



MINUTES

**SCHEDULED MEETING OF COUNCIL HELD AT COBRAM
CIVIC CENTRE, PUNT ROAD COBRAM VIC 3644,
WEDNESDAY 28 SEPTEMBER 2022**

The meeting commenced at 5.00 PM.

PRESENT

- Councillor Libro Mustica (Mayor)
- Councillor Peter Lawless (Deputy Mayor)
- Councillor John Beitzel
- Councillor Julie Brooks
- Councillor Ed Cox
- Councillor Peter Elliott
- Councillor Judy Heather
- Councillor Wayne Limbrick
- Councillor Peter Mansfield

IN ATTENDANCE:

Clare Keenan	Chief Executive Officer
Josh Lewis	Director Infrastructure Services
Rosanne Kava	Acting Director Sustainable Communities
Amanda Chadwick	Acting Director Corporate Governance and Performance
Matt Jarvis	Chief Financial Officer
Nancy Mustica	Senior Governance Officer
Marg Allan	Municipal Monitor

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

Read by the Mayor

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.

Read by the Mayor

4. APOLOGIES / LEAVE OF ABSENCE

Councillor Wayne Limbrick requested leave from 1 October 2022 to 22 October 2022.

MOTION

CRS PETER LAWLESS / ED COX

That Councillor Wayne Limbrick request for leave is accepted from 1 October 2022 to 22 October 2022.

(CARRIED)

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

Nil

6. DISCLOSURE OF CONFLICTS OF INTEREST

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

"That the minutes of the Scheduled Council Meeting held on Wednesday, 24 August 2022, as prepared, be confirmed."

8. COUNCILLOR REPORTS

Cr Peter Mansfield attended the Rural Councils Victoria conference in Daylesford and MDBA conference in Albury.

Cr Judy Heather also attended the Rural Councils Victoria conference in Daylesford and MDBA conference in Albury. Tungamah and Yabba South transfer station discussions and attended a SES information session with Cr Peter Lawless.

Cr Peter Elliott attended the Berrigan, Moira, Federation and Indigo Council's Collaboration MoU meeting on 8 September 2022.

Cr Wayne Limbrick reported on the Audit & Risk Committee Meeting. Attended the Nathalia & Barmah Business meeting and went to Eden Farm Multicultural event. Also attended a SES information session.

Cr Peter Lawless attended the Yarrawonga Multisport stadium fundraising meeting, the MoU meeting, SES information session, Tungamah transfer station discussion and the Melbourne to the Murray Silo Art launch.

9. OFFICERS REPORTS

AMANDA CHADWICK – ACTING DIRECTOR GOVERNANCE AND PERFORMANCE

Gender Equality

Councils' Gender Equality Action Plan was approved by the Commission for Gender Equality in the Public Sector and is now available on our website. The Gender Equality Diversity and Inclusion Committee has staged out the action plan across three years and will provide regular updates to Councillors on the key achievements.

Governance Rules

Councils Governance Rules were revised and adopted in August, allowing Councillors to attend meetings virtually when required. Further changes to the Governance Rules include the timing of the distribution of the Agenda and the submission of questions from the public.

Council staff also continue to respond to the recommendations provided by the Municipal Monitor, with a report submitted to this council meeting for noting.

Recruitment

During August, Council approved the recruitment of 6 positions and advertised 4 new vacancies. 8 new employees commenced with Council and there were 2 employees who finished employment. Jobseekers can subscribe to our Job Alert service via our website. Head to the careers pages at moira.vic.gov.au and select subscribe, then fill in your preferences and we will send you an email when a new position becomes available that matches your criteria.

Policies and plans

The Recruitment and Selection Policy and Procedure was adopted by the Executive Leadership Team in August with some further improvements to be made regarding timeframes. The COVID Safe Plan was also updated, in accordance with government guidelines.

Pandemic workforce implications

The Pandemic continues to cause workforce challenges for Council. 13 staff members accessed special COVID leave in August with a total of 41 days of lost time for the month.

Customer Experience

During August call volumes were up by 30% with Council staff managing over 4,000 calls resulting in close to 5,000 customer requests. Over 1,200 of these enquiries related to rates notices with 90% of these enquiries resolved at first point of contact.

MATT JARVIS – CHIEF FINANCIAL OFFICER

First instalment due date and deadline for valuation objections

A reminder for ratepayers that chose quarterly instalments as the payment option for their rates that 30 September is the due date for the first instalment. Any ratepayer experiencing difficulty in paying their rates is encourage to contact Council's rates team to discuss available options.

