



## MINUTES

SCHEDULED MEETING OF COUNCIL HELD AT COBRAM  
CIVIC CENTRE, PUNT ROAD COBRAM VIC 3644,  
WEDNESDAY 28 JUNE 2023

The meeting commenced at 4:36 PM.

**PRESENT** Chair Administrator John Tanner AM  
Administrator Suzanna Sheed

**IN ATTENDANCE:** Josh Lewis Acting Chief Executive Officer  
Matt Jarvis Chief Financial Officer  
Amanda Chadwick A/Director Corporate Governance & Performance  
Janet Martin Director Sustainable Communities  
Beau Mittner Manager Finance  
Scott Cramer Manager Engineering  
Nancy Mustica Senior Governance Officer

### 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, acknowledge the traditional owners of the land upon which we meet and pay our respects to their Elders both past and present.

*Chair Administrator Tanner acknowledged and welcomed Administrator Suzanna Sheed and Administrator Graeme Emonson as newly appointed panel members to the Moira Shire Council.*

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**4. APOLOGIES / LEAVE OF ABSENCE**

**MOTION**

ADMINISTRATORS JOHN TANNER / SUZANNA SHEED

That Administrator Graeme Emonson's leave of absence be granted from 8 June to 4 July 2023

(CARRIED)

**5. DISCLOSURE OF CONFLICTS OF INTEREST**

Acting CEO Josh Lewis declared a conflict of interest with item 10.2.1 Appointment of Acting CEO being a direct material conflict.

**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**MOTION:**

ADMINISTRATORS JOHN TANNER / SUZANNA SHEED

"That the minutes of the Scheduled Council Meeting held on Wednesday, 24 May 2023, as prepared, be adopted."

(CARRIED)

**7. CHAIR ADMINISTRATOR JOHN TANNER ADDRESS**

Report tabled and attached to the minutes.

**8. DIRECTOR REPORTS**

**Mr Josh Lewis - Acting Chief Executive Officer**

**Welcome to our Panel of Administrators**

We welcome the announcement earlier this month from the Hon. Melissa Horne MP in relation to the continuation of Chair Administrator John Tanner AM who is now joined by his fellow panel members, Administrator Suzanna Sheed and Administrator Dr Graeme Emonson PSM.

We look to the future with anticipation of what can be achieved in conjunction with our Community and working towards our organisational target of Moira being the best regional Council in Victoria.

**Yarrowonga Library and Town Hall Refurbishment**

Our construction contractor, Ultra Project Services is on-site and working closely with Council as we navigate our way through the current wet weather and explore possible cost savings in relation to the foundation of the building.

It is expected that July will see a flurry of activity as construction traffic ramps up and I urge everyone to note traffic and pedestrian management around the site which will remain in place for the duration of the project.

There is more planning and design work that needs to be done in relation to the refurbishment of the Town Hall noting its formal heritage recognition which occurred after Council's initial planning and design. Council will be engaging with both existing and future users of the Hall via a dedicated person in undertaking further consultation to maximise Community benefit and use whilst balancing access and heritage considerations.

## **Yarrowonga Multi-Sports Stadium**

I note that at last months Scheduled Council Meeting that a resolution was passed which included the requirement of “a report for the June 2023 Scheduled Council Meeting to set a final Total Project Estimated Cost (drawing upon an updated Quantity Surveyor’s estimate) and contract delivery method.”

This work has not yet been able to be completed, and for this reason a response will be presented to Council at the July Scheduled Council meeting, also enabling consideration by Administrator Emonson noting his current leave of absence.

## **Memorial Unveiling**

Last week Chair Administrator Tanner and Administer Sheed unveiled our road trauma memorial in Federation Park, Cobram. My thoughts and heartfelt condolences again go out to all impacted by road trauma and we stand shoulder-to-shoulder with our Community as we strive for ever increasing improvements to safety both in Moira Shire and further afield.

## **Ms Amanda Chadwick – Acting Director Corporate, Governance and Performance**

### **Recruitment**

During May, Council advertised eleven positions and appointed four new employees, including an Animal Management and Local Laws Technical Officer, School Crossing Supervisor and two Community Development Officers.

### **Organisational Restructure**

We may see further recruitment opportunities soon as we are currently reviewing the staffing structure to ensure that there are adequate resources to respond to the recommendations of the Commission of Inquiry Report as well as the continued work to meet the objectives of the Council Plan and other key strategies and provide best practice service delivery.

### **Child Safe Policy**

Our staff also continue to work together to develop a comprehensive Child Safe Policy and supporting Protocols to ensure that we meet the obligations of the Child Safety and Wellbeing legislation and regulations.

### **Customer Experience**

During May call volumes increased by 54% with our Customer Experience Officers managing over 4,000 incoming telephone calls through our Call Centre. Council staff entered over 5,000 new customer enquiries and requests for service.

## **Mr Matt Jarvis – Chief Financial Officer**

### **Impending Change to Rates Notices**

Moira Shire’s Revenue team have worked with Council’s printing provider to apply the recent legislative changes to the 2023/24 rates notice. When the annual rate notices are distributed in the next month or so, rate payers will note that the rates notice is now three pages. The additional page was required to accommodate a number of changes legislated under the release of the Local Government Amendment Regulations 2023.

A graphic has also been created for the rates notice to help educate ratepayers on how Council determines the rateable amount of their property.

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## **Valuation Averaging Mechanism – Public Consultation**

Local Government Victoria has initiated a public consultation to examine the merits of a Valuation Averaging Mechanism arising from the State Government's response to the 2020 Local Government Rating System Review Final Report.

Property valuations were historically conducted every two years until 2019-20 where an annual valuation process was introduced. The Local Government Rating System Review suggested valuation averaging as a possible method of reducing the impact of large increases or decreases in rates due to large valuation movements. The Review also noted, however, valuation averaging could create confusion.

As part of this consultation process by Local Government Victoria, a discussion paper has been prepared, including modelling of the potential impacts of a Valuation Averaging Mechanism. The consultation will remain open until 31 August 2023. To obtain a copy of the discussion paper and to provide feedback go to [engage.vic.gov.au](https://engage.vic.gov.au) and search for 'Valuation Averaging Mechanism'.

## **Ms Janet Martin – Director Sustainable Communities**

### **Tourism**

The Tourism Winter Campaign has now generated over 4000 website clicks, mostly directly to our operators websites. Our tourism Instagram had one of our best months on record, reaching over 5,849 accounts (which is an addition of 263%).

Our Dollar Discovery Weekend has over 60 businesses participating on July 23 & 24, is ready to go with a media launch on 7 July at Manto's Produce in Cobram.

### **Safety and Amenity Unit**

Currently there are 650 overdue animal registrations, which were due on 10 April 2023. Pet owners are encouraged to pay their overdue animal registration or advise Council in writing if their pet's circumstances have changed.

Council is continuing to receive numerous surrendered dogs and cats. 53 cats/dogs have been surrendered since the start of the year.

### **Sustainability**

Council is currently seeking approval from the independent auditor and the EPA to operate what is known as Cell 9 which is the new cell created to take land fill, at the Cobram Landfill site.

Council continues to work with the Goulburn Broken Partnership and our Rural Tree Scheme for 2023 is at the expressions of interest (EOI) stage. We are currently in National Tree Planting Day preparations and, as you will hear more on later in this Council meeting, we are in the tender evaluation stage for Asbestos remediation at Tungamah, Yarrawonga and Strathmerton.

### **Community Wellbeing**

#### **Community Strengthening Grants:**

- COVID Recovery – Nil
- Quick Response, up to \$1,000 – 1 grant, totalling \$1,100
- Quick Response, up to \$5,000 – 5 grants, totalling \$17,872

The GRAIN Store, the Nathalia Creative Hub, has hosted a music and storytelling experience with 115 attendees and was open to the public for 12 days in May, with The Art of Music exhibition on display.

On 17 May Council acknowledged International Day Against LGBTQIA+ Discrimination by displaying the Progress Pride Flag in our Main Office window.

Work on the Strathmerton Community Plan Renewal has begun, with staff collecting data from the Strathmerton community at the Tree Planting day on 27 May. The aim of this plan is to facilitate the local Community to identify their key aims for their locality and to support them to achieve these; the crux is that this is community driven.

### **Flood Recovery**

The recovery mobile hub (the recovery van) went to Barmah on 20 June. Approx. 15 people attended for varying support needs. The team have finished making contact with every person who registered with Moira Shire, a total of 201 phone calls, in which recovery needs were discussed and offers of support provided.

The flood recovery and resilience community survey is going well with 27 responses so far, the survey closes 30 July. We encourage people to go onto our website to complete this survey.

### **Mr Scott Cramer – provided report for the Director of Infrastructure Services**

#### **Road Maintenance**

Wet weather is hampering maintenance efforts across the Municipality, however works crews are making the most of available opportunities in ensuring the upkeep of the Council road network.

If you're aware of a road that requires attention, please don't hesitate in contacting Council's Customer Services Team and sharing your observations.

#### **Emergency Management**

Emergency management remains a high priority for Council as planning and preparatory works are in full swing, along with continuing collaboration with the emergency services.

Whilst Council is not an emergency service, it plays an integral function in providing support during times of emergency and in the recovery period long after an event has passed.

With the recent wet weather, we are aware of water across some roads, and I wish to remind everyone to never drive through flood waters, or take unnecessary risks - we want you to stay safe!

#### **Project Update**

Council continues its program of project delivery, and I would like to highlight progress on the following projects:

- The St James Toilet is nearing completion
- The Yarrowonga Boat Ramp has been delayed to high river levels, with our contractor eager to return to site as soon as practicable
- We've recently completed the Tungamah Equestrian Arena, noting some ancillary works are programmed for August.

Our Acting CEO has already shared an update on the Yarrowonga Library which I'm looking forward to coming to life, along with the Multi-Sport Stadium which we are also excited to progress.

**9. PUBLIC QUESTION TIME**

No questions were received this month.

FILE NO:  
1. A WELCOMING AND INCLUSIVE PLACE

ITEM NO: 10.1.1  
(CHIEF FINANCE OFFICER, MATT JARVIS)  
(ACTING CHIEF EXECUTIVE OFFICER,  
JOSHUA LEWIS)

## FINANCIAL CONTRIBUTION TO BAROOGA AQUATIC AND RECREATION CENTRE

### Executive Summary

Moira Shire Council passed a resolution at the 24 June 2020 Scheduled Council meeting to allocate up to \$100,000 over two financial years (\$50,000 per annum) towards the Barooga Aquatic and Recreation Centre (BARC).

Approximately 55% of BARC's members reside in Moira Shire with high demand for Learn to Swim enrolments also arising from Moira Shire residents. A number of Moira Shire based groups also utilise the centre on a seasonal basis.

Barooga Sports Club Ltd have proposed for a continuation of the joint contribution from Berrigan Shire and Moira Shire Councils for the 2022/23 and 2023/24 financial years. Berrigan Shire has committed to a continuation of the annual \$50,000 investment for the next 3 financial years.

This proposal aligns with the objective of the Memorandum of Understanding for collaboration between Berrigan Shire Council, Federation Council, Moira Shire Council and Indigo Shire Council (Cross Border MoU) to adopt a collaborative and community orientated approach to planning, funding and implementing services, programs and projects in particular for the cross border communities and deliver improved social and economic outcomes for the communities.

