) Pty Ltd
- Regional Management Group Pty Ltd
- PT Tomkinson & Associates Pty Ltd
- Habitat Planning Pty Ltd
- JJ Ryan Consulting Pty Ltd
- Chris Smith & Associates Pty Ltd

The council did not receive any compliant submissions for Part D - Assistance with Building Assessments & Inspections, therefore no tenderer is being recommended for the services.

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

MOTION

CRS JULIE BROOKS / ED COX

That Council:

1. Award panel contract C030/22 – Provision of Professional Services for Planning and Building Services to the following tenderers for Strategic Planning & Statutory Planning services.
 - Niche Planning Studio Pty Ltd
 - Spiire Australia Pty Ltd
 - Currie & Brown (Australia) Pty Ltd
 - Regional Management Group Pty Ltd
 - PT Tomkinson & Associates Pty Ltd
 - Habitat Planning Pty Ltd
 - JJ Ryan Consulting Pty Ltd
 - Chris Smith & Associates Pty Ltd
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

(CARRIED)

FILE NO: F22/159
1. A WELCOMING AND INCLUSIVE PLACE

ITEM NO: 11.5.4
(PROJECT COORDINATOR, ADELE
LEATHEM)
(MANAGER CONSTRUCTION AND ASSETS
GRAHAM HENDERSON)

YARRAWONGA SPLASH PARK PROJECT - ADDITIONAL WORKS

Executive Summary

The budget allocated to the design and construction of the Yarrawonga Splash Park is \$500,000 ex GST. The contract to design and construct the Yarrawonga Splash Park was awarded to Farley Pools on 23 June 2022 as preferred tenderer, formerly appointed on 25 July 2022, for the total cost of \$444,484.86 ex GST.

Part of the contract stated that the Contractor will work with Council in coordinating the upgrade and/or renewal of equipment including pumps, filters, water delivery system and water tank. Once appointed, the Contractor was asked to assess all of the existing equipment and advise if suitable to operate the new splash park design and water equipment.

On 28 October 2022, the Contractor advised that all of the existing equipment will need to be replaced. The assessment established that all of the existing equipment was at end of life, unsuitable, damaged and/or did not meet regulations and Australian Standards. The additional works required include replacement of the balance tank with a new tank, installation of a plant room, and supply and set up of equipment to operate the splash park that complies with regulations. The total estimated cost for all of the additional works is \$366,452.

MOTION

CRS PETER MANSFIELD / JUDY HEATHER

That Council:

1. Approve the additional works required to replace the plant, equipment and plant room required to operate the new Yarrawonga Splash Park, total estimated cost \$366,452.
2. Authorise the reallocation of \$387,000 budget from 22/23 renewal programs to cover the additional works and a contingency amount.
3. Authorise the variation to the scope of works under contract C017/22 Splash Park, Yarrawonga – Design and Construct.

(CARRIED)

11. OFFICER REPORTS FOR INFORMATION

NIL

12. ACTION OFFICERS LIST

NIL

13. NOTICES OF MOTION

Nil

FILE NO: F13/572

4. CUSTOMER FOCUSED AND RESPONSIVE

ITEM NO: 15.1

(INFRASTRUCTURE LIAISON OFFICER, LYN COOPER)

(MANAGER CONSTRUCTION AND ASSETS GRAHAM HENDERSON)

PETITION - OPEN DRAIN MARINE PARADE / ANCHORAGE WAY & LAKEVIEW CIRCUIT YARRAWONGA**Executive Summary**

Council tabled a petition at the 28 September 2022 Council meeting raising concerns of the open drain at Marine Parade/Anchorage Way and Lakeviews Circuit Yarrowonga.

This report provides a response of the action taken by Council in relation to the concerns raised.

MOTION

CRS PETER MANSFIELD / JUDY HEATHER

That Council:

1. Note the concerns raised in the petition tabled at the 28 September 2022 Council meeting.
2. Thank the signatories of the petition and advise the first mentioned author of the petition of Council's findings.

(CARRIED)

14. COUNCIL SEAL

NIL

15. URGENT BUSINESS

NIL

FILE NO: VARIOUS

ITEM NO: 15

URGENT BUSINESS

Nil

MEETING CLOSE: 7:27 PM