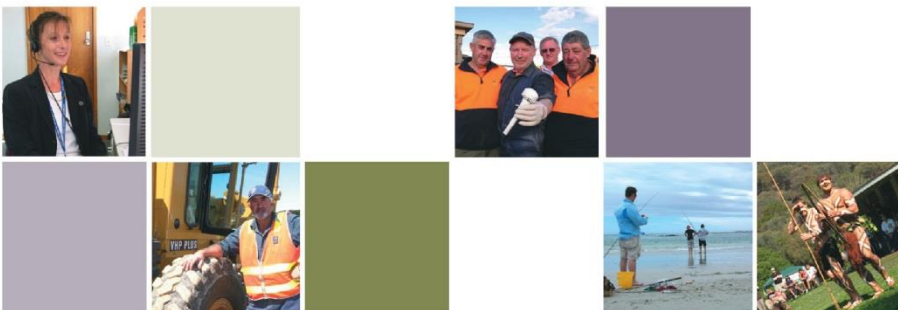




ORDINARY COUNCIL MEETING MINUTES

27 January 2016

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



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**Minutes of the Ordinary Meeting of the Moyne Shire Council
held 27 January 2016 at the Mortlake Council Chamber
commencing 4.32pm**

Present

Councillors C. Ryan (Mayor), J. Doukas, K. Goodall, A. Keane, R. Leutton,
J. Parker (Deputy Mayor) and M. Wolfe
In attendance Mr D Madden, Chief Executive Officer
Mr T Greenberger, Director Physical Services
Mr O Moles, Director Sustainable Development
Mr D Robertson, Director Community & Corporate Support
Ms L Cook, Executive Assistant

Prayer

The Mayor read the Municipal prayer.

Apologies

None.

Declaration of Interest

Mr Moles, Report 10 Childers Access Peterborough.

Confirmation of Minutes

Cr Goodall moved, Cr Parker seconded that the Minutes of the Ordinary Council Meeting held on Tuesday 15 December 2015 be confirmed.

Carried - 7:0

Public Participation

Members of the public addressing the meeting:

Ms Jennifer McCutcheon – Report 8 – Planning Permit PL15/165.

4.37pm Cr Doukas left the Chamber.

4.38pm Cr Doukas returned to the Chamber.

4.38pm Mr Moles declared an interest in the next presentations and left the Chamber during Ms Marion Hunt and Mr Worland's presentations.

Ms Marion Hunt – Report 10 – Childers Street Access, Peterborough

Mr Ray Worland – Report 10 – Childers Street Access, Peterborough

4.55pm Mr Moles returned to the Chamber.

Cr Wolfe moved, Cr Leutton seconded that Item 6, 8 and 10 be heard next.

Carried - 7:0

SUSTAINABLE DEVELOPMENT

6. Planning Permit PL14/122 – Dunnes Road, Winslow – 14 Lot subdivision in 2 stages and creation of access to a Road Zone Category 1

Report Summary: *The application is for 14 lot subdivision in 2 stages and creation of access to a Road Zone Category 1.*

Cr Leutton moved, Cr Doukas seconded that Council having caused notice of Planning Application No. PL14/122 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to issue a Notice of Decision to Grant a Permit under the provisions of the Moyne Planning Scheme in respect of the land known and described as Dunnes Road WINSLOW VIC 3281, for the 14 Lot subdivision in 2 stages (Amended application to include creation of access to a Road 1 Zone and the construction of a new road from Warrnambool-Caramut Road running to the east along Rutledge Street to the subject site), subject to the following conditions:

Conditions:

1. Before the plan of subdivision is certified under the Subdivision Act 1988, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Provide stormwater easements pursuant to Engineering Design condition 4, to the satisfaction of the Responsible Authority.
 - b) Provide shared path along Unnamed Government Road extending from the proposed crossover to Lot 7 through to Winslow Recreation Reserve, to the satisfaction of the Responsible Authority.
2. The layout of the subdivision as shown on the endorsed plan must not be altered or modified without the prior written consent of the Responsible Authority.

Engineering Design

3. Prior to the commencement of any site works, an engineering design to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The design must be drawn to scale with dimensions and three copies must be provided. The design must show:
 - a) All roads, shared paths, drainage, storm water quality measures, street lighting, street trees, and other infrastructure to the satisfaction of the Responsible Authority, including the following:

- i) Construction of Rutledge Street from Warrnambool Caramut Road extending to the Unnamed Government Road, to provide a minimum seal width of 6.2 metres plus 1.5 metre shoulders plus table drains to each side.
- ii) Construction of the Unnamed Government Road extending from the proposed crossover to Lot 14 through to the proposed crossover to Lot 7, to provide a seal width of 4.0 metres on a 6.2 metre wide pavement plus 1.5 shoulders and table drains each side.
- iii) Construction of shared path along Unnamed Government Road extending from the proposed crossover to Lot 7 to Winslow Recreation Reserve, to be a minimum width of 2.4 metres and formed of hard standing material with a dust suppressant treatment.
- iv) Construction of bollards to prevent vehicles accessing shared path.
- v) Construction of a gate to Winslow Recreation Reserve to allow access from shared path.
- vi) Upgrade Dunnes Road extending across the frontage of Lot 1 through to Lot 6 (inclusive) to meet Rural Access Requirements with a 6.2 metre seal and 1.5 metre wide unsealed shoulders and table drains each side.
- vii) A sealed appropriate turn around to cater for emergency and service vehicles.
- viii) a sealed crossover to each lot
- ix) Street lighting shall be to current Australian Standard using poles and approved standard L.E.D. luminaries. Generally a minimum of one light per intersection and one per end of road turn around to be provided. Additional lights or less may be required as dictated by site conditions.
- x) Street and traffic signage and line marking.
- xi) An onsite stormwater detention system for each lot, designed by a suitably qualified engineer, to ensure that all storm water flows across the property boundaries are maintained at predevelopment levels for minor 1 in 5 year ARI and major 1 in 100 year ARI storms.
- xii) Basic water quality measures will be required in accordance with the principles of Water Sensitive Urban Design.
- xiii) A storm water swale drain system to cater for storm water flows extending from Warrnambool Caramut Road, including Rutledge Street and the Unnamed Road Reserve, through the subdivision to discharge into the Dunnes Road table drain. Capacity to be confirmed by engineering calculation to cater for 1 in 5 year events.

- xiv) Street trees to Rutledge Street and the Unnamed Government Road (if unaffected by storm water drain system), including proposed species to be planted at a rate of one tree per lot frontage and one tree per lot sideage. All street trees must have an existing height of (minimum) 1.5 metres upon planting, must be planted to an approved standard incorporating two hardwood stakes, tree tie, Ag pipe, water crystals, 100mm of mulch and initial watering, to the satisfaction of the Responsible Authority
- b) Construction Management Plan that addresses traffic management, amenity and environmental controls during the construction of infrastructure works to the satisfaction of the Moyne Shire Council.

Infrastructure Conditions:

4. Prior to Certification of Stage 1 of the Plan of Subdivision under the Subdivision Act 1988 the developer must:
 - a) Provide new and alter existing drainage easements as required to satisfaction of Moyne Shire Council.
 - b) Include the road name as approved by Moyne Shire Council on the Plan of Subdivision.
5. Prior to the issue of a Statement of Compliance of each stage under the Subdivision Act 1988 the developer must construct, at no cost to the responsible authority, all works as approved in the engineering design for roads, shared paths, drainage, storm water quality measures, street lighting, street trees, footpaths, and other infrastructure as approved.
6. Street trees must be maintained for a minimum period of 18 months including watering, mulching, weeding and formative pruning, to the satisfaction of the Responsible Authority.
7. Prior to the issue of Statement of Compliance for stage 2 under the Subdivision Act 1988, the developer must lodge a security deposit equal to 150% of the cost of planting street trees with the Responsible Authority. The deposit will be returned after the final inspection of street trees, 18 months after the completion of the street trees, only if Moyne Shire Council requires no further maintenance of the street trees to be undertaken.
8. Prior to the issue of Statement of Compliance for each stage under the Subdivision Act 1988 the developer must pay the Responsible Authority:
 - a) 0.75% of the total estimated cost of works for the checking of engineering plans associated with the development.
 - b) 2.50% of the total estimated cost of the works for the supervision of the works associated with the development.
9. Prior to the issue of Statement of Compliance for each stage under the Subdivision Act 1988 a security deposit for 5% of the total value of engineering works as approved by the Responsible Authority must be lodged with the

Responsible Authority, to cover the maintenance of all works. The deposit will be returned after the final inspection of works, 3 months after the completion of works, subject to the satisfactory completion of all maintenance and rectification works.

10. Prior to the commencement of the development for each stage, notification including photographic evidence must be sent to Councils Asset Unit identifying any existing change to council assets. Any existing works affected by the development must be fully reinstated at no cost and to the satisfaction of the Responsible Authority.

Public Open Space Contribution:

11. Prior to issuing of a Statement of Compliance for stage 1, a public open space contribution of 1% of the net developable area of land must be paid to the responsible authority in accordance with the requirements of Clause 52.01 of the Moyne Planning Scheme.

Time Condition:

12. This permit will expire if one of the following circumstances applies:
 - The plan of subdivision is not certified within two years of the date of this permit.
 - The statement of compliance for Stage 1 is not issued within five years of the date of certification of the plan of subdivision.
 - The statement of compliance for Stage 2 is not issued within seven years of the date of certification of the plan of subdivision.

The responsible authority may extend the time if a request is made in writing in accordance with the Planning and Environment Act 1987.

Referral Authority Conditions:

Downer Tenix:

13. The plan of subdivision submitted for certification must be referred to AusNet Services (Gas) in accordance with Section 8 of the Subdivision Act 1988.

Powercor Australia:

14. The plan of subdivision submitted for certification must be referred to Powercor Australia in accordance with Section 8 of the Subdivision Act 1988.
15. The applicant shall:
 - a) Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor (A payment to cover the cost of such work will be required). In the event that a supply is not provided the applicant shall provide a written undertaking to Powercor Australia Ltd that prospective purchasers will be so informed.

- b) Where buildings or other installations exist on the land to be subdivided are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.
- c) Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
- d) Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
- e) Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision.

Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat prior to the registration of the plan of subdivision.

- f) Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for "Powerline Purposes" pursuant to Section 88 of the Electricity Industry Act 2000.
- g) Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
- h) Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.
- i) Obtain Powercor Australia's Ltd's approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.
- j) Provide Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.

VicRoads:

16. Prior to the issue of Statement of Compliance for Stage 2 and /or 3 of the subdivision approved by this permit, the following roadworks must be completed at no cost to and to the satisfaction of the Roads Corporation:

Sustainable Development

Planning Permit PL14/122 – Dunnes Road, Winslow (cont'd)

- a) Upgrade to the Rutledge Street/Warrnambool –Caramut Road intersection.
- b) Enter into a formal agreement with VicRoads regarding processes and fees associated with all works undertaken within the declared road reserve of the Warrnambool-Caramut Road.

CFA:

17. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
18. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres. Dips must have no more than a 1 in 8(12%) (7.1 degree) entry and exist angle.
19. There must be no obstructions within one metre of the edge of the formed width of roads at any time, and there must be four metres height clearance above all roads to allow fire vehicle access.

Carried - 7:0

SUSTAINABLE DEVELOPMENT

8. Planning Permit PL15/165 – 903 Koroit-Woolsthorpe Road, Woolsthorpe – Use and development of a dwelling, associated buildings and works, and creation of an access to Road Zone Category 1

Report Summary: *The application is for the use and development of a dwelling, associated buildings and works, and creation of an access to Road Zone Category 1 at Lot 1 PS 612736L, Koroit-Woolsthorpe Road, Woolsthorpe.*

Cr Goodall moved, Cr Leutton seconded that Council having caused notice of Planning Application No. PL15/165 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Refuse to Grant a Permit under the provisions of the Moyne Planning Scheme in respect of the land known and described as Lot 1 PS 612736L, Koroit-Woolsthorpe Road, Woolsthorpe, for the Use and development of a dwelling, associated buildings and works, and creation of an access to Road Zone Category 1, with the application dated 27/07/2015 and as amended 05/10/2015:

For the following grounds:

1. The dwelling is not justified to support the agricultural use and productivity of the land.
2. The use and development of a dwelling will result in the loss and fragmentation of productive agricultural land.
3. The use and development of the dwelling does not satisfy the decision guidelines set out in Clause 35.07 (Farming Zone) of the Moyne Planning Scheme.
4. The use and development of the dwelling does not satisfy the policy set out in Clause 22.03-5 (Housing on lots less than the minimum area) of the Moyne Shire Planning Scheme.

Cr Wolfe foreshadowed a motion.

Carried - 5:2

Voting FOR the motion

Cr Doukas, Cr Goodall, Cr Leutton, Cr Parker and Cr Ryan

Voting AGAINST the motion

Cr Keane and Cr Wolfe

PHYSICAL SERVICES

10. Childers Street Peterborough Access

Report Summary: *The report seeks Council direction regarding a dispute relating to an access gate from a Sutlej Court address property on to Childers Street, Peterborough.*

5.07pm Mr Moles declared an interest in this item and left the Chamber during discussion and voting.

Cr Parker moved, Cr Wolfe seconded that Council note the dispute relating to an access gate from 18 Sutlej Court on to Childers Street in Peterborough.

Cr Ryan foreshadowed a motion.

Above motion withdrawn.

Cr Ryan moved, Cr Parker seconded that this item be deferred until further information be obtained to allow Council to make an informed decision on the matter.

Carried - 7:0

5.15pm Mr Moles returned to the Chamber.

GOVERNANCE

1. Assemblies of Councillors

Report Summary: *This report details assemblies of Councillors that have taken place since the matter was last reported to Council in December 2015.*

Cr Leutton moved, Cr Goodall seconded, that Council receives and notes the records of the listed assemblies of Councillors:

8 December 2015 – Site Visit Southern Cross	
Matters considered	Planning Permit PL15/064
Councillors present	Cr Doukas, Cr Keane, Cr Leutton, Cr Parker, Cr Ryan, Cr Wolfe
Staff present	Ms F Castley, Mr A Nield
Conflict of Interest	None declared.

9 December 2015 – Mortlake South Wind Farm CEC Committee Meeting	
Matters considered	<ul style="list-style-type: none">• Project status report.• Proposed amendment application to the Minister for Planning regarding turbine height.• Planning process to be followed for an amendment application.• Acciona’s proposed community consultation methods.• Clarification of permit expiry date – October 2020.
Councillors present	Cr Doukas, Cr Keane, Cr Parker
Staff present	Ms Grainger, Ms Askew-Thornton
Conflict of Interest	None declared.

9 December 2015 – Roads Focus Group Meeting	
Matters considered	<ul style="list-style-type: none">• Business arising from previous meeting.• Correspondence• General Business• Shire Report• Industry Issues• Regional Issues• State and Federal issues
Councillors present	Cr Doukas, Cr Keane, Cr Wolfe
Staff present	Mr Greenberger
Conflict of Interest	Cr Anthony Keane is a civil contractor.

