



MINUTES

SCHEDULED MEETING OF COUNCIL HELD AT COBRAM
CIVIC CENTRE, PUNT ROAD COBRAM VIC 3644,
WEDNESDAY 13 DECEMBER 2023

The meeting commenced at 4:30PM

PRESENT John Tanner – Chair Administrator
Suzanna Sheed – Administrator
Graeme Emonson – Administrator

IN ATTENDANCE: Michael Tudball Chief Executive Officer
Josh Lewis Director Infrastructure Services
Matt Jarvis Acting Director Sustainable Communities
Amanda Chadwick Acting Director Corporate Governance & Performance
Beau Mittner Acting Chief Financial Officer
Nancy Mustica Governance and Risk Coordinator

RECORDING

Consistent with section 13.3 of our Governance Rules, Council officers have been authorised to record the public session of this meeting using an audio recording device.

LIVE STREAMING

Council meetings will now be lived streamed to allow those interested in viewing proceedings greater access to Council decisions and debate, without attending the meeting in person.

1. WELCOME CALLING TO ORDER – CEO

2. PRAYER

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

Amen

3. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

4. APOLOGIES / LEAVE OF ABSENCE

Nil

5. DISCLOSURE OF CONFLICTS OF INTEREST

Nil

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That the minutes of the Scheduled Council Meeting held on Wednesday, 22 November 2023, Committee of Council meeting held on Tuesday 5 December 2023 and CEO Employment and Remuneration Committee Meeting held on 6 December 2023 as presented, be adopted.

(CARRIED)

7. ADMINISTRATORS ADDRESSES

Chair Administrator – John Tanner

Welcome to those in the gallery and online.

I attended the Moira Health Care Alliance AGM on 27th November 2023 on the 28th November 2023 attended the Rural Council's Victoria presentations and on the 29 November 2023 we had a visit from Mr Mike Gooley the Executive Director Local Government Victoria.

On the 1st December Moira hosted the All Abilities Talent Show that was attended by 150 people. The day was full of entertainment with 18 applicants participating. Moira Shire Council also launched its All Abilities Plan.

6th December Mr Anthony Judd the Executive Director of Department of Transport and Planning visited the Moira Shire Council and attended a meeting in relation to the Yarrowonga-Mulwala Bridge.

Council also attended a Road Safety workshop in Wodonga that was facilitated by the Minister for Local Government Hon. Melissa Horne along with the Executive Director of Department of Transport and Planning and newly appointed CEO of TAC.

On the 8 December Moira hosted the Minister for Local Government, Minister for Road Safety and Minister for Libraries Hon. Melissa Horne and visited the future Yarrowonga Library site and visited Cobram to advocate for road safety.

The Administrators also discussed with the Minister the Statement of Expectations while Moira Shire is under administration and have agreed on this statement. This will be released to the public in the new year.

Moira Shire Council would like to wish all our community a very Merry Christmas and a safe New Year.

Administrator Suzanna Sheed

The Federal Government passed the Water Amendment (Restoring Our Rivers) Act 2023 in late November. This is a disappointing outcome for your community and for Northern Victoria.

Moira Shire will continue to advocate for our community and monitor the socio economic impact water buybacks will have on our community.

I recently attended the Numurkah Flood Mitigation Committee Meeting, the meeting was an opportunity to report to the community on the progress and that works are expected to commence in the first half of 2024.

Today I also attended a ceremony recognizing fallen soldiers from WW1 and WW2 from the Bearii community.

Administrator Graeme Emonson

I had the pleasure of attending the Yarrawonga-Mulwala Business and Tourism (YMBT) AGM on the 29 November 2023. The AGM was a great opportunity for Moira to strengthen its partnership with YMBT.

The Administrators have also been participating in a number of school award ceremonies though out the Shire. It's been a great opportunity to reinforce council's commitment and collaboration with the local schools. This is also being reinforced with the proposal to enter into a Memorandum of Understanding with the local education sector that will be considered in the agenda this evening.

Administrators, together with Sam Birrell member for Nicholls and the Strathmerton Community Group, had the pleasure of opening and naming the new walking track around the Strathmerton golf course and recreation reserve in honor of the late Mick Cleary who tragically passed away. 18 months ago.

8. DIRECTOR REPORTS

Mr Michael Tudball – Chief Executive Officer

Yarrawonga Splash Park

Community would see some action of repainting the entire surface this week. We continue to work with the Contractor to ensure the surface is fit for purpose and able to opened safely in coming days. We will be applying one more coat this week, and then conducting slip tests prior to authorising the re-opening. Council again apologises to the community and assures we are committed to getting this right.

