



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT NATHALIA
DANCOCKS ROOM,
WEDNESDAY 26 SEPTEMBER 2018

The meeting commenced at 5:00 pm.

PRESENT

Councillor Libro Mustica (Mayor)
Councillor John Beitzel
Councillor Kevin Bourke
Councillor Gary Cleveland
Councillor Peter Lawless
Councillor Peter Mansfield
Councillor Marie Martin

IN ATTENDANCE:

| | |
|----------------|---|
| Mark Henderson | Chief Executive Officer |
| Andrew Close | General Manager Infrastructure |
| Simon Rennie | General Manager Corporate |
| Sally Rice | General Manager Community |
| Margaret Hinck | Acting Manager Governance and Communication |

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

- Councillor Buck has previously requested leave of absence for this meeting.
- Councillor Cox is an apology for tonight's meeting.

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

Nil

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS GARY CLEVELAND / KEVIN BOURKE

"That the minutes of the Ordinary Council Meeting held on Wednesday, 22 August 2018, as prepared, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

- Councillor Bourke reported on the Nathalia Football Club premiership, the successful meet and great and site visits at Nathalia and his attendance at the Nathalia U3A AGM.
- Councillor Mansfield reported on his attendance at the Murray Darling Association Region 2 meeting held in Berrigan.
- Councillor Martin provide an overview of the Goulburn Valley Green House Alliance's climate smart agricultural development project.
- Councillor Lawless reported on his attendance at a National Heavy Vehicle Regulator Meeting and the worsening drought situation.

9. OFFICER REPORTS FOR DETERMINATION

FILE NO: F13/2657
4. A WELL RUN COUNCIL

ITEM NO: 9.1.1

TERMS OF REFERENCE YARRAWONGA MULTIPURPOSE SPORT STADIUM STEERING COMMITTEE

Executive Summary

The purpose of this report is to put the draft Terms of Reference (TOR) for the Yarrawonga Multisport Stadium Steering Committee before the Council for adoption.

An informal committee has been appointed and the adoption of the TOR will formalize these appointments.

Council has progressively been working towards building a new Multisport Stadium in Yarrawonga and is beginning a comprehensive feasibility study for the project.

The purpose of the steering committee is to inform the development of the Yarrawonga Multisport Stadium Feasibility Study and Business Case through consultation and engagement with stakeholders.

Under the draft Terms of Reference the proposed Steering Committee comprises representatives from:

MOTION

CRS PETER LAWLESS / MARIE MARTIN

That Council:

1. Endorse the Terms of Reference for the Yarrawonga Multisport Stadium Steering Committee;
2. Appoint Councillor Mansfield as Council's representative on the Yarrawonga Multisport Stadium Steering Committee.

(CARRIED)

FILE NO: 000.000.000
1. A GREAT PLACE TO LIVE

ITEM NO: 9.1.2

TERMS OF REFERENCE FOR NUMURKAH FLOOD MITIGATION PROJECT STEERING COMMITTEE

Executive Summary

The Council adopted the Numurkah Floodplain Management Study and Plan – Study Report, November 2017 at its Ordinary Council meeting of 25 May 2018 and appointed initial members to a project committee with Terms of Reference (TOR) to be determined.

The purpose of this report is to put the draft TOR for the Numurkah Flood Mitigation Project Steering Committee before the Council for adoption. The TOR have been drafted to achieve consistency with similar Council project committees with some variations to take account of project objectives and local circumstances.

Adoption of the TOR will enable the full complement of community representatives, specifically those living outside the proposed levee to be appointed following a public process.

MOTION

CRS KEVIN BOURKE / MARIE MARTIN

That Council adopt an amended Terms of Reference for the Numurkah Flood Mitigation Project Steering Committee.

(CARRIED)

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

ITEM NO: 9.2.1

ASSEMBLIES OF COUNCIL

Executive Summary

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

MOTION

CRS JOHN BEITZEL / GARY CLEVELAND

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

(CARRIED)

FILE NO: F14/254
4. A WELL RUN COUNCIL

ITEM NO: 9.2.2

MOIRA SHIRE COUNCIL ANNUAL REPORT 2017/18 - FOR NOTING

Executive Summary

Moirā Shire Council's 2017/18 Annual Report including the audited Financial Statements and Performance Statement is provided for noting by Council.

Council is required to prepare its 2017/18 Annual Report in line with the requirements set out in the Local Government Act 1989 (The Act) and submit the report to the Minister by 30 September each year.

Following Council's noting of the Annual Report, the report will be made available to the community and stakeholders via Council's website and copies will be printed and made available from Council's service centres.

MOTION

CRS PETER MANSFIELD / GARY CLEVELAND

That Council receives and notes the 2017/18 Annual Report including the audited Financial Statements and Performance Statement.

(CARRIED)

FILE NO: .
1. A GREAT PLACE TO LIVE

ITEM NO: 9.3.1

YARRAWONGA LIBRARY PROJECT STEERING COMMITTEE - COMMUNITY REPRESENTATIVE APPOINTMENT

Executive Summary

Council has progressively been working towards building a new library in Yarrawonga. The Future Needs Analysis and Site Identification report was endorsed by Council on the 21 November 2016. This report identified the Yarrawonga Town Hall site (including the community hall and former kindergarten) as the preferred site for a new library.

