

# Ordinary Council Meeting

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## Minutes

Held on Wednesday 26 April 2023

Council Chambers, Mortlake Council Offices

1 Jamieson Avenue, Mortlake Vic



Confirmed Minutes of the Ordinary Meeting  
of Moyne Shire Council held on Wednesday 26 April 2023, at Council  
Chambers,  
Mortlake Council Offices, 1 Jamieson Avenue, Mortlake Vic  
commencing at 2:00 pm.

## Present

**Councillors** Karen Foster (Mayor), Jim Doukas, Damian Gleeson, Jordan Lockett,  
Daniel Meade (Deputy Mayor), James Purcell, Ian Smith

<b>Officers</b>	Brett Davis	Chief Executive Officer
	Edith Farrell	Director Infrastructure and Environment
	David Rae	Director Community & Corporate Services
	Jodie McNamara	Director Economy and Place

## 1 Procedural

### 1.1 Acknowledgement of Country

The Mayor read the following statement:

We begin by acknowledging the Traditional Custodians of the land on which we meet today and pay our respects to their Elders past and present. We extend that respect to Aboriginal and Torres Strait Islander peoples here today.

### 1.2 Prayer

The Deputy Mayor read the 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.

### 1.3 Live streaming of Council Meetings

The Mayor read the following statement:

Please note that today's meeting is being live streamed and can be viewed by the general public via Council's Facebook page, and later uploaded to Council's website. 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.

## 1.4 Apologies

None at this meeting.

## 1.5 Declarations of Conflict Interest

No declarations made at this meeting

## 1.6 Confirmation of Minutes from previous meeting

**Resolution ID: OCM 2023-41**

**Cr Daniel Meade moved, Cr Ian Smith seconded  
That the Minutes of the Council Meeting held on Tuesday 28 March be accepted and confirmed as correct after noted correction made to the timing of return to the meeting by Mayor and Cr Gleeson.**

**CARRIED UNANIMOUSLY 7 / 0**

## 1.7 Public Participation

- |                          |                                                                                                  |
|--------------------------|--------------------------------------------------------------------------------------------------|
| 1. ANNE MCILROY<br>and   | Report 2.3 – Port Fairy Community Pool and Fitness Centre<br>Business Model Investigation Report |
| 2. CHRISTOPHER<br>MARTIN |                                                                                                  |

**Resolution ID: OCM 2023-42**

**Cr James Purcell moved, Cr Jordan Lockett seconded that Standing Orders be suspended in order that Public Participants be heard.**

**CARRIED UNANIMOUSLY 7 / 0**

**Cr Jordan Lockett moved, Cr Daniel Meade seconded that Standing Orders be resumed and item 2.3 be brought forward to be heard first.**

**CARRIED UNANIMOUSLY 7 / 0**

## 2 Officers Reports

### 2.3 Port Fairy Community Pool and Fitness Centre Business Model Investigation Report

The report presents the recommendations of an investigation into suitable operating models for the future provision of a heated swimming pool at the Port Fairy Community Pool and Fitness Centre.

**Resolution ID: OCM 2023-45**

**Cr James Purcell moved, Cr Jim Doukas seconded**

**That Council:**

- 1. Receive the Port Fairy Community Pool and Fitness Centre Business Model Investigation Report.**
- 2. Authorise the Chief Executive Officer to investigate the feasibility of the current or an alternate community-based organisation governed by a skills-based board to own and operate the Port Fairy Community Pool and Fitness Centre;**
- 3. No later than 30 September 2023:**
  - a. Require the Chief Executive Officer to report to Council on the outcomes of the matters completed under Part 2;**
  - b. Consider its position on the future of the Port Fairy Community Pool and Fitness Centre having regard to the report prepared under Part 3(a) above;**
- 4. Continues to contribute an amount not exceeding \$10,000 (ex GST) per month to Port Fairy Community Pool Management Group Incorporated (Belfast Aquatics) for the purposes of meeting their insurance premium obligations until Council makes a determination under Part 3(b) above; and**
- 5. Approve and authorise expenditure of up to \$25,000 by the Chief Executive Officer for the purpose of undertaking the matters prescribed in Part 2 and 3(a) above.**

**LOST 3 / 4**

For	Against
	Cr Karen Foster
Cr Jim Doukas	Cr Damian Gleeson
Cr Jordan Lockett	Cr Daniel Meade
Cr James Purcell	Cr Ian Smith

**Cr Meade foreshadowed the original motion.**

**Resolution ID: OCM 2023-46**

**Cr Daniel Meade moved, Cr James Purcell seconded**

**That Council:**

- 1. Receive the Port Fairy Community Pool and Fitness Centre Business Model Investigation Report as attached to this report in confidence noting its recommendations.**
- 2. Authorise the Chief Executive Officer to investigate the feasibility of an alternate community-based organisation governed by a skills-based board to own and operate the Port Fairy Community Pool and Fitness Centre;**
- 3. No later than 30 September 2023:**
  - a. Require the Chief Executive Officer to report to Council on the outcomes of the matters completed under Part 2;**
  - b. Consider its position on the future of the Port Fairy Community Pool and Fitness Centre having regard to the report prepared under Part 3(a) above;**
- 4. Continues to contribute an amount not exceeding \$10,000 (ex GST) per month to Port Fairy Community Pool Management Group Incorporated (Belfast Aquatics) for the purposes of meeting their insurance premium obligations until Council makes a determination under Part 3(b) above; and**
- 5. Approve and authorise expenditure of up to \$25,000 by the Chief Executive Officer for the purpose of undertaking the matters prescribed in Part 2 and 3(a) above.**

**CARRIED UNANIMOUSLY 7 / 0**

## **2.1 Monthly Financial Performance Report – March 2023**

Overview: The purpose of the 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 actuals.