Regional Collaboration

Much of the past three weeks has been spent on Regional Collaboration with the intent to advance key Moira Shire and Regional priorities. This included active participation in:

- Goulburn Regional Partnership in Shepparton
- Murray River Group of Councils in Swan Hill
- Leadership Goulburn Valley in Shepparton
- Hume Region Local Government Network in Benalla
- Murray River Tourism Board CEO and regional tourism strategy redevelopment
- Local Government Victoria Executive Director and neighboring Council Executive Teams to raise key issues and potential solutions with State Government.

Resource Sharing

Recently I have also been working with other Councils including neighbors and metropolitan growth areas for resources to support our team and assist with current workloads. Leading into 2024 we will also explore our potential to support others in some of our areas of strength.

Ms Amanda Chadwick – Acting Director Corporate, Governance And Performance

Customer Experience

The number of incoming calls remained steady last month with our Customer Experience Team managing over 3,500 incoming telephone calls through our Call Centre. Council staff entered over 4,400 new customer enquiries and requests for service.

Office Closure

The Customer Service Centres including the call centre will be closed for the Christmas period from 4pm Friday 22nd December and will reopen at 8.30am Tuesday 2nd January 2024.

During the closure period an automated phone service will be available by calling our main office number on 58719222. This service will provide access to assistance with issues relating to local laws such as missing or dangerous domestic animals, issues with street bins, public toilets or trees.

The Transfer Stations and Landfill will continue to operate as usual except for a closure on Christmas Day.

Residents and visitors can access information on our website moira.vic.gov.au or face book page.

Mr Beau Mittner – Acting Chief Financial Officer

2024/25 Budget Consultation

As a reminder to the Community, Council's 2024/25 budget consultation is open and is accessible via Council's website by clicking the 'Have your say' tab and following the budget link.

Its pleasing to see that Community is getting actively involved in this round of consultation, with over 200 unique visits to the budget consultation page and already 97 budget contributions have been registered.

For members of the community that do not have access to the internet, budget submissions can also be made in person at our customer service centres in Cobram or Yarrawonga, by completing a submission form.

Submissions for this first round of community consultation close on 19 January 2024 and we encourage all members of the community to make a submission.

Water Buy-Backs

Council staff participated in the 'Don't Turn Off The Tap' water buy-back rally held in Shepparton on Monday 27 November. Signs with hard hitting messages such as, "No Water, No Farmers, No Food" were created to communicate the impact water buy-backs may have on agricultural sector.

With the permission of farmers and business owners, 50 of these signs have also been placed in shop windows and on farm fences to raise attention to this major risk to our irrigation-based industries.

Mr Matt Jarvis – Acting Director Sustainable Communities

Community Wellbeing

Community consultation on the draft Strathmerton Community Plan closed, with changes made to the document based on feedback received. The plan will be launched at the Strathmerton Community Christmas Party on Saturday 16 December.

Members of Across the Arts, Arts for All, CAN Hub and The G.R.A.I.N. Store came together for the Moira Creative Arts Hubs Network Meeting. Time was spent discussing 2023 achievements and planning elements of 2024. Jo Porter, CEO of Regional Arts Victoria, was in attendance and commended the Hubs on a brilliant year.

Council hosted the All Abilities Talent Show on the 1 December in conjunction with the Launch of the All Abilities Access and Inclusion Plan in celebration of International Day of Persons with a Disability. 17 acts performed various talents such as dancing, singing and a musical instrument. With 180 in attendance it was a great crowd and well supported by the local community. This event was in partnership with Cobram Community House, PALS and the Cobram District Specialist School.

16 days of activism was recognised between 25 November and 10 December. Council staff participated in a morning tea and Officers have supported the Community Houses in having an orange themed event with print based support provided. The campaign focuses on respect – the most important tool we can use to take steps towards gender equality.

Maternal and Child Health (MCH) currently have 145 active clients in the Enhanced MCH program and 11 in the Sleep and Settling Program. There were a total of 24 births across the Shire in November. A total of 97 clients were administered with 236 vaccines across the Infant, Secondary and Community immunisation programs.

Tourism

In Tourism, we have extended our Visitor Information Point network outside the Shire, with two new points at the Benalla and Shepparton Train Stations. We have also partnered with GV Libraries, with a VIP now at the Nathalia Library.

The new Silo Art Brochure, now featuring the new Katamatite Silo Art as part of the popular trail, will soon be available at these points.