In assessing actual expenditure against Quarter 3 adopted forecasts for 2022/23, sufficient budget is available for a 2022/23 contribution. Should Council pass a resolution approving a financial contribution to BARC for 2023/24, the 2023/24 budget adoption will be subject to an adjustment. Terms and conditions for any funding contribution will need to be developed and agreed by both parties.

### MOTION

ADMINISTRATORS SUZANNA SHEED / JOHN TANNER

That Council support a financial contribution to the Barooga Aquatic and Recreation Centre of \$50,000 per financial year in 2022/23 and 2023/24, subject to terms and conditions being agreed, to subsidise the provision of indoor heated pool facilities to the community.

(CARRIED)

FILE NO: F21/395  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 10.1.2  
(FINANCE MANAGER, BEAU MITTNER)  
(CHIEF FINANCE OFFICER, MATT JARVIS)

## MOIRA SHIRE COUNCIL BUDGET 2023/24

### Executive Summary

This report requests Council's adoption of the 2023/24 Budget.

The Budget was developed with consideration on a number of important issues, including: flood recovery, sustainability and delivering on existing capital works projects.

The 2023/24 Budget has been developed following a two-step community engagement process, whereby community share their submissions and feedback through the following submission periods:

1. Community Budget Consultation Period: 15 December 2023 – 10 February 2023
2. Community Budget Feedback Period: 27 April 2023 – 19 May 2023

### MOTION

ADMINISTRATORS SUZANNA SHEED / JOHN TANNER

That Council:

1. Adopt the 2023/24 Budget, subject to amendment from any earlier Council resolutions, as the final Adopted Budget of Moira Shire Council for the 2023/24 financial year, prepared in accordance with Section 94 of the Local Government Act 2020;
2. Declare the Rates and Charges detailed in Section 4 of the final 2023/24 Budget Report including a General Rate, Municipal Charge, Environmental Levy and Waste Collection Service Charges; and
3. Declare the Fees and Charges detailed in Section 6 of the final 2023/24 Budget Report to be charged in respect to various goods and services during the 2023/24 financial year.

(CARRIED)



FILE NO:  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 10.2.1  
(SENIOR GOVERNANCE OFFICER, NANCY  
MUSTICA)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE AND PERFORMANCE,  
AMANDA CHADWICK)

## APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

*Mr Josh Lewis left the meeting at 5.41pm.*

### Executive Summary

Moira Shire Council's Chief Executive Officer (CEO) is currently on extended leave and as a result Council is required under the *Local Government Act 2020* to appoint an Acting Chief Executive Officer. It is recommended that Council extends the current Acting CEO arrangement with Joshua Lewis for a period up to 31 August 2023.

### MOTION

ADMINISTRATORS SUZANNA SHEED / JOHN TANNER

That Council appoint Joshua Lewis as the Acting Chief Executive Officer for Moira Shire Council from 1 July 2023 for a period up to 31 August 2023.

(CARRIED)

*Mr Josh Lewis returned to the meeting 5.43pm.*

FILE NO:  
3. A CLEAN GREEN ENVIRONMENT

ITEM NO: 11.1.1  
(ACTING MANAGER - SUSTAINABILITY  
DIEDRE ANDREWS)  
(ACTING DIRECTOR SUSTAINABLE  
COMMUNITIES, JANET MARTIN)

## ASBESTOS INVESTIGATION AND REMEDIATION

### Executive Summary

Following the discovery of Asbestos Containing Materials (ACM) at Tungamah and Yarrawonga transfer stations, Council progressed engagement of an independent investigator to assess causes, sources and responsibility of how this occurred.

Council has also issued a Request for Tender for the required clean-up works, which closed on 7<sup>th</sup> June 2023, thus allowing for the investigation to be completed prior to the clean-up works progressing. While the clean-up is a high priority, it is important that the investigation has all information on hand to be thorough and to shed light on the exact events that resulted in this highly unacceptable eventuation.

Council wishes to be proactive in addressing this matter in ensuring the health and wellbeing of the community/staff along with ensuring a similar situation never occurs again in the future.

### MOTION

ADMINISTRATORS SUZANNA SHEED / JOHN TANNER

That Council note the information provided in relation to the current Asbestos investigation.

(CARRIED)

### 12. NOTICES OF MOTION

NIL

### 13. PETITIONS AND JOINT LETTERS

NIL

FILE NO:  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 14.1  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE AND PERFORMANCE,  
AMANDA CHADWICK)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE AND PERFORMANCE,  
AMANDA CHADWICK)

**AUTHORISATION OF USE OF COUNCIL'S COMMON SEAL**

**Executive Summary**

Section 173 Agreement – Private Pipeline under road with Moira Shire Council and Murray River Land Pty Ltd at 3652 Fowlers Road Strathmerton.

**MOTION**

ADMINISTRATORS SUZANNA SHEED / JOHN TANNER

That Council authorise the Chief Executive Officer to sign and seal the document listed below.

(CARRIED)

**FILE NO: VARIOUS**

**ITEM NO: 15**

**URGENT BUSINESS**

**MOTION**

ADMINISTRATORS JOHN TANNER / SUZANNA SHEED

That urgent business be accepted to consider the following items:

1. Appointment of the Administrator Panel to the Audit and Risk Committee
2. Moira Shire Council Productivity Commission's Murray-Darling Basin Plan survey and implementation Review 2023 submission.

(CARRIED)

**MOTION**

ADMINISTRATORS SUZANNA SHEED / JOHN TANNER

That Council:

1. Appoint Administrator Sheed and Administrator Emonson to the Audit & Risk Committee.
2. Revoke Chair Administrator John Tanner appointment to the Audit & Risk Committee.

(CARRIED)

**MOTION**

ADMINISTRATORS SUZANNA SHEED / JOHN TANNER

That Moira Shire Council provide a response to the survey request from the Department of Climate Change, Energy Environment and Water, and also provide a submission to the productivity commission's Murray Darling basin plan implementation review, 2023.