The deadline for objecting to property valuations is fast approaching. Ratepayers can object to valuations within 2 months of receiving the annual rates notice. This year the deadline for

objections is 5 October 2022. Refer to the Moira Shire Council website for more information on objecting to a valuation.

AirBNB Listings, Lowering Unemployment & Rising Rental Prices

Newly published figures have shown the number of properties listed on AirBNB in regional council areas has risen steeply post the pandemic. Homes that could arguably be used as long-term rental properties to house essential workers or families instead exist for holiday accommodation.

Since July 2019 to July 2022, Moira Shire had a 13% increase in the number of AirBNB listings. Any increase has the potential to exacerbate an already tight rental market in what is also a challenging labour market for local businesses.

Ray White Real Estate Group this month published a report highlighting Moira Shire along with Whitsundays, Port Macquarie and Exmouth as having a large decline in unemployment rate over the past 12 months (all with a unemployment rate of three per cent or less), however, at the same time with a rental price growth greater than 10 per cent. This suggests there is a surplus of jobs but a shortage of accommodation.

Council Officers continue to promote the Goulburn Valley Designated Area Migration Agreement as a way to help business find staff to reduce that surplus of jobs and are also investigating ways to increase accommodation options within the Shire.

JOSH LEWIS - DIRECTOR INFRASTRUCTURE SERVICES

SPRING

With the onset of spring we expect our parks, gardens and reserves to come to life which does create some challenges as we do our best to manage each of these areas.

I ask everyone to be vigilant when our works crews are undertaking works such as mowing, slashing and weed spraying in ensuring everyone's safety along with being patient if it takes a little while before we're able to get things back into shape, noting we do have a comprehensive plan on how we'll manage these works.

I'm sure all will agree that Council's parks, gardens and reserves are a great asset and are something we can all be proud of.

WET WEATHER / FLOODING

Wet weather continues to impact the delivery of works across Council.

We're actively monitoring forecast rainfall and the risk of flooding, something which we know can have a significant impact on the municipality and are in constant liaison with our local and state Emergency Services and neighbouring Councils in sharing available information.

We've been experiencing low-level flooding for a number of weeks now and encourage everyone not to become complacent in relation to the risks of flood water.

Throughout these wet conditions I again ask all to avoid unnecessary use of Council's dry weather roads. It appears in some instances that some are using Council roads inappropriately, sometimes going out of their way to destroy roads – something we cannot allow to occur. The reason for this is that we rely on these roads for farm access and need to be mindful that it may not be possible to undertake maintenance activities prior to harvest should the wet conditions continue. It's important to note that our unsealed road maintenance grading is currently suspended due to the conditions.

Council have also been listening to the concerns of community members around the maintenance rural levees that can be found throughout the municipality. Whilst Council does not have any responsibility in relation to the ownership or management of these levees, we will advocate for these levees to be further considered by relevant parties and provide support where possible.

PROJECT UPDATE

Council has already delivered \$2.6M of its capital works program with a further \$13.2M having been committed.

Project highlights include:

- Nathalia West drainage improvements are continuing
- EV charging point is progressing near Federation park
- Construction of the Yarrawonga Library will commence on-site, so the Community will now see this project coming to life.

ROSANNE KAVA – ACTING DIRECTOR SUSTAINABLE COMMUNITIES

Community Wellbeing and Immunisation

Immunisation Rates – August Update:

Immunisation rates are slightly down on the previous month.

	2022 July	2022 Aug
Infants	125	100
Students	6	1
Adults	8	12
Staff	1	15
Total Clients	140	128
Total Encounters	292	247

Community Strengthening Grants comprised 2 Quick Response grants totaling \$1400 in August.

Community Strengthening Grants Policy community consultation was completed with no material revisions required. It will come to the next Council meeting for decision.

Homelessness

Cobram: Cobram Apex Club and Neighbourhood House are shortly to commence a supported showering program for the homeless in Cobram. Police checks for volunteers are currently being arranged.

Yarrawonga

Council is working with Yarrawonga Mulwala Community Learning Centre (YMCLC) to finalise an MOU to support the program.

A hardship brochure (including contacts relating to homelessness) with service provider contact details across the Shire has been finalised for printing.

All Abilities Advisory Committee

This committee has been appointed and its first meeting will be held on 4 October. First order of business will be to commence planning to deliver Moira Shire's next Disability Action Plan.

Community Transport Review

An extremely strong community response was received in the public consultation phase of the Community Transport Review with over 204 submissions received. Alongside targeted stakeholder consultation, these responses have been compiled into a draft report that is currently under revision. We look forward to sharing the outcomes of the review with Councillors and our communities in due course.

Tourism

The Tourism Team has continued the roll out of our Visitor Information Point network this month, with the Yarrowonga Hotel and Mobil Roadhouse just outside of Cobram new additions. Welcome to the program! Our visitor information network is continuing to expand, reaching more visitors in more locations right across Moira Shire to support and grow the visitor economy.

Council also launched its new tourism product - the Melbourne to the Murray-Silo Art Road Trip. Hopefully you saw the media coverage, which was extensive. This brings together the smaller destinations across the Moira and Benalla Shires into a cohesive visitor product that can be visited year round in all weather conditions. The brochure is now available in over 50 hotels right across Melbourne. Our region hosts over 10% of Australia's Silo Art and our strategy is to focus on ensuring these day visitors choose to stay overnight in Moira Shire to increase the value of these visitors in our visitor economy and to support local business.

Safety and Amenity Unit

Just a reminder about wandering dogs. Please keep your dogs within your property at all times. We are seeing increasing numbers of dogs loose across the Shire. In August, we impounded 51 cats and dogs. Of these, 2 cats and 21 dogs were surrendered to Council. We successfully rehomed 15 dogs and 5 cats.

Overdue animal registrations have been significantly reduced but there are still unpaid registrations being followed up. Please contact Council to pay your animal registration ASAP.

The NDN discounted cat desexing program continues to operate successfully and resulted in 21 cats being de-sexed, microchipped and registered with Council.

If you have some time available for an important cause and would like to earn some extra money please consider applying for the School Crossing Supervisor vacancies.

Sustainability

Transfer Station Changes

Community consultation will close this Friday (30 September) for the Transfer Station Rationalisation Project. Community Drop In Sessions, held on 30-31 August at Strathmerton, Tungamah and Yabba, and were strongly attended, particularly at Yabba and Tungamah. Officers are collating feedback from these sessions and submissions.

Trees

The Rural Tree Scheme continues to be very popular since opening on 1 July. An additional 1,000 trees have been designated this month bringing the total to 3,200 trees, from an allocation of 10,000.

Landcare

A meeting held with Yarrowonga Urban Landcare Group to discuss opportunities for improved consultation between Council and this group.

10. PUBLIC QUESTION TIME

No questions were received this month.

FILE NO: F21/17
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.1
(CHIEF EXECUTIVE OFFICER, CLARE
KEENAN)
(CHIEF EXECUTIVE OFFICER, CLARE
KEENAN)

RESPONSE TO MUNICIPAL MONITOR'S ADVICE

Executive Summary

The former Minister for Local Government, Shaun Leane appointed a Municipal Monitor to Moira Shire Council following concerns raised by the CEO. The Monitor provided an initial 11 points of governance advice to Council, with a further 3 recommendations provided on 24 August. This vast majority of this advice has been implemented.

MOTION

CRS PETER LAWLESS / ED COX

That Council notes the advice of the Municipal Monitor and endorses the actions to give effect to the advice.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.2.1
(CHIEF FINANCE OFFICER, MATT JARVIS)
(CHIEF EXECUTIVE OFFICER, CLARE
KEENAN)

CERTIFICATION OF FINANCIAL REPORT AND PERFORMANCE STATEMENT 2021-22

Executive Summary

The Financial Report for the year ended 30 June 2022 and the Performance Statement for 2021/22 have been prepared in accordance with the Australian Accounting Standards, the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

The Financial Report and the Performance Statement have been audited by the Victorian Auditor General's Office. These reports will be ready for signing in their final form after any changes recommended, or agreed to by the Auditor-General have been made.

Council's auditor has advised that based on their audit, they expect to conclude that the financial report and performance statement are presented fairly and they expect to issue an unmodified audit opinion.

The Moira Shire Council Audit and Risk Committee have reviewed the financial report and performance statement.

MOTION

CRS WAYNE LIMBRICK / PETER LAWLESS

That the Council:

1. Approve, in principle, the Financial Report and Performance Statement for the financial year ended 30 June 2022;
2. Authorise Mayor Libro Mustica and Deputy Mayor Peter Lawless to certify the statements, in conjunction with the Chief Executive Officer and the Principal Accounting Officer, in their final form, and after any changes recommended, or agreed to by the Auditor-General have been made, in accordance with Section 99(3) of the Local Government Act 2020; and
3. Authorise the 2021/22 Financial report and the 2021/22 Performance Statements be included in the 2021/22 Annual Report in accordance with Section 98 of the Local Government Act 2020.

(CARRIED)

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

ITEM NO: 11.3.1
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE GOVERNANCE
AND PERFORMANCE BRANT DOYLE)

ASSEMBLIES OF COUNCILLORS FOR AUGUST 2022

Executive Summary

The purpose of this report is to detail the Assemblies of Councillors held in August 2022. 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 PETER ELLIOTT / ED COX

That Council receive and note the record of Assemblies of Councillors for August 2022.

(CARRIED)

FILE NO: F13/202
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.3.2
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(DIRECTOR CORPORATE GOVERNANCE
AND PERFORMANCE BRANT DOYLE)

REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER AND COUNCIL STAFF

Executive Summary

To support good governance and efficient business operations, Council may delegate specific powers, duties or functions to the Chief Executive Officer or to Council Staff by way of an Instrument of Delegation.

This report seeks Council's approval of the reviewed Instrument of Delegation to the CEO and the Instrument of Delegation to Members of Council Staff.

These delegations include updates to legislation and any organisational changes from the delegations adopted by Council in October 2021.

MOTION

CRS JULIE BROOKS / ED COX

That in the exercise of the powers conferred by section 11(1)(b)1) of the *Local Government Act 2020* (the Act) and the other legislation referred to in the attached instruments of delegation, Moira Shire Council resolves the following:

Chief Executive Officer delegations

- be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument.
- That the instrument comes into force immediately upon the common seal of Council being affixed to the instrument.
- on the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
- That the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from, time to time, adopt.

Council Staff delegations

- be delegated to the members of Council staff holding, acting in or performing the duties of the officers of positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.
- That the Instrument comes into force immediately the common seal of Council is affixed to the instrument.
- on the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
- That the duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.4.1
(ADMINISTRATION SUPPORT OFFICER -
S86 COMMITTEES, FIONA MULQUINEY)
(DIRECTOR INFRASTRUCTURE SERVICES
JOSHUA LEWIS)

COMMUNITY ASSET COMMITTEES ANNUAL REPORT

Executive Summary

The Local Government Act 2020 (the Act) provides a new structure for formal committees of Council including Community Asset Committees, which came into effect from 1 May 2020.

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 also 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 provide 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

CRS PETER LAWLESS / ED COX

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)

FILE NO: 000000
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.4.2
(ADMINISTRATION SUPPORT OFFICER,
ANN-MAREE JONES)
(DIRECTOR INFRASTRUCTURE SERVICES,
JOSHUA LEWIS)

NUMURKAH/NARING ROAD NUMURKAH INTERSECTION REALIGNMENT

Executive Summary

This report is to provide a recommendation regarding the Naring Road and Numurkah Road intersection project (the project) after having recently closed the associated tender.

The project is supplemented by external funding from Roads to Recovery (R2R) and is subject to a land acquisition to facilitate the realignment of the road and avoid surrounding infrastructure.

A report was present to a Council Briefing on 1 May 2021 in relation to the funding of this project.

It is recommended that Council defer this project for a period of 12 months to align the project scope with a project budget along with enabling greater collaboration with statutory authorities and obtaining greater community involvement in the proposed changes to the intersection.

It is also recommended to repurpose the available funds to enable interim safety improvements and refine the intersection design. Works would likely include speed reductions, rumble strips on approaches to the intersection and possible installation of traffic islands. In addition Council will continue to advocate to Department of Transport for signalisation at the nearby railway crossing.

MOTION

CRS JOHN BEITZEL / WAYNE LIMBRICK

That Council:

1. Defer the Numurkah/Naring Road intersection improvement works and reconsider the project in 23/24; and
2. Allocate funds for the redesign of the intersection and to implement interim road safety improvements in consultation with the Department of Transport and other stakeholders; and
3. Reallocate the Roads to Recovery Funding and surplus Council funds to other nominated projects within the existing Capital Works Program.

(CARRIED)

11. OFFICER REPORTS FOR INFORMATION

NIL

12. ACTION OFFICERS LIST

NIL

13. NOTICES OF MOTION

NIL

14. PETITIONS AND JOINT LETTERS

Three petitions were presented to Council in relation to:

- Proposed closure of the Yabba South Transfer Station
- Open drain Marine Parade/Anchorage Way & Lakeside Circuit Yarrawonga
- Proposed closure of the Tungamah Transfer Station

15. COUNCIL SEAL

NIL

FILE NO: VARIOUS

ITEM NO: Error! Reference source not found.

GENERAL BUSINESS

NIL

This now concludes our Council meeting, for those watching via live stream and those attending in person, I would like to thank you for participating in our meeting.

Stay safe and goodnight.

Read by the Mayor.

MEETING CLOSE: 5.52 PM