



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT COBRAM
CIVIC CENTRE,
WEDNESDAY 25 AUGUST 2021

The meeting commenced at 5.04 pm.

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

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.

Tribute to Rick Devlin

The Mayor acknowledged the passing of Rick Devlin – Operations Executive Manager followed by a tribute.

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

Cr Bourke was an apology.

MOTION

CRS ED COX / PETER LAWLESS

That Cr Bourke apology be accepted.

(CARRIED)

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

NIL

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

NIL

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS PETER MANSFIELD / JULIE BROOKS

"That the minutes of the Ordinary Council Meeting held on Wednesday, 28 July 2021, as prepared, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

- Cr Peter Lawless acknowledged the passing of Rick Devlin and former councillor Bill Gread and offered condolences to Cr Marie Martin.
- Cr Wayne Limbrick attended the tribute to Rick Devlin in Nathalia. Also acknowledged the passing of former Councillor Bill Gread and offered condolences to Cr Marie Martin.
- Mayor Mustica also acknowledged the support Clare and the executive team were providing to staff during this difficult time.
- Cr Marie Martin participated in an MAV lead course Emotional Intelligence and thanked fellow councillors for the condolences on the passing of Bill Gread.

9. PUBLIC QUESTION TIME

- Planning process for the Yarrawonga Library Precinct.
- Maintenance of existing walking track network.
- Yarrawonga Community Hall and the continuing Heritage Victoria investigations.
- Concept plans for the Town Hall Precinct.
- Community consultation relating to the Yarrawonga Primary School Site.
- Community consultation for the future location of the Tourist Information Centre in Yarrawonga.
- Yarrawonga Town Hall storage.

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.1
(FINANCIAL ACCOUNTANT, ANDREW
WILSON)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

**ENVIRONMENTAL UPGRADE AGREEMENTS (EUA) _ QUARTERLY
PERFORMANCE REPORT - JUNE 2021**

Executive Summary

This report provides an update on the Environmental Upgrade Agreements involving Council for the quarter ending 30 June 2021.

MOTION

CRS PETER LAWLESS / EDWARD COX

That Council notes the Environment Upgrade Agreements quarterly performance report for the June 2021 quarter.

(CARRIED)

FILE NO: F14/251
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

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

PREPARATION OF THE 2020/21 ANNUAL REPORT

Executive Summary

This report seeks Council's in principle approval of the audited Financial Statement and Performance Statement, and authorisation for two councillors to certify the Financial and Performance statements in their final form after any changes recommended or agreed to by the auditor have been made.

These steps must occur prior to providing the audited statements to the Victorian Auditor-General. Following receipt of VAGO's Independent Auditor's Reports, the statements and reports will be included in Council's 2020/21 Annual Report that will be submitted to the Minister by 30 September 2021 and then to Council for noting.

MOTION

CRS EDWARD COX / PETER LAWLESS

That Council:

1. Provide in principal approval to the 2020/21 Performance Statement and Financial Statements.
2. Authorise Mayor Councillor Libro Mustica and Deputy Mayor Councillor Julie Brooks to certify the 2020/21 Financial Statements and Performance Statement.
3. Authorise the forwarding of the Annual Report, including the certified and audited Financial Statements and Performance Statement to the Minister in accordance with the requirements of the Local Government Act 2020.

(CARRIED)

FILE NO: F
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.3
(SENIOR GOVERNANCE OFFICER, NANCY
MUSTICA)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

AUDIT & RISK COMMITTEE MEETING MINUTES 29 JULY 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 29 July 2021 are attached.

The following reports were considered by the Committee:

- WHS Status Report
- Audit and Risk Committee annual report
- Major Projects/Incidents and Legal Proceedings
- Quarterly Claims Management Report June 2021
- Internal Audit Report – Review of Credit Cards inc data mining
- Internal Audit Report – Local Laws
- Risk Register Report
- Fraud Risk Register Report
- 2020/21 Asset Valuations – report on process
- Internal Audit Action Status Report
- Election of the Audit & Risk Committee Chair

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

MOTION

CRS MARIE MARTIN / WAYNE LIMBRICK

That Council:

1. Accept the minutes of the Audit & Risk Committee meeting held on 29 July 2021; and
2. Endorse the recommendations contained within the reports.

