



MINUTES

SCHEDULED MEETING OF COUNCIL HELD AT
COBRAM CIVIC CENTRE,
WEDNESDAY 27 OCTOBER 2021

The meeting commenced at 6.00 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: Clare Keenan Chief Executive Officer
Andrew Close General Manager Infrastructure
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

Nil

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 JULIE BROOKS / ED COX

"That the minutes of the Ordinary Council Meeting held on Wednesday, 22 September 2021, as prepared, be confirmed."

(CARRIED)

8. COUNCILLOR REPORTS

- Cr Mansfield attended the MDBA committee meeting.
- Cr Bourke attended the Nathalia Men's Shed AGM and thanked the Parks and Gardens crew for their work.
- Cr Martin attended the Numurkah Men's Shed AGM and also the Numurkah Love Our Lifestyle AGM.
- Cr Limbrick attended the Murray Tourism AGM.
- Cr Julie Brooks welcomed back Peter Elliott and Peter Lawless.

9. PUBLIC QUESTIONS

- Will local roadsides be slashed before the fire season?
- When is it anticipated the Yarrawonga Town Hall will be available for booking?
- When will the recording of the Mayoral election 2020 be available on the website?

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

ITEM NO: 10.2.1
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

ASSEMBLIES OF COUNCILLORS SEPTEMBER 2021

Executive Summary

The purpose of this report is to detail the Assemblies of Councillors held in September 2021. 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 / KEVIN BOURKE

That Council receive and note the Record of Assemblies of Councillors for September 2021 and amend the record as follows: At the September 8 Briefing Cr Martin was in attendance and the matters discussed included the Numurkah Caravan Park.

(CARRIED)

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

ITEM NO: 10.2.2
**(FINANCIAL ACCOUNTANT, ANDREW
WILSON)**
**(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)**

QUARTERLY BUDGET REVIEW - SEPTEMBER 2021

Executive Summary

Income Statement

There has been an increase in the forecast budget surplus of \$0.11 million in the 2020/21 Adopted Budget to a surplus of \$0.59 million in the September 2021 forecast. The variance driven by increased Financial Assistance Grant funding and offset by additional expenditure on maintenance of unsealed roads.

Balance Sheet

The Balance Sheet of Moira Shire continues to remain strong.

Cash Flow Statement

The cash position of Moira Shire continues to remain strong.

Capital Expenditure

There is no change to the 2021/22 Adopted Budget capital works program, the capital works forecast for September 2021 remains at \$14.59 million. In addition, a further \$36.94 million in other capital works remain, these include works commenced in 2020/21, and other capital works that have been scoped but construction has not yet commenced.

Financial Performance indicators

All Financial performance indicators remain within an acceptable range.

Financial Implications

3.1 Summary of changes to projected operating result for the 2021/22 financial year

The surplus for the Proposed September 2021 Forecast expected to be \$595,893 – an increase of \$109,320 compared to the 2021/22 Adopted Budget of \$486,573.

Adopted Budget 2021/22 vs Proposed Forecast Sep 2021	(Favourable) / Unfavourable \$
Surplus – Adopted Budget 2021/22	(486,573)
Rates and charges	(65,641)
Statutory fees and fines	(110,000)
User fees	(79,000)
Grants - operating	(605,446)
Contributions - monetary	(5,955)
Other income	(14,041)
Materials & services	
- <i>Materials & consumables</i>	616,230
- <i>Contract services</i>	154,533
Proposed September 2021 Forecast Surplus	(595,893)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.2

QUARTERLY BUDGET REVIEW - SEPTEMBER 2021 (cont'd)

The major reasons for the decrease in the surplus are as follows:

- a) **Rates and Charges** – Income from revenue in lieu of rates (\$66k) from the five small scale solar farms within Moira Shire charged in line with the provisions of the *Electricity Industry Act 2000*.
- b) **Statutory fees and fines** – Increased income from fees generated from the supervision of new subdivision works (\$90k) and fines applied to swimming pool inspections (\$20k).
- c) **User fees** – Income generated from backdating rental costs (\$79k) on Council's Microwave Towers to include a charge for power usage.
- d) **Grants - Operating** – Increased grant income from Moira Shire's allocation of the 2021/22 Commonwealth Government Financial Assistance Grant (\$426k), and recognition of income from 2020/21 Covid-19 response and other community programs not expensed in 2020/21 (\$179k), corresponding expenditure is also recognised in Materials & services.
- e) **Contributions - monetary** – Developer contributions to capital works completed by Council (\$6k).
- f) **Other income** – Income from employer incentives programs (\$11k) and reimbursements for insurance excess payments (\$3k).
- g) **Materials and Consumables** – Increase driven by materials and consumables costs associated with community grant funded activities \$201k, increased expenditure on unsealed roads maintenance \$200k, design and development costs for Yarrowonga Depot \$135k and increased insurance excess payments on public liability claims \$80k.
- h) **Contract Services** – Increase driven by contractors for community grant funded activities \$38k, cost of management review of water used at Recreational Reserves \$27k and increased costs associated supervision of new subdivision works \$90k, funded by increased statutory fee income.

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5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.2

QUARTERLY BUDGET REVIEW - SEPTEMBER 2021 (cont'd)

3.2 Income Statement

	Adopted Budget 2021/22	YTD Actuals 2021/22	Proposed Forecast Sep 2021	Adopted Budget 2021/22 vs Proposed Forecast Sep 2021
Income Statement				
Income				
Rates and charges	(40,664,571)	(40,678,768)	(40,730,212)	65,641
Statutory fees and fines	(1,539,550)	(448,448)	(1,649,550)	110,000
User fees	(2,086,274)	(630,754)	(2,165,274)	79,000
Grants - operating	(11,933,920)	(2,122,121)	(12,539,366)	605,446
Grants - capital	(3,369,893)	(7,380)	(3,369,893)	-
Contributions - monetary	(80,000)	(5,955)	(85,955)	5,955
Contributions - non-monetary	(500,000)	-	(500,000)	-
Net gain on disposal of property, infrastructure, plant & equipment	(28,446)	(87,257)	(28,446)	-
Other income	(972,169)	(108,996)	(986,210)	14,041
Income Total	(61,174,823)	(44,089,679)	(62,054,906)	880,083
Expenditure				
Employee costs	23,700,906	4,769,204	23,700,906	-
Materials & services				
- <i>Materials & consumables</i>	15,653,190	4,013,238	16,269,420	(616,230)
- <i>Contract services</i>	6,956,520	1,087,140	7,111,053	(154,533)
- <i>Utilities</i>	1,123,831	251,727	1,123,831	-
Depreciation and amortisation	12,044,167	2,812,500	12,044,167	-
Bad and doubtful debts	35,000	-	35,000	-
Borrowing costs	47,475	15,187	47,475	-
Finance costs - leases	124,291	19,800	124,291	-
Share of Net Loss of Associated Entity	10,000	-	10,000	-
Other Expenses	992,870	108,218	992,870	-
Expenditure Total	60,688,250	13,077,015	61,459,013	(770,763)
Operating Result	(486,573)	(31,012,664)	(595,893)	109,320

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.2

QUARTERLY BUDGET REVIEW - SEPTEMBER 2021 (cont'd)**3.3 Balance Sheet**

	Adopted Budget 2021/22	Proposed Forecast Sep 2021	Adopted Budget 2021/22 vs Proposed Forecast Sep 2021
Balance Sheet			
Current Assets	49,560,000	49,669,320	109,320
Non-Current Assets	618,010,000	618,010,000	-
Total Assets	667,570,000	667,679,320	109,320
Current Liabilities	10,353,000	10,353,000	-
Non-current Liabilities	24,209,000	24,209,000	-
Total Liabilities	34,562,000	34,562,000	-
Net Assets	633,008,000	633,117,320	109,320
Equity	633,008,000	633,117,320	109,320

3.4 Statement of Cash Flow

	Adopted Budget 2021/22	Proposed Forecast Sep 2021	Adopted Budget 2021/22 vs Proposed Forecast Sep 2021
Statement of Cash Flow			
Net cash flows provided by operating activities	12,811,000	12,920,320	109,320
Net cash flow used on investing activities	(9,700,000)	(9,700,000)	-
Net cash flows provided by financing activities	7,717,000	7,717,000	-
Net change in cash held	10,828,000	10,937,320	109,320
Cash at the beginning of the year	2,500,000	2,500,000	-
Cash at the end of the year	13,328,000	13,437,320	109,320

Council is also expected to hold \$30 million in investments at the end of the year in the form of term deposits with authorised deposit-taking institutions.

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ITEM NO: 10.2.2

QUARTERLY BUDGET REVIEW - SEPTEMBER 2021 (cont'd)

