



MINUTES

**SCHEDULED MEETING OF COUNCIL HELD AT COBRAM
CIVIC CENTRE, PUNT ROAD COBRAM VIC 3644,
WEDNESDAY 27 SEPTEMBER 2023**

The meeting commenced at 4:30 PM

PRESENT Chair Administrator John Tanner
Administrator Suzanna Sheed
Administrator Graeme Emonson

IN ATTENDANCE: Josh Lewis Acting Chief Executive Officer
Matt Jarvis Acting Director Sustainable Communities
Amanda Chadwick A/Director Corporate Governance & Performance
Beau Mittner Acting Chief Financial Officer
Damien Burton Acting Director Infrastructure Services
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 – ACTING CEO JOSH LEWIS

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

Nil

5. DISCLOSURE OF CONFLICTS OF INTEREST

Mr Matt Jarvis declared an indirect non-financial conflict of interest in relation to items 10.1.7 & 10.1.8.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That the minutes of the Scheduled Council Meeting held on Wednesday, 23 August 2023 and the minutes of the Unscheduled Meeting of Council held on Wednesday, 13 September 2023 and the minutes of the Committee of Council Meeting held on Friday 1 September 2023 as prepared, be confirmed.

(CARRIED)

7. CHAIR ADMINISTRATOR ADDRESS

In light of the recent trauma on our local roads Council has taken a position to create a campaign on the importance of road safety in our local community. As a result council has submitted an application to State and Federal Government to assist Moira run a local campaign on road safety and driver behavior.

Administrators attended a celebration in Katamatite to acknowledge the Silo Art work. Administrators also took part in the Yarrawonga-Mulwala Little Athletics that have been awarded Regional Club of the Year, what a fantastic achievement.

In Cobram Administrators have taken a position in regards to the Punt Road Precinct, which incorporates the former Apex Caravan Park. A master plan will commence for this area shortly.

ADMINISTRATOR SUZANNA SHEED ADDRESS

Thank you Chair Administrator Tanner for the opportunity to address the community on this important issue.

The Moira Shire is located within the Goulburn Murray irrigation District of northern Victorian and its regional community is heavily engaged in agricultural, horticultural and mixed farming activities. On the back of this we have major Food processors in the Shire together with significant transport companies and many other businesses that support these industries. Access to a plentiful supply of water through our man-made irrigation systems and from the Murray River are critical to the future economic prosperity of our region.

It is for this reason that the Moira Shire Council Administrators have engaged in a range of advocacy activities to preserve the overall well-being of our communities and to oppose further water buybacks.

Since the implementation of the Murray Darling Basin plan in 2012 our communities have closely watched the impacts of continuing water recovery and advocated strongly to government to ensure that our industries can maintain their capacity to be sustainable and viable.

We all saw the impacts of the buybacks of the period in 2008 when, at the end of the millennium drought, the federal government came in and purchased water across the region leaving stranded assets and what we now know as the Swiss cheese effect, that is, some farms still irrigating and other farms without water following its sale to the government.

We do not want to see this happen again. And yet on 6 September 2023 the federal government introduced the Water Amendment (Restoring Our Rivers) Bill 2023 into parliament. The Senate has referred this legislation to a Senate Standing Committee and Moira Shire will be making a submission to that Inquiry pointing out the issues that members and other members of parliament should take into account when it comes to voting on the legislation.

Victoria has done the heavy lifting in providing water under the plan with over 1800 GL having been recovered in the southern basin so far and only 300 GL in the Northern basin. More water

recovery in the southern basin will not address the environmental issues that beset the Darling River.

We all saw the fish kills along the Darling Barka and it is well understood that the system is under considerable stress. The Federal Parliament by way of the new legislation intends to lift the cap on the 1500 GL limit for water purchases, to enable buybacks of all water necessary to complete the plan on time and also to extend the time limits for some of the environmental projects to 2026.

The risk of further buybacks in the southern basin will have major negative impacts on our community. It is for this reason that we are taking a strong advocacy role. Not only will Moira Shire make its own submission to the Senate Inquiry but it will engage in further advocacy both on its own account and in conjunction with other advocacy groups and local government across the region.

We are most concerned that the legislation in its present form will be harmful to our Shire and we will take every step we can to advocate for amendments in the hope that our economic security based on food production, the future food security of our nation and appropriate environmental outcomes can all be achieved.

