



MINUTES

SCHEDULED MEETING OF COUNCIL HELD AT
NATHALIA SPORTS AND COMMUNITY CENTRE
DANCOCKS ROOM 42 ROBERTSON ST, NATHALIA VIC
WEDNESDAY 27 MARCH 2024

The meeting commenced at 4.30pm.

PRESENT Chair Administrator John Tanner AM
Administrator Suzanna Sheed AM
Administrator Graeme Emonson PSM

IN ATTENDANCE: Mr Matthew Morgan - Chief Executive Officer
Mr Josh Lewis - Director Infrastructure
Mr Scott Williams - Director Community
Mr Matt Jarvis - Director Corporate Governance
Mr Bryan Sword - Director Sustainable Development
Ms Amanda Chadwick - Executive Manager Governance & Performance
Ms Nancy Mustica - Acting Manager Governance and Performance

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. DISCLOSURE OF CONFLICTS OF INTEREST

Chief Executive Officer Matthew Morgan declared a conflict of interest with 10.2.8 Appointment of Interim Independent Member to the CEO Employment and Remuneration Committee.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That the item listed as 10.2.1 Funding Opportunity – Regional Community Sports Infrastructure Fund on the agenda be considered before item 6 on the agenda.

(CARRIED)

10.2.1 FUNDING OPPORTUNITY – REGIONAL COMMUNITY SPORTS INFRASTRUCTURE FUND

Executive Summary

The Regional Community Sports Infrastructure Fund (RCSIF), administered by Sports and Recreation Victoria (SRV), represents an opportunity for Council to secure necessary funding for the enhancement and development of local sports and recreation facilities.

Under round 1 of the RCSIF, Council Officers are seeking endorsement to submit applications for three projects:

- Kennedy Park, Yarrawonga, development of an all-abilities regional park with an accessible play space and facilities;
- Cobram Apex Reserve Lighting Project; and
- Resurfacing of the Waaia Netball/Tennis Courts.

These projects are critical to addressing the growing demand for accessible, safe, and modern sports and recreation facilities within the municipality. Each project aligns with Council's strategic objectives of promoting health, well-being, and social cohesion through sports and recreation. They are also the subject of business cases, currently being developed as part of the 2024/2025 financial year budget cycle.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council:

1. Note the funding opportunity with Sports and Recreation Victoria under the repurposed \$60m Commonwealth Games fund – Regional Community Sports Infrastructure Fund; and
2. Endorse the grant funding applications for the Cobram Apex Reserve Lighting project and the Resurfacing of the Waaia Netball/Tennis Courts project under round one of the Regional Community Sports Infrastructure Fund.
3. Postpone consideration of the Kennedy Park, Yarrawonga All-Abilities Regional Park project and list this as a potential for round two of the Regional Community Sports Infrastructure Fund when detailed design and quantity surveyor costings have been completed.

(CARRIED)

6. ACKNOWLEDGEMENT OF ORDER OF AUSTRALIA MEDAL RECIPIENT

SUSPENSION OF STANDING ORDERS

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That standing orders be suspended to acknowledge the Order of Australia Medal Recipient.

(CARRIED)

Presentation of certificate to OAM Recipient – Lyn Franklin.

RESUMPTION OF STANDING ORDERS

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Standing Orders be resumed.

(CARRIED)

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That the minutes of the Scheduled Council Meeting held on Wednesday, 28 February 2024, as presented, be adopted.

(CARRIED)

8. ADMINISTRATORS ADDRESSES

Chair Administrator John Tanner AM

This is the first council meeting in a number of years that has been held outside of Cobram. There is a program that has already been released to the public, in regards to future council meetings, being held across the community from Cobram, Yarrawonga and Numurkah.

Administrators have attended the Rural Councils of Victoria gathering in Melbourne where they had the opportunity to present a number of matters both to the Premier and the Minister for Local Government.

Employee awards were carried out over the past four weeks

We have had meeting with Murray River Group of Councils, particularly on the advocacy for buybacks and we are concerned within our communities on the impact that will have going forward. Two matters for Moira that we raised in that group was road safety which is something we have taken a lead on.

We also had meetings with TAC and this was in regards to the broader issue of road safety but in particular we focused on the opportunities upon us to be engaged with the AFL affiliated clubs within Moira and the opportunity for them to be involved in the road safety program and

we look forward to expanding on that next month in April. It is a great opportunity for our leaders in the football sector to be involved in the cause of road safety.

I went to a morning tea at the Cobram community house to celebrate cultural diversity. It was an amazing story from Joe Raco and his story about arriving in Fremantle from Italy when he was 14. The interesting part about it was he was by himself. His father was already in Cobram by that stage, and the next week he started working.

Moving on to as recently this morning we had the great pleasure to be hosting the Commissioner for Cross Border of Victoria newly appointed Brett Davis. Commissioner Davis addressed a number of stakeholders across the municipality and broader in regards to the Mayor of the Campaspe Shire and also the Berrigan Shire. So I think it highlights that we are a community of players despite the river separating us. So we will be working closely with commissioner Davis as we go forward particular on advocacy that involves our community that involves health and education.

As I finish my report I would like to recognize Mr. Josh Lewis here this evening, one of our Executive Directors who is resigning from Council next week. I have had the opportunity to work with Josh as an Acting CEO for 8 months, particular in those challenging days when I didn't have the Panel of Administrators. Mr. Lewis was in the acting role of CEO and shall I say Josh we achieved a lot in those days in very challenging times, and I will always appreciate way you conduct your business and your professionalism. We wish you well.

Administrator Suzanna Sheed AM

There have been many meetings celebrations and activities during the course of March and I will speak to some of them.

International Women's Day was celebrated across the Shire in many ways and I was very pleased to have the opportunity to meet and speak with the members of our local Cobram CWA with over 100 people in attendance also with local staff and of course several other international Women's Day events.

Rural Councils Vic

I was pleased to be invited as a guest speaker at the Rural Councils Victoria event in Melbourne to speak up on the importance of advocacy by our rural councils to both state and federal governments. This was followed by a meeting with parliamentary representatives at parliament and included an address from the Premier of Victoria, the Minister For Local Government and Minister For Regional Victoria.

The Baala festival in Numurkah was held on the banks of the Broken Creek on what was a beautiful sunny Saturday and was very well attended by the local community and many visitors. It was fantastic to see so many local displays and also the musical contribution from many of our young local musicians.

Numurkah Bowling Club

I was delighted to meet with the president and executive of the Numurkah Bowling Club recently, to look over their grounds and premises and to hear their plans for further improvements to the clubhouse.

Clubs such as these provide wonderful opportunities in relation to health and fitness but also, very importantly, the social connection needed for good mental health for its members and the broader community.

Numurkah Aquatic and Fitness Centre

Just this week I visited the centre to observe it in operation. There were young mothers with preschool children taking swimming lessons and older members of the community using the heated pool for exercise and rehabilitation. Having a heated swimming pool is a wonderful benefit to the town together with the gym, squash courts, and fitness classes however the facility now at capacity.

Water

I recently met with the Victorian Minister for Water the Honorable Harriet Shing in relation to the continuing rollout of the Murray darling basin plan and its impacts on our communities in northern Victoria. As each state grapples with the impacts of the recent federal legislation bringing back buybacks, we will need to work closely with the Victorian government to do everything possible to reduce the impacts on our local communities.

Libraries

I feel very honored to have been recently appointed as the chair of Goulburn Valley libraries. I look forward to visiting every library throughout our Goulburn region and here within the Moira Shire to better understand their needs and the services they provide to the community. There is so much more that our libraries now offer, and it is important that that message gets out to our broader community.

Administrator Graeme Emonson

I had the opportunity to meet with representatives of the Yarrawonga Cricket Association at Victoria Park on 14 March. This was an excellent opportunity to discuss the Association's plans to extend the junior cricket oval to enable two pitches to function concurrently, and to relocate the existing practice nets to allow for the oval extension. Council officers are working with the Association to advance designs and costings to enable future consideration for potential grant funding for the project.

A second meeting of key stakeholders with an interest in the significant erosion of the Murray River bank adjacent to the Yarrawonga Holiday Park was held on 26 March. Progressive erosion of the river bank at this site is causing significant concerns for the protection of infrastructure and the safety of the community. Unless the erosion is abated, significant impact to the operations of the Yarrawonga Holiday Park is expected. Abatement and remediation of the erosion is complex given the erosion is occurring on the border of Victoria and NSW, and that there are multiple stakeholders with land tenure interests. The group intends to meet again in approximately 6 weeks to progress actions.

Earlier this afternoon, Administrators had the opportunity to tour the Cobram Police station facilities. These facilities have served the community well but are reaching a stage where investment is required to ensure the facilities are contemporary and fit for the future. We thank local Cobram Police for providing us with a firsthand view of the facilities and we look forward to continuing to work closely with local police as key partners.

9. EXECUTIVE REPORTS

Mr Matthew Morgan – Chief Executive Officer

ORGANISATIONAL MATTERS

In the last month we held the Staff Service Awards where we recognised the contributions of staff to Council and Community with many staff receiving 5, 10, 15, 20 year service awards, and a particularly special mention to Amanda Chadwick who is with us this evening who received a 25 year service award.

I'd like to acknowledge the contributions of Josh Lewis, Director Infrastructure who leaves us on Friday 5 April. Josh has been with Council for over 2 years and in that time has performed his substantive role of Director Infrastructure as well as stepping up as Acting CEO while the commission of inquiry was underway for an extended period. Josh and his people focused approach will be missed, however we will wish him all the best for the future endeavors.

Recruitment is actively continuing across the organisation as we look to fill vacancies, particularly at the Management level.

MAJOR PROJECTS

A review of our major projects and particularly our internal structures and capacity to deliver major projects has been a focus of the past month. Council has been provided with a report this month in relation to the Yarrowonga Library, Entertainment and Performance Precinct Project (YLEPP) and will also receive a financial reforecast for the project at the April meeting.

Updates on the Yarrowonga Multi-Sport Stadium and the Numurkah Flood Levy, Council's other major projects will be provided at the April Council meeting.

EXTERNAL ENGAGEMENT

Over the past month as CEO I've met with representatives from a range of community groups, organisations and businesses across the district including to build local knowledge across the district but also to understand opportunities for collaboration, joint work or gaps that exist in areas within the community.

I was also able to attend various regional meetings including:

- Goulburn Valley Regional Partnership (1 March 2024) - Tatura - (Primarily around MDB Plan)
- Rural Councils Victoria Meeting and visit to Parliament House (5 March 2024) - Melbourne (Primarily around government advocacy)
- Murray River Group of Councils (7 March 2024) - Kerang (Primarily around regional matters including water buy-backs and advocacy approaches)

Mr Josh Lewis – Director Infrastructure Services

Resealing across Council's local road network is being finalised this month which will require on-street parking restrictions along with delays for road users whilst the works are taking place. There will also be increased movements of plant and equipment across the municipality, including areas where you may not normally expect to encounter them, such as residential streets.

Aside from the resealing works, we continue with the delivery of the 2023/24 capital works program generally, however there will be some projects that will not be completed. This is for a variety of reasons, however is something which will be a significant focus for Council into the future and our goal is to fully deliver all works in the financial period that they are forecast within. To achieve this, a stronger focus will be placed on project planning and business case development, with projects not being considered for construction funding 'till all necessary project planning and design requirements have been met. This approach will flow into Council's grant applications and is anticipated to set us up for success.

Lastly, this will be my last Council meeting with as have resigned from my role to spend more time with my young family in Wangaratta. It's been a privileged to serve Moira Shire and I'm sure great things are ahead for Council! Thank you.

Mr Matt Jarvis – Director Corporate Performance

Victorian Best Practice Procurement Guidelines

The Municipal Association Victoria (MAV) recently released the Victorian Local Government Best Practice Procurement Guidelines which provide a set of principles and practices that represent the most efficient and prudent course of action for each council in developing and maintaining their legislated procurement policy.

These guidelines were developed by the MAV in collaboration with a reference group of Victorian local government procurement professionals, in response to the principles-based changes to procurement requirements coming out of the Local Government Act 2020.

The Guidelines are based on the principles underpinning the Victorian Local Government Best Practice Procurement Guidelines 2013 which have been updated to address best practice and sections 108 and 109 of the Local Government Act 2020.

While the Guidelines are not binding on councils, they reflect latest insights and practices, and guide councils in shaping their own procurement policies to their own distinct needs.

Inquiry into Local Government funding and services & financial sustainability

The House of Representatives Standing Committee on Regional Development Infrastructure and Transport recently announced a new inquiry addressing the sustainability of local government. The inquiry will consider a range of issues including financial sustainability and funding, changing infrastructure and service delivery obligations and workforce attracting and retention and labour hire practices.

The Federal inquiry is in addition to an existing Victorian Legislative Council Economy and Infrastructure Committee inquiry on local government funding and service delivery in Victoria. The inquiry will consider issues including the effects of cost shifting from state and federal governments to local councils, whether local councils are adequately delivering on their core service delivery objectives, and the overall revenue structure of local government and its appropriateness.

Mr Bryan Sword – Director Sustainable Development

Update on Proposed changes to Kerbside Collection

12 face-face sessions – 279 attended.

Sessions at Bundalong, Yarrawonga, Cobram, Tungamah, Katamatite, Numurkah, Strathmerton, Barmah, Nathalia and online

Common feedback has been queries about why the need for the introduction of a separate glass bin. This is a Victorian Government initiative in response to broken glass contaminating Paper and Plastic in recycling bins, which at times is resulting in recyclables being sent to landfill. Glass is broken during household deposit and collection.

We have also had many questions and comments about the possibility of additional collections during peak periods such as Christmas and Easter with the change to kerbside collection proposing a fortnightly collection for red and recycling bins.

There are 4 more sessions before consultation closes on 30 April. One online tonight and further sessions in Cobram, Numurkah and Yarrawonga

We have received 346 survey responses to date.

I encourage anyone that hasn't already to tell us about your views via the online survey at moiramatters.com.au.

Mr Scott Williams – Director Community

On Saturday 16 March, we supported the Baala Creek Festival. Over 2000 people were in attendance and five young musicians gained experience on stage through FReeZA funding.