3.5 Statement of Capital Works - Proposed Forecast

Capital Works	Total Capital Works Forecast as at Sep 2021*	Adopted Budget 2021/22	Other Capital Works as at Sep 2021	YTD Actuals 2021/22
Property				
Land improvements (incl land development)	5,406,582	1,500,000	3,906,582	74,492
Buildings	19,535,778	2,295,000	17,240,778	791,113
Total property	24,942,360	3,795,000	21,147,360	865,605
Plant and equipment				
Plant, machinery and equipment	1,752,030	1,402,200	349,830	66,133
Fixtures, fittings and furniture	14,471	14,471	-	-
Computers and telecommunications	75,653	-	75,653	-
Total plant and equipment	1,842,154	1,416,671	425,483	66,133
Infrastructure				
Roads	7,523,772	3,640,000	3,883,772	614,707
Bridges	2,021,905	-	2,021,905	8,796
Footpaths and cycleways	2,388,467	905,000	1,483,467	47,323
Drainage	6,162,177	2,290,000	3,872,177	269,485
Kerb and channel	1,346,023	540,000	806,023	219,426
Recreational, leisure and community facilities	4,267,200	1,063,600	3,203,600	687,160
Waste management	12,953	-	12,953	-
Parks, open space and streetscapes	215,976	135,000	80,976	47,684
Aerodromes	463,874	100,000	363,874	360
Other infrastructure	196,572	560,000	(363,428)	29,736
Total infrastructure	24,748,919	9,383,600	15,365,319	1,928,827
Total capital works expenditure	51,533,433	14,595,271	36,938,162	2,860,565

*Total Capital Works is the sum of the Adopted Budget 2021/22 and all other approved capital works rolled over from previous years,.

There are Capital Expenditure commitments outstanding of \$9,459,316.

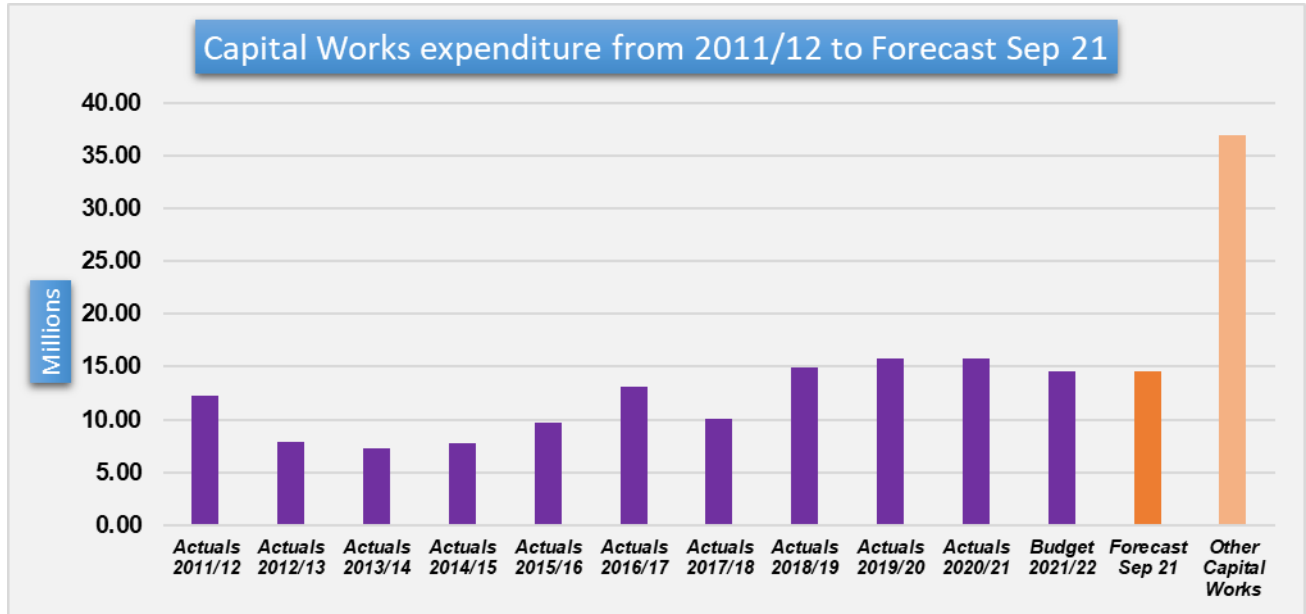
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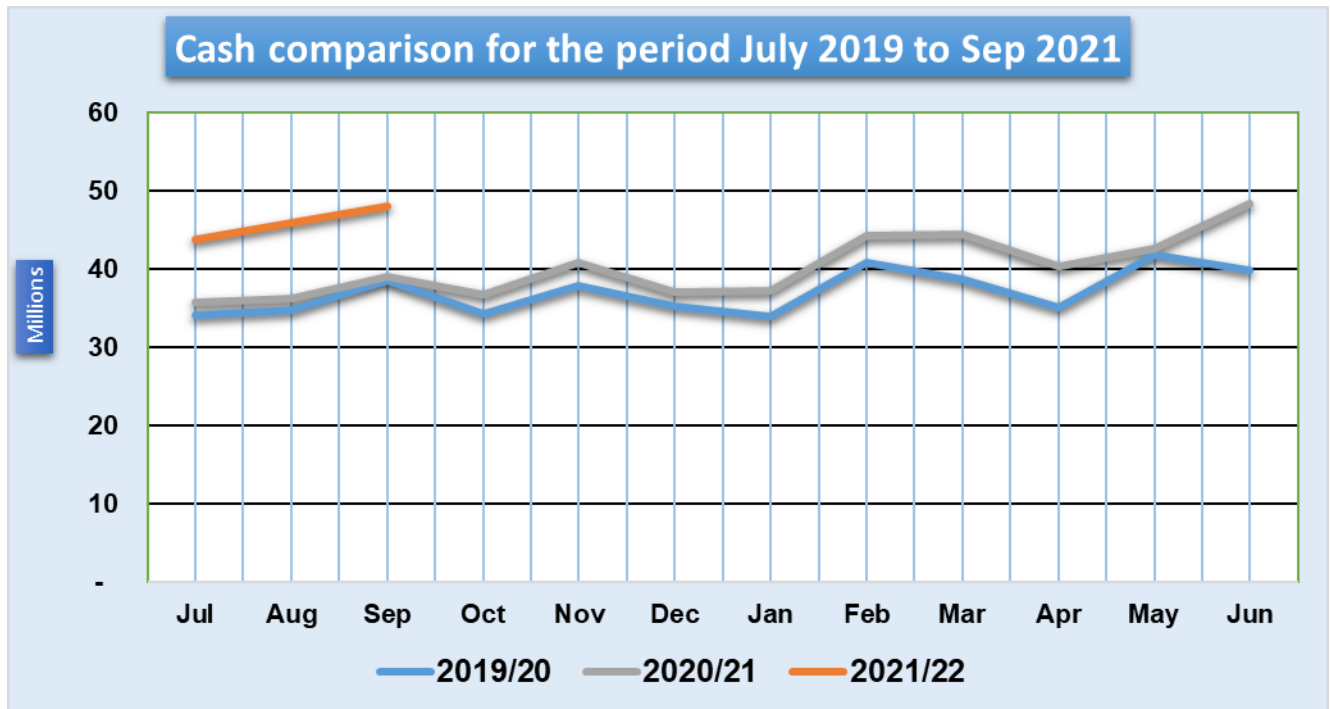
QUARTERLY BUDGET REVIEW - SEPTEMBER 2021 (cont'd)

