



Unconfirmed Minutes

Ordinary Council Meeting

Tuesday, 22 August 2017

Moyne Shire - a safe, vibrant, liveable, and prosperous community



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**Minutes of the Ordinary Meeting of Moyne Shire Council
held 22 August 2017 at the Port Fairy Community Services Centre
commencing 4:30pm**

Present

Councillors J. Doukas (Mayor), J. Lockett (Deputy Mayor), D Meade, I. Smith, J. Parker, C. Ryan and M. Wolfe

Officers in attendance Mr D Madden, Chief Executive Officer
Mr O Moles, Director Sustainable Development
Mr K Leddin, Director Community & Corporate Support
Ms L Johnston, Acting Director Physical Services
Ms E Riddington, Governance Administration Officer

Acknowledgement of Country

The Mayor read the following statement:

“We acknowledge the Traditional Owners of the land on which we are meeting and pay our respects to their Elders, past, present and emerging, and the Elders from other communities who may be here today.”

Recording of Council Meetings

The Mayor read the following statement:

Please note that today’s meeting is being audio recorded. This recording will be uploaded to Council’s internet website and will be accessible by the general public. By participating in and addressing those present at the meeting, you consent to any information you disclose (including any personal information or sensitive information) being recorded and uploaded to the website.

Prayer

Almighty God, we humbly beseech your blessing on the Council, direct and prosper its deliberations for the welfare of the people of the Moyne Shire. Amen.

Apologies

None.

Declarations of Conflict of Interest

Local Government Act 1989 Section 79 (2): A Councillor or member of a special committee who has a conflict of interest and is attending the meeting of the Council or special committee must make a full disclosure of that interest:

- (a) by either:
 - (i) Advising the Council or special committee at the meeting of the details required under paragraph (b) and (c) immediately before the matter is considered at the meeting; or
 - (ii) Advising the Chief Executive Officer in writing of the details required under paragraphs (b) and (c) before the meeting; and
- (b) Classifying the type of interest that has given rise to the conflict as either:
 - (i) A direct interest: or
 - (ii) An indirect interest and specifying the particular kind of indirect interest under Section 78, 78A, 78B, 78C, 78D or 78E; and
- (c) Describing the nature of the interest; and
- (d) If the Councillor or member advised the Chief Executive Officer of the details under paragraph (a) (ii), the Councillor or member must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

Declarations made at this meeting

None.

Confirmation of Minutes

Cr Wolfe moved, Cr Parker seconded that the Minutes of the Ordinary Council Meeting held on Tuesday, 25 July 2017 be confirmed

Motion carried 7:0

Public Participation

Members of the public attending the monthly Council Ordinary Meeting may address the meeting in respect of either:

- a) any item listed in the business paper; or
- b) any other matter relevant to the activities and projects of the Council.

Any person wishing to address the Council must submit details in writing of the nature of the issue / question they wish to raise by 12 noon on the Monday prior to the meeting day.

The public participation segment for each meeting will be held at the beginning of the Council meeting commencing at 4.30 pm.

Any matters raised at a public participation session will be considered by the Council at the subsequent Council meeting.

The matters will be considered after the confirmation of minutes of previous meetings and be considered in the order they were raised at the public participation session.

Public participants:

Ms Joanne Archbold – Report 6 - Planning Permit PL17/076, 1 King St, Koroit – 2 Lot Subdivision

Mr Alistair Davies - Report 6 - Planning Permit PL17/076, 1 King St, Koroit – 2 Lot Subdivision

Ms Pat Nezbut and Ms Es Warmuth – Conventional Gas Mining (Members of the Sustainable Agriculture and Communities Alliance)

Ms Genevieve Grant and Ms Gillian Blaire - Conventional Gas Mining (Members of the Sustainable Agriculture and Communities Alliance)

Ms Julie Hart – Conventional Gas Mining (Representing herself & 'Gas Field Free Glenelg')

Mrs Joan Williams and Mr Terry Rowbottom – Response to Falconer Report (Moyne Ratepayers and Residents Action Group)

Ms Barbara Grinter - Report 7 - PL17/008 – 36 Greenhills Lane, Winslow – Buildings and works to construct a Telecommunications facility (Servicestream on behalf of Telstra)

Mr Peter Swainger – Report 23 - Notice of Motion - Proposed Telstra Communications Tower on Tower Hill

Cr Jim Doukas read a letter written by and on behalf of Mrs Aileen Culhane PL16/204 – 2 Albert St, Port Fairy – Use as a temporary camping and caravan park

Ms Sally Anderson - PL16/204 – 2 Albert St, Port Fairy – Use as a temporary camping and caravan park (on behalf of Port Fairy Consolidated School - School Council)

Mr Chris Righetti – Report 13 – Dundonnell Wind Farm – Proposed Wind Turbine Height Increase (TILT Renewables)

6:06pm Suspension of Standing Orders

Cr Lockett moved, Cr Smith seconded that Standing Orders be suspended in order that items 6, 7, 8, 13 & 23 be heard next.

Motion carried 6:1

For: Cr Doukas, Cr Lockett, Cr Meade, Cr Ryan, Cr Smith, Cr Wolfe

Against: Cr Parker

6. Planning Permit PL17/076 – 1 King Street, Koroit – 2 Lot Subdivision

Report Summary: The Applicant seeks a planning permit for a two lot subdivision in the General Residential Zone at 1 King Street, Koroit. The applicant is proposing to divide this existing 920m² lot into two 460m² lots.

