



# Unconfirmed Minutes

## Ordinary Council Meeting

Tuesday, 26 February 2019

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





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**Minutes of the Ordinary Meeting of Moyne Shire Council  
held 26<sup>th</sup> February 2019 at the Community Services Centre,  
Atkinsons Street, Port Fairy commencing 4.02 pm**

**Present**

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

**Officers in attendance** Mr B Millard, Chief Executive Officer  
Mr T Greenberger, Director Physical Services  
Mr K Leddin, Director Community & Corporate Support  
Ms L Cook, Executive Assistant

**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 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**

**Cr Lockett moved, Cr Smith seconded** that Apologies be received from Mr Oliver Moles Lockett / Smith.

**Motion carried 7:0**

## 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

No declarations made.

## Confirmation of Minutes

**Cr Ryan moved, Cr Parker seconded** that the Minutes of the Ordinary Council Meeting held on Tuesday, 22 January 2019 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 4pm.

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.

### Meeting Procedure Local Law – 61(11) and 61(12).

**Summary:** If the Chief Officer is unable to provide an answer to a question from a member of the public (during the public participation section of the meeting), the Chief Officer must provide and circulate to all Councillors a written answer to the member of the public at his or her nominated address as soon as is practicable. The response must be tabled at the next Ordinary Meeting and a summary of the text of the question and the response be included in the Minutes of the meeting.

### Public participation attendees – 26 February 2019 meeting

#### **Michael Murphy and Noel McConnell, Mortlake**

On behalf of 'Soldiers Run' Working Group, sub-committee of Mortlake RSL

**Issue / Question:** To inform the council of exciting progress related to the proposed Soldiers Settlement Memorial 'Settlers' Run' that has come to light since the workshop of February 5<sup>th</sup> 2019.

#### **Paul Sheehan, Port Fairy**

On behalf of Port Fairy Cricket Club

**Issue / Question:** Upkeep of Cricket ovals, re watering system.

## **Suspension of Standing Orders**

**Cr Ryan moved, Cr Parker seconded** that Standing Orders be suspended in order that item 10 be heard next.

**Motion carried 7:0**

## **10. Councillor Notice of Motion – Cr Parker, Settlers Run Project, Mortlake**

**Cr Parker moved, Cr Smith seconded** that Moyne Shire Council write a letter giving in-principle support for the Settlers Run project proposed for Mortlake.

**Motion carried 7:0**

## **Resumption of Standing Orders**

**Cr Parker moved, Cr Ryan seconded** that Standing Orders be resumed.

**Motion carried 7:0**

## 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 January 2019.

**Cr Ryan moved, Cr Lockett seconded** that Council receives and notes the records of the listed assemblies of Councillors covering the period 12 January 2019 to 15 February 2019

### 15 January 2019 – Councillor Workshop

Matters considered	<p>Communications Strategy Refresh</p> <p>Mortlake Kindergarten Transition</p> <p>GSC Food &amp; Fibre presentation - Tony Ford and Georgina Gubbins</p> <p>Banking Contract</p> <p>Hawkesdale Bus Parking - Austin Street</p> <p>Woolsthorpe CEC - Vacancy</p> <p>Woolsthorpe CEC - Charter</p> <p>Site Visit - Call in - PL18/007 Lake View Road, Koroit</p>
Councillors present	Cr Doukas, Cr Lockett, Cr Meade, Cr Parker, Cr Ryan, Cr Smith, Cr Wolfe
Staff present	Mr Millard, Mr Greenberger, Mr Leddin, Mr Moles, Ms Cook
Conflict of Interest	None declared

### 16 January 2019 - Mortlake South Wind Farm Community Engagement Committee

Matters considered	<p>Introduction of Acciona's construction team representatives</p> <p>Management plans and process for DELWP endorsement</p> <p>Traffic Management Plan (TMP) and Secondary TMP – process for endorsement</p> <p>Communication with the public regarding haulage routes</p> <p>Background noise monitoring</p> <p>Transmission line update</p> <p>Neighbour Benefits Program</p> <p>Offsite visual screening/landscaping</p>
Councillors present	Cr Jim Doukas (Chair), Cr Jill Parker, Cr Ian Smith
Staff present	Ms V Askew-Thornton
Conflict of Interest	None declared



### 1 February 2019 – Woolsthorpe Wind Farm Community Engagement Committee

Matters considered	Project timeline update. Transmission line proposed route. Request for Powercor to engage with the Committee. New project newsletter. Project open day in late February.
Councillors present	Cr Doukas, Cr Ryan (Chair), Cr Wolfe
Staff present	Ms V Askew-Thornton
Conflict of Interest	None declared

### 5 February 2019 - Councillor Workshop

Matters considered	CEO Performance Management Plan with Ruth McGowan Presentation - National Soldier Settlement Museum Project, Mortlake Policy Review PS-16 Construction and Sealing of Unsealed Roads Rural Access Program Long Term Financial Plan Capital Works Princes Highway West Action Alliance Update VEC Electoral Representation Review Submission Capital Works - Community Group presentations
Councillors present	Cr Doukas, Cr Lockett, Cr Meade, Cr Parker, Cr Ryan, Cr Smith, Cr Wolfe
Staff present	Mr Millard, Mr Greenberger, Mr Leddin, Mr Moles, Ms Cook
Conflict of Interest	None declared.

### 6 February 2019 – Dundonnell Wind Farm community Engagement Committee Meeting

Matters considered	Community Benefit Initiatives Tilt Renewables and local CFA liaison update External road upgrade progress and onsite quarry establishment Fire risk mitigation Proposed bore water usage for construction Permit amendment, January 2019 Brolga mitigation plan update
Councillors present	Cr Doukas, Cr Smith (Chair)
Staff present	Ms V Askew-Thornton
Conflict of Interest	None declared

## 12 February 2019 - Councillor Workshop

Matters considered	Bus Parking in Austin Street Hawkesdale Mortlake Industrial Land Supply Public Place Waste Collection Presentation - Woolsthorpe Wind Farm Presentation - Acciona Energy (Mortlake South Wind Farm) Presentation - Fulton Hogan, Current trials using recycled plastic and glass
Councillors present	Cr Doukas, Cr Lockett, Cr Meade, Cr Parker, Cr Ryan, Cr Smith, Cr Wolfe
Staff present	Mr Millard, Ms Johnston, Mr Leddin, Ms Grainger, Ms Askew-Thornton, Ms Cook
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 Lockett moved, Cr Parker seconded** that Council receive the January 2019 Financial Performance Report.

**Motion carried 7:0**

### 3. Electoral Representation Review – Council Submission

**Report Summary:** The Local Government Act 1989 requires the Victorian Electoral Commission (VEC) to conduct an electoral representation review of each local council in Victoria before every third general election (i.e. every 12 years). The VEC is conducting a 2019 electoral representation review for Moyne Shire.

**Cr Ryan moved, Cr Meade seconded** that Council endorse the attached submission in response to the Victorian Electoral Commission’s 2019 Electoral Representation Review.

**Motion carried 7:0**

### 4. Petition – Rezoning of Coastal Crown Land

**Report Summary:** The report relates to the Petition received by Council on 25 January 2019, signed by seventeen Moyne Shire ratepayers. Council’s Local Law (Meeting Procedures) requires the Petition to be received by Council.

**Cr Ryan moved, Cr Lockett seconded** that Council in accordance with Council’s Local Law (Meeting Procedures) receive the Petition regarding the Rezoning of Coastal Crown Land.

**Motion carried 7:0**

### 5. Mortlake Industrial Land Supply

**Report Summary:** Council has been successful in receiving funding through the Victorian Planning Authority “Streamlining for Growth” funding to prepare an assessment of industrial land in Mortlake. The project will concentrate on land proximate to the existing industrial estate in Connewarren Lane and also review the need to retain the industrial zoning to the south of Mortlake managed by Victrack. This land is adjacent to residential areas, is low lying and subject to inundation and forms a natural urban boundary to Mortlake.

**Cr Parker moved, Cr Smith seconded** that Council endorse the preparation of the Mortlake Industrial Land Supply Project.