(CARRIED)

**MEETING CLOSE: 6.03 PM**

## 90-day Administrator Report - Summary

**From: John Tanner AM, Administrator**

**Date: 28 June 2023**

**Before moving on to this report I would like to make you aware of two important events in our shire.**

**Firstly, I would like to officially welcome Suzanna Sheed to the Panel of Administrators and her first Council meeting. I look forward to working with her in her role on the Panel and in rebuilding this Council to take its place in the 2028 elections.**

**Suzanna has a distinguished career as a lawyer and as an independent member of the Victorian Parliament, representing Shepparton for eight years.**

**She will be joined by the other Panel member Dr. Graeme Emonson PSM from 5 July following his completion of his role with government.**

**Secondly, I would like to officially recognise two of our Shire's residents who were awarded honours in the recent King's birthday honours list.**

**They were**

- **Cobram's Francis Wallace who was awarded an OAM** for service to the community through a range of roles, including with Moira FoodShare, Invergordon Football Club and Invergordon Fruit Growers Corporation. Mr Wallace was previously honoured by the Rotary Club of Cobram in 2011 with the Citizen of Distinction Award.
- **Yarrowonga's Leo Powell received an OAM** for service to the Moira Shire community and in particular his contribution to the Moira FoodShare also. Mr. Powell has been a big contributor to the local community since arriving in town in 1971. His care for community was instilled in him by his dad, Baden Powell who lived in Echuca, which was Leo's birthplace. He was named Yarrowonga's top citizen in 2016 by Moira Shire Council in recognition of his list of volunteer services, from the Yarrowonga Neighbourhood House to the Yarrowonga Mulwala Mixed Probus, the Yarrowonga Primary School Council, the Community Opportunity Shop, the Yarrowonga and District Community Car Project and the Mulwala Football Netball Club social club, where he was President for 10 years.
- As the Governor-General David Hurley said in releasing the honours list: **"They are all inspiring and their service is valued by us all."** It is so true of Francis and Leo!

## Community leadership

**I would also like to recognise the community leadership of Three Cobram Secondary College students who have been chosen to participate in the prestigious ANZAAS Residential International Forum for Science.**

They are Year 10 students Kail Turner, Taylar Knight and Adithi Gurunathan. They will attend the event in Melbourne in the first week of July. They will be joined by students from all around Australia as they participate in science activities, behind-the-scenes tours of facilities and lectures.

**Another significant accomplishment is the Sacred Heart College which celebrated 60 years of providing quality secondary education last Friday, June 23.**

The celebration coincided with the celebration of Sacred Heart Day and the opening of the new administration and library building which will be known as the Mercy Centre.

Sacred Heart is a learning community where students, teachers, parents and the community work in partnership to contribute to the development of the individual.

The college takes great pride in its involvement with the local community which has been exemplified for many years with the great association students have developed with several groups within the community.

The college is proud to support local charities such as Friends in Common and St Vincent de Paul who provide crucial support to people in need in our community.

Sacred Heart strive to develop confident, compassionate, articulate and resilient young people who are responsible and respectful.

**Both these achievements highlight the depth of community leadership we have in Moira and how young people can grow and prosper in this municipality.**

**One final highlight I would like to draw to your attention is The Tri State Games which will be held in Cobram / Barooga in November from the 12<sup>th</sup> to 17<sup>th</sup>.**

These Games offer people with significant or profound disability from Victoria, NSW and South Australia to come together to compete in sporting activities and competitions.

It is a significant event for the Shire, and it will be the second year in a row for it to be held here. I mention it now because the **organisers will be looking for volunteers to ensure its success**, so anyone who wants to become involved should contact them as early as possible. The working group consists of representatives from ValleySport, Cobram Barooga Business and Tourism, Barooga Sporties, Berrigan Shire Council, YMCA, PALS and **our Council**.

## **I would not like to move to my 90 day Report.**

### **Preamble**

I table this report as a high-level record and observation of my 90 days as Administrator of the Moira Shire Council.

I shall not go into the detail now, but provide Council and the municipality with a short summary of some of the key initiatives and observation of my role as Administrator since my appointment on 10 March, 2023.

I also note that on 6 June the State government appointed me to continue in my role, and as Chair the Panel of Administrators.

### **Introduction**

I would like to divide this summary into five sections so people can have an overview of what we have achieved and are seeking to achieve.

These are:

- The 'reset' approach for the Council since the Commission of Inquiry's findings and recommendations on the Council's operations this year.
- What we are doing within the Council's operations
- What we are doing in the boarder community
- What we are doing as a Council
- What we are doing with the Commission of Inquiry Report
- And the pathway forward

### **Reset approach -**

Let me now move to the 'reset approach'

In taking up the position, I also said my focus was on three specific areas -

- ensuring Council services are delivered effectively,
- the health and wellbeing of staff, and
- strengthening engagement and relationships between the community and the Council.

I was also focussed on addressing the recommendations of the Commission of Inquiry into the Council and the Council's Plan for 2021-2025, which sets the framework to support Council decisions on budget allocation and service delivery.

**The reset approach has been concentrated on 'resetting' the Council agenda.**

- The Council and its staff had to move on from the Commission of Inquiry's report.
  - This report was most damning on the Council and how it operated.
- However, it presented the Council with the important opportunity to 'address the past and build the future'.

This approach also had its foundation in the perception of the Council with its stakeholders; the ratepayers.

The community satisfaction survey<sup>12</sup>, to which all Councils in Victoria participate, has continued to show a decline in satisfaction with the Moira Council over the past 10 years, most markedly over the last few years.

We cannot allow this trend to continue because it shows that there are fundamental flaws in the way we operate and have operated.

Therefore, I believe adoption of the 'reset' approach was the best way I could achieve a new direction and, most importantly, start to rebuild confidence and trust in the Council and its operations.