ADMINISTRATOR GRAEME EMONSON ADDRESS

- Very active discussions are underway with the surplus government land division of DTP
- Council has advised that it wishes to secure this important site for community use in perpetuity – this has been very favourably received by the surplus land division.
- The surplus government land division is now undertaking a detailed, updated environmental assessment of the site and its buildings – this will take at least 8 weeks.
- Following this, the Valuer General will then be requested to undertake an update valuation. This will then be provided to Council for our assessment.
- We continue to work closely with the Alexandra Park Club and a number of community organisations who may have an interest in the site.
- A detailed master plan for the site will be important to ensure the community's enjoyment of the site has a long term, strategic and well planned approach to maximise the benefits of the site.

8. DIRECTOR REPORTS

Mr Josh Lewis – Acting CEO

Yarrawonga – Mulwala Bridge (Advocacy)

Council continue to advocate for the replacement of the Yarrawonga – Mulwala Bridge and the associated new road connection.

The current bridge has served the Community well for nearly 100yrs, however is unable to meet current expectations, noting that initially a horse and dray would have been the a common mode of transport at that time.

I was talking to a local resident recently that reminded me that once upon a time the bridge was essentially on a constant grade and that the “dip” we now witness is due to settlement of the foundations.

An agreed alignment has been “locked-in” for quite a while for the new bridge and connecting road and Council are eager to see progression of this vital project to realise the benefits such as improved safety, connectivity and use by all transport modes.

McCoy's Bridge (Advocacy)

Council is aware of the major inconvenience to road users due to the load and speed limit on McCoy's bridge after it was damaged in last years' flood.

Some of the issues being experienced include trucks having to take lengthy detours, traffic using "rat runs" and arterial road traffic detouring onto the local road network to name a few ...

Council is working closely with the Department of Transport and Planning in highlighting these issues in the hope of expediting the required remedial works and minimising the impact on our Community.

Ms Amanda Chadwick – Acting Director Corporate Governance & Performance

Customer Experience

Incoming call volumes rose by 25% last month due to the issuing of the annual rates notices with our Customer Experience Team managing over 3,900 incoming telephone calls through our Call Centre. Council staff entered over 4,600 new customer enquiries and requests for service.

Business Continuity Plan

The Governance Team are currently reviewing Councils Business Continuity Plan to ensure that we maintain critical business functions during an incident and to recover with as little downtime as possible.

Audit and Risk Committee

Council are currently reviewing the 18 expressions of interest received for the vacant external independent member positions on the Audit & Risk Committee and will make a recommendation for the preferred candidates at a future Scheduled Council Meeting.

Community Engagement Activities

Submissions have now closed for community feedback on our draft Community Amenity Local Law. We are currently collating the feedback and will prepare a report for the October Scheduled Council meeting.

There is still time to have your say on other consultation opportunities currently open to the community including the Barmah Community Plan, a proposal to acquire land on Packham Drive Cobram, a proposal to close and lease part of Richardson Street Nathalia, the Youth Fest 2023 Logo Competition and expressions of interest to join our Youth Council Committee.

Please head to the Have Your Say page on our website. [Moira.vic.gov.au](https://moira.vic.gov.au)

Mr Beau Mittner – Acting Chief Financial Officer

Ministerial Guidelines Submission Relating to Payment of Rates and Charges

The consultation period to provide feedback on the ministerial guidelines relating to payment of rates and charges closed on 15 September 2023.

These Guidelines address a range of matters in relation to the payment of rates and charges, including, which must be reflected in council hardship and financial hardship policies.

Moira Shire Council provided feedback to the guidelines, with the key themes being:

- Affording consideration to those residents in the municipality who cannot access the property market, who will be disadvantaged by not having access to similar financial hardship supports or concessions.
- Refuting the presumption that Council rates teams, particularly in rural areas, are adequately resourced to perform payment arrangement serviceability assessments.
- Reinforcing the important role financial counsellors can play in establishing a payment arrangement that is fair and reasonable for the rate payer experiencing financial hardship; and
- The important role penalty interest plays in ensuring that fairness is afforded to those rate payers who pay on time and to ensure Council is not seen as an interest-free source of finance.

Victoria's Housing Statement - Short Stay Levy

In Victoria's 2024 – 2034 Housing Statement, the statement references the introduction of a Short Stay Levy, which is a levy set at 7.5% of the short-stay accommodation platform's revenue.

Council is concerned that such a levy could have implications for the Tourism sector. However, the revenue raised from the levy will go towards Homes Victoria, supporting their work in building and maintaining social and affordable housing across the state, with 25% of funds invested in regional Victoria.