Mr Josh Lewis – Director Infrastructure Services

Numurkah Levee

The Numurkah Flood Mitigation Implementation Committee again met on 29 November in progressing this vital project. This was Administrator Sheed's first attendance at the meeting and it was great to have her presence.

Phil Hoare, Council's Project Manager provided an overview of where various aspects of the project are up to, including native vegetation, cultural heritage assessments along with detailed design. There was also a presentation of a deployable levee system, similar to that which will be required at a number of road and shared path crossings.

The project is running slightly behind schedule, however it is anticipated that tender award will occur via a Council meeting later in the 2023/24 financial period, with physical works progressing soon thereafter.

I take this opportunity to personally thank all those on the Committee for their input to date. Their continued feedback has been a key to progressing and maximising the benefit to the Numurkah Community

McCoy's Bridge

Council are working closely with the Department of Transport concerning the current load limit applied to McCoy's Bridge on the Murray Valley Highway.

Council are hopeful of increased load limits in the near future, however the safety of the structure (and all those that use it) is paramount.

Due to the load limits, some heavy vehicles will be having to take alternate routes in making east-west trips across the municipality and I ask all road users to be aware of this change in road use and to keep safe out there.

I look forward to sharing further information as it comes to hand.

Council's Municipal Emergency Management Planning Committee

Council's Municipal Emergency Management Planning Committee came together at the Cobram State Emergency Services building earlier this month to progress all matters relating to emergency management preparedness and planning. It was great to see the majority of the emergency services and associated partners in one place with a common goal – that being to make Moira as safe as we possibly can together.

We know that Moira is susceptible to a variety of natural events and planning by the emergency services and individual Community Members is pivotal in ensuring we get through these safely.

It is therefore with pride that I also share that Moira has been instrumental in the initiation of the “72 Hours” program – a joint initiative between Moira Shire Council and Alpine Shire Council in affirming what to do during the first 72 hours of an event, ensuring that individuals are well planned and prepared (and not necessarily dependent upon others coming to the rescue.) If this is the first you’re hearing about the program – please jump onto Council’s website to learn more, noting there’ll continue to be a number of in-person presentations by Council staff across the municipality.

Cullen’s Road, Boat Ramp (The Commons) Yarrawonga

Council staff have worked their way through a range of issues (namely the Murray River flows) in progressing the Cullen’s Road Boat Ramp.

The final concrete pour is scheduled for tomorrow and from there the associated formwork will be removed, beaching around the ramp will be installed, sheet piling removed and we anticipate a formal opening on Friday 21 December

I’m sure the Community are looking forward to making the most of this asset and getting into the Murray!

Clean Up Works - Belmore Street, Yarrawonga

There’s a hive of activity in and around Belmore Street currently as a range of planned maintenance activities near completion prior to Christmas.

Works include pressure washing, repairing of concrete, topping up garden beds and replanting missing trees to name a few.

Whilst much of the work is being conducted outside normal business hours, we thank store owners and operators along with the Community for their patience as we complete these works.

Water Supply – Victoria Park, Yarrawonga

Lastly, I’m pleased to share that through continued collaboration between Council and North East Water, a guaranteed water supply has been identified in supplementing the Integrated Water Management Plan in maximising the sustainable use of water throughout the precinct.

The solution will see raw water from Lake Mulwala being made available when required. Capital improvement works are needed to enact the agreed solution, however in the interim North East Water have kindly offered the use of potable water in ensuring Council and the Community are not left short.

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 9.1.1
(EXECUTIVE ASSISTANT TO THE
ADMINISTRATORS, DANIELLE METZNER)
(ACTING DIRECTOR CORPORATE
GOVERNANCE AND PERFORMANCE,
AMANDA CHADWICK)

MEMORANDUM OF UNDERSTANDING MOIRA SHIRE COUNCIL, HEALTH AND EDUCATION ALLIANCE

Executive Summary

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

The objectives of the proposed Memorandum of Understanding are as below:

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

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

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council adopt the Memorandum of Understanding Moira Shire Council, Health and Education Alliance as presented to this meeting.

