



MINUTES

ORDINARY MEETING OF COUNCIL HELD AT COBRAM
CIVIC CENTRE,
WEDNESDAY 28 JULY 2021

The meeting commenced at 5:00pm.

PRESENT

- Councillor Libro Mustica (Mayor)
- Councillor Julie Brooks (Deputy Mayor)
- Councillor Kevin Bourke
- Councillor Ed Cox
- Councillor Peter Elliott
- Councillor Peter Lawless
- Councillor Wayne Limbrick
- Councillor Peter Mansfield
- Councillor Marie Martin

IN ATTENDANCE:

Clare Keenan	Chief Executive Officer
Simon Rennie	General Manager Corporate
Sally Rice	General Manager Community

RECORDING

Consistent with section 12.3 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. 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 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.

4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

Cr Julie Brooks requested a leave of absence from 16 to 27 August 2021.

MOTION

CRS PETER LAWLESS / ED COX

That Cr Brooks leave be accepted.

(CARRIED)

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 KEVIN BOURKE / ED COX

"That the minutes of the Ordinary Council Meeting held on Wednesday, 23 June 2021, as prepared, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

Mayor Mustica welcomed the new CEO Clare Keenan to Moira Shire.

Cr Bourke praised the Power Street Nathalia bus interchange works. He also attended NAIDOC week celebration in Barmah along with Cr Limbrick and the CEO.

Cr Lawless attended a Disability Advisory Committee meeting and encouraged the public to come forward with any disability access concerns. He also attended the Yarrawonga Library, Events and Performance Precinct - Final Design Information Session.

Cr Elliott also attended the Yarrawonga Library , Events and Performance Precinct - Final Design Information Session and tabled a letter of support for the library precinct by Barbara Macdermid.

Cr Brooks participated in the ALGWA mentoring program and was grateful for the opportunity.

Cr Martin chaired the Numurkah Senior Citizens AGM and also attended the GRAIN Store NAIDOC week celebrations.

Cr Limbrick also attended NAIDOC celebrations in Barmah. He reported the Nathalia New Year's Eve Carnival is seeking community and council support for the committee.

FILE NO: VARIOUS

ITEM NO: 9

QUESTIONS FROM THE PUBLIC GALLERY

- Will Council provide additional storage and facilities in the Yarrawonga Town Hall.
- Yarrawonga Town Hall Precinct budget.
- Will Council undertake to re-use the timber floor and bricks from the Community Hall.

FILE NO: 0
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.1
(ACTING MANAGER GOVERNANCE & RISK,
AMANDA CHADWICK)
(GENERAL MANAGER CORPORATE, SIMON
RENNIE)

2021/22 LOCAL GOVERNMENT LIABILITY MUTUAL INSURANCE RENEWAL

Executive Summary

Council was required by section 76A of the *Local Government Act 1989* to maintain public liability insurance. While the repeal of this section of the 1989 Act on 1 May 2020 removed the legislative requirement for Council to maintain public liability insurance, it remains critical for Council to do so to protect the community from litigation.

The Municipal Association of Victoria (MAV) has provided Public and Products Liability and Professional Indemnity insurance (PPL/PI insurance) to Victorian Councils since 1993 when commercial insurers withdrew from the market. While a large proportion of Councils purchase their PPL/PI insurance from MAV Insurance (MAVI), Councils are free to purchase their insurance from the open market if they wish.

Since then, Councils have also been provided with an exemption from the requirement to publicly tender their PPL/PI insurance needs if they insured through the MAV's Liability Mutual Insurance Scheme (LMI Scheme). Moira Shire Council has previously utilized the tendering exemption and insured through the LMI Scheme.

MOTION

CRS ED COX / PETER LAWLESS

That Council:

1. Accept the renewal proposal for MAV Insurance's Liability Mutual Insurance Scheme;
and
2. Authorise the Chief Executive Officer to sign the 2021/22 insurance renewal documents.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.2
(ACTING MANAGER GOVERNANCE & RISK,
AMANDA CHADWICK)
(GENERAL MANAGER CORPORATE, SIMON
RENNIE)

PROPOSED DISCONTINUANCE OF SECTIONS OF UNUSED ROADS WITHIN LAKE NUMURKAH

Executive Summary

The purpose of this report is to seek Council's authorisation to conduct community consultation on a request to discontinue sections of unused road from the end of Saxton Street Numurkah between Russell Street and Kinnairds Road and a section of Government road to the north of the existing island within Lake Numurkah and reserve the land for public use.

Council has previously resolved to close these sections of road as part of the Lake Numurkah Concept Plan however the final process was not completed. Therefore, Council is required to conduct community consultation again under section 223 of the *Local Government Act 1989* and Section 12 of the *Road Management Act 2004*.

Following on from the public feedback received a final recommendation will be submitted to the 22 September 2021 Council meeting for consideration.

MOTION

CRS MARIE MARTIN / PETER LAWLESS

That Council defer item 10.2.2 until Council receives Spiire consultants report.

(CARRIED)

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

ITEM NO: 10.2.3
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(GENERAL MANAGER CORPORATE, SIMON
RENNIE)

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

Executive Summary

This report seeks Council's approval of the attached Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) to reflect recent staff appointments and departures.

The appointments are necessary to ensure specific Council officers are appropriately authorised to undertake functions under the *Planning and Environment Act 1987*, including inspections and enforcements.

MOTION

CRS PETER ELLIOTT / KEVIN BOURKE

Council resolves that;

1. the members of Council staff referred to in the Instrument of Appointment and Authorisation be appointed and authorised as set out in the Instrument; and
2. the Instrument be sealed with the common seal of Council; and
3. the Instrument come into force immediately following the common seal of Council being affixed to the Instrument, and remains in force until Council determines to vary or revoke it; and
4. upon the Instrument coming into force, the Instrument of Appointment and Authorisation to members of Council staff, as made by Council on 16 December 2020, is revoked.

(CARRIED)

FILE NO: F13/503
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.4
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(GENERAL MANAGER CORPORATE,
SIMON RENNIE)

ASSEMBLIES OF COUNCIL

Executive Summary

The purpose of this report is to detail the Assembly of Councillors that have been held in June 2021. Although there is no longer a legislative requirement to report on these assemblies the preparation of these records provide transparency in councils decision making process, in line with Council's commitment to the principles for public transparency, and Council's Public Transparency Policy.

MOTION

CRS MARIE MARTIN / ED COX

That Council receive and note the Record of Assemblies of Councillors for June 2021.

(CARRIED)

FILE NO: C012/21
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.4.1
(PROCUREMENT COORDINATOR,
JOVIAL MATHEWS)
(GENERAL MANAGER
INFRASTRUCTURE, ANDREW CLOSE)

C012/21 - BOTTS ROAD YARRAWONGA DRAINAGE UPGRADE

Executive Summary

Moirá Shire Council invited submissions from suitably experienced contractors for drainage upgrade works in Botts Road Yarrawonga.

After consideration of the submissions, the evaluation panel recommends that contract C012/21 be awarded to Longford Civil Pty Ltd and to add \$250,000 from cash reserves to the project budget.

MOTION

CRS PETER MANSFIELD / WAYNE LIMBRICK

That Council:

1. Award the contract for C012/21 Botts Road, Yarrawonga Drainage Upgrade to Longford Civil Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.
3. Approve the allocation of \$250,000 from cash reserves towards the project budget.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 13

PETITIONS AND JOINT LETTERS

A petition was tabled to Council in relation to a barking dog within our shire.

FILE NO: VARIOUS

ITEM NO:

GENERAL BUSINESS

NIL