



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT
COBRAM CIVIC CENTRE,
WEDNESDAY 27 JUNE 2018

The meeting commenced at 5:00 pm.

PRESENT Councillor Libro Mustica (Mayor)
Councillor Ed Cox (Deputy Mayor)
Councillor Kevin Bourke
Councillor Wendy Buck
Councillor Gary Cleveland
Councillor Peter Lawless
Councillor Peter Mansfield

IN ATTENDANCE: Mark Henderson Chief Executive Officer
Andrew Close General Manager Infrastructure
Simon Rennie General Manager Corporate
Sally Rice General Manager Community

RECORDING

Consistent with section 72 of our Meeting Procedures Local Law, Council officers have been authorised to record the public session of this meeting using an audio recording device.

1. CALLING TO ORDER – CEO

2. PRAYER

Almighty God we humbly ask you to guide our deliberations for the welfare and benefit of the Moira Shire and its people whom we serve.

Amen

Read by the Mayor.

3. ACKNOWLEDGEMENT OF COUNTRY

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

Read by the Mayor.

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

- Apologies were received from Councillors Beitzel and Martin.
- Councillor Peter Lawless requested leave of absence for 28 June to 5 August 2018.

MOTION

CRS PETER MANSFIELD / GARY CLEVELAND

That Councillors Marie Martin and John Beitzel apologies and Councillor Peter Lawless request for leave of absence be accepted.

(CARRIED)

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

Nil

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

- Councillor Libro Mustica declared a conflict of interest in item 9.4.2 being a direct interest.
- Councillor Kevin Bourke declared a conflict of interest in item 9.4.2 being a direct interest.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS GARY CLEVELAND / ED COX

That the minutes of the Ordinary Council Meeting held on Wednesday, 23 May 2018, the minutes of the Special Meeting of Council held on Wednesday, 30 May 2018 and the minutes of the Special Meeting of Council held on Wednesday, 13 June 2018, as prepared, be confirmed.

(CARRIED)

8. COUNCILLOR REPORTS

- Councillor Peter Mansfield reported on his attendance and the National General Assembly in Canberra.
- Councillor Kevin Bourke reported on a Motor Neuron Disease fundraiser held in Nathalia, a visit to Farm Pride and the Blake Street Nathalia pedestrian crossing.
- Councillor Wendy Buck reported on her attendance at the Future of Local Government Summit.
- Councillor Peter Lawless reported on his attendance at a Disability Advisory Committee meeting, an autism workshop, a meeting regarding silo art at St James, a quail shooting event at Burrumine and conversations with businesses in Yarrawonga regarding the proposed green route for the Yarrawonga Mulwala Bridge.
- Councillor Cox reported on his and the Mayor's attendance at a dinner with the event organisers of Sustainable Economic Growth in Regional Australia National Conference (SEGRA) at Barooga.

FILE NO: 12
4. A WELL RUN COUNCIL

ITEM NO: 9.2.1

REVIEW OF 2017-2021 COUNCIL PLAN INCLUDING STRATEGIC RESOURCE PLAN

Executive Summary

This report seeks Council's endorsement that the 2017-2021 Council Plan continues to reflect the priorities of Council and does not require material amendment at this stage.

Council is required to, at least once in each financial year, consider whether its current Council Plan, including the Strategic Resource Plan (SRP), requires any adjustment in respect of the remaining period of the Plan.

The Council Plan comprises two key sections.

- The Council Plan that describes Council's objectives along with the strategies for achieving and indicators for monitoring progress across the four year plan. Officers have reviewed the Council Plan and determined no material changes are required. A number of minor changes to improve wording were identified. The proposed amendments are highlighted in the attached 2017-2021 Council Plan.
- The Strategic Resource Plan that identifies the financial and non-financial resources required to deliver the Council Plan over the four years of the plan. The Strategic Resource Plan has also been reviewed and following community consultation the updated SRP was adopted by Council at the 13 June 2018 Special Council Meeting.

MOTION

CRS ED COX / PETER LAWLESS

That Council endorse that the 2017-2021 Council Plan continues to reflect the priorities of Council and does not require material amendment.

(CARRIED)

FILE NO: F13/2477
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

ADVERTISING PROTOCOL

Executive Summary

This report seeks Council's endorsement of the CEO Protocol - Advertising
The Protocol replaces and codifies previous council practices.

The protocol clarifies the publications Moira Shire Council will use to fulfill obligations for the placement of public notices, advertising and notifications through print media.

The Advertising Protocol has been developed to guide the:

- publishing of public notices required under an act or regulation by Moira Shire Council or by Council on behalf of a third party.
- placement of non-statutory advertising campaigns and initiatives.

This protocol does not apply to advertising associated with recruitment and human resource management and the placement of broadcast and/or social media advertising campaigns and initiatives.

