



MINUTES

**SCHEDULED MEETING OF COUNCIL HELD AT COBRAM
CIVIC CENTRE, PUNT ROAD COBRAM VIC 3644,
WEDNESDAY 27 JULY 2022**

The meeting commenced at 5.00 PM.

PRESENT Councillor Libro Mustica (Mayor)
Councillor Peter Lawless (Deputy Mayor)
Councillor John Beitzel
Councillor Julie Brooks
Councillor Peter Elliott
Councillor Judy Heather
Councillor Wayne Limbrick
Councillor Peter Mansfield

IN ATTENDANCE: Clare Keenan Chief Executive Officer
Josh Lewis Director Infrastructure Services
Brant Doyle Director Corporate Governance and Performance
Matt Jarvis Chief Financial Officer
Amanda Chadwick Manger Governance & Performance
Nancy Mustica Senior Governance Officer
Bobby Brook Executive Assistant – Mayor and Councillors
Marg Allan Municipal Monitor

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. 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

Read by the Mayor.

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.

Read by the Mayor.

4. APOLOGIES / LEAVE OF ABSENCE

Councillor Ed Cox (leave of absence until 31 July 2022)

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

Nil

6. DISCLOSURE OF CONFLICTS OF INTEREST

CEO Clare Keenan declared a direct conflict of interest in item 18.2.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS JULIE BROOKS / JOHN BEITZEL

"That the minutes of the Scheduled Council Meeting held on Wednesday, 22 June 2022, as prepared, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

- Councillor Julie Brooks reported on the homelessness stakeholder discussion.
- Councillor Peter Elliott also reported on the homelessness stakeholder discussion and the Sacred Heart Yarrawonga luncheon.
- Councillor Peter Mansfield reported on his attendance at the Murray Darling Basin Authority briefing in relation to the restrictions at the Barmah Choke and the MDBA general meeting.
- Councillor Wayne Limbrick reporting on the homelessness stakeholder discussion, presented at the Numurkah Probus club and was a judge at the Strathmerton Lions Club Public Speaking Competition. Also attended a site meeting at Ryan's Abattoirs and reported on the Audit & Risk Committee meeting and thanked Fred Douglas for his leadership and chair. Congratulated council staff and businesses on everyone's efforts on the \$1 Discovery Weekend and attended the Environmental Sustainability Advisory committee meeting to review the Emissions Strategy.
- Councillor Peter Lawless attended the Sacred Heart Yarrawonga mass and luncheon and official opening of the Tungamah Football/Netball rooms. Invited to the Rotary change over dinner and also attended the homelessness stakeholder discussion.
- Councillor Judy Heather attended the Murray Darling Basin Authority general meeting, the Tungamah Football/Netball rooms, the homelessness stakeholder discussion and participated in the Yarrawonga Reconnect luncheon.

9. OFFICERS REPORTS

CORPORATE, GOVERNANCE AND PERFORMANCE

Changing Gears

With many of our staff approaching their retirement, Council held a two-day 'changing gears' workshop, which was attended by 17 staff members. Staff received advice, support and tools around work and retirement. The workshop was followed by one on one sessions with a life planning consultant, Centrelink and superannuation representatives. Participants were positive about this support to transition into a new phase of life.

Recruitment

During June, Council actively recruited 23 positions, including three information technology positions. Seven new employees commenced to fill vacancies in six departments.

IT projects

Council has commenced the implementation of two software programs, Safety Champion and SurePact.

The Safety Champion program will support Council to manage its workplace health and safety system. It allows all workers and supervisors to play an active role in health and safety, and to ensure Council is managing its health and safety system effectively.

SurePact will ensure Council minimises risk in project management and delivery, ensuring compliance, delivery on time and efficient delivery of Council's budget. SurePact provides real time analytics and reporting.

Pandemic workforce implications

The Pandemic continues to cause workforce challenges for Council, and in particular, over the past month, and during the current outbreak, we have seen an escalation in staff accessing special COVID leave.

Customer Experience

With rates notices going out, we received 400 rates enquiries, with 85% of these enquiries resolved at first point of contact with the customer experience team. In total, we managed 3,683 customer requests via the call centre and online systems.

CHIEF FINANCIAL OFFICER

Annual Rate Notices for 22/23 – Annual Valuation

Annual rate notices for the 22/23 financial year are due to be distributed to ratepayers over the coming days. This is the first opportunity to communicate individual property values to ratepayers.