Cr Ryan moved, Cr Meade seconded that Council having caused notice of Planning Application No. PL17/076 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the provisions of the Moyne Planning Scheme in respect of the land known and described as 1 King Street KOROIT VIC 3282 (Lot 1 TP 178816R), for the 2 lot subdivision in accordance with the endorsed plans, with the application dated 03/05/2017, subject to the following conditions:

1. Before the plan of subdivision is certified under the Subdivision Act 1988, the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 and make application to the Registrar of Titles to have the agreement registered on the title to the land under Section 181 of the Act which provides that:
 - a) A minimum garden area at ground level must be provided in accordance with Clause 32.08-4 and the relevant definition under the Planning Scheme.
 - b) All buildings must be setback a minimum 6.0m from the King Street property boundary.
 - c) Prior to issue of a building permit for a dwelling on the lot, a storm water management plan must be approved by the Responsible Authority. The storm water plan must:
 - i) Be designed to cater for a fully developed site.
 - ii) Include detention volume to retain a 1 in 10 year rainfall event separately on each lot site with overflows piped to the legal point of connection.

The owner must pay the costs for the preparation, execution and registration of the Section 173 Agreement.

2. The formal plan of subdivision lodged for certification must be in accordance with the endorsed plan and must not be modified except to comply with statutory requirements or with the written consent of the responsible authority.
3. Before the issue of a Statement of Compliance under the Subdivision Act 1988, a Works within Road Reserve Permit must be obtained from the Assets

Department (Ph 5558 7825) for the creation of a new access to each lot. The crossover must be constructed in accordance with the permit to the standards and satisfaction of the Responsible Authority.

4. The owner of the land must enter into an agreement with:
 - a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
5. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
7. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
8. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
9. This permit will expire if one of the following circumstances applies:

- The plan of subdivision is not certified within two (2) years of the date of this permit.
- The registration of the subdivision is not completed within four (4) years of the date of certification of the plan of subdivision.

In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six (6) months of the permit expiry date, where the development allowed by the permit has not yet started; or within twelve (12) months of the permit expiry date, where the development has lawfully started before the permit expires.

Motion carried 7:0

7. Planning Permit PL17/008 – 36 Greenhills Lane, Winslow – Buildings and works to construct a Telecommunications facility

Report Summary: The application seeks a planning permit for a telecommunications facility, which includes a 60m guyed mast with three anchor points and associated infrastructure within a fenced enclosure. The facility is proposed by Telstra to significantly improve its mobile telecommunications network within the Winslow/Woolsthorpe area and surrounds.

Cr Lockett moved, Cr Ryan seconded that Council having caused notice of Planning Application No. PL17/008 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Moyne Planning Scheme in respect of the land known and described as 36 Greenhills Lane, Winslow, (Lot 1 on PS404303F), for the Building and works to construct a telecommunications facility, in accordance with the endorsed plans, with the application dated 13/01/2017, subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application, but modified to show:

- a) Corrected setback dimension between the north-west corner of the proposed compound and the Greenhills Lane property boundary.
 - b) Setback dimension between the south-west corner of the proposed compound and the Warrnambool-Caramut Road property boundary.
 - c) Setback dimension between the north-east corner of the proposed compound and the Greenhills Lane property boundary.
 - d) The provision of screening landscaping within the subject site around the base of the facility and along the frontage to Greenhills Lane, extending from the north-west corner of the site to adjacent the proposed access point, using native and indigenous plant species.
2. The development as shown on the endorsed plans must not be altered without the written approval of the Responsible Authority.
 3. Before the development commences, the developer and/or owner must obtain a Works within Road Reserves Permit under the *Road Management Act 2004* and construct a new vehicle access crossover to the satisfaction of the Responsible Authority.
 4. The telecommunications facility must comply to the satisfaction of the Responsible Authority with the ARPANSA 'Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3KHz to 300 GHz (2002)', or such other standards as is adopted from time to time.
 5. The landscaping works shown on the endorsed plans must be carried out and completed within three (3) months of the telecommunication facility being installed, to the satisfaction of the Responsible Authority.
 6. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.
 7. If the telecommunications facility hereby approved becomes redundant, all infrastructure associated with the telecommunications facility must be removed and the area reinstated to the satisfaction of the Responsible Authority. All works to comply with this condition must be completed within three (3) months of the facility ceasing to operate and must be at the expense of the operator of the facility, except with the written approval of the Responsible Authority.
 8. During the construction of the development hereby permitted, the permit holder must use appropriate site management practices to prevent the transfer of mud, dust, sand, slurry or other liquid construction materials from the site onto nearby roads or properties to the satisfaction of the Responsible Authority.
 9. This permit will expire if one of the following circumstances applies:

- a) The development is not started within two (2) years of the date of this permit.
- b) The development is not completed within four (4) years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or in accordance with the *Planning and Environment Act 1987*.

Notes:

- i) Construction should be carried out in a safe and effective manner in accordance with relevant requirements of the Occupational Health and Safety Act 1985.
- ii) Traffic control measures should be taken during construction in accordance with Australian Standard AS1742.3 – 2002 Manual of uniform traffic control devices – Traffic control devices on roads, to the satisfaction of the Responsible Authority.
- iii) Open trenching should be guarded in accordance with Australian Standard Section 93.080 – Road with Australian Standard Section 93.080 – Road Engineering AS 1165 – 1982 – Traffic hazard warning lamps.
- iv) A Works within Road Reserves permit will be required from Moyne Shire Council for the new crossover.
- v) It is the responsibility of the property owner to manage any regionally controlled and/or restricted weeds on the property and within the adjacent road reserves in accordance with the *Catchment and Land Protection Act 1994*.

Motion carried 7:0

8. Planning Permit PL16/204 – 2 Albert Street, Port Fairy – Use as a temporary camping and caravan park

Report Summary: The application proposes to use part of the Port Fairy Consolidated School land for a temporary camping and caravan park during the Port Fairy Folk Festival. The use includes the provision of 100 two man tents, amenities and car parking facilities. The management of the site is proposed to be outsourced to a company who manage similar camping setups for festivals around Australia.

Cr Lockett moved, Cr Ian Smith seconded that Council having caused notice of Planning Application No. PL16/204 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Grant a Notice of Decision to Grant a Permit under the provisions of the Moyne Planning Scheme in respect of the land known and described as 2 Albert Street PORT FAIRY VIC 3284, for the Use as a temporary camping and caravan park, with the application dated 15/09/2016, subject to the following conditions:

1. Before the use starts (before the first event), amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Revised site plan/s, scaled and dimensioned, showing:
 - i) The camping area layout, showing tent locations, pedestrian access ways, site entrances, security locations, generator location, and the location of fencing.
 - ii) The location of all amenities buildings the internal features of amenities buildings including the number of security/lighting locations and fencing.
 - iii) The method of excluding public access to the camping, and amenities.
 - iv) The location of an appropriate number of waste, recycling and green waste bins on site in accordance with the waste disposal measures in the Waste Management Plan required in Condition 1e.
 - v) A revised car parking layout plan in accordance with the Traffic Management Plan required in Condition 1d.
 - vi) Fencing to separate pedestrians from vehicle accessways across all areas of the site.

- b) A Site Management Plan (SMP) to include details of the following (as applicable):
- i) Provision of site staff including dedicated staff at secure site entrances.
 - ii) Provision of 24 hour on site staff presence maintained on site for the duration of camping activities.
 - iii) Provision of toilets and hand-wash-basins (minimum of 12 toilets, 6 hand-wash-basins) and showers, including cleaning schedules.
 - iv) Provision of food preparation facilities (ie kitchenette type facilities).
 - v) Provision of potable water supply for hand-washing, drinking, and food preparation, with a minimum of 20L/person/day.
 - vi) Site drainage management system/maintenance plan.
 - vii) Dust suppression plan.
 - viii) The location of all external lighting. All lighting must be designed and located to prevent light spill / glare onto nearby residential properties.
 - ix) Provision of shade and heat management planning options.
 - x) Setting up on the site for the use must not commence earlier than one (1) week prior to the use and the site must be dismantled and cleaned up in accordance with the Waste Management Plan within one (1) week after the use, unless in accordance with an alternative timeframe as approved by the responsible authority.
- c) An Emergency Management Plan (EMP) prepared in accordance with all relevant legislation to consider risk minimisation strategies and responses to incidences including but not limited to:
- i) Fires, including fire separation between tents/campsites as required.
 - ii) Medical events.
 - iii) Security concerns.
 - iv) Patron safety incidents.
- d) A Traffic Management Plan (TMP) to include details of the following:
- i) Car parking area to accommodate no less than 100 vehicles.
 - ii) Unrestricted pedestrian access route through the unmade road reserve to O'Reilly Street from Campbell Street. A temporary sign must be located in Campbell Street/O'Reilly Street advising the access way remains open to the public.

- iii) Unrestricted pedestrian and vehicle access to the Skate Park from Campbell Street. A temporary sign must be located in Campbell Street advising the Skate Park remains open to the public.
- iv) Except in the case of emergency, no vehicle pass-outs shall be provided once vehicles have entered the site.
- v) No parking is permitted outside the designated parking area and this requirement must be appropriately monitored by staff, to the satisfaction of the responsible authority.
- vi) Access and egress routes within the boundaries of the site are to be clearly marked to a width of not less than six (6) metres and are to be accessible in all weather conditions, to the satisfaction of the responsible authority.
- vii) Before the commencement of the use each year, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - 1. slashed
 - 2. properly formed to such levels that they can be used in accordance with the plans
 - 3. signposted to indicate car parking areas and all access lanes; and the direction of traffic along access lanes and driveways.
- e) A Waste Management Plan (WMP) to include details of the following:
 - i) Provision of sullage water collection/disposal for food preparation facilities and toilet hand-wash basins (if not to sewer).
 - ii) Provision of covered general waste, recyclables and green (food and organics) waste bins throughout the site.
 - iii) Waste removal frequency and methods.
 - iv) Post event site clean up.

Use in accordance with endorsed plans

- 2. The use must be carried out in accordance with the endorsed plans and the Site Management Plan, Traffic Management Plan, Waste Management Plan and Emergency Management Plan endorsed under this permit, unless otherwise approved in writing by the Responsible Authority.

Complaints

- 3. A temporary sign must be installed at each entrance to the site notifying the public of a complaints telephone number and email address for the duration of the event.

4. The operator must keep a register of complaints, including nature of the complaint, action taken to resolve the complaint and the result. The register shall be made available to the responsible authority upon request.
5. A copy of the completed Complaints Log shall be provided to the Responsible Authority at the conclusion of the event. The Log shall include any complaints received during and after the event and the Log shall be provided to the responsible authority not less than 7 days and not more than 30 days after the conclusion of the event to the satisfaction of the responsible authority.

Annual Reporting

6. Within three (3) months of the completion of the event, an Annual Evaluation Report must be submitted to and approved by the responsible authority. The Report must be to the satisfaction of the responsible authority and:
 - Appraise the event having regard to the site layout, endorsed management plans and any complaints received.
 - Make recommendations as to how the site layout or management plans should be amended, as required as a result of any issues identified by the operator or the responsible authority.