(CARRIED)

FILE NO: F13/493
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.4
(SENIOR GOVERNANCE OFFICER, NANCY
MUSTICA)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

AUDIT AND RISK COMMITTEE ANNUAL REPORT

Executive Summary

The Moira Shire Council Audit and Risk Committee is required to provide a biannual report of the previous financial years' activities to Council. This attached report summarises the key activities of the Audit and Risk Committee during 2020/21.

A key objective of Council is to ensure transparent and accountable governance through the application of strong and appropriate policies, procedures and controls. To assist Council achieve this objective, the Audit and Risk Committee's key role is to provide appropriate advice and recommendations to Council on matters relevant to the Audit and Risk Committee's Charter.

These matters include:

- the effectiveness of internal and external financial reporting;
- management of financial and other risks and the protection of Council assets;
- compliance with laws and regulations as well as use of best practice guidelines;
- the effectiveness of the internal audit function;
- communication between the external auditor, internal auditor, management and the Council.

Attached to this report is the Audit & Risk Committee Annual Report 2020/21 for Council consideration.

Meetings

The Audit and Risk Committee held five meetings during the year which complies with the requirement within the Charter to meet at least quarterly.

Membership

The Audit and Risk Committee consists of five members; three independent members and two Councillors.

The Committee members as at 30/06/2021 are:

- Ms Lisa Ford (Chair)
- Ms Julie Guest
- Mr Fred Douglas
- Cr Marie Martin
- Cr Wayne Limbrick

MOTION

CRS PETER LAWLESS / ED COX

That Council note the Audit & Risk Committee Annual Report 2020/21.

(CARRIED)

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

ITEM NO: 10.2.5
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

ASSEMBLIES OF COUNCILLORS JULY 2021

Executive Summary

The purpose of this report is to detail the Assemblies of Councillors held in July 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 ED COX / PETER ELLIOTT

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

(CARRIED)

FILE NO: F21/55
1. A WELCOMING AND INCLUSIVE PLACE

ITEM NO: 10.3.1
(TEAM LEADER COMMUNITY SERVICES
AND YOUTH, JESSICA WIDDOP)
(GENERAL MANAGER COMMUNITY, RICE,
SALLY)

DRAFT WELLBEING FOR ALL AGES STRATEGY - ENDORSEMENT FOR COMMUNITY COMMENT

Executive Summary

The Public Health and Wellbeing Act, 2008 (Vic) requires Councils to prepare a Municipal Public Health and Wellbeing Plan (MPHWP) within 12 months of a Council election.

The MPHWP provides a mechanism for planning, coordinating and delivering initiatives that inform understanding of, and improve local public health and wellbeing. The Plan is a municipal plan rather than Council's Plan and its development and implementation is the responsibility of a range of stakeholders. Council has an oversight and reporting role, in addition to delivering the Council specific roles and functions supporting health and wellbeing of residents and visitors.

Moira Shire's MPHWP, called the *Wellbeing for All Ages Strategy*, has been developed using the 10 priority areas from the *Victorian Public Health and Wellbeing Strategy 2019-2023*, in addition to consultation, data profiling and literature reviews.

The development of the draft Strategy has already involved extensive consultation. Through this consultation, a number of Priority Areas were identified, they are:

1. Healthy and supported communities

Moira Shire residents will have the resources, knowledge and support to live healthy, happy lives.

2. Safe, inclusive and prosperous communities

Moira Shire is a place where people feel safe, included and thrive as valued members of the community.

3. Healthy environments

All environments (natural and built) in Moira Shire encourage and support health and wellbeing.

This report recommends that the Draft Wellbeing for all Ages Strategy 2021-2025 be made available for public consultation. It is proposed that this will occur via making it available on the Moira Shire Council website for community comment. There will be public notices in the newspapers and on social media about the draft being available for review and comment.

The draft strategy will be circulated to key stakeholders to provide them an opportunity to make comment via the online form. Following this period of consultation the document will be revised and a Final Strategy will be presented to Council for endorsement.

On the endorsement of the Final Strategy an Action Plan will be developed with stakeholders and key partners. The delivery of the Action Plan will involve these numerous stakeholder and key partners working across the entire municipality. Progress against the Action Plan will be reported to Council annually, in accordance with legislative requirements.

