



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT COBRAM
CIVIC CENTRE,
WEDNESDAY 24 NOVEMBER 2021

The meeting commenced at 6.00 pm.

PRESENT	Councillor Libro Mustica (Mayor)	
	Councillor Peter Lawless (Deputy Mayor)	
	Councillor Julie Brooks	
	Councillor Ed Cox	
	Councillor Peter Elliott	
	Councillor Wayne Limbrick	
	Councillor Peter Mansfield	
	Councillor Marie Martin	
IN ATTENDANCE:	Clare Keenan	Chief Executive Officer
	Andrew Close	General Manager Infrastructure
	Simon Rennie	General Manager Corporate
	Sally Rice	General Manager Community

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 live 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.

The Mayor acknowledged Kevin Bourke's resignation and thanked Kevin for his commitment and contribution to the Moira Shire Council as a Councillor.

The Mayor acknowledged the Councillors wearing orange pins to promote the 16 days of Activism a campaign against gender based violence.

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

Nil

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

Nil

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS WAYNE LIMBRICK / ED COX

"That the minutes of the Scheduled Council Meeting held on Wednesday, 27 October 2021 and the minutes of the Scheduled Meeting of Council held on Wednesday, 10 November 2021, as prepared, be confirmed."

(CARRIED)

8. COUNCILLOR VERBAL REPORTS

Cr Peter Mansfield attended along with Cr Elliott a public meeting at the former Yarrowonga Primary School site. Also attended the MDBA region 2 AGM.

Cr Marie Martin also attended the MDBA region 2 AGM.

Cr Julie Brooks along with the Mayor and CEO had the opportunity to meet the Hon. Mary-Anne Thomas, Minister for Regional Development and Agriculture.

Cr Wayne Limbrick attended the Audit & Risk Committee meeting. Also attended the GMID meeting.

9. PUBLIC QUESTION TIME

- Will the Weir Bridge in Yarrowonga be opened for pedestrians before Christmas.
- Closure of the Weir Bridge Yarrowonga and the heightened risk to people using Belmore Street.

FILE NO: F21/12
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.1.1
(EXECUTIVE ASSISTANT TO CEO, ROBYN
BONADDIO)
(CHIEF EXECUTIVE OFFICER, KEENAN,
CLARE)

COUNCIL MEETING SCHEDULE 2022

Executive Summary

Under Section 3.1 of Moira Shire Council's Governance Rules: 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. Council by resolution, or the Chief Executive Officer, may change the date, time and place of, or cancel, any Meeting which has been fixed and must provide notice of the change to the public.

This report details the meeting schedule for 2022.

MOTION

CRS PETER LAWLESS / ED COX

That Council:

1. Set the date, time and place of Council meetings as:
 - Ordinary Council Meetings to be held on the fourth Wednesday of the month (unless it conflicts with a public holiday) commencing at 5pm during eastern standard times and 6pm during daylight savings.
 - That all Ordinary Council Meetings to be held at the Cobram Civic Centre, Council Chambers while COVID is still a consideration.
2. Briefing sessions to be held on the second Wednesday of the month and held on the third Wednesday of the month if required.

(CARRIED)

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

ITEM NO: 10.2.1
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

ASSEMBLIES OF COUNCILLORS OCTOBER 2021

Executive Summary

The purpose of this report is to detail the Assemblies of Councillors held in October 2021. 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 WAYNE LIMBRICK / PETER ELLIOTT

That Council receive and note the Record of Assemblies of Councillors for October 2021.

(CARRIED)

FILE NO: F
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.2
(SENIOR GOVERNANCE OFFICER, NANCY
MUSTICA)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

AUDIT & RISK COMMITTEE MEETING MINUTES 21 OCTOBER 2021

Executive Summary

The Audit and Risk Committee is an independent advisory Committee to Council. The primary objective of the committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risks and maintaining a reliable system of internal controls.

In accordance with the Audit & Risk Committee Charter, the minutes of the Audit & Risk Committee held on 21 October 2021 are attached.