Use Conditions

7. Not more than 200 patrons accommodated in tents on the site shall be permitted on site in association with the use approved by this permit.
8. All tickets for camping in tents must be pre-sold. No patron shall be admitted without a ticket.
9. Authorised staff of the responsible authority and emergency services personnel shall at all times be entitled to immediate and free access to any and every part of the site.
10. Stormwater must be contained on-site to the satisfaction of the Responsible Authority (Moyne Shire Council).
11. All wastewater generated by the portable temporary amenities must be removed from the site and any wastewater generated must be disposed of in accordance with the approved Site and Waste Management Plan. The disposal of wastewater must be in accordance with the requirements of the Victorian EPA Code of Practice Onsite Wastewater Management (891.3; 2013) and the Environment Protection Act 1970, to the satisfaction of the responsible authority.
12. For fire prevention, tents must be erected to be adequately separated and grass and weeds must be managed on site in accordance with the approved Emergency Management Plan, to the satisfaction of the responsible authority.

Assets

13. Before the commencement of the use, a Works within Road Reserves Crossover Permit to upgrade the existing crossover from Campbell Street must be submitted to and approved by the responsible authority.
14. All access to the site for the annual use must be via an upgraded crossover on Campbell Street.

Site reinstated

15. The permit holder shall ensure that the site is reinstated to an equivalent condition to that existed prior to the use being conducted, to the satisfaction of the Responsible Authority.

Amenity

16. The use must be managed so that the amenity of the area is not detrimentally affected to the satisfaction of the responsible authority, through the:
 - a) transport of amenities and facilities to the land.
 - b) site set up and clean up
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.

Permit expiry

17. This permit will expire if one of the following occurs:
 - a) The use is not commenced within two (2) years of the date of this permit;
or
 - b) The use is discontinued for a period of two (2) years; or
 - c) At the completion of three (3) events.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six (6) months afterwards.

Motion carried 7:0

13. Dundonnell Wind Farm – Proposed Wind Turbine Height Increase

Report Summary: Tilt Renewables recently informed Council on 1 August 2017, of their intent to seek written consent from the Minister for Planning for an increase in the maximum blade tip height of wind turbines for the Dundonnell Wind Farm. The Minister for Planning is responsible authority for the DWF planning permit.

Cr Ryan moved, Cr Meade seconded that:

1. Council ratify the letter sent to Minister for Planning regarding the proposed increase in wind turbine height for the Dundonnell Wind Farm, to express its position that these changes should be considered through a formal planning permit amendment application process, as opposed to 'secondary consent'.
2. Council meet with TILT Renewables at a Councillor Workshop at the first available opportunity

Motion carried 7:0

23. Councillor Notice of Motion – Cr Colin Ryan Proposed Telstra Communications Tower at Tower Hill

Cr Ryan moved, Cr Parker seconded that Council write to Telstra:

1. Seeking an explanation for their Decision not to build a new tower at Tower Hill even though:
 - i) The permit was approved at Moyne Shire Council Meeting in March 2017.
 - ii) Telstra stated at the time that they will be unable to continue to co -locate on the existing tower, because digital TV and radios transmitters on the site interfere with the Telstra infrastructure and network.
 - iii) The State Net Radio infrastructure, which services, Vic Police, Vic Ambulance, CFA, and DELWP, also experiences the same interference as Telstra, on the existing site.
 - iv) They publicly admit that not building the tower will compromise mobile phone service, resulting in degradation in coverage and call reliability.
2. That Moyne Shire on behalf of the community express its dissatisfaction, with its decision.

Motion carried 5:2

For: Cr Meade, Cr Parker, Cr Ryan, Cr Smith, Cr Wolfe

Against: Cr Doukas, Cr Lockett

1. Assemblies of Councillors

Report summary: The report details assemblies of Councillors that have taken place since the matter was last reported to Council in October 2016.

Cr Lockett moved, Cr Meade seconded that Council receives and notes the records of the listed assemblies of Councillors covering the period 15 July 2017 to 11 August 2017.

1 August 2017 – Councillor Workshop, Mortlake

Matters considered	<ul style="list-style-type: none">– Briefing - Rural Councils Vic., Cr Maryanne Brown and Andrew Mason, CEO Corangamite Shire– Presentation - Mortlake Recreation Reserve Committee– Presentation - Koroit Lions Club (Community Assistance Fund)– Presentation - Grassmere Cricket Association– Directors' briefings– National Disability Insurance Scheme (NDIS)– Amendment C63 – 6 Bank Street, Port Fairy– Sale of Land Known as Former Maternal and Child Care Centre, Lindsay St, Yambuk– Mortlake RSL Request for Variation of Community Support Fund 2016/17– Kirkstall Fire Brigade Request for Variation of Community Support Fund 2013/14– Buildings and Contents Insurance – Halls and Recreation Reserves– Public Art Policy
Councillors present	Cr Doukas, Cr Lockett, Cr Parker, Cr Ryan, Cr Smith
Staff present	Mr Madden, Mr Moles, Mr Leddin, Ms Johnston, Ms Riddington
Conflict of Interest	None declared.