We also provided funding to four successful International Women's Day events. A movie day in Cobram, a breakfast in Yarrawonga, a morning tea in Baulkamaugh and a pizza night in Nathalia.

We also Active April coming. Which is a partnership between Council, NCN Health and Yarrawonga Health that celebrates a month of diverse and exciting activities to encourage active living. More information on the events can be found on Council's website.

Maternal and Child Health (MCH) currently have 133 active clients in the Enhanced MCH program and 13 in the Sleep and Settling Program and 12 in the Lactation Program. There was a total of 20 births across the Shire in February. A total of 111 clients were administered with 244 vaccines across the Infant, Secondary and Community immunisation programs in February. The 2024 Secondary School Immunisation Program will commence in April.

Now that summer is over, the pool season has ended. Council manages the pools through our contract partners, YMCA. This season was successful, with improving facility standards and increased community engagement. Despite inevitable mechanical issues, all pools remained predominantly open.

Highlights include:

Year-on-year increase in season pass sales, with Yarrawonga pool leading.
Successful Australia Day long weekend events across multiple pools in January.
February passed without staffing-related disruptions, a first since COVID onset.

Thanks our Recreation Team, Building Maintenance team and YMCA for their hard work in providing this great service to our community.

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.1.1
(EXECUTIVE MANAGER CORPORATE
GOVERNANCE, AMANDA CHADWICK)
(CHIEF EXECUTIVE OFFICER, MATTHEW
MORGAN)

**REPORT TO THE MINISTER AND THE COMMUNITY FOR THE PERIOD 1 JULY TO
31 DECEMBER 2023**

Executive Summary

The first edition of the Report to the Minister and the Community provides an update on the progress to achieve the strategic pillars and goals in the 2021-2025 Council Plan for the period 1 July to 31 December 2023:

- A Welcoming and Inclusive Place
- A Diverse and Dynamic Economy
- A Clean Green Environment
- Customer Focused and Responsive
- Transparent and Accountable Governance

The Report also includes:

- A snapshot of the Administrator Priorities;
- Our engagement and advocacy with the community;
- Updates on Capital Works Projects; and
- Financial Statements for the reporting period.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council endorse the Report to the Minister and the Community for the period 1 July to 31 December 2023 that highlights the achievements against the strategic pillars and goals in the 2021-2025 Council Plan and the engagement activities of the Panel of Administrators and Council.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.1.2
(EXECUTIVE ASSISTANT TO THE
ADMINISTRATORS, DANIELLE METZNER)
(EXECUTIVE MANAGER CORPORATE
GOVERNANCE, AMANDA CHADWICK)

MEMORANDUM OF UNDERSTANDING MOIRA SHIRE COUNCIL, HEALTH AND EDUCATION ALLIANCE

Executive Summary

The purpose of this report is to seek the endorsement of the revised Memorandum of Understanding (MoU) that will form a strategic alliance and broader co-operation between local government (Moirra Shire Council) and local education and health sectors in delivering better outcomes for the Moira Shire in education, health, and general community wellbeing.

The objectives of the MoU are as below:

- Adopt a collaborative and community-orientated approach to planning, funding, and implementing services, programs, and projects for the Moira Shire communities;
- Deliver improved social and economic outcomes for the communities;
- Invite and encourage other stakeholders to participate in the alliance;
- Determine key initiatives and services for the combined initiatives by the alliance;
- Gain endorsement by the sectors to initiatives and services; and
- When appropriate, engage and consult the community to ensure we speak with one voice.

The MoU includes a number of foundational partnerships across the health and education sectors. It is envisaged that other key partners within the health and education sectors will be encouraged to join the MoU. Building the partnership base of the MoU over time will be key to its success.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council adopt the revised Memorandum of Understanding Moira Shire Council, Health, and Education Alliance as shown in attachment one.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.1.3
(CHIEF EXECUTIVE OFFICER, MATTHEW
MORGAN)
(CHIEF EXECUTIVE OFFICER, MATTHEW
MORGAN)

YARRAWONGA LIBRARY, EVENTS AND PERFORMANCE PRECINCT (YLEPP) PROJECT RESET

Executive Summary

The Yarrowonga Library, Events and Performance Precinct (YLEPP) Project dates back to 2015 when the initial study and needs analysis for facilities was completed. Between 2015 to 2021 there were various forms of community engagement and discussion around the project, scope and built form with a construction design tendered and ultimately awarded in February 2022.

The project is a flagship project for Council and the community and it is vital that clarity of scope and deliverables exists so that the project can be effectively executed and achieves the desirable long term outcomes.

After an internal review of the project, it is clear that a project 'reset' is required in order to effectively execute and deliver this project, as it has already been subject to significant delays resulting in construction cost increases. It is also clear that there has been a lack of clarity and potential confusion around commitments made in the past and how this translates through into the proposed built form and use of spaces within the YLEPP, which if left unresolved creates the very real possibility of a functionally unfit space which fails to meet expectations.