MOTION

CRS PETER MANSFIELD / ED COX

That Council endorse the CEO Protocol – Advertising.

(CARRIED)

FILE NO: F13/503
4. A WELL RUN COUNCIL

ITEM NO: 9.2.3

ASSEMBLIES OF COUNCIL

Executive Summary

This report details the Assembly of Councillors for May 2018 is prepared in accordance with the requirements of the Local Government Act (the Act) 1989 section 80A.

MOTION

CRS KEVIN BOURKE / PETER LAWLESS

That Council receive and note the Records of Assembly of Councillors.

(CARRIED)

FILE NO: F13/262
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.2.4

COBRAM APEX CARAVAN PARK - SECTION 223 SUBMISSIONS IN RESPONSE TO PROPOSAL FOR SALE.

Executive Summary

This report requests Council approval to proceed with the proposed 5 lot subdivision of the Cobram Swimming Pool - Cobram Apex Caravan Park site (the Site) and to proceed with the sale of Lots, 3, 4 and 5 of the proposed subdivision.

It is recommended that Council resolve to sell Lot 2 of the proposed subdivision but not proceed to execute a pending an Expression of Interest on the potential future development options for the site. This will create an opportunity for commercial, NFP and community proposals to be considered before council determines whether a sale is the preferred option. Without a resolution to sell the land the level of uncertainty created is unlikely to attract the interest of commercial developers.

MOTION

CRS ED COX / WENDY BUCK

That Council

1. Proceed with a 5 Lot Subdivision of the Cobram Swimming Pool - Cobram Apex Caravan Park site to create 3 residential lots fronting Campbell Road with the balance of the site to comprise the swimming pool and closed caravan park .
2. Resolve to sell the 3 residential lots fronting Campbell Road and authorize the CEO to dispose of the lots and sign and seal all documentation relating to the sales.
3. Retain the balance of the caravan park, after excision of the 3 lots, as council land and not proceed with the sale of this portion of the site at this stage.

(CARRIED)

FILE NO: 1
3. A CLEAN GREEN ENVIRONMENT

ITEM NO: 9.3.1

EMISSIONS REDUCTION PLAN 2018-2021

Executive Summary

The development and implementation of an Emissions Reduction Plan (ERP) was identified as a performance indicator in Council's Environment Sustainability Strategy 2017-2021 (ESS). The ERP:

- includes an emissions reduction target of 35% below 2008-09 levels by 2021;
- details Council's current emissions profile;
- notes Council's recent achievements in reducing corporate emissions;
- identifies seven priority areas for further action; and
- lists actions for meeting these targets.

This report seeks Council endorsement of the recently prepared 2018-2021 Emissions Reduction Plan.

MOTION

CRS KEVIN BOURKE / PETER LAWLESS

That Council endorse the attached 2018-2021 Emissions Reduction Plan with amendments:

Make addition to second paragraph to read:

Although Council has already made significant progress within this area, there is still opportunity to reduce emissions from main road and decorative street lighting across the shire. When considering efficient decorative options the aesthetic, social, historical and heritage values of these lights will be taken into consideration.

Action 6.1 to delete the words 'decorative lighting and' therefore action 6.1 becomes *Investigate the potential to reduce emissions from lighting that is shared with Vicroads (eg energy efficient lighting)*

Action 6.2 to remove the words 'decorative and standard' and include the words 'look for look' therefore action 6.2 becomes: *"As opportunities arise, work with Powercor to change inefficient street lights to more efficient look for look alternatives."*

(CARRIED)

FILE NO: F13/2657
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.2

YARRAWONGA LIBRARY AND TOWN HALL PRECINCT - COMMUNITY CONSULTATION FEEDBACK

Executive Summary

Contemporary libraries provide multiple spaces for a variety of activities. Space constraints limit the existing Yarrowonga library's capacity to provide the spaces to accommodate these various needs.

Therefore Council has established the Yarrowonga Library Project Steering Committee (Steering Committee). The aim of this committee is to inform the development of the Yarrowonga Library Feasibility Study, Site Masterplan and Business Case through community consultation and engagement with the appointed consultants Urban Enterprise.

The Steering Committee with the support of Urban Enterprise has identified the Yarrowonga Town Hall Precinct (the Precinct) as the most suitable site for the purposes of a new library in Yarrowonga. Urban Enterprise has developed three options for the location of a Library on the Precinct.

Following the 28 March 2018 Council meeting a period of public consultation has occurred. Feedback was sought, via an online survey, on the future use of the Precinct and specifically the three options: The three options presented to the community for feedback were:

- Option A – Includes the demolition of the Community Hall and Old Kindergarten building. A new library would be built at the rear of the Yarrowonga Town Hall;
- Option B – Includes the refurbishment of the Yarrowonga Town Hall to include the library within it. The community hall would remain in place; and
- Option C – Includes the redevelopment of the Yarrowonga Town Hall to include the library within it. The community hall and old kindergarten buildings would be demolished for redevelopment of the site.