**However, I'm realistic enough not to expect any significant turnaround in public perception in 90 days.**

This is why I have set a 'new path' to the way forward for this next phase which I shall touch on shortly.

**Now let me move to What we are doing - internally**

The overall approach has been to address the concerns of the staff and how they operate and, most importantly, how they want to operate.

We have broken this direction down to the approach of 'getting our house in order'.

This was the foundation for all my meetings with staff, especially in wanting to hear from them about what is needed to change.

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<sup>1</sup> We have now moved to a quarterly assessment of the Council's performance in line with a number of other Councils. This will enable us to get timely feedback on what we are doing right and wrong with our operations.

<sup>2</sup> 2023 Local Government Community Satisfaction Survey co-ordinated by the Department of Government Services on behalf of Victorian councils



**I must say that this engagement has been most rewarding.**

It has enabled me to not only get to know the staff, but also to give me the insights to how we should operate and reframe our approach to stakeholder issues and their needs.

**A key to this has been also my desire to lift the morale of the staff**

This had been in decline before the Commission's report, but there were some things which were fundamental to turning this around.

By way of example,

- We have reinstated the Reward and Recognition Awards for staff which had lapsed. The awards recognise the commitment of staff to their work and to enhancing workplace culture, supporting our values and making Moira an excellent place to work.
  - We handed out more 30 awards to recognise the work and service staff ranging from five (5) years to twenty-five (25) years. This type of program is fundamental to the direction we are taking.
- We have put in place restructuring plans for the operations of the business.
  - These plans are designed to ensure there is greater depth to the operations of the Council and we have the right people in the jobs to effectively carry out the work.
  - We also have introduced an organisational Values and Culture program.
    - This is designed to create a culture in the organisation for better outcomes in their work.
    - We want the Council to be 'a great place to work' and for its values and culture to be the underlying foundations for this. Like any organisation, this is an essential to 'moving ahead' from the past.
- The acting CEO, Joshua Lewis has also instigated a weekly staff report.
  - This is designed to ensure staff are aware of some of the broader activities in which the executive and the organisation are engaged.
  - There is also the Council's weekly staff letter and its community engagement information advertisements in local newspapers and in social media.

- This seeks to ensure that people see the Council is taking community leadership and engagement seriously.
- We have also addressed Commission's report and recommendations, by reviewing our internal and external policies so they are up to date and accountable.
  - The Council operates under more than 40 policies, from community recognition to employment and remuneration, to complaint handling and volunteer recognition.
  - These policies are fundamental to how we operate and are a corner stone to sound governance and stewardship.

### **Now let me address What we are doing - externally**

Community engagement has been one of my key undertakings.

I have conducted, or been involved in more than 40 meetings with community groups, organisational representative, or individuals.

I sought to listen to their views, concerns or wants, as well as to reassure them of my commitment, or provide them with an understanding of the issues Council has had to consider in making its decisions.

These meetings have ranged from

- grant recipients to budget feedbacks,
- flood mitigation,
- district health,
- libraries boards,
- community leadership to
- Mayors and CEOs of other regional shires and councils.

I have also participated in a number of community activities, such as the Council's Achiever Awards, which I shall address shortly, as well as the Anzac Day ceremonies.

### **Everyone should have 'a say' on important projects**

I strongly believe that everyone in the community should have 'a say' in important projects and activities that the Council is undertaking for rate payers.

Through feedback, community engagement enables us to listen and, in turn, demonstrate the importance of community contributions to our decision-making.

It builds deeper, stronger and more trusting relationships between the Council and our communities.

### **However, there are exceptions and not all decisions meet expectations**

But the engagement process has at least enabled people to contribute to the discussions and decisions. I'll touch on the exceptions a little later.

### **My Strong belief is that Council must not just build for the now, but the future and future generations**

Our decisions must be based also on the principles of sound governance, stewardship and financial responsibility.

We have done this:

- with the Yarrawonga Multisport complex;
- the Yarrawonga Library, Events and Performance Precinct (YLEPP);
- the proposed Council's Budget and capital works program;
- the Numurkah Flood Implementation Report and Numurkah Flood Study Community Reference Group and the supporting agencies, and
- the All abilities Access and Inclusion Plan.

### **I have extended this stewardship to the Health and Education sectors**

I have sought to put in place a strategic alliance with organisations such as NCN Health and Yarrawonga District Health and our secondary colleges to enable us to plan better, enhance policies and services and help to provide greater community awareness of the services.

- I strongly believe a broad co-operation between local government (our Moira Shire Council), and our education and health sectors will deliver better outcomes for the Moira Shire in education, health and general community wellbeing.

- This has already been expanded to Council's strategy for
  - wellbeing for all ages,
  - our mental health plans and
  - the all abilities access and inclusion plans.

For our community to grow and prosper, we have to take into account what the health and education sectors are telling us about how to build on the community's needs and desires so we can have greater community resilience and capacity.

### **I'm expanding this approach to our business and industry sectors**

We have such a wealth of opportunity in horticulture, tourism, manufacturing, small business and the arts.

- Our Economic Opportunities Study which we will share with these sectors gives us the basis for another important strategic alliance.
  - This study also will be essential to positioning the Shire as a growth opportunity for the future.
- I am certain this approach will provide significant outcomes in the way we all operate within the municipality and increase our prosperity as an innovative, inclusive and supportive community.

### **Our Achiever Awards are an excellent example of this**

In April, we had 40 nominations across the five (5) categories for achievements in the Shire, ranging from Lions Clubs to Rotary Clubs, to pre-school groups, sporting clubs and emergency services all contributing to make this community better.

- This was an outstanding response. Each and every one of them deserved an award for what they did for the Shire and our community.
- This is community leadership at its best.
- It is the perfect illustration of what the Commission of Inquiry was highlighting as important to the Council's operations.
- I am pleased to say that there is a community spirit in this municipality that is second-to-none.

