

ORDINARY MEETING OF COUNCIL

Notice is hereby given of the
Ordinary Meeting of Council to be held at
Elaine Community Hall, 20 Pearsons Road, Elaine on
Wednesday 4 March 2015,
commencing at 5:00 p.m.

Members:

Cr. Paul Tatchell (Mayor)	Central Ward
Cr. Allan Comrie	East Moorabool Ward
Cr. David Edwards	East Moorabool Ward
Cr. John Spain	East Moorabool Ward
Cr. Tonia Dudzik	East Moorabool Ward
Cr. Tom Sullivan	West Moorabool Ward
Cr. Pat Toohey	Woodlands Ward

Officers:

Mr. Rob Croxford	Chief Executive Officer
Ms. Natalie Abbott	A/General Manager Corporate Services
Mr. Phil Jeffrey	General Manager Infrastructure
Mr. Satwinder Sandhu	General Manager Growth and Development
Mr. Danny Colgan	General Manager Community Services

Rob Croxford
Chief Executive Officer

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1. OPENING OF MEETING AND PRAYER

Almighty God be with us as we work for the people of the Shire of Moorabool.

Grant us wisdom that we may care for the Shire as true stewards of your creation.

May we be aware of the great responsibilities placed upon us.

Help us to be just in all our dealings and may our work prosper for the good of all.

Amen

2. ACKNOWLEDGEMENT TO COUNTRY

We respectfully acknowledge the traditional owners of this land, their spirits and ancestors.

3. PRESENT

4. APOLOGIES

5. CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council – Wednesday 4 February 2015

Recommendation:

That Council confirms the Minutes of the Ordinary Meeting of Council held on Wednesday 4 February 2015.

5.2 Special Meeting of Council – Wednesday 18 February 2015

Recommendation:

That Council confirms the Minutes of the Special Meeting of Council held on Wednesday 18 February 2015.

6. DISCLOSURE OF CONFLICT OF INTEREST

Under the Local Government Act (1989), the classification of the type of interest giving rise to a conflict is; a direct interest; or an indirect interest (section 77A and 77B). The type of indirect interest specified under Section 78, 78A, 78B, 78C or 78D of the Local Government Act 1989 set out the requirements of a Councillor or member of a Special Committee to disclose any conflicts of interest that the Councillor or member of a Special Committee may have in a matter being or likely to be considered at a meeting of the Council or Committee.

Definitions of the class of the interest are:

- a direct interest
 - (section 77A, 77B)
- an indirect interest (see below)
 - indirect interest by close association (section 78)
 - indirect financial interest (section 78A)
 - indirect interest because of conflicting duty (section 78B)
 - indirect interest because of receipt of gift(s) (section 78C)
 - indirect interest through civil proceedings (section 78D)

Time for Disclosure of Conflicts of Interest

In addition to the Council protocol relating to disclosure at the beginning of the meeting, section 79 of the Local Government Act 1989 (the Act) requires a Councillor to disclose the details, classification and the nature of the conflict of interest immediately at the beginning of the meeting and/or before consideration or discussion of the Item.

Section 79(6) of the Act states:

While the matter is being considered or any vote is taken in relation to the matter, the Councillor or member of a special committee must:

- (a) leave the room and notify the Mayor or the Chairperson of the special committee that he or she is doing so; and
- (b) remain outside the room and any gallery or other area in view of hearing of the room.

The Councillor is to be notified by the Mayor or Chairperson of the special committee that he or she may return to the room after consideration of the matter and all votes on the matter.

There are important reasons for requiring this disclosure immediately before the relevant matter is considered.

- Firstly, members of the public might only be in attendance for part of a meeting and should be able to see that all matters are considered in an appropriately transparent manner.
- Secondly, if conflicts of interest are not disclosed immediately before an item there is a risk that a Councillor who arrives late to a meeting may fail to disclose their conflict of interest and be in breach of the Act.

7. PUBLIC QUESTION TIME

The Council has made provision in the business of the Ordinary Meetings of the Council for the holding of a Public Question Time.

Public Question Time is required to be conducted in accordance with the requirements contained within the Public Question Time Protocols and Procedural Guidelines as provided for in the *Local Law No. 8 Meeting Procedure Local Law* Division 8 – Clause 57.

The person asking the question is to stand and identify themselves by name and residential address before asking the question.

All questions are to be directed to the Mayor as Chairperson, who shall determine the appropriate person to respond to the question.

The person asking the question must be present in the gallery when the question is considered and may be asked for clarification by the Mayor.

At the discretion of the Mayor, a lengthy question may be required to be placed into writing by the person asking the question. The Mayor may accept a question on notice, in the event that research is required to provide a response. In the case of questions taken on notice, both the question and response shall be recorded in the Minutes of the Meeting.

8. PETITIONS

No petitions have been made to Council for consideration as part of this Agenda.

9. PRESENTATIONS / DEPUTATIONS

The Council has made provision in the business of the Ordinary Meetings of the Council for the making of presentations or deputations to Council in relation to matters presented on the agenda for Council consideration.

Presentations or deputations are required to be conducted in accordance with the requirements contained within the **Presentation/Deputations Protocols and Procedural Guidelines**.

Persons wishing to make a presentation or deputation to Council on a matter included in the agenda shall inform Council prior to the meeting by contacting the Chief Executive Officer's office and registering their name and agenda item being spoken to.

At the meeting the Mayor will invite the persons wishing to make a presentation or delegation to address the Council on the agenda item.

The person making the presentation or deputation is to stand and address Council on the item. No debate on the item is permitted between the person making the presentation or delegation and the Council.

A maximum of three minutes per presentation or delegation will be allocated. An extension of time may be granted at the discretion of the Mayor.

Councillors, through the Mayor, may ask the person making the presentation or delegation for clarification of matters presented.

The Mayor may direct that a member of the gallery ceases speaking if the above procedure is not followed.

List of Persons making Presentations/Deputations other than in relation to a planning item listed on the agenda:

Item No	Description	Name	Position
-	-	-	-

List of Persons making Presentations/Deputations to a planning item listed on the agenda:

Individuals seeking to make a presentation to the Council on a planning item listed on the agenda for consideration at the meeting will be heard by the Council immediately preceding consideration of the Council Officer's report on the planning item.

Item No	Description	Name	Applicant/ Objector
-	-	-	-

10. OFFICER'S REPORTS

10.1 CHIEF EXECUTIVE OFFICER

No reports for this meeting.

10.2 GROWTH AND DEVELOPMENT

10.2.1 Planning Permit PA2014-172; Development and Use of a Dwelling and Outbuilding (Shed) in Association with the Use of the land for Agriculture; at Crown Allotments 6 & 8, Section 2, Parish of Warrenheip; Mahars Road, Warrenheip.

This Planning Permit Application was tabled at the Section 86 Development Assessment Committee meeting held on Wednesday 11 February 2015. Upon review and discussion, the committee decided to refer this application to the 4 March, 2015 Ordinary Meeting of Council in accordance with the Terms of Reference for the Development Assessment Committee.

Application Summary:	
Permit No:	PA2014-172
Lodgement Date:	14 July 2014
Planning Officer:	Roger Cooper
Address of the land:	Crown allotments 6 & 8, Section 2, Parish of Warrenheip; alternatively known as Mahars Road, Warrenheip VIC 3352
Proposal:	Development and Use of a Dwelling and Outbuilding (Shed) in Association with the Use of the land for Agriculture
Lot size:	11.75 hectares (consolidated)
Why is a permit required	<p>Farming Zone: Clause 35.07-1, section 2, use of a Dwelling on land less than 40ha.</p> <p>Farming Zone: Clause 35.07-4, Buildings and works for a use in section 2 of Clause 35.07-4</p>
Restrictions registered on title	Covenant as to part E904765
Public Consultation:	
Was the application advertised?	The application was advertised due to the potential impact of a dwelling in proximity to adjoining existing agricultural uses.
Number of notices to properties:	Seven (7)
Notices on site:	One (1)
Notice in Moorabool Newspaper:	Not applicable

Number of Objections:	Two (2)
Consultation meeting:	None held
Policy Implications:	
Key Result Area	Enhanced Infrastructure and Natural Built Environment.
Objective	Effective and efficient land use planning and building controls.
Strategy	Implement high quality, responsive, and efficient processing systems for planning and building applications Ensure that development is sustainable, resilient to change and respects the existing character.
Victorian Charter of Human Rights and 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 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest. <i>Manager – Sian Smith</i> In providing this advice to Council as the Manager, I have no interests to disclose in this report. <i>Author – Roger Cooper</i> In providing this advice to Council as the Author, I have no interests to disclose in this report.	
Executive Summary:	
Application referred?	The application was referred externally to Central Highlands Water, Tenix (Gas) and Powercor. The application was also referred internally to infrastructure and environmental health.

Any issues raised in referral responses?	None raised. Powercor (s. 52) mistakenly applied subdivision conditions to the permit, however following acknowledgement of the error sent a revised response in January, 2015. They are only a discretionary referral authority for the proposed dwelling's approx. 60m setback to high voltage power lines. The revised response does not include any permit conditions.
Preliminary Concerns?	The Officer had some concerns the proposed agricultural use of a cattle stud could also be interpreted primarily as grazing activity, for which justification for a dwelling is difficult to establish. The soil in this location is considered to be among the most fertile in the shire and so integrity of the agricultural use is significant.
Any discussions with applicant regarding concerns	The applicant provided further support of the proposal after the Officer sent questions about how the proposal increases the agricultural capacity of the land and complies with relevant state and local planning policy. The applicant maintains the dwelling is required for 24 hour supervision of the cattle stud operation and valuable stock.
Any changes made to the application since being lodged?	No
VCAT history?	None
Previous applications for the site?	None
General summary	<p>The application is for development and use of the land for a dwelling on land identified at CAs 6&8, Section 2, Parish of Warrenheip at Mahars Road, Warrenheip. The total land area for the subject site is 11.75 hectares.</p> <p>The subject land is located on the south-western corner of Mahars Road and Forbes Road approximately 700m south of the Western Freeway and approximately 7kms east of the centre of the City of Ballarat.</p> <p>The Farm Plan states that the site is highly productive agricultural land and would be used for a seed stock herd of Lowline cattle (a sub-breed of Australian Angus). This is a more intensive operation than the limited cattle grazing activity that currently exists on the land.</p> <p>It is considered that the proposed application is generally consistent with the State and Local Planning Policies of the Moorabool Planning Scheme, which is discussed later in this report.</p>

	<p>Two (2) objections were received based on integrity of the farm management plan, fragmentation of land from one ownership (encouraging another future dwelling application), approval will encourage unwanted 'lifestyle' blocks in this farming region, and the proposed dwelling will compromise chemical spraying activity of a nearby farmer which is their livelihood.</p> <p>In this instance it is considered that the subject land is prime agricultural land which is of strategic significance in the local and regional context, but that the location of the dwelling in the north east corner of the site would not impact on the use of the balance of the land for agriculture. No empirical evidence has been provided that other adjoining and adjacent farming activities will be compromised by the proposed dwelling. The dwelling would also strengthen a small local community in close proximity to major infrastructure (Western Freeway/Highway environs).</p> <p>While the protection of agricultural and horticultural land is an important planning outcome it is recommended that the application is supported.</p>
Summary Recommendation:	
It is recommended that Council issue a Notice of Decision to Grant a permit for this application in accordance with Section 60 of the Planning and Environment Act 1987 subject to conditions detailed at the end of this report.	

Background

None.

Public Notice

The application was notified to adjoining and surrounding landowners and, by sign on site for the period 18 August 2014 to 1 September 2014. Two objections were received.

Summary of Objections

The objections received are detailed below with officer's comments accompanying them:

Objection	Any relevant requirements
Planning permit application is not for a genuine farm enterprise and the farm management plan makes false and misleading statements. Owner is just attempting to increase the value of the land for sale through the permit process.	<p>Clause 14.01 Agriculture</p> <p>Clause 21.04-2 Objective – Agriculture</p> <p>Clause 22.03 Houses and House Lot Excisions in Rural Areas</p>
<p>Officer's response –</p> <p>The farm management plan (FMP) is very basic and Council takes the applicant at their word that they wish to live on and farm the land in accordance with their FMP. The FMP runs with the land and should the land be sold, the purchaser is also required to develop the land in accordance with the planning permit and FMP or an approved agricultural use. The FMP is generally consistent with a valid agricultural use, however the authenticity of the statements in the document cannot be verified by Council Officers.</p>	
Granting a planning permit for the subject lots (6 & 8) fragments the land from more adjacent land under the same ownership. If this was a genuine application, the owner should have incorporated all his adjacent land under the one application. If this permit is granted, the owner will repeat the process for nearby vacant land under his ownership.	<p>Clause 14.01 Agriculture</p> <p>Clause 21.04-2 Objective – Agriculture</p> <p>Clause 22.03 Houses and House Lot Excisions in Rural Areas</p> <p>Clause 35.07 Farming Zone</p>
<p>Officer's response –</p> <p>A check of Council records shows the land owner (J Frawley) also owns approx. 13ha opposite the subject land on the northern side of Mahars Road. The application would decouple the land from a larger holding, however this application does consolidate two titles accompanied by a FMP. Future applications involving dwellings should be decided on merit, however subsequent approvals which diminish the potential for genuine agricultural activity in this area should be discouraged.</p>	

There is no substance to claims in the farm management plan, the proposed cattle stud requires close and daily supervision.	None applicable
Officer's response – It could be considered that a small scale cattle stud of this nature (1 bull), for which a substantial component is grazing, does not require 24 hour supervision. However the applicant claims the dwelling provides their stock with imperative security requirements, breeding is more than just seasonal and their full time occupation of the land affords them better land management outcomes.	
The ongoing approval of applications for dwellings in this agriculture rich region, with less than convincing justification for farming activity, will result in a surge of 'lifestyle' blocks incompatible with traditional farming activities such as chemical spraying and noise.	Clause 14.01 Agriculture Clause 21.04-2 Objective – Agriculture Clause 22.03 Houses and House Lot Excisions in Rural Areas Clause 35.07-6 Decision Guidelines in the Farming Zone
Officer's response – While dwellings can conflict with some agricultural activities, there is substantial evidence to suggest they can co-exist. There are seven (7) dwellings within 1km of the subject land and various degrees of agriculture from grazing stock to crops requiring airborne chemical spraying. This planning application includes a FMP for an agricultural use which will be tied to the permit via a section 173 agreement. Council's Rural Growth Policy also encourages dwellings in the Farming Zone where communities are strengthened.	
The proposed dwelling's location has the potential to impact on our long standing airborne chemical spraying activity and pest control practices. Maintaining our status as Certified Seed Potato Growers requires strict compliance with hygiene standards. Compromising this status could have a significant effect on our livelihood.	Clause 14.01 Agriculture Clause 21.04-2 Objective – Agriculture Clause 22.03 Houses and House Lot Excisions in Rural Areas Clause 35.07-6 Decision Guidelines in the Farming Zone
Officer's response – The proposed dwelling is located 200-300m from the land of this objector, which claims they carry out airborne chemical spraying. Some contamination of the subject land may be possible, however no specific details of the area, type or duration of spraying has been provided by the objector. Occupants of the dwelling would be fully aware of the surrounding agricultural activity and associated risks of dust, odour, spray, etc. Council cannot rely on these statements unless valid empirical evidence of conflict is provided.	

<p>If approved the application could lead to a number of similar approvals in our area, which are incompatible with our long standing farming activity.</p>	<p>Clause 14.01 Agriculture</p> <p>Clause 21.04-2 Objective – Agriculture</p> <p>Clause 22.03 Houses and House Lot Excisions in Rural Areas</p> <p>Clause 35.07-6 Decision Guidelines in the Farming Zone</p>
<p>Officer's response –</p> <p>Occupants of the dwelling would be fully aware of the surrounding agricultural activity and associated risks of dust, odour, spray, etc. Council cannot rely on these statements unless valid empirical evidence of conflict is provided. Council's Rural Growth Policy also encourages dwellings in the Farming Zone where communities are strengthened. Dwellings and agricultural activities currently co-exist in this locality.</p>	

Proposal

The proposal involves the development of a single storey weatherboard style country homestead on the subject site. The proposed dwelling would have a total floor area of approximately 18.5sq and would comprise three bedrooms, a study, bathroom, kitchen/meals area, separate open plan lounge/family and be encompassed by a 152sqm verandah.

The proposed dwelling would be sited approximately 40m from Mahars Road and approximately 25m from the eastern boundary.

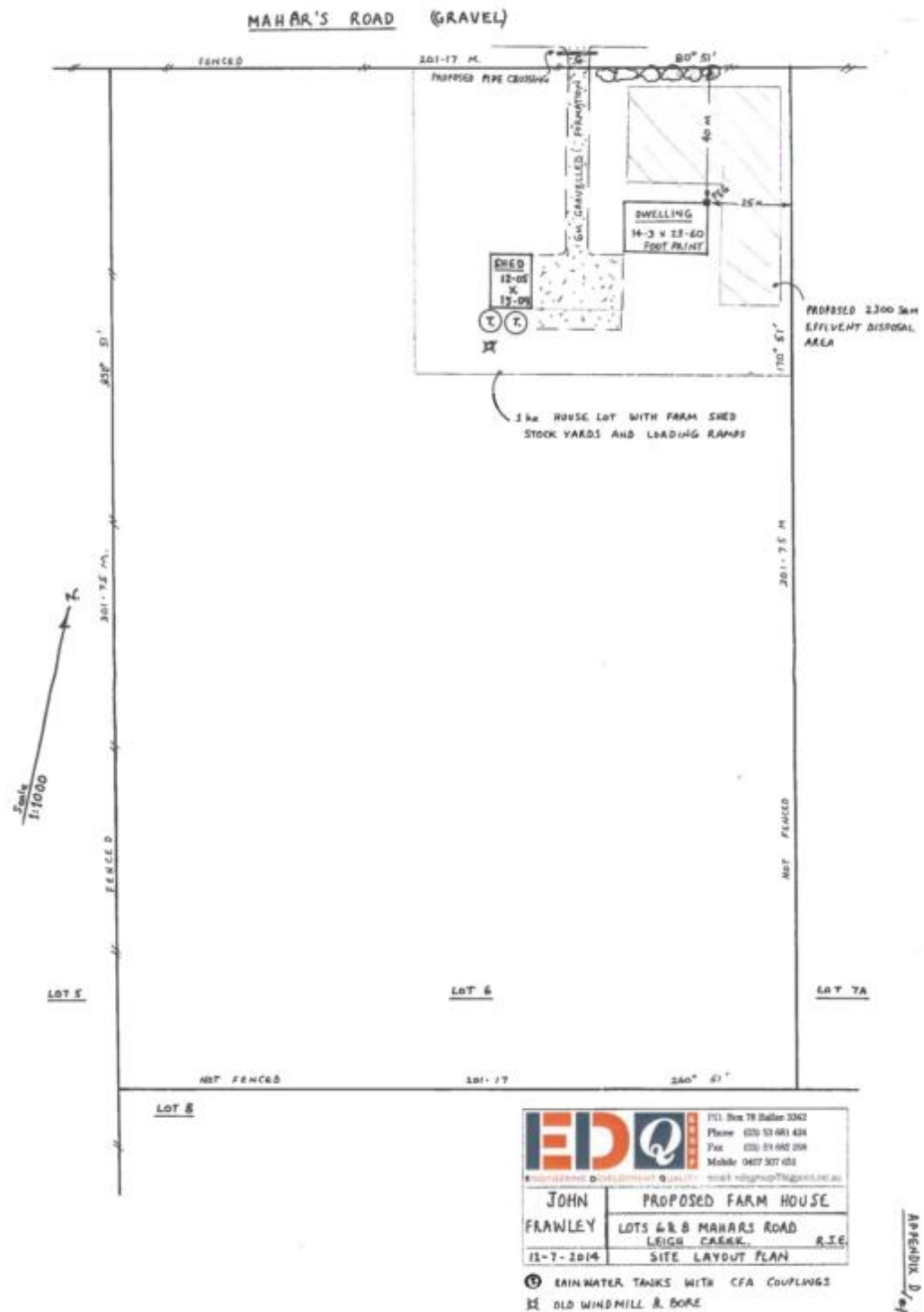
A new access from Mahars Road would be constructed towards the north-east corner of the site.

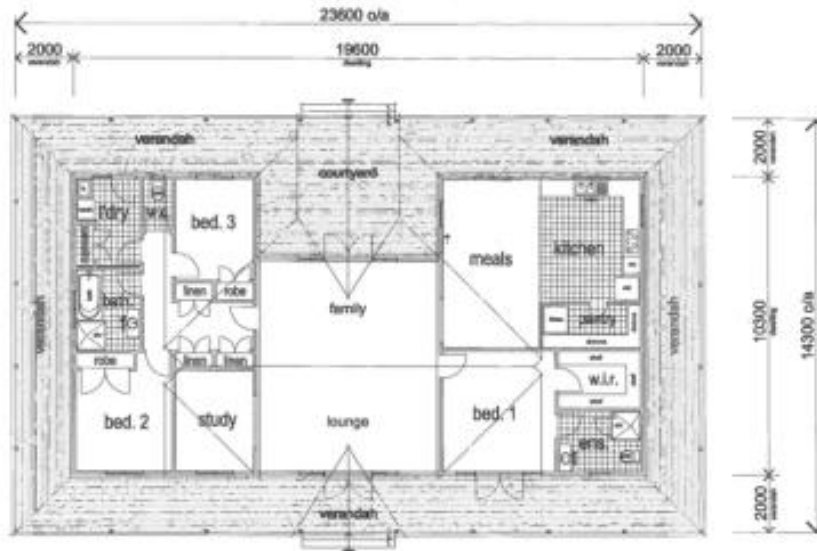
A 181sqm shed would be constructed approximately 30m west of the dwelling and would be located a minimum of 90m from the west side boundary.

A Farm Management Plan (FMP) was provided with the application. The FMP states that site contains soils of high agricultural productivity. The application states that the land would be used for seed stock herd of Lowline cattle (a sub-breed of Australian Angus). The applicant states the cattle stud under the land owner's supervision will increase and enhance the current low intensity grazing activity of the property.

As a part of the application, Crown Allotment's 6 (proposed to contain the dwelling) & 8 (proposed to contain the balance of the agricultural use for a cattle stud) would be consolidated on one title.

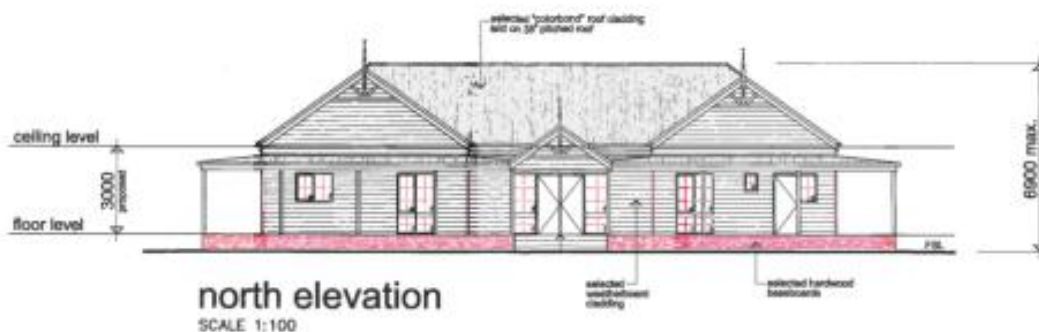
Proposed Site Plan, Floor Plan and Elevations





proposed floor plan
SCALE 1:100

areas:	
proposed dwelling	: 186.90m ²
proposed verandah	: 152.20m ²
total	: 337.50m ²





KEY	
—	Boundary
- - -	Planned permanent fences
DO	Tank
DO	Troughs

Site Description

An inspection of the site was undertaken on 16 September, 2014.

The decision guidelines of the Moorabool Planning Scheme require that the responsible authority consider, amongst other matters, the orderly planning of the area and the effect of the proposal on the amenity of the area together with any proposals or permits granted in the surrounding or adjoining area.

The subject land is made up to two parcels – CA 6 to the north with frontage to Mahars Road which is rectangular in shape and is proposed to contain the dwelling; and CA 8 to the south-east which is irregular shaped and proposed to contain the balance of the cattle stud. The site is substantially clear of vegetation and has rolling topography. Access to the site is via an informal crossover on the northern boundary abutting Mahars Road. A secondary access for previous farming activity is located on the east boundary to Forbes Road. There are no improvements on the site or any water supply.

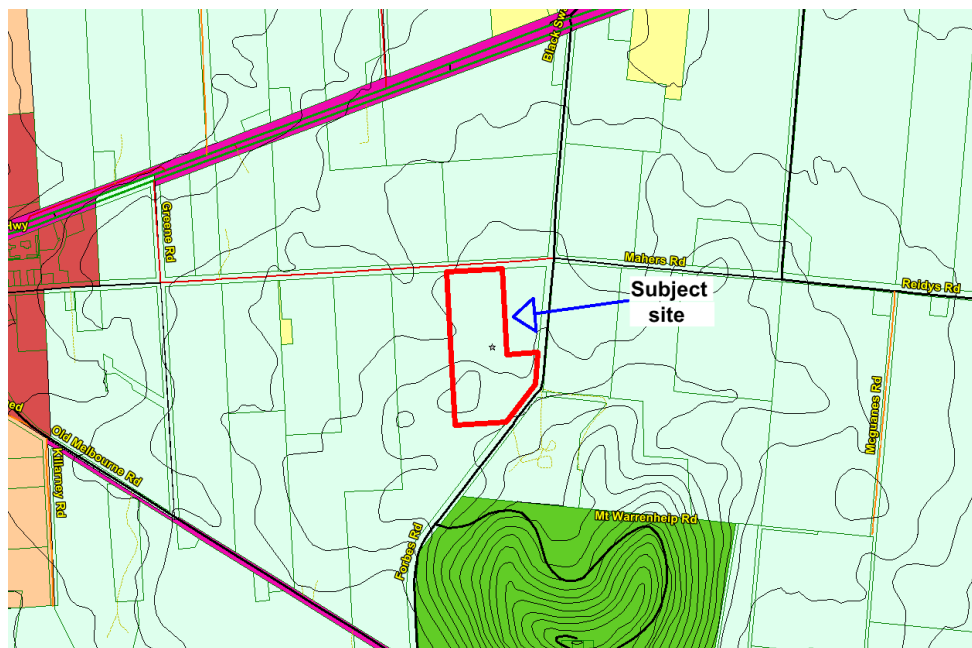
The land is located on the south west corner of the intersection of Mahars Road and Forbes Road and is approximately 7kms east of the centre of the City of Ballarat.

Surrounding land is zoned Farming. There are no dwellings located within 400m of the proposed dwelling, however there are seven (7) dwellings existing or approved in the range of 400m-1km from the site.

A search of Council records shows that there have been only seven (7) new dwellings approvals in the last five years in the Warrenheip, Dunnstown and Bungaree areas.

Locality Map

The site below indicates the location of the subject site and the zoning applicable to the surrounding area.



Planning Scheme Provisions

Council is required to consider the Victoria Planning Provisions and give particular attention to the State Planning Policy Framework (SPPF), the Local Planning Policy Framework (LPPF) and the Municipal Strategic Statement (MSS).

The relevant clauses are:

SPPF	Title	Response
Clause 11.05-3	Rural productivity	The proposal promotes agriculture and rural production in an appropriate location. The subject and surrounding land has been identified as highly productive agricultural land of regional significance and there are many examples of where dwelling's and agricultural operations currently co-exist.
Clause 14.01-1	Protection of agricultural land	The proposed dwelling is to support a breed of Angus cattle stud. The dwelling should not be supported without tying it to a suitable agricultural use, which can be done via a section 173 agreement registered on title to the consolidated crown allotments.
Clause 16.02-1	Rural residential development	Warrenheip is an existing settlement where dwellings and agricultural uses co-exist. The proposed dwelling should only be approved where it is in association with a suitable agricultural use, as in this case has been demonstrated by the applicant.

LPPF	Title	Response
Clause 21.01-2	Municipal context, Key Issues, Economic development	While the proposed dwelling is located in a regionally significant agricultural area in the west of the shire, it is to support an agricultural use. Surrounding land has other examples of dwelling's co-existing with agricultural operations. The relatively small land holding lends itself to being able to operate a breed of Angus cattle stud of this size.
Clause 21.03-4	Landscape and Neighbour-hood Character	The applicant submits the proposed dwelling is required to facilitate the safe and secure management of a cattle stud. Surrounding land has other examples of dwelling's co-existing with agricultural operations.
Clause 21.04-1	Key issues and influences, agriculture and horticulture	<p>The protection of agricultural and horticultural production is an important planning outcome.</p> <p>Farm businesses need to be able to retain the capacity to operate as agricultural enterprises.</p> <p>The proposal achieves this by tying the development of the dwelling to a suitable agricultural use on the land.</p>
Clause 21.04-2	Objective – Agriculture	Farming integrity is protected by tying the development of the dwelling to a suitable agricultural use on the land.
Clause 22.03	Houses and House Lot Excisions in Rural Areas	Agriculture is still the major land use in the Shire and a significant component of the economy. The Shire is committed to facilitating

		<p>sustainable agriculture and protecting the long term supply of productive agricultural and horticultural land. There is need to avoid fragmentation of land suitable for rural production by discouraging subdivision and houses that are unrelated to the agricultural use of the land. It is also important to ensure that farm production is not compromised or adversely affected by residents living in rural areas.</p> <p>The proposal is an acceptable outcome for the locality of Warrenheip where dwellings and agricultural enterprises currently co-exist.</p>
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Zone

Pursuant to Clause 35.07-1, section 2, and the schedule to the Farming Zone, a planning permit is required to use the land for a dwelling if the land is less than 40ha.

Pursuant to Clause 35.07-4 of the Farming Zone a planning permit is required for building or works associated with a use in section 2 of Clause 35.07-1.

The subject site is in the Farming Zone. The Purpose of the Farming Zone is to implement the State and Local Planning Policy Frameworks, including the Municipal Strategic Statement and local planning policies and to:

- Provide for the use of land for agriculture;
- Encourage the retention of productive agricultural land;
- Ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture;
- Encourage the retention of employment and population to support rural communities; and
- Encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

The lot must be at least the area specified in a schedule to this zone which states the minimum area for which no permit is required to use land for a dwelling is 40 hectares.

Farming Zone – decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the dwelling would result in the loss or fragmentation of productive agricultural land;
- Whether the dwelling would be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation;
- Whether the dwelling would adversely affect the operation and expansion of adjoining and nearby agricultural uses;
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture;
- Whether the use or development will support and enhance agricultural production;
- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land;
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent;
- How the use or development relates to sustainable land management.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production;
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses;
- The capacity of the site to sustain the agricultural use; and
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.

Overlays

No overlays cover the subject land.

Particular Provisions

No particular provisions apply to this application.

General Provisions

Clause 65 – Decision Guidelines have been considered by officers in evaluating this application as appropriate.

Restrictive Covenants

Parts of each Crown Allotment contain Restrictive Covenant E904765 relating to an easement for the former Gas & Fuel Corporation. The easement is located over the adjoining title boundaries for Lots 6 & 8 where no permanent structures are proposed, so the proposal is not affected by the restriction.

Discussion

The Farming Zone in the Moorabool Planning Scheme provides discretion for a permit to be granted to use and develop land for the purposes of a dwelling on a lot less than 40ha.

The purposes of the Farming Zone is to provide for the use of land for agriculture, encourage the retention of productive agricultural land and ensure that non-agricultural uses, particularly dwellings, do not adversely affect the use of land for agriculture.

Other purposes are to encourage the retention of employment and population to support rural communities, and encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

There are State and Local planning policies providing additional guidance to Council on the objectives that are to be achieved in relation to the protection of prime agricultural land across Victoria.

The use of land for a dwelling in the Farming Zone on a lot less than 40ha in the Moorabool Planning Scheme is discouraged unless it can be demonstrated that the agricultural use of the land will not be compromised, the application will not lead to a proliferation of dwellings in the surrounding area, the application will support retention of local communities and sustainable land management practices and infrastructure provision.

The proposal was accompanied by a Farm Management Plan which outlined the agricultural potential of the land in terms of breeding a seed stock herd of Lowline cattle.

In considering the application in this part of Warrenheip where dwellings and agricultural land uses currently co-exist, the primary question is whether the dwelling will support the use of the land for agriculture, and whether the use or development of a dwelling will support and enhance agricultural production.

On balance it is considered that the use and development of a dwelling on the land, located in the north-east corner of the site, would not impact on the use of the balance of the land for agriculture. The proposal also includes a more intensive form of agriculture that currently exists on the land and the immediate locality within 1km already has seven (7) existing or approved dwellings. It is also evident the application will strengthen a small local community in close proximity to major infrastructure (Western Freeway/Highway environs).

Council's Rural Housing Policy (RHP)

A Council Policy has been developed to provide direction for how limited farming potential rural dwellings should be considered, and more broadly, rural settlement patterns. The policy seeks to articulate support for resilient and integrated rural communities and agricultural enterprises, recognising that 'State Government Planning Policy Framework does not adequately recognise or support agriculture trends and rural settlements in the Moorabool Shire'.

Council believes that the existing 'one size fits all' rural land use policies have proven to be inadequate for peri urban Shires such as Moorabool; and policy direction needs to be mindful of the existing subdivision pattern, with many allotments substantially less than 40 hectares in size, and the opportunities available to support and enhance existing settlements.

The principles of the policy relevant to this application include:

- Support the agriculture sector so that it can be more productive, diverse, resilient and adaptive to changing agricultural trends, including supporting agricultural activities that recognise Moorabool's advantageous proximity to market;
- Protect agricultural land use from loss and allow development that increases agricultural productivity;
- Focus growth opportunities in settlements along major transport corridors, in particular where there is physical and social infrastructure and services;
- Recognise that there is substantial existing lots under 40 hectares capable of supporting the viable operation of agricultural enterprises; and
- Promote a rural housing market that meets the needs of the Shire's rural communities

And specifically that:

- Land parcels for the proposed on farm living dwellings are to have a minimum lot size of 8 hectares and is within the areas identified in Map 1 so as to support retain population within rural communities (Map 1 refers—red).

The subject land is located in an area designated on Map 1 in red, as being a rural development area.

RHP Comment:

The policy provides guidance with respect to limited farm potential rural dwellings in this area of the Shire. The land meets the criteria of having a minimum lot size of 8ha and the dwelling is supported by a Farm Management Plan with a suitable agricultural use on the land.

Referrals

The following referrals were made pursuant to s.52 of the Planning and Environment Act 1987 and Council departments were provided with an opportunity to make comment on the proposed development plan. No mandatory referrals were required under section 55.

External Authority (Section 52)	Response
Central Highlands Water Tenix (Gas) Powercor	No objection No objection No objection
Internal referral	Response
Infrastructure Environmental Health	No objection subject to conditions No objection subject to conditions

All referral authorities consented to the application, subject to appropriate conditions being placed on any permit issued.

Financial Implications

The recommendation of an approval of this development would not represent any financial implications to Council.

Risk and Occupational Health and Safety Issues

The recommendation of an approval of this development does not implicate any risk or OH & S issues to Council.

Communications Strategy

Notice was undertaken for the application, in accordance with the Planning and Environment Act 1987, and two (2) objections were received. The applicant was informed that this matter would be heard by Council and was advised of their right to address Council. The applicant will be advised of Council's determination.

Options

An alternative recommendation would be to refuse the application on grounds the proposal reduces the land's capacity for agriculture or causes detriment to adjoining agricultural operations, however this would likely result in an application being lodged by the proponent at VCAT.

PA2013-118 for a dwelling in association with agriculture approved by Council as a notice of decision was taken to VCAT by an objector; the decision of Council was affirmed by VCAT.

Conclusion

It is considered that the application is generally consistent with the State and Local Planning Policy Framework and the Municipal Strategic Statement of the Moorabool Planning Scheme. The proposal is also considered to be consistent with the purpose and decision guidelines of the Farming Zone.

Recommendation:

That, having considered all matters as prescribed by s.60 of the Planning and Environment Act, Council issues a Notice of Decision to Grant Planning Permit PA2014-172; Development and Use of a Dwelling and Outbuilding (Shed) in Association with the Use of the land for Agriculture; at Crown Allotments 6 & 8, Section 2, Parish of Warrenheip; Mahars Road, Warrenheip, subject to the following conditions:

- 1. Before the use and development starts, the land known as Crown Allotments 6 & 8, Section 2, Parish of Warrenheip, Mahars Road, Leigh Creek must be consolidated to form one land parcel.**
- 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**
- 3. The approved *Farm Management Plan* has been endorsed and forms part of the permit and must not be altered without the written consent of the Responsible Authority.**
- 4. Before the use of development commences the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987 and to the agreement being registered on the titles to the land under Section 181 of the Act, which provides to the satisfaction of the Responsible Authority that:**
 - a) Agricultural activities identified in the endorsed Farm Management Plan or approved by the Responsible Authority in writing, must be undertaken on the land and must be in accordance with the Farm Management Plan endorsed under the relevant Condition 2 of Planning Permit PA2014-172.**
 - b) The owner must pay the reasonable costs for the preparation, execution and registration of the Section 173 Agreement.**

5. All external materials to be used in the construction of the dwelling and shed hereby permitted shall be of muted toning and non-reflective and shall not result in any adverse visual impact on the amenity of the surrounding area to the satisfaction of the Responsible Authority.

Environmental Health condition:

6. The recommendations of the land capability assessment prepared by Provincial Geotechnical Pty Ltd 30 June 2014 Reference No: F4126 must be adhered to.
7. The applicant must apply for a permit to install a septic tank.

Infrastructure conditions:

8. A standard rural vehicle crossing with culvert must be provided on Mahars Road to the satisfaction of the Responsible Authority. A vehicle crossing permit must be taken out for the construction of the vehicle crossing.
9. Storm water drainage from the proposed buildings and impervious surfaces must be retained and disposed of within the boundaries of the subject land to the satisfaction of the Responsible Authority. Overflows from on-site storage systems must be directed away from any waste water disposal areas.
10. Sediment discharges must be restricted from any construction activities within the property in accordance with relevant Guidelines including Construction Techniques for Sediment Control (EPA 1991).
11. Unless otherwise approved by the Responsible Authority there must be no buildings, structures, or improvements located over proposed drainage pipes and easements on the property.
12. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.

Expiry condition:

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

Council may extend the periods referred to if a request is made in writing before the permit expires or in accordance with the times frames as specified in Section 69 of the *Planning and Environment Act 1987*.

Report Authorisation

Authorised by:

Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: Friday, 13 February 2015



10.2.2 Social Media Policy

Introduction

File No.: 02/02/002
Author: Peter Forbes
General Manager: Satwinder Sandhu

Background

A draft Digital Strategy has been developed to improve the way Moorabool Shire Council communicates and services its community and stakeholders using digital technology. A key aspect of the way forward is the use of social media.

The draft Social Media policy (attached) is designed to guide authorised users of social media on appropriate use and protect the organisation from potential misuse or harm arising from communication via social media.

The policy outlines requirements for compliance with confidentiality, governance, legal, privacy and regulatory parameters when using social media to conduct Council business.

The Social Media policy aims to:

- Inform appropriate use of social media tools for Moorabool Shire Council;
- Promote effective and productive community engagement through social media;
- Minimise miscommunication or mischievous communications; and
- Assist Moorabool Shire Council manage the inherent challenges arising from the immediacy, access and spread of social media communication.

The policy applies to all online digital spaces collectively referred to as social media where people may comment, contribute, create, forward, post, upload and share content.

This policy is not intended to apply to personal use of social media by staff outside of working hours where:

- The author publishes information in their personal capacity and not on behalf of, or in association with Moorabool Shire Council; and
- No reference is made to Moorabool Shire Council, its Councillors, staff, policies and services, suppliers or other stakeholders or Council related issues.

The Digital Strategy will be presented to Council in the lead up to the 2015/16 Budget process.

Consideration

Council considered the proposed policy on 4 February, 2015 and resolved that the policy lay on the table for further consideration and adoption at the next Ordinary Meeting of Council.

Proposal

1. For Council to adopt the Social Media Policy
2. Undertake a 6 month trial which includes the introduction of the Early Years and Corporate facebook pages and Corporate Twitter account.
3. A further report be provided to Council after the six month trial.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Representation and Leadership of our Community
Objective	Provide quality customer services that respond to the needs of our whole community
Strategy	Explore option for online service delivery, particularly using the National Broadband Network (NBN).

The proposal for a Social Media Policy is consistent with the 2013 - 2017 Council Plan.

Financial Implications

There are no financial implications to adopting the Social Media Policy.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Reputational risk	Misuse of Social Media leading to Council being brought into disrepute.	Low	<ul style="list-style-type: none"> • Social Media Policy. • Social Media Manual • User / Response Guides. • Training • Monitoring and pre approval process • Usage Terms and Conditions. • Administrative Power • Staff code of Conduct • Privacy Legislation
Harassment and Bullying	Social Media used to intimidate and harass	Low	
Confidential material distributed/ circulated	Dissemination of private or confidential material via Social Media	Low	

Community Engagement Strategy

Engagement	Stakeholder	Activities	Date	Outcome
Consult	Section 86 Finance and Governance Committee	Section 86 Finance and Governance Committee Meeting	Sept 2014	Recommendation to take strategy to council and investigate how to bring forward new website

Internal working groups have been consulting with all staff throughout the development of the Social Media policy. A briefing note and presentation has also been made to an Assembly of Councillors.

Communications Strategy

All staff and Councillors will receive a copy of the policy. After the trial period a report will be presented to Council.

Victorian Charter of Human Rights and 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 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Satwinder Sandhu

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

Author – Peter Forbes

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

Conclusion

The attached draft Social Media policy has been developed to guide authorised users of social media in the appropriate use of social media and protect the organisation from potential misuse or harm arising from use of social media.

Recommendation:

That Council,

- 1. In accordance with Moorabool Shire Council Policy Protocol, 'Consideration of items which Affect beyond the Current Year', now endorses the Social Media Policy (Number GD009/Version 1).**
- 2. Approves a trial of the use of social media for a six month period.**
- 3. Approves that a further report be brought to the 2 September, 2015 Ordinary Meeting of Council on the trial and future direction of social media.**

Report Authorisation

Authorised by: 

Name: Satwinder Sandhu

Title: General Manager Growth & Development

Date: Friday, 13 February 2015

Attachment - Item 10.2.2

Policy No.:	GD009	MSC Social Media Policy
Review Date:	6 months from date of signing	
Revision No.:		
Policy Manual Version No.:		
Adopted by:		

1. Purpose and Scope of the Policy

Moorabool Shire Council recognises that social media provides new opportunities for dynamic, interactive two-way communications that complements existing communication and improves access and delivery of information and services.

The intent of this policy is to provide guidance on professional and personal use of social media platforms and tools for the purpose of conducting Council business.

In addition to paid Council employees, this policy also applies to all Councillors, contractors, agents and volunteers of Moorabool Shire Council who use social media on behalf of Council. This policy also applies to agencies and individuals who provide services to Moorabool Shire Council, and is to be included in all relevant external supplier contracts.

The policy outlines requirements for compliance with confidentiality, governance, legal, privacy and regulatory parameters when using social media to conduct Council business. It aims to:

- Inform appropriate use of social media tools for Moorabool Shire Council;
- Promote effective and productive community engagement through social media;
- Minimise miscommunication or mischievous communications; and
- Assist Moorabool Shire Council manage the inherent challenges arising from the immediacy, access and spread of social media communication.

The policy applies to all online digital spaces collectively referred to as social media where people may comment, contribute, create, forward, post, upload and share content.

It is not possible to expressly refer to or list all the specific sites or kinds of social media outlets. The absence of a reference to a particular site or kind of social media activity does not limit the application of this policy.

This policy is not intended to apply to out of hours personal use of social media where:

- The author publishes information in their personal capacity and not on behalf of, or in association with Moorabool Shire Council; and
- No reference is made to Moorabool Shire Council, its Councillors, staff, policies and services, suppliers or other stakeholders or Council related issues.

Parties covered by this policy are reminded that their strong association with Council means comments made regarding Moorabool Shire and subjects within its jurisdiction on users personal social media accounts are unlikely to be viewed by the receiver as separate from your Council role.

Thus Council representatives are to refrain from making comment or posting material intended or likely to cause damage Council's reputation or bring it into disrepute.

2. Policy

Social Media Usage Guidelines

All users must adhere to the following while using Council Social Media accounts.

Mandatory usage principals

- Adhere to Moorabool Shire Council codes of conduct, policies and procedures;
- Behave with caution, courtesy, honesty and respect;
- Comply with relevant laws and regulations;
- Reinforce the integrity, reputation and values of Moorabool Shire Council;
- Include Council branding (available via media and communications unit); and
- Respond within timeframe stipulated in the Customer Service Charter and listed in the specific social media house rules where they exist.

Usage Guidelines

Generating and sending out content

- Seek permission before using copyright or trademark protected materials or anyone who appears in images. If asked to remove material, do so as soon as practicable.
- Limit comment to area of expertise. Stick to factual content and clearly separate personal opinions from professional ones.
- Only disseminate publicly available, non-confidential information.
- Be accurate, constructive, helpful and informative and correct errors as soon as practicable.
- Be clear about your professional identity.
- Protect your personal privacy and guard against identity theft.
- Make the content accessible to those with disabilities where ever possible

Responding to feedback

- Be courteous, patient and respectful of others' opinions, including detractors.
- Respond within the timeframe stipulated in the Moorabool Shire Customer Service Charter and listed in the "house rules".
- If unsure if or how to respond, refer to the Moorabool Social Media Response Guide (Attachment A).

Media enquires via social media

Users must not respond directly if approached by media for comment. All media enquiries are to be referred to the Media and Communications Unit for action.

The Mayor and/or CEO remain the official spokesperson for the organisation for media, unless otherwise delegated (as per Item 2.6 “Dealing with Media Enquiries” from the Council Communications Framework).

Prohibited under any circumstances:

- Abusive, profane or sexual language;
- Content not relating to the subject matter of that blog, board, forum or site;
- False, misleading or deceptive content;
- Material which would bring Council into disrepute;
- Confidential information about Council or third parties;
- Use copyright or trademark protected materials;
- Discriminatory material in relation to a person or group based on age, colour, creed, disability, family status, gender, nationality, marital status, parental status, political opinion/affiliation, pregnancy or potential pregnancy, race or social origin, religious beliefs/activity, responsibilities, sex or sexual orientation;
- Illegal material or material designed to encourage law breaking;
- Statements which may be considered to be bullying or harassment;
- Personal details or references that may breach privacy laws;
- Material that could compromise Council, employees, community or system safety;
- Material that would breach applicable laws (defamation, privacy, trade and consumer laws, financial rules and regulations, fair use, trademarks, antibullying);
- Spam, meaning the distribution of unsolicited bulk electronic messages;
- Participate anonymously or covertly via a third party or agency;
- Publishing content in exchange for reward of any kind; and
- Endorsement of any political affinity or allegiance.

Use of personal social media at work

Personal social media needs to be managed as per the Council Code of Conduct. Use must align with the conventions established in the Internet and Email Policy regarding what is considered reasonable private use of Council or personally provided communication devices during work hours.

House Rules

In cases where user guidance on acceptable behaviour is required, social media terms and conditions of use or “house rules” are to be published on the Council social media account. Template house rules are available from the Media and Communications Unit.

3. Process

Authorisation to use Council social media accounts

Only authorised and trained users are to communicate on behalf of Council via Council's social media channels.

An approval process via the CEO or delegate is in place to obtain prior permission to communicate via the current Council social media accounts. The CEO or delegate will also review and determine requests for the creation of additional social media accounts.

Should permission be granted, usage can only commence once users have undertaken training in social media (training provided via Media and Communications Unit).

Monitoring of Council Related Social Media

A triage system managed by representatives from Customer Service and Media and Communications Units is in place to monitor enquires received via Council's primary corporate and secondary social media accounts. They will allocate referrals to other staff from Council's primary corporate accounts as required.

Specialist technology to monitor references about Council and its operations on publicly available non-Council approved social media account is in place to track what is being communicated, and to intervene as required.

Trained authorised users of an approved secondary social media account can respond directly to inbound enquires directly. They can also send out relevant information specific to their role and expertise.

Record Keeping

Important content published or communicated by or on behalf of Moorabool Shire Council using social media must be recorded (including the author's name, date, time and media site location) and kept on record. Users are required to take a screen shot of the content and store it in the corporate records management system.

If you have any doubt about applying the provisions of this policy, check with the CEO or delegate before using social media to communicate. Depending on the nature of the issue and potential risk, it may also be appropriate to consider seeking legal advice.

Enforcement

This policy will be published and circulated to councillors, staff, volunteers and contractors of Moorabool Shire Council

Moorabool Shire Council reserves the right to remove, where possible, content that violates this policy or any associated policies.

Claims of a social media policy breach are initially assessed by the user's manager and/or the Manager of Economic Development and Marketing.

If deemed in breach, the offending content will be removed/amended as soon as practicable and the user educated on appropriate use.

Breaches of the policy may result in disciplinary action, performance management and review. If the breaches are persistent, the user's access rights may be revoked until Council's standard disciplinary processes have made a determination on the appropriate action. The most serious breaches may result in termination of employment, association and/or reporting of the user's actions to the relevant authority for further action.

4. Related Legislation/Policies/Guidelines

Legislative and Policy Framework

Employees of Moorabool Shire Council are expected to demonstrate standards of conduct and behaviour that are consistent with relevant legislation and the Moorabool Shire Council's Code of Ethics and Conducts Policy

5. Council Plan Reference – Key Performance Area

Key Result Area: Representations and Leadership of our Community.

Objective: Leadership through best practice community engagement.

Strategy: To make well-informed decisions based on input from the community and other key stakeholders through effective community engagement

Objective: Provide quality customer services that respond to the needs of our whole community

Strategy: Explore option for online service delivery, particularly using the National Broadband Network (NBN).

6. Review

This policy will be initially reviewed in six months, and from there on, reviewed every two years from the date of adoption.

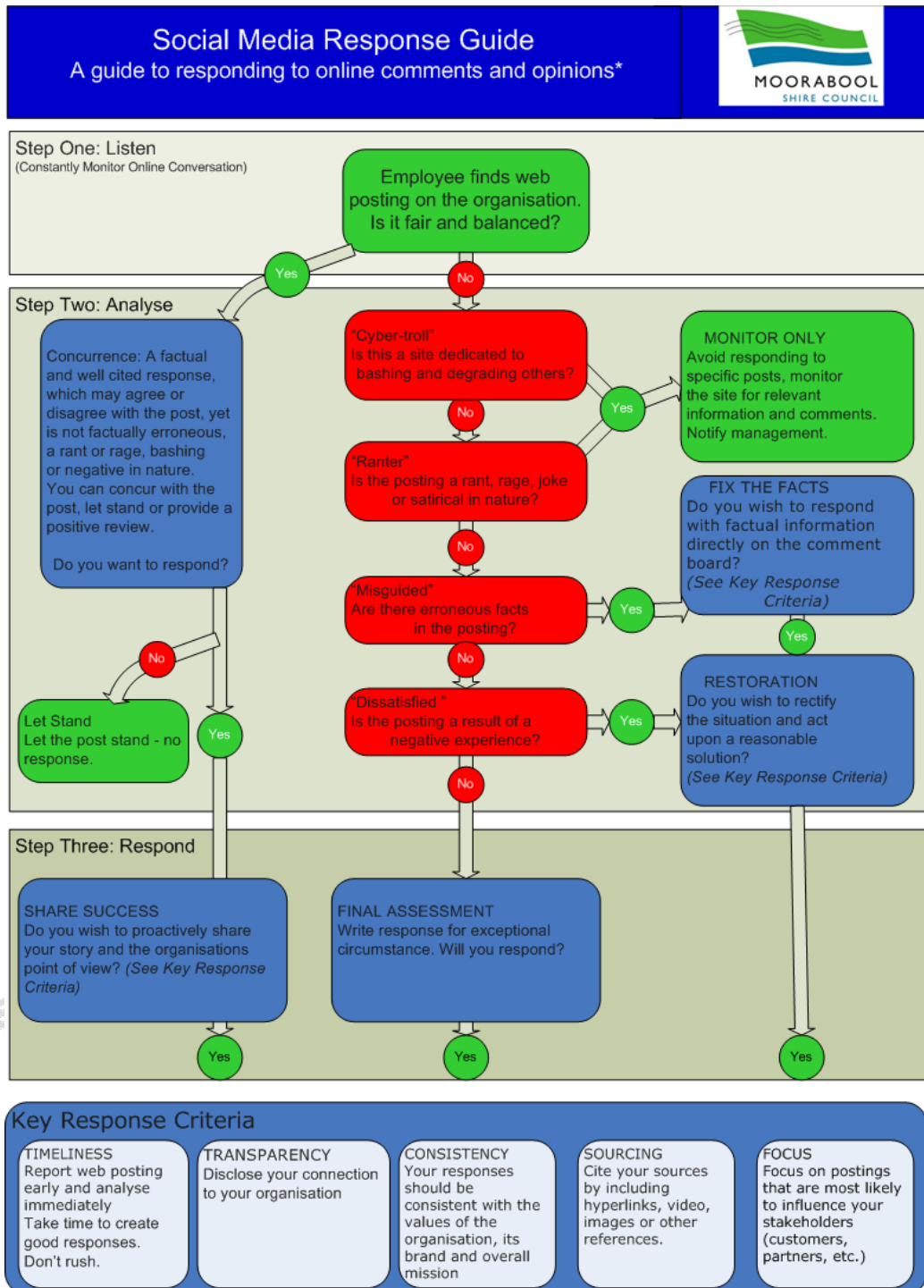
7. References

- Audit Act 1994 (Vic)
- Australian Standards in Records Management
- AS4390 (Parts 1 – 6) Copyright Act 1968 (Cth)
- Electronic Transactions Act 2000
- Evidