



Ordinary Council Meeting

Minutes

Held on Tuesday 26 September 2023

Council Chambers, Mortlake Council Offices
1 Jamieson Avenue, Mortlake Vic

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

Present

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

Officers Brett Davis, Chief Executive Officer
Edith Farrell, Director Assets & Community
Ed Small, Director Corporate & Governance Services
Jodie McNamara, Director Environment, Economy & 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

Apologies were received from Cr Jordan Lockett

Cr Daniel Meade moved, Cr Damian Gleeson seconded that apologies from Cr Jordan Lockett be accepted.

CARRIED UNANIMOUSLY 6 / 0

1.5 Declarations of Conflict Interest

Declarations made at this meeting:

Edith Farrell, Director Assets and Community declared a perceived Conflict of Interest in Item 2.9 - Port Fairy Community Pool and Fitness Centre Update

Cr Jim Doukas declared a perceived Conflict of Interest in Item 2.7 – Planning Scheme Amendment C75 - Rivers Run

Brett Davis, CEO declared a Conflict of Interest in Item 2.4 - Hawkesdale Wind Farm CEC Recommendation to Council

1.6 Confirmation of Minutes from previous meeting

Resolution ID: OCM 2023-101

**Cr Daniel Meade moved, Cr Ian Smith seconded
That the Minutes of the Council Meeting held on Tuesday 29 August 2023 be accepted and confirmed as correct.**

CARRIED UNANIMOUSLY 6 / 0

1.7 Public Participation

None at this meeting

2 Officers Reports

2.1 Monthly Financial Performance Report – August 2023 *Recording timestamp: 2.05*

Overview: The purpose of the report is to inform the Council of the financial performance and position of the Council. This section provides a snapshot of some key financial indicators of our financial performance as at the end of the reporting period. It focuses on monitoring our operating performance, capital expenditure progress and the ready availability of/access to cash resources.

Resolution ID: OCM 2023-102

**Cr Damian Gleeson moved, Cr Daniel Meade seconded
That Council receive the Monthly Financial Performance Report August 2023.**

CARRIED UNANIMOUSLY 6 / 0

2.2 Annual Financial Report and Performance Statement 2022-2023

Recording timestamp: 5.25

Overview: The Annual Financial Report and Performance Statement for the year ended 30 June 2023 have been prepared and audited. Both reports have been presented to Council's Audit & Risk Management Committee who have recommended Council give in principle approval to the Financial Statements and Performance Statement for the year ended 30 June 2023. It is now appropriate for Council to consider, and approve in principle, the Financial Report and Performance Statement for the 2022-23 financial year.

Resolution ID: OCM 2023-103

Cr Daniel Meade moved, Cr James Purcell seconded

- 1. That Council approve, in principle, the Annual Financial Report and Performance Statement for the year ending 30 June 2023.**
- 2. That Councillor Karen Foster and Councillor Damian Gleeson be authorised to certify the Annual Financial Report and Performance Statement for the year**

ending 30 June 2023 in their final form after any changes recommended or agreed to by the auditors have been made.

CARRIED UNANIMOUSLY 6 / 0

2.3 Provisional Financial Result 2022-2023 and Carry Forward Projects

Recording timestamp: 12.44

Overview: This report informs Council of the variations from the 2022-23 budget allocations which are now proposed to be “carried forward” to the 2023-24 financial year.

Resolution ID: OCM 2023-104

Cr Damian Gleeson moved, Cr Daniel Meade seconded

1. That Councillors approve the variations from the 2022/23 budget which are intended to be carried forward into the Council operations in 2023/24 and to be recognised as budget updates for that year.
2. That Councillors note that the Officers also propose that a mini-budget be presented to the November 2023 Ordinary Council meeting.

CARRIED UNANIMOUSLY 6 / 0

2.4 Hawkesdale Wind Farm CEC Recommendation to Council

Recording timestamp: 18.44

Overview: This report presents to Council a recommendation made by the Hawkesdale Wind Farm CEC regarding bat and avifauna surveys for the Hawkesdale Wind Farm.

CEO Brett Davis declared a Conflict of Interest in Item 2.4 Hawkesdale Wind Farm CEC Recommendation to Council and left the room at 2:21pm

Resolution ID: OCM 2023-105

Cr Damian Gleeson moved, Cr Daniel Meade seconded

That Council: -

1. On behalf of the Hawkesdale Wind Farm Community Engagement Committee Council write to the Minister for Planning requesting a new bat and avifauna surveys for the Hawkesdale Wind Farm prior to commencement of operation.

CARRIED 5 / 1

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

CEO Brett Davis returned to the room at 2:45pm

2.5 Wind Farm CECs - Community Representative Nominations

Recording timestamp: 42.37

Overview: This report presents one nomination received for one community representative vacancy on the Mortlake South Wind Farm Community Engagement Committee.

Resolution ID: OCM 2023-106

Cr Ian Smith moved, Cr Daniel Meade seconded

That Council:-

1. **considers and approves the nomination received for the Mortlake South Wind Farm CEC community representative position; and**
2. **acknowledges that no submissions were received for three available community representative positions on the Ryan Corner Wind Farm CEC and the Dundonnell Wind Farm CEC; and**
3. **leaves the nomination process open for the vacancies on the Ryan Corner Wind Farm CEC and the Dundonnell Wind Farm CEC so that applications can continue to be lodged and assessed.**

CARRIED UNANIMOUSLY 6 / 0

2.6 Dissolve Salt Creek Wind Farm CEC

Recording timestamp: 46.59

This report recommends that Council dissolve the Salt Creek Wind Farm Community Engagement Committee.