Recently a number of options for a new library on this 'Town Hall Precinct' site were presented to the public. Following a period of consultation Council resolved to proceed with the development of a new library as described in Option A (27 June 2018).

At the Council meeting held on the 22 August 2018 the Terms of Reference (ToR) for the Yarrawonga Library Project Steering Committee (Steering Committee) were adopted. The ToR requires community representation from two individuals and one organization.

Following the August meeting Councils called for nominations to the Steering Committee from the public. Nominations closed on 14 September.

Three nominations were received. There was one from a community organization and two from individuals. All nominations received are of a high quality and this report recommends that Council appoint the following to the Steering Committee:

- Yarrawonga Neighbourhood House as the Community Organisation;
- Dr Clyde Ronan and Dr Treahna Hamm as individuals.

MOTION

CRS MARIE MARTIN / GARY CLEVELAND

That Council appoint as Community Representatives to the Yarrawonga Library Project Steering Committee:

- The Yarrawonga Neighbourhood House as the Community Organisation; and
- Dr Clyde Ronan and Dr Treahna Hamm as individual representatives.

(CARRIED)

FILE NO: 1
2. A THRIVING LOCAL ECONOMY

ITEM NO: 9.3.2

NATHALIA JOINT VENTURE RESIDENTIAL SUBDIVISION

Executive Summary

At the 30 May 2016 Ordinary Council Meeting a Joint Venture with Norther Victoria Finances Ltd (NVF) and Council to develop a 23 lot residential estate at 60 Bourke Rd Nathalia was approved.

This is a two stage, 23 lot development on Bourke Road Nathalia. It is the first residential subdivision undertaken by Moira Shire Council. The joint venture is between Council and NVF who are the owner of the Nathalia and Numurkah branches of the Bendigo Community Bank.

This report provides an update of this project as the first stage of works near completion.

MOTION

CRS KEVIN BOURKE / GARY CLEVELAND

That Council note this report.

(CARRIED)

FILE NO: 52018133
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.1

**PLANNING PERMIT APPLICATION NO 52018133 FOR INTENSIVE ANIMAL
HUSBANDRY - EGG PRODUCTION AT 197 LEAFS ROAD NATHALIA**

THIS ITEM WAS WITHDRAWN

FILE NO: C020/18
4. A WELL RUN COUNCIL

ITEM NO: 9.4.2

C020/18 - BITUMINOUS RESEALING

Executive Summary

Moirā Shire Council invited submissions from suitably qualified organisations or individuals for the bituminous resealing of designated local roads throughout the municipality.

After consideration of the submissions, the evaluation panel recommends that contract C020/18 – Bituminous Resealing be awarded to Primal Surfacing Pty Ltd as per the Schedule of Rates.

MOTION

CRS KEVIN BOURKE / MARIE MARTIN

That Council:

1. Award contract C020/18 – Bituminous Resealing as per the Schedule of Rates to Primal Surfacing Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the contract.

(CARRIED)

FILE NO: F13/563
1. A GREAT PLACE TO LIVE

ITEM NO: 9.4.3

MURRAY RIVER CROSSINGS INVESTMENT PRIORITY ASSESSMENT REPORT - YARRAWONGA MULWALA BRIDGE CROSSING

Executive Summary

The Murray River Crossings Investment Priority Assessment Report prepared jointly by Vicroads and NSW's Roads and Maritime Services (RMS) has assessed the upgrade of the Yarrawonga-Mulwala Bridge Crossing as a medium term priority investment (5-10 years).

Council Officers have reviewed the Report and have provided a response back to Vicroads North Eastern Regional Manager stating that the Report's recommended assessment score as a medium term investment priority is not supported. The response also states that the bridge should have received a higher priority score on the basis that the bridge crossing has been scored inconsistently against the objectives criteria compared to those bridge crossings that have been scored as a short term priority.

The concern is that with the impending closure of the Weir Bridge in 2020 (and the imminent imposition of a load limit on the Burley Road Bridge over the irrigation channel), all heavy and other vehicles currently using the Weir Bridge will have to travel through the Belmore Street shopping strip. The consequence being increased risk for road users, increased traffic congestion in Belmore Street, and potential impact upon the viability of the businesses within Belmore Street as customers look for places to shop where access and parking is easier.

For this reason, it is believed that the upgrade of the Yarrawonga-Mulwala Bridge Crossing deserves to be rated higher than a 'medium term priority investment'.

MOTION

CRS PETER MANSFIELD / PETER LAWLESS

That Council:

1. Continue to support the upgrade of the Yarrawonga-Mulwala Bridge along the green route as a high priority, and,
2. Seek a joint meeting with Federation Council, Regional Roads Victoria and Roads and Maritime Services to discuss the Murray River Crossings Investment Priorities Assessment Report.