As per the Council budget adopted last month, property valuations within the Shire have increased on average by 29%. However, because of the rate cap, this does not lead to additional rates revenue, as shown by a 20% reduction in the rate in the dollar levied compared to last year.

In complying with the 1.75% rate cap, some ratepayers will receive rate increases greater than the cap while others will have decreases or relatively no change – it is all dependent on the individual valuation movements. As rates are a wealth tax, property valuations (the representation of that wealth) significantly influences how much each property pays in rates.

Property valuations are undertaken annually by the Valuer-General Victoria. Ratepayers who disagree with their property valuation can lodge objections with the Valuer-General. Refer to Council's website for more details.

Ratepayers who own multiple properties in different municipalities often at this time ask why, for example, the rates on their property in Melbourne are lower than their rates in Moira Shire. A straight comparison of rate notices between different councils is understandable but does not provide a complete picture.

Factors such as population density and the size of the municipality can help explain such differences. For example, data from the Know Your Council website shows Moira Shire is responsible for up to 10 times the length of road assets of a Melbourne Metro Council but has 36 times less the population per kilometre of road. The same data also shows the Melbourne Metro Council collecting up to 280 times more rates revenue per square kilometre compared to Moira Shire. Simply put, a large rural shire has more area to provide services and infrastructure with less ratepayers to contribute to the cost.

Lastly, it is important to highlight that any ratepayers experiencing financial hardship are encouraged to make contact with Council to discuss available options.

INFRASTRUCTURE SERVICES

COUNCIL WORKSITES

I would like to take a moment to remind everyone to exercise caution in and around Council worksites.

The safety of our staff, contractors and community is paramount and we urge everyone to remain vigilant and adhere to any signage and direction when travelling around or through one of our worksites.

Being able to safely and efficiently manage our worksites is in everyone's interest and I actively encourage feedback should our community observe any opportunities in relation to how our Council worksites are managed.

PROJECT UPDATE

Council has already delivered \$300,000 of its capital works with a further \$11.6M having been committed.

Project highlights include:

- Completion of the Barmah boat ramp with a final seal to be applied once the weather warms up
- Everest Street kerb & channel in Yarrawonga has been completed with the exception of a final seal which is again scheduled for when weather is favourable
- Cobram pedestrian crossings – all 4 crossings within the township have now been completed.

10. PUBLIC QUESTION TIME

Nil

FILE NO: F21/17
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.1
(CHIEF EXECUTIVE OFFICER, CLARE
KEENAN)
(CHIEF EXECUTIVE OFFICER, CLARE
KEENAN)

RESPONSE TO MONITOR'S ADVICE

Executive Summary

Following the CEO raising her concerns with the then Minister for Local Government, Shaun Leane, regarding her inability to comply with her legislated workplace health and safety responsibilities, the Minister appointed a Municipal Monitor to Moira Shire Council. The Monitor has provided 11 points of governance advice to Council, for which Officers have formulated actions, which will give effect to this advice.

MOTION

CRS PETER LAWLESS / PETER ELLIOTT

- Officers recommend that Council notes the advice of the Municipal Monitor and endorses the actions to give effect to the advice.
- That Council thanks the Municipal Monitor for her recommendations.

(CARRIED)

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

ITEM NO: 11.2.1
(COMMERCIAL SERVICES COORDINATOR,
BRUCE BERG VON LINDHE)
(CHIEF FINANCE OFFICER, MATT JARVIS)

POLICY REVIEW - CONTRIBUTION TO FENCING COSTS

Executive Summary

The Contribution to Fences Policy has undergone a significant review and serves to provide the procedural framework for requests for Council to share fencing costs with adjoining property owners.

The current policy introduces a number of terms and contains a number of obligations in regard to Crown Land and freehold land which are inconsistent with the Fences Act 1968 (the Act) and which place additional obligations on Council not contained in the Act. The proposed draft is more aligned with the Act through the removal of these inconsistencies and provides clarity on the circumstances which Council will/will not share fencing costs.

MOTION

CRS PETER LAWLESS / WAYNE LIMBRICK

That Council adopt the revised Contribution to Fencing Costs Policy.