(CARRIED)

FILE NO:
2. A DIVERSE AND DYNAMIC ECONOMY

ITEM NO: 9.1.2
(MANAGER MARKETING COMMUNICATION
AND ADVOCACY, SCOTT WILLIAMS)
(CHIEF EXECUTIVE OFFICER, MICHAEL
TUDBALL)

MURRAY REGIONAL TOURISM FUNDING AGREEMENT

Executive Summary

This report recommends that Council enter into an agreement with Murray Regional Tourism (MRT) for 3 years, totaling \$172,107. This partnership allows Council to leverage collective strengths for sustainable economic development through tourism. The collaboration offers access to resources, expertise, and shared initiatives that will enhance tourism and stimulate economic growth.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council enter into the 2024-2027 Partner Councils Funding Agreement with Murray Regional Tourism as presented to this meeting.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 9.2.1
(PROCUREMENT OFFICER, LISA KNIGHT)
(ACTING CHIEF FINANCIAL OFFICER, BEAU
MITTNER)

**C029/23 - CAR PARK ACCESS ROAD AND ASSOCIATED WORKS - APEX
RESERVE, DOUG ROBINSON DRIVE, COBRAM**

Executive Summary

The Moira Shire Council (Council) invited submissions from suitably qualified Principal Contractor's for the construction Stage 1 of the car park at Apex Reserve, Doug Robinson Drive, Cobram.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Award contract C029/23 – Car Park Access Road and Associated Works – Apex Reserve, Doug Robinson Drive, Cobram, to Apex Earthworks Pty Ltd for a contract value of \$793,312.04 (ex. GST); and
2. Authorise the Chief Executive Officer to sign the contract documents.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 9.2.2
(PROCUREMENT OFFICER, LISA KNIGHT)
(ACTING CHIEF FINANCIAL OFFICER, BEAU
MITTNER)

C018/23 - PROVISION OF ELECTRICAL MAINTENANCE SERVICES - PANEL

Executive Summary

Moira Shire Council invited submissions from suitability qualified and experienced service providers to create a panel of suppliers for the provision of electrical and refrigeration maintenance for scheduled and urgent repairs to Council assets.

After being evaluated against the scoring criteria by the evaluation panel, all applicants have been recommended for appointment to the Provision of Electrical Maintenance panel.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C018/23 – Provision of Electrical Maintenance – Panel for an initial term expiring on 30 September 2025 with the option to extend in 2 x 2 year periods to:
 - BEC Yarrawonga Pty Ltd
 - Byers Electrical (Vic) Pty Ltd
 - RTE Contracting Pty Ltd
 - Tonkin Plumbing Group Pty Ltd

2. Authorise the Chief Executive Officer to sign the contract documents and approve contract extensions within the provisions of the Contract.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 9.2.3
(PROCUREMENT OFFICER, LISA KNIGHT)
(ACTING CHIEF FINANCIAL OFFICER, BEAU
MITTNER)

C019/23 - PROVISION OF PAINTING SERVICES - PANEL

Executive Summary

Moira Shire Council invited submissions from suitability qualified and experienced service providers to create a panel for the provision of scheduled and urgent painting services to maintain and repair Council assets.

2 submissions were received. After being evaluated against the scoring criteria by the evaluation panel, all applicants have been recommended for appointment to the Provision of Painting Services panel.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C019/23 – Provision of Painting Services – Panel for an initial term expiring on 30 September 2025 with the option to extend in 2 x 2 year periods to:
 - Melbourne Master Painting & Maintenance Pty Ltd
 - Powelly's Painting & Rendering Pty Ltd atf Matt Powell Family Trust
2. Authorise the Chief Executive Officer to sign the contract documents and approve contract extensions within the provisions of the Contract.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 9.2.4
(PROCUREMENT OFFICER, LISA KNIGHT)
(ACTING CHIEF FINANCIAL OFFICER, BEAU
MITTNER)

C020/23 - PROVISION OF PLUMBING & GAS FITTING SERVICES - PANEL

Executive Summary

Moira Shire Council invited submissions from suitability qualified and experienced service providers to create a panel for the provision of specialised drainage and plumbing and gas fitting services to Council's assets.

Four submissions were received. After being evaluated against the scoring criteria by the evaluation panel, all applicants have been recommended for appointment to the Provision of Plumbing & Gas Fitting Services panel.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C020/23 – Provision of Plumbing & Gas Fitting Services - Panel for an initial term expiring on 30 September 2025 with the option to extend in 2 x 2 year periods to:
 - A1 Electric Motors Pty Ltd
 - Andy Hemingway Plumbing & Gasfitting Pty Ltd
 - AXT Plumbing Pty Ltd
 - Coulter Plumbing Pty Ltd
 - Total Drain Cleaning Services Pty Ltd
2. Authorise the Chief Executive Officer to sign the contract documents and approve contract extensions within the provisions of the Contract.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 9.2.5
(PROCUREMENT OFFICER, LISA KNIGHT)
(ACTING CHIEF FINANCIAL OFFICER, BEAU
MITTNER)

C021/23 - PROVISION OF TREE MAINTENANCE SERVICES - PANEL

Executive Summary

Moira Shire Council invited submissions from suitability qualified and experienced service providers to create a panel for the provision of tree maintenance services for scheduled and urgent maintenance of Council trees.