Resolution ID: OCM 2023-107

Cr Damian Gleeson moved, Cr Ian Smith seconded

That Council determine to dissolve the Salt Creek Wind Farm Community Engagement Committee, in accordance with the Moyne Shire Council CEC Charter.

CARRIED UNANIMOUSLY 6 / 0

2.7 Planning Scheme Amendment C75 - Rivers Run *Recording timestamp: 49.45*

Overview: This report considers the amended (Day 1) documents for Planning Scheme Amendment C75moyn - *Rivers Run Estate* prior to the planning panel hearing.

Cr Jim Doukas declared a Conflict of Interest due to a perceived Conflict of Interest in Item 2.7 – Planning Scheme Amendment C75 - Rivers Run and left the room at 2:52 pm.

Resolution ID: OCM 2023-108

Cr Daniel Meade moved, Cr James Purcell seconded

That Council:

- 1. Considers the Day 1 documents provided by Rivers Run Estate on 28 August 2023 for Planning Scheme Amendment C75moyn.**
- 2. Authorises the Director of Economy and Place to prepare and make a submission to the Planning Panel on behalf of Council expressing conditional support subject to the matters raised in this report being heard at Panel.**

CARRIED UNANIMOUSLY 5 / 0

Cr Jim Doukas returned to the room at 2:59 pm.

2.8 Port Fairy Skate and Play - Site Rationale Report *Recording timestamp: 56.59*

Overview: Overview: The Port Fairy Play and Skate development project is progressing towards concept design stage following a program of community and stakeholder consultation held in July / August 2023 . The Port Fairy Skate and Play Site Rationale Report 2023 presents on the key consultation findings and considerations and provides a recommendation for the proposed siting and location of the skate and play facilities.

Resolution ID: OCM 2023-109

Cr James Purcell moved, Cr Damian Gleeson seconded

That Council;

- 1. Adopts the September 2023 Port Fairy Skate and Play Site Rationale Report that includes the proposed location of Russell Clark Reserve, incorporating a co-location of the skate and play space.**
- 2. Approves the project to proceed to concept design completion, whilst undertaking final environmental and cultural heritage assessments.**

3. Approves future concept design consultation be undertaken through a community-based advisory group.

CARRIED UNANIMOUSLY 6 / 0

2.9 Port Fairy Community Pool and Fitness Centre Update

Recording timestamp: 1.05:45

Overview: This report provides an update regarding the ongoing operations at the Port Fairy Community Pool and Fitness Centre and seeks direction on the continuation of Council funding Public Liability insurance payments on behalf of the Port Fairy Community Pool Management Group Inc.

Edith Farrell declared a perceived Conflict of Interest in Item 2.9 - Port Fairy Community Pool and Fitness Centre Update and left the room at 3:08pm

Resolution ID: OCM 2023-110

Cr Damian Gleeson moved, Cr James Purcell seconded

That Council:

1. **Defer the investigation of an appropriate management model, one of which, considers a community-based organisation governed by a skills-based board to own and operate the Port Fairy Community Pool and Fitness Centre, pending the outcome of the current litigation.**
2. **Continue the monthly payment of the public liability insurance commitment (circa \$10,000) until the end of current policy term.**

CARRIED UNANIMOUSLY 6 / 0

Edith Farrell returned to the room at 3:26pm

3 Councillors' Items

3.1 Mayor and Councillor Activities

Recording timestamp: 1.21:21

Overview: The report provides information to Council in regard to the Councillors' attendance at briefings, forum and other meetings, between 19 August and 15 September 2023.

Mayor Activities

Council noted the report item Mayor Activities.

Councillor Activities

Council noted the report item Mayor 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 was received for this meeting.

3.3 General Matters

Recording timestamp: 1.21:43

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

Cr Gleeson gave a shout out to last Friday night's - *Farmers Night Out Event* at Noorat. This was an initiative of Jane Hinds, Mitchell Spencer and Michaela Meade - participants in the Leadership Great South Coast 2023 Community Leadership Program. I congratulate the three of them for a great night out with over 100 guests.

Cr Purcell, it was the *Moyne Cup Bowls Event* on Sunday - it was great to get bowlers from Mortlake, Port Fairy, Koroit and Macarthur together with the Mayor presenting the winners with trophy's. The event drew big numbers there, an enjoyable day.

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

Recording timestamp: 1.23:45

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

5 CEO Activities Report

Council noted the report item CEO Activities Report.

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.

6.1 - Confirmation of Confidential Minutes for OCM Tuesday 29 August 2023

6.2 - Panmure Recreation Reserve – Female Friendly Change Facility MS944

6.3 - Independent Members of Audit and Risk Committee

Cr Daniel Meade moved, Cr James Purcell seconded that the meeting be closed in order to consider confidential items.

CARRIED UNANIMOUSLY 6 / 0

Cr Damian Gleeson declared a Conflict of Interest due to personal association as Chair of Community Bank in Item 6.1 Confirmation of Confidential Minutes from OCM Tuesday 29 August 2023 and left the room at 3:37pm

7 Close Meeting

The Council Meeting 26 September 2023 was declared closed at 3:52pm.