(CARRIED)

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

ITEM NO: 11.3.1
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE GOVERNANCE
AND PERFORMANCE BRANT DOYLE)

ASSEMBLIES OF COUNCILLORS FOR JUNE 2022

Executive Summary

The purpose of this report is to detail the Assemblies of Councillors held in June 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 PETER ELLIOTT / JULIE BROOKS

That Council receive and note the record of Assemblies of Councillors for June 2022:

(CARRIED)

FILE NO: F13/203
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

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

**APPOINTMENT AND AUTHORISATION OF COUNCIL OFFICERS UNDER THE
PLANNING AND ENVIRONMENT ACT 1987**

Executive Summary

This report seeks Council's approval of the attached Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) to reflect recent staff appointments and departures.

The appointments are necessary to ensure specific Council officers are appropriately authorised to undertake functions under the *Planning and Environment Act 1987*, including inspections and enforcements.

MOTION

CRS WAYNE LIMBRICK / PETER LAWLESS

That Council resolves;

1. the members of Council staff referred to in the Instrument of Appointment and Authorisation, be appointed and authorised as set out in the Instrument; and
2. the Instrument be sealed with the Common Seal of Council; and
3. the Instrument come into force immediately following the seal being affixed to the Instrument, and remains in force until Council determines to vary or revoke it; and
4. upon the Instrument coming into force, the Instrument of Appointment and Authorisation to members of Council staff, as made by Council on 2 February 2022, is revoked.

(CARRIED)

FILE NO: 1
1. A WELCOMING AND INCLUSIVE PLACE

ITEM NO: 11.4.1
(DIRECTOR SUSTAINABLE COMMUNITIES,
SALLY RICE)
(DIRECTOR SUSTAINABLE COMMUNITIES,
SALLY RICE)

FUNDRAISING FOR THE FURNITURE AND FIT OUT OF THE YARRAWONGA LIBRARY

Executive Summary

Moira Shire has awarded the contract for the construction of the Yarrowonga Library, Events and Performance precinct. During the construction phase the procurement of the furniture and fit out of the library will be undertaken.

Moira Shire Council, Strathbogie Shire Council and Greater Shepparton City Council all deliver library services through Goulburn Valley Libraries (GVL). Facility improvements are undertaken as required and on a regular basis. Occasionally large projects are delivered to improve the quality of libraries in the Goulburn Valley region. For example a new library was built in Cobram in 2016 and a renovation and upgrade of the Tatura library occurred in 2020.

Both of these large projects included an element of community fundraising to finance the loose furniture and fit out of the libraries operational spaces. GVL have led these community fundraising efforts on behalf of the individual council and they have worked closely with a fundraising committee and prominent members of the community as project champions.

The library design architects have itemised and specified the furniture and fit out required for the library site. Their recommendations have been used to prepare a fundraising target. This target is \$230,000.

This report recommends that Council set a fundraising target of \$230,000 and request GVL to facilitate and lead the community fundraising for the furniture and fit out for the new Yarrowonga library.

MOTION

CRS JULIE BROOKS / PETER MANSFIELD

That Council:

1. set a fundraising target of \$230,000 for the new Yarrowonga Library; and
2. request Goulburn Valley Libraries to facilitate community fundraising for the furniture and fit out for the new Yarrowonga library.

(CARRIED)

FILE NO:
3. A CLEAN GREEN ENVIRONMENT

ITEM NO: 11.4.2
(MANAGER SUSTAINABILITY, SCOTT
DRAPER)
(MANAGER SUSTAINABILITY, SCOTT
DRAPER)

**MAINTAINING THE COMMUNITY VOICE IN THE CIRCULAR ECONOMY:
ESTABLISHMENT OF THE LOCAL GOVERNMENT STATE-WIDE WASTE FORUM**

Executive Summary

Late in 2021 the State government introduced legislation that dissolved the regional waste management groups effective from 1 July 2022. The Statewide Forum recognised the benefits of regional collaboration between local governments including for delivering effective services, achieving efficiencies of scale, sharing expertise, advocating for better policy and legislation, education and procurement. The state-wide forum noted that the WRRGs have provided an effective mechanism for regional collaboration between councils.

The statewide forum would like to formalise the new Forum so that beyond 1 July 2022 there continues to be a structure for ongoing collaboration for Councils on a regional and state-wide level. To facilitate this the state wide forum are proposing that each Council endorses a supporting motion and appoints a representative to participate.

MOTION

CRS PETER LAWLESS / WAYNE LIMBRICK

That Council:

1. Endorse the supporting motion from the State Wide Waste Forum.
2. Appoint Cr Wayne Limbrick as Council's representative on the Recycling and Waste Matters new forum.

