



## MINUTES

ORDINARY MEETING OF COUNCIL HELD AT COBRAM  
CIVIC CENTRE,  
WEDNESDAY 26 MAY 2021

The meeting commenced at 3.00 pm.

<b>PRESENT</b>	Councillor Libro Mustica (Mayor)	
	Councillor Julie Brooks (Deputy Mayor)	
	Councillor Kevin Bourke	
	Councillor Ed Cox	
	Councillor Peter Elliott	
	Councillor Peter Lawless	
	Councillor Wayne Limbrick	
	Councillor Peter Mansfield	
	Councillor Marie Martin	
<b>IN ATTENDANCE:</b>	Mark Henderson	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 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

*Read by the Mayor*

### 3. ACKNOWLEDGEMENT OF COUNTRY

We, the Moira Shire Council, would like to acknowledge the traditional owners of the land upon which we meet and pay our respects to their Elders both past and present.

*Read by the Mayor*

**4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE**

Nil

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

Nil

**6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST**

Councillor Bourke declared a conflict of interest with item 10.2.2 being a perceived interest.

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**MOTION:**

CRS WAYNE LIMBRICK / ED COX

"That the minutes of the Ordinary Council Meeting held on Wednesday, 28 April 2021 and the minutes of the Special Meeting of Council held on Wednesday, 12 May 2021, as prepared, be confirmed."

(CARRIED)

**8. COUNCILLOR REPORTS**

- Councillor Mansfield attended the Murray Darling Association conference in Wentworth along with Councillor Martin.
- Councillor Bourke attended GRAIN Store event and acknowledged the progress at Power Street Nathalia.
- Councillor Elliott tabled a letter from Bruce Pigdon regarding possible acquisition of the Yarrowonga Primary School Site.
- Councillor Lawless acknowledged the number of people attending local sport.
- Councillor Martin attended Women in Local Government forum, GRAIN Store and Murray Darling Association conference.
- Councillor Cox provided an update from the Cobram East Levee Design Steering Committee.
- Councillor Brooks attended the Berrigan Shire Business Awards on behalf of the Mayor.
- Councillor Limbrick attended the National Indigenous Australian Agency meeting in Barmah and Goulburn Valley Waste and Resource Management Group meeting.
- Mayor Mustica was invited to attend the funding announcement by the Member for Northern Victoria Mark Gepp at the Cobram Primary School.

FILE NO: VARIOUS

ITEM NO: 9

### QUESTIONS FROM THE PUBLIC GALLERY

- Loddon Valley Tourist Centre at Wedderburn.
- Yarrawonga Library, Events & Performance Precinct information session location.
- Yarrawonga community conversation session.
- Clarification on further community engagement for the Yarrawonga Primary School site.
- Yarrawonga Foreshore development proposal.

FILE NO: F16/701  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.1

## QUARTERLY BUDGET REVIEW - MARCH 2021

### Executive Summary

#### Income Statement

There has been an increase in the Approved December 2020 budget surplus of \$1.25 million to a surplus of \$2.53 million in the Proposed March 2021 forecast. This is due to increased revenue (\$685k) mainly from building and planning fee income, landfill and transfer station fees and increased rates interest income. Also reduced employee costs (\$667k), and lower materials and services and other expenses (\$622k), offset by reduce capital grants income \$853k which will be recognised as income when projects are completed in 2021/22.

#### Balance Sheet

The Balance Sheet of Moira Shire continues to remain strong.

#### Cash Flow Statement

The cash position of Moira Shire continues to remain strong.

#### Capital Expenditure

There is no change to the 2020/21 Adopted Budget capital works program, the capital works forecast for March 2021 remains at \$22.79 million. In addition, a further \$25.15 million in other capital works remain, these include works commenced in 2020/21 and other capital works scoped but construction not yet commenced.

#### Financial Performance indicators

All Financial performance indicators remain within an acceptable range.

### MOTION

CRS MARIE MARTIN / ED COX

That:

1. Council notes the projections for the 2020/21 financial year contained in the March 2021 Quarterly Budget Review.
2. Council notes the Environment Upgrade Agreements quarterly performance report.