In line with this, Council has updated its Community Engagement Plan and is looking at opportunities with the likes of the Fairley Leadership Program to specifically develop and maximise community leadership for Moira residents.

- This is aimed at young people to become community leaders and participate in civic life and, in turn, strengthen engagement and relationships between the Council and the community.

### **A further example has been the community's response to the recent major fatalities on our roads**

The Shire experienced its worst fatality in a single road accident when we lost the lives of five people - four of whom were workers from overseas - in the accident near Strathmerton.

- This changed people's lives changed forever.
- However, the community's response was overwhelming. Two young people brought the community together in a vigil that saw more than 300 people gather to express their condolences and support to the families of those killed and those affected by it.

This event and other road tragedies we have experienced led the Council to recognise not only those who lost their lives, but also the community's strong sense of a collective spirit and support for each other.

- Only last week we unveiled a memorial to this in Federation Park
  - It signifies the strong sense of belonging we have in this Shire and how we come together as a community to support each other in time of need.
  - It is a collective identity that distinguishes Moira.

### **Now let me move on to What we are doing at the Council**

As I said at the beginning of my appointment, I wanted to set us on the pathway to the future to build the Shire and a positive reputation.

My role as Council has given me the privilege of beginning this journey.

In the past four Council meetings; we have been able to approve more than 20 initiatives.

- We have had the first round of community strengthening grants;
- The approval for the 'go ahead' for the
  - Yarrawonga Multisport Complex,
  - The Yarrawonga Library, Events and Performance Precinct
  - The Numurkah flood Plan, Stage 1

- We have updated a range of policies and programs, and
- We have reviewed the quarterly Budget for the Shire (March) and the Draft Budget for 2023/24. The Draft Budget is now before this June Council meeting.
- I also awarded the future contract for our waste collection services. The contract was the subject of one of the most rigorous reviews and assessment processes that the Council has undertaken.

**In addressing the waste services contract, it is important to highlight differences between tender processes and broader community engagement.**

With the waste management tender, the administration had carried out a comprehensive assessment and evaluation processes before putting its recommendations to me.

I also wanted to ensure that the contract provided the 'best value for money' for the Moira ratepayers.

However, any engagement in community consultation would have

- breached confidentiality of the tender process and
- probity regulations and
- undermined the whole tender process.

I would never allow such a breach.

It would undermine the credibility, trust and confidence that are essential for any Council with its constituents. Therefore, I believe the municipality will be well served by my decision.

**In addressing the Commission of Inquiry's report, the Council has moved to address all the recommendations and findings.**

- Among them are:
  - the community leadership recommendation.
  - Updates to the Community Engagement Plan
  - Looking at opportunities for leadership programs, such as those with the likes of the Fairley Leadership Program to specifically develop and maximise community leadership for Moira residents and to strengthen engagement and relationships between the Council and the community.

- The illegal disposal of asbestos contaminated fill.
  - We have furnished a report to IABC on the progress and will be providing others on the progress.
- The Commission's findings on the mismanagement of two flagship projects – the Yarrowonga library and the Yarrowonga Multisport Stadium
- The Numurkah flood mitigation work is also underway with community consultation being held and floodplain management plans now in place.

On the policy front, we have

- Revised Community Engagement Policy
- Revised the Disciplinary Policy and Procedure
- Reviewed the Recruitment and Selection Policy and Procedure which has been circulated through the Employee Consultative Committee for feedback.
- Reviewed the Customer Service Standards.
- And commenced a review of the Procurement Policy.

**As I said we have 'reset' the agenda, addressed important matters and we are now moving to the Next phase – pathway to the future**

In my new role as Council's Chair of the Panel of Administrators, I believe the 'reset' direction for the Council during my 90 days is now well established.

The Panel now has the pathway to make this Council the best in regional and rural Victoria. There is much work to be done, but we approach it with expectations of growth, confidence and optimism.

I look forward to taking on my role as Chair of the Panel with Ms. Suzanna Sheed and Dr. Graeme Emonson PSM.

**Thank you. I table the full report.**

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## 90-day Administrator Report to Moira Shire Council

**From: John Tanner AM, Administrator**

**Date: June 2023**

### Preamble

I table this report as a high-level record and observation of my 90 days as Administrator of the Moira Shire Council. My appointment to the position<sup>1</sup> was on 10 March, 2023 for a period of ninety (90) days or until such time as a panel of administrators was appointed for the Council, whichever occurs earlier.

On 6 June, the State government gazetted<sup>2</sup> that I stay on as one of the Panel of Administrators and as its Chair, The other Panel members are Suzanna Sheed, a lawyer and former Independent member for Shepparton in the Victorian Parliament and Dr. Graeme Emonson PSM, formerly Deputy Secretary, Corporate Services Department of Energy, Environment and Climate Action in Victoria, a former Executive Director of Local Government Victoria, CEO of the City of Wangaratta for five years to 2002 and CEO of Knox City Council from 2002 to 2016.

### Introduction

It has been my privilege to work with the Council staff and with many Moira residents across most of the Shire over the past 90 days in my role as Administrator. As I have said at the start of my appointment on 10 March, my role, in effect, is that of the Mayor and the Councillors who were replaced under an Act of Parliament on 10 March, 2023.

In taking up the position, I also said my focus was on three specific areas -

- ensuring Council services are delivered effectively,
- the health and wellbeing of staff, and
- strengthening engagement and relationships between the community and the Council.

I was also focussed on addressing the recommendations of the Commission of Inquiry into the Council and the Council's Plan for 2021-2025, which sets the framework to support Council decisions on budget allocation and service delivery.

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<sup>1</sup> The terms and conditions of the appointment are fixed by the Minister for Local Government in accordance with section 7(e) of the *Local Government (Moirá Shire Council) Act 2023*.