(CARRIED)

FILE NO: F13/365
4. A WELL RUN COUNCIL

ITEM NO:

SUPPLY OF AVIATION FUEL - YARRAWONGA AERODROME - DEED OF COMMERCIAL LEASE

MOTION

CRS GARY CLEVELAND / PETER MANSFIELD

That Council receive the late items.

(CARRIED)

1. Executive Summary

Council has sought "Expressions of Interest" (EOI) from suitable suppliers to establish and operate a retail aviation fuel supply system from the designated site at the Yarrawonga Aerodrome. Four EOI documents being forwarded to possible lessee's and one EOI submission had been received by the closing date and time of 4pm Wednesday 27 June 2018. The only respondent, IOR Aviation will rent the site and supply a self bundled and self-contained 13,000 litre Avgas tank. A further financial commitment for access to Councils Terminal building electricity supply has since been negotiated by Council officers.

The section 223 process closing on the 29 August resulted in no submissions. Therefore, Council is requested to authorise the Chief Executive Officer to enter into a lease with IOR Aviation.

MOTION

CRS MARIE MARTIN / PETER LAWLESS

That Council:

1. Resolved to enter into a lease of the designated fuel site at the Yarrawonga Aerodrome 122-140 Cahill Road Yarrawonga.
2. Authorise the Chief Executive Officer to sign and seal the lease documents.

(CARRIED)

FILE NO: F13/880-5
2. A THRIVING LOCAL ECONOMY

ITEM NO:

GAZETTAL OF LOCAL ROAD NETWORK FOR SEASONAL USE TO B-DOUBLE TRUCKS

Executive Summary

Council Officers together with the National Heavy Vehicle Regulator (NHVR) have developed a Scheme that allows B-Double truck access on local roads on a seasonal period commencing 1st October each year and concluding on 30th April each year subject to conditions of use.

Commodities that can be transported by B-Double trucks are restricted to grain, hay & other fodder products, livestock and fertilisers. This ensures protection of local roads from being damaged in wet conditions and during the winter months.

Roads that have bridge load limits or have been assessed as not suitable for access by a truck such as unmade roads and urban roads will be excluded from the Scheme of Approved Roads.

The gazettal of the approved roads eliminates the need for transport operators to apply and obtain a permit from the NHVR each time they plan to travel on an approved road.

The proposed scheme has the support of local transport operators

The NHVR together with Vicroads will publish the Gazettal notice including Conditions of Use and maps showing roads that are not approved for travel by B-Double trucks.

It is recommended that Council endorse the proposed gazettal of approved local roads for B-Double truck access with Conditions of Use on a seasonal basis.

MOTION

CRS PETER LAWLESS / GARY CLEVELAND

That Council:

1. Endorse the proposed Gazettal Scheme for approving local roads for use by B-Double trucks on a seasonal period commencing 1st October to 30th April each year and subject to Conditions of Use.
2. Restrict commodities that can be transported by B-Double trucks to grain, hay & other fodder products, livestock and fertilisers.

(CARRIED)

**FILE NO: F17/235
4. A WELL RUN COUNCIL****ITEM NO: 10.1****ACTION OFFICERS' LIST****MOTION**

CRS MARIE MARTIN / KEVIN BOURKE

That Council receive and note the Action Officers' List.

(CARRIED)

10. NOTICES OF MOTION

NIL

11. PETITIONS AND JOINT LETTERS

A petition against the establishment of a chicken farm at 197 Leafs Road Nathalia was tabled.

12. COUNCIL SEAL

NIL

FILE NO: VARIOUS

ITEM NO: 14

URGENT GENERAL BUSINESS

Nil

FILE NO: VARIOUS**ITEM NO: 15****QUESTIONS FROM THE PUBLIC GALLERY**

Questions were raised in relation to:

- Council's Road Management Plan
- Costs of a top seal on roads
- The President of Nathalia U3A thanked Moira Shire Council and staff for a grant and assistance to host an event which attracted new members.

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FILE NO: VARIOUS

ITEM NO: 16

MEETING ADJOURNMENT**MOTION**

CRS PETER MANSFIELD / GARY CLEVELAND

That the meeting be adjourned for 10 minutes.

(CARRIED)

The meeting adjourned at 5:59 PM

MOTION

CRS PETER MANSFIELD / GARY CLEVELAND

That the meeting be resumed.

(CARRIED)

The meeting resumed at 6:12 PM

MOTION

CRS PETER MANSFIELD / GARY CLEVELAND

That pursuant to Sections 89(2) (h) of the Local Government Act, 1989, this meeting of Council be closed to members of the public in order for Council to discuss personnel and contractual matters which the Council considers would prejudice the Council or any person.

(CARRIED)

MOTION

CRS GARY CLEVELAND / PETER LAWLESS

That pursuant to Section 89(2) of the Local Government Act 1989, Council resolve to resume the Ordinary meeting in open session.

(CARRIED)

MOTION

CRS GARY CLEVELAND / KEVIN BOURKE

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

(CARRIED)

13. CLOSE OF MEETING: The meeting closed at 6:18 PM.