



MINUTES

Ordinary Council Meeting Wednesday, 7 October 2026

Date: Wednesday, 7 October 2026

Time: 6.00pm

**Location: Council Chambers, 15 Stead Street, Ballan &
Online**

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1 OPENING OF MEETING AND PRAYER

The Mayor opened the meeting at 6.00pm.

Cr Freeman read the Prayer.

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor read the Acknowledgement of Country.

3 RECORDING OF MEETING

In accordance with Moorabool Shire Council's Governance Rules, the meeting is livestreamed.

4 PRESENT

Cr Steven Venditti-Taylor, Mayor

Cr Jarrod Bingham, Deputy Mayor

Cr Moira Berry

Cr Sheila Freeman

Cr John Keogh

Cr Ally Munari

Cr Sullivan

Cr Paul Tatchell

Cr Rod Ward

Officers:

Mr Derek Madden Chief Executive Officer

Mr David Jackson General Manager Customer & Corporate Services

Ms Leigh McCallum General Manager Community Strengthening

Mr Henry Bezuidenhout Executive Manager Community Planning & Development

Mr Phil Jeffrey General Manager Community Assets & Infrastructure

Mr Joseph Spiteri Manager Governance & Civic Support

Kate Barclay Manager Growth & Development

Leanne Manton Manager Customer & Communications

5 APOLOGIES

Nil

6 CONFIRMATION OF MINUTES**RESOLUTION****Moved:** Cr Ally Munari**Seconded:** Cr Rod Ward

That the minutes of the Ordinary Council Meeting held on Wednesday 2 September 2026 be confirmed.

CARRIED**7 DISCLOSURE OF CONFLICTS OF INTEREST**

Nil

8 PUBLIC QUESTION TIME

Name	Question/Response	CEO/GM/EM	Read at Meeting (Yes/No)	Taken on Notice Yes/No
Dominic Hanrahan	Question 1: Is Moorabool Shire Council in favour of leasing the Bungaree Loop from Victrack, funding and constructing the West Moorabool Rail Trail on behalf of the community?	Henry Bezuidenhout Executive Manager Community Planning & Development	Yes	No
	Response: Council has undertaken a feasibility study which has identified that further planning and investigations are required to enable a future decision regarding the project.			
	Question 2: What time frame is anticipated by council for the construction of the full project? If the project is staged, what is the time frame proposed for the construction of each stage?			

	Response: At this stage, further feasibility studies, costings and design will inform the project and the likely timeframe, including the procurement of services. It would be premature to provide any dates until the feasibility study, costing and design are finalised. Any future timeframes would be dependent on the outcomes of further investigations, the availability of funding, required approvals and a formal Council decision.			
Gerard White	Question: If the Moorabool Shire Council is not prepared to construct the rail trail, is council prepared to lease the Bungaree loop from Victrack and sub-let the rail corridor to West Moorabool Rail Trail Inc in order for them to construct the rail trail?	Henry Bezuidenhout Executive Manager Community Planning & Development	Yes	No
	Response: The project has not advanced to a stage where details around lease and governance arrangements can be clarified.			
Mark Powell	Question: Are there any issues identified by Moorabool Shire Council that would delay the construction of the West Moorabool Rail Trail?	Henry Bezuidenhout Executive Manager Community Planning & Development	Yes	No
	Response: This project will require allocated funding and be included in Capital Improvement/ Works Program and be subject to required approvals and procurement processes. As such there is no immediate timeframe that can be provided and any issues will be identified as part of feasibility studies, design and costings.			

Kellee Frazer	Question: What additional infrastructure has been identified by council that are needed by the rail trail. Could any existing amenities be utilized for this purpose? (ie. recreation reserves)	Henry Bezuidenhout Executive Manager Community Planning & Development	Yes	No
	Response: As identified in the feasibility study, further planning investigations, concept design work and detailed costings are required before the infrastructure requirements of the West Moorabool Rail Trail can be fully determined.			
Darren Rix	Question: After MCE held a community forum in 2022 the Community Bank at Ballan committed a \$100000 to stage one (the Bungaree Wallace section). Are there any additional funds available from council to help get stage one done?	Henry Bezuidenhout Executive Manager Community Planning & Development	Yes	No
	Response: Council is aware that West Moorabool Rail Trail has been working with the Community Bank Ballan. Any further funding towards the project will be subject to Council consideration.			
Tristan Baums	Question: Will Council pause the proposed removal of the Sugar Gumtrees on Griffith Street until residents have been specifically consulted on the proposed tree removals and provided with the supporting arborist and ecological assessments?	Phil Jeffrey General Manager Community Assets and Infrastructure	Yes	No
	Response: In 2021, Council undertook community consultation regarding the proposed Griffith Street upgrade and provided the community with an opportunity to review and comment on the concept functional design plans. The consultation materials included information relating to the proposed road duplication, shared user paths, landscaping and public lighting works along Griffith Street. Feedback was sought through			

	Council's Have Your Say platform, including an interactive map and other submission channels. The removal of the existing Sugar Gum trees forms part of the overall Griffith Street improvement project and associated landscaping works. Council's assessment is that the existing trees adversely affect long-term landscaping outcomes due to their impact on ground moisture profiles and have also required significant pruning in recent years. The tree removal and harvesting of the timber will continue as planned with the trees to be replaced by extensive landscaping and additional tree planting. Council considers the removal necessary to facilitate future road upgrade works and to protect the proposed Shared User Path from damage associated with the existing trees.			
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9 PETITIONS

Nil

10 PRESENTATIONS/DEPUTATIONS

Item	Item	Speaker/s	Position	Attendance
12.1	Planning Scheme Amendment C099moor - Halletts Way and Adelong Way Intersection Area - Consideration of Submissions	Bob Reid	Objector	In Person
		Jodie Valpied	Objector	Online

11 CHIEF EXECUTIVE OFFICER REPORTS**11.1 CEO EMPLOYMENT AND REMUNERATION POLICY**

Author: Dianne Elshaug, Co-ordinator CEOs Office

Authoriser: Derek Madden, Chief Executive Officer

Attachments: 1. CEO Employment and Remuneration Policy 2026 (under separate cover)

PURPOSE

The purpose of this report is to present to Council the CEO Employment and Remuneration Policy for adoption.

EXECUTIVE SUMMARY

- Council is required to develop and implement a CEO Employment and Remuneration Policy as prescribed under the *Local Government Act 2020*.
- The policy will provide direction and guidance on the management of the life cycle of the Chief Executive Officer's employment, including recruitment, performance and end of contract processes.

RESOLUTION

Moved: Cr Ally Munari

Seconded: Cr Rod Ward

That Council adopts the CEO Employment and Remuneration Policy provided as Attachment 1 to this report.

CARRIED

BACKGROUND

Council is responsible for the appointment of the Chief Executive Officer (CEO), determine (with the CEO) the CEOs Performance Plan, assessing performance against that plan and determining the CEOs contract conditions, including remuneration.

PROPOSAL

The attached Policy has been developed to support the requirements of the *Local Government Act 2020* relating to CEO employment and remuneration, and Council will carry out its functions relating to the appointment, remuneration and performance appraisal of the CEO in accordance with best practice principles, which are detailed in the attached policy.

COUNCIL PLAN

The Council Plan 2025-2029 provides as follows:

Strategic Objective 4: A Council that engages and adapts

Priority 4.1: Listen, understand and advocate for community needs

The proposal to adopt the CEO Employment and Remuneration Policy is consistent with the Council Plan 2025-2029.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the adoption and implementation of the CEO Employment and Remuneration Policy.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Legislative requirement	Failure to comply with the requirements of the <i>Local Government Act 2020</i> .	Medium	Council to adopt and comply with the CEO Employment and Remuneration Policy.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Councillors	The proposed Policy was discussed as part of a Councillor Briefing.	Various	September 2026	Councillor input was sought on the proposed Policy.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Chief Executive Officer – Derek Madden

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author – Dianne Elshaug

In providing this advice to Council as the Author, I have no interests to disclose in this report.

CONCLUSION

The adoption of the CEO Employment and Remuneration Policy will demonstrate to the Moorabool community Council's commitment to good governance whilst ensuring compliance with the requirements of the *Local Government Act 2020*.

11.2 REQUEST FOR LEAVE - CR JARROD BINGHAM

The Mayor, Cr Steven Venditti-Taylor advised Council that the report has been withdrawn.

11.3 ADOPTION "IN PRINCIPLE" OF THE 2025/26 FINANCIAL STATEMENTS FOR SUBMISSION TO THE VICTORIAN AUDITOR-GENERAL FOR CERTIFICATION

Author: James Hogan, Chief Financial Officer

Authoriser: Derek Madden, Chief Executive Officer

Attachments: 1. Financial Statements 2025/26 (under separate cover)

PURPOSE

To present the 2025/26 Financial Statements to Council for adoption “in principle” and authorise two Councillors, being the Councillor members of the Audit and Risk Advisory Committee, to sign the audited statements, before being submitted to the Auditor-General for certification.

EXECUTIVE SUMMARY

The following report presents the 2025/26 Financial Statements for adoption “in principle” by Council for submission to the Auditor-General for certification.

RESOLUTION

Moved: Cr Paul Tatchell

Seconded: Cr Moira Berry

1. That Council, in accordance with Section 98 of the Local Government Act 2020:Adopts ‘in principle’ and submits the 2025/26 Financial Statements to the Victorian Auditor-General for certification; and
2. Authorise the Council’s Audit and Risk Advisory Committee Representatives, Councillor Venditti-Taylor and Councillor Berry to certify the 2025/26 Financial Statements in their final form, after any changes recommended, or agreed to by the Auditor, have been made.

CARRIED

BACKGROUND

The Local Government Act 2020 requires that Council complete the following at the end of each financial year with respect to producing an Annual Report.

S. 98 Annual report

- (1) A Council must prepare an annual report in respect of each financial year.
- (2) An annual report must contain the following:
 - (a) A report of operations of the Council;
 - (b) An audited performance statement;
 - (c) Audited financial statements;
 - (d) A copy of the auditor's report on the performance statement;
 - (e) A copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994;

- (f) Any other matter required by the regulations.
- (3) The financial statements must:
 - (a) Include any other information prescribed by the regulations; and
 - (b) Be prepared in accordance with the regulations.

S. 99 Preparation of annual report

- (1) As soon as practicable after the end of the financial year, a Council must cause to be prepared in accordance with section 98, the performance statement and financial statements of the Council for the financial year.
- (2) The Council, after passing a resolution giving its approval in principle to the performance statement and financial statements, must submit the statements to the auditor for reporting on the audit.
- (3) The Council must ensure that the performance statement and financial statements, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by:
 - (a) Two Councillors authorised by the Council for the purposes of this subsection; and
 - (b) Any other persons prescribed by the regulations for the purposes of this subsection.
- (4) The auditor must prepare a report on the performance statement.

Note: The auditor is required under Part 3 of the Audit Act 1994 to prepare a report on the financial statements.