**Motion carried 7:0**

## 6. Petition - Albert Road, Port Fairy

**Report Summary:** The report related to the Petition received by Council on 10 January 2019 which is signed by 46 citizens requesting Council to consider improvements to Albert Road in Port Fairy. Council's Local Law (Meeting Procedures), requires the petition to be received by Council.

**Cr Doukas moved, Cr Meade seconded** that Council receive the Petition in relation to improvements to Albert Road, Port Fairy and request a further report regarding options for improvements to Albert Road, Port Fairy at a future meeting.

**Motion carried 7:0**

## 7. Policy Review – PS-16 Construction and Sealing of Unsealed Roads

**Report Summary:** The report outlined a revised policy for the construction and sealing of unsealed roads. A proposed new policy was presented to the Council meeting in November 2018. Councillors requested a revised policy with an option for a Council contribution in line with Community benefit. The revised policy is similar to the construction of the footpath policy which provides Council some flexibility in contributing to the construction and sealing of an unsealed road by way of a special purpose charge scheme.

**Cr Lockett moved, Cr Wolfe seconded** that Council adopt the revised policy for the Construction and Sealing of Unsealed Roads PS-16.

**Motion carried 6:1**

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

**Against:** Cr Doukas

## 8. Rural Access Program

**Report Summary:** The Rural Access Program supports rural and regional communities to plan and develop strategies, which will increase participation opportunities for people with disability.

The State Government, through the Department of Health and Human Services has funded the program since 2000. Locally the program has been auspiced by Warrnambool City Council and also covers Corangamite and Moyne Shires.

Funding for the Rural Access Program will cease on 30 June 2019 (extended to 31 December 2019) and a number of community access and inclusion initiatives will cease. Internally Council will have a reduced capacity to respond to access and inclusion issues.

**Cr Parker moved, Cr Ryan seconded** that Council

1. Note the cessation of funding of the Rural Access Program and endorse exploring the potential to fund a shared Access service for consideration in the 2019-2020 Council operations budget.
2. Advocate to the State Government both directly and through Municipal Association of Victoria (MAV) and Rural Councils Victoria (RCV) to continue the Rural Access program beyond 31 December 2019.

**Motion carried 7:0**

## 9(a) Mayor's Report

The report provides information to Council in regard to the Mayor's meeting schedule, 12 January 2019 to 15 February 2019:

2019	Location	Function
12 January	Purnim	Opening of Pavilion Verandah (Recreation Reserve)
15 January	Port Fairy	Councillor Workshop
16 January	Port Fairy	Press conference with Wotif CEO Daniel Finch
22 January	Mortlake	Council meeting
25 January	Port Fairy	Australia Day Ambassador Dinner
26 January	Hawkesdale	Australia Day celebrations and Award presentations
31 January	Port Fairy	Meeting with Mt Fyans Anti-Wind Farm Group
1 February	Woolsthorpe	Woolsthorpe Wind Farm CEC Meeting
1 February	Warrnambool	Meeting with Andy Meddick (Member for Western Victoria)
2 February	Warrnambool	Warrnambool Legacy Handover Dinner
3 February	Warrnambool	Warrnambool Legacy Breakfast
5 February	Mortlake	Councillor Workshop and Capital Works presentations, (Community Groups)
6 February	Port Fairy	Official opening of Commonwealth Sheepdog Trials
12-13 February	Canberra	Federal Government Advocacy (Great South Coast)
15 February	Portland	Great South Coast Board Meeting
15 February	Portland	MAV Strategic Planning meeting

**Report noted.**

## 9(b) Councillors' Report

The report provides information to Council in regard to the Councillors' meeting schedules, 12 January 2019 to 15 February 2019:

2019	Location	Function
12 January	Purnim	Opening of Pavilion Verandah (Recreation Reserve)
15 January	Port Fairy	Councillor Workshop
16 January	Mortlake	Mortlake South Wind Farm Community Engagement Committee (CEC) meeting
22 January	Mortlake	Council meeting
23 January	Mortlake	Economic Development Strategy – Project Control Group meeting
25 January	Port Fairy	Australia Day Ambassador Dinner
26 January	Hawkesdale	Australia Day celebrations and Award presentations
29 January	Mortlake	Mortlake Recreation Reserve Committee of Management meeting
30 January	Port Fairy	Port Fairy Streetscape Committee meeting
1 February	Warrnambool	Meeting with Andy Meddick (Member for Western Victoria)
1 February	Woolsthorpe	Woolsthorpe Wind Farm CEC Meeting
5 February	Mortlake	Councillor Workshop and Capital Works presentations, (Community Groups)
6 February	Woorndoo	Dundonnell Wind Farm CEC meeting
7 February	Mailors Flat	Mailors Flat Hall AGM
7 February	Melbourne	Timber Towns Victoria Meeting
9 February	Port Fairy	Official opening of Port Fairy Jazz Festival
11 February	Mortlake	Mortlake Community Development Committee meeting
12 February	Port Fairy	Councillor Workshop
13 February	Allansford	Sungold Field Days judging
13 February	Warrnambool	Youth Achievers Awards presentation night
15 February	Portland	MAV Strategic Planning meeting

**Report noted.**

## 9(c) Chief Executive Officer's (CEO) Report

The report provides information to Council in regard to the CEO's' meeting schedules, 12 January 2019 to 15 February 2019:

2019	Location	Function
12 January	Purnim	Opening of Pavilion Verandah (Recreation Reserve)
14 January	Port Fairy	Meeting with Brett Davis, Victorian Planning Authority
15 January	Port Fairy	Quarterly meeting with Ross Martin, Dept Environment, Land Water and Planning
15 January	Port Fairy	Meeting with Daniel Finch, CEO <i>Wotif</i>
23 January	Port Fairy	Meeting with Nathan Bibby
23 January	Port Fairy	Meeting with Cr Kylie Gaston & Jackie Bowe (Great South Coast Integrated Water)
25 January	Port Fairy	Meeting with David Downie, South West Economic Futures Project
30 January	Port Fairy	Meeting with Moyne Health Services CEO Jackie Kelly
1 February	Warrnambool	Great South Coast CEOs meeting
1 February	Warrnambool	Meeting with Andy Meddick (Member for Western Victoria)
4 February	Camperdown	Barwon South West Renewable Energy Roadmap Senior Leadership Group Inception Meeting
6 February	Port Fairy	Meeting with Julia Ogdin, CEO Terang & Mortlake Health Service
7 February	Warrnambool	Regional Leaders Meeting
7 February	Warrnambool	Great South Coast Integrated Water Management Forum
7 February	Warrnambool	'The Ideas Place' launch
12-13 February	Canberra	Federal Government Advocacy (Great South Coast)
15 February	Portland	Great South Coast Board Meeting
15 February	Portland	MAV Strategic Planning meeting

**Report noted.**

Item 10 was considered earlier in the meeting.



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## 11. General Matters

Mr Leddin SunGold Field Days. A successful event, and it is important that Moyne Shire has a presence and we are looking to support future 'Field Days'.

**5.23pm Cr Meade left the Chamber**

**5.24pm Cr Meade returned to the Chamber**

Mr Leddin Well done to the Kindergarten team for being 'Highly Commended' in the Diversity and Inclusion section of the LGPro Awards for Excellence. They were recognised for their support of a kindergarten student who suffers from a range of allergies to various foods, wasps, ants and even leather and wool.

Cr Lockett A great shout-out and congratulations to the Port Fairy Jazz Festival Committee and the volunteers – a fantastic event. The Port Fairy Folk Festival is coming up very soon – an exciting weekend in the Port Fairy calendar.

Cr Wolfe Highlighted three Weekly Times (Australia wide) awards finalists from Moyne – a real good news story.

Cr Doukas The *Lets Talk Foundation* held a charity cricket game at the weekend. A great and very important event. The Foundation would like Mortlake to be the first town in Moyne to be a *Lets Talk Town* and will be canvassing for support in the town in the near future. A good news story for the people of Mortlake and of Moyne Shire.

