



# Ordinary Council Meeting

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## Minutes

Held on Tuesday 25 June 2024

Council Chambers, Mortlake Council Offices  
1 Jamieson Avenue, Mortlake

## Contents

1 Procedural .....	4
1.1 Acknowledgement of Country .....	4
1.2 Prayer .....	4
1.3 Live streaming of Council Meetings .....	5
1.4 Apologies .....	5
1.5 Declarations of Conflict Interest .....	5
1.6 Confirmation of Minutes from previous meetings.....	5
1.7 Public Participation .....	5
2 Officers Reports .....	6
2.6 Aboriginal Engagement and Partnership Plan .....	6
2.1 Monthly Finance Report - May 2024 .....	7
2.2 Budget Submissions 2024-2025 .....	8
2.3 Budget 2024-2025 .....	9
2.4 Declaration of Rates & Charges 2024-2025 .....	9
2.7 Community Assistance Fund Policy & Guidelines review .....	13
2.8 Fair Access Policy and Action Plan .....	13
2.9 Commitment to Stage 2 of SouthWest Councils Alliance ICT Joint Venture .....	14
2.10 Community Engagement Policy Update .....	15
2.11 Council Plan 2021-2025 - Half Yearly Report to December 2023 .....	15
2.12 Local Government Performance Reporting Framework (LGPRF) Half Yearly Report .....	16
2.13 Monthly Financial Performance Report Policy .....	16
2.14 Bi-Annual Report to Council on Activities of the Audit and Risk Management Committee.....	17
3 Councillors' Items .....	17
3.1 Mayor and Councillor Activities .....	17
3.2 Councillor Notice of Motion .....	17
3.3 General Matters .....	18
3.4 Urgent Business.....	18
4 CEO Meeting Schedule .....	19
5 CEO Activities Report .....	19
6 Confidential Items .....	19

7 Close Meeting .....19

Confirmed Minutes of the Ordinary Meeting  
of Moyne Shire Council held on Tuesday 25 June 2024, at Council  
Chambers,  
Mortlake Council Offices, 1 Jamieson Avenue, Mortlake  
commencing at 2:00 pm.

## Present

<b>Councillors</b>	Cr Ian Smith (Mayor)
	Cr Karen Foster (Deputy Mayor)
	Cr Jim Doukas
	Cr Damian Gleeson
	Cr Jordan Lockett
	Cr Daniel Meade
	Cr James Purcell

<b>Officers</b>	Jodie McNamara, Acting Chief Executive Officer
	Edith Farrell, Director Assets & Community
	Ed Small, Director Corporate & Governance Services
	Darby Lee, Acting 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 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 meetings

**Resolution ID: OCM 202475**

**Cr James Purcell moved, Cr Karen Foster seconded  
That the Minutes of the Council Meeting held on Tuesday 28 May 2024 be accepted  
and confirmed as correct.**

**CARRIED UNANIMOUSLY 7 / 0**

### 1.7 Public Participation

No public participants at this meeting

**Cr Jordan Lockett moved, Cr Karen Foster seconded that standing Orders be  
suspended in order to bring forward items 2.5 and 2.6.**

**CARRIED UNANIMOUSLY 7 / 0**

## 2 Officers Reports

### 2.5 Thanampool Thookay Creek

Moyne Shire Council was approached by the Eastern Maar Aboriginal Corporation to advise that a creek known as Lubra Creek is considered offensive and derogatory to First Peoples. They recommend the creek is renamed as Thanampool Thookay Creek, in acknowledgement of the women and children massacred at the creek site.

Following a four-week period open for public comment, this report is recommending Council endorse Thanamapool Thookay Creek as the new name and proceed with submitting a naming proposal to Geographic Names Victoria to be assessed for subsequent gazetting and formal registration.