In terms of a reset, the following needs to occur:

- Clear definition of roles and responsibilities for the project delivery team including updated governance structure and delegations,
- Clarity on the scope and deliverables for the two stages of the project, Stage 1 (relating to the new construction) and Stage 2 (relating to the existing Town Hall building),
- Update to the overarching budget for the project including realistic cost estimation to complete Stage 1 and Stage 2 respectively,
- Establishment of an advisory group to conduct a 'deep dive' into the future use needs of the Town Hall in order to ensure the final Stage 2 scope and deliverables meet the needs of Council and the community into the future.

As there is already a construction contract in place and works have commenced on site (construction contract issued in 2022), the priority for Council resolution is items one and two of the reset which Council is being asked to provide clarity on this month (March), with a full budget reforecast due at the April council meeting and the establishment of the advisory group to commence immediately with a call for nominations.

Once clarity is resolved a clear and transparent process of communication with the community will be maintained about the deliverables and the staging of project. Noting that there will be different views and perspectives, it is important that everyone is clear on the commitment of Council.

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.1.3
(CHIEF EXECUTIVE OFFICER, MATTHEW
MORGAN)
(CHIEF EXECUTIVE OFFICER, MATTHEW
MORGAN)

**YARRAWONGA LIBRARY, EVENTS AND PERFORMANCE PRECINCT (YLEPP)
PROJECT RESET (cont'd)**

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council with specific regard to the Yarrowonga Library, Events and Performance Precinct Project (YLEPP) and as detailed in the body of the report:

1. Endorse the updated project governance structure and arrangements for the YLEPP Project as defined in section 3.A of this report;
2. Endorse the project specific delegations and reporting mechanisms as defined in table 3A.1 of this report.
3. Endorse the scope and deliverables of Stage 1 and Stage 2 for the YLEPP project as defined in section 3.B of this report;
4. Endorse the attached terms of reference to establish a 'Yarrowonga Town Hall Future Use Advisory Group' to engage community on the future use scenarios of the Town Hall which will inform the final design deliverables of Stage 2 of the YLEPP project including key elements such as the provision of food preparation areas, beverage services areas, green room access for performers and all abilities access within the facility;
5. Call for nominations for the Yarrowonga Town Hall Future Use Advisory Group.
6. Reaffirms its commitment to ensuring that community needs are fully considered, including the provision of food preparation areas, beverage services areas, storage and green room access as part of Stage 2 of the YLEPP Project.
7. Reopens the Town Hall as soon as practicable for community use during Stage 1 construction works, noting there may be some limitations on use during this time under in compliance with the building code.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.1.4
(EXECUTIVE MANAGER CORPORATE
GOVERNANCE, AMANDA CHADWICK)
(CHIEF EXECUTIVE OFFICER, MATTHEW
MORGAN)

MOIRA SHIRE COUNCIL USE OF COMMON SEAL AND CONDUCT AT MEETINGS (AMENDMENT) LOCAL LAW 2024

Executive Summary

This report seeks Council's endorsement to adopt the Moira Shire Council Use of Common Seal and Conduct at Meetings (Amendment) Local Law 2024 (**Amendment Local Law**).

The power to make a local law is provided for in section 71 of the *Local Government Act 2020* (the Act).

On 28 February 2024 Council resolved to release the draft Amendment Local Law to the community for consultation in accordance with Council's Community Engagement Policy.

A summary of the consultation program undertaken is included within this report.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Having complied with its statutory obligations, adopt the Moira Shire Council Use of Common Seal and Conduct at Meetings (Amendment) Local Law 2024; and
2. Following the making of the Local Law, authorise the Chief Executive Officer to publish the statutory notices as stipulated in section 74 of the Local Government Act 2020; and
3. Authorise the Chief Executive Officer to affix the Common Seal of Council to the Amendment Local Law.

(CARRIED)

FILE NO:
1. A WELCOMING AND INCLUSIVE PLACE

ITEM NO: 10.2.2
(DIRECTOR CORPORATE PERFORMANCE,
MATT JARVIS)
(CHIEF EXECUTIVE OFFICER, MATTHEW
MORGAN)

LIVING LIBRARIES INFRASTRUCTURE PROGRAM - FUNDING APPLICATION

Executive Summary

The Living Libraries Infrastructure Program (LLIP) enables Councils to deliver minor works for library infrastructure for their communities.

Funding from the LLIP (\$39,366) is being sought with a financial contribution from Moira Shire Council (\$14,455), to improve security measures at the Nathalia and Cobram libraries. These improvement works are intended to provide a more secure and safe environment for GV Libraries staff and patrons and create opportunities for increasing access to the facility outside of standard operating hours.

Should the grant application be successful, works are proposed to commence and be completed in the 2024/2025 financial year.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council endorse a funding application under the Living Libraries Infrastructure Program for the Cobram and Nathalia libraries.