2 August 2017, Mortlake South Wind Farm Community Engagement Committee

Matters considered	<ul style="list-style-type: none">– Acciona newsletter and project report.– Minister for Planning’s decision regarding the amendment application.– Community funding program update.– Transmission line route for the Mortlake South wind farm.– Transmission line route for the Salt Creek Wind Farm.– Planning process for transmission lines.– Proposed shared benefits scheme.– Remaining planning processes required, including submission of updated development plans.– Worker accommodation if project progresses to construction.– Process for advertising CEC community representative vacancies.
Councillors present	Cr Doukas, Cr Parker, Cr Smith
Staff present	Ms Askew-Thornton
Conflict of Interest	None declared.

8 August 2017 – Councillor Workshop, Yambuk

Matters considered	<p>Outstanding Rates – Unrecoverable Arrears Municipal Public Health & Wellbeing Plan, 2017-2021 – Progress Report Advocacy Framework Port Fairy Car Parking Strategy Moyne’s Economic Development Strategy Aims and Objectives Domestic Animal Pound Sale of Vacant Land – Lot 12 Shadwell Drive, Mortlake and Lot 21 Shadwell Drive, Mortlake Proposed toilets at former Koroit Railway Station School Zone Speed Signage Belfast Aquatics Centre Free Passes MS809 Mortlake Recreation Reserve Multi-Purpose Facility</p>
Councillors present	Cr Doukas, Cr Lockett, Cr Ryan, Cr Smith, Cr Wolfe
Staff present	Mr Madden, Mr Moles, Mr Leddin, Ms Johnston, Ms Consedine, Ms Askew-Thornton, Ms Riddington
Conflict of Interest	None declared.

Motion carried 7:0

2. Financial Performance Report

Report Summary: The purpose of this report is to inform the Council of the financial performance and position of the Council. It provides a snapshot of some key financial indicators and monitors performance against year-to-date (YTD) actuals.

Cr Meade moved, Cr Ryan seconded

1. That Council receive the July 2017, Financial Performance Report.
2. That Council approves the variations as listed in Attachment 4 to the report.

Motion carried 7:0

3. National Disability Insurance Scheme (NDIS)

Report Summary: The report updates Council on the changes and impacts associated with the introduction of the National Disability Insurance Scheme which is a new scheme designed to change the way that support and care are provided to people with permanent and significant disability.

The NDIS becomes operative in the western district in October 2017 and is a new way of providing care to those with a qualifying disability.

6:55pm – Councillors Meade and Wolfe left the Chamber

6:58pm – Councillors Meade and Wolfe returned to the Chamber

Cr Lockett moved, Cr Parker seconded that Council register as a National Disability Insurance Scheme provider.

Motion carried 7:0

4. Municipal Health and Wellbeing Plan 2017 - 2021 Progress Report

Report Summary: Council is required by the Public Health and Wellbeing Act 2008 to renew its Municipal Public Health and Wellbeing Plan (MPHWP) by October 2017. A project plan was endorsed by Council at a Workshop in early 2017. The report updates Council on progress to date on renewing the Plan.

Cr Meade moved, Cr Ryan seconded that Council endorse the Moyne Municipal Public Health and Wellbeing Plan 2017-2021 – Issues Paper.

Motion carried 7:0

5. Advocacy Framework

Report Summary: Council adopted an Advocacy Framework in February 2017, and it is now timely to review and update the Framework with the agreed priority advocacy issues of Council. A Draft Advocacy Framework populated with Advocacy Issues and Projects together with Objectives is presented for Council discussion and review.

Cr Ryan moved, Cr Meade seconded that Council adopt the Moyne Shire Advocacy Framework 2017.

Motion carried 7:0

9. Amendment C63 – 6 Bank Street, Port Fairy

Report Summary: Council resolved at its meeting on 20 December, 2016, to seek Ministerial Authorisation to prepare and publically exhibit Amendment C63 to the Moyne Planning Scheme. This Amendment is seeking to rezone the former Port Fairy Pre-School and Maternal Child Health Centre site at No. 6 Bank Street, Port Fairy from Public Use Zone 6 – Local Government to part Commercial 1 Zone and part Public Park and Recreation Zone. It is considered that the Commercial 1 Zone is the most appropriate zone for the site, as it is consistent with the zoning of the Town Centre and reflects surrounding land uses.

Cr Lockett moved, Cr Meade seconded that Council, having considered the submissions regarding Moyne Planning Scheme Amendment C63 pursuant to Section 22 of the *Planning and Environment Act 1987*, resolves to:

1. Adopt Amendment C63 pursuant to Section 29 of the Planning and Environment Act 1987.
2. Submit the adopted Amendment C63, together with the prescribed information, to the Minister for Planning requesting approval pursuant to Section 31 (1) of the Planning and Environment Act 1987.

7:10pm – Cr Ryan left the Chamber

Motion carried 6:0

7:13pm Cr Ryan returned to the Chamber

10. Port Fairy Carparking Strategy

Report Summary: The report recommends that Council adopt the final Port Fairy Car Parking Strategy recommendations, and for the land use planning actions to be incorporated within an upcoming planning scheme amendment for the Port Fairy Coastal and Structure Planning Project.

Cr Lockett moved, Cr Wolfe seconded that Council resolve to adopt the Port Fairy Car Parking Strategy – Final Report, including Recommendation 5 (Statutory Parking Rates) and Recommendation 6 (Payment in Lieu Scheme), subject to the following:

- a) Amend Action 1.1 to delete ‘quarter-hour’ and replace with ‘short-term’ parking.
- b) Include a new Action 1.3 to direct that Council will review and rationalise line marking of car parking spaces within the Port Fairy Commercial Centre, to provide for further formal on-street car parking spaces, where possible.
- c) Review Action 2.2 (Long Vehicle Parking) to investigate suitable locations for this to be provided, and include these outcomes within the Port Fairy Coastal and Structure Planning Project.
- d) Defer Recommendation 3 and Action 3.1 for a resident permit parking scheme, continue with Council’s current parking permit system under the *Local Government Act 1989*, and leave this as a matter to be reviewed at a later date.
- e) Incorporate Recommendation 4 and Action 4.1 for directional wayfinding signage as an action of the Port Fairy Coastal and Structure Planning Project.
- f) Complete a further review of the supplementary matters raised within submissions, and consider action and implementation where suitable.