A survey was developed with the aim of understanding the community thinking. The survey was promoted and available for completion between the 29 March and 11 May 2018. It could be completed online or in hard copy.

There was a total of 215 survey responses received (summary report attached). Three written submissions were also received in lieu of completing the survey which have also been included in the response analysis.

MOTION

CRS PETER LAWLESS / WENDY BUCK

That Council:

1. note the results of the recently conducted community consultation; and
2. endorse the Yarrowonga Library Project Steering Committees recommendation to proceed with the development of a new library at the Yarrowonga Town Hall Precinct as described in Option A.

(CARRIED)

FILE NO: F17/794
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.1

**ADOPTION OF PLANNING SCHEME C87 - REZONING LAND ALONG LAKE
MULWALA FORESHORE TO MORE APPROPRIATELY REFLECT CURRENT USES
AND PROPOSED ACTIVITIES**

Executive Summary

The purpose of this report is to consider the Adoption of Moira Planning Scheme Amendment C87.

The Amendment proposes to replace the Public Conservation and Resource Zone (PCRZ) and General Residential Zone 1 (GRZ1) on specified sites, with the Public Parks and Recreation Zone (PPRZ) as follows:

Area A – Part of Crown Allotment 2 Section 8 PP5901 and all of Crown Allotment 1 Section 8 PP5901.

This area comprises land owned by the Crown and managed by Goulburn Murray Water (GMW). It is maintained by Council under agreement with GMW. It is located east of the bridge and incorporates Aquazone, Council owned land zoned General Residential, the park area with pool and playground as well as the boat ramp, along Hunt and Bank Streets.

MOTION

CRS PETER MANSFIELD / PETER LAWLESS

That:

1. Having exhibited Planning Scheme Amendment C87 in accordance with Section 19 of the *Planning and Environment Act 1987 (The Act)*, Council Adopt Moira Planning Scheme Amendment C87 as exhibited and in accordance with Section 29 of *The Act*.
2. In adopting Moira Planning Scheme Amendment C87, Council request the Minister for Planning to Approve the adopted Amendment C87 to the Moira Planning Scheme under Section 31 of *The Act*.

(CARRIED)

FILE NO: F17/806
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.2

FUTURE DIRECTIONS PAPER: MAJOR TOWN'S STRATEGY PLAN REVIEW (YARRAWONGA, COBRAM, NUMURKAH, AND NATHALIA)

- **Councillor Libro Mustica vacated the chair and left the meeting at 5:37 PM in accordance with his previously declared conflict of interest.**
- **Councillor Kevin Bourke left the meeting at 5:37 PM in accordance with his previously declared conflict of interest.**
- **Councillor Ed Cox took the chair.**

Executive Summary

At the Council meeting of 18 April 2018, Council authorised the *'Future Directions Paper: Major Town's Strategy Plan Review (Yarrawonga, Cobram, Numurkah and Nathalia)'* to be released for public comment and feedback.

The Major Town's Strategy Plan Review was placed on public exhibition for four weeks from 9-30 May 2018 with a total of twenty one submissions received. The submissions have been thoroughly considered and in some instances have led to minor changes in the Strategy and highlighted future work. In most instances the submissions led to a consideration of no change.

The Strategy concludes that whilst there has been some growth and requirement for changes the structure plans, which the Strategy reviewed, will remain largely unchanged.

The Summary of Findings identifies the following:

- Yarrawonga requires additional new areas for industrial land and an expansion to the retail and commercial areas.
- Cobram requires the C1Z area to be expanded to encourage the development of a larger retail centre.
- Numurkah requires replacement industrial land to replace the existing which is constrained by the current owner as well as the need to provide for future supporting allied businesses for the solar industry that is growing in the Shire.
- Nathalia requires additional industrial land.

These findings if supported will lead to planning scheme amendments for rezoning.

In relation to Yarrawonga, Council is seeking further funding through Victoria Planning Authority (VPA) for more detailed Structure Planning for the town based on VPA's previous work. This will further the findings from this Structure Plan.

MOTION

CRS GARY CLEVELAND / WENDY BUCK

That item 9.4.2 be deferred to the July Council Meeting.

(CARRIED)

- **Councillor Libro Mustica returned to the chair at 5:39 PM**
- **Councillor Kevin Bourke returned to the meeting at 5:39 PM**

FILE NO: C010/18
4. A WELL RUN COUNCIL

ITEM NO: 9.4.3

C010/18 - CONSTRUCTION OF A PUBLIC TOILET AND AMENITIES BLOCK, YARRAWONGA

Executive Summary

Moira Shire Council invited tender submissions from suitably qualified organisations and individuals for construction of a new public toilet and amenities block on the Lake Mulwala foreshore, Yarrawonga.