(CARRIED)

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

**ITEM NO: 10.2.3
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE PERFORMANCE
MATT JARVIS)**

LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK - HALF YEAR REPORT

Executive Summary

This report details Moira Shire Council's performance against the Local Government Performance Reporting Framework for the first 6 months of 2023/24.

Council's Performance Reporting Framework comprises of 58 indicators measuring financial and non-financial performance and is based on the Local Government Performance Reporting Framework (LGPRF) and the Governance and Management Checklist.

The report has been prepared in accordance with Moira Shire's Performance Reporting Policy and Performance Reporting Framework and fulfils Council's reporting statutory and policy obligations.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council note the results for Moira Shire under the Local Government Performance Reporting Framework for the first six months of 2023/24.

(CARRIED)

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

ITEM NO: 10.2.4
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE PERFORMANCE
MATT JARVIS)

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

Executive Summary

This report seeks approval of the attached Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) to reflect recent staff changes.

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

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council in the exercise of the powers conferred by s 147(4) of the *Planning and Environment Act 1987*, Moira Shire Council resolves that:

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. authorise the Chief Executive Officer to affix the instrument 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 22 February 2023, is revoked.

(CARRIED)

FILE NO: F13/202
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.5
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE PERFORMANCE
MATT JARVIS)

REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF

Executive Summary

To support good governance and efficient business operations, Council may delegate specific powers, duties or functions to the Chief Executive Officer or to Council Staff by way of an Instrument of Delegation.

This report seeks Council's approval of the reviewed Instrument of Delegation to the Chief Executive Officer and the Instrument of Delegation to Members of Council Staff.

These delegations include updates to legislation and any organisational changes from the delegations adopted by Council in September 2022.

This report proposes a change to the Chief Executive Officer's financial delegation from \$350,00 excluding GST to \$500,000 including GST.

An amendment to the attachment in the Agenda titles S5 Instrument of Delegation to the Chief Executive Officer has been tabled with a particular change to item 4.1 and other minor grammatical changes.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That in the exercise of the powers conferred by section 11(1)(b)1) of the *Local Government Act 2020* (the Act) and the other legislation referred to in the attached instruments of delegation, Moira Shire Council resolves the following:

Chief Executive Officer delegations

- be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached as amended *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument.
- Authorise the Chief Executive Officer to affix the Common Seal of Council to the Delegations.
- That the instrument comes into force immediately upon the common seal of Council being affixed to the instrument.
- on the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
- That the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from, time to time, adopt.

Council Staff delegations

- be delegated to the members of Council staff holding, acting in or performing the duties of the officers of positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that Instrument, subject to the

FILE NO: F13/202
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.5
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE PERFORMANCE
MATT JARVIS)

**REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL
STAFF (cont'd)**

conditions and limitations specified in that Instrument.

- Authorise the Chief Executive Officer to affix the common seal of Council to the Delegations.
- That the Instrument comes into force immediately the common seal of Council is affixed to the instrument.
- on the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
- That the duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

(CARRIED)

FILE NO: F13/202
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.6
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE PERFORMANCE
MATT JARVIS)

REVIEW OF DELEGATIONS TO MEMBERS OF COUNCIL TO STAFF UNDER THE ENVIRONMENT PROTECTION ACT 2017

Executive Summary

This report seeks Council's approval of the Instrument of Sub-Delegation of powers under the *Environment Protection Act 2017* to council staff.

The delegated authority allows staff to make timely, day to day decisions necessary to provide responsive and high-quality services to the community.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That in the exercise of the power conferred by section 437(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Moira Shire Council resolves -

1. they be delegated to the members of Council staff holding, acting in or performing the duties of the officers of positions referred to in the attached *Instrument of Sub-Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument.
2. Authorise the Chief Executive Officer to affix the common seal of Council to the Delegations.
3. the instrument comes into force immediately after the common seal of Council is affixed to the instrument.
4. the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may, from time to time, adopt.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.7
(PROCUREMENT OFFICER, LISA KNIGHT)
(DIRECTOR CORPORATE PERFORMANCE
MATT JARVIS)

C017/23 - INTERNAL AUDIT PROGRAM 2024-2028

Executive Summary

Moira Shire Council invited submissions from suitably qualified and experienced professionals to complete an enterprise-wide risk assessment to inform the preparation of a four-year Internal Audit Plan, which will include the completion of up to four internal audits per year.

The successful tenderer will then be required to complete a detailed examination of each component of the Internal Audit Plan and provide a comprehensive written report, which includes:

- a detailed and factual explanation of observations.
- identification and prioritisation of specific risks that exist for the component; and
- recommendations to reduce each risk identified.

