



## MINUTES

SCHEDULED MEETING OF COUNCIL HELD AT COBRAM  
CIVIC CENTRE, PUNT ROAD COBRAM VIC 3644,  
WEDNESDAY 25 OCTOBER 2023

The meeting commenced at 4:30 PM

**PRESENT** Mr John Tanner - Chair Administrator  
Ms Suzanna Sheed – Administrator  
Mr Graeme Emonson – Administrator

**IN ATTENDANCE:** Mr Michael Tudball Chief Executive Officer  
Mr Matt Jarvis Acting Director Sustainable Communities  
Ms Amanda Chadwick Acting Director Corporate Governance & Performance  
Mr Beau Mittner Acting Chief Financial Officer  
Mr Mark Lambourn Manager Parks, Recreation & Facilities  
Ms Nancy Mustica Senior Governance Officer

### 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

Mr Damien Burton – Acting Director Infrastructure Services

### 5. DISCLOSURE OF CONFLICTS OF INTEREST

Nil

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**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**MOTION:**

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That the minutes of the Scheduled Council Meeting held on Wednesday, 27th September 2023, and the Committee of Council Meeting held on Thursday 12th October 2023 as presented, be adopted.

(CARRIED)

**7. CHAIR ADMINISTRATOR ADDRESS**

Welcome to everyone here this afternoon and a particular welcome to Michael Tudball in your new role as interim Chief Executive Officer (CEO) at Moira Shire Council. Michael has been appointed for 6 months as CEO while the recruitment of a permanent CEO is undertaken, of which this process has begun.

Thank you to Mr Josh Lewis for acting in the CEO role for eight months and acknowledge your ongoing commitment and effort during this difficult time.

I would like to talk about the Cobram Apex Caravan site following some research in 2015 there was a motion that went to Council on this matter to sell the Cobram Caravan Park. There was a subsequent motion in June 2018 that the Caravan Park be retained and excluded from a proposed subdivision. This is to reassure the community that the site is currently held in public hands and there is no intention for it to be sold.

The Administrators have requested an officers report on this matter to be included in the November Council meeting agenda and the proposal is that a masterplan be carried out for that site. The site is bordered by Punt Road, Hay Avenue, High Street and Campbell Road and now referred to the Punt Road Precinct.

The next item of my report is road safety and just recently the speed along Labuan Road has reduced to 80kph. I understand that there are people who disagree with this decision, but I believe it's the right thing to do and Council stands by this decision. Labuan Road has witnessed up to 70 casualty sites and 2 fatalities (excluding the MV Highway intersection incidents in 2022 and 2023).

This decision also aligns with the Victorian Road Safety Strategy 2030 which aims to create safer rural roads and decrease the number of incidents on rural roads. Furthermore, this decision will hopefully lead to changes on the preferred route as identified on Google Maps resulting in a decrease of non-local traffic along Labuan Road.

I would like to move to the Annual Report and the Panel of Administrators are pleased to present the Moira Shire Council Annual Report 2022-23 that is prepared and presented in accordance with s98 and s100 of the *Local Government Act 2020*.

The Annual Report provides an overview of Council's performance over 2022-23 against our adopted Budget 2022-23 and the five strategic pillars set out in our Council Plan 2021-25. Our financial position remains strong and we are actively advancing several major projects that have a positive outcome for our communities. These include the Yarrowonga Multisport Stadium, the Yarrowonga Town Hall Precinct upgrade and the flood protection levee in Numurkah.

In relation to question time I indicated at the last meeting there will be an opportunity for those who have previously submitted a question to be able to talk to their question within the two minute limit during the Council meeting.

I'm also pleased to say that starting on the 13<sup>th</sup> November the Tri State Games will commence in our Shire with a street parade in Cobram and I invite everyone to come along at 9.30am.

There will be a number of activities in Cobram, Yarrawonga and Barooga. The event will finalise on Friday 17<sup>th</sup> November with a Gala dinner and presentations. I again encourage everyone to attend or even volunteer during the week.

Thank you all for joining us this afternoon.

### **ADMINISTRATOR SUZANNA SHEED**

I'm pleased for the opportunity this afternoon to report on the Water Amendment (Restoring Our Rivers) Bill 2023 which is currently before the Federal Parliament. This matter is critical to our region here in Moira Shire and across Northern Victoria given the reliance of our community on irrigation delivered through the Murray River and Goulburn Irrigation district systems is a major feature of our economic success. Agriculture takes the lead as the largest employer in Moira Shire Council.