From a Local Government perspective, this also means that charges on short stay accommodation by Councils can no longer be charged and will be removed. Moira Shire Council currently does not have a separate charge for properties used solely for Short Stay Accommodation.

Mr Matt Jarvis – Acting Director Sustainable Communities

Tourism

The Katamatite Silo Art was officially launched at an event with Graincorp and the Katamatite Lions. This artwork is amazing and we encourage all residents to check it out for themselves. We commend the dedication of Julie Ballard from the Katamatite Silo Art Working Group for bringing the idea to fruition.

Safety and Amenity Unit

Council is continuing to receive numerous surrendered dogs and cats and encourages pet owners to be responsible and address any behavioural problems as they arise. 84 cats and dogs have been surrendered to Council since the start of the year. Please consider de-sexing your pet to avoid any unwanted litters.

Sustainability

The Expression of Interest process for the Moira Shire Council Rural Tree Scheme, giving rural ratepayers access to subsidised indigenous plants, has now closed, Council received an overwhelming response from rural landowners with around 110 expressions of interest received. The scheme is anticipated to open again on 1 July 2024.

Community Wellbeing

Maternal and Child Health (MCH) currently have 130 active clients in the Enhanced MCH program and 15 in the Sleep and Settling Program. There were a total of 37 births across the Shire in August. A total of 121 clients were administered with 265 vaccines across the Infant, Secondary and Community immunisation programs.

A Flood Recovery and Resilience Art Therapy Program was delivered to students at Nathalia Primary School, Barmah Kindergarten and Tungamah Primary School – the program was well received and some of the art works will be displayed at the Yarrawonga Agriculture Show and One Year Anniversary Flood Event.

Flood Recovery Disaster Legal Sessions were held at Picola and Tungamah in conjunction with an online session for those community members who were not able to attend in person.

Goulburn Valley Regional Libraries

The Numurkah library refresh has recently been completed with the library receiving a fresh coat of paint, new shelving, furniture and upgraded security.

Tomorrow, sees the launch of the Community Fundraising Project for the furniture and fit out of the new Yarrawonga Library. The launch commences 1pm at the Yarrawonga Library, 26-30 Belmore Street.

Mr Damien Burton – Acting Director Infrastructure Services

Operations Report

With Spring's arrival, the Operations teams have now commenced roadside spraying and slashing in Zones F, G, and D, with road grading commenced in Zones J, C, H, M, and O.

General maintenance will commence in Zones F, I, D, and J, which incorporates pot holes, shoulder repairs and road edge drops.

The CASA Yarrowonga Aerodrome's previous observations to improve safety are being addressed, with tree clearance proceeding, parking lot modifications, line marking, and the disposal of an old bathroom block.

And additionally in the interest of public safety, The Department of Transport and Planning and the Moira Shire are working in collaboration to reduce the speed limit on Labuan Road to 80km. The Operation and the Communication Teams will be releasing a public communication to inform our communities of the speed reduction, followed up by the installation of the new signage.

Within the Planning and Building Teams

The Planning Permit Activity Reporting indicates 76% of applications determined in August were within the sixty-day timeframe compared to 62% from the previous month of July.

This is an excellence outcome for the Planning Team and the Moira Shire Council, particularly in comparison when measured against the regional average determined applications, of 56% and 62% for the State for the month August.

The average processing days to determination was 114.9 days, compared to the Regional average of 138.2 days and the State average of 132 days.

The Planning Team, continue to work on process improvement opportunities with further efficiencies being developed within their department, and the continued focus on clearing the backlog of applications.

Building Applications continued to be steadily for the month of August. The team completed 123 Building Inspections, including 22 swimming pool Safety Barrier Inspections.

The Building Administration team, along with other staff, have also been busy completing the onerous task of updating all Building documentation templates and procedures, including working on updating information and the functionality of the Building Department within our Council website.

Our Parks, Recreation and Facilities Teams

Are in its final stages of practical completion of the Yarrowonga Slash Park, with landscape works underway within the garden areas and the finalisation of the screening and planting out of the pump station building. Completion of works is forecasted, for late October 2023.

Building Maintenance

Are focused on vandalism repairs across various towns, with the addition CCTV recently being installed at Numurkah Recreation Reserve and Federation Park in Cobram.

Additionally a new alarm system has been installed at Killara House, with Strathmerton Bowls Club receiving new windows, doors and security meshing and the Nathalia Community Centre has been rekeyed due to recent break-ins.

Recreation & Facilities

The Recreation and Facilities Team have been very busy with the preparation and planning for the Tri State Games, the Bush Nippers Program, The Small Town Sport Sustainability Strategy and the Yarrawonga JC Lowe Oval Master Plan.

Additionally a new User Agreement process for all Recreation Reserves has been introduced, inclusive of a new online booking system being rolled out October 2023 for all Community Halls.

Our Engineering Team continue to work on

Yarrawonga Library

With Foundation trothing completed, that verified the Kpa of the instui material against the specification requirements.

Earthworks on site are now completed, the Building Permit has been re-issued to the contractor, and Contractor is now working towards commencing the slab on ground.

The Yarrawonga Multisport stadium

Façade option has been presented, with the Architect currently working on re-engineering the foundation slab and building specifications, this will enable high level cost analysis to be presented based upon the functionality that is adopted.

Additionally consultation meetings are be scheduled with stakeholders and the steering committee to present Stadium layout options, this enable the completion of the Detailed Design. An EOI tender is proposed for late October 2023.

Within Flood Recovery

Package 1, for Stewarts Bridge Road is scheduled for tender late September 2023, with 25km of gravel reformation of existing pavement estimated at a project cost of \$4.5m.

Apex Park Reserve Cobram

The Detailed Design is completed, with the Tender scheduled for late September 2023 for Stage 1, with Stage 2 as a provisional item. (LRCIP funding)

The Numurkah Flood Study Implementation Project

Continues to move forward, with RedGum consulting being procured to complete the Cultural Heritage Management Plan and the Native Vegetation Assessment.

CAF consulting are finalising the alignment to minimise vegetation impacts and project costs, in-line with the outcome of the Native Vegetation Assessment.

CAF are working on detailed design aspects associated with the interaction of the levee with the urban drainage system and other utility services, particularly in the vicinity of the water tower, and treatment plant.

And finally, the Cobram East Drainage

Project delays have occurred, with the original Consultancy agreement being terminated for failure to produce a design that met the terms of the engagement. A new Consultancy firm has been engaged with the design scope forecasted for completion November 2023.

9. PUBLIC QUESTION TIME

Name	Summarised Question	Response
Andrew Kelly	<p>Why is it the Community Amenity Local Law 2023 Legislated in 2020 under the new Act during a pandemic has taken 3 years for local ratepayers to be given notice a chance to comment on its contents.</p> <p>Could you please explain the Infringement Penalty Point system and what does 2 Penalty Points means in a monetary component? In other word how much are the fines and who comes up with them?</p>	<p>Moirra Shire Council's current Community Safety and Environment Local Law 2013 is due to expire on 30 November 2023 and we are in the process of preparing a new Local Law.</p> <p>As part of the development of the Community Amenity Local Law 2023 we are consulting with the community and seeking feedback.</p> <p>The Infringement Penalty Point system is based on the values determined by the Department of Justice and Community Safety. From 1 July 2023 to 30 June 2024, the value of the penalty unit is \$192.31. This means that two penalty units would equate to two times the infringement amount – being \$384.62. Council has determined the Points system however these are also available for community comment.</p>

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.1
(FINANCE MANAGER, BEAU MITTNER)
(CHIEF FINANCE OFFICER, MATT JARVIS)

CERTIFICATION OF THE 2022-23 FINANCIAL REPORT AND PERFORMANCE STATEMENT

Executive Summary

The Financial Report for the year ended 30 June 2023 and the Performance Statement 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

The draft Financial Report and the Performance Statement have been audited by the Victorian Auditor General's Office and are currently being reviewed. 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.

The actual result for 2022/23 represents a surplus of \$15.4 million compared to the adopted budget surplus of \$14.06 million. Overall Council's financial sustainability indicators show Council to be in a satisfactory underlying financial position as at 30 June 2023.