3.6 Capital Expenditure

Historical expenditure on capital works:



3.7 Cash Balance



The balance of Cash and cash equivalents at 30 June 2022 proposed to be \$43.44 million.

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GOVERNANCE

ITEM NO: 10.2.2

QUARTERLY BUDGET REVIEW - SEPTEMBER 2021 (cont'd)

3.8 Financial Performance Measures

	Dimension/indicator /measure	Band / Range	Results 2019	Results 2020	Results 2021	Budget 2021/22	Sep 2021 Review
	Efficiency						
	Expenditure level						
E2	Expenses per property assessment [Total expenses / Number of property assessments]	\$2,000 to \$5,000	\$3,197	\$3,369	\$3,288	\$3,397	\$3,410
	Revenue level						
E4	Average rate per property assessment [General rates and Municipal charges / Number of property assessments]	\$700 to \$2,000	\$1,641	\$1,673	\$1,732	\$1,780	\$1,704
	Liquidity						
	Working capital						
L1	Current assets compared to current liabilities [Current assets / Current liabilities] x100	100% to 400%	333.69%	337.56%	259.88%	478.70%	479.76%
	Unrestricted cash						
L2	Unrestricted cash compared to current liabilities [Unrestricted cash / Current liabilities] x100	10% to 300%	268.14%	259.24%	208.08%	100.46%	101.52%
	Obligations						
	Loans and borrowings *						
O2	Loans and borrowings compared to rates [Interest bearing loans and borrowings / Rate revenue] x100	0% to 70%	6.73%	3.93%	2.23%	24.14%	24.10%
O3	Loans and borrowings repayments compared to rates [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	0% to 20%	3.73%	2.88%	1.80%	4.31%	4.31%
	Indebtedness *						
O4	Non-current liabilities compared to own source revenue [Non-current liabilities / Own source revenue] x100	2% to 70%	29.91%	31.23%	30.30%	53.12%	52.81%
	Asset renewal and upgrade						
O5	Asset renewal and upgrade compared to depreciation [Asset renewal and upgrade expense / Asset depreciation] x100	40% to 130%	130.17%	78.73%	100.48%	88.80%	88.80%
	Operating position						
	Adjusted underlying result						
OP1	Adjusted underlying surplus (or deficit) [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100	-20% to 20%	7.22%	1.92%	2.91%	-1.49%	-1.31%
	Stability						
	Rates concentration						
S1	Rates compared to adjusted underlying revenue [Rate revenue / Adjusted underlying revenue] x100	30% to 80%	60.01%	62.39%	65.02%	67.72%	66.86%
	Rates effort						
S2	Rates compared to property values [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.15% to 0.75%	0.60%	0.59%	0.58%	0.54%	0.52%