(CARRIED)

FILE NO:  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.2

**REQUEST TO DISCONTINUE AND SELL A SECTION OF RICHARDSON STREET  
NATHALIA**

**Executive Summary**

At its Council meeting on 23 March 2021 Council authorised the Chief Executive Officer to commence community consultation on the proposal and to convene a Committee of Council Meeting on 5 May 2021 to hear any person wishing to be heard in support of their written submission. This was in response to a request from an adjoining landholder to close the road with a view that they would acquire it.

Community consultation commenced on the 31 March 2021 with advertisements printed in local newspapers and a webpage developed in the 'Have Your Say' section of our website. A total of four submissions were received and a Committee of Council Meeting was held.

Following consideration of the submissions received, it is proposed that the discontinuance of the north-south section of Richardson Street not be approved.

*Councillor Bourke left the meeting at 3.33pm due to his previously disclosed conflict of interest.*

**MOTION**

CRS WAYNE LIMBRICK / JULIE BROOKS

That Council resolves to not proceed with the proposed discontinuance and sale of a portion of the north-south section of Richardson Street Nathalia, following community consultation.

(CARRIED)

*Councillor Bourke returned at 3.39pm*

FILE NO: F19/8  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

**VICTORIAN ELECTORAL COMMISSION - 2020 GENERAL ELECTION REPORT**

**Executive Summary**

The *Local Government (Electoral) Regulations 2020* requires the Victorian Electoral Commission (VEC) to deliver a report on the conduct of the Local Government General Election in Moira Shire and for the report to be provided to the Council. The VEC report for the 2020 Local Government General Election in Moira Shire is attached to this report.

**MOTION**

CRS PETER LAWLESS / ED COX

That Council note the Moira Shire Council 2020 General Election Report prepared by the Victorian Electoral Commission.

(CARRIED)

FILE NO: D19/80950  
4. A WELL RUN COUNCIL

ITEM NO: 10.2.4

## REPLACEMENT OF LAPTOPS AND MONITORS

### Executive Summary

Moira Shire Council requested quotes from suitably qualified organisations for the replacement of 115 laptops and 45 monitors. The equipment being replaced is all end of life.

The equipment will be purchased utilizing the Victorian State Government Contract *End User Computing Equipment Panel* – contract reference number DPC-SPC-01-2018. Purchasing via the State Government contracts means Council does not need to go to tender. Equipment will be placed on our lease with Equigroup (CBA) and replacing currently leased items.

Quotes were received from 4 vendors;

- Dell Australia Limited
- HP (from Southern Cross Computing)
- HP (from LWT systems)
- Fujitsu (from Computer Now)

Each vendor was asked to quote for exactly the same specification of equipment and services.

### MOTION

CRS JULIE BROOKS / PETER LAWLESS

That Council award the quotation to Dell Australia Limited for the replacement of IT equipment (laptops and monitors).

(CARRIED)

FILE NO: F  
4. A WELL RUN COUNCIL

ITEM NO: 10.3.1

## COMMITMENT TO THE GOULBURN MURRAY REGIONAL PROSPERITY PLAN

### Executive Summary

The Goulburn Murray Regional Prosperity Plan (the Plan) has been developed to guide, stimulate and ensure accountability to drive economic inclusion of Aboriginal people in the Goulburn Murray Region.

The Plans vision is to achieve an *“additional \$150 million Gross Domestic Product per annum by 2036 for the Goulburn Murray region through the inclusion, prosperity and shared value of First Nations people.* The Plan has been developed with six strategic themes, each of which have a prosperity goal. The strategic themes are:

1. Opportunities through culture and shared value;
2. Building Enduring relationships;
3. Goulburn Murray as a region of the future;
4. Accelerating enterprise and leadership development;
5. Skills and pathways for the future; and
6. A thriving community with strong foundations.

Now that the Plan has been finalised the opportunity exists for organisations to signal their commitment to it and in doing so pledge to building a long-term partnership that will deliver mutual respect and significant employment and business opportunities for the Aboriginal community of the Goulburn Murray Region. This report recommends that Council Authorise the CEO to pledge Council as a signatory to the Goulburn Murray Regional Prosperity Plan Statement of Intent.

### MOTION

CRS MARIE MARTIN / PETER LAWLESS

That Council authorise the CEO to pledge Council as a signatory to the Goulburn Murray Regional Prosperity Plan Statement of Intent.