The Moira Shire Council Audit and Risk Committee have reviewed the financial report and performance statement and have recommended that the Council certify the statements in their final form (draft minutes attached), 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.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That the Council:

1. Approve in principle the Financial report and the Performance Statement for the financial year ended 30 June 2023;
2. Authorise Chair Administrator Tanner and Administrator Emonson to certify the statements, in conjunction with the Acting 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 2022/23 Financial report and the 2022/23 Performance Statements, in their final form, be included in the 2022/23 Annual Report in accordance with Section 98 of the Local Government Act 2020.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.2
(PROCUREMENT OFFICER, LISA KNIGHT)
(CHIEF FINANCE OFFICER MATT JARVIS)

C018/23 - PROVISION OF ELECTRICAL MAINTENANCE SERVICES - PANEL

Executive Summary

Moirā Shire Council invited submissions from suitability qualified and experienced service providers to create a panel of suppliers for the provision of electrical and refrigeration maintenance for scheduled and urgent repairs to Council assets.

8 submissions were received. After being evaluated against the scoring criteria by the evaluation panel, all applicants have been recommended for appointment to the Provision of Electrical Maintenance panel.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C018/23 – Provision of Electrical Maintenance – Panel for an initial term of 2 years with the option to extend in 2 x 2 year periods to a maximum contract period of 6 years (2+2+2)
 - Purtle Electrical (NSW) Pty Ltd
 - Cobram Electrical and Data Pty Ltd
 - RT Butler Electrical Pty Ltd atf RT Butler Family Trust t/a RT Butler Electrical
 - Floyd Industries Pty Ltd
 - Marks, Mitchell Shaun t/a Amped & Charged Electrical
 - McCurdy, Jordan Thomas t/a McCurdy Electrical
 - P&M Hartmann Family Trust t/a Adapt Essential Services Pty Ltd
 - Watters Electrical Pty Ltd
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the Contract.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.3
(PROCUREMENT OFFICER, LISA KNIGHT)
(CHIEF FINANCE OFFICER MATT JARVIS)

C019/23 - PROVISION OF PAINTING SERVICES - PANEL

Executive Summary

Moira Shire Council invited submissions from suitability qualified and experienced service providers to create a panel for the provision of scheduled and urgent painting services to maintain and repair Council assets.

5 submissions were received. After being evaluated against the scoring criteria by the evaluation panel, all applicants have been recommended for appointment to the Provision of Painting Services panel.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C019/23 – Provision of Painting Services – Panel for an initial term of 2 years with the option to extend in 2 x 2 year periods to a maximum contract period of 6 years (2+2+2).
 - Desmond Craig Bentley t/a Northern Painting Services (Business Name: Moira Painting Services)
 - Higgins Coatings Pty Ltd
 - Mark O'Rafferty t/a AGP Painting Services
 - P&R Baxa Painting & Decorating Pty Ltd atf The P & R Baxa Family Trust
 - Programmed Maintenance Services Limited t/a Programmed Property Services
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the Contract.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.4
(PROCUREMENT OFFICER, LISA KNIGHT)
(CHIEF FINANCE OFFICER MATT JARVIS)

C021/23 - PROVISION OF TREE MAINTENANCE SERVICES - PANEL

Executive Summary

Moirā Shire Council invited submissions from suitability qualified and experienced service providers to create a panel for the provision of tree maintenance services for scheduled and urgent maintenance of Council trees.

11 submissions were received. After being evaluated against the scoring criteria by the evaluation panel, all applicants have been recommended for appointment to the Provision of Tree Maintenance Services panel.

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.4
(PROCUREMENT OFFICER, LISA KNIGHT)
(CHIEF FINANCE OFFICER MATT JARVIS)

C021/23 - PROVISION OF TREE MAINTENANCE SERVICES - PANEL (cont'd)

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C021/23 – Provision of Tree Maintenance Services – Panel for an initial term of 1 year with the option to extend in 2 x 2 year periods to a maximum contract period of 5 years (1+2+2).
 - Advanced Tree Care Vic Pty Ltd
 - Albury Wodonga Tree Services P/L ATF Kurt Dunston Family Trust T/A Albury Wodonga Tree Services
 - Arbor Dynamics Pty Ltd
 - Asplundh Tree Expert t/a Summit Open Space Services
 - Austral Tree Services Pty Ltd
 - Carrick, Jake Andrew
 - ENBOM & HORE Pty Ltd t/a Murray River Tree Services
 - G&J Tree Services Pty Ltd
 - Kialla Lawn Garden Pty Ltd
 - Ollington Family Trust ATF Federation Tree Care Pty Ltd
 - Tree Solutions North East Pty Ltd
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the Contract.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.5
(PROCUREMENT OFFICER, LISA KNIGHT)
(CHIEF FINANCE OFFICER MATT JARVIS)

C022/23 - PROVISION OF BUILDING MAINTENANCE SERVICES - PANEL

Executive Summary

Moirā Shire Council invited submissions from suitability qualified and experienced service providers to create a panel for the provision of building maintenance services to carry out minor capital works, building renewal projects and building maintenance on Council's assets.