Motion carried 7:0

11. Moyne's Economic Development Strategy Aims and Objectives

Report Summary: Council's current Warrnambool Moyne Economic Development and Investment Strategy had an end date of 2015 for actions and a 10 year vision. The proposed new Strategy will build on the success of the previous strategy, capture the ideals for economic development as stated in the Council Plan and provide direction for the next 10 years on how Council will support and attract business, encourage employment and provide for sustainable business, industrial and population growth.

Cr Meade moved, Cr Parker seconded

1. That Council endorse the matters listed in 'Discussion' (page 3 in bold), as a basis for the preparation of a new Moyne Economic Development Strategy.
2. That the matters referred to in Recommendation 1 form the focus of the new Economic Development Officer position.

Motion carried 7:0

12. Decentralisation of Government Departments

Report Summary: This paper presents two options for Council to respond to Senators Fiona Nash and Bridget McKenzie, regarding the interest Council has expressed in hosting a decentralised Government department or agency.

Cr Parker moved, Cr Meade seconded that

1. Council respond as an individual entity to Senators Nash and McKenzie with suggestions about the types of agencies or services that Moyne Shire would benefit from hosting.
2. This matter be raised at the next Great South Coast meeting to propose a regional response to Senators Nash and McKenzie

Motion carried 7:0

14. Mortlake RSL – Request for Variation of Community Assistance Fund 2016/17

Report Summary: The report responds to an application that has been received from the Mortlake RSL seeking Council's approval to vary the purpose of \$7,272.00 funding applied for and approved by Council from the 2016/17 Community Assistance Fund.

Cr Parker moved, Cr Smith seconded

1. That Council agree to a variation of the Mortlake RSL 2016/17 Community Assistance Fund allocation of \$7,272.00 to purchase new doors for the RSL Hall at a total project cost of \$2,168, with Council contribution of \$1,084.
2. That the remaining \$6,188 of the original \$7,272 Community Assistance Fund allocation be returned to Round Two of the 2017/2018 Community Assistance Fund.

Motion carried 7:0

15. Kirkstall Fire Brigade – Request for Variation of Community Assistance Fund 2013/14

Report Summary: The report responds to an application that has been received from the Kirkstall Fire Brigade seeking Council's approval for the Club to vary the purpose of \$5,000.00 funding applied for and approved by Council from the 2013/14 Community Assistance Fund.

Cr Smith moved, Cr Meade seconded

1. That Council agrees to a variation of the Kirkstall Fire Brigade 2013/2014 Community Assistance Fund allocation of \$5,000.00 to replace the brigade's quick fill pump at a total project cost of \$7,961.68, with Council contribution of \$3,980.84.
2. That the remaining \$1,019.16 of the original \$5,000 Community Assistance Fund allocation be returned to Round Two of the 2017/2018 Community Assistance Fund

Motion carried 7:0

16. Buildings and Contents Insurance Policy – Halls and Recreation Reserves

Report Summary: The report presents a revised policy regarding buildings and contents insurance for community recreation assets that include community halls and recreation reserves located within the Moyne Shire.

Cr Meade moved, Cr Smith seconded that Council adopt the Buildings and Contents Insurance Policy Gov-27, for Halls and Recreation Reserves.

Motion carried 7:0

17. Public Art Policy

Report Summary: The report discusses the need for a revised policy on art acquisition and management that is specific to public art.

Cr Lockett moved, Cr Meade seconded that Council endorse the Public Art Policy, PS-12.

Motion carried 6:1

For: Cr Lockett, Cr Meade, Cr Parker, Cr Ryan, Cr Smith, Cr Wolfe

Against: Cr Doukas

18. Former Koroit Railway Station – Proposed Toilets

Report Summary: The report presents a proposal for a budget variation in order to facilitate works to the toilets at the former Koroit Railway Station. The proposal is based on the need to have a public toilet in this area to provide a service for people using the rail trail, the nearby playground and the recently constructed skate park.

Cr Ryan moved, Cr Smith seconded that Council approve a budget variation of \$15,000 to fund the required works to the toilets at the former Koroit Railway Station.

Motion carried 7:0

19. Belfast Aquatics Funding Agreement

Report Summary: The report presents a funding agreement between Moyne Shire and the Port Fairy Swimming Pool Group trading as Belfast Aquatics, to be reviewed annually.

Cr Wolfe moved, Cr Parker seconded that Council:

1. Reconsider the pool pass matter regarding the Belfast Aquatic Centre arrangements to state that two free passes be made available for each site booking at Southcombe Park and Gardens Caravan Park, to be used Monday to Friday with the exception of Public Holidays, 6.30am – 8.30am or 11am – 1pm each Friday throughout January and Easter Saturday; and
2. Endorse and sign the 2017-2018 Belfast Aquatics Funding Agreement.

Motion carried 7:0

20. School Speed Zone Signage

Report Summary: School speed zones are reduced speed areas that operate on roads and streets near schools. They are intended to keep pedestrians, particularly children, safer by lowering the speed of vehicles in these areas. A review of the signage around the schools throughout Moyne Shire has now been undertaken which has identified some areas for improvement.