After consideration of the submissions received, including price and all specification requirements, the evaluation panel recommends that Contract C010/18 – Construction of a Public Toilet and Amenities Block, Yarrawonga be awarded to Kennedy Builders Pty Ltd.

2. Background and Options

Contract C010/18 – Construction of a Public Toilet and Amenities Block, Yarrawonga is a lump sum contract for works located on the Lake Mulwala foreshore on between Lynch Street and Haebich Drive, Yarrawonga.

Works under contract is the construction of a public toilet facility including separate space to accommodate the existing pumping equipment used to water the foreshore. The new building replaces a public toilet removed from the same site. The pumping equipment has been temporarily removed and will be re-installed by Council when construction of the new facility is complete.

The scope of works under contract includes:

- Earthworks necessary to establish the subgrade level for the proposed concrete slab
- Design drawings for the structural steel framework
- Supply and installation of pier and beam footings including suspended concrete slab and access ramps
- Supply, installation and connection of utility services including water, sewer and electricity
- Supply and construction of the facility
- Landscaping

MOTION

CRS PETER MANSFIELD / WENDY BUCK

That Council:

1. Award Contract C010/18 – Construction of a Public Toilet and Amenities Block, Yarrawonga to Kennedy Builders Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

(CARRIED)

**FILE NO: F17/235
4. A WELL RUN COUNCIL**

ITEM NO: 10.1

ACTION OFFICERS' LIST

MOTION

CRS PETER MANSFIELD / KEVIN BOURKE

That Council receive and note the Action Officers' List.

(CARRIED)

11. NOTICES OF MOTION

NIL

12. PETITIONS AND JOINT LETTERS

NIL

FILE NO: 1S7104 2. A THRIVING LOCAL ECONOMY
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ITEM NO:

DEED OF DEFERRED WORKS AGREEMENT - 26 DILLON STREET COBRAM**MOTION**

CRS PETER MANSFIELD / ED COX

That Council receive the late item.

(CARRIED)

Executive Summary

At the 22 February 2017 Ordinary meeting Council resolved to sell the former saleyards land at Cobram. Following this resolution Council entered into contracts to sell the land, known as the old Cobram saleyards at 26 Dillon Street in 2017, subject to its a subdivision into three lots.

This subdivision required a Planning Permit which was dependent on the connection of services including sewerage and water.

Difficulties in finding a suitable contractor have caused a significant delay in all the required works and consequently settlement of the Sale of Land contracts.

Council can expedite settlement of the three contracts by obtaining a Statement of Compliance from Goulburn Valley Water that satisfies the Planning Permit conditions.

Council's signing of the Deed of Deferred Works guarantees that it will complete the required work and enables Goulburn Valley Water to issue a Statement of Compliance. This will allow Council to settle the Sale of Land contracts.

MOTION

CRS ED COX / GARY CLEVELAND

That Council authorise the Chief Executive Officer to sign and seal a Deed of Deferred Works Agreement with Goulburn Valley Water for 26 Dillon Street Cobram.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 14

URGENT GENERAL BUSINESS**MOTION**

CRS PETER MANSFIELD / GARY CLEVELAND

That items of urgent general business be considered.

(CARRIED)

Councillor Kevin Bourke reported on the Committee of Council Meeting held today where the committee resolved to:

“That:

1. Immediate replacement of the eight faulty Nathalia lights with energy efficient, ASP530X 135W LED (Buckford lighting) lights occur (Count as of 25 June 2018).
2. A review of Council’s Public Lighting Policy within the next 12 months to:
 - a. enable replacement of existing decorative street lights with energy efficient ‘look for look’ lights where the community expresses support for this option and the lights are a key element of the local streetscape.
 - b. guide future approval of installation of decorative lights by developers, council and other agencies.
 - c. guide consultation with communities to confirm their support for ‘look for look’ replacement as and when required.
 - d. any other matters that may be required or relevant to an effective policy.
3. Conduct consultation programs to involve the community and stakeholders in:
 - a. endorsing the replacement of the Blake Street Nathalia lights and
 - b. reviewing Council’s Street Lighting Policy.
4. An annual budget provision to fund the replacement of existing decorative street lighting in accordance with Council’s adopted policy
5. Amendments to the Emissions Reduction Plan to accommodate ‘look for look’ energy efficient replacement options.”

FILE NO: VARIOUS

ITEM NO: 15

QUESTIONS FROM THE PUBLIC GALLERY

Questions were raised in relation to:

- Budget for roads within Moira Shire Council.
- TAC roadworks across Victoria
- Yarrawonga Library and Town Hall Precinct Community Survey

16 MEETING CLOSE

The Mayor declared the meeting closed at 5:56 PM.