



Ordinary Council Meeting

Minutes

Held on Tuesday 19 December 2023

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

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Unconfirmed Minutes of the Ordinary Meeting
of Moyne Shire Council held on Tuesday 19 December 2023, at Council
Chambers,
Mortlake Council Offices, 1 Jamieson Avenue, Mortlake Vic
commencing at 2:00 pm.

Present

Councillors

- Cr Karen Foster (Mayor)
- Cr Daniel Meade (Deputy Mayor),
- Cr Jim Doukas
- Cr Damian Gleeson
- Cr Jordan Lockett
- Cr James Purcell
- Cr 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 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

Recording Timestamp: 3.34

Resolution ID: OCM 2023-146

Cr James Purcell moved, Cr Daniel Meade seconded that the Minutes of the Council Meeting held on Tuesday 28 November 2023 be accepted and confirmed as correct.

CARRIED UNANIMOUSLY 7 / 0

1.7 Public Participation

No Public Participants were registered for this meeting.

Cr Karen Foster moved, Cr Jordan Lockett seconded that items 2.9 and 2.10 be addressed first

CARRIED UNANIMOUSLY 7 / 0

2 Officers Reports

2.9 Livestock Underpass and Grid Policy

Overview: Council currently has a Cattle Underpass Policy and no livestock grid policy.

As the Cattle Underpass Policy is now due for review, a combined new policy has been drafted for livestock grids, incorporating and updating the Cattle Underpass Policy into the Livestock Underpass and Grid Policy – **refer attachment 1**.

Recording Timestamp:4:27

Resolution ID: OCM 2023-147

Cr Jim Doukas moved, Cr Daniel Meade seconded that Council

- 1. Endorse the draft Livestock Underpass and Grid Policy and;**
- 2. Amend the Working Within Road Reserves permit form, in line with the policy requirements of encouraging applicants to engage engineer geotechnical assessment of the site.**

CARRIED UNANIMOUSLY 7 / 0

2.10 Aged and Disability Services Review

Overview: Recent reforms by government in the aged and disability sector and changes to funding have resulted in Council conducting a review of aged and disability services. A review was undertaken which is attached to this report and presents several options for consideration to determine the future of aged and disability services provided by Council.

Recording Timestamp:13.21

Resolution ID: OCM 2023-148

Officer Recommendation

That Council:

- 1. Continue with the provision of Home and Community Care services.**
- 2. Direct officers to work on optimising service improvements in readiness for the transition to the 2027 'Support at Home' program.**
- 3. Undertake a 12-month evaluation on implementation of the optimised service provision.**

Cr Foster moved that an amendment be made to part 3 of the Officer Recommendation

Cr Karen Foster moved, Cr Damian Gleeson seconded that Council

- 1. Continue with the provision of Home and Community Care services.**
- 2. Direct officers to work on optimising service improvements in readiness for the transition to the 2027 'Support at Home' program.**
- 3. Provide a 12 month report on implementation of the optimised service provision**

CARRIED UNANIMOUSLY 7 / 0

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

CARRIED UNANIMOUSLY 7 / 0

2.1 Monthly Finance Report - November 2023

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.

Recording Timestamp: 28.10

Resolution ID: OCM 2023-149

Cr Damian Gleeson moved, Cr James Purcell seconded

- 1. That Council receive and note the Monthly Financial Report November 2023.**
- 2. Council prepays in December 2023 the balance of the CBA variable rate loan**

CARRIED UNANIMOUSLY 7 / 0

2.2 Public holiday in Lieu of Melbourne Cup

Overview: This report proposes that Moyne Shire Council adopt the May Races, being the first Thursday in May 2024, to be the public holiday in lieu of the Melbourne Cup public holiday.

Recording Timestamp: 37:16

Resolution ID: OCM 2023-150

Cr Daniel Meade moved, Cr Karen Foster seconded That the first Thursday in May for 2024 be gazetted as a public holiday in the municipal district of Moyne Shire Council in Lieu of Melbourne Cup public holiday 2024.

CARRIED UNANIMOUSLY 7 / 0

2.3 Instrument of Appointment and Authorisation Planning & Environment Act 1987

Overview: This instrument can be used by a council to authorise officers to enforce the *Planning and Environment Act 1987* and institute proceedings on behalf of the council or represent the council.

Recording Timestamp: 41:23

Resolution ID: OCM 2023-151

Cr Daniel Meade moved, Cr Karen Foster seconded In the exercise of the powers conferred by s188 of the Planning and Environment Act 1987 and/or the other legislation referred to in the attached Instruments of Delegation Moyne Shire Council (Council) RESOLVES THAT –

- 1. The instrument of delegation to members of Council staff dated 14 March 2023 (the instrument) be varied as set out in the schedule to this resolution.**
- 2. The members of council staff holding, acting in or performing the duties of the offices or positions referred to in the instrument as varied are to have the powers, duties and functions set out in the instrument as varied, subject to the conditions and limitations specified in that instrument.**
- 3. The instrument as varied instrument comes into force immediately the common seal of Council is affixed to the instrument as varied.**
- 4. The duties and functions set out in the instrument as varied must be performed,**

and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED UNANIMOUSLY 7 / 0

2.4 Committees of Council Councillor Membership 2024

Overview: Overview: The report considers Council representation on the various Council Committees and external bodies with which Council is associated.

Recording Timestamp: 43.28

Resolution ID: OCM 2023-152

Cr James Purcell moved, Cr Daniel Meade seconded

That Council Consider appointment of Councillors to Committees of Council and Delegates to external organisations for 2024, and confirm Councillor membership as follows:

MOYNE SHIRE COMMITTEES

Port of Port Fairy Delegated Committee	Cr Lockett Cr Purcell
Koroit Theatre Community Asset Committee	Cr Gleeson
Mortlake Recreation Reserve Community Asset Committee	Cr Smith
Nirranda and District Community Facility Community Asset Committee	Cr Meade
Southcombe Park Community Asset Committee	Cr Lockett
Victoria Park Community Asset Committee	Cr Doukas
CEO Employment & Remuneration Advisory Committee	Cr Doukas Cr Foster Cr Gleeson Cr Lockett Cr Meade Cr Purcell Cr Smith

Economic Development Committee	Cr Meade Cr Gleeson
Mt. Shadwell Quarry Consultative Committee	Cr Doukas Cr Smith
Port Fairy Lifeboat Committee	Cr Purcell

DELEGATES TO EXTRENAL COMMITTEES

Australian Coastal Councils Association	Cr Foster
South West Victoria Alliance	Mayor, Cr Smith
Municipal Association of Victoria (MAV)	Mayor, Cr Smith Substitute, Cr Purcell
MAV Rural & Regional Forum	Mayor, Cr Smith
Alliance for Rail Freight Development	Cr Doukas
Timber Towns Victoria	Cr Foster
Warrnambool Airport Reference Group	Cr Doukas

CARRIED UNANIMOUSLY 7 / 0

2.5 Local Government Performance Reporting Framework Comparison Snapshot

Overview: This report informs the Council of the results for the range of service data collected under the Local Government Performance Reporting Framework (LGPRF) for the full year ended 30 June 2023. The report provides a comparison report between like councils on performance data collected for the LGPRF for 2023. This information is publicly available on the Victorian Government Website – Know your Council comparison dashboard.

Recording Timestamp: 46:04

Resolution ID: OCM 2023-153

Cr Karen Foster moved, Cr Damian Gleeson seconded that Council note the results for the Local Government Performance Reporting Framework for the year ending 30 June 2023.

CARRIED UNANIMOUSLY 7 / 0

2.6 Economic Development Strategy - Year 4 Report

Overview: This report provides a summary on progress against the Economic Development Strategy Year 4 Action Plan.

Recording Timestamp: 50:26

Resolution ID: OCM 2023-154

Cr Daniel Meade moved, Cr Damian Gleeson seconded that Council endorse the Economic Development Strategy - Year 4 Action Plan Report.

CARRIED UNANIMOUSLY 7 / 0

2.7 Dundonnell Wind Farm CEC nomination

Overview: The Dundonnell Wind Farm Community Engagement Committee is an Advisory Committee to Council and has 6 community representative positions, with 3 current vacancies. A nomination to join the committee has been received and this report seeks Council approval to appoint a new community representative.

Recording Timestamp: 59.51

Resolution ID: OCM 2023-155

Cr James Purcell moved, Cr Daniel Meade seconded that Council receives and approves the nomination of Ms Susan Kosh for the Dundonnell Wind Farm CEC community representative position.

CARRIED UNANIMOUSLY 7 / 0

2.8 Operational Services Agreement for the Port of Port Fairy

This report proposes that Council endorse the Port of Port Fairy Operational Services Agreement for the management and administration of the Port for a five-year term ending 30 September 2028.

Recording Timestamp: 1:02:07

Resolution ID: OCM 2023-156

Cr Jordan Lockett moved, Cr James Purcell seconded that Council endorses the Department of Transport and Planning, Operational Services Agreement for the Port of Port Fairy, for the management and administration of the Port of Port Fairy for the period 2 January 2024 to 30 September 2028.

CARRIED UNANIMOUSLY 7 / 0

2.11 2023-24 Council-Community Carbon Offset Program

Overview: This report provides Council with a recommendation of allocating the 2023-24 *Council-Community Carbon Offset Program* funds.

Recording Timestamp:1:06:14

Resolution ID: OCM 2023-157

Cr Daniel Meade moved, Cr Karen Foster seconded that Council

1. Approve the allocation of program funds to three (3) applicants, valued at \$3,840 for the Public Lands Component

Kirkstall Recreation Reserve Kirkstall \$1,500

Port Fairy to Warrnambool Rail Trail Koroit \$1,500

Hopkins Falls Landcare Group Wangoom \$840

2. Approve the allocation of program funds to seven (7) applicants, valued at \$19,977 for the Private Lands Component

Port Fairy \$1,500

Nirranda \$4,998

The Sisters \$2,235

Kirkstall \$3,000

Panmure \$1,500

Grassmere \$4,200

Koroit \$2,544

3. That remaining funds from the current (\$6,183) and future under-subscribed Council-Community Carbon Offset Program be allocated/carried forward to the subsequent Council-Community Carbon Offset Program Budgets.

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 November to 8 December 2023.

Mayor Activities

Recording Timestamp:1:13:59

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.

Recording Timestamp:1:17:18

Cr Gleeson attended the Grade 6 Graduation at St Patricks Primary school Port Fairy, a nd noted it was a fantastic night. Acknowledged and congratulated all schools across the Shire for the fantastic job they do. Wished staff a Merry Christmas and a great break.

Cr Lockett also acknowledged the Grade 6 Graduation he attended at Port Fairy Consolidated school, and shared Cr Gleesons sentiment.

Cr Lockett also noted that Koroit are having their first ever New Years Eve party and made mention of the Moyneyana Festival in Port Fairy which is always a roaring success. He also noted there are various surf club and footy club activities, and a fun run over summer. Gave a special shout out to Koroit local business Noodledoof, who will be providing free coffee and food on Christmas morning, noting that giving back to the community was such a wonderful thing for a local business to do.

Cr Foster requested CEO response on expectations regarding Solar panels for kindergartens, who advised the new systems installed were expected to reduce energy bills by 85% along with a reduction in greenhouse gas emissions.

Cr Meade expressed appreciation to families who came to Garvoc Childcare round table last week, with around 10 families in attendance. Advised it is certainly understood that there is a great need for it in the eastern part of shire as well, and noted we are working hard to get that position filled.

Cr Doukas drew Council's attention to the Childers Cove toilets which have been closed since April 2023, leaving people camping there without toilet facilities. He raised concern for the local farming community who have people knocking on doors to use their toilet. Noted advice from State Government that the bore is at end of life and pipework requires refurbishment, and that it had been queued in context of current tourism infrastructure priorities. Suggested that State Government tourism arm, Parks Victoria and GORCAPA should be called upon to lift priority level.

Cr Doukas also noted an article in the Warrnambool Standard regarding the lack of a marine rescue service west of Apollo Bay. He proposed that there is opportunity for Moyne to provide better launching facilities at Boat Bay or Peterborough to close the gap, and suggested that the CEO approach Boating Victoria to undertake some work to upgrade these facilities.

Cr Lockett made note of the upcoming Orford Vintage Rally 20-21 January, and the Koroit Truck Show on 27 January.

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:1:26:43

Council noted the report item CEO Meeting Schedule from 21 November to 15 December 2023.

5 CEO Activities Report

Recording Timestamp:1:29:49

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 - Koroit Streetscape Works Panel Contract MS963

6.2 - Koroit Depot Expressions of Interest

Cr James Purcell moved, Cr Karen Foster seconded that standing orders be suspended in order to consider confidential items.

CARRIED UNANIMOUSLY 7 / 0

7 Close Meeting

The Council Meeting 19 December 2023 was declared closed at 3:47 pm.