Cr Lockett moved, Cr Wolfe seconded that

1. Council extend the school zone signage in accordance with the VicRoads Guidelines at Port Fairy Consolidated School, Macarthur Primary School and St Colman's Primary School, Mortlake.
2. Council extend the zone at the Port Fairy Consolidated School on Campbell St and Cox St to the eastern side of William St

Motion carried 7:0

21(a) Mayoral Report

The report provides information to Council in regard to the Mayor's meeting schedule, 15 July 2017 to 11 August 2017:

2017	Location	Function
15 July	Warrnambool	Inner Wheel Presidents Changeover dinner
17 July	Warrnambool	Warrnambool Airport Reference Group Meeting
19 July	Port Fairy	Port Fairy Senior Citizens AGM
21 July	Port Fairy	Opening of new Primary Care building, Moyne Health Services
24 July	Tarrone	Tarrone Recreation Reserve Triennial General Meeting
25 July	Mortlake	Council meeting
26 July	Ararat	ABARES Ararat Regional Outlook conference
28 July	Warrnambool	Emmanuel College's Evening of Inspiration
1 August	Mortlake	Councillor workshop
1 August	Warrnambool	W2040 Community Briefing
2 August	Mortlake	Mortlake South Windfarm Community Engagement Committee meeting
2 August	Warrnambool	Launch of the 2017 Great South Coast Small Business Festival
8 August	Yambuk	Councillor Workshop
9 August	Hamilton	Wannon Consultative Committee
9 August	Warrnambool	Student Leaders Congress 2017
10 August	Melbourne	MAV Rural and Regional Forum
11 August	Melbourne	Driving Economic Growth with Justin Hanney

Report noted.

21 (b) Councillors' Report

The report provides information to Council in regard to the Councillors' meeting schedules, 15 July 2017 to 11 August 2017:

2017	Location	Function
18 July	Port Fairy	Southcombe Park Committee meeting
21 July	Port Fairy	Opening of new Primary Care building, Moyne Health Services
25 July	Mortlake	Council meeting
26 July	Warrnambool	South West Sports AGM
1 August	Mortlake	Councillor workshop
2 August	Mortlake	Mortlake South Windfarm Community Engagement Committee meeting
2 August	Port Fairy	Extraordinary Port of Port Fairy Board Meeting
2 August	Panmure	Panmure Action Group
3 August	Warrnambool	Breakfast Seminar hosted by Roma Britnell
8 August	Yambuk	Councillor Workshop

Report noted.

21 (c) Chief Executive Officers Report

This report provides information to Council in regard to the CEO's' meeting schedules, 15 July 2017 to 11 August 2017:

2017	Location	Function
21 July	Port Fairy	Opening of new Primary Care building, Moyne Health Services
21 July	Teleconference	Tower Hill Cross Government working group meeting
26 July	Port Fairy	Great South Coast Regional Partnership
27 July	Melbourne	Rural Drainage Interdepartmental Reference Group meeting
2 August	Warrnambool	Launch of the 2017 Great South Coast Small Business Festival
3 August	Warrnambool	Breakfast Seminar hosted by Roma Britnell
3 August	Warrnambool	Great South Coast Regional Partnership Meeting
7 August	Portland	Meeting with Glenelg Shire CEO
9 August	Hamilton	Wannon Consultative Committee
9 August	Tower Hill	Site tour of Tower Hill and Great Ocean Road (GOR) Tourist Board dinner with Peter Bingeman of Visit Victoria
10 August	Warrnambool	GOR Regional Tourism Marketing Masterclass

CEO upcoming meetings:

23 August	Telstra Jamie Hewett, Regional Sales Manager
23 August	Port Fairy Coastal Structure Plan - draft plan discussion
30 August	GSC Small Business Festival
31 August	GSC Board meeting
15 September	Great Ocean Road Hinterland Investment Pipeline working group

Report noted.

22. Councillor Notice of Motion – Cr Mick Wolfe Railway Goods Shed, Port Fairy

Cr Wolfe moved, Cr Lockett seconded that Council progress the petition received at July meeting regarding the Railway Goods Shed, Port Fairy, by forming a working group, including Crs Lockett and Wolfe to address costing to renovate the building, funding opportunities, occupancy and maintenance of the structure.

Motion carried 6:1

For: Cr Lockett, Cr Meade, Cr Parker, Cr Ryan, Cr Smith, Cr Wolfe

Against: Cr Doukas

24. Personal Explanations

None.

25. Urgent Business

None.

26. CEO Activities Report

Report noted.

8:21pm - Cr Wolfe left the Chamber

8:26pm Suspension of Standing Orders

Cr Parker moved, Cr Lockett seconded that Standing Orders be suspended in order that Council have a 5 minute break.

Motion carried 6:0

8:31pm – Cr Ryan left the Chamber

8:32pm – Cr Wolfe returned to the Chamber

8:32pm Closure of Open Meeting

Cr Parker moved, Cr Lockett seconded that standing orders be resumed and the meeting be closed to members of the public to discuss the items listed in the confidential agenda. The reason for the items being considered at meeting closed to the public – Local Government Act Section 89 2 (d) contractual matters and Section 89 2 (h) any other matter which the Council or special committee considers would prejudice the Council or any person.

Motion carried 6:0

8:34pm – Cr Ryan returned to the Chamber

27. Outstanding Rates – Unrecoverable Arrears

Confidentiality of Resolution now lifted. The report and attachments were classed as confidential as they pertained to - Local Government Act 1989, Section 89 2 (h) any other matter which the Council or special committee considered would prejudice the Council or any person.