Three submissions were received. After being evaluated against the scoring criteria by the evaluation panel, all applicants have been recommended for appointment to the Provision of Building Maintenance Services panel.

MOTION

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C022/23 – Provision of Building Maintenance Services – Panel for an initial term of 1 year with the option to extend in 2 x 2 year periods to a maximum contract period of 5 years (1+2+2).
 - Leigh Varcoe Plastering Pty Ltd
 - MP Larkin & TM Panter t/a Complete Plaster Services
 - OHMAC Constructions Pty Ltd
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the Contract.

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.6
(PROCUREMENT OFFICER, LISA KNIGHT)
(CHIEF FINANCE OFFICER MATT JARVIS)

C020/23 - PROVISION OF PLUMBING & GAS FITTING SERVICES - PANEL

Executive Summary

Moirā Shire Council invited submissions from suitability qualified and experienced service providers to create a panel for the provision of specialised drainage and plumbing and gas fitting services to Council's assets.

Four submissions were received. After being evaluated against the scoring criteria by the evaluation panel, all applicants have been recommended for appointment to the Provision of Plumbing & Gas Fitting Services panel.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C020/23 – Provision of Plumbing & Gas Fitting Services - Panel for an initial term of 2 years with the option to extend in 2 x 2 year periods to a maximum contract period of 6 years (2+2+2).
 - Bradley Wilson t/a BW Plumbing
 - Christopher Hemingway t/a Hemingway Plumbing
 - Drainflow Solutions Pty Ltd
 - Phantoms Plumbing Pty Ltd
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the Contract.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.7
(PROCUREMENT OFFICER, LISA KNIGHT)
(ACTING DIRECTOR INFRASTRUCTURE
SERVICES DAMIEN BURTON)

C023/23 - PROVISION OF GENERAL TRADES & SERVICES - PANEL

Executive Summary

Moirā Shire Council invited submissions from suitability qualified and experienced service providers to create a panel of general trades and services to perform works and maintenance on Council's assets.

Eight submissions were received. After being evaluated against the scoring criteria by the evaluation panel, all applicants have been recommended for appointment to the Provision of General Trades & Services panel.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C023/23 – Provision of General Trades & Services – Panel for an initial term of 1 year with the option to extend in 2 single year periods to a maximum contract period of 3 years (1+1+1).
 - BR Excavations Pty Ltd
 - Drainflow Solutions Pty Ltd
 - Floyd Industries Pty Ltd
 - Katty East Engineering Pty Ltd
 - Kialla Lawn & Garden Pty Ltd
 - Mictel Pty Ltd & Gertel Pty Ltd atf Michael Telford Family Trust and Gerard Telford Family Trust t/a Global Factory Maintenance
 - O'Loughlin Excavations
 - Water Dynamics Pty Ltd
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the Contract.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.8
(PROCUREMENT OFFICER, LISA KNIGHT)
(ACTING DIRECTOR INFRASTRUCTURE
SERVICES DAMIEN BURTON)

C024/23 - PROVISION OF PLANT AND LABOUR HIRE - PANEL

Executive Summary

Moirā Shire Council (Council) invited tenders from suitably qualified and experienced service providers to create a panel for the provision plant and labour hire with the option of wet and dry hire.

35 submissions were received from 31 applicants. After being evaluated against the scoring criteria by the evaluation panel, all applicants have been recommended for appointment to the Provision of Plant and Labour Hire Panel.

MOTION

ADMINISTRATOR SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Award the schedule of rates contract to the following tenderers under panel contract C024/23 – Provision of Plant and Labour Hire – Panel for an initial term of 2 years commencing 1 October 2023, with the option to extend in 2 x 2 year periods to a maximum contract period of 6 years (2+2+2).