Cr Smith Conveyed a message of thanks from the officers of the Dundonnell Brigade – During recent burn-offs, Council officers responded very quickly to repair and grade fire breaks in a hard volcanic area. It was a much appreciated effort at such short notice.

## 12(a) Urgent Business – Cr Lockett, Oil Drilling in the Great Australian Bight

**Cr Lockett moved, Cr Parker seconded** that the following item relating to oil drilling in the Great Australian Bight be considered as Urgent Business at this meeting. The reason for urgency being: ‘Equinor’ have given 30 days for community feedback regarding their proposal for deep sea drilling in the Great Australian Bight starting from the release for the environmental plan on the 19<sup>th</sup> February. NOPSEMA is receiving public submissions until the 20<sup>th</sup> March 2019.

**Motion carried 7:0**

### Urgent Motion:

**Cr Lockett moved, Cr Parker seconded** that the Moyne Shire Council:

1. Determines that it opposes Equinor’s plans to drill for oil in the Great Australian Bight.
2. Communicates its opposition to Equinor, the National Offshore Petroleum Safety and Environmental Management Authority, relevant State and Federal ministers, local State and Federal members of Parliament, and councils along the Victorian coast.
3. Use the period of public submission to voice strong community opposition to this project with Equinor.

**Motion carried 4:3**

**For:** Cr Lockett, Cr Parker, Cr Ryan, Cr Wolfe

**Against:** Cr Doukas, Cr Meade, Cr Smith

## **12(b) Urgent Business – Cr Meade, Droving Permit Application (Allan).**

**Cr Meade moved, Cr Smith seconded** that the following item relating to a Droving Permit Application for Mr Allan be considered as Urgent Business at this meeting. The reason for urgency: being an immediate reduction of fire fuel in the northern parts of the Shire; the Drover's availability (currently employed and waiting for a decision); the farmer from Broken Hill seeking help to sustain the family's cattle herd.

**Motion carried 7:0**

### **Urgent Motion:**

**Cr Meade moved, Cr Ryan seconded** that council grant a droving permit to the Applicant Mr Allan. In granting this permit, Council, in this instance, allows the droving of bulls with the herd, in the name of drought aid and fire fuel reduction.

**Motion carried 5:2**

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

**Against:** Cr Parker, Cr Wolfe

## 12(c) Urgent Business – Cr Lockett, Current Recycling Crisis

*Cr Parker as Chair of the Barwon South West Waste and Recovery Group and declared an interest in this item.*

**Cr Lockett moved, Cr Parker seconded** that the following item relating to the current recycling crisis be considered as Urgent Business at this meeting. The reason for urgency being that from this week, Moyne Shire Council's recycling collection was sent to landfill.

**Motion carried 5:2**

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

**Against:** Cr Doukas, Cr Smith

### Urgent Motion:

**Cr Lockett moved, Cr Meade seconded**

1. That Council write to the Minister for Energy, Environment and Climate Change urging the State Government to strongly intervene in the current recycling crisis, specifically:
  - (a) Assess short term options to minimise recycling to landfill
  - (b) Release sufficient funds from the Sustainability Fund to support these alternatives
  - (c) Establish a method of intervening in the market place to ensure a robust recycling/processing system that meets Victorian needs in the future
2. That officers prepare a motion to Australian Local Government Association and relevant Federal Members of Parliament in accordance with the above.
3. That CEO and relevant officers investigate the investment and/or purchase of a container deposit scheme and possible roll out in the Moyne Shire
4. That CEO and relevant officers investigate the roll-out of a fourth collection bin, to collect glass only
5. That Moyne Shire Council advocates to the major supermarkets (Aldi, Coles, Woolworths, IGA) to cease the unnecessary plastic wrapping of fruit and vegetables
6. That Moyne Shire Council advocate to State Government to ban plastic bags in Victoria.

**Motion carried 5:2**

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

**Against:** Cr Doukas, Cr Smith

### 13. CEO Activities Report

Report noted.

Meeting closed at 6.38pm

Confirmed this 26<sup>th</sup> March 2019.

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Mayor