(CARRIED)



FILE NO:  
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.2

## ECONOMIC DEVELOPMENT PROJECT FUND

### Executive Summary

The purpose of this report is to seek Council's approval for the Economic Development Project Fund and Guidelines.

The Economic Development Project Fund supports economic development, investment and employment opportunities in Moira Shire. Funding is provided for initiatives and infrastructure that increase employment by supporting the establishment of new businesses or growing existing businesses within the municipality.

The proposed guidelines aim to provide clarity, transparency and accurate acquittal for the funds provided to businesses. They will also assist businesses with the application process via the Smarty Grants system.

### MOTION

CRS PETER MANSFIELD / KEVIN BOURKE

That Council approve the Economic Development Project Fund and Guidelines.

(CARRIED)

FILE NO:  
2. A THRIVING LOCAL ECONOMY

ITEM NO: 10.3.3

## PROPOSED DESIGNATED AREA MIGRATION AGREEMENT (DAMA)

### Executive Summary

Businesses in the Goulburn Valley (GV) region are experiencing sustained difficulties recruiting skilled Australian workers. This situation is restricting economic growth within the region. Council has a number of initiatives in place to boost the skills of residents and attract locals to certain occupations, however these initiatives cannot address medium term workforce needs.

A Designated Area Migration Agreement (DAMA) is an agreement between the Federal Government and Councils within a region. DAMAs allow for specific migration to address skills and labour shortages.

In early 2020 Moira, Shepparton and Campaspe Councils engaged SED Advisory to prepare a Business Case and Submission to the Federal Government, to obtain a DAMA for the combined area of the three municipalities, i.e. the Goulburn Valley (GV) region.

The proposed DAMA would provide employers with a mechanism to fill medium term skilled labour shortages and supplement current skill development and workforce attraction programs.

Council's approval is sought to participate in an application to the Federal Government to establish a DAMA in partnership with Greater Shepparton City and Campaspe Shire Councils.

### MOTION

CRS PETER LAWLESS / ED COX

That Council:

1. agree to participate, including making a financial contribution, in an application to the Federal Government to establish a Designated Area Migration Agreement in partnership with Greater Shepparton City Council and Campaspe Shire Council; and
2. authorise the CEO to provide a letter of support as part of the application process.

(CARRIED)

FILE NO: F19/426  
1. A GREAT PLACE TO LIVE

ITEM NO: 10.4.1

## WAAIA DUST SUPPRESSION SPECIAL CHARGE SCHEME

### Executive Summary

As part of the 2019/20 budget deliberations, Council at a Special Meeting held on the 12 June 2019 considered a request received from a property owner in Railway Street, Waaia requesting a dust suppressant seal on North, Fitzgerald and Railway Streets Waaia to bring it in line with the rest of the streets in Waaia. The works were estimated to cost \$100,000.

Council resolved to contribute \$50,000 to seal the streets and to consult with the property owners / likely contributors to see if there is sufficient support to develop a Special Charge Scheme to fund the other 50% of the cost of the works.

Two surveys of the property owners have since been conducted. Based on the results of the surveys and a follow up information session with Council officers, a majority of the abutting property owners have expressed that they do not support an implementation of a Special Charge Scheme to fund the works.

Majority of landowners are in support of the dust suppressant seal treatment of North, Fitzgerald and Railway Streets at full cost to Council.

### MOTION

CRS ED COX / PETER LAWLESS

That Council:

1. Does not proceed with the implementation of a Special Charge Scheme to construct a dust suppressant seal treatment on North, Fitzgerald and Railway Streets, Waaia; and
2. Notify affected residents of the decision regarding the sealing of the streets in Waaia and thank them for their time and effort in replying to the survey.

(CARRIED)

FILE NO: F21/6  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.2

## ROAD MANAGEMENT PLAN REVIEW

### Executive Summary

This report seeks Council's adoption of the final draft amendments to the Council's Road Management Plan.

The final draft amendments have been made following the completion of the public consultation period inviting members of the public that felt aggrieved by the proposed amendments to the Road Management plan to make a written submission under Regulation 10 of the Road Management (General) Regulations 2016. The period for the public to make a submission was open until 5pm 30 April 2021.