The following reports were considered by the Committee:

- WHS Status Report – September Quarter 2021
- Quarterly Claims Management Report September 2021
- Policy Register Update
- Risk Register Report
- Fraud Risk Register Report
- Procurement Policy Review
- Internal Audit Action Status Report
- Major Project/Incidents and Legal Proceedings
- Audit & Risk Committee Meeting Dates for 2022

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

MOTION

CRS ED COX / MARIE MARTIN

That Council:

1. Accept the minutes of the Audit & Risk Committee meeting held on 21 October 2021; and
2. Endorse the recommendations contained within the reports.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.3
(MANAGER GOVERNANCE & RISK,
AMANDA CHADWICK)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

COMMUNITY ASSET COMMITTEE ANNUAL REPORT

Executive Summary

The Local Government Act 2020 (the Act) provides a new structure for formal committees of Council including Community Asset Committees, which came into effect from 1 May 2020.

At the Ordinary Council Meeting held in August 2020, Council resolved to create the Community Asset Committees, replacing the former Section 86 Committees of Management for the purpose of managing a range of community assets within the Moira Shire.

These committees also have delegated authority in relation to specified financial delegation, compliance with specified governance requirements and specific monitoring and reporting of activities and performance.

This report provide details of the activities and performance of the Community Asset Committees in accordance with the requirement under their delegations and Section 47 (6) of the Act.

MOTION

CRS PETER LAWLESS / WAYNE LIMBRICK

That Council note the Annual Report in relation to activities and performance of the Community Asset Committees, in accordance with the Local Government Act, 2020.

(CARRIED)

FILE NO:
1. A WELCOMING AND INCLUSIVE PLACE

ITEM NO: 10.3.1
(ECONOMIC DEVELOPMENT OFFICER,
FRANK MALCOLM)
(GENERAL MANAGER COMMUNITY, RICE,
SALLY)

SOCIAL HOUSING

Executive Summary

Moira Shire, like most of regional Victoria, is facing a significant increase in demand for housing. While this is good news for our local economy, it decreases housing affordability, putting those on low incomes at risk and potentially increasing homelessness.

The State Government has initiated a \$5.3 billion "Victoria's Big Housing Build" (VBHB) funding program (attached), which aims to deliver 9,300 new social housing units, with 25% (2325) of these intended for rural and regional Victoria. This presents an excellent opportunity for Council to address areas of housing affordability and homelessness by reviewing our assets and potentially conducting an EOI with social housing providers, to develop opportunities for funding under the VBHB.

A properly designed and developed social housing development in Moira would deliver increased housing options for vulnerable members of our community and enable them to contribute to Moira Shire's economy and community.

This report explains that sectors of our community are facing increased housing stress. It recommends that Council approve a review to identify underused or redundant Council land as well as explore other social housing options that may exist within the Shire. Pending the outcome of the review and subject to its findings this report also recommends that Council undertake an EOI process for social housing providers to develop these sites, using funding under the VBHB program.

MOTION

CRS JULIE BROOKS / PETER ELLIOTT

That Council:

1. Acknowledges sectors of our community are facing increased housing stress;
2. Approves a review to identify underused or redundant Council land which could be suitable for a social housing development as well as explore other social housing options that may exist within the Shire; and
3. Subject to item two, supports an EOI process for social housing providers to develop these sites using funding under the State Government's \$5.3 billion Big Housing Build.

(CARRIED)

FILE NO:
1. A WELCOMING AND INCLUSIVE PLACE

ITEM NO: 10.4.1
(GRANTS OFFICER, COURTNEY HAMILL)
(GENERAL MANAGER INFRASTRUCTURE,
CLOSE, ANDREW)

YARRAWONGA LIBRARY, EVENTS AND PERFORMANCE PRECINCT

Executive Summary

The application to the Treasury Corporation Victoria (TCV) for a low interest loan under the Community Infrastructure Loans Scheme for the Yarrowonga Library, Events and Performance Precinct has been approved.

TCV's obligation to provide any loan is subject to the condition that TCV has received evidence that all necessary approvals and authorisations to carry out the project have been obtained by the Council and are in full force and effect.

TCV have advised that a resolution of Council approving the commencement of construction of the Yarrowonga Library, Events and Performance Precinct is satisfactory evidence to meet this requirement.

MOTION

CRS PETER MANSFIELD / PETER LAWLESS

That Council approves the commencement of construction of the Yarrowonga Library, Events and Performance Precinct.