<sup>2</sup> <https://www.gazette.vic.gov.au/gazette/Gazettes2023/GG2023S291.pdf>



## **The reset approach**

The past 90-days has been concentrated on 'resetting' the Council agenda so the Council and its staff could move on from the Commission of Inquiry's report.

This report was most damning on the Council and how it operated. However, it presented the Council with the important opportunity to 'address the past and build the future'.

This approach also had its foundation in the perception of the Council with its stakeholders; the ratepayers. The community satisfaction survey<sup>34</sup>, to which all Councils in Victoria participate, has continued to show a decline in satisfaction with the Moira Council over the past 10 years, most markedly over the last few years.

We cannot allow this trend to continue because it shows that there are fundamental flaws in the way we operate and have operated.

Therefore, in looking back over my period, I believe adoption of the 'reset' approach was the best way I could achieve a new direction and, most importantly, start to rebuild confidence and trust in the Council and its operations. As the Minister for Local government, The Hon. Melissa Horne, has said: "It is vital that every council properly represents its community." She highlighted that the 'findings of the Commission of Inquiry demanded drastic action be taken in the interests of local residents and businesses.'" Nothing could be clearer from my perspective that a 'reset' was required.

However, I'm realistic enough not to expect any significant turnaround in public perception in 90 days. Like any organisation with adverse findings against them, we need to be flexible, agile and thoughtful of our people and operations, but also our community – our ratepayers. This is why I have set a 'new path' to the way forward and the seek to turn the community's perception around.

## **What we are doing - internally**

In looking at what we are doing, the overall strategy of the 'reset' has been to provide a 'pathway forward' in addressing the community's perception issues and the Commission's findings. This 'new path' is our way forward.

This approach has also been adopted to addressing the concerns of the staff and how they operate and, most importantly, how they want to operate. We have broken this direction down to the approach of 'getting our house in order'. I have used this as the foundation for all my meetings staff, especially in wanting to hear from them about what is needed to change.

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<sup>3</sup> We have now moved to a quarterly assessment of the Council's performance in line with a number of other Councils. This will enable us to get timely feedback on what we are doing right and wrong with our operations.

<sup>4</sup> 2023 Local Government Community Satisfaction Survey co-ordinated by the Department of Government Services on behalf of Victorian councils

I must say that this engagement has been most rewarding. It has enabled me to not only get to know the staff, but also to give me the insights to how we should operate and reframe our approach to stakeholder issues and their needs.

A key foundation to this has been also my desire to lift the morale of the staff which has been in decline since - and before - the Commission's report.

By way of example, we reinstated the Reward and Recognition initiative which had lapsed. The awards recognise the commitment of staff to their work and to enhancing workplace culture, supporting our values and making Moira an excellent place to work. We handed out more 30 awards to recognise the work and service staff ranging from five (5) years to twenty-five (25) years. This type of program is fundamental to the direction we are taking.

The administration also have put considerable thought, consultation and planning into the restructure plans for the organisation. These plans are designed to ensure there is greater depth to the operations of the Council and to having the right people in the jobs to effectively carry out the work. The Council executive is now in the staff consultation stage, and I look forward to them finalising the structure so it can come to Council for consideration and for implementation as soon as possible.

There is also underway an organisation's Values and culture program which is designed to create a comprehensive and continuous focus on providing the best environment for staff to achieve a more focussed culture in the organisation and better outcomes in their work. We want the Council to be 'a great place to work' and for its values and culture to be the underlying foundations for this. Like any organisation, this is an essential to 'moving ahead' from the past.

The acting CEO, Joshua Lewis has also instigated a weekly staff report to ensure staff are aware of some of the broader activities in which the executive and the organisation are engaged. It is this information, on top of the Council's weekly staff letter and its continued community engagement information advertisements in local newspapers and in social media that both internal and external engagement has been stepped-up to ensure the Council is taking community leadership and engagement seriously.

In line with the Commission's report and recommendations, we also ensuring that the Council's internal and external policies are up to date and accountable. The Council operates under more than 40 policies, from community recognition to employment and remuneration, to complaint handling and volunteer recognition.

These policies are fundamental to how we operate and are a corner stone to sound governance and stewardship.

### **What we are doing - externally**

In looking at external awareness, community engagement has been one of my key undertakings. I have conducted, or been involved in more than 40 meetings

with community groups, organisational representative, or individuals to listen to their views, concerns or wants, as well as to reassure them of my commitment, or provide them with an understanding of the issues Council has had to consider in making its decisions.

These meetings have ranged from grant recipients to budget feedbacks, flood mitigation, district health, libraries boards, community leadership and Mayors and CEOs of other regional shires and councils.

I have also participated in a number of community activities, such as the Council's Achiever Awards (see below) and the Anzac Day ceremonies; this involvement also saw a number of Executive staff taking a role in local services throughout the Shire.

I strongly believe that everyone in the community should have 'a say' in important projects and activities that the Council is undertaking for rate payers.

Through feedback, community engagement enables us to listen and, in turn, demonstrate the importance of community contributions to our decision-making. It builds deeper, stronger and more trusting relationships between the Council and our communities.

Naturally, not all decisions meet everyone's expectations, and some cannot include consultation because of the confidentiality and regulations associated with them. But the engagement process does, in the main, enabled people to contribute to the discussions and decisions. All my decisions are based on the strong belief that the Council must build and strengthen the community for not only now, but also the future and future generations. The decisions must be based also on the principles of sound governance, stewardship and financial responsibility.

We have done this, for instance, with the Yarrawonga Multisport complex; the Yarrawonga Library, Events and Performance Precinct (YLEPP); the proposed Council's Budget and capital works program; the Numurkah Flood Implementation Report and Numurkah Flood Study Community Reference Group and the supporting agencies, and the All abilities Access and Inclusion Plan.