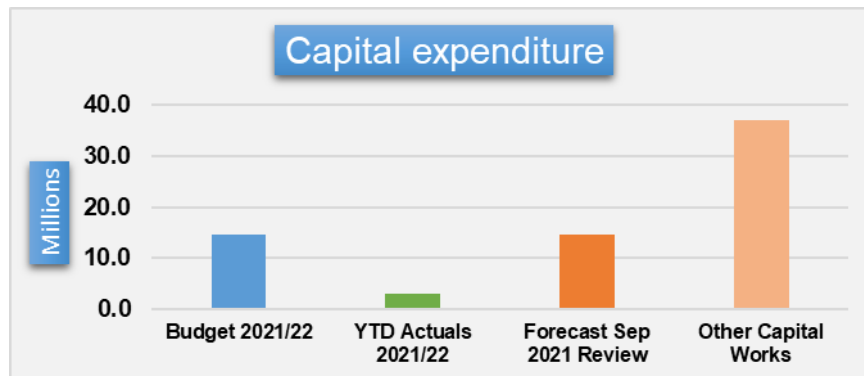
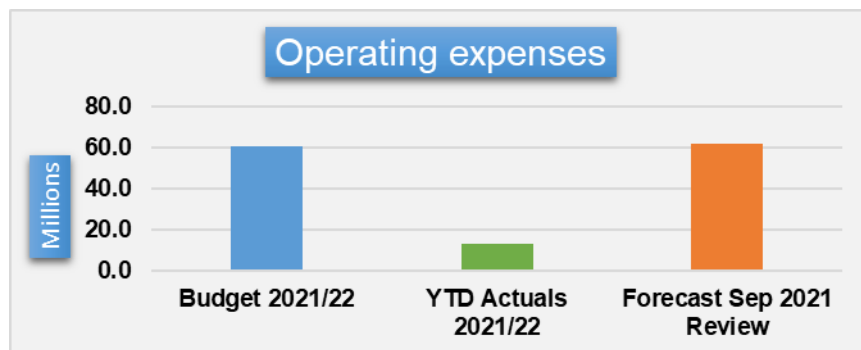
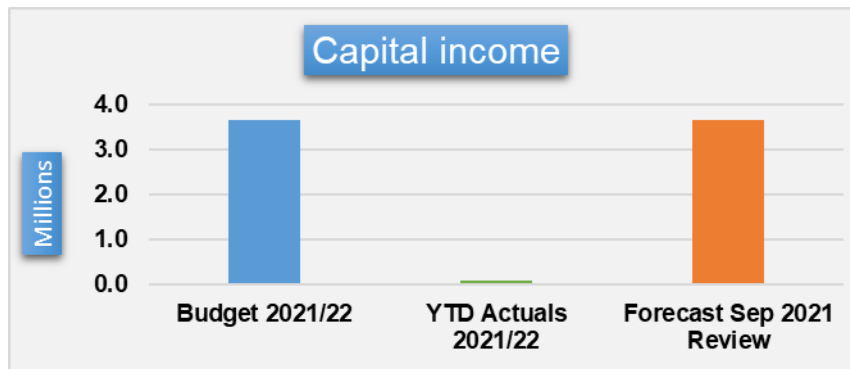
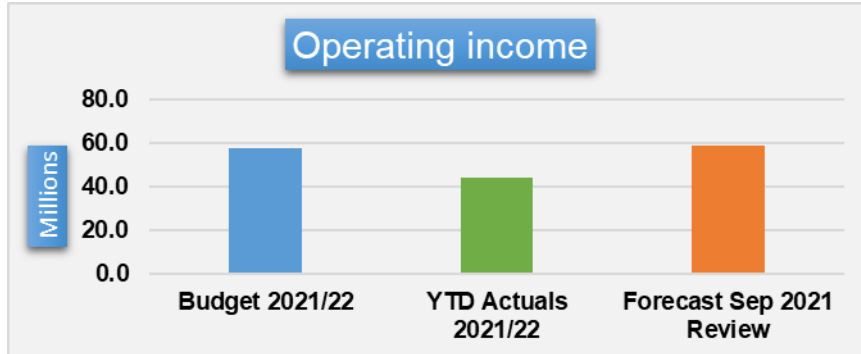
* The significant increase in the Loans and Borrowings and Indebtedness measures are due to the anticipated drawdown of TCV Community Infrastructure Loans [Approved by the Council] to fund the Yarrawonga Library and the Yarrawonga Multi Sports Stadium.