(CARRIED)

FILE NO: C005/22
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.5.1
(PROCUREMENT COORDINATOR, JOVIAL
MATHEWS)
(DIRECTOR INFRASTRUCTURE SERVICES
JOSHUA LEWIS)

C005/22 - LEVEE BANK STRENGTHENING - SMITH STREET NATHALIA

Executive Summary

The Moira Shire Council invited submissions from suitably qualified Contractors for levee bank strengthening works in Nathalia. The section of levee bank is located on the Northern edge of Nathalia commencing at Smith Street with works extending approximately 400 metres in an Easterly direction.

After consideration of the submissions, the evaluation panel recommends that contract C005/22 be awarded to Murray Valley Piling Pty Ltd.

MOTION

CRS WAYNE LIMBRICK / JOHN BEITZEL

That Council:

1. Award the contract for C005/22 – Levee bank strengthening - Smith St Nathalia to Murray Valley Piling Pty Ltd;
2. Authorise the Chief Executive Officer to sign and seal the contract documents; and
3. Assign Murray Valley Piling Pty Ltd as the Principal Contractor for undertaking the project.

(CARRIED)

FILE NO: C011/22
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.5.2
(PROCUREMENT COORDINATOR, JOVIAL
MATHEWS)
(DIRECTOR INFRASTRUCTURE SERVICES
JOSHUA LEWIS)

C011/22 - ANNUAL SUPPLY OF ASPHALT PRODUCTS AND BITUMINOUS EMULSIONS - PANEL

Executive Summary

Moira Shire Council invited submissions from suitably qualified organisations for the supply and delivery of asphalt products and bituminous emulsion to the Moira Shire Council at various locations.

After consideration of the submissions, the evaluation panel recommends that contract C011/22 – Annual Supply of Asphalt Products and Bituminous Emulsions be awarded to the following tenderers as follows:

Asphalt Products:

- Downer EDI Works Pty Ltd
- David Sessions Pty Ltd
- Rich River Asphalt Pty Ltd

Emulsion Products

- Downer EDI Works Pty Ltd
- Rich River Asphalt Pty Ltd
- Fulton Hogan Industries Pty Ltd

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

MOTION

CRS PETER LAWLESS / JUDY HEATHER

That Council:

1. Award panel contract C011/22 – Annual Supply of Asphalt Products and Bituminous Emulsions to the following tenderers:
 - Downer EDI Works Pty Ltd
 - Rich River Asphalt Pty Ltd
 - Fulton Hogan Industries Pty Ltd (Emulsion Products Only)
 - David Sessions Pty Ltd (Asphalt Products Only)
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: F
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 14.1
(SENIOR GOVERNANCE OFFICER, NANCY
MUSTICA)
(CHIEF EXECUTIVE OFFICER, CLARE
KEENAN)

NOTICE OF MOTION CR JUDY HEATHER

TAKE NOTICE that at the Council Meeting to be held on 27 July 2022, it is my intention to move the following motion:

Judy Heather

Date: 27 July 2022

That council advocate the State and Federal Governments to increase biosecurity measures for travellers entering Australia from countries that have foot and mouth disease, to protect our livestock industry from the highly infectious disease.

CRS JUDY HEATHER / WAYNE LIMBRICK

(CARRIED)

FILE NO: VARIOUS

ITEM NO:

GENERAL BUSINESS

Nil

The Mayor stated at 5:55PM: this now concludes our open Council Meeting, for those watching via live stream. On behalf of Council I would like to thank our community for participating in our meeting. Please stay safe and good night.

FILE NO: VARIOUS

ITEM NO:

MEETING ADJOURNMENT

MOTION

CRS JOHN BEITZEL / PETER LAWLESS

That the meeting be adjourned for 10 minutes.

(CARRIED)

MOTION

CRS PETER MANSFIELD / WAYNE LIMBRICK

That the meeting be resumed.

(CARRIED)

MOTION

CRS PETER MANSFIELD / WAYNE LIMBRICK

That pursuant to the provisions of the Local Government Act 2020 (the Act), the meeting will now be closed to members of the public to enable the meeting to discuss matters in items 18.1 and 18.2 which the Council may, pursuant to the provisions of Section 66 (2) of the Act resolve to be considered in closed session.

(CARRIED)

MOTION

CRS WAYNE LIMBRICK / PETER LAWLESS

That the recommendations of the "Closed" Meeting of Council be adopted.

(CARRIED)

CLOSE OF MEETING: 6.08 PM