MOTION

CRS PETER ELLIOTT / ED COX

That Council endorse the draft Wellbeing for all Ages Strategy (the Strategy) being released for a period of community consultation. (CARRIED)

FILE NO: C018/21
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.3.2
(PROCUREMENT COORDINATOR, JOVIAL
MATHEWS)
(GENERAL MANAGER COMMUNITY, RICE,
SALLY)

C018/21 - YARRAWONGA - BURRAMINE CYCLING AND WALKING TRAIL CONSTRUCTION

Executive Summary

Moira Shire Council invited submissions from suitably experienced contractors for the construction of a 13.34km cycling and walking trail from Yarrawonga to Burramine along the Murray Valley Highway Road reserve.

After consideration of the submissions, the evaluation panel recommends that contract C018/21 be awarded to O'Loughlin Excavations Pty Ltd and to add \$300,000 from cash reserves to the project budget.

Price	40%
Track Record	20%
Staff and Resources	10%
Management of Schedules	10%
Compliance with Specification	10%
Contribution to Local Economy	10%

A summary of the evaluation is provided in the confidential attachment.

MOTION

CRS PETER ELLIOTT / PETER LAWLESS

That Council:

1. Award contract C082/21 Yarrawonga – Burramine Cycling and Walking Trail Construction to O'Loughlin Excavations Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.
3. Approve the allocation of \$300,000 from cash reserves towards the project budget.

(CARRIED)

FILE NO: C016/21
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.4.1
(PROCUREMENT COORDINATOR, JOVIAL
MATHEWS)
(GENERAL MANAGER INFRASTRUCTURE,
CLOSE, ANDREW)

C016/21 - EVERIST AVENUE RECONSTRUCTION, YARRAWONGA

Executive Summary

Moira Shire Council invited submissions from suitably experienced contractors for the reconstruction of approximately 215m of urban roadway in Everist Avenue, Yarrawonga.

After consideration of the submissions, the evaluation panel recommends that Longford Civil Pty Ltd be appointed as preferred tenderer to contract C016/21.

MOTION

CRS PETER LAWLESS / ED COX

That Council:

1. Appoint Longford Civil Pty Ltd as the preferred tenderer for contract C016/21 - Everist Avenue Reconstruction, Yarrawonga;
2. Authorise the Chief Executive Officer to undertake negotiations to achieve a best value outcome; and
3. Authorise the Chief Executive Officer to sign and seal the contract documents.

(CARRIED)

FILE NO: F18/504
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 12.1
(SENIOR GOVERNANCE OFFICER, NANCY
MUSTICA)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

COUNCIL OWNED LAND

TAKE NOTICE that at the Council Meeting to be held on 25 August 2021, it is my intention to move the following motion:

CR PETER MANSFIELD

Date: 25 August 2021

MOTION

CRS PETER MANSFIELD / MARIE MARTIN

That Council undertake an audit of vacant and/or under utilised council owned land and buildings to identify opportunities for generating social and economic benefit.

(CARRIED)

FILE NO: F
4. CUSTOMER FOCUSED AND RESPONSIVE

ITEM NO: 13.1
(SENIOR GOVERNANCE OFFICER, NANCY
MUSTICA)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

PETITION - BARKING DOG

Petition

Council received a petition at the scheduled Council meeting on the 28 July 2021 regarding a barking dog complaint in Yarrawonga.

The Moira Shire Council Safety and Amenity team are currently investigating the matters raised in the petition. A report will be presented to Council at its scheduled September meeting.

Attachments

Nil

MOTION

CRS ED COX / MARIE MARTIN

That Council note the investigation into the matters raised within the petition received at the scheduled Council meeting held on 28 July 2021 is ongoing.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 15

GENERAL BUSINESS

MOTION

CRS PETER MANSFIELD / WAYNE LIMBRICK

That general business be accepted to consider providing support to NCN Health.

(CARRIED)

MOTION

CRS JULIE BROOKS / PETER LAWLESS

That Moira Shire Council support NCN in COVID testing through the free use of suitable facilities and the conditional secondment of Moira Shire Council staff with the conditions including:

- They are fully vaccinated
- Is on a voluntary basis
- Does not affect business continuity

(CARRIED)