3.00

**Resolution ID: OCM 202477**

**Cr Jordan Lockett moved, Cr Karen Foster seconded**

**That Council:**

- 1. As the recognised naming authority, endorse the renaming of Lubra Creek as Thanampool Thookay Creek.**
- 2. Direct officers to progress a submission to Geographic Names Victoria to have the name Thanamapool Thookay Creek formally gazetted and registered.**

**CARRIED UNANIMOUSLY 7 / 0**

### 2.6 Aboriginal Engagement and Partnership Plan

Overview: This report presents the Aboriginal Engagement and Partnership Plan for Council adoption. Council's endorsement of the Aboriginal Engagement and Partnership Plan fulfills the 2021-2025 Council Plan action to create a Moyne Shire Council Reconciliation Action Plan. The Plan was developed in partnership with the Corangamite Shire Council and key traditional owner groups.

13.15

**Resolution ID: OCM 202478**

**Cr Jordan Lockett moved, Cr Karen Foster seconded**

**That Council adopt the Moyne Shire Aboriginal Engagement and Partnership Plan.**

**CARRIED 6 / 1**

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

**Cr Damian Gleeson moved, Cr Karen Foster seconded that Standing Orders be resumed**

**CARRIED UNANIMOUSLY 7 / 0**

## 2.1 Monthly Finance Report - May 2024

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. It also provides a forecast of the year-end result.

33.55

Cr Jordan Lockett left the meeting at 2:36 pm.

**Resolution ID: OCM 202476**

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

**That Council receive and note the Monthly Financial Report as at 31 May 2024.**

**CARRIED 5 / 1**

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

Cr Jordan Lockett returned to the meeting at 2:39 pm.

## 2.2 Budget Submissions 2024-2025

Overview: This report summarises the submissions received on the draft budget for 2024-25. A person, or persons, can make a submission on any proposal contained in the budget and any submission will be considered before adoption of the budget by Council. Council has received nine (9) submissions to the 2024-2025 proposed Budget.

38.23

### **Resolution ID: OCM 202479**

**Cr Daniel Meade moved, Cr James Purcell seconded**  
**That the Council having considered the submissions received, receives and notes the report and:**

- 1. Determines on the submissions received in respect of the draft Budget for 2024-2025.**
- 2. Allocates \$5,000 towards the Mortlake Market Square Playground Fence in the 2024-2025 Budget as a community co-funded and led project – Officers to assist with investigation and design.**
- 3. Allocates an additional \$100,000 in the 2025-2026 budget to the Mortlake Recreation Reserve change room project (making a total 2025-26 Council allocation of \$200,000) subject to the Mortlake Recreation Reserve Committee of Management obtaining funding of \$1.95 million under the Federal Government *Play Our Way Program* and raising other funds of \$172,500 for this project.**
- 4. Request that a letter of response be written to the authors of each of the submissions received thanking them for their submission and advising them of Council's decision.**

**CARRIED UNANIMOUSLY 7 / 0**



## 2.3 Budget 2024-2025

Overview: Council has prepared a Budget for the 2024-2025 year after a process of consultation and review, including community input. The draft Budget was advertised, and submissions invited. Council has received and considered Budget submissions. Council is now required to adopt the Budget for 2024-2025 by 30 June 2024 to ensure compliance with the Local Government Act 2020.

45.07

**Resolution ID: OCM 202480**

**Cr Karen Foster moved, Cr Jordan Lockett seconded**

**That Council, having considered submissions received in respect of the 2024/25 budget, resolve to adopt the 2024-2025 Budget as presented in the attachment to this report, noting any changes as per item 2.2 Budget Submissions 2024-2025 in accordance with Section 94 of the Local Government Act 2020.**

**CARRIED 6 / 1**

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

## 2.4 Declaration of Rates & Charges 2024-2025

Overview: The Rates and Charges are set in accordance with the Council Budget 2024-2025. The Rates and Charges comply with the State Government "Fair Go Rates System" and rate capping provisions. Council is required to make a formal declaration of the Rates and Charges for 2024-2025.

1.07.09

**Resolution ID: OCM 202481**

**Cr Damian Gleeson moved, Cr Karen Foster seconded**

That the following determinations on the Rates and Charges for the 2024-2025 Financial Year be adopted.