(CARRIED)

FILE NO: F13/2478
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.4.2
(INFRASTRUCTURE LIAISON OFFICER, LYN
COOPER)
(GENERAL MANAGER INFRASTRUCTURE,
CLOSE, ANDREW)

SPECIAL RATES AND CHARGES POLICY

Executive Summary

The purpose of the Special Rates and Charges Policy is to provide guidance on how Council will implement and administer special rates and special charges that assist to fund the construction of new infrastructure or joint services, such as construction of kerb and channel, footpaths or marketing programs.

Council recognises that it does not have the financial resources to fully fund the upgrade of all existing infrastructure to current standards. Where Council considers that infrastructure improvements provide special benefits to abutting properties a Special Rate and Charge Scheme may be explored to share the costs. These benefits can include improvements in amenity, access, safety or economic benefits such as increased land value.

Council will achieve this using special rate and charge schemes that are implemented in accordance with this policy, section 163 of the Local Government Act 1989 and Ministerial Guidelines.

The draft policy was placed on public exhibition for three weeks with a total of five submissions received (attached). Respondents did not comment on any specific items in the policy.

Feedback related to concerns about the use of cost sharing schemes during a time when many are feeling the financial impacts of COVID-19 lockdowns; that there may be a disproportionate impact on property owners from lower income households; and the view that Council should fully fund the provision of infrastructure.

In response to the concerns raised, it should be noted that:

- This policy is not a new policy but is an update of a current policy and it clarifies how decisions are made when developing a scheme.
- Council does not have the financial resources to complete all projects within the shire and the policy provides property owners with an opportunity to share costs of some of those projects which might be lower in priority.
- To mitigate potential impacts of this policy the following are available:
 - Consultation opportunities (where fairness of a potential scheme and apportionment is tested and feedback is obtained)
 - Assistance under the Financial Hardship Policy
 - Statutory right of appeal to VCAT if a scheme is declared

It is suggested that Council keep in mind the concerns raised by the community, as they will be pertinent when determining whether Council considers a project suitable for a cost-sharing scheme in the future.

However, as there were no concerns raised as to the content of the policy, it is recommended that Council endorse the Special Rates and Charges Policy.

FILE NO: F13/2478
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.4.2

SPECIAL RATES AND CHARGES POLICY (cont'd)

MOTION

CRS PETER LAWLESS / ED COX

That Council endorse the Special Rates and Charges Policy.

(CARRIED)

FILE NO: C011/21
4. A WELL RUN COUNCIL

ITEM NO: 10.4.3

C011/21 - COUNCIL FACILITY AND ASSET KEY RENEWAL

Executive Summary

Moira Shire Council invited submissions from suitably qualified contractors to undertake the project of moving Council facilities and assets to an updated key and lock system throughout Moira Shire.

After consideration of the submissions, the evaluation panel recommends that contract C011/21 be awarded to MV Locksmiths.

MOTION

CRS PETER ELLIOTT / PETER LAWLESS

That Council:

1. Award the contract for C011/21 – Council Facility and Asset Key Renewal to MV Locksmiths.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

(CARRIED)

FILE NO: C023/21
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.4.4
(PROCUREMENT COORDINATOR, JOVIAL
MATHEWS)
(GENERAL MANAGER INFRASTRUCTURE,
CLOSE, ANDREW)

C023/21 - STRENGTHENING OF NUMURKAH ROAD BRIDGES

Executive Summary

Moira Shire Council invited submissions from suitably qualified Contractors for strengthening works on two bridges. The bridges are located on Numurkah Road south of Strathmerton.

After consideration of the submissions, the evaluation panel recommends that contract C023/21 be awarded to Waratah Bridge Constructions (Vic) Pty Ltd.

MOTION

CRS MARIE MARTIN / ED COX

That Council:

1. Award the contract for C023/21 - Strengthening of Numurkah Road Bridges to Waratah Bridge Constructions (Vic) Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.
3. Assign Waratah Bridge Constructions (Vic) Pty Ltd as the Principal Contractor for undertaking the project.

(CARRIED)

PETITIONS AND JOINT LETTERS

Cr Peter Mansfield tabled a petition from the Yarrawonga Community Action Group.

FILE NO: VARIOUS

ITEM NO:

URGENT GENERAL BUSINESS

MOTION

CRS PETER MANSFIELD / WAYNE LIMBRICK

That urgent general business be accepted.

(CARRIED)

There were no motions passed in urgent general business.

MEETING CLOSED 6.50PM