I have also extended this to the Health and Education sectors of the municipality, taking into account both the health providers, such as NCN Health and Yarrawonga District Health and our secondary colleges.

I strongly believe the formation of this strategic alliance will broaden co-operation between local government (Moirá Shire Council), and our education and health sectors to deliver better outcomes for the Moirá Shire in education, health and general community wellbeing. It will enable us to plan better, enhance policies and services and help to provide greater community awareness of the services.

It will also expand on the Council's strategy for wellbeing for all ages, our mental health plans and the all abilities access and inclusion plans. For our community to grow and prosper, we have to take into account what the health and education sectors are telling us about how to build on the community's needs and desires so we can have greater community resilience and capacity.

I look forward to expanding this in a similar way with our business and industry sectors where we have such a wealth of opportunity in horticulture, tourism, manufacturing, small business and the arts. To furnish this, we now have an Economic Opportunities Study. This is a comprehensive analysis of the shire with population and industries growth forecasts which will be essential to positioning the Shire as a growth opportunity for the future.

I am certain this approach will provide significant outcomes in the way we all operate within the municipality and increase our prosperity as an innovative, inclusive and supportive community.

An excellent example of this was the Council's Achiever Awards in April. There were 40 nominations across the five (5) categories which was an outstanding response. Each and every one of them deserved an award for what they did for the Shire and our community.

This is community leadership at its best. It is the perfect illustration of what the Commission of Inquiry was highlighting as important to the Council's operations. When you have 16 community organisations ranging from Lions Clubs to Rotary Clubs, to pre-school groups, sporting clubs and emergency services all contributing to make this community better, I am pleased to say that there is a community spirit in this municipality that is second-to-none.

This was exemplified also by the community response to the recent major fatalities the Shire experienced, especially when we lost the lives of five people - four of whom were workers from overseas - in one single road accident. Through this tragedy - the worst the shire has experienced - people's lives changed forever. However, the community's response was overwhelming. Two young people brought the community together in a vigil that saw more than 300 people gather to express their condolences and support to the families of those killed and those affected by it.

The significance of the event and other road tragedies we have experienced in recent times was such it was appropriate for the Council to recognise not only those who lost their lives, but also the community's strong sense of a collective spirit and support for each other. Our memorial to this in Federation Park, which was unveiled in June, signifies this sense of belonging and how it connects us as people to our community. It is a collective identity that distinguishes Moira.

### **What we are doing – the Council**

As I said at the beginning of my appointment, I wanted to set us on the pathway to the future to build the Shire and a positive reputation. My role as Council has given me the privilege of beginning this journey.

In the past four Council meetings we have been able to approve more than 20 initiatives.

They have ranged from the first round of community strengthening grants; to the approval for the 'go ahead' for the Yarrawonga Multisport Complex, the Yarrawonga Library, Events and Performance Precinct, the Numurkah Flood Plan, Stage 1; along with updates to the Moira Creative Arts Hubs and policies around our tree maintenance programs, play safe areas, rural roads line marking program, the Wellbeing for All Ages Strategy and the Community Engagement policy. We also reviewed the quarterly Budget for the Shire (March) and the Draft Budget for 2023/24, which went to the community for consultation before coming to Council. This Budget will come before this June Council meeting.

I also awarded the future contract for our waste collection services. This 10-year contract was the subject of one of the most rigorous reviews and assessment processes that the Council has undertaken.

It was important for me to be assured that the administration had not only comprehensively undertaken its assessment and evaluation processes with this tender, but also that it put forward the 'best value for money' contract for the Moira ratepayers.

Although there were some public calls for community consultation in this review, this process would have breached confidentiality and probity regulations and undermined the whole tender program. I would never allow such a breach as it would undermine the credibility, trust and confidence that are essential for any Council with its constituents. Therefore, I believe the municipality will be well served by my decision.

In looking at the Commission of Inquiry's report, the Council has moved to address all the recommendations. Among some of the key ones is the community leadership recommendation. Council has updated its Community Engagement Plan and is looking at opportunities with the likes of the Fairley Leadership Program to specifically develop and maximise community leadership for Moira residents. This is aimed at young people to become community leaders and participate in civic life and, in turn, strengthen engagement and relationships between the Council and the community. The key focus of this approach is to select and enable participants to realise their full potential and demonstrate leadership through immersive and adaptive programs.

We have also begun addressing the illegal disposal of asbestos contaminated fill through a series of identification and remediation initiatives and public awareness. This is ongoing as the Council moves to remediate the sites in Tungamah and Strathmerton with specially appointed teams and ensuring that all its initiatives are reported to IABC with appropriate highlights of the progress. The first report was delivered in May, and another is being prepared now.

The Commission's findings on the mismanagement of two flagship projects – the Yarrawonga library and the Yarrawonga Multisport Stadium – have also been addressed, as reported earlier.

The Council conducted a site inspection of the library site prior to construction getting underway this month. The stadium, which had been described as a 'white elephant', has now been roundly welcomed by the community as plans were approved in the May Council meeting.

The Numurkah flood mitigation work is also underway with community consultation being held and floodplain management plans now in place.

On the policy front, we have revised Community Engagement Policy, adopted at the May Council Meeting and the Disciplinary Policy and Procedure, endorsed by Executive Leadership Team on 27 April.

The Recruitment and Selection Policy and Procedure review is in progress and has been circulated through the Employee Consultative Committee for feedback.

The Procurement Policy review has started with processing mapping to determine control gaps.

The Customer Service Standards are also being reviewed.

### **Next phase – pathway to the future**

As I enter into my next phase as the Chair of the Panel of Administrators, I believe the 'reset' direction for the Council during my 90 days is now well established.

I am confident it will give the Panel the pathway to make this Council the best in regional and rural Victoria.

I look forward to taking on my role as Chair of the Panel with Ms. Suzanna Sheed and Dr. Graeme Emonson PSM