Governance**Assemblies of Councillors (cont'd)****12 January 2016 – Councillor Workshop**

Matters considered	Presentation - Port Fairy Surf Life Saving Club, Paul Buchanan Presentation - Beyond the Bell, Adele Kenneally & Helen Bayne Kindergarten Services Review Business Case Template & Capital Evaluation Criteria Road Making Materials Childers Street Peterborough Access Council's Plant Depreciation Review Port Fairy Surf Lifesaving Club Extension Intention to Sell Land Owned by Council known as Nirranda Mechanics Hall Intention to Sell Land Owned by Council known as Nullawarre North Hall Intention to Sell Land Owned by Council known as Rosebrook Hall Folk Festival Camping Site – 18 Settlers Lane, Illowa Update on Rate Capping and the 2016/2017 Budget Implications Enforcement Matter 23 High Street / 3 Queen Street, Koroit Council Policy – Unused Road Licences PS-3 PRESENTATION - Revenue Strategy, Review Consultant Workshop, CT Management Group
Councillors present	Cr Jim Doukas, Cr Kelvin Goodall, Cr Anthony Keane, Cr Ralph Leutton, Cr Jill Parker, Cr Colin Ryan, Cr Mick Wolfe
Staff present	Mr D Madden, Mr O Moles, Mr T Greenberger, Mr D Robertson, Ms L Cook
Conflict of Interest	None declared.

Carried - 7:0

GOVERNANCE

2. Update on Rate Capping and the 2016/2017 Budget Implications

Report Summary: *The report gives Council an update on the service reviews to date and the implication to the 2016/2017 Budget.*

Cr Leutton moved, Cr Keane seconded, that the 2016/2017 Budget be prepared to include the savings and extra income identified in the report.

Carried - 7:0

COMMUNITY AND CORPORATE SUPPORT

3. 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 Wolfe moved, Cr Parker seconded

1. That Council receive the December 2015 Performance Report
2. That Council approves the variations listed in Attachment 4 to the Report.

Carried - 7:0

COMMUNITY AND CORPORATE SUPPORT

4. Councils Plant Depreciation Review

Report Summary: *To review the depreciation calculation for plant and equipment and subsequent impact to the plant operating costs for the current financial year.*

Cr Parker moved, Cr Keane seconded that Council introduce residual values for plant and equipment when calculating depreciation for the 2015/16 financial year.

Carried - 7:0

COMMUNITY AND CORPORATE SUPPORT

5. Festivals and Events Funding 2015/2016 (Round 3)

Report Summary: *The report lists the requests for Festival and Event Funding and the proposed allocation made against each request for Round 3 of the 2015/2016 financial year.*

Cr Parker moved, Cr Goodall seconded that the 2015/2016 Round 3 Festival and Events Funding be allocated pursuant to the Festival and Events Funding allocation spreadsheet attached to the Report.

Carried - 7:0

Item 6 heard earlier in the meeting.

SUSTAINABLE DEVELOPMENT

7. Planning Permit PL15/176 – 330 Grassmere Road, Grassmere – Use and Development of Land for Racing Dog Keeping and Racing Dog Training

Report Summary: *The application is for use and development of land for racing dog keeping and racing dog training in the Farming Zone.*

Cr Goodall moved, Cr Leutton seconded that Council having caused notice of Planning Application No. PL15/176 to be given under Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* decides to Grant a Notice of Decision to Grant a Permit under the provisions of the Moyne Planning Scheme in respect of the land known and described as 330 Grassmere Road, Grassmere (Lot 1 PS724621E), for the Use and Development of land for racing dog keeping in accordance with the endorsed plans, subject to the following conditions:

Amended Plans

1. Before the use and development commences, three copies of amended plans must be submitted to and endorsed by the Responsible Authority. Such a plan must be generally in accord with those submitted with the application but modified to show:
 - a) Annotations that the walls and ceiling of the racing and puppy kennels to be constructed of 50mm Bondor panels or materials of equivalent acoustic attenuation value to the satisfaction of the Responsible Authority.
 - b) A screen using built structure across the front of the racing kennels to reduce visual stimuli and act as a secondary noise attenuation device. This screen must be in place prior to the commencement of the use hereby permitted and must be maintained to the satisfaction of the Responsible Authority.
 - c) The location and dimensions of visual screens along the northern and western boundary of the rearing puppy yard to the satisfaction of the Responsible Authority. These screens must be in place prior to the commencement of the use hereby permitted and must be maintained to the satisfaction of the Responsible Authority or until alternative screen planting measures are demonstrably able to perform the same function.
 - d) Screen planting measures to the puppy rearing yards and associated exercise area using large shrubs such as *Callistemon viminalis*, *Callistemon 'Kings Park Special'* or other similar species (planted 3m apart) to the satisfaction of the Responsible Authority.
 - e) The location of screen planting to filter views of the development site from surrounding properties and the road to the satisfaction of the Responsible Authority.

- f) The method of maintenance, including irrigation and the replacement of dead screen plantings to the satisfaction of the Responsible Authority.

Once endorsed these plans will become part of this permit.

- 2. Landscaping must be maintained to the satisfaction of the Responsible Authority as long as the use of racing dog keeping and training continues.
- 3. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Site Management for Racing Dog Keeping and Training

- 4. Before the racing dog keeping use commences a Site Management Plan (Racing Dog Keeping and Training) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Site Management Plan will be endorsed and will then form part of the permit.
- 5. The Site Management Plan (Racing Dog Keeping and Training) must be in accordance with the requirements set out in this permit, the Department of Primary Industries *Code of Practice for the operation of Greyhound Establishments* (October 2006), EPA Noise Control *Guidelines for Dog Kennels* and, the Greyhound Racing Victoria Code of Practice (*A Code of Practice for Greyhound Establishments*) March 2008. The plan must include:
 - a) Feeding arrangements.
 - b) Management of any visitors including a maximum number on site at any one time.
 - c) Ongoing management of the facility.
 - d) Access to dog holding areas by the owner/manager and a nominated responsible person only.
 - e) Noise management (including maximum number of dogs using the puppy rearing yards, and maximum hours using the exercise yards per week).
 - f) Waste management including collection, storage and removal of dry dog faeces
 - g) Cleaning methods for the entire facility.
 - h) Ventilation for the facility.
- 6. At all times during the operation of the Racing Dog Keeping Facility use hereby approved, the following requirements must be met to the satisfaction of the Responsible Authority:
 - a) The permit holder or a nominated responsible person must be resident on the subject land and be reasonably available 24 hours per day when dogs are present on the subject land.

- b) The permit holder or nominated responsible person must ensure that the dogs do not leave the subject land unless on a leash and/or in a vehicle from which they are unable to escape.
 - c) The dogs must not be allowed outside the enclosures shown on the endorsed plans unless on a leash or otherwise under the effective control of the permit holder or a nominated responsible person.
 - d) If any dogs escape, the permit holder or a nominated responsible person must ensure that they are brought back to the subject land without reasonable delay once the escape is known.
 - e) Unless with the prior written consent of the Responsible Authority, feeding of the dogs must only occur between sunrise and sunset and exercise of dogs must only occur between the hours of 7.00am and 7.00pm, unless in the event of unforeseen circumstances whereby the dogs would otherwise go unfed or exercised, at other times to the satisfaction of the Responsible Authority. The permit holder or a nominated responsible person must document any such unforeseen circumstances in writing, recording the times, dates and reasons of such events.
7. Not more than 25 greyhound dogs can be kept on the site at any one time. This number does not include the number of greyhound pups (dogs under 16 weeks of age).
8. The landowner or holder of this planning permit must hold and maintain registration with Greyhound Racing Victoria and comply with the requirements of the *Code of Practice for the Greyhound Industry* March 2008 (or as may be amended). In the event of difference between any permit condition and the *Code of Practice*, the requirements of this permit shall prevail.
9. Areas in which greyhounds are to be kept must be fenced to the satisfaction of the Responsible Authority and maintained thereafter in good order to prevent the escape of animals.

Permit Expiry

10. This permit will expire if one of the following circumstances applies:
- a) The development and use is not started within two years of the date of this permit;
 - b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing to the Responsible Authority in accordance with the Planning Environment Act 1987.

Carried - 7:0

Item 8 heard earlier in the meeting.

PHYSICAL SERVICES

9. Walkers Lane Former Quarry – Petition received requesting beautification following installation of new fence

Report Summary: *The report relates to the petition received by Council on 19 November 2015 which is signed by 63 citizens.*

Cr Keane moved, Cr Wolfe seconded that Council receive the Petition signed by 63 citizens regarding beautification of the perimeter of the former quarry in Walkers Lane, Koroit.

Carried - 7:0

Report 10 heard earlier in the meeting.

11. Council Policy – Unused Road Licences PS-3

Report Summary: *The report details a review of policies Unused Road Closures PS-M-1 and Unformed Government Roads PS-E-1, and proposes a new policy Unused Road Licences PS-3 in their place. The new policy combines both existing policies.*

Cr Leutton moved, Cr Goodall seconded that Council adopt the revised Policy for Unused Road Licences PS-3 which will replace Policies PS-M-1 Unused Road Closures, and PS-E-1 Unformed Government Roads.

Carried - 7:0

5.50pm Mr Greenberger left the Chamber.

COUNCILLOR ITEMS

12(a) Mayoral Report

Report noted.

12(b) Councillors' Report

Report noted.

5.50pm Mr Greenberger returned to the Chamber.

13. COUNCILLOR NOTICE OF MOTION – Cr Wolfe Port Fairy Camping – Bushfire Victims

Cr Wolfe moved, Cr Parker seconded that Council convey to the Colac Otway Shire and Moorabool Shire Council that Moyne Shire Council is prepared to offer a free holiday camp site at either the Port Fairy Gardens Caravan Park or the Port Fairy Southcombe Caravan Park at any time during 2016, excluding the Labour Day long weekend and Easter long weekend in March, for those who have lost their homes and/or businesses during the recent Wye River fires and Scotsburn fire (near Ballarat).

Carried - 6:1

Voting FOR the motion	Cr Goodall, Cr Keane, Cr Leutton, Cr Parker, Cr Ryan and Cr Wolfe
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Voting AGAINST the motion	Cr Doukas
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14. Personal Explanations

None.

COUNCILLOR ITEMS (cont'd)

15. Urgent Business

None.

5.59pm - Closure of Open Meeting and Suspension of Standing Orders

Cr Goodall moved, Cr Leutton seconded that the meeting be closed to members of the public to discuss the items listed in the confidential agenda. The reason for the items being considered at meeting closed to the public – Local Government Act Section 89 2 (d) contractual matters.

Carried - 7:0

Cr Keane moved, Cr Wolfe seconded that Standing Orders be suspended to allow Councillors a break for refreshments.

Carried - 7:0

6.29pm – Resumption of Open Meeting

Cr Parker moved, Cr Leutton seconded that the Open Meeting be resumed.

Carried - 7:0

Cr Leutton moved, Cr Goodall seconded that confidentiality of resolutions numbered 16, 17, 18 and 19 be lifted.

Carried - 7:0

Confidential Item

Reason for item being considered at meeting closed to the public - Local Government Act 1989, Section 89 2 (d) contractual matters.

PHYSICAL SERVICES

16. Energy Contracts 2016 - 2018

Report Summary: *The report details the supply of electricity to metered sites, public lighting and natural gas and associated services to Moyne Shire Council buildings from 1 January 2016.*

Cr Parker moved, Cr Goodall seconded

1. That the Council makes and declares confidential the Procurement Australia Tender Evaluation Report for Contract N^o. 1906/0625.
2. That the Council accept the tender for the Retail Electricity, Public Lighting, Natural Gas and Associated Services from AGL from 1 January 2016 for a period of 30 months at the rates as detailed in Procurement Australia's Contract.

Carried - 7:0

Confidential Item

Reason for item being considered at meeting closed to the public - Local Government Act 1989, Section 89 2 (d) contractual matters.

PHYSICAL SERVICES

17. Intention to Sell Land Owned by Council known as Nirranda Hall

Report Summary: *Council has previously indicated Nirranda Hall, as being surplus, and this report now provides a valuation report and recommends a method of sale.*

Cr Parker moved, Cr Goodall seconded that Council, having been advised of the valuation of the Nirranda Hall being Lot 1 on Title Plan 567424R, Parish of Nirranda, County of Heytesbury resolves to:

- a) Reaffirm the Nirranda Hall is surplus to the needs of Council; and
- b) Confirm its intention to sell the land, to be sold by public tender at valuation or better; and
- c) Directs officers in accordance with section 189 and 223 of the Local Government Act 1989 to make a public "Notice of Intention to Sell" the land and improvements known as the Nirranda Hall and to invite submissions on the proposed sale in accordance with the requirements of section 223 of the Local Government Act 1989; and
- d) Following the statutory notification and submission period a further report be presented to Council.
- e) Apply for a Planning Permit for a dwelling.

Carried - 7:0

Confidential Item - Reason for item being considered at meeting closed to the public - Local Government Act 1989, Section 89 2 (d) contractual matters.

PHYSICAL SERVICES

18. Intention to Sell Land Owned by Council known as Nullawarre North Hall

Report Summary: Council has previously indicated the Nullawarre North Hall, as being surplus, and this report now provides a valuation report and recommends a method of sale.

Cr Goodall moved, Cr Leutton seconded that Council, having been advised of the valuation of the Nullawarre North Hall being Lot 1 on Title Plan 89738F, Parish of Nullawarre, County of Heytesbury resolves to:

- a) Reaffirm the Nullawarre North Hall is surplus to the needs of Council; and
- b) Confirm its intention to sell the land, to be sold by public tender at valuation or better; and
- c) Directs officers in accordance with section 189 and 223 of the Local Government Act 1989 to make a public "Notice of Intention to Sell" the land and improvements known as the Nullawarre North Hall and to invite submissions on the proposed sale in accordance with the requirements of section 223 of the Local Government Act 1989; and
- d) Following the statutory notification and submission period a further report be presented to Council.
- e) Apply for a Planning Permit.

Carried - 7:0

Confidential Item - Reason for item being considered at meeting closed to the public - Local Government Act 1989, Section 89 2 (d) contractual matters.

PHYSICAL SERVICES

19. Intention to Sell Land Owned by Council known as Rosebrook Hall

Report Summary: Council has previously indicated the Rosebrook Hall as being surplus, and this report now provides a valuation report and recommends a method of sale.

Cr Keane moved, Cr Leutton seconded that Council, having been advised of the valuation of the Rosebrook Hall being Lot 1 on Title Plan 326150A, Parish of Koroit, resolves to:

- a) Reaffirm the Rosebrook Hall is surplus to the needs of Council; and
- b) Confirm its intention to sell the land, to be sold by public tender at valuation or better; and
- c) Directs officers in accordance with section 189 and 223 of the Local Government Act 1989 to make a public “Notice of Intention to Sell” the land and improvements known as the Rosebrook Hall and to invite submissions on the proposed sale in accordance with the requirements of section 223 of the Local Government Act 1989; and
- d) Following the statutory notification and submission period a further report be presented to Council.
- e) Apply for a Planning Permit

Cr Ryan foreshadowed a motion.

Carried - 5:2

Voting FOR the motion Crs Doukas, Goodall, Keane, Leutton and Parker

Voting AGAINST the motion Crs Ryan and Wolfe

The meeting closed at 6.30pm. Confirmed this 2016.

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Mayor