6 submissions were received. After being evaluated against the scoring criteria by the evaluation panel, all applicants have been recommended for appointment to the Provision of Tree Maintenance Services panel.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C021/23 – Provision of Tree Maintenance Services – Panel for an initial term expiring on 30 September 2024 with the option to extend in 2 x 2 year periods.
 - Arboessence Pty Ltd atf The G&W Reynolds Family Trust
 - Border Trees Pty Ltd atf Spence Family Trust
 - Geoff Gerrish Tree Stump Removals Pty Ltd
 - HRL 019 Trust t/a Jones Tree Removal
 - RJ Bergamin & MJ Handford t/a Murray Valley Tree Maintenance
 - The Tree Company Arboricultural Services Pty Ltd
2. Authorise the Chief Executive Officer to sign the contract documents and approve contract extensions within the provisions of the Contract.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 9.2.6
(PROCUREMENT OFFICER, LISA KNIGHT)
(ACTING CHIEF FINANCIAL OFFICER, BEAU
MITTNER)

C022/23 - PROVISION OF BUILDING MAINTENANCE SERVICES - PANEL

Executive Summary

Moira Shire Council invited submissions from suitability qualified and experienced service providers to create a panel for the provision of building maintenance services to carry out minor capital works, building renewal projects and building maintenance on Council's assets.

5 submissions were received. After being evaluated against the scoring criteria by the evaluation panel, all applicants have been recommended for appointment to the Provision of Building Maintenance Services panel.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C022/23 – Provision of Building Maintenance Services – Panel for an initial term expiring on 30 September 2024 with the option to extend in 2 x 2 year periods.
 - Custom Designed Kitchens (Group) Pty Ltd atf Custom Designed Kitchens Trust
 - Kennedy Builders Pty Ltd
 - Melbourne Master Painting & Maintenance Pty Ltd
 - Projects and Maintenance Squared Pty Ltd
 - Timothy James Garlic t/a Xtreme Gutter Clean - Vacuuming Service

2. Authorise the Chief Executive Officer to sign and contract documents and approve contract extensions within the provisions of the Contract.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 9.2.7
(PROCUREMENT OFFICER, LISA KNIGHT)
(ACTING CHIEF FINANCIAL OFFICER, BEAU
MITTNER)

C023/23 - PROVISION OF GENERAL TRADES & SERVICES - PANEL

Executive Summary

Moira Shire Council invited submissions from suitability qualified and experienced service providers to create a panel of general trades and services to perform works and maintenance on Council's assets.

9 submissions were received. After being evaluated against the scoring criteria by the evaluation panel, all applicants have been recommended for appointment to the Provision of General Trades & Services panel.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C023/23 – Provision of General Trades & Services – Panel for an initial term expiring on 30 September 2024 with the option to extend in 2 single year periods.
 - Airmaster Corporation Pty Ltd
 - Burns, Jonathon Lee trading as JLB Concreting
 - Daniel Wilson
 - Dean Ciccone
 - Enrico Crestani trading as Murray River Concreting
 - Steven Iaria Pty Ltd atf The Steven Iaria Family Trust t/a GV Custom Kerbing
 - Melbourne Master Painting & Maintenance Pty Ltd
 - NT Avery Pty Ltd as The Trustee for NT Avery Family Trust
 - Watersmart Irrigation Pty Ltd
2. Authorise the Chief Executive Officer to sign the contract documents and approve contract extensions within the provisions of the Contract.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 9.2.8
(PROCUREMENT OFFICER, LISA KNIGHT)
(ACTING CHIEF FINANCIAL OFFICER, BEAU
MITTNER)

C024/23 - PROVISION OF PLANT AND LABOUR HIRE - PANEL

Executive Summary

Moira Shire Council (Council) is inviting tenders from suitably qualified and experienced service providers to create a panel for the provision plant and labour hire with the option of wet and dry hire.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C024/23 – Provision of Plant and Labour Hire – Panel for an initial term expiring 30 September 2025, with the option to extend in 2 x 2 year periods.
 - Coates Hire Operations Pty Ltd
 - Worktrainers Ltd t/a GAME Traffic & Contracting
 - Jonathon Lee Burns t/a JLB Concreting
 - MR & NA Jeffery t/a Goulburn Valley Gutter Cleaning
 - The Trustee for AAEBT Trust t/a NGH Earthmoving
 - Pipe Doctor Australia Pty Ltd
 - PJM Machinery Pty Ltd
 - Recivil Pty Ltd
 - Service Stream Maintenance Pty Ltd
2. Authorise the Chief Executive Officer to sign the contract documents and approve contract extensions within the provisions of the Contract.