- (5) The auditor must not sign a report under subsection (4) or under Part 3 of the Audit Act 1994 unless the performance statement or the financial statements (as applicable) have been certified under subsection (3).
- (6) The auditor must provide the Minister and the Council with a copy of the report on the performance statement as soon as is reasonably practicable.

Note: The auditor is required under Part 3 of the Audit Act 1994 to report on the financial statements to the Council within 4 weeks and to give a copy of the report to the Minister.

PROPOSAL

The 2025/26 Financial Statements have been prepared in accordance with the requirements of the Local Government Act 2020, Local Government (Planning and Reporting) Regulations 2020 and Australian Accounting Standards.

In accordance with Council's Governance protocols, the reports will be presented to Council's Audit and Risk Advisory Committee for review and recommendation to Council for adoption "in principle" and authorisation of two Councillors, being the Councillor members of the Audit and Risk Advisory Committee, to sign the audited statements.

In summary, the statements indicate the following results for 2025/26:

- 1. Financial Statements: reflect the comparative performance to the previous financial year.
 - Comprehensive Income Statement – The result reflects a total comprehensive gain of \$10.141 million.
 - Balance Sheet – The movement in net assets reflects the total operating gain of \$10.141 million. Included within this result are the following significant items:

- i. \$8.433 million increase in 'Property, Infrastructure, Plant and Equipment' mainly due to the Capital Improvement Program, the impact of Asset Revaluations conducted in 2025/26, and Assets Gifted from Subdivision.
- Cash Flow Statement – The movement in cash held at the end of the year is an increase of \$5.771 million. Included within this result are the following significant items:
 - i. Net cash flows from operating activities decreased by \$7.140 million from last year to \$24.441 million. This is mainly due to decreases in 'Grants – Operating' and 'Contributions-Monetary'.
 - ii. Net cash used in investing activities has decreased by \$22.473 million to \$12.493 million. This is due to the 2025/26 Capital Improvement Program and a lower level of term deposit investments held at year end.
 - iii. Net cash used in financing activities has increased overall by \$4.406 million to \$6.147 million due to no borrowings taken out in 2025/26 and repayment of existing borrowings.
- Statement of Capital Works – Overall, capital expenditure for 2025/26 is \$7.296 million less than the previous year, made up of the following significant items:
 - i. Capital expenditure on buildings in 2025/26 was \$6.385 million lower than in 2024/25, primarily due to the completion of the Ballan Library project in 2024/25.

COUNCIL PLAN

The Council Plan 2025-2029 provides as follows:

Strategic Objective 4: A Council that engages and adapts

Priority 4.2: Align services and resources to sustainably meet the needs of our community

The 2025/26 Financial Statements are consistent with the Council Plan 2025-2029.

FINANCIAL IMPLICATIONS

The financial statements detail Council's financial performance and position for 2025/26. They demonstrate that over time Council has steadily improved its financial position but indicates that there are still numerous financial challenges that lay ahead which will require responsible fiscal stewardship.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no Risk and Occupational Health & Safety Issues.

COMMUNICATIONS & CONSULTATION STRATEGY

The Annual Financial Statements and Performance Statements are reported to Council to adopt "in principle" for submission to the Auditor-General for certification. Audited Statements are then incorporated into Council's Annual Report.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Chief Executive Officer – Derek Madden

In providing this advice to Council as the Chief Executive Officer, I have no interests to disclose in this report.

Author – James Hogan

In providing this advice to Council as the Author, I have no interests to disclose in this report.

CONCLUSION

The attached Financial Statements for 2025/26 have been prepared in accordance with the requirements of the Local Government Act. Council's Audit and Risk Advisory Committee have reviewed the statements and recommended that Council adopt the statements "in principle". The Statements will then be submitted to the Auditor-General for certification. Council is also required to authorise two Councillors to sign the statements on behalf of Council, as required under the Local Government Act.

It is practice for the Councillor members of the Audit and Risk Advisory Committee to sign the certified statements on behalf of Council.

12 COMMUNITY PLANNING AND DEVELOPMENT REPORTS

12.1 PLANNING SCHEME AMENDMENT C099MOOR - HALLETTS WAY AND ADELONG WAY INTERSECTION AREA - CONSIDERATION OF SUBMISSIONS

Author: Liam Prescott, Senior Strategic Planner

Authoriser: Henry Bezuidenhout, Executive Manager Community Planning & Development

Attachments:

1. Summary of Submissions (under separate cover)
2. Updated Amendment Documentation (under separate cover)
3. Updated Storm Water Management Plan (under separate cover)
4. Updated Biodiversity Assessment (under separate cover)

PURPOSE

To consider submissions in response to the public exhibition of Moorabool Planning Scheme Amendment C099moor and to request the Minister for Planning appoint an Independent Planning Panel to consider the amendment and submissions received.

EXECUTIVE SUMMARY

- Amendment C099 is a Section 96A application which proposes to rezone the land to Neighbourhood Residential Zone and subdivide land into five lots at the corner of Halletts Way and Adelong Way, Bacchus Marsh. It also proposes a Development Plan Overlay to guide future development including the creation of public reserves for future open space and drainage purposes.
- At its meeting on 3 April 2024, Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C099moor. Conditional authorisation was received on 18 September 2024.
- The amendment was exhibited from 21 March to 4 May 2025. A total of 82 submissions have been received including a late submission from the proponent.
- It is recommended that an independent Planning Panel be appointed to consider all submissions.

RESOLUTION

Moved: Cr Tom Sullivan

Seconded: Cr John Keogh

That Council:

1. Request the Minister for Planning establish an independent planning panel to consider all submissions received in response to Amendment C099moor, in accordance with the *Planning and Environment Act 1987*.
2. Authorise the Executive Manager Community Planning and Development to continue to liaise with submitters and seek to resolve submissions prior to and during the independent planning panel process, prior to Amendment C099 being reported back to Council for consideration.

3. Delegate authority to the Executive Manager Community Planning and Development to consider any further late submissions received by Council in relation to Amendment C099moor and refer them to the independent planning panel.

CARRIED

BACKGROUND

The amendment applies to 4.7ha of land outlined in yellow in Figure 1. This area consists of several parcels, around Halletts Way and Adelong Way, and is bordered by the banks of the Werribee River.



Figure 1: Map of the amendment area and surrounds

These parcels are described as:

- Lot A on Plan of Subdivision 821090T, Werribee Vale Road, Bacchus Marsh (3 parcels forming 2.61ha in extent, owned by Plenty Property Pty Ltd).
- Lot RES1 on PS742687 (owned by Moorabool Shire Council).
- Crown Allotments 2035 and 2036, Township of Bacchus Marsh, Parish of Korkuperrimul (Crown land forming part of the Werribee River corridor, owned and managed by DEECA).

As part of the conditions of authorisation, the Minister for Planning requested the inclusion of the Council land and Crown allotments in the amendment to update their zoning.

The amendment is a combined planning permit application and planning scheme amendment under section 96A of the *Planning and Environment Act 1987* (the Act). The planning permit application applies to Lot A on Plan of Subdivision 821090T.

The land affected by the amendment is currently located within the Farming Zone (FZ), Design and Development Overlay – Schedule 2 (DDO2) and partially covered by the Environmental

Significance Overlay Schedule 2 and 8 (ESO2, ESO8), and the Land Subject to Inundation Overlay (LSIO).

The land sits adjacent to the Underbank residential estate and close to the Stonehill residential estate. The area surrounding the land is mostly zoned General Residential Zone 2 and features major creek lines and distinctive undulating slopes.

The Werribee River runs to the south of the subject land making the southern portion of the land prone to inundation (indicated by the Land Subject to Inundation Overlay).

AMENDMENT C099

Amendment C099Moor proposes to amend the Moorabool Planning Scheme to enable future development adjacent to the Underbank Estate. The amendment proposes to:

- Rezone land from Farming Zone to Neighbourhood Residential Zone – Schedule 9.
- Remove the Design and Development Overlay – Schedule 2 which relates to landscape character and visual amenity regarding reflective materials in rural areas.
- Apply the Development Plan Overlay – Schedule 8 to guide the future land use and development of the land.
- Subdivide Lot A on Plan of Subdivision 821090T creating five Neighbourhood Residential Zoned lots.
- Retain the Environmental Significance Overlay – Schedule 2 and Schedule 8, and the Land Subject to Inundation Overlay.
- Rezone Crown land on the edge of the river from Farming Zone to Public Park and Recreation Zone to correct an existing anomaly.

AUTHORISATION AND PUBLIC EXHIBITION

On 18 September 2024, the Minister for Planning provided conditional authorisation of Amendment C099moor.

In accordance with the requirements of Section 19 of the Act, the Amendment was placed on public exhibition from 21 March 2025 to 4 May 2025. Further details about the exhibition process are included in the 'Communications & Consultation Strategy' section below.

Consideration of Submissions

At the close of the exhibition period, 81 submissions had been received comprising:

- Six submissions from government agencies.
- A submission from the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation.
- Two submissions from local environmental groups.
- 72 submissions from community members and nearby residents.

A late submission from the proponent was received after the exhibition period closed which brings the total submissions to 82.

Agencies

Heritage Victoria, Southern Rural Water and Agriculture Victoria had no objections to the amendment.

Melbourne Water objected to the amendment due to flooding concerns. Their submission requested changes to the amendment including that Lots B, C and E be created for drainage reserve purposes (refer to Figure 2). Council's preferred version of amendment documents to put forward to the panel address this submission (refer to Attachment 2).



Figure 2: Map of the proposed subdivision

The Head, Transport for Victoria requested the Transport Impact Assessment be revised to consider impacts to active transport networks. Council's preferred version of amendment documents to put forward to the panel address this submission.

Department of Energy, Environment and Climate Action had no objection to the amendment subject to planning permit conditions which have been included in the attached draft Planning Permit.

Traditional Owners

Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation had no objection to the amendment.

Local Environment Groups

Moorabool Environment Group and Bacchus Marsh Platypus Alliance supported the creation of Lot E as a reserve but requested that Lot D also be created as a public reserve.

Both groups were concerned with the impact of development on flora and fauna across the site, raising many concerns including the following key issues:

- Biodiversity had not been adequately assessed.
- Development of lot D will result in litter, light pollution, and pollution entering the river environs and impacting habitat.
- During construction sediment, litter and runoff may enter the river.
- Lot D currently experiences flooding from stormwater from the escarpment.

Other Submissions

Of the 72 submissions from community members and nearby residents, some may potentially be addressed with Lot B reverting to a reserve for drainage purposes. The remainder of submissions are broadly consistent with the objections raised by the two local environmental groups.

The proponent made a late submission after close of exhibition in response to the Melbourne Water submission that sought changes that removed Lot B from the developable area.

The proponent objects to the identification of Lot B as a drainage reserve within the Development Plan Overlay and associated Concept Plan (Attachment 2). The proponent seeks to have Lot B shown as a “future investigation area” or similar, to allow completion of detailed drainage and flood assessments to determine the development potential of Lot B rather than sterilising the land as part of this amendment.

Officer responses to the submissions are provided in Attachment 1.