**1. Amounts to be raised**

An amount of \$27,797,900 be declared as the amount which Council intends to raise by general rates, municipal charges, payments in lieu of rates and annual service charges (later described in this Resolution), which amount is calculated as follows:

	\$
General Rates	17,388,124
Municipal Charges	2,971,164
Annual Service Charges	4,140,431
Payments in Lieu of Rates	3,298,181

**2. General Rate**

- a) a General Rate be declared in respect of the 2024-2025 Financial Year;
- b) it be further declared that the General Rate be raised by the application of a uniform rate on the Capital Improved Value of all rateable land; and
- c) 0.12913 be specified as the cents of each dollar of Capital Improved Value for the uniform rate;

**3. Municipal Charge**

- a) a Municipal Charge be declared in respect of the 2024-2025 Financial Year for the purpose of recovering some of the administrative costs of Council;
- b) the Municipal Charge be the amount of \$294 for each rateable land (or part) in respect of which a Municipal Charge may be levied; and

**4. Service Charges**

- a) Annual Service Charges be declared in respect of the 2024-2025 Financial Year for the collection and disposal of refuse on the basis of the criteria later described in this resolution:
- b) Kerbside Collection Service
 

State Government Waste Levy

  - (i) an annual service charge be declared for:
    - the collection of refuse.
  - (ii) this service charge is based on the criteria specified below:

## ***Residential***

### **Declared Collection Areas and Routes**

<b>Property Type</b>	<b>Charge</b>
<b>a) Collection of contents of bins from properties used for residential purposes and located within the areas depicted in Annexure B – U as a declared collection area.</b>	<b>120 litre waste bin, 120 litre glass recycling bin, 240 litre recycling bin and 240 litre organics bin \$433.00 per annum</b>  <b>State Government Waste Levy \$27.00 per annum</b>

### **Non-Declared/Optional Collection Routes**

<b>Property Type</b>	<b>Charge</b>
<b>b) Collection of contents of bins from properties used for residential purposes fronting the collection routes shown in Annexure A and located outside of the declared collection areas shown in Annexure B – U.</b>	<b>120 litre waste bin, 120 litre glass recycling bin, 240 litre recycling bin and 240 litre organics bin \$433.00 per annum</b>  <b>State Government Waste Levy \$27.00 per annum</b>

## ***Commercial***

### **Non-Declared / Optional Collection Routes**

<b>Property Type</b>	<b>Charge</b>
<b>a) Collection of contents of bins from properties used for commercial purposes and located within the areas depicted in Annexure B – U as a declared collection area and/or fronting the collection routes shown in Annexure A, if the ratepayer has opted onto the service.</b>	<b>120 litre waste bin, 120 litre glass recycling bin, 240 litre recycling bin and 240 litre organics bin \$433.00 per annum</b>  <b>State Government Waste Levy \$27.00 per annum</b>

### **Waste Facilities Service Charge**

- (i) an annual service charge be declared for:

- the disposal of refuse.
- (ii) this annual service charge component be the sum of and be
- (iii) based on the criteria specified below:

Property Type	Charge
a) Any rateable property in the municipal district which is used as an industrial property, commercial property or a residence, or a single farming enterprise (as defined in section 159(4) of the Local Government Act 1989)	\$108 for each property
b) Any developed non-rateable property	\$108 for each property
c) Any rateable or non-rateable property in the municipal district excepting those properties referred to in parts (a) and (b) above	\$27 for each property

**c) Goods and Services Tax**

- (i) all charges listed in this resolution are exclusive of the Goods and Services Tax (GST), which will be applied where applicable;

**d) Annexure**

- (i) the areas and routes depicted in the Annexures described in this Resolution may be amended by the Council from time to time; and
- (ii) the power to amend the designated areas and collection routes for the kerbside collection service is delegated to the member of Council staff holding, acting in or performing the position of Director Economy and Place;

**5. Consequential**

- a) the Rates Administrator be authorised to levy and recover the General Rates, Municipal Charges and Annual Service Charges described in this Resolution.