(CARRIED)

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

**ITEM NO: 9.3.1
(GOVERNANCE AND RISK COORDINATOR,
NANCY MUSTICA)
(ACTING DIRECTOR CORPORATE
GOVERNANCE AND PERFORMANCE,
AMANDA CHADWICK)**

2024 COUNCIL MEETING SCHEDULE

Executive Summary

The purpose of this report is to set the time, dates and locations of the Scheduled Council Meetings for 2024.

In accordance with Council's Governance Rules - Rule 4.1.1:

- at or before the last Meeting each calendar year, Council must fix the date, time and place of all Council Meetings and any Delegated Committee Meetings for the following calendar year.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Set the dates and locations of the Scheduled Council Meetings in 2024 as listed in the Proposed 2024 Council Meeting Schedule detailed within this report; and
2. Set all Scheduled Council Meetings to commence at 4:30pm.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 9.3.2
(ACTING DIRECTOR CORPORATE
GOVERNANCE AND PERFORMANCE,
AMANDA CHADWICK)
(CHIEF EXECUTIVE OFFICER, MICHAEL
TUDBALL)

APPOINTMENT OF EXTERNAL INDEPENDENT MEMBER - AUDIT & RISK COMMITTEE

Executive Summary

The Audit & Risk Committee comprises a maximum of seven members including two Administrators and a minimum of three to a maximum of five external independent members.

There are currently two vacancies within the external independent membership and this report recommends the appointment of one new member to the Audit & Risk Committee.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council appoint Steven Lambert as an External Independent Member to the Audit & Risk Committee.

(CARRIED)

FILE NO: F16/104-2
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 9.3.3
(ACTING DIRECTOR CORPORATE
GOVERNANCE AND PERFORMANCE,
AMANDA CHADWICK)
(CHIEF EXECUTIVE OFFICER, MICHAEL
TUDBALL)

**PROPOSAL TO DISCONTINUE AND LEASE PART OF RICHARDSON STREET
NATHALIA**

Executive Summary

Council recently completed a community consultation program on a proposal to discontinue and lease a portion of Richardson Street Nathalia, following a request from an adjacent business owner.

Council received 12 submissions through the recent engagement program and are currently considering all feedback, including feedback received during engagement undertaken during September 2023.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council resolve to defer a decision regarding the proposal to discontinue and lease a portion of Richardson Street Nathalia until the Scheduled Council Meeting on 31 January 2024, to consider all submissions received.

(CARRIED)

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

**ITEM NO: 9.3.4
(ACTING DIRECTOR CORPORATE
GOVERNANCE AND PERFORMANCE,
AMANDA CHADWICK)
(CHIEF EXECUTIVE OFFICER, MICHAEL
TUDBALL)**

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

Executive Summary

The purpose of this report is for Council to consider the appointment of an Interim Independent Member to Council's CEO Employment and Remuneration Committee, due to the leave of absence of the current Independent Member, Ms Linda Griffiths-Brown.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council appoint Ms Laurinda Gardner as Interim Independent Member to the CEO Employment and Remuneration Committee until 13 March 2024, as endorsed by the CEO Employment and Remuneration Committee on 6 December 2023.

(CARRIED)

**FILE NO:
1. A WELCOMING AND INCLUSIVE PLACE**

**ITEM NO: 9.4.1
(CASUAL ADMINISTRATION SUPPORT
OFFICER, MELODIE HAWKINS)
(ACTING DIRECTOR SUSTAINABLE
COMMUNITIES MATT JARVIS)**

COMMUNITY STRENGTHENING GRANTS PROGRAM - ROUND 1 2023/24

Executive Summary

The 2023/24 Community Strengthening Grants (CSG) program has a total budget of \$185,000, and is offered via four streams:

1. Major up to \$10,000 (up to two rounds per annum);
2. Quick Response up to \$1,000 (always open);
3. Quick Response up to \$5,000 (always open).