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5. TRANSPARENT AND ACCOUNTABLE
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ITEM NO: 10.2.2

QUARTERLY BUDGET REVIEW - SEPTEMBER 2021 (cont'd)

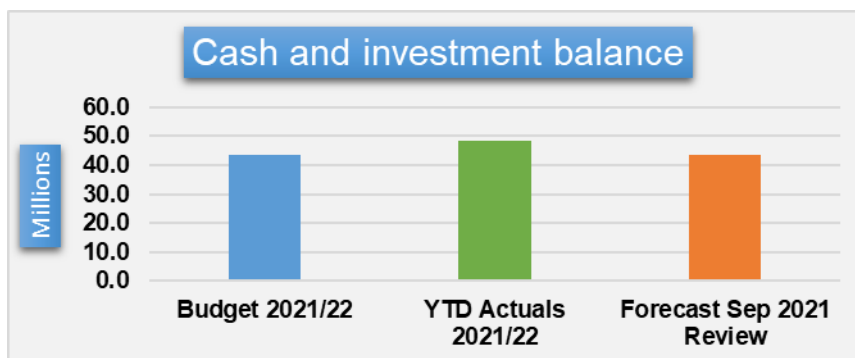
3.9 Financial Indicators



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5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.2

QUARTERLY BUDGET REVIEW - SEPTEMBER 2021 (cont'd)



Environmental Upgrade Agreement (EUAs) - Quarterly Performance Reporting

This report provides an update on the Environmental Upgrade Agreements involving Council, as required by Section 181G of the *Local Government Act 2020*.

EUAs provide a mechanism to assist business located within Moira Shire to fund works that improve the energy, water or environmental efficiency or sustainability of a building on their rateable land.

Under a EUA, councils administer the recovery of the EUA charges and transfer the funds to the funding body. Council does not provide funding or assume financial risk.

Councils are required to report quarterly on the performance of EUAs involving council.

Reporting requirement	Status as at 30 September 2021
a) Each environmental upgrade agreement entered into in the last quarter, and the rateable land to which the agreement relates	No new agreements were entered into during the reporting period
b) Each environmental upgrade charge approved in respect of the agreements referred to in paragraph (a), and the value of the charges	No new agreements were entered into during the reporting period
c) The total number of environmental upgrade charges in operation in the last quarter;	5
d) The total value of all environmental upgrade charge payments that have fallen due and have not been paid;	Nil
e) The total value of all environmental upgrade charge payments that are yet to fall due.	\$4,246,999.09

MOTION

CRS ED COX / WAYNE LIMBRICK

That the Council notes:

1. the projections for the 2021/22 financial year contained in the September 2021 Quarterly Budget Review; and
2. the Environment Upgrade Agreements quarterly performance report.

(CARRIED)

FILE NO:
4. CUSTOMER FOCUSED AND RESPONSIVE

ITEM NO: 10.2.3
(MANAGER GOVERNANCE & RISK,
AMANDA CHADWICK)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

'MOIRA 2035' COMMUNITY VISION

Executive Summary

The 'Moira 2035' Community Vision was prepared in accordance with section 88 of the Local Government Act 2020 (the Act) and Council's Community Engagement Policy.

A Project Team was established and worked with a consultant to undertake the development of the Community Vision and supported the process through community consultation and recruitment of a diverse and inclusive Community Panel.

The Community Panel participated in a series of workshops facilitated by Right Lane Consulting using a deliberative, community-centred approach. The final Community Vision statement is now ready for consideration by Council and will be used to inform the development and review of current and future Council Plan objectives.

MOTION

CRS PETER ELLIOTT / ED COX

That Council adopt the 'Moira 2035' Community Vision, developed with the municipal community in accordance with the Moira Shire Community Engagement Policy and Section 88 of the Local Government Act 2020.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.4

PROCUREMENT POLICY REVIEW

Executive Summary

In accordance with section 108 of the *Local Government Act 2020* (the Act), Council is required to prepare, approve and comply with a Procurement Policy which encompasses the principles, processes and procedures applied to all purchases of goods, services and works by the Council.

It is recommended that the policy, including the amended market testing requirements for the different financial thresholds provided in Table 4, be adopted.

The purpose of the Procurement Policy is to provide guidance to Council and staff in regard to the principles, processes and procedures that apply to the purchase of goods, services and works by Council. The policy should demonstrate good governance and ensure that a range of procurement outcomes are achieved including:

- value for money;
- open and fair competition;
- accountability;
- risk management;
- probity and transparency; and
- support for local businesses and other environmental and social procurement objectives.