**CARRIED UNANIMOUSLY 7 / 0**

## 2.7 Community Assistance Fund Policy & Guidelines review

Overview: The Cultural and Community Development team have undertaken the annual review of the Community Assistance Fund Policy and Guidelines to ensure it reflects Council's current policies and plans, meets fund objectives and ensures a responsible distribution of funds to meet community needs.

1.11.57

**Resolution ID: OCM 202482**

**Cr Damian Gleeson moved, Cr James Purcell seconded**

**That Council adopt the revised Community Assistance Fund Policy and Guidelines for roll out of the program for the 2024-25 financial year.**

**CARRIED UNANIMOUSLY 7 / 0**

## 2.8 Fair Access Policy and Action Plan

Overview: The Fair Access Policy (the Policy) seeks to address known barriers experienced by women, girls and gender diverse people in accessing and using community sport and recreation. As a defined entity of the Gender Equality Act 2020, Moynes Shire Council is required to have a gender equitable access and use policy in place, and the ability to demonstrate progress against gender inequity to be eligible for Victorian Government funding programs relating to community sports infrastructure from 1 July 2024.

Following a month of community consultation where the public were invited to provide feedback, this report recommends Council adopt the Fair Access Policy.

1.15.47

**Resolution ID: OCM 202483**

**Cr Karen Foster moved, Cr Jordan Lockett seconded**

**That Council endorses the Fair Access Policy.**

**CARRIED 6 / 1**

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

## 2.9 Commitment to Stage 2 of SouthWest Councils Alliance ICT Joint Venture

Overview: Officers are recommending that Council commit to stage 2 of the South West Alliance ICT Joint Venture Agreement (Coastal Connect) which will approve the extension of the Joint Venture Agreement for the second period which is for a further five years from 1 July 2025.

1.34.40

Cr Jordan Lockett left the meeting at 3:37 pm.

Cr Jordan Lockett returned to the meeting at 3:38 pm.

**Resolution ID: OCM 202484**

**Cr Karen Foster moved, Cr Damian Gleeson seconded**

**That Council:**

1. Receive and note the report and:
2. Notes that having complied with Division 3 of Part 5 of the Local Government Act 2020, Council entered into, established and operates the South West Councils ICT Alliance as a joint venture on the terms set out in the South West Councils ICT Alliance Joint Venture Agreement; and
3. Notes that, in accordance with:
  - a) Clause 5.1.1(a) of the South West Councils ICT Alliance Joint Venture Agreement, the Chief Executive Officer has been appointed to the Joint Venture Governance Committee; and
  - b) Clause 5.1.1(b) of the South West Councils ICT Alliance Joint Venture Agreement, the Chief Executive Officer has nominated one staff member to the Joint Venture Governance Committee, being Council's Director Corporate and Governance Services; and

**4. Authorises the Chief Executive Officer under Clause 2.2 of the South West Councils**

**ICT Alliance Joint Venture Agreement to:**

**a) Agree in writing to the Joint Venture Governance Committee and to the other**

**two participating Councils to the extension of the Joint Venture Agreement for a further period of five years from 1 July 2025;**

**b) Exercise Council's rights and powers under the Joint Venture Agreement on Council's behalf**

**CARRIED 6 / 1**

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

## 2.10 Community Engagement Policy Update

Overview: This report provides Councillors with an overview of the results from community engagement on the *Community Engagement Policy*, and any subsequent updates for endorsing to Council

1.43.09

**Resolution ID: OCM 202485**

**Cr James Purcell moved, Cr Karen Foster seconded**

**That Council adopt the Community Engagement Policy.**

**CARRIED UNANIMOUSLY 7 / 0**

## 2.11 Council Plan 2021-2025 - Half Yearly Report to December 2023

Overview: This report provides Council with a half yearly report on Council's performance against the Council Plan, strategic indicators and target projects, for the six months ending 31 December 2023. The Council Plan is the key document setting out the strategic direction for Moyne Shire Council from 2021 – 2025.

1.49.37

Cr James Purcell left the meeting at 3:51 pm.