**Resolution ID: OCM 2023-43**

**Cr James Purcell moved, Cr Daniel Meade seconded**

- 1. That Council receive the Monthly Financial Performance Report March 2023.**
- 2. That Council approves the variations as listed under Section 7 Budget Variations for the current month.**

**CARRIED UNANIMOUSLY 7 / 0**

## 2.2 Audit & Risk Committee - Unconfirmed Minutes 15 March 2023

Overview: Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 15 March 2023

**Resolution ID: OCM 2023-44**

**Cr Daniel Meade moved, Cr Damian Gleeson seconded**

**That Council receive the unconfirmed Minutes of the Audit & Risk Committee Meeting held on 15 March 2023**

*Item 2.3 was considered earlier in the meeting*

## 2.4 Wind Farm Community Investment Program

Overview: A minimum standard for wind farm company investment in community benefit programs is outlined. A minimum standard will enable Council to more strongly advocate for long term economic and social benefits from wind farm development in the Shire, as recommended in Council's revised wind farm position.

**Resolution ID: OCM 2023-47**

**Cr Jordan Lockett moved, Cr Damian Gleeson seconded**  
**Officer Recommendation**

**That Council adopt the minimum standard for wind farm company community investment and advocate for its implementation by all operating and planned wind farms in the Shire.**

**LOST 3 / 4**

For	Against
Cr Damian Gleeson	Cr Jim Doukas
Cr Jordan Lockett	Cr Karen Foster
Cr Ian Smith	Cr Daniel Meade
	Cr James Purcell

**Cr Meade foreshadowed a motion.**

**Resolution ID: OCM 2023-48**

**Cr Daniel Meade moved, Cr James Purcell seconded**

**That Council defer this item for 2 months during which time we take it to the CECs and revise.**

**CARRIED 5 / 2**

For	Against
Cr Jim Doukas	
Cr Karen Foster	
Cr Damian Gleeson	Cr Jordan Lockett
Cr Daniel Meade	Cr Ian Smith
Cr James Purcell	

## **2.5 Public EV Charging Station**

Overview:

This report is seeking Council approval for the use of public land for the installation of the 50 kW Electric Vehicle Fast Charger in Port Fairy which is Victorian Government funded and would be commercially operated by Evie Networks through a third-party agreement.

**Resolution ID: OCM 2023-49**

**Cr Jim Doukas moved, Cr Jordan Lockett seconded**

**That Council;**

- 1. Approve in principle the request by Evie Networks to install a 50 kW Electric Vehicle Fast Charger on public land, per Option B Bank Street East near Fisherman's Walk Port Fairy.**
- 2. That officers prepare a Commercial Agreement for use of public land that outlines the responsibilities of Evie Networks for associated costs for the design, installation, inspection, ongoing maintenance, and removal of the EV Charger to Councils satisfaction.**
- 3. That the Commercial Agreement is approved under the delegation of the CEO.**
- 4. That Council jointly conducts a consultation process on the preferred site.**

**CARRIED UNANIMOUSLY 7 / 0**

### 3 Councillors' Items

#### 3.1 Mayor and Councillor Activities

Overview: The report provides information to Council in regard to the Councillors' attendance at briefings, forum and other meetings, between 18 March 2023 and 14 April 2023.

Council noted the report item Mayor Activities.

Council noted the report item Councillor Activities.

#### 3.2 Councillor Notice of Motion

Overview: A Councillor may lodge a notice of motion on any matter the Councillor wants to be considered.

**No Councillor Notice of Motion has been received for this meeting Agenda.**

#### 3.3 General Matters

Overview: General Matters gives Councillors the opportunity to report on positive and good news items from around the Shire.

Cr Gleeson

On the back of yesterday, I know we all attended ANZAC Day commemorations, to the little communities and everybody that participated they just do a marvelous job and I was lucky enough to be at Hawkesdale and Macarthur, 100 people, 200 people in the afternoon and the contribution they make to the day, it's just so important. I thoroughly enjoyed the ones I attended and I congratulate all who were involved.

Cr Lockett

Just to plug the Koroit Irish Festival which is on this weekend. Big shout out its a phenomenal event if you have never been, go - you will not be disappointed, it's unreal.

#### 3.4 Urgent Business

Overview: A Councillor may raise an urgent matter for consideration at a Council Meeting if the Councillors considers that the matter is extremely urgent and it was not possible for the matter to have been included in the agenda notice for the meeting.



**No urgent business recorded for this meeting.**

#### 4 CEO Meeting Schedule

Overview: This report provides information to Council in regard to the CEO's meeting schedules between 21 March and 20 April 2023.

Council noted the report item CEO Meeting Schedule 21 March to 20 April 2023.

#### 5 CEO Activities Report

Council noted the report item CEO Activities Report - April 2023.

#### 6 Confidential Items

Overview: Under section 3 of the Act, the council may consider report items in closed business if they contain certain information which is defined to be confidential information because premature or improper release may cause harm to the Council or to a person or persons.

Confidential Information remains confidential unless it can lawfully be released and the Council has determined that it should be publicly available.

The following is a list of confidential Items.

##### 1.1 Environmental Services MS932

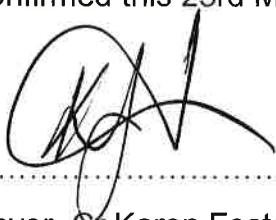
**Cr Damian Gleeson moved, Cr Ian Smith seconded that the meeting be closed in order to consider confidential items.**

**CARRIED UNANIMOUSLY 7 / 0**

#### 7 Close Meeting

The Council Meeting Wednesday 26 April 2023 was declared closed at 4:05 pm

Confirmed this 23rd May 2023



Mayor, Cr Karen Foster