Summary of Proposed Amendments

It is proposed to amend the policy as follows:

- a) increase the tendering threshold from \$150,000 for goods & services and \$200,000 for works to \$350,000 for goods, services and works and include the following requirements for council procurements:
 - for purchases between \$50,001 to \$150,000 seek 3 quotes or use TenderSearch for supply of goods. For services and works use TenderSearch;
 - for purchases between \$150,001 and \$350,000 use the advertised Request For Quote (RFQ) process through TenderSearch;
- b) increase the CEO's delegation authority from \$150,000 to \$350,000;
- c) change the monetary values included in the policy from 'inclusive of GST' to 'exclusive of GST' to meet industry standards.
- d) adjust financial thresholds as provided in Table 4 according to the amendments stated in a), b) and c);
- e) Include the provision of collaborative procurement with other government entities;
- f) Include the provision of social procurement activities within the evaluation criteria.

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.4

PROCUREMENT POLICY REVIEW (cont'd)

MOTION

CRS ED COX / WAYNE LIMBRICK

That Council adopt the Procurement Policy that has been reviewed and developed in accordance with the requirements of the Local Government Act 2020.

(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: F13/202
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.5
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

REVIEW OF DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

Executive Summary

This report seeks Council's approval of the Instrument of Delegation of Council powers to the Chief Executive Officer (CEO).

These delegations have been updated from the delegations adopted by Council in August 2020 to reflect a number of administrative changes, and fulfills Council's statutory obligation to review its delegation within 12 months of a council election.

These delegations will replace the previous delegations to the Chief Executive Officer.

MOTION

CRS ED COX / PETER ELLIOTT

That in the exercise of the powers conferred by section 11(1)(b)1) of the *Local Government Act 2020*, Moira Shire Council resolves that –

1. there 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.
2. the instrument comes into force immediately upon the common seal of Council being affixed to the instrument.
3. on the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
4. 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)

Cr Bourke called for a division.

FOR

Cr Brooks
Cr Cox
Cr Elliott
Cr Lawless
Cr Limbrick
Cr Mansfield
Cr Martin
Cr Mustica

AGAINST

Cr Bourke

(CARRIED)

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

ITEM NO: 10.2.6
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

REVIEW OF COUNCIL DELEGATIONS TO COUNCIL STAFF

Executive Summary

This report seeks Council's approval of the Instrument of Delegation of Council Powers to Council staff.

The delegated authority allows staff to make timely, day to day decisions necessary to provide responsive and high quality services to the community.

The delegations have been updated from the delegations adopted by Council in August 2020 to reflect replacement and extension of existing legislation, inclusion of some new provisions and changes to the organisational structure.

MOTION

CRS WAYNE LIMBRICK / ED COX

That in the exercise of the powers conferred by the legislation referred to in the attached Instrument of Delegation, Moira Shire Council resolves -

1. they 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.
2. the Instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. on the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. 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: F13/202
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 10.2.7
(SENIOR GOVERNANCE OFFICER,
MARGARET HINCK)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)

DELEGATIONS TO MEMBERS OF COUNCIL TO STAFF UNDER THE ENVIRONMENT PROTECTION ACT 2017

Executive Summary

The new *Environment Protection Act 2017* has introduced changes to the powers of Council, including a new delegation from the Environment Protection Authority to Councils.

This report seeks Council's approval of the Instrument of Sub-Delegation of powers under the *Environment Protection Act 2017* to council staff.

The delegated authority allows staff to make timely, day to day decisions necessary to provide responsive and high quality services to the community.

MOTION

CRS PETER ELLIOTT / ED COX

That in the exercise of the power conferred by section 437(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Moira Shire Council resolves -

1. they 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 Sub-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.
2. the instrument comes into force immediately after the common seal of Council is affixed to the instrument.
3. 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:
1. A WELCOMING AND INCLUSIVE PLACE

ITEM NO: 10.3.1
(COMMUNITY DEVELOPMENT OFFICER,
HOLLIE BARNES)
(GENERAL MANAGER COMMUNITY, RICE,
SALLY)

WELLBEING FOR ALL AGES STRATEGY 2021-2025

Executive Summary

The Public Health and Wellbeing Act, 2008 (Vic) requires Councils to prepare a Municipal Public Health and Wellbeing Plan (MPHWP) within 12 months of a Council election.

The MPHWP provides a mechanism for planning, coordinating and delivering initiatives that inform understanding of, and improve local public health and wellbeing. The Plan is a municipal plan rather than Council's Plan and its development and implementation is the responsibility of a range of stakeholders. Council has an oversight and reporting role, in addition to delivering the Council specific roles and functions supporting health and wellbeing of residents and visitors.

Moira Shire's MPHWP, called the *Wellbeing for All Ages Strategy 2021-2025*, has been developed using the 10 priority areas from the **Victorian Public Health and Wellbeing Strategy 2019-2023**, in addition to consultation, data profiling and literature reviews.

The draft *Wellbeing for All Ages Strategy 2021-2025*, was released for public consultation over September/October 2021, and limited feedback has been received. This has resulted in some non-material correction and noting for inclusion in the Action Plan, where and when indicated.