At our last Council meeting I advised that the Federal Government had introduced this Bill, which among other things will lift the current cap of 1500 g/liters of the amount of water that can be bought back and it they will reintroduce buy backs across the whole of the Murray Darling Basin to recover water for the environment.

The government legislation provides for the removal of the socio economic test, so for those of us across the basin, if this legislation is passed, it could require more than 700 g/liters of water to be recovered primarily as buy backs from farms and taking away that amount of water we use for food production.

Moira Shire Council over a number of years has had engagement with GMID Water Leadership in a representative capacity and more recently has taken an active role with Murray River Group of Councils (MRGC) and in-deed on its own account to advocate against this bill.

Moira Shire has made a submission to the standing committee articulating the position of the shire in relation to this legislation. The Bill just last week passed through the House of Representatives and following a Senate inquiry in Canberra next week the Bill will be debated in the Senate.

To date both Administrator Tanner and I have had meetings with Federal politicians and we will seek further meetings to advocate against more buy backs from our region. Moira Shire saw what happened last time this occurred back in 2008 and does not want to see the negative socio impacts to be repeated in our Northern Victorian communities.

### **ADMINISTRATOR GRAEME EMONSON**

I was very pleased to represent the Shire, along with Kate Goldsmith, our Acting Emergency Management Coordinator, at the Victorian Parliamentary Inquiry into the October 2022 flood event held on 10 October, 2023.

The Inquiry is investigating Victoria's preparedness for, and response to, Victoria's major flood event that occurred across northern Victoria and in metropolitan Melbourne late last year. The Inquiry is investigating factors such as what caused or contributed to the flood event, the role of emergency services, adequacy of flood mitigation strategies and early warning systems, and the role of the Victorian Planning framework.

The representation of Moira at the Parliamentary Inquiry was a great opportunity to explain the extent of impact suffered by Moira communities from the event. We were able to articulate the impact experienced by the local agriculture and tourism sectors, the psychological impacts experienced by communities during and following such major events, the extensive impact on the communities' roads, bridges and culverts (which is estimated to be more than \$17 million)

and to provide an update to the Inquiry on the recovery efforts that are being led by Moira Council.

We look forward to learning about the Inquiry's findings.

I recently had the opportunity to attend the Annual General Meeting (AGM) of the Cobram and District Fruit Growers Association. This was a wonderful opportunity to hear more about the importance of the fruit growing sector to the local, regional and national economies, and Adrian Conti is congratulated for his election as President to lead the Association in its important work to represent local growers.

I also had the opportunity to attend the AGM of the Yarrawonga Mulwala Learning and Community Centre. The Centre is a really significant contributor to the Yarrawonga/Mulwala community through its broad range of service and training activities which continue to grow and strengthen. The Centre has a really strong and vibrant Board and Executive Officers, and Jackie Smith is congratulated upon her election as President for her fourth term.

## **8. DIRECTOR REPORTS**

### **MR MICHAEL TUDBALL – CHIEF EXECUTIVE OFFICER**

Good evening and thank you for welcoming me here tonight. I am honored to have the opportunity to address you as the newly appointed interim Chief Executive Officer of Moira Shire Council. My name is Michael Tudball, and I am thrilled to be joining this wonderful community.

First and foremost, I want to assure you that my main objective is to continue to bring stability and effective governance to Moira Shire Council. I am here to support the hard work of our dedicated staff members and to work towards finding a permanent CEO who will guide Moira Shire into the future.

I firmly believe that embedding myself in the communities I serve is crucial to understanding your needs and aspirations. I am excited to begin meeting and interacting with each and every one of you, getting to know the major towns and small communities that make up this region.

I am keenly aware of the ongoing projects and initiatives that are underway, and I am committed to ensuring their successful implementation. In the coming weeks, one of my top priorities will be to connect with our staff, hearing from them about the immediate and long-term goals we need to focus on together.

Furthermore, I want to emphasise the importance of transparency and openness. I aim to be accessible to the entire community, encouraging open dialogue and creating an environment of trust and faith in our Council. Your voices matter, and I am here to listen and ensure that your concerns and ideas are heard and considered.

In closing, I want to express my gratitude for the warm welcome I have received thus far.

Thank you.

### **MS AMANDA CHADWICK - ACTING DIRECTOR OF CORPORATE, GOVERNANCE AND PERFORMANCE**

#### **Customer Experience**

In September the number of incoming calls decreased by 20% after the increase we saw in August due to the issuing of the rates notices. Our Customer Experience Team managed over 3,100 incoming telephone calls through our Call Centre and our staff entered over 3,600 new customer enquiries and requests for service.