- Allied Entities Pty Ltd ATF M&K Hogan Family Trust T/as Mick Hogan Excavations
- Andrew Goldman Excavation Pty Ltd
- Apex Earthworks Pty Ltd
- B & T Butler Excavations P/L
- B Lawrence Business Trust t/a Lawrence Brothers Quarries Pty Ltd
- Bell Earthmoving & Civil Pty Ltd
- Bencon Civil Construction Pty. Ltd.
- Bild Infrastructure Pty Ltd
- BR Excavations Pty Ltd
- Cleanaway Co Pty Ltd
- Cleaves Earthmoving & Drainage Pty Ltd
- Coates Hire Operations Pty Ltd
- Conplant Pty Ltd
- Double Gully Services Pty Ltd
- Environmental Vegetation Management Australia Pty Ltd atf EVM Unit Trust
- Extens Pty Ltd
- Grampians Excavations Pty Ltd
- Judd & Sons Pty Ltd
- Katunga Earthworks Pty Ltd
- Luxton Plant Pty Ltd
- Miller Pipe & Civil Pty Ltd
- MS Excavations Pty Ltd
- Murray River Excavations Pty Ltd

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.1.8
(PROCUREMENT OFFICER, LISA KNIGHT)
(ACTING DIRECTOR INFRASTRUCTURE
SERVICES DAMIEN BURTON)

C024/23 - PROVISION OF PLANT AND LABOUR HIRE - PANEL (cont'd)

- Northern Hire Group Pty Ltd
 - O'Loughlin Excavation t/a Olex Civil
 - Pascoe Grading & Earthmoving Contractors Pty Ltd
 - Porter Excavations Pty Ltd
 - Precision Grading Pty Ltd
 - Rollers Australia Pty Ltd
 - SP & LA O'Brien Pty Ltd
 - W&L Birch Earthmoving
2. Authorise the Chief Executive Officer to sign and seal the contract documents and approve contract extensions within the provisions of the Contract.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.2.1
(SENIOR GOVERNANCE OFFICER, NANCY
MUSTICA)
(ACTING DIRECTOR CORPORATE
GOVERNANCE AND PERFORMANCE,
AMANDA CHADWICK)

APPOINTMENT OF THE PANEL OF ADMINISTRATORS TO ADVISORY COMMITTEES, BOARDS AND REPRESENTATIVE BODIES

Executive Summary

The purpose of this report is to appoint the Panel of Administrators to a selection of Advisory Committees, Boards and Representative Bodies where there are current vacancies that require a Councillor Representative.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council endorse the appointment of the Panel of Administrators to the selected Advisory Committees, Boards and Representative Bodies that require Councillor representation:

1. Chair Administrator Tanner, Administrator Emonson and Administrator Sheed to the Moira Shire Youth Council;
2. Administrator Sheed to the Numurkah Flood Mitigation Implementation Committee;
3. Administrator Sheed to the Cobram East Flood Mitigation Design Steering Committee;
4. Administrator Sheed to the Upper Broken & Boosey Creek Flood Study Project Steering Committee;
5. Chair Administrator Tanner as the representative for the Municipal Association of Victoria; and
6. Administrator Sheed as the representative to the Murray Darling Association Inc.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.2.2
(ACTING DIRECTOR CORPORATE
GOVERNANCE AND PERFORMANCE,
AMANDA CHADWICK)
(ACTING CHIEF EXECUTIVE OFFICER,
JOSHUA LEWIS)

ADMINISTRATOR CODE OF CONDUCT

Executive Summary

This report seeks Council's adoption of the Administrator Code of Conduct that was developed in conjunction with the Panel of Administrators to show their commitment to work together in the best interests of the community and the standards of conduct and behaviour that will aim to achieve the greatest outcomes.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council adopt the Administrator Code of Conduct, as developed by the Panel of Administrators and shown in the attachment.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.2.3
(ACTING DIRECTOR CORPORATE
GOVERNANCE AND PERFORMANCE,
AMANDA CHADWICK)
(ACTING CHIEF EXECUTIVE OFFICER,
JOSHUA LEWIS)

RISK APPETITE STATEMENT

Executive Summary

A Risk Appetite Statement has been prepared to form part of the Moira Shire Council Risk Management Framework and will determine the level of risk that Council is willing to accept in pursuit of its strategic objectives.

The Risk Appetite Statement also provides crucial risk management guidance and establishes boundaries for decision making processes related to risk.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council adopt the Risk Appetite Statement which will form part of the Risk Management Framework, shown in the attachment.

(CARRIED)

FILE NO:
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 11.2.4
(ACTING DIRECTOR CORPORATE
GOVERNANCE AND PERFORMANCE,
AMANDA CHADWICK)
(ACTING CHIEF EXECUTIVE OFFICER,
JOSHUA LEWIS)

**CEO EMPLOYMENT AND REMUNERATION COMMITTEE MEETING MINUTES 22
SEPTEMBER 2023**

Executive Summary

The responsibility for assisting Council with its obligations regarding CEO employment, performance and remuneration is delivered through the CEO Employment and Remuneration Committee.