Reports will be presented to the Audit & Risk Committee for endorsement of the recommendation identified through the audit.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Award contract C017/23 - Internal Audit Program 2024-2028 to RSD Audit Pty LTD for the service period 8 April 2024 to 30 October 2028, which will deliver an Enterprise - Wide Risk Assessment, Internal Audit Plan and Internal Audit Program for Council.

Payments will be made in accordance with the schedule of rates documented in Appendix B of the report.

2. Authorise the Chief Executive Officer to sign the contract documents.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.8
(GOVERNANCE AND RISK COORDINATOR,
NANCY MUSTICA)
(DIRECTOR CORPORATE PERFORMANCE,
MATT JARVIS)

**APPOINTMENT OF INTERIM INDEPENDENT MEMBER TO THE CEO
EMPLOYMENT AND REMUNERATION COMMITTEE**

Matthew Mogan left the chamber at 6.02pm due to his previously disclosed conflict of interest.

Executive Summary

The purpose of this report is for Council to consider extending the appointment of Ms. Laurinda Gardner as Interim Independent Member to Council's CEO Employment and Remuneration Committee.

An Expression of Interest (EOI) was held for a permanent Independent Member and closed 8 March 2024. The recruitment and selection of the permanent Independent Member remains ongoing.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council extend the appointment of Ms. Laurinda Gardner as the Interim Independent Member to the CEO Employment and Remuneration Committee until 17 May 2024, as endorsed by the CEO Employment and Remuneration Committee on 29 February 2024.

(CARRIED)

Matthew Morgan returned to the chamber at 6.04pm.

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

**ITEM NO: 10.2.9
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE PERFORMANCE
MATT JARVIS)**

PRIVACY POLICY

Executive Summary

The Privacy Policy addresses the requirement of the Information Privacy Principle 5 (IPP5) which requires an organisation to have a document that clearly sets out its policies on the management of personal information and to make those policies available to the public.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Note the feedback received from the community consultation; and
2. Adopt the Privacy Policy as shown in attachment one of this report.

(CARRIED)

FILE NO:
1. A WELCOMING AND INCLUSIVE PLACE

ITEM NO: 10.3.1
(COMMUNITY DEVELOPMENT OFFICER,
DANA SHARP)
(DIRECTOR COMMUNITY, SCOTT
WILLIAMS)

PUBLIC ART POLICY

Executive Summary

The Public Art Policy and Guidelines have been finalised after a period of community consultation which saw feedback provided through various channels. Amendments have been made based on feedback provided.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council adopt the finalised Public Art Policy and Guidelines as presented in Attachments 1 and 2.

(CARRIED)

FILE NO: F1483
2. A DIVERSE AND DYNAMIC ECONOMY

ITEM NO: 10.3.2
(TOURISM DEVELOPMENT OFFICER,
LOUISE MUNK KLINT)
(DIRECTOR COMMUNITY, SCOTT
WILLIAMS)

FUNDING OPPORTUNITY - ENABLING TOURISM FUND: ACTIVATING THOMPSONS BEACH, COBRAM

Executive Summary

The Enabling Tourism Fund (ETF) 2024, issued by the Victorian Government, aims to bolster tourism projects towards investment-readiness, focusing on planning activities such as feasibility studies, master planning, and design. This investment is designed to enhance Victoria's tourism infrastructure, aligning with the strategic vision of "Experience Victoria 2033" to foster a robust pipeline of tourism experiences and accommodations.

With a focus on First Peoples-led experiences, wellness, arts and culture, food and drink, and nature, the fund seeks to attract more visitors and create employment opportunities across the state, leveraging private sector investment to support public tourism infrastructure.

The project *Activating Thompsons Beach, Cobram* aligns to local, regional, state and federal strategies and is a priority project of the Goulburn Regional Partnership.

Council officers have prepared a project plan and a funding application for the Enabling Tourism Fund for the development of a Thompsons Beach precinct masterplan and multi-purpose building feasibility study, market testing and business case.

The maximum amount available under this fund is \$500,000. For every \$1 of Council contribution, the EFT will contribute \$4. Council officers seek co-contribution from the Council budget of \$77,000 over a two year period to support the grant amount requested of \$308,000 to deliver this \$385,000 project. The project has to be completed by 30 December 2025.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Endorse the project plan for the project titled *Activating Thompsons Beach, Cobram: Precinct masterplan and a multi-purpose building feasibility study, market testing and business case*;
2. Approve the allocation of \$77,000 contribution from Council's budget split over the 2024/25 and 2025/26 financial years, as part of our commitment to the project; and
3. Approve an application to be submitted for the Enabling Tourism Fund for the project for a funding allocation of \$308,000.
4. Commit to deliver the project by 30 December 2025 should Council be successful in the grant application.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.1
(EXECUTIVE MANAGER CORPORATE
GOVERNANCE, AMANDA CHADWICK)
(CHIEF EXECUTIVE OFFICER, MATTHEW
MORGAN)

MINISTERIAL STATEMENT OF EXPECTATIONS

1. Executive Summary

The Ministerial Statement of Expectations was issued by the Hon Melissa Horne MP, Minister for Local Government (Minister) to the Panel of Administrators (Panel) and sets out the Ministers expectations jointly developed with the Panel to deliver key priorities and objectives for Moira Shire Council in 2024.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council note the Ministerial Statement of Expectations that sets out the key priorities and objectives to be actioned in 2024 by the Panel of Administrators and provides the reporting framework and format to monitor the progress of Moira Shire Council.