### **Audit and Risk Committee**

The Audit & Risk Committee met this month and reviewed the findings of another four audits completed as part of the Internal Audit Plan. The Agenda also included an update on the actions completed and in progress as part of the Commission of Inquiry Report and the final review of the Financial Statements and Performance Report for the 22/23 Financial Year.

### **Gender Equality Action Plan Reporting**

The Gender Equality Inclusion and Diversity Committee are preparing the first progress report required under the Gender Equality Act. This report is due to be submitted to the Public Sector Gender Equality Commissioner in February 2024 and details Councils progress in delivering the actions in the Moira Shire Council Gender Equality Action Plan.

### **Community Satisfaction Survey 2024**

Council is currently reviewing the options available to further enhance the collection of valuable feedback received from the community through the Annual Community Satisfaction Survey. This survey will be conducted in early 2024 and will seek opinions from our communities to provide confidence for council in our efforts and abilities to plan and deliver services to the community.

### **MR BEAU MITTNER – ACTING CHIEF FINANCIAL OFFICER**

#### **Rapid Antigen Test Program**

Council is participating in the COVID-19 Rapid Antigen Test Program, which allows Council to provide free rapid antigen tests to members of the community. The Minister for Local Government has approved distribution of an additional \$60,000 per council to undertake the program until 31 December 2023. This is in addition to the \$90,000 already allocated to each council and takes the total funding from the Victorian Government to \$11.85 million for this program.

Free RAT tests are available for collection at the following locations for all community members:

- Cobram Service Centre
- Yarrawonga Service Centre
- Nathalia Library
- Numurkah Library

Community members are encouraged to refer to Council's website for details on trading hours of each location.

#### **2023 Annual Report**

The 2023 Annual Report is being tabled during this evening's Council meeting. Both the Financial Report and Performance Statement contained within the Annual Report have been certified by the Victorian Auditor-General's Office.

I'd like to extend my thanks to Council's Governance, Assets and Finance Teams for assisting with the annual audit and delivering what is a well-polished Annual Report.

### **MR MATT JARVIS – ACTING DIRECTOR SUSTAINABLE COMMUNITIES**

#### **Waste Services**

Household waste and recycling services are regulated by the State Government via mandatory service standards and accompanying regulations established under the Circular Economy (Waste Reduction and Recycling) Act 2021. The aim of this regulation is to achieve standardised services across the state for a four-stream household waste and recycling system.

Moira Shire already has in place three streams being residual waste (red lid), recycling (yellow lid) and food organics and garden organics or FOGO (green lid). The State Government will require Victorian Councils to have introduced a fourth service for glass recycling (purple lid) by 2027. An education program will be needed to help users understand and better use the eventual four-stream system.

This will help Victorians sort valuable materials, that would otherwise be waste, for recycling and reuse and will prevent certain materials like glass from contaminating other recyclables in the mixed recycling stream. It will significantly reduce waste going to landfill and get more value from precious resources. The aim of the State Government is by 2030 to achieve an 80% recovery rate for all waste generated.

Changing how we recycle will take time and will require the engagement of all Victorians—from households to local governments and recycling businesses.

### **School Crossing Supervisors**

Moira Shire Council are looking for casual School Crossing Supervisors for Yarrowonga, Strathmerton Cobram and Katamatite to provide for the safe passage of pedestrians at designated school crossings.

Casual School Crossing supervisors may be required for 1 hour in the morning and 1 hour in the afternoon from Monday to Friday. For more information please call Council on 03 5871 9222 or email our Moira Careers Team on [careers@moira.vic.gov.au](mailto:careers@moira.vic.gov.au) or apply online via <https://recruitment.moira.vic.gov.au>. **Applications close 5 November 2023.**

### **Municipal Fire Prevention**

Annual Fire Prevention inspections have commenced. Council officers will inspect townships as well as responding to complaints to identify fire hazards on those properties. Landowners must comply with a Fire Prevention Notice by slashing blocks, creating firebreaks, clearing undergrowth and removing flammable materials from their land.

Residents are encouraged to act in preparing their properties for what is predicted to be a very hot and dry summer. Simple things like cleaning gutters, keeping lawns short, maintaining gardens, cutting back trees and shrubs that overhang buildings and by cleaning up fallen branches and debris will all help in reducing the fire hazard risk to your property.