This report presents the Moira Shire *Wellbeing for All Ages Strategy 2021-2025*, to Council with a recommendation that the Strategy is endorsed.

On the endorsement of the Strategy, an Action Plan will be developed and delivered with stakeholders and key partners working across the municipality.

Progress against the Action Plan will be reported to Council annually, in accordance with legislative requirements.

MOTION

CRS PETER ELLIOTT / MARIE MARTIN

That Council endorse the Moira Shire Wellbeing for All Ages Strategy 2021-2025.

(CARRIED)

FILE NO:
1. A WELCOMING AND INCLUSIVE PLACE

ITEM NO: 10.4.1
(SAFETY AND AMENITY OFFICER,
CHRISTINA KALZ)
(GENERAL MANAGER INFRASTRUCTURE,
CLOSE, ANDREW)

DOMESTIC ANIMAL MANAGEMENT PLAN 2021-2025

Executive Summary

The Domestic Animal Management Plan 2021-2025 (the Plan) addresses Council's legislative requirements. The Plan provides a professional, consistent and proactive approach to domestic animal management services in Moira Shire Council for the next four years.

The purpose of this report is to outline the process undertaken in preparing the Plan and to recommend that Council endorse it.

MOTION

CRS WAYNE LIMBRICK / ED COX

That Council endorse the Domestic Animal Management Plan 2021-2025, which addresses the requirements of Section 68A of the Domestic Animals Act 1994.

(CARRIED)

FILE NO: C021/21
4. A WELL RUN COUNCIL

ITEM NO: 10.4.2

C021/21 - SUPPLY AND DELIVERY OF ONE SKID STEER LOADER & PLANER

Executive Summary

Moira Shire Council invited submissions from suitably qualified companies for the supply and delivery of one Skid Steer Loader with the following attachments:

- 450mm Planer
- 4:1 bucket

After consideration of the tender submissions, the evaluation panel recommends that contract C021/21 be awarded to Capital Construction Equipment Pty Ltd.

MOTION

CRS KEVIN BOURKE / ED COX

That Council:

1. Award contract C021/21 – Supply and Delivery of One Skid Steer Loader & Planer to Capital Construction Equipment Pty Ltd.
2. Authorise the Chief Executive Officer to sign and seal the contract documents.

(CARRIED)

FILE NO:
2. A DIVERSE AND DYNAMIC ECONOMY

ITEM NO: 10.4.3
(MANAGER BUILDING, PLANNING &
REGULATORY SERVICES, DAVID YOUNG)
(GENERAL MANAGER INFRASTRUCTURE,
CLOSE, ANDREW)

PROPOSED AMENDMENT TO DEVELOPMENT PLAN SCHEDULE 7

Executive Summary

An amendment is proposed, as an administrative matter, to the approved Development Plan, as shown on attachment 1, associated with Development Plan Overlay Schedule 7, for a parcel of land on the southern side of the Murray Valley Highway, Yarrawonga.

The proposed amendment is to make a minor modification to the Development Plan by removing the words “restricted retail” and inserting a designation “commercial precinct” for lots 1 to 33, as shown on attachment 2. This is an administrative amendment to ensure the uses allowed under the development plan comply with the uses allowed under the planning zone.

MOTION

CRS PETER MANSFIELD / PETER ELLIOTT

That Council approve the amendment to the approved Development Plan, associated with Development Plan Overlay Schedule 7, applicable to land on the southern side of the Murray Valley Highway in Yarrawonga, known as Kaiela Business Park.

(CARRIED)

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

**ITEM NO: 12.1
(SENIOR GOVERNANCE OFFICER, NANCY
MUSTICA)
(GENERAL MANAGER CORPORATE,
RENNIE, SIMON)**

COUNCIL REPORT TO GRANT FOOTBALL/NETBALL & SOCCER CLUBS FUNDS

TAKE NOTICE that at the Council Meeting to be held on 27 October 2021, it is my intention to move the following motion:

CR PETER MANSFIELD

Date: 27 October 2021

To call for a Council report to grant Football/Netball Clubs and the Soccer Club Funds in appreciation of their efforts over the past two seasons in providing an outlet for the Youth of the Shire during this Covid-19 Pandemic and to thank the many volunteers who have strived to keep their clubs functioning.

CRS PETER MANSFIELD / KEVIN BOURKE

(CARRIED)

FILE NO: VARIOUS

ITEM NO:

URGENT GENERAL BUISNESS

MOTION

CRS PETER MANSFIELD / WAYNE LIMBRICK

That urgent general business be accepted.

(CARRIED)

There were no motions passed in urgent general business.

CLOSE OF MEETING: 7.02PM