(CARRIED)

12. ACTION OFFICERS LIST

Nil

13. NOTICES OF MOTION

Nil

14. PETITIONS AND JOINT LETTERS

Nil

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

ITEM NO: 15.1
**(COORDINATOR PLANNING, TRAVIS
BASHAM)**
**(DIRECTOR SUSTAINABLE DEVELOPMENT,
BRYAN SWORD)**

SECTION 173 AGREEMENT - AUTHORITY TO AFFIX THE COMMON SEAL

Introduction

Planning permits approved by Council, either under delegation or by Council meeting resolution can contain the requirement for a Section 173 Agreement.

A Section 173 Agreement is a legal contract made between Council and any other party or parties, under Section 173 of the Planning and Environmental Act 1987 (the Act). The landowner must be party to the Agreement, while in some cases a third party, such as a referral authority may also be involved.

The Section 173 Agreement is required to be registered on the Title to the land (in accordance with Section 181 of the Act). This ensures that all future landowners are aware of the requirements and are bound by the requirements.

An Agreement generally provides for someone to carry out, or not to carry out, any matters specified in the Agreement and is used where a condition on a permit or planning scheme controls will not provide for the requirements to be fulfilled. Under certain circumstances the Planning Scheme may also make it a mandatory requirement for permits to require a Section 173 Agreement to be entered into.

The execution of a Section 173 Agreement requires the Common Seal to be affixed (Section 174(1) of the Act). The use of the Common Seal is governed by Part 2 of Local Law No. 1 2021.

Agreements for Execution

At the time of writing, the following agreement has been received and it is recommended that Council authorise the Chief Executive Officer to sign and seal the agreement.

1. 926 Sandmount Road, Katunga – Vol. 09951 Fol. 691

This agreement relates to Planning Permit 5/2023/236 issued on 23 November 2023 allowing the use of the land for the purposes of a second dwelling to continue and the construction of a replacement dwelling. The agreement prevents the excision of either dwelling from the lot and provides that the land must not be subdivided to create additional lots.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council authorise the Chief Executive Officer to sign and seal the following 173 Agreement as presented to this meeting:

1. 926 Sandmount Road, Katunga.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 16

URGENT BUSINESS

NIL

17. PUBLIC QUESTION TIME

Name	Summarised Question	Response
Dean Hurlston	What amount of waste enforcement costs in the current financial year 2023/24 has the Council included in its waste levies charged to residents? (if any)	No waste enforcement costs have been included in waste service charges at Moira Shire Council.
Dean Hurlston	What amount of revenue has council included in the current financial year 2023/24 from waste enforcement actions?	Two fines relating to littering under the local law have been issued in this financial year at a combined value of less than \$800. One of those fines was withdrawn on appeal.
Dean Hurlston	Has that revenue been offset in the waste levy OR applied to Councils General Revenue streams?	Being related to a local law the revenue from those infringements are applied to Council's consolidated revenue.
Geoff Campbell (on notice from February Council meeting)	Town Hall/Library Project Can you please inform the Community how much has been spent on the Town Hall/Library project including legal fees, architect & Consultants fee's, security fencing, site office, site manager and Staff time, since the first consultation in 2015 P.S. The Community needs to know accurate figures and if the figures are not quickly available Can they please be answered at next month's meeting.	Please note that a response was provided that a full report would be provided to the March Council meeting and that this would also include an updated financial forecast for the project, however the updated financial forecast will be prepared for the April Council meeting due to the need to complete some additional work on this around cost increases.

Updated Response – To Geoff Campbell

In response to a question from the public in May 2023 it was previously reported to Council that the total expenditure to date on the project was \$1.46 million.

As at the end of February 2024, this figure is now \$2.24 million (\$2,237,810).

Please note that I aim to provide a public report on the status and cost of this project on at least a quarterly basis under a new governance framework for project management which is being considered by Council at the March Council meeting.

The costs are summarised as follows in the same breakdowns as previously reported in May 2023 for consistency:

Expenditure Type	Total Expenditure (\$)	23/24 Expenditure (\$)	Prior Expenditure (\$)
Design & Delivery	1,889,904	756,720	1,133,184
Powercor	292,505	0	292,505
Legal Expenses	14,812	0	14,812
Interest on Borrowings	40,589	20,909	19,680
Subtotal	2,237,810	777,629	1,460,181

18. MEETING CLOSE 6:26PM