No submissions were received from the public. Council officers completed a final review of the draft amendments to the Road Management Plan and made an alteration to clarify the risk rating for tree limbs protruding into the traffic lane were made to the draft amendments. The Road Management Review Report has also been updated to include a summary of the last round of public consultation.

A further public notice will be published in the Government Gazette and local newspapers advising Council's adoption of its amended Road Management Plan. The public notice will also advise that copies of the Council's adopted Road Management Plan and Road Management Plan Review Report will be made available for public inspection at Council's Offices and on Council's Website.

### MOTION

CRS KEVIN BOURKE / PETER LAWLESS

That Council:

1. Adopt the final draft amendments to the Council's Road Management Plan.
2. Authorise the Chief Executive Officer to:
  - a. give public notice advising of Council's adoption amendments to the Council's Road Management Plan in accordance with Regulation 13 of the of the Road Management (General) Regulations 2016;
  - b. make a copy of the adopted Council's Amended Road Management Plan and a copy of the Road Management Plan Review Report available for public inspection in accordance with Regulation 9(2) of the Road Management (General) Regulations 2016.

(CARRIED)

FILE NO: C003/21  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.3

## **C003/21 - SUPPLY AND DELIVERY OF OUTDOOR UNIFORM**

### **Executive Summary**

Moira Shire Council invited submissions to supply and deliver Council's staff with a professional range of corporate outdoor uniform and personal protective clothing.

After consideration of the submissions, the evaluation panel recommends that contract C003/21 be awarded to Worklocker Cobram.

### **MOTION**

CRS MARIE MARTIN / PETER ELLIOTT

That Council:

1. Award the contract for C003/21 Supply and Delivery of Outdoor Uniform to Worklocker Cobram.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

(CARRIED)

FILE NO: C009/21  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.4

## **C009/21 - PUNT ROAD KINDERGARTEN EXTENSION**

### **Executive Summary**

The Moira Shire Council invites submissions from suitably qualified contractors for the extension of the Punt Road Kindergarten located in Cobram.

After consideration of the submissions, the tender evaluation panel recommends that contract C009/21 be awarded to Crow Constructions Pty Ltd.

### **MOTION**

CRS ED COX / PETER LAWLESS

That Council:

1. Award the contract for C009/21 Punt Road Kindergarten Extension to Crow Constructions Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

(CARRIED)

FILE NO: C008/21  
4. A WELL RUN COUNCIL

ITEM NO: 10.4.5

**C008/21 - RISING MAIN RENEWAL, GEMMELL STREET, COBRAM**

**Executive Summary**

Moira Shire Council invited submissions from suitably qualified civil construction contractors for storm water drainage works from the Gemmell Street pump station in Cobram.

After consideration of the submissions, the evaluation panel recommends that contract C008/21 be awarded to Longford Civil Pty Ltd.

**MOTION**

CRS ED COX / PETER LAWLESS

That Council:

1. Award the contract for C008/21 Rising Main Renewal, Gemmell Street, Cobram to Longford Civil Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 15

**GENERAL BUSINESS****MOTION**

CRS PETER MANSFIELD / PETER LAWLESS

That general business be accepted.

(CARRIED)

Illegal Tobacco

**MOTION**

CRS MARIE MARTIN / ED COX

That Council look to find ways to bring the saga to a head.

(CARRIED)

Brumby Management

**MOTION**

CRS WAYNE LIMBRICK / KEVIN BOURKE

That the Moira Shire Council strongly object to the shooting or any other killing of brumbies in the Barmah National Park. Further that we support the work of the Barmah Brumbies preservation group in establishing a safe haven for the brumbies and ask for the quota of brumbies proposed to be removed from the National Park in year one of management plan be trapped and be moved to a sanctuary as matter of urgency and further that the Moira Shire Council confirm its position to the Minister for Energy and Climate Change.

(CARRIED)

**MOTION**

CRS MARIE MARTIN / PETER LAWLESS

That Council organise a morning tea for Mac Inc.

(CARRIED)

**MOTION**

CR ED COX

That our next Council meeting be brought forward by one hour from the normal time.

(CARRIED)

**MEETING CLOSE: 4.36PM**