The purpose of this report is to present the minutes of the recent CEO Employment and Remuneration Committee including recommendations for Council to consider.

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Accepts the minutes of the CEO Employment and Remuneration Committee Meeting held on 22 September 2023; and
2. Endorse the recommendations within the minutes,
3. Including the appointment of GEM Executive to undertake an executive recruitment program for a permanent Chief Executive Officer.

(CARRIED)

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

**ITEM NO: 11.2.5
(ACTING DIRECTOR CORPORATE
GOVERNANCE AND PERFORMANCE,
AMANDA CHADWICK)
(CHIEF FINANCE OFFICER, MATT JARVIS)**

APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

Executive Summary

The position of Chief Executive Officer (CEO) for Moira Shire Council is currently vacant and the purpose of this report is for Council to approve the interim appointment of Mr Michael Tudball as Acting CEO for a period of six months, commencing 23 October 2023.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

That Council:

1. Appoint Mr Michael Tudball as the Acting Chief Executive Officer for an interim period of six months commencing 23 October 2023 until a permanent CEO recruitment process has been concluded; and
2. Authorise Chair Administrator John Tanner AM to sign the Contract of Employment on behalf of Council.

(CARRIED)

FILE NO: F13/493
5. TRANSPARENT AND ACCOUNTABLE
GOVERNANCE

ITEM NO: 12.1.1
(SENIOR GOVERNANCE OFFICER, NANCY
MUSTICA)
(ACTING DIRECTOR CORPORATE
GOVERNANCE AND PERFORMANCE,
AMANDA CHADWICK)

AUDIT & RISK COMMITTEE MEETING MINUTES 20 JULY 2023

Executive Summary

The Audit & Risk Committee (the Committee) is an independent advisory Committee to Council. The primary objective of the Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risks and maintaining a reliable system of internal controls.

In accordance with the Audit & Risk Committee Charter, the minutes of the Audit & Risk Committee held on 20 July 2023 are attached.

The following reports were considered by the committee:

- Major Projects/Incidents and Legal Proceedings
- 2022/23 Asset Valuations – Report on Progress
- Quarterly Claims Management Report – June 2023
- Policy Register – Quarterly Report
- Risk Management – Quarterly Update
- Fraud Risk – Quarterly Report
- Council Purchase Card Usage Report for period 1 January 2022 to 31 December 2022.
- Audit & Risk Committee Annual Report
- Strategic Internal Audit Program Status Update
- Election of the Audit & Risk Committee Chair
- 90-Day Administrator Report.

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

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

That Council:

1. Accepts the minutes of the Audit & Risk Committee meeting held on 20 July 2023; and
2. Note the recommendations contained within the reports.

(CARRIED)

FILE NO:
3. A CLEAN GREEN ENVIRONMENT

ITEM NO: 12.2.1
(ACTING MANAGER - SUSTAINABILITY
MATT JARVIS)
(CHIEF FINANCE OFFICER, 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 been engaging with the Independent Broad-based Anti-corruption Commission (IBAC) following from the Commission of Inquiry. Council has provided monthly 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 Yarrawonga, Tungamah and Strathmerton.

MOTION

ADMINISTRATORS GRAEME EMONSON / SUZANNA SHEED

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

(CARRIED)

10. ACTION OFFICERS LIST

NIL

11. NOTICES OF MOTION

NIL

12. PETITIONS AND JOINT LETTERS

NIL

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

ITEM NO: 16.1
**(ASSISTANT TO DIRECTOR OF
INFRASTRUCTURE SERVICE, ROBYN
BONADDIO)**
**(ACTING CHIEF EXECUTIVE OFFICER,
JOSHUA LEWIS)**

AUTHORISATION OF USE OF COUNCIL'S COMMON SEAL

MOTION

ADMINISTRATORS SUZANNA SHEED / GRAEME EMONSON

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

- 285 Settlement Boundary Road, Waaia
- 16 Duffield Street Yarrawonga
- 647 O'Deas Road, Burramine South
- 457 Settlement Boundary Road, and 467 Settlement Boundary Road
- 13 Ligar Street Bundalong
- 176 Paynes Road, Nathalia

(CARRIED)

FILE NO: VARIOUS

ITEM NO:

URGENT BUSINESS

NIL

MEETING CLOSE: 5.54PM