### **Community Wellbeing**

Strathmerton's Draft Community Plan 2024-2029 is now open for feedback. Community planning allows the community to discuss the future of their town and identify possible ways to make their local area stronger, more beautiful and more inclusive. Consultation on the draft plan closes 18 November 2023.

Community engagement for the Barmah Community Plan closed, with 54 community members responding to the community planning survey. Around 50 community members also attended the Barmah Community BBQ and had their say in person.

## **MR MARK LAMBOUN – ON BEHALF OF ACTING DIRECTOR OF INFRASTRUCTURE SERVICES**

### **Road Safety Driver Behaviour - Community Impact**

I would like to continue the dialogue on Road Safety and Driver Behaviour throughout the Municipality.

We have a continuous growing trend of seriously injury and fatalities through our shire, in the last 5 year recording period between 2017 and 2021.

Moira Shire Council recorded a total of 11 Fatality crashes and 67 serious injury crashes on our local Moira Shire Council roads.

Currently in 2022 to 2023, we have had additional 19 Fatality crashes, indicating the trend is deteriorating.

In economic terms, normalised to cost of road trauma on Moira Shires local roads per 100,000 population per year - Moira Shire is 332% higher than the state average for local roads and massive 454% higher than local roads in the Metropolitan Melbourne area.

We ask you to consider yours, your families, your friends and our community wellbeing, when you are next behind the wheel of a vehicle; is the 1 minute on average saved in speeding really worth it.

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

ITEM NO: 9.1.1  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE AND PERFORMANCE,  
AMANDA CHADWICK)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE AND PERFORMANCE,  
AMANDA CHADWICK)

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

### Executive Summary

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

During the consultation program administrative errors were identified which will require a decision to be deferred on the proposal and a revised community consultation program to commence to discontinue the road.

### MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council resolve to:

1. Defer a decision regarding the proposal to close and lease a portion of Richardson Street Nathalia to undertake a revised consultation program in accordance with item 3;
2. accept the submissions already received in relation to the proposal to close the road, as part of the revised consultation;
3. in accordance with clause 3 of Schedule 10 to the *Local Government Act 1989*, the statutory procedure to discontinue 20 x 13 metres of road at the North end of Richardson Street Nathalia and enter into a lease with Trans Tank International, be commenced;
4. directs, in accordance with sections 207A and 223 of the Local Government Act, that public notice of the proposed discontinuance be given in local newspapers and the Moira Shire Council website;
5. authorises the Chief Executive Officer to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Local Government Act; and
6. resolves that a Committee comprising the Panel of Administrators and the Chief Executive Officer be appointed to hear any persons wishing to be heard in support of their written submissions, on a date to be determined by Council's Chief Executive Officer.

(CARRIED)



FILE NO:  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 9.1.2  
(FINANCIAL ACCOUNTANT, ANDREW  
WILSON)  
(ACTING CHIEF FINANCIAL OFFICER, BEAU  
MITTNER)

## QUARTERLY BUDGET REVIEW - SEPTEMBER 2023

### **Executive Summary**

The proposed September 2023 budget reforecast has been developed within the context of Council continuing its response to the findings of the Commission of Inquiry and the difficulties in Council delivering its capital works program.

### **Income Statement**

There has been a decrease in the forecast budget surplus from \$17.61 million in the Adopted 2023/24 Budget to a surplus of \$11.23 million in the Proposed September 2023 Quarterly Forecast. The main impact has been the reduction of capital grant income due to delays in completing grant-funded projects and the corresponding deferral of the income received until such time that Council has satisfied the performance obligations contained in the funding agreement.

### **Balance Sheet**

The Balance Sheet of Council is forecast to remain in a financially healthy position by 30 June 2024, with current assets expected to be 2.95 times current liabilities. Strong reserves are set aside to fund the revised forecast capital works program of \$41.74 million.

### **Cash Flow**

The cash position of Council continues to remain strong. As at 30 September, Council held \$61.95 million in cash and investments.

### **Capital Expenditure**

The proposed capital works forecast for September 2023 is \$41.74 million compared to the Adopted 2023/24 Budget of \$42.22 million. Year to date spend at the end of September 2023 is \$2.85 million with a further \$11.01 million in outstanding commitments.

## **MOTION**

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council:

1. Adopt the forecast for the 2023/24 financial year contained in the September 2023 Quarterly Budget Review; and
2. Note the Environment Upgrade Agreements quarterly performance report.