To date we have currently distributed a total of \$39,519.65 through the CSG program. Details of allocations are as follows:

Stream	Applications Received	Successful Applications	Amount Allocated
Quick Response Up to \$1,000*	4	2	\$1,437
Quick Response up to \$5,000	16	11	\$38,082.65
Total	20	13	\$39,519.65

Round One of the 2023/24 CSG Major Grant rounds was open for applications via Smarty Grants between September and October 2023. Council received 16 applications in this current round. Thirteen of the applications passed the pre-eligibility stage and progressed to assessment. Following assessment, eight are recommended for funding at a total cost of \$69,555.50.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council fund the eight projects, as recommended in this report, totalling \$69,555.50 under the Community Strengthening Grants Program - Major Grants - Round 1 – 2023/24.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 9.5.1
(TEAM LEADER COMMUNITY AND
RECREATIONAL DEVELOPMENT, CORRENE
COOPER)
(DIRECTOR INFRASTRUCTURE SERVICES,
JOSHUA LEWIS)

**APPOINTMENT OF COMMITTEE MEMBERS - YARRAWONGA MULTISPORT
STADIUM FUNDRAISING COMMITTEE**

Executive Summary

Council recently advertised for Expressions of Interest for interested persons to nominate as a member of the Yarrowonga Multisport Stadium Fundraising Committee. Three nominations have been received, Sue Bigger and Amanda Wheaton representing the Yarrowonga Mulwala Basketball Association and Dario Prighel representing the broader community.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council appoint Sue Bigger, Amanda Wheaton and Dario Prighel as members of the Yarrowonga Multisport Fundraising Committee.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 9.5.2
(MOIRA RECREATION COMMITTEE
SUPPORT OFFICER, FIONA MULQUINEY)
(DIRECTOR INFRASTRUCTURE SERVICES
JOSHUA LEWIS)

COMMUNITY ASSET COMMITTEES ANNUAL REPORT

Executive Summary

The Local Government Act 2020 (the Act) provides the structure for formal committees of Council including Community Asset Committees.

At the Ordinary Council Meeting held in August 2020, Council resolved to create the Community Asset Committees, replacing the former Section 86 Committees of Management for the purpose of managing a range of community assets within the Moira Shire.

These committees have delegated authority in relation to specified financial delegation, compliance with specified governance requirements and specific monitoring and reporting of activities and performance.

This report provides details of the activities and performance of the Community Asset Committees in accordance with the requirement under their delegations and Section 47 (6) of the Act.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council note the Annual Report in relation to activities and performance of the Community Asset Committees, in accordance with the Local Government Act, 2020.

(CARRIED)

10. OFFICER REPORTS FOR INFORMATION

11. ACTION OFFICERS LIST

NIL

12. NOTICES OF MOTION

NIL

13. PETITIONS AND JOINT LETTERS

NIL

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

ITEM NO: 14.1
**(COORDINATOR PLANNING, TRAVIS
BASHAM)**
**(DIRECTOR INFRASTRUCTURE SERVICES,
JOSHUA LEWIS)**

SECTION 173 AGREEMENTS - AUTHORITY TO AFFIX THE COMMON SEAL

Agreements for Execution

40 Newnham Road, Cobram – Volume 12314 Folio 564

The agreement relates to Planning Permit 5/2021/258 issued on the 20th January 2022 for the subdivision of the land into 78 lots. The agreement is a mandatory requirement under the Bushfire Management Overlay and provides that if a dwelling is constructed on the land without a planning permit, that the bushfire measures set out in the Bushfire Management Plan (BMP) must be implemented and maintained and any building and vegetation must be managed and maintained in accordance with the BMP to the satisfaction of Council.

Part of Silverwoods – 160 Peter Thomson Circuit, Yarrawonga – Volume 11974 Folio 046

This agreement relates to Planning Permit 5/2017/236 issued on the 16th March 2018 allowing for use and development of the land for the purposes of a residential village. The agreement obligates the owners to arrangements set out for public asset care and maintenance, of which responsibility is to be transferred from the developer to the Owner's Corporation.

205 O'Hares Road, Nathalia – Volume 11094 Folio 239 and Volume 11039 Folio 782

This agreement relates to Planning Permit 5/2022/220 issued on the 27 October 2022 for the re-subdivision of two lots in the Farming Zone to excise the existing dwelling. The agreement provides that the balance agricultural lot must not be used or developed for the purposes of accommodation and that the land may not be further subdivided to create additional lots.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

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

1. 40 Newnham Road Cobram
2. Part of Silverwoods – 160 Peter Thomson Circuit, Yarrawonga
3. 205 O'Hares Road Nathalia

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 15

URGENT BUSINESS

Nil

Public Question Time

Name	Summarised Question	Response
Brett Butler	<p>1. Why did Council Officers employ the lawyer firm Russell Kennedy to answer a question regarding the fact that there is no planning permit required under the Moira shire planning scheme to hold a one off event? In fact under section 62;01 it states that no planning permit is required for a one off event.</p> <p>2. Why couldn't the planner answer and work with us instead of using rate payers money to stop an event that will benefit the towns economic and tourism growth with well over 5000 spectators and competitors gathering in our shire coming from all over Australia to compete in a Rodeo which has been held in this town for many years.</p> <p>Under freedom of information could it be released to the public as soon as it is available what the invoice total is for this service.</p>	<p>Thanks very much for your question Brett and Council acknowledges our meeting yesterday. Council has issued a Planning Permit subject to conditions in August 2022 allowing use and development of land for the purpose of leisure and recreation (equine events) subject to a range of conditions. Your contention is that Council could provide an exemption for a planning permit to use land for a carnival or circus if the requirements of the "A 'Good Neighbour' Code of Practice (Code) for a circus or carnival October 1997 are met.</p> <p>The definition of 'carnival' in the Scheme does not include equine, competitive or sporting events. The definition of 'carnival' in the Code explicitly excludes sporting events.</p> <p>In Councils opinion and independent planning advice further reinforces the use of the land (rodeo) and therefore a range of requirements as per the approved planning permit, of which I understand you are yet to satisfy all of, but have a clear intention of this being achieved prior to the next rodeo in 2024.</p> <p>All of this being put forward Council is not in a position to support an exemption for a planning permit. This is reinforced by the existing approved permit and your description of the event.</p> <p>You heard yesterday from Council, that support of events and economic development opportunities across the Shire are important to Council and many successful community and other commercial events occur every year, Council wants to support and allow this event to happen, however we all have rules and regulations we need to observe and adhere to ensure community and patron safety as a priority.</p> <p>Council understands there are still other options for you to pursue although acknowledges time is tight and we undertake to work constructively with you to try and deliver this event.</p> <p>As committed yesterday I will be formally</p>

		<p>responding to you today, outlining details from within this answer.</p> <p>In regard to FOI the process, timelines and fees are available on our website.</p>
<p>Peter Mansfield</p>	<p>Why is council having trouble providing infrastructure projects in the eastern part of the shire and in a timely manner? The projects include:</p> <ul style="list-style-type: none"> • Splash Park • Yarrowonga Library • Yarrowonga Multisport Stadium • Woods Rd Kerb • Sandy Creek bridge at Wilby • Drainage issues at Bundalong • Aldi Development • Botts Road and Murray Valley Highway intersection upgrade. 	<p>Thanks very much for your question Peter.</p> <p>Council has been contending with a back-log of capital works projects - this is not a geographical issue and is something Council is working hard on correcting.</p> <p>I will quickly respond to each of the projects raised:</p> <ul style="list-style-type: none"> • Splash Park – The splash park has been completed, however remedial works have been enacted after concerns were raised with the surface texture. It is expected that the park will reopen in the very near future. • Yarrowonga Library – The project is progressing well, underground service works have commenced and we anticipate the project being completed in early 2025 • Yarrowonga Multisport Stadium – A firm commitment has been made in relation to the delivery of the Multi-Sport stadium. A tender will be advertised and awarded in the first half of 2024. • Woods Rd Kerb – The functional design has been completed which, in turn, identified the need to undertake further drainage investigations. Next steps will be progressed dependent upon the associated findings. • Sandy Creek bridge at Wilby – The external funding sought for this project was unsuccessful, therefore the project will not progress this financial year. Council will further consider this project as part of future budget deliberations. • Drainage issues at Bundalong – A drainage study is currently in progress for Bundalong which will inform future infrastructure required for Bundalong. • Aldi Development – Council has processed all associated permit applications, the choice on when to act upon the associated permits and approvals is up to the associated proponent. • Botts Road and Murray Valley Highway intersection upgrade – Concept designs have been forwarded to the Department of Transport and Planning for comment (noting the interface with the arterial road network.)

CONFIDENTIAL BUSINESS

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That pursuant to the provisions of the Local Government Act 2020 (the Act), the meeting be closed to members of the public to enable the meeting to discuss matters in item 17 which the Council may, pursuant to the provisions of Sections 66(2) and 3 (1) (a), (e) and (f) of the Act resolve to be considered in closed session.

(CARRIED)

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That standing orders be suspended for 10 minutes.

(CARRIED)

The meeting was suspended at 5.50pm.

Chair Administrator Tanner requested the gallery and staff leave the room.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That standing orders be resumed.

(CARRIED)

The meeting was resumed at 6pm.

17. CEO Employment Matters

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That pursuant to the provisions of the Local Government Act 2020 (the Act) having considered the confidential business, the meeting now be open to members of the public.

(CARRIED)

MEETING CLOSE: 6.15PM