Cr James Purcell returned to the meeting at 3:53 pm.

**Resolution ID: OCM 202486**

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

**That Councillors accept the Council Plan 2021 – 2025 Half Yearly report against strategic indicators and projects for the six months ended 31 December 2023.**

**CARRIED UNANIMOUSLY 7 / 0**

## 2.12 Local Government Performance Reporting Framework (LGPRF) Half Yearly Report

Overview: This report provides Council with results for the Local Government Performance Reporting Framework for the six months ended 31 December 2023.

1.52.17

**Resolution ID: OCM 202487**

**Cr Daniel Meade moved, Cr Karen Foster seconded**

**That Council note the results for the Local Government Performance Reporting Framework for the six months ended 31 December 2023.**

**CARRIED UNANIMOUSLY 7 / 0**

## 2.13 Monthly Financial Performance Report Policy

Overview: The existing *Monthly Financial Performance Report Policy* be revised to recognise the provisions of *Local Government Act 2020*.

1.54.02

**Resolution ID: OCM 202488**

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

**That Council adopt the revised Financial Performance Reporting Policy and authorise the CEO to make changes to this operational policy in the future.**



**CARRIED UNANIMOUSLY 7 / 0**

## 2.14 Bi-Annual Report to Council on Activities of the Audit and Risk Management Committee

Overview: This report presents a biannual update of the activities of the Audit and Risk Management Committee and meets the requirements of the *Local Government Act 2020* (Vic.). This report is prepared by the Chair of the Audit and Risk Committee as required by Clause 6.2 of the Audit and Risk Committee Charter.

1.56.40

**Resolution ID: OCM 202489**

**Cr Damian Gleeson moved, Cr Karen Foster seconded**

**That Council accepts the Bi-Annual Report on Audit and Risk Committee activities**

**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 21 May and 18 June 2024

1.59.33

#### Mayor Activities

Council noted the report item Mayor Activities.

#### Councillor 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 was 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.

2.00.01

Cr. Purcell noted the sad passing of Jack Smits after a brief illness. A former Councillor before Moyne was established, Jack was a strong community member who worked really hard volunteering for the Folk Festival and many other groups behind the scenes. Always out there willing to help. He will be sadly missed - condolences passed on to Jan and the family.

The funeral is to be held on Friday 29 June during which the flags at Council Offices will be flown at half mast.

Cr. Gleeson endorsed Cr. Purcell's remarks, noting Jack was a larger than life figure and a past councillor of the Borough of Port Fairy. A magnificent figure who contributed to the Folk festival committee over 48 years, an inaugural member with Russell Clark. Noted it is a massive loss to that committee, and sent our best to Bruce and the team.

Cr. Gleeson also made note of the 10th birthday celebrations of the Community Bank held at Reardon Theatre. Congratulated all involved as it was a wonderful occasion.

\$80,000 worth of cheques distributed one being \$50,000 to the Port Fairy SES to help secure a ute. Highlighted that the bank has provided \$840,000 in total commitment back to the district.

Cr. Lockett congratulated the Winter Weekends committee for the phenomenal events held across Moyne which are growing each year.

Cr Foster advised she attended the opening of the Macarthur playground along with the Mayor and Crs. Doukas and Gleeson. A fantastic regional facility.

The Mayor noted this was a great event which was also attended by Senator Raff Ciccone. Advised he had lunch and discussions with Senator Ciccone on things relevant to the Moyne Shire. A good meeting and great reason to be in Macarthur

Also noted the opening of the recently built Dundonnell Fire Shed and meeting room on 31 May by Ms. Jacinta Ermacora MP- well done to that community.

### 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

Council noted the report item CEO Meeting Schedule 21 May - 20 June 2024.

#### 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 - MS975 Victoria Park Koroit Sports Lighting

6.2 - MS967 Port Fairy Skate and Play Design and Construction Tender

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

**CARRIED UNANIMOUSLY 7 / 0**

#### 7 Close Meeting

The Council Meeting - 25 June 2024 was declared closed at 4.31pm