Report Summary: The report provides a listing of Councils long-term outstanding rate arrears balances and proposed actions to recover or write-off these balances.

Cr Lockett moved, Cr Smith seconded that Council endorse the proposed actions regarding unrecoverable rate arrears as set out in Schedule One.

Motion carried 7:0

28. Sale of Vacant Land – Lot 12 Shadwell Drive, Mortlake and Lot 21 Shadwell Drive, Mortlake

Confidentiality of Resolution now lifted. The report and attachments were classed as confidential as they pertained to contractual matters - Local Government Act 1989, Section 89 (2) (d).

Report Summary: The report informs Council regarding the public Notices of Intention to sell vacant land being Lot 12 PS 543654 Shadwell Drive, Mortlake and Lot 21 PS543654 Shadwell Drive, Mortlake, and that no submissions were received, and makes a recommendation that Council resolve to proceed with its intention to sell the land.

Cr Smith moved, Cr Parker seconded that Council having in accordance with section 223 of the Local Government Act 1989 made Public Notice of Intention to sell the land being parcel descriptions Lot 12 PS 543654 Shadwell Drive, Mortlake and Lot 21 PS543654 Shadwell Drive, Mortlake and in the knowledge that no public submissions were received resolves to:

1. Proceed with the sale of each parcel of land by public tender ; and
2. Set the reserve price for the sale of each parcel at the valuation figure nominated in the attached Valuation Reports; and
3. Delegate authority to the Chief Executive Officer to accept each tender at or above the reserve price, and where required to negotiate with the preferred tenderer to reach the reserve price; and should the best offer not reach the reserve price, the offer be brought to Council for determination: and
4. Receive an information report following the sale process for each lot; and
5. Keep confidential the valuations until the sale process is complete.

Motion carried 7:0

29. Sale of Land known as Former Maternal and Child Care Centre, Lindsay Street, Yambuk

Confidentiality of Resolution now lifted. The report and attachments were classed as confidential as it pertains to contractual matters - Local Government Act 1989, Section 89 (2) (d).

Report Summary: The report informs Council regarding the Public Notice of Intention to sell the former Infant Welfare Centre Yambuk, and that no submissions were received, and makes a recommendation that Council resolve to proceed with its intention to sell the land.

Cr Wolfe moved, Cr Lockett seconded that Council having in accordance with section 223 of the Local Government Act 1989 made a Public Notice of Intention to Sell the land and improvements known as parcel description Certificate of Title Volume 11356 Folio 149 and more particularly described as Part Crown Allotment 5 Section 9, Lot 2 on Title Plan 883633S, Parish of Yambuk, Township of Yambuk, and in the knowledge that no public submissions were received resolves to:

1. Offer the land for sale by Public Tender;
2. Set the reserve price for the sale at the valuation figure nominated in the attached Valuation Report;
3. Delegate authority to the Chief Executive Officer to accept a tender at or above the reserve price, and where required negotiate with the preferred tenderer to reach the reserve price; and should the best offer not reach the reserve price, the offer be brought to Council for determination; and
4. Receive an information report following the sale process.

Motion carried 7:0

30. Contract MS809 - Mortlake Recreation Reserve Multi-Purpose Facility

Confidentiality of Resolution now lifted. Reason for item being considered at meeting closed to the public – Local Government Act 1989, Section 89 2 (d)

Report Summary: The report recommends acceptance from the Macneil Group Pty Ltd to undertake a redevelopment project at the Mortlake Recreation Reserve.

Cr Parker moved, Cr Meade seconded that the revised tender from the Macneil Group Pty Ltd be accepted for Contract MS809 Mortlake Recreation Reserve Multi-Purpose Facility for the sum of \$819,905.00 plus GST.

Motion carried 7:0

31. Domestic Animal Pound

Confidentiality of Resolution now lifted. Reason for item being considered at meeting closed to the public – Local Government Act 1989, Section 89 2 (d) – contractual matters

Report Summary: This report provides advice regarding significant increases to costs associated with operating the pound for dogs and cats that are likely to be incurred in the near future.

Cr Meade moved, Cr Ryan seconded that Council write to Warrnambool City Council advising the budget for 2017/18 has been adopted and Council is not currently in a position to contribute \$160,000 for use of the Pound. The matter will be reconsidered as part of budget preparations for 2018/19.

Motion carried 7:0

32. Contract MS 834 – Operating Lease for ‘The Wharf’, King George Square, Gipps Street, Port Fairy

Confidentiality of Resolution now lifted. The report and attachments were classed as confidential as they pertained to contractual matters - Local Government Act 1989, Section 89 2 (d)

Report Summary: For Council to consider the evaluation of options associated with Contract MS834, Operating Lease for ‘The Wharf’, King George Square, Port Fairy.

Cr Ryan moved, Cr Wolfe seconded that Council:

1. Does not accept any of the current conforming tenders received;
2. Review offered leasing terms to ensure alignment with market demand; and
3. Undertake a revised direct market engagement process utilising the skills of an experienced broker to secure tenancy.

Motion carried 7:0

9:12pm Resumption of Open Meeting

Cr Parker moved, Cr Ryan seconded that the open meeting be resumed.

Motion carried 7:0

Cr Parker moved, Cr Ryan seconded that confidentiality of resolutions 27, 28, 29, 30, 31, and 32 be lifted

Motion carried 7:0

Meeting closed at 9:13pm

Confirmed this 26th September 2017.

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Mayor