Any further late submissions received will be referred to an independent planning panel for consideration.

Recommended Changes to the Amendment

Council’s preferred version of amendment documents to put forward to the panel is provided in Attachment 2 and will be submitted to the Panel for consideration as part of Council’s Day 1 submission.

After exhibition, officers met with Melbourne Water to discuss their submission. Their concerns in relation to Lot B (refer to figure 2) relate to riverine flood events greater than the 1% Annual Exceedance Probability (AEP) mapped in the Land Subject to Inundation Overlay. The proponent has amended the plan to revert Lot B from the developable area and retain it as a drainage reserve.

This also may address concerns raised in a submission from a resident whose land backs onto Lot B. An updated *Storm Water Management Strategy* responds to matters raised in submissions (Attachment 3)

Additional recommended changes to the amendment in response to submissions include:

- Showing a pedestrian path connection from the east side of Halletts Way to the northern Werribee River trail

- A public art/interpretation signage requirement in Lot E which provides the proponent with an opportunity to acknowledge and involve Traditional Owners.
- Requiring a private road as an interface between Lot D and E.
- A requirement to move the existing river trail northwards on Lot E further from the river reserve to provide more undisturbed habitat for platypus and other native animals.
- Addition of recommendations in the Abzeco Ecological report relating to mitigating platypus impacts.
- Addition of DPO requirements to address submissions around litter and light pollution.

Impacts on the Natural Environment

Following exhibition of the amendment the proponent engaged Abzeco to undertake an update of their 2020 site habitat assessment and survey and respond to matters raised by submitters. This report is provided as Attachment 4. Recommendations of this report have been incorporated into the development plan overlay and permit conditions to require:

- Development works to be conducted outside platypus breeding season in the case that platypus burrows are located in the Werribee River environs to the south of Lot E.
- New recreational access paths through Lot E are outside the core riparian areas (consistent with Melbourne Water recommended setbacks).

Options

At this stage in the amendment process Council has three options under Section 23(1) of the Act:

1. Change the amendment in the manner requested (by submissions); or
2. Refer all submissions (including any late submissions) to a Panel appointed under Part 8 of the Act; or
3. Abandon the amendment or part of the amendment.

Officers recommend that Council refer the submissions to a Panel (option 2) as:

- The amendment provides a balanced community benefit which is strategically supported by the Moorabool Planning Scheme. It provides additional residentially zoned land and also protects the Werribee River by securing revegetated reserves.
- Changes to the planning scheme ordinance are proposed to address issues raised in submissions where appropriate.
- At this time, Council is only being asked to decide on whether submissions on the Amendment should progress through the planning scheme amendment process to an independent Planning Panel which will hold a public hearing and provide a report with its findings and any recommendations to Council.
- Should the Amendment be referred to a Panel, Council will be required to consider the Panel's report before deciding whether or not to adopt the Amendment (with or without changes) or abandon it. If Council decides to adopt the Amendment, it will then need to submit the Amendment to the Minister for approval.

COUNCIL PLAN

The Council Plan 2025-2029 provides as follows:

Strategic Objective 3: Places and spaces that meet the needs of our many and varied communities

Priority 3.2: Align services to meet the needs of the community

The proposal to request appointment of an independent planning panel for Amendment C099moor is consistent with the Council Plan 2025-2029.

FINANCIAL IMPLICATIONS

As a privately initiated planning scheme amendment, the applicant is required to pay statutory fees in accordance with the *Planning and Environment Fees Regulations*. The application is also responsible for covering other costs associated with the amendment as allowed under the *Planning and Environment Act 1987*, including advertising and planning panel costs. The planning permit includes a requirement for a public open space contribution.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

No specific risks have been identified in requesting a planning panel for Amendment C099moor.

COMMUNICATIONS & CONSULTATION STRATEGY

Amendment C099moor was on public exhibition from 21 March to 4 May 2025.

Notification of the Amendment was undertaken by:

- Letters sent to owners and occupiers of properties directly affected by the proposed amendment.
- Letters to Prescribed Ministers and relevant statutory authorities.
- Advertisement in the *Moorabool News* and the *Victoria Government Gazette*.
- Posts on Council's social media.

All Amendment documentation was available on Council's Have Your Say page and hard copies of the documentation were available for inspection at Council's offices.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the *Victorian Charter of Human Rights and Responsibilities* is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Executive Manager – Henry Bezuidenhout

In providing this advice to Council as the Executive Manager, I have no interests to disclose in this report.

Author – Liam Prescott

In providing this advice to Council as the Author, I have no interests to disclose in this report.

CONCLUSION

Amendment C099moor proposes to rezone approximately 4.7ha of land at the corner of Halletts Way and Adelong Way in Bacchus Marsh. The rezoning will increase opportunities for housing supply as well as secure and extend the reserves along the Werribee River.

There is a net community benefit of improving environmental values whilst efficiently using existing vacant land for the residential and community needs of the emerging neighbourhoods surrounding the site.

It is recommended that an independent Planning Panel be appointed to consider all submissions. Following a Panel Hearing and receipt of a Planning Panel report, Council will have the opportunity to either adopt the amendment, adopt the amendment with changes, or abandon the amendment.

13 COMMUNITY STRENGTHENING REPORTS

13.1 ADVISORY COMMITTEES OF COUNCIL - REPORTS

Author: Kaylene Bowker, Executive Assistant

Authoriser: Leigh McCallum, General Manager Community Strengthening

Attachments:

- 1. Minutes - Moorabool Health and Wellbeing Advisory Committee Meeting, 11 May 2026 (under separate cover)**
- 2. Minutes - Positive Ageing Advisory Committee Meeting, 15 July 2026 (under separate cover)**

BACKGROUND

Advisory Committees are established to assist Council with executing specific functions or duties.

Advisory Committees of Council currently have no delegated powers to act on behalf of Council or commit Council to any expenditure unless resolved explicitly by Council following recommendation from the Committee. Their function is purely advisory.

Advisory Committees are required to report to Council at intervals determined by the Council.

EXECUTIVE SUMMARY

Councillors, as representatives of the following Advisory Committees of Council, present the reports of the Committee Meetings for Council consideration.

Committee	Meeting Date	Council Representatives
Moorabool Health and Wellbeing Advisory Committee	Monday 11 May 2026	Cr Sheila Freeman Cr John Keogh (Sub)
Positive Ageing Advisory Committee	Wednesday 15 July 2026	Cr Sheila Freeman Cr Paul Tatchell (Sub)

RESOLUTION

Moved: Cr Sheila Freeman

Seconded: Cr Moira Berry

That Council receive and note the following Advisory Committee Minutes:

- 1. Moorabool Health and Wellbeing Advisory Committee Meeting Minutes for Monday 11 May 2026.**
- 2. Positive Ageing Advisory Committee Meeting Minutes for Wednesday 15 July 2026.**

CARRIED

13.2 FAIR ACCESS POLICY REVIEW - COMMUNITY CONSULTATION

Author: Travis Kirwood, Manager Community Development and Activation

Authoriser: Leigh McCallum, General Manager Community Strengthening

Attachments:

1. Draft Fair Access Policy (under separate cover)
2. Community Engagement Questions - Fair Access Policy Review (under separate cover)

PURPOSE

To seek Council approval to undertake community engagement as part of the scheduled review of the Fair Access Policy (the Policy), in accordance with Council's Community Engagement Policy.

EXECUTIVE SUMMARY

- Council's Fair Access Policy guides positive action towards enhancing gender equity in the access and usage of community sports infrastructure.
- It is proposed that Council undertake community engagement to understand how the current policy is experienced and to inform its review.
- Officers have not made any changes to the current draft policy and will await further community feedback prior to presenting any proposed changes to Council for consideration.

RESOLUTION

Moved: Cr Rod Ward

Seconded: Cr John Keogh

That Council:

1. Approves the release of the draft Fair Access Policy for community consultation for a four-week period.
2. Notes that once engagement has concluded a further report will be provided to Council for consideration.

CARRIED

BACKGROUND

Council adopted the Fair Access Policy in 2024 to support equitable access to, and use of, community sporting infrastructure and programs, with a focus on advancing gender equity in community sport and active recreation. Maintaining a Fair Access Policy and demonstrating progress against associated actions is a requirement for eligibility for Victorian Government funding for community sport infrastructure. The Policy aligns with Council's existing obligations as a defined entity under the *Gender Equality Act 2020*.

In accordance with Council's policy review schedule and Community Engagement Policy, a review of the Fair Access Policy is proposed. The review will provide an opportunity to understand how the policy is being implemented and experienced by community members, sporting clubs, leagues and associations and other key stakeholders. A public survey and targeted stakeholder

consultation is proposed to inform the review and identify any opportunities to strengthen the policy and its implementation.

At this stage no changes are proposed to the current policy. Officers will consider the outcomes of community engagement and present any recommended amendments for Council's consideration in a future report.

PROPOSAL

Officers propose to undertake community engagement for a four-week period to inform the review of the Fair Access Policy. The engagement will seek to understand how the application of the policy informs fair and equitable access to sport and recreation infrastructure and supports sport and recreation participation across Moorabool.

COUNCIL PLAN

The Council Plan 2025-2029 provides as follows:

Strategic Objective 1: Healthy, inclusive and safe communities

Priority 1.1: Improve access to services for all communities

The proposal to undertake community engagement to inform the review of the Fair Access Policy is consistent with the Council Plan 2025-2029.

FINANCIAL IMPLICATIONS

There are no significant financial implications associated with undertaking community engagement. Costs associated with consultation activities will be managed within existing operational budgets.

Should the review identify proposed policy changes with financial implications, these will be provided to Council for consideration as part of the report seeking adoption of the updated policy.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Community participation	Limited community participation in the review process.	Medium	Provide multiple methods of engagement.
Community expectations	Expectations created regarding potential policy changes.	Medium	Clearly communicate that consultation does not guarantee policy change.
Representation	Feedback may not reflect diverse community groups.	Medium	Use targeted and inclusive engagement methods.
Policy status	Council does not maintain a current Fair Access Policy, resulting in it being ineligible for Victorian Government community sport infrastructure funding programs.	High	Maintain and regularly review the Policy in accordance with Council's policy review schedule.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Inform	General community	Have Your Say survey.	Various	12 October 2026 – 9 November 2026	Raise awareness of the Policy and Action Plan review and offer community an opportunity to share feedback.
Consult	Sporting clubs, leagues and associations; State Sporting Associations; Sport and Recreation Victoria	Have Your Say survey and meetings where required.	Various	12 October 2026 – 9 November 2026	Gather stakeholder perspectives to inform the review and development of the Policy and Action Plan.
Empower	Councillors	Council report for consideration of final Policy and Action Plan.	Report	To be scheduled in 2027	Enable Councillors to make an informed decision regarding adoption of the final Policy and Action Plan, reflecting community and stakeholder feedback and Council priorities.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Leigh McCallum

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

Author – Travis Kirwood

In providing this advice to Council as the Author, I have no interests to disclose in this report.

CONCLUSION

The Fair Access Policy reflects Council's commitment to creating inclusive and equitable opportunities for participation in community sport and active recreation. Regular review of the policy helps ensure it remains responsive to community needs and upholds Council's eligibility for community sports infrastructure funding programs. Community engagement will provide an opportunity for residents, sporting organisations and key stakeholders to shape Council's ongoing approach to fair and equitable access to community sporting infrastructure and programs.

13.3 RESPONSE TO NOTICE OF MOTION NO. 350 - MOORABOOL SHIRE COUNCIL TRACKS AND TRAILS STRATEGY

Author: Travis Kirwood, Manager Community Development and Activation

Authoriser: Leigh McCallum, General Manager Community Strengthening

Attachments: 1. Notice of Motion No. 350 - Moorabool Shire Council Tracks and Trails Strategy (under separate cover)

PURPOSE

The purpose of this report is to respond to Notice of Motion No. 350, attached, requesting a report into a Moorabool Shire Council Tracks and Trails Strategy.

EXECUTIVE SUMMARY

- At the Ordinary Meeting of Council on 4 March 2026, Council passed a Notice of Motion requesting the CEO investigate the feasibility of a Tracks and Trails Strategy.
- The previous Hike and Bike Strategy, which was adopted in 2014, provided the municipality's primary strategic direction for walking and cycling infrastructure.
- As part of the Recreation and Leisure Strategy, officers completed a review of the Hike and Bike Strategy. This process saw the Hike and Bike Strategy retired.
- The actions and priorities of the Hike and Bike Strategy have been incorporated into the Recreation and Leisure Strategy 2025–2035, ensuring tracks and trails continue to be planned as an integrated component of the broader recreation network.
- The adopted 2025–2029 Council Action Plan includes implementation of the Recreation and Leisure Strategy as a key deliverable.

RESOLUTION

Moved: Cr Rod Ward

Seconded: Cr Moira Berry

That Council notes the report on a response to Notice of Motion No. 350 - Moorabool Shire Council Tracks and Trails Strategy.

CARRIED

BACKGROUND

At the Ordinary Meeting of Council on 4 March 2026, Council passed a Notice of Motion, as presented below:

That Council:

1. Requests officers prepare a report outlining the feasibility of developing a Tracks and Trails Strategy.
2. Present this report to Council as soon as practically possible to allow Council to consider undertaking this Strategy as a priority project in the future.

Officers have reviewed the feasibility of developing a Tracks and Trails Strategy in response to the Notice of Motion and have identified the following.

The Recreation and Leisure Strategy has several linkages to the Notice of Motion. For the purposes of this report, officers have focused on the objective most directly related to tracks and trails within the Shire, as outlined below:

Objective

1.3 Plan and deliver facilities and infrastructure that offer multiple use opportunities to meet informal recreation and leisure needs, and support gender inclusivity.

Action

1.3.3 Conduct a full, shire wide audit of trails, linkages (including connecting footpaths) and identify the barriers to access the trail network from surrounding residential areas.

Implementation

Council will create a criteria to audit all trails in the Shire utilising existing data, conducting site visits and reviewing community feedback.

Outcomes

The audit will assist to:

- Identify where funding is needed to remove barriers in connecting the Shire's trail network.
- Identify paths that require DDA and compliance upgrades.
- Conduct a gap analysis to create a priority pipeline of projects to be funded.

Following a review of the Notice of Motion and the relevant Recreation and Leisure Strategy objective, officers consider that the development of a strategy through this objective would strengthen the intended outcomes and provide a more meaningful framework to support community activation through recreation and leisure activities.

PROPOSAL

The Recreation and Leisure Strategy is a 10-year Strategy with a time frame of 2025–2035, with some of the deliverable elements within the Strategy being subject to budget allocation through Council's annual budget process.

Should Council wish to prioritise the development of a standalone Tracks and Trails Strategy, this would need to be considered through a future Council Plan and budget process.

Officers will continue to work through the implementation of the Recreation and Leisure Strategy with a focus on items that can be delivered within the existing resources. Officers will prepare budget requests in coming years for items that require additional expertise and support delivery of Council's priorities.

COUNCIL PLAN

The Council Plan 2025-2029 provides as follows:

Strategic Objective 3: Places and spaces that meet the needs of our many and varied communities

Priority 3.2: Align services to meet the needs of the community

The proposal Response to Notice of Motion No. 350 – Moorabool Shire Council Tracks and Trails Strategy for Council to consider the development of a Tracks and Trails Strategy is consistent with the Council Plan 2025-2029 as it aligns to the implantation of the Recreation and Leisure Strategy 2025–2035.

FINANCIAL IMPLICATIONS

The development of a standalone Tracks and Trails Strategy has not been funded within the current budget. Should Council wish to pursue a dedicated strategy in the future, funding would need to be considered through a future budget process. The project is estimated at approximately \$75,000.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Failure to implement Councils Strategies	Council has adopted the Recreation and Leisure Strategy 2025-2035. Some items in the adopted Strategy may require additional resources to deliver the outcomes required to meet community and Council expectation. These items are currently unfunded.	Medium	Prioritise strategic projects in accordance with the adopted Council Plan and Recreation and Leisure Implementation plan – officers to prepare budget bids for items needing additional resources to deliver the approved objectives.

COMMUNICATIONS & CONSULTATION STRATEGY

No additional community consultation was undertaken as part of the preparation of this Notice of Motion report.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Leigh McCallum

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

Author – Travis Kirwood

In providing this advice to Council as the Author, I have no interests to disclose in this report.

CONCLUSION

The Recreation and Leisure Strategy provides the current framework for responding to the Notice of Motion, with related tracks and trails priorities to be progressed through its implementation.

Officers will continue to work through the implementation of the Recreation and Leisure Strategy with a focus on items that can be delivered within the existing resources.

Should Council wish to prioritise the development of a standalone Tracks and Trails Strategy, this would need to be considered through a future Council Plan and budget process.

14 CUSTOMER AND CORPORATE SERVICES REPORTS

14.1 AUDIT AND RISK ADVISORY COMMITTEE FULL YEAR REPORT 2025/26

Author: Kaylene Bowker, Executive Assistant

Authoriser: David Jackson, General Manager Customer and Corporate Services

Attachments: 1. **Audit and Risk Advisory Committee Full Year Report 2025/26 (under separate cover)**

PURPOSE

The purpose of this report is to present Council with the Audit and Risk Advisory Committee Full Year Report 2025/26 (Attachment 1) for noting.

The Audit and Risk Advisory Committee, in alignment with the *Local Government Act 2020* (Act), is required to prepare a report to Council on the Committee's activities twice per annum.

EXECUTIVE SUMMARY

- At its Ordinary Meeting of Council on 6 August 2025, Council adopted the revised Audit and Risk Advisory Committee Charter, in accordance with requirements of the *Local Government Act 2020*.
- In accordance with section 54(5) of the *Local Government Act 2020*, and the Audit and Risk Advisory Committee Charter, the Audit and Risk Advisory Committee is required to prepare a biannual report on the activities of the Committee, including its findings and recommendations and provide a copy of the report for tabling at a Council meeting.
- This is the full year report 2025/26 to be presented to Council. The Committee reviewed this report at its meeting held 19 August 2026 and confirmed it is an accurate reflection of the Committee's activities.

RESOLUTION

Moved: Cr Paul Tatchell

Seconded: Cr Ally Munari

That Council receive and note the Audit and Risk Advisory Committee Full Year Report 2025/26 provided as Attachment 1.

CARRIED

BACKGROUND

The Audit and Risk Advisory Committee Charter (the Charter) was adopted by Council in August 2020. An update was made to the Charter in October 2022 allowing for the extension of external members beyond nine years, at Council's discretion, and adopted at the Ordinary Meeting of Council on 5 October 2022.

The Charter has been reviewed to ensure it remains aligned with current organisational needs best practice. While not a statutory requirement under the *Local Government Act 2020*, periodic review of the Charter represents good governance.

The draft Charter was reviewed by the Audit and Risk Advisory Committee in May 2025 and adopted by Council on 6 August 2025, reflecting minor updates that enhance clarity, consistency and alignment with current governance practices.

The Committee comprises of five Council appointed members consisting of three independent members and two Councillors.

Mr Peter Smith was declared Chairperson of the Audit and Risk Advisory Committee at its meeting on 19 November 2025.

In accordance with section 54(5) of the *Local Government Act 2020*, and the Audit and Risk Advisory Committee Charter, the Audit and Risk Advisory Committee is required to prepare a biannual report on the activities of the Committee, including its findings and recommendations, and provide a copy of the report for tabling at a Council meeting.

The Committee has agreed that a report on activities will be prepared for the period 1 July to 31 December and a full year report will be prepared to outline how the Committee has discharged its responsibilities outlined in the Audit and Risk Advisory Committee Charter.

PROPOSAL

This report seeks Council to note the Audit and Risk Advisory Committee Report, which has been prepared in accordance with the Act and the Committee's Charter.

This is the full year report 2025/26 to be presented to Council. The Committee reviewed the half yearly report 2025/26 at its meeting held 25 February 2026 and the full year report 2025/26 at its meeting held 19 August 2026 and confirmed it is an accurate reflection of the Committee's activities.

COUNCIL PLAN

The Council Plan 2025-2029 provides as follows:

Strategic Objective 4: A Council that engages and adapts

Priority 4.3: Focus resources to deliver on our service promise in a sustainable way

The proposal to note the Audit and Risk Advisory Committee Report is consistent with the Council Plan 2025-2029.

FINANCIAL IMPLICATIONS

There are no financial implications associated with noting the Audit and Risk Advisory Committee Report.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Reputational Risk	Not upholding good governance in Council processes. Non-compliance with the requirements relating to Audit and Risk Advisory Committees under the <i>Local Government Act 2020</i> .	Medium	Noting the Audit and Risk Advisory Committee's Report, presented by the Chairperson, provided in accordance with the <i>Local Government Act 2020</i> and the Audit and Risk Advisory Committee Charter.

			Ongoing adherence to the requirements of the Act and the Charter.
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COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Presentation	Audit and Risk Advisory Committee Members	Report presented to the Audit and Risk Advisory Committee.	Darley Civic and Community Hub and Online	19 August 2026	Confirmed accurate report of Committee's activities.
Briefing	Councillors	Chairperson presenting report at Councillor Briefing.	Darley Civic and Community Hub and Online	23 September 2026	Confirmation by Council.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted, or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – David Jackson

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

Author – Kaylene Bowker

In providing this advice to Council as the Author, I have no interests to disclose in this report.

CONCLUSION

It is proposed that the Audit and Risk Advisory Committee Full Year Report 2025/26 (Attachment 1) meets the requirements of s.54 of *The Local Government Act 2020* and is in accordance with the Committee's Charter and therefore is recommended for noting by Council.

14.2 AUDIT AND RISK ADVISORY COMMITTEE OF COUNCIL - REPORTS

Author: Kaylene Bowker, Executive Assistant

Authoriser: David Jackson, General Manager Customer and Corporate Services

Attachments: 1. Audit and Risk Advisory Committee Summary of Minutes, 20 May 2026
(under separate cover)

BACKGROUND

Advisory Committees are established to assist Council with executing specific functions or duties.

Advisory Committees of Council currently have no delegated powers to act on behalf of Council or commit Council to any expenditure unless resolved explicitly by Council following recommendation from the Committee. Their function is purely advisory.

Advisory Committees are required to report to Council at intervals determined by the Council.

EXECUTIVE SUMMARY

Councillors, as representatives of the following Advisory Committees of Council, present the reports of the Committee Meetings for Council consideration.

Committee	Meeting Date	Council Representatives
Audit and Risk Advisory Committee	Wednesday 20 May 2026	Cr Moira Berry Cr Steve Venditti-Taylor Cr Paul Tatchell (Sub)

RESOLUTION

Moved: Cr Moira Berry

Seconded: Cr John Keogh

That Council receive and note the Audit and Risk Advisory Committee Summary of Minutes for the meeting held on Wednesday 20 May 2026.

CARRIED

14.3 2025/26 GOVERNANCE & MANAGEMENT CHECKLIST

Author: Joseph Spiteri, Manager Governance & Civic Support

Authoriser: David Jackson, General Manager Customer and Corporate Services

Attachments: 1. 2025/26 Governance & Management Checklist (under separate cover)

PURPOSE

The purpose of this report is to present the 2025/26 Governance and Management Checklist (Checklist) for Council adoption.

EXECUTIVE SUMMARY

- The Governance and Management Checklist is a component of the Local Government Performance Reporting Framework (LGPRF) and is a requirement of Section 98(3)(c) of the *Local Government Act 2020* (the Act) and Regulation 9 of the Local Government (Planning and Reporting) Regulations 2020.

RESOLUTION

Moved: Cr Sheila Freeman

Seconded: Cr Moira Berry

That Council adopts the 2025/26 Governance and Management Checklist and approves its inclusion in the 2025/26 Annual Report and submission to Local Government Victoria for publication on the “Know Your Council” website.

CARRIED

BACKGROUND

Section 98(3)(d) of the Act provides that Council must contain in its report of operations the results, in the prescribed form, of the Council’s assessment against the prescribed governance and management checklist and indicators. The checklist is then certified by the Mayor and Chief Executive Officer.

PROPOSAL

The Governance and Management Checklist contains 27 items relating to Council plans, policies, strategies, frameworks and reporting. This checklist is reviewed by the Chief Executive Officer and presented to both the Audit and Risk Advisory Committee and Council for adoption prior to its incorporation into Council’s 2025/26 Annual Report, submission to Local Government Victoria and published on the ‘Know your Council’ website.

Overall, from the 27 listed items on the Checklist, 27 items are established and in operation.

COUNCIL PLAN

The Council Plan 2025-2029 provides as follows:

Strategic Objective 4: A Council that engages and adapts

Priority 4.2: Align services and resources to sustainably meet the needs of our community

The proposal 2025/26 Governance & Management Checklist is consistent with the Council Plan 2025-2029.

FINANCIAL IMPLICATIONS

There are no financial implications relating to the 2025/26 Governance and Management Checklist.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no Risk or Occupational Health and Safety issues in relation to this report.

COMMUNICATIONS & CONSULTATION STRATEGY

The Governance and Management Checklist will be published in Council's Annual Report and available for review on the Local Government Victoria "Know Your Council" website.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – David Jackson

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

Author – Joseph Spiteri

In providing this advice to Council as the Author, I have no interests to disclose in this report.

CONCLUSION

The Governance and Management Checklist has been prepared and certified by the Mayor and Chief Executive Officer in accordance with *Local Government Act 2020*.

Council's Audit and Risk Advisory Committee has reviewed the Checklist and recommends that Council adopts the Governance and Management Checklist, prior to its submission to the 2025/26 Annual Report and submission to Local Government Victoria for publication on the "Know Your Council" website.

14.4 APPROVAL "IN PRINCIPLE" OF THE 2025/26 PERFORMANCE STATEMENT FOR SUBMISSION TO THE VICTORIAN AUDITOR-GENERAL FOR CERTIFICATION

Author: Joseph Spiteri, Manager Governance & Civic Support

Authoriser: David Jackson, General Manager Customer and Corporate Services

Attachments: 1. 2025/26 Performance Statement (under separate cover)

PURPOSE

The purpose of this report is to present to Council the 2025/26 Performance Statement for “in principle” adoption and submission to the Auditor-General for certification.

EXECUTIVE SUMMARY

- The 2025/26 Performance Statement has been prepared to meet the requirements of the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

RESOLUTION

Moved: Cr Ally Munari

Seconded: Cr Moira Berry

That Council, in accordance with section 99 of the *Local Government Act 2020*:

1. Approves “In principle” the 2025/26 Performance Statement and submits the Performance Statement, subject to no material change, to the Victorian Auditor General for certification.
2. Authorises Council’s Audit and Risk Advisory Committee representatives, Councillor Steve Venditti-Taylor and Councillor Moira Berry, to certify the 2025/26 Performance Statement Report in its final form, after any changes recommended, or agreed to by the Auditor, have been made.

CARRIED

BACKGROUND

Since 2014 Councils have been required to report on their performance through their Annual Report to their community.

Pursuant to Section 98 (4) of the *Local Government Act 2020*, the Performance Statement in the Annual Report must contain the following:

- (a) The prescribed indicators of service performance for the services provided by the Council and funded in the budget for the financial year, the prescribed measures relating to those indicators and the results achieved in relation to those performance indicators and measures;
- (b) The prescribed indicators of financial performance, the prescribed measures relating to those indicators and the results achieved in relation to those performance indicators and measures;

- (c) The prescribed indicators of sustainable capacity performance, the prescribed measures relating to those indicators and the results achieved in relation to those performance indicators and measures; and
- (d) Any other information prescribed by the regulations.

PROPOSAL

In accordance with Council's governance practices, the Performance Statement as attached to this report is presented to the Audit and Risk Advisory Committee for review and recommendation to Council for "in principle" adoption and authorisation by two Audit and Risk Advisory Committee Councillor members and the Chief Executive Officer to sign the audited statements.

The Performance Statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures, together with a description of the municipal district and an explanation of material variations in the results for the 2025/26 financial year.

Overall there are 28 performance indicators that have been mandated for an independent audit. Of these indicators seven (7) relate to sustainable capacity, ten (10) relate to service performance and eleven (11) relate to financial performance.

The Local Government (Planning and Reporting) Regulations 2020 requires explanation of any material variations in the results contained in the Performance Statement. The performance indicator results for 2025/26 will be compared to the results for the previous three (3) financial years.

The forecast figures included in the Performance Statement are those adopted by Council in its Strategic Resource Plan and which forms part of the 2025/26 Annual Budget and the Council Plan 2025-2029. The Strategic Resource Plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term.

COUNCIL PLAN

The Council Plan 2025-2029 provides as follows:

Strategic Objective 4: A Council that engages and adapts

Priority 4.2: Align services and resources to sustainably meet the needs of our community

The proposal for the 2025/26 Performance Statement for submission to the Victorian Auditor-General for certification is consistent with the Council Plan 2025-2029.

FINANCIAL IMPLICATIONS

There are no financial implications from this report. The preparation and presentation of the 2025/26 Performance Statement has been performed within the allocated budget.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Inadequate performance by Council.	Inability to meet attainable levels of performance.	Medium	Systems, processes and measures to provide comprehensive performance information that meets the needs of a number of audiences.

COMMUNICATIONS & CONSULTATION STRATEGY

The Performance Statement will be presented to the Victorian Auditor General's Office for review and certification. The Performance Statement will form part of Council's Annual Report which will be lodged with the Minister for Local Government prior to 31 October 2026. The Annual Report will be made publicly available on Council's website and at all office locations once adopted by Council.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – David Jackson

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

Author – Joseph Spiteri

In providing this advice to Council as the Author, I have no interests to disclose in this report.

CONCLUSION

The 2025/26 Performance Statement has been prepared to meet the requirements of the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020 for adoption "in principle" by Council for submission to the Auditor-General for certification.

At the time of preparing this report, Council's Performance Statement was included on the Agenda for consultation at the Audit and Risk Advisory Committee Meeting on Wednesday 16 September 2026, with a recommendation that the Audit and Risk Advisory Committee recommend that Council adopts the statement "in principle".

Following a resolution, the Performance Statement will then be submitted to the Auditor General for certification. Council is also required to authorise two Councillors to sign the Performance Statement on behalf of Council, as required under the *Local Government Act 2020*.

It is practice for the Councillor members of the Audit and Risk Advisory Committee to sign the certified statements on behalf of Council.

15 COMMUNITY ASSETS & INFRASTRUCTURE REPORTS**15.1 RATIONALISATION OF DISUSED BUILDINGS AT BACCHUS MARSH RACECOURSE AND RECREATION RESERVE - POULTRY CLUB SHED**

Author: Natalie Coakley, Coordinator Asset Management

Authoriser: Phil Jeffrey, General Manager Community Assets & Infrastructure

Attachments: Nil

PURPOSE

To seek Council endorsement to advertise the intent to demolish the Poultry Club shed at Bacchus Marsh Racecourse and Recreation Reserve. The purpose is to seek formal feedback from the community and known user groups prior to a final decision being made.

EXECUTIVE SUMMARY

- The Poultry Club shed at Bacchus Marsh Racecourse and Recreation Reserve is an ageing and underutilised Council asset that is nearing the end of its useful life and is no longer fit for purpose.
- Structural inspections and officer assessments have confirmed that the building has safety, compliance, vandalism and broader asset management issues.
- The Poultry Club shed has additional structural and compliance issues, including illegal building works, termite damage and a severed steel portal column. Advice from Council's Municipal Building Surveyor indicates the building appears to have been constructed as a Class 10a storage shed and is not designed or approved for regular public use, meetings, shows or gatherings without significant building compliance upgrades.
- Retaining or upgrading the poultry club facility to cater for gatherings would require further assessment, permits and potential significant works to address structural, access, fire safety, amenity, disability access, ventilation, toilet and other compliance requirements.
- Demolition of the structure will reduce safety and compliance risks, avoid further investment in assets, improve reserve amenity, create space for future development needs and enable Council officers to support affected user groups to identify suitable alternative facility arrangements where required.
- Officers have contacted known user groups of the facility to seek feedback on the proposal.
- Footscray and District Poultry Club has advised Council Officers that it will no longer utilise the site, having identified an alternative location that better meets its needs.
- Bacchus Marsh and Melton Poultry Club remains active and has advised that building improvements are requested to accommodate meetings, suitable attendee numbers and competitions or shows.

RESOLUTION**Moved: Cr John Keogh****Seconded: Cr Sheila Freeman****That Council:**

- 1. Resolves to advertise the intent to demolish the Poultry Club shed at Bacchus Marsh Racecourse and Recreation Reserve for a period of four weeks and writes directly to known user groups to seek formal written feedback on the proposal during the consultation period, to inform a final decision.**
- 2. Requests a further report following the advertising period for Council consideration.**

CARRIED**BACKGROUND**

The Poultry Club shed is ageing and an underutilised building asset located at Bacchus Marsh Racecourse and Recreation Reserve. This shed is not currently providing a level of community use that justifies ongoing maintenance investment and presents increasing safety, compliance and asset management risks.

Structural assessments and officer inspections have identified that the Poultry Club shed is affected by illegal works, poor condition, vandalism, termite activity and limited functional use.

The poultry club shed has been used by the Bacchus Marsh and Melton Poultry Club and Footscray and District Poultry Club. Following Council assuming management of the reserve in December 2020, it was identified that the clubs did not have a current lease or licence agreement for the building. Subsequent investigations identified building permit, structural and compliance issues, including illegal building works, termite damage and a severed steel portal column.

A structural engineering assessment recommended structural repairs, restricted access until repairs were completed and demolition of termite damaged timber framed elements. The building was also assessed as unsuitable for its proposed use. Access has since been restricted and a 2025/2026 Capital Improvement Program allocation was provided for works associated with the structure. Advice from Council's Municipal Building Surveyor also indicated that, once illegal building works were removed and structural issues rectified, the building could only be used as a Class 10a storage shed unless further assessment and upgrade works were undertaken to achieve Class 9b compliance for public gatherings.

Images below showing Bacchus Marsh Racecourse and Recreation Reserve:



Poultry Club (BMRRR)

**PROPOSAL**

It is proposed that Council advertise the intention to demolish the Poultry Club shed at Bacchus Marsh Racecourse and Recreation Reserve and write directly to known user groups seeking written submissions on the proposal to inform a final decision. Feedback received during the consultation period will inform a further report to Council for final consideration.

Three broad options for the Poultry Club have previously been considered. These are: repairing the existing structure, demolishing the structure and assisting the clubs to identify alternative arrangements, or demolishing the structure and constructing a new poultry shed. Repairing the existing structure would address the immediate structural issues including removing the unauthorised works and reinstating the severed column. However, this would not resolve the building's broader functional, classification and compliance limitations. Construction of a new facility would require significant capital investment and further evidence of demand, utilisation, operating responsibility and long-term value for money.

Recent feedback indicates that Footscray and District Poultry Club is amalgamating with Essendon Poultry Society and will no longer utilise this site, having identified an alternate location to host shows at the recently constructed Ballarat facility. Bacchus Marsh and Melton Poultry Club remains active with approximately 15 members, and continues to seek access to a community facility for meetings, shows and community learning activities. The Club has advised that building improvements would be required to accommodate meetings, suitable attendee numbers and competitions or shows. In 2024, Council advised that the existing shed was not approved for these uses without further compliance assessment and upgrade works.

COUNCIL PLAN

The Council Plan 2025-2029 provides as follows:

Strategic Objective 3: Places and spaces that meet the needs of our many and varied communities

Priority 3.2: Align services to meet the needs of the community

The proposal is consistent with the Council Plan 2025-2029 as it supports the alignment of Council services, facilities and public spaces with demonstrated community need by removing disused, poor condition and underutilised buildings, reducing safety and compliance risks, improving reserve amenity and enabling future use of public spaces to better respond to community needs.

FINANCIAL IMPLICATIONS

There are no immediate costs associated with advertising the intent to demolish. Subsequent reports will outline the costs of any recommendations being made in relation to the building.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

The key risks associated with the proposal are outlined below. Demolition is considered the most effective control to address the poor condition of the building, current unauthorised access, safety and compliance risks and the additional structural and illegal works.

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Public safety	Buildings in poor condition may present safety risks to the public and unauthorised users, particularly where there is potential for vandalism and antisocial behaviour. The facility also has additional structural and compliance issues, including unauthorised building works.	High	Restrict access, maintain site security, avoid public occupancy of buildings not approved for assembly use and undertake demolition using appropriately qualified contractors.
Financial	Continued maintenance of underutilised assets may result in inefficient use of limited facility maintenance funds.	Medium	Remove redundant assets and prioritise maintenance funding toward facilities with demonstrated community use.

Community impact	Affected clubs may be concerned about loss of access to historic or preferred facilities.	Medium	Engage with clubs, provide clear written advice and support identification of alternative facility or hire arrangements.
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COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Bacchus Marsh and Melton Poultry Club	Meetings and written correspondence regarding facility options.	BMRRR / correspondence	2024-2026	The Club remains active and has advised Council Officers that improvements to the building would be required to enable the group to hold meetings, accommodate suitable attendee numbers and host competitions or shows. 2024 discussions included advice that the existing shed was not approved for meetings, shows or gatherings without further compliance assessment and upgrade works.
Consult	Footscray and District Poultry Club / VPFA	Discussions regarding future use and stored equipment.	Correspondence	2026	The Club has advised Council Officers that it will no longer utilise this site, having identified an alternative location that better meets its needs.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Phil Jeffrey

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

Author – Natalie Coakley

In providing this advice to Council as the Author, I have no interests to disclose in this report.

CONCLUSION

The identified building is underutilised and no longer represent an effective or sustainable use of Council resources. Demolition will reduce safety and compliance risks, avoid further investment in assets that are not fit for purpose, improve reserve amenity and enable maintenance funding to be directed toward facilities that provide stronger community benefit.

The Poultry Club facility also has additional structural and compliance issues, including unauthorised building works, termite damage, a severed steel column and advice that the building appears to have been constructed as a Class 10a storage shed and is not designed or approved for regular public use, meetings, shows or gatherings without significant compliance upgrades.

Prior to any final decision being made, it is proposed to advertise the proposed demolition and provide the community and user groups with an opportunity to provide formal written feedback. A further report will then be presented to Council for consideration and a final decision.

15.2 RATIONALISATION OF DISUSED BUILDINGS AT DARLEY PARK - PIGEON CLUB

Author: Natalie Coakley, Coordinator Asset Management

Authoriser: Phil Jeffrey, General Manager Community Assets & Infrastructure

Attachments: Nil

PURPOSE

To seek Council endorsement to advertise the proposed demolition of the former Pigeon Club building at Darley Park. The purpose is to seek formal feedback from the community and known user groups prior to a final decision being made.

EXECUTIVE SUMMARY

- Council's former Pigeon Club building at Darley Park Recreation Reserve is a disused asset that is in poor condition, is no longer fit for purpose and is not currently being effectively utilised.
- The building is at or near the end of its useful life and is not currently providing a level of community use that justifies ongoing maintenance investment and presents increasing safety, compliance and asset management risks.
- Demolition of this redundant building would reduce safety and compliance risks, avoid further investment in assets that provide limited community benefit, improve reserve amenity and create space for future development needs.
- Officers have contacted known user groups of this facility to seek feedback on the proposal. The Pigeon Club has verbally advised Council Officers that it does not support removal of the building and has indicated it may have an interest in returning to the site in the future.

RESOLUTION

Moved: Cr Jarrod Bingham

Seconded: Cr John Keogh

That Council:

1. Resolves to advertise the intent to demolish the former Pigeon Club building at Darley Park Recreation Reserve for a period of four weeks and writes directly to known user groups to seek formal written feedback on the proposal during the consultation period, to inform a final decision.
2. Requests a further report following the advertising period for Council consideration.

CARRIED

BACKGROUND

The former Pigeon Club building is located at Darley Park Recreation Reserve and forms part of Council's ageing and underutilised building asset portfolio. The building is in poor condition, is not currently providing regular or ongoing community use and presents increasing safety, compliance and asset management risks.

The Pigeon Club has verbally advised Council Officers that it does not support removal of the building. While the group is not currently active at the site, it has indicated it may have an interest in returning in the future. Further consultation is therefore proposed prior to Council making a final decision.

Images below showing Darley Park Recreation Reserve:



Pigeon Club (Darley Park)



PROPOSAL

It is proposed that Council advertise the intention to demolish the former Pigeon Club building at Darley Park Recreation Reserve and write directly to known user groups seeking written submissions on the proposal to inform a final decision. Feedback received during the consultation period will inform a further report to Council for final consideration.

The proposed demolition, if approved, would reduce safety and compliance risks, address vandalism and avoid further investment in assets that provide limited community benefit, improve reserve amenity, create valuable space for future development needs and support better prioritisation of Council's building maintenance resources.

COUNCIL PLAN

The Council Plan 2025-2029 provides as follows:

Strategic Objective 3: Places and spaces that meet the needs of our many and varied communities

Priority 3.2: Align services to meet the needs of the community

The proposal is consistent with the Council Plan 2025-2029 as it supports the alignment of Council services, facilities and public spaces with demonstrated community need by removing disused, poor condition and underutilised buildings, reducing safety and compliance risks, improving reserve amenity and enabling future use of public spaces to better respond to community needs.

FINANCIAL IMPLICATIONS

There are no immediate costs associated with advertising the intent to demolish. Subsequent reports will outline the costs of any recommendations being made in relation to the building.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

The key risks associated with retaining the building include public safety, unauthorised access, vandalism, antisocial behaviour, ongoing maintenance liability and inefficient use of Council resources. Demolition is considered the most effective control to address these risks.

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Public safety	Buildings in poor condition may present safety risks to the public and unauthorised users, particularly where there is potential for unauthorised access, vandalism and antisocial behaviour.	High	Restrict access, maintain site security, avoid public occupancy of buildings not approved for assembly use and undertake demolition using appropriately qualified contractors.
Financial	Continued maintenance of underutilised assets may result in inefficient use of limited facility maintenance funds.	Medium	Remove redundant assets and prioritise maintenance funding toward facilities with demonstrated community use.
Community impact	Affected clubs may be concerned about loss of access to historic or preferred facilities.	Medium	Engage with clubs, provide clear written advice and support identification of alternative facility or hire arrangements.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Inform / Consult	Pigeon Club	Discussion regarding future requirements and alternative meeting options.	Darley Park / correspondence	2025-2026	The Pigeon Club has verbally advised Council Officers that it does not support removal of the building. While the group

					is not currently active at the site, it has indicated it may have an interest in returning in the future.
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VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Phil Jeffrey

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

Author – Natalie Coakley

In providing this advice to Council as the Author, I have no interests to disclose in this report.

CONCLUSION

The Pigeon Club building is in poor condition, underutilised and no longer represents an effective or sustainable use of Council resources. The building presents ongoing safety, compliance and maintenance risks, including vandalism associated with its disused state. Demolition would avoid further investment in an asset that is not fit for purpose, improve reserve amenity and allow maintenance funding to be directed towards facilities that provide greater community benefit.

Prior to any final decision being made, it is proposed to advertise the proposed demolition and provide the community and known user groups with an opportunity to provide formal written feedback. A further report would then be presented to Council for consideration and a final decision.

15.3 RATIONALISATION OF DISUSED BUILDINGS AT BACCHUS MARSH RACECOURSE AND RECREATION RESERVE - FORMER PONY CLUB SHED

Author: Natalie Coakley, Coordinator Asset Management

Authoriser: Phil Jeffrey, General Manager Community Assets & Infrastructure

Attachments: Nil

PURPOSE

To seek Council endorsement to advertise the intent to demolish the former Pony Club building, storage sheds and tractor shed at Bacchus Marsh Racecourse and Recreation Reserve. The purpose is to seek formal feedback from the community and known user groups prior to a final decision being made.

EXECUTIVE SUMMARY

- The former Pony Club building, storage sheds and tractor shed at Bacchus Marsh Racecourse and Recreation Reserve are ageing, in poor condition and underutilised Council assets. The former Pony Club building is disused, no longer fit for purpose and is not currently being effectively utilised.
- The assets are at or near the end of their useful life and are not currently providing a level of community use that justifies ongoing maintenance investment and present safety, vandalism, antisocial behaviour and maintenance risks.
- Demolition of these redundant buildings will reduce safety and compliance risks, avoid further investment in assets that provide limited community benefit, improve reserve amenity and create space for future development needs.
- The Pony Club now operates from a new purpose built facility at Bacchus Marsh Racecourse and Recreation Reserve.
- Officers have contacted known user groups of this facility to seek feedback on the proposal. The Pony Club supports demolition of the old facility and has written to Council Officers confirming its support for demolition of the former pony sheds.

RESOLUTION

Moved: Cr Ally Munari

Seconded: Cr Moira Berry

That Council:

1. Resolves to advertise the intent to demolish the former Pony Club building, storage sheds and tractor shed at Bacchus Marsh Racecourse and Recreation Reserve for a period of four weeks.
2. Requests a further report following the advertising period for Council consideration.

CARRIED

BACKGROUND

The former Pony Club building, storage sheds and tractor shed are located at Bacchus Marsh Racecourse and Recreation Reserve and forms part of Council's ageing and underutilised building asset portfolio. The buildings are in poor condition, are not currently providing an ongoing community use and presents increasing safety, compliance and asset management risks.

The Pony Club now operates from a new purpose built facility at Bacchus Marsh Racecourse and Recreation Reserve. The Club supports demolition of the old facility and has written to Council Officers confirming its support for demolition of the former pony club sheds.

Images below showing Bacchus Marsh Racecourse and Recreation Reserve:



Tractor Shed (BMRRR)



Former Pony Club & storage sheds (BMRRR)



PROPOSAL

It is proposed that Council advertise the intention to demolish the former Pony Club building, storage sheds and tractor shed at Bacchus Marsh Racecourse and Recreation Reserve seeking written submissions on the proposal to inform a final decision. Feedback received during the consultation period will inform a further report to Council for final consideration.

The proposed demolition, if approved, will reduce safety and compliance risks, address vandalism and current antisocial behaviour, and avoid further investment in assets that provide limited

community benefit, improve reserve amenity, create valuable space for future development needs and support better prioritisation of Council's building maintenance resources.

COUNCIL PLAN

The Council Plan 2025-2029 provides as follows:

Strategic Objective 3: Places and spaces that meet the needs of our many and varied communities

Priority 3.2: Align services to meet the needs of the community

The proposal is consistent with the Council Plan 2025-2029 as it supports the alignment of Council services, facilities and public spaces with demonstrated community need by removing disused, poor condition and underutilised buildings, reducing safety and compliance risks, improving reserve amenity and enabling future use of public spaces to better respond to community needs.

FINANCIAL IMPLICATIONS

There are no immediate costs associated with advertising the intent to demolish. Subsequent reports will outline the costs of any recommendations being made in relation to the building.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

The key risks associated with retaining the buildings include poor condition, public safety, unauthorised access, vandalism, antisocial behaviour, ongoing maintenance liability and inefficient use of Council resources. Demolition is considered the most effective control to address these risks.

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Public safety	Poor condition buildings may present safety risks if accessed by the public or unauthorised users, noting that vandalism and antisocial behaviour are currently occurring within the disused buildings.	High	Restrict access, maintain site security, avoid public occupancy of buildings not approved for assembly use and undertake demolition using appropriately qualified contractors.
Financial	Continued maintenance of underutilised assets may result in inefficient use of limited facility maintenance funds.	Medium	Remove redundant assets and prioritise maintenance funding toward facilities with demonstrated community use.
Community impact	Affected clubs may be concerned about loss of access to historic or preferred facilities.	Medium	Engage with clubs, provide clear written advice and support identification of alternative facility or hire arrangements.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Pony Club	Discussions regarding the old Pony Club facility and proposed demolition.	BMRRR / conversation	2025-2026	The Pony Club supports demolition of the old facility, noting it now operates from a new purpose-built facility at Bacchus Marsh Racecourse and Recreation Reserve. The club has also written to Council Officers confirming its support for demolition of the former pony sheds.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Phil Jeffrey

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

Author – Natalie Coakley

In providing this advice to Council as the Author, I have no interests to disclose in this report.

CONCLUSION

The identified buildings are in poor condition, underutilised and no longer represent an effective or sustainable use of Council resources. The former Pony Club building, storage sheds and tractor shed present ongoing safety, compliance and maintenance risks, while the disused buildings are also subject to vandalism and antisocial behaviour. Demolition would reduce these risks, avoid further investment in assets that are not fit for purpose, improve reserve amenity and allow maintenance funding to be directed towards facilities that provide greater community benefit. The

Pony Club now operates from a new purpose built facility and supports demolition of the former building.

Prior to any final decision being made, it is proposed to advertise the proposed demolition and provide the community with an opportunity to provide formal written feedback. A further report would then be presented to Council for consideration and a final decision.

16 OTHER REPORTS

Nil

17 NOTICES OF MOTION**17.1 NOTICE OF MOTION NO. 352 - FEATURE NAMING PROPOSAL – BACCHUS MARSH RACECOURSE & RECREATION RESERVE DOG PARK****Attachments: Nil**

I, Councillor Rod Ward, give notice that at the next Ordinary Meeting of Council to be held on 7 October 2026, I intend to move the following motion:

RESOLUTION**Moved: Cr Rod Ward****Seconded: Cr Jarrod Bingham**

That officers prepare a report outlining the statutory process for the proposed renaming of the Bacchus Marsh Racecourse & Recreation Reserve Dog Park in Bacchus Marsh to the *'Lynette (Lyn) Edwards Memorial Dog Park'*, and in commemoration of the late Lynette Edwards, in recognition of her passionate advocacy to establish an off leash reserve for dogs in Bacchus Marsh.

CARRIED

RATIONALE

This proposal is to name the newly established Bacchus Marsh Racecourse & Recreation Reserve dog park in Bacchus Marsh to the 'Lynette (Lyn) Edwards Memorial Dog Park' in commemoration of the late Lynette Edwards, and in recognition of her passionate advocacy to establish an off leash reserve for dogs in Bacchus Marsh.

Lynette (Lyn) Edwards (11th July 1972 – 18th March 2026) passed away in early 2026 from an aggressive form of cancer and sadly never saw the completion of a project she so tirelessly advocated for.

In 2008 Lyn was diagnosed with mental health issues, and by 2015 Lyn had retired and bought herself a companion dog - a female Rottweiler named Tillie. Tillie was, in all intents and purposes, Lyn's companion. Tillie helped Lyn cope when feeling down and was her constant companion on her long walks.

Lyn was determined to ensure that Tillie was trained and responded to basic commands, and she and Tillie attended the Bacchus Marsh Dog Obedience Group at Masons Lane Reserve, which was held on the Baseball field. Lyn and Tillie attended these sessions for the next 12 months and it was during this time around 2016-2017 she began lobbying her husband David (who was a serving Councillor) for a dedicated off leash reserve for dogs in Bacchus Marsh.

By his own admission, David was a bit dismissive of the idea, but Lyn wasn't giving up that easily and over the next 12 months David received emails, phone calls and even text messages from everyone who would listen to Lyn detailing how important it was to have these dedicated off leash spaces for dogs.

Lyn then extended her advocacy to other Councillors, staff members and even visiting State MPs at events she would attend with David on the importance of establishing a dedicated off lead dog park in Bacchus Marsh.

Lyn felt the benefits of an off-leash dog park far outweighed any negative aspects and the benefits included:

Physical exercise: Dogs can run fast and burn off high levels of energy off-leash.

Mental stimulation: New sights, smells and environments keep a dog's brain active.

Social interaction: Friendly dogs can practice safe play and social skills with peers.

Lyn was also strongly of the view that poor dog behaviour is not the fault of the dog. Her advocacy message was strong in the belief that if more off leash dog spaces were more readily available then it is more likely people will bring their pups to these reserves – improving social connection, social cohesion and in doing so teaching our dogs to behave appropriately with other dogs and humans.

Lyn was pleased when the dog parks made it onto the Council Plan and even more pleased when Michaela Settle MP announced funding for the project. She took a lot of pride in the fact that she played her small role in making this happen for our community.

Heartbreakingly, Lyn passed away before the park was completed, but David is making sure that Tille is a regular visitor to the park that her “Mum helped build”.

Further to the deserving recognition of Lyn’s advocacy for this off leash dog park, I also submit that this would be a fitting tribute to the considerable role played by Cr David Edwards in his 12 years as a Moorabool Shire Councillor (including 2 terms as Mayor) in the development of the facilities at the greater Bacchus Marsh Racecourse & Recreation Reserve.

I commend this Notice of Motion to Council.

17.2 NOTICE OF MOTION - NO. 353 CREATION OF MOORABOOL SHIRE COUNCIL HERITAGE AWARDS**Attachments: Nil**

I, Councillor Rod Ward, give notice that at the next Ordinary Meeting of Council to be held on 7 October 2026, I intend to move the following motion:

RESOLUTION**Moved: Cr Rod Ward****Seconded: Cr Paul Tatchell**

That officers prepare a report outlining the options for the establishment of annual Moorabool Shire Council Heritage Awards to recognise excellence in preservation, restoration and community contribution across specific categories, noting that the establishment of an Annual Heritage Awards program will ensure that heritage values remain front of mind and also ensure that exceptional projects are acknowledged for their innovation, care and commitment to keeping our local stories and places alive for future generations.

CARRIED**RATIONALE**

Moorabool Shire is one of Victoria's fastest growing regional municipalities. Over the next 20 years the Shire's population is expected to almost double, from 40,339 people to 65,693. As directed by State and Local Policy, the majority of this growth is planned for Bacchus Marsh and Ballan.

As Moorabool Shire grows, it is important that heritage values remain front of mind, particularly as development progresses into previously rural areas. In the context of change, conservation can be achieved by using heritage values, whether natural, built, or cultural to inspire planning and design responses.

Heritage is important to Moorabool Shire because:

- It sits at the heart of community identity, contributing to a 'sense of place'.
- It provides continuity within our everchanging built and natural environment.
- Heritage places are tangible reminders of our connection to the past.
- It is evidence of sustainable living for thousands of years.
- Heritage contributes to tourism, economic prosperity and environmental sustainability.

Moorabool Shire currently has:

- 195 places on Council's Heritage overlay;
- 25 places on the Victorian Heritage Register;
- 3 registered aboriginal parties with thousands of years of cultural knowledge.

There are a number of new and continuing challenges for Council in managing heritage. Similarly, there are opportunities for Council to progress new and existing work to ensure that heritage is protected and celebrated.

The establishment of an annual Heritage Awards Program will ensure that exceptional projects are acknowledged for their innovation, care and commitment to keeping our local stories and places alive for future generations.

Projects and award categories could range from the conservation of historic buildings and landscapes to thoughtful adaptive reuse and community-led initiatives – all highlighting the strength and passion of individuals and groups working across our region.

Examples may include:

Creative Reuse of a Heritage Place

The objective of this award is to encourage adaptive reuse of a heritage place. Adaptive reuse is a process that changes a disused or redundant place to a different purpose.

Restoration of a Heritage Place

The objective of this award is to recognise best practice restoration work that returns fabric back to a known earlier state or conserves integrity.

Specialist Heritage Trade Skills

The objective of this award is to recognise tradespersons who work using specialist skills, traditional methods and craftsmanship to a very high standard.

Excellence in Interpretive Signage

The objective of this award is to recognise Interpretive Signage of a high quality that acknowledges a person or place that has contributed to the Heritage of the shire.

Sustainability and/or greening of a heritage place

The objective of this award is to increase awareness of the contribution to the environmental sustainability of heritage places.

OTHER ITEMS

1. Judging

The judging panel could include a Heritage Officer from the Moorabool Shire Council, a member of the National Trust conservation team and Geelong-Central Highlands branch representatives.

2. Assessment Criteria

The assessment criteria could allow the judging panel to determine whether the nominated works successfully demonstrate the principles contained in the Moorabool Shire Council heritage guidelines or policy.

I commend this Notice of Motion to Council.

18 NOTICES OF RESCISSION

Nil

19 MAYOR'S & COUNCILLORS REPORTS**19.1 MAYOR'S REPORT****Author:** Dianne Elshaug, Co-ordinator CEOs Office**Authoriser:** Derek Madden, Chief Executive Officer**Attachments:** Nil**PURPOSE**

To provide details to the community on the meetings and events attended by the Mayor since the last Ordinary Meeting of Council.

EXECUTIVE SUMMARY

That the Mayor's Report be tabled for consideration at the Ordinary Meeting of Council.

RESOLUTION**Moved:** Cr Tom Sullivan**Seconded:** Cr Paul Tatchell

That Council receives the Mayor's Report.

CARRIED**Cr Steve Venditti-Taylor – Mayor's Report****Date:** 7 October 2026

3 September	Rural Councils Victoria Annual Forum, Day 1 – Swan Hill
4 September	Rural Councils Victoria Annual Forum, Day 2 – Swan Hill <i>I attended the recent Rural Councils Victoria (RCV) Forum in Swan Hill, which brought together Councillors, Mayors, and senior Council officers from rural and regional Victoria. The forum provided an opportunity to discuss key issues affecting rural communities, including local roads and infrastructure, housing, Council financial sustainability, economic development and community resilience. We heard from a few keynote speakers including Bev McArthur from the Liberal Party, Kate Oliver from Maddocks, representatives from Parks Victoria and members of the Rural Councils Victoria Board. Their presentations provided valuable perspectives on current issues and challenges facing rural communities and local government. The forum also highlighted the importance of rural Councils working together and maintaining a strong collective voice when advocating to State and Federal Governments. Overall, it was a valuable opportunity to share experiences, build relationships with other rural Councils and discuss practical ways to support the future of our rural communities.</i>

5 September	• Back to the 80s, Bacchus Marsh Theatre Company
7 September	• Lal Lal Primary School Photography Awards
8 September	• Bacchus Marsh Public Hall Advisory Committee Meeting, Darley • Ballan Chamber of Commerce Business Networking Event, Ballan
9 September	• Councillor Briefings – Fair Access Policy Review; Moorabool Planning Scheme Amendment C099moor - Halletts Way & Adelone Way Intersection Area Consideration of Submissions; Bungaree Loop Rail Trail Feasibility Study; Rate Collection Analysis; Review draft DAC Agenda
10 September	• Indie Bloomfest, Bacchus Marsh Public Hall
12 September	• Rise UP 2026 Marching Together, St Anne’s Winery • Central Highlands Football League Grand Final, Daylesford vs Dunnstown • Bacchus Marsh Tigers Baseball Club AGM/Presentation
16 September	• Special Audit and Risk Advisory Committee Meeting • Official Launch – New Battery Storage System at Lady Northcote Discovery Camp, Glenmore • Development Assessment Committee
17 September	• 2026 Ballan Cup Launch, Ballan
19 September	• Bacchus Marsh Scorpions Soccer Club U/16 Grand Final, Senior Mens Grand Final
23 September	• Councillor Briefings – Audit and Risk Advisory Committee Full Year Report 2025/26; Rationalisation of Disused Buildings at Darley Park and Bacchus Marsh Racecourse & Recreation Reserve – Former Pony Club Shed; Poultry Club Shed; Pigeon Club; Response to NoM No. 350 - Moorabool Shire Council Tracks and Trails Strategy Report; MARC Indoor Stadium - Operations Contract Options; Active Transport Fund 2026 - Proposed Grant Applications; Review OMC Agenda
24 September	• Blackwood Historical Society AGM
25 September	• Navigators Community Asset Committee Meeting • Blackwood Recreation Reserve Opening Play Equipment
26 September	• Ballan Historical Society
30 September	• Interview – ABC 7.30pm Report – Western Highway advocacy • Councillor Briefings – MSC Annual Report 2025-26; 2026 Community Satisfaction Survey Results; Bungaree and Wallace Structure Plans

1 October	• MSC Planting Day, Telford Park, Darley
2 October	• Victorian Seniors Festival – More to Explore: Moorabool Seniors Expo Opening Event, Bacchus Marsh • Western Highway Action Committee Meeting
3 October	• Exhibition Opening – “Against Breast Cancer”, FlackPTO Gallery, Ballan • Pink Up Ballan Market and Family Fun Day
5 October	• Parks Victoria Proclamation – Wombat-Lerderderg National Park, Coimadai • Maddingley Park Advisory Committee Meeting, Darley
6 October	• Funeral, Jeff Jones
7 October	• Ordinary Meeting of Council

19.2 COUNCILLORS REPORTS

Author: Dianne Elshaug, Co-ordinator CEOs Office

Authoriser: Derek Madden, Chief Executive Officer

Attachments: Nil

PURPOSE

To provide details to the community on meetings and events attended by Councillors since the last Ordinary Meeting of Council.

EXECUTIVE SUMMARY

That the Councillors Reports be accepted for consideration at the Ordinary Meeting of Council.

RESOLUTION

Moved: Cr Jarrod Bingham

Seconded: Cr John Keogh

That Council receives the Councillors Reports.

CARRIED

Cr Moira Berry

Date: 7 October 2026

I would like to say Rest in Peace to Jeff Jones. I had the pleasure of being on the tourism group with the Jones', both Glenda and Jeff. They set up the tourism group over 10 years ago and they did great work in that area. So again, rest in peace, Jeff Jones.

Cr Sheila Freeman

Date: 7 October 2026

2 September	- Moorabool Growth Management Committee - Ordinary Meeting of Council
16 September	Development Assessment Committee
17 September	2026 Ballan Cup Launch
21 September	Bacchus Marsh Aerodrome Meeting
28 September	Meeting with Ballan Arts & Cultural

30 September	• Councillor Briefing
2 October	• Moorabool Seniors Expo Opening Event
3 October	• Exhibition Opening 'Against Breast Cancer' at the Flack Gallery in Ballan

Cr John Keogh

Date: Date Month Year

2 September	• Ordinary Meeting of Council
9 September	• Councillor Briefings
16 September	• Development Assessment Committee
22 September	• Blacksmiths Cottage & Forge Asset Committee
23 September	• Councillor Briefings
24 September	• Moorabool Environmental & Sustainability Advisory Committee
30 September	• Councillor Briefings

Cr Ally Munari

Date: 7 October 2026

2 September	• Moorabool Growth Management Meeting
	• Ordinary Meeting of Council
3-4 September	• Rural Councils Victoria Annual Conference
8 September	• Ballan Chamber of Commerce Business Networking Event
9 September	• Councillor Briefings
16 September	• Development Assessment Committee Meeting
23 September	• Councillor Briefings
29 September	• CEO Performance Review
30 September	• Councillor Briefings

Cr Paul Tatchell**Date:** 7 October 2026

I would like to pay tribute to the recent passing of Jeff Jones. He was a very talented and knowledgeable man. He had a passion for market gardens and for Clydesdale horses. He always had a smile on his face.

He and his wife, Glenda, did an enormous amount of work in the early years of the Strawberries and Cherries Festival and, in fact, were instrumental in maintaining the integrity of the Avenue of Honour.

I send my deepest sympathies to the family. Jeff and Glenda really epitomise the deep roots of Bacchus Marsh. They are what Bacchus Marsh stands for and, all I can say is, it is a very sad loss to the community.

Cr Rod Ward**Date:** 7 October 2026

I would like to commend the CEO and the Acting Executive Manager of Community Planning and Development for presentations to the Chamber of Commerce on 8 September 2026.

I would also like to commend Mr Mayor and the CEO on their response to the WRL decision.

Coffee with a Councillor is on this Saturday 10 October, at the Ballan Farmers Market from 9am to 11am.

Well done to Council Officers:

- Council was successful in gaining a \$140,000 grant for its White File digitisation.
- Moorabool was one of only eight councils awarded nationally funding off the Federal Government and that was \$836,000 for the Bacchus Marsh Civic Precinct Activation Project.

I would like to thank Phil Jeffrey for his work pulling together the Western Highway Action Committee advocacy documents that's gone to the Premier and the leaders of the other parties who are contesting the election, and to local members.

The Committee of Ballarat are advocating for a mental health and wellbeing local. That is a community-based service in Victoria that provides free mental health and wellbeing treatment, care, and support and Ballarat is the only regional centre in Victoria without one, despite the Rural Commission into Victoria's mental health crisis recommending one be established in Ballarat.

Cr Tom Sullivan**Date:** 7 October 2026

25 September	• Committee members meeting of the Navigators Community Centre
28 September	• Triannual AGM of the Clarendon Recreation Reserve Committee of Management

20 URGENT BUSINESS

Nil

21 CLOSED SESSION OF THE MEETING TO THE PUBLIC**RESOLUTION****Moved: Cr Tom Sullivan****Seconded: Cr Sheila Freeman**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66(2)(a) of the *Local Government Act 2020*:

21.1 MARC Indoor Stadium - Operations Contract

This matter is considered to be confidential under Section 3(1) - g(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

CARRIED

RESOLUTION**Moved: Cr Paul Tatchell****Seconded: Cr Moira Berry**

That Council moves out of Closed Session and resumes the Open Session of Council.

CARRIED

22 MEETING CLOSURE

The Meeting closed at 7.36pm.

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CHAIRPERSON