(CARRIED)

FILE NO:  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 9.1.3  
(PROCUREMENT OFFICER, LISA KNIGHT)  
(ACTING CHIEF FINANCIAL OFFICER, BEAU  
MITTNER)

## CONTRACTS AWARDED UNDER DELEGATION REPORT

### Executive Summary

Council's *Instrument of Delegation to the Chief Executive Officer* was adopted on 27 October 2021 which provides a delegation to the Chief Executive Officer (CEO) to award contracts up to the value of \$350,000.

This report lists all contracts awarded under the CEO delegation for the period 1 July 2023 – 30 September 2023.

### MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council note the quarterly report for contracts awarded under delegation.

(CARRIED)

FILE NO:  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 9.2.1  
(SENIOR GOVERNANCE OFFICER, NANCY  
MUSTICA)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE AND PERFORMANCE,  
AMANDA CHADWICK)

## PROPOSAL TO ACQUIRE LOT 97 ON PLAN OF SUBDIVISION 735241D

### Executive Summary

The purpose of this report is to seek Council's authorisation to proceed with the acquisition of Lot 97 on Plan of Subdivision 735241D, which is located in a new residential subdivision on Packham Drive in Cobram.

A subdivision development has occurred and, in the process a legacy issue has arisen due to Council approving the Planning Permit amendment which affected the already created Lot 97. This is now required to be changed to a Council Reserve and ownership transferred to the Council without any consideration.

Due to the current classification of the lot it cannot be transferred to Council in the usual Planning Permit process. A separate process is required in accordance with Section 112 of the *Local Government Act* (the Act) and in accordance with Council's Community Engagement Policy.

Community engagement was conducted and no submissions were received, on this basis this report seeks Council to consider the acquisition.

### MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council authorise the Chief Executive Officer to:

1. Proceed with negotiations to acquire Lot 97 on Plan of Subdivision 735241D being located on Packham Drive in Cobram; and
2. Sign and seal all necessary documentation pertaining to the transfer of the land without any consideration.

(CARRIED)

FILE NO:  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 9.2.2  
(GOVERNANCE OFFICER, NATALIE EVANS)  
(ACTING DIRECTOR CORPORATE  
GOVERNANCE AND PERFORMANCE,  
AMANDA CHADWICK)

## MOIRA SHIRE COUNCIL ANNUAL REPORT 2022/23

### Executive Summary

Moira Shire Council's 2022/23 Annual Report including the audited Financial Statements and Performance Statement is provided for presentation by Council.

This Annual Report provides an overview of the functions, achievements and performance of the Moira Shire Council.

The Financial Report for the year ended 30 June 2023 and the Performance Statements for 2022/23 have been prepared in accordance with the Australian Accounting Standards, the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

### MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council receives and notes the 2022/23 Annual Report, including the audited Financial Statements and Performance Statement.

(CARRIED)

FILE NO:  
1. A WELCOMING AND INCLUSIVE PLACE

ITEM NO: 9.3.1  
(TEAM LEADER BUSINESS SUPPORT,  
COMMUNITY SERVICE DELIVERY, NATALIE  
MCDONALD)  
(CHIEF FINANCE OFFICER MATT JARVIS)

## DRAFT ALL ABILITIES ACCESS AND INCLUSION PLAN

### Executive Summary

The draft All Abilities Access and Inclusion Plan 2023-2026 (attached) has been developed in consultation with the All Abilities Advisory Committee (AAAC), community members, service providers and internal stakeholders. This Plan will replace Council's existing Disability Access and Inclusion Plan 2017-2021.

The draft Plan is a strategic document that includes outcome based actions and direction for the improvement of access and inclusion for the next three years. The goal of the draft Plan is to make Moira Shire a more accessible and inclusive community for all, by supporting and advocating for people with a disability to participate in their local communities. The draft Plan outlines Council's commitment to promote a more inclusive and accessible community and priorities associated with access to the built environment, social connections and communication processes.

Consultation has taken place around the draft Plan and a Gender Impact Assessment has been completed.

Council endorsement is requested so the Plan can be launched and promoted within the community and so that Council and key stakeholders can commence (or continue) working on delivering the actions.

### MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council endorse the All Abilities Access and Inclusion Plan.

(CARRIED)

FILE NO:  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 9.4.1  
(COORDINATOR PLANNING, TRAVIS  
BASHAM)  
(ACTING DIRECTOR INFRASTRUCTURE  
SERVICES, DAMIEN BURTON)

## SECTION 173 AGREEMENTS - AUTHORITY TO AFFIX THE COMMON SEAL

### Executive Summary

The purpose of this report was to seek Councils endorsement of a recommendation to streamline the affixing of the Common Seal to Section 173 Agreement by providing authorization to the CEO.

A S173 Agreement (under the Planning and Environment Act) is generally used where a condition on a Planning Permit or the Planning Scheme controls don't provide for particular requirements to be fulfilled. Under certain circumstances the Planning Scheme may also make it a mandatory requirement for Planning Permits to require a Section 173 Agreement to be entered into.

Subsequent to this report being prepared further information has been received that Council will need to consider prior to making a decision and therefore it is recommended that the decision is deferred.

### MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That the decision on this matter be deferred until a future Council Meeting date to allow further investigation into the requirements to amend the Moira Shire Council Use of the Common Seal and Conduct at Council Meetings Local Law No 1. 2021 to support this officer recommendation.

(CARRIED)

FILE NO:  
5. TRANSPARENT AND ACCOUNTABLE  
GOVERNANCE

ITEM NO: 10.1  
(ACTING DIRECTOR SUSTAINABLE  
COMMUNITIES MATT JARVIS)

## ASBESTOS INVESTIGATION AND REMEDIATION

### Executive Summary

Following on from the Commission of Inquiry, Moira Shire Council (Council) made a commitment to investigate the causes of historical illegal dumping of asbestos containing material (ACM) on Council land. In addition, Council made a commitment to a safe and thorough remediation of the sites where ACM was detected.

Council has engaged with the Independent Broad-based Anti-corruption Commission (IBAC) following from the Commission of Inquiry. Council has provided regular updates to IBAC on this matter.

The final Confidential Investigation Report by an independent investigator (Warfield & Associates), including Management responses to recommendations on mitigating actions going forward, has been forwarded to IBAC.

Remediation works were safely completed in the month of September at the identified locations of Yarrowonga, Tungamah and Strathmerton Resource Recovery Centres and Clearance Certificate sign-off has been received from the Occupational Hygienist.

This is the final operational report expected to be tabled to Scheduled Council Meetings.

### MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council note the information provided in relation to the completed Asbestos investigation and remediation works.

(CARRIED)

### 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)  
(ACTING DIRECTOR INFRASTRUCTURE  
SERVICES, DAMIEN BURTON)

**SECTION 173 AGREEMENTS - AUTHORITY TO AFFIX THE COMMON SEAL - PINE STREET, YARRAWONGA, GRAHAMS ROAD, WUNGHNU, RANKINS ROAD, STRATHMERTON (cont'd)**

**14. COUNCIL SEAL**

**MOTION**

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

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

1. 22 Pine Street, Yarrawonga
2. 35 Grahams Road, Wunghnu
3. Rankins Road, Strathmerton
4. 19A Hogans Road, Yarrawonga
5. 21 Hogans Road, Yarrawonga
6. 1080 Hawkers Road, Waaia

(CARRIED)



**FILE NO: VARIOUS**

**ITEM NO:**

**URGENT BUSINESS**

NIL

FILE NO: VARIOUS

ITEM NO: 16

**PUBLIC QUESTION TIME**

Name	Summarised Question	Response
Geoff Campbell	Can Questions to council meetings including any preamble and the answers be recorded and printed in the minutes? like some other councils.	<p>Councils Governance Rules allow for questions of Council to be included in the proceedings at the discretion of the CEO. Governance Rule 13.1 allows for a <i>summary</i> of the questions asked to be included in the minutes.</p> <p>Council will consider the inclusion of any relevant preamble to be included in the minutes with the response to those questions allowed.</p>
Dawn Campbell	Can you please explain why the Parks and Gardens in Yarrawonga have suddenly become neglected? Just as our tourist season starts to ramp up.	<p>Thank you, Dawn, we appreciate the feedback and the pride you take in the Yarrawonga community.</p> <p>Yes, it can be challenging this time of year, particularly in spring. At this time of the year the climatic conditions coupled with the recent rain fall have created the perfect growing conditions.</p> <p>Our team in Yarrawonga work very hard and take a lot of pride in our park's presentation, additionally the wider Parks and Garden teams across the municipality also hold these values.</p> <p>Occasionally the programmed schedule of parks maintenance works can experience minor delays due to unforeseen weather events, equipment and availability.</p> <p>This is generally caught up to in a few days.</p>

**17. MEETING CLOSE: 5.40PM**