



MINUTES

SCHEDULED MEETING OF COUNCIL HELD AT COBRAM
CIVIC CENTRE,
WEDNESDAY 23 JUNE 2021

The meeting commenced at 4:00 pm.

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:

Mark Henderson	Chief Executive Officer
Andrew Close	General Manager Infrastructure
Simon Rennie	General Manager Corporate
Sally Rice	General Manager Community
Clare Keenan	Incoming Chief Executive Officer

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

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

Nil

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

Nil

6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST

Councillor Mansfield declared a conflict of interest with item 10.2.2 being an indirect interest.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

CRS ED COX / PETER LAWLESS

"That the minutes of the Committee of Council Meeting held on Monday 7 June 2021 and Scheduled Council Meeting held on Wednesday, 26 May 2021, as prepared, be confirmed."

(CARRIED)

8. COUNCILLORS PROVIDED VERBAL REPORTS

- Mayor Mustica welcomed Clare Keenan the incoming CEO and thanked and acknowledged Mark Henderson for his time as CEO.
- Cr Brooks along with Cr Mansfield and Mark Henderson attended the Regional Council Victoria summit in Nagambie.
- Cr Mansfield attended the Australian Local Government Association conference in Canberra.
- Cr Lawless welcomed Clare Keenan and thanked Mark Henderson for his contribution over his time as CEO.

FILE NO: VARIOUS

ITEM NO: 9

QUESTIONS FROM THE PUBLIC GALLERY

- Loan interest rate for the Multisport Stadium
- Second planning permit application for the Yarrowonga Library and were all Councillors aware of it.
- Legal costs for the VCAT practice day hearing.
- Is the second planning permit for the new Yarrowonga Library subject to appeal.
- Sex-based public services and facilities including public toilets.

FILE NO: 0000
4. A WELL RUN COUNCIL

ITEM NO: 10.1.1

CHILD SAFE POLICY

Executive Summary

The Child Safe Policy outlines the requirements of Council staff, Councillors and volunteers to prevent child abuse, and increase the effectiveness of responses to allegations of child abuse.

MOTION

CRS JULIE BROOKS / ED COX

That Council approves the reviewed Child Safe Policy.

(CARRIED)

FILE NO: F21/06
1. A GREAT PLACE TO LIVE

ITEM NO: 10.1.2

LAKE MULWALA BRIDGE GREEN ROUTE SUPPORT

Executive Summary

This report seeks Council's re-endorsement of the green route as Council's preferred alignment for the replacement of the Yarrawonga-Mulwala Bridge. support for the grey route so that a final decision on a preferred bridge alignment can be determined and the future planning of both towns progress based on that alignment.

Attachments

Nil

MOTION

CRS PETER LAWLESS / PETER ELLIOTT

That Council note the consultation by Transport NSW on bridge alignment options for Yarrawonga Mulwala and lodge a submission re-iterating Councils continued support for the green route alignment based on road safety, freight efficiency and removing trucks from Belmore Street and the foreshore on both sides of the lake.

(CARRIED)

FILE NO: 000
4. A WELL RUN COUNCIL

ITEM NO: 10.2.1

ANNUAL MAYORAL AND COUNCILLOR ALLOWANCES

Executive Summary

The purpose of this report is to finalise the review and consultation process required for the annual allowance levels set for the Mayor and Councillors, in accordance with section 39 of the *Local Government Act 2020*.

At its Ordinary Council Meeting in March 2021 Council resolved to commence a consultation process on a proposal to retain the annual allowances for the Mayor and Councillors at the maximum limit set for a Category 2 Council.

Community consultation commenced on 31 March 2021 to allow submissions to be received by 5pm Wednesday 28 April 2021 and in line with the statutory 223 process requirements. No submissions were received therefore the Committee of Council Meeting was not required.

The Mayoral and Councillor allowances will remain in place until the Remuneration Tribunal make a determination under section 23A of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

MOTION

CRS PETER LAWLESS / ED COX

That Council retain the annual allowances for the Mayor and Councillors at the maximum limit set for a Category 2 Council, being:

- (a) Mayoral Allowance – \$81,204
- (b) Councillor Allowance – \$26,245

(CARRIED)

FILE NO:
4. A WELL RUN COUNCIL

ITEM NO: 10.2.2

LEASE AGREEMENT WITH THE BUREAU OF METEOROLOGY

Executive Summary

At the Ordinary Council meeting on the 28th April 2021 Council authorised the Chief Executive Officer to commence community consultation on the proposal to lease an additional area of land at the Yarrowonga Aerodrome to the Bureau of Meteorology (BOM) and to convene a Committee of Council meeting on the 7th June 2021 to hear any person wishing to be heard in support of their written submission.

Community consultation commenced on the 5th May 2021 with advertisements printed in the local newspapers and a webpage developed in the 'Have Your Say' section of our website. A total of 3 submissions were received in support of the proposal. There was no request to be heard in support of a submission therefore the issue was not discussed at the Committee of Council Meeting held on the 7th June.

Following consideration of the submissions received, it is proposed that the Council enter into a lease agreement with the BOM for a portion of land at the Yarrowonga Aerodrome for the purpose of a new Weather Watch Radar Station.

Cr Mansfield left the meeting at 4:25pm due to his previously disclosed conflict of interest.

MOTION

CRS KEVIN BOURKE / PETER ELLIOTT

That Council:

- a) Enter into a lease agreement with the Bureau of Meteorology for a portion of land at the Yarrowonga Aerodrome; and
- b) Authorise the Chief Executive Officer to negotiate, sign and seal the lease document.

(CARRIED)

Cr Mansfield returned to the meeting at 4.29pm

FILE NO: F20/576
4. A WELL RUN COUNCIL

ITEM NO: 10.2.3

MOIRA SHIRE COUNCIL USE OF THE COMMON SEAL AND CONDUCT AT COUNCIL MEETINGS LOCAL LAW NO1 2021

Executive Summary

This report seeks Council's adoption of the Moira Shire Council Use of the Common Seal and Conduct at Council Meetings Local Law No1. 2021.

The Governance Rules adopted 26 August 2020 address most aspects of the Meeting Procedures Local Law 2017 except for the use of the Common Seal, offences & penalties. The current Local Law will cease in May 2027 unless revoked sooner.

The *Local Government Act 2020* (the Act) requires the Common Seal to be used in accordance with any applicable Local Law. A Local Law is also required to create offences and to apply penalties for the misuse of the Common Seal and disorderly conduct at Council meetings.

The power to create a new Local Law remains under the *Local Government Act 1989* (89 Act) and the Section 223 process is required. This included the proposed Local Law being on display for 28 days and the community given the opportunity to comment or make a submission on the proposed Local Law. No submissions were received during this period.

It is recommended that the Council adopt the Moira Shire Council Use of the Common Seal and Conduct at Council Meetings Local Law No1. 2021 and revoke the Moira Shire Council Meeting Procedures Local Law 2017.

The proposed Local Law will come into effect on 24 June 2021 if Council proceed with this recommendation.

MOTION

CRS PETER LAWLESS / ED COX

That Council:

1. Adopt the Moira Shire Council Use of the Common Seal and Conduct at Council Meetings Local Law No1 2021; and
2. Revoke the Moira Shire Council Meeting Procedures Local Law 2017.

(CARRIED)

FILE NO: F20/622
4. A WELL RUN COUNCIL

ITEM NO: 10.2.4

MOIRA SHIRE COUNCIL BUDGET 2021/22

Executive Summary

This report seeks Council's adoption of the Moira Shire Council Budget 2021/22.

The 2021/22 Budget comes at a time of recovery, stabilisation and growth for our communities as we transition out of the health, social and economic strains placed upon us all during the COVID-19 pandemic.

The modest rate cap increase of 1.5%, as set by the Victorian Government, will help preserve Council's ongoing financial sustainability and support the recovery of our community post the COVID-19 emergency.

Council capital works program of \$14.6 million will contribute meaningfully to the economic and social strength and stability to our shire.

Council will continue to deliver critical infrastructure, with a commitment of \$6.3 million for roads and bridges across the shire.

Council maintains a 4,000km network of sealed and unsealed local roads, 76 bridges and major culverts, 294km of kerb and channel, 160km of footpaths, 77 playgrounds, 43 public toilet blocks and public barbecues, plus 673 council buildings and facilities including sport and recreation areas, four libraries, a mobile library service and nine waste transfer stations.

Fees, Charges & Rates

The 2021/22 Budget acknowledges the challenges our communities faced during the pandemic and resulting economic shutdown with the majority of fees and charges having a 0% increase.

- Rates and the Municipal Charge, as set by the Victorian Government, will increase by 1.5%.
- 0% increase in fees and charges outside any statutory and local laws.
- 0% increase in venue hire fees.
- 0% increase in aquatic facilities entry fees.

Major Projects

In 2021/22 Council proposes delivery of new assets and the expansion, upgrade and renewal of existing assets including:

- Yarrawonga Library project
- Karook Street, Cobram (Scott Reserve) drainage upgrade.
- Numurkah Footpath Renewal – stage 2 of project.
- Yarrawonga Multisport Stadium – progress design of master plan and commence building permit applications.
- Numurkah Shire Hall – installation of a solar energy system.
- Cobram Sports Stadium – installation of industrial air conditioning.
- Numurkah Flood Mitigation Scheme – continuing the design process.
- Katamatite Netball Court renewal project.
- Numurkah Town Hall – renewal of air conditioning.
- Wilby Equestrian Arena - plan and construct a new equestrian arena.

FILE NO: F20/622
4. A WELL RUN COUNCIL

ITEM NO: 10.2.4

MOIRA SHIRE COUNCIL BUDGET 2021/22 (cont'd)

Community Consultation

Councillors were involved in a number of budget workshops & briefings to develop the draft 2021/22 Budget.

The Budget formed part of the deliberative engagement process, councillors and staff held four community consultations in the main centres of Moira Shire – Cobram, Nathalia, Numurkah and Yarrawonga; a comprehensive survey was put on our website with hard copies available to those with no internet access; and an extensive advertising campaign was conducted including newspaper, radio and social media platforms.

Community consultation commenced from the 30 April 2021 where the public were given the opportunity to provide feedback through the section 223 process.

A total of 12 submissions were received and 11 of those submissions elected to speak in support of their submission at the Committee of Council Meeting held on the 7 June 2021.

Council would like to thank all those who took the time to provide feedback and those who presented their submission to the Committee of Council Meeting.

MOTION

CRS ED COX / PETER ELLIOTT

That Council adopts the Moira Shire Council Budget 2021/22.

(CARRIED)

Cr Bourke called for a division.

FOR

Cr Brooks
Cr Cox
Cr Elliott
Cr Lawless
Cr Limbrick
Cr Mustica

AGAINST

Cr Bourke
Cr Mansfield
Cr Martin

(CARRIED)

FILE NO: F20/210/001
4. A WELL RUN COUNCIL

ITEM NO: 10.2.5

MOIRA SHIRE COUNCIL PLAN 2021 - 2025

Executive Summary

This report seeks Council's adoption of the Moira Shire Council Plan 2021-2025.

The Council Plan is centered around five key strategic objective pillars – a welcoming and inclusive place; a diverse and dynamic economy; a clean green environment; customer focused and responsive; and transparent and accountable governance.

The Council Plan addresses the following:

- the strategic direction of Council;
- the strategic objectives for achieving that direction;
- strategies for achieving the objectives (for at least 4 years);
- strategic indicators for monitoring achievement; and
- description of initiatives and priorities for services, infrastructure and amenity.

The development of the Council Plan is a requirement of the *Local Government Act 2020* (the Act) and is to be adopted by 31 October in the year following a general election.

Council has undertaken a deliberative community engagement process that included:

- A facilitated Councillor workshop;
- Extensive advertising on radio, local newspapers, and social media;
- A community survey with feedback sought via our 'Have Your Say' section on the website;
- A series of community conversation sessions held in Cobram, Yarrawonga, Nathalia and Numurkah.

The community were also given another opportunity to provide feedback during May. Two submissions were received in this time.

MOTION

CRS PETER ELLIOTT / PETER LAWLESS

That Council adopts the Moira Shire Council Plan 2021-2025.

(CARRIED)

FILE NO: F20/210/001
4. A WELL RUN COUNCIL

ITEM NO: 10.2.6

MOIRA SHIRE COUNCIL FINANCIAL PLAN 2021 - 2031

Executive Summary

This report seeks Council's adoption of the Moira Shire Council Financial Plan 2021-2031.

The development of a Financial Plan is a new requirement that forms part of the implementation of the *Local Government Act 2020* (the Act).

The Financial Plan outlines:

- The financial resources required to give effect to the Council Plan and other strategic plans of Council;
- provide information about decisions and assumptions on which it is based; and
- outline any other resource requirements considered appropriate or contained in the regulations.

The Financial Plan defines the broad financial boundaries for the Council Plan, Asset Plan, other subordinates policies and strategies and budget processes.

Council has undertaken a deliberative community engagement process that included:

- A facilitated Councillor workshop;
- Extensive advertising on radio, local newspapers, and social media;
- A community survey with feedback sought via our 'Have Your Say' section on the website;
- A series of community conversation sessions held in Cobram, Yarrawonga, Nathalia and Numurkah.

The community was also given the opportunity to provide feedback on the draft Moira Shire Council Financial Plan 2021-2031 while it was on the public display during May and no submission were received during this period. The financial plan will be edited to reflect any changes in the draft Budget.

MOTION

CRS ED COX / PETER LAWLESS

That Council adopt the Moira Shire Council Financial Plan 2021-2031.

(CARRIED)

FILE NO: F20/210/001
4. A WELL RUN COUNCIL

ITEM NO: 10.2.7

MOIRA SHIRE COUNCIL REVENUE AND RATING PLAN 2021 - 2025

Executive Summary

This report seeks Council's adoption of the Moira Shire Council Revenue and Rating Plan 2021-2025.

Council is required to develop a Revenue and Rating Plan by 30 June in the year following a general election.

The Plan provides a medium-term strategy for how Council will generate income to deliver on the Council Plan, program and services and capital works commitments over a 4-year period.

The Revenue and Rating Plan incorporates:

- how revenue will be generated through rates on properties (including differential rates on different property classes)
- fixed service charges that might be applied on services such as waste or recycling
- fees and charges for services and programs
- developer contributions and other revenue
- revenue generated from use or allocation of council assets (including the application of discounts and waivers)
- recurrent and non-recurrent operational and capital grants from other levels of government
- Other activities established to deliver programs or services and generate income or reduce costs.

The community were given the opportunity to provide feedback on the draft Revenue and Rating Plan during May. No feedback was received during this time.

MOTION

CRS WAYNE LIMBRICK / PETER LAWLESS

That Council adopts the Moira Shire Council Revenue and Rating Plan 2021-2025.

(CARRIED)

FILE NO: F13/493
4. A WELL RUN COUNCIL

ITEM NO: 10.2.8

AUDIT AND RISK COMMITTEE - MEETING MINUTES 13 MAY 2021

Executive Summary

In accordance with the Audit and Risk Committee Charter, the Minutes of the Audit and Risk Committee Meeting held on 13 May 2021 are attached under separate cover to this report to Councillors.

The following reports were considered by the Committee:

- Policy Register Update
- Review the Business Continuity Plan and IT Disaster Recovery
- Review the Internal Audit Program
- Quarterly Budget Review – March 2021
- VAGO Audit Strategy and Interim Management Letter 2020/2021
- Quarterly Claims Management Report – March 2021
- Risk Register Report
- Fraud Risk Register Report
- Internal Audit Action Status Report
- Internal Audit Report – Review of Infrastructure Asset Management
- Internal Audit Report – Statutory Planning
- WHS Status Report

The key recommendations from the Audit and Risk Committee are to refer these matters to Council for consideration.

MOTION

CRS MARIE MARTIN / WAYNE LIMBRICK

That Council:

1. Accept the Minutes of the Audit and Risk Committee Meeting held on 13 May 2021; and
2. Endorse the recommendations contained within the reports.

(CARRIED)

FILE NO: F 4. A WELL RUN COUNCIL

ITEM NO: 11.1

ACTION OFFICERS REPORT

Meeting Date	26 May 2020
Subject/File No	Illegal Tobacco
Resolution:	15.1 General Business
Status:	Closed
Responsible Officer:	Beyond the Councils powers and therefore can't be acted upon.

Attachments

Nil

MOTION

CRS KEVIN BOURKE / ED COX

That Council receive and note the Action Officers List.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 15

URGENT GENERAL BUSINESS

Nil

FILE NO: VARIOUS

ITEM NO:

MEETING ADJOURNMENT

MOTION

CRS PETER MANSFIELD / ED COX

That the meeting be adjourned for one minute.

(CARRIED)

MOTION

CRS PETER ELLIOTT / ED COX

That the meeting be resumed.

(CARRIED)

MOTION

CRS ED COX / PETER LAWLESS

That pursuant to the provisions of the Local Government Act 2020 (the Act), the meeting will now be closed to members of the public to enable the meeting to discuss matters in items 17.1 which the Council may, pursuant to the provisions of Section 66 (2) of the Act resolve to be considered in closed session.

(CARRIED)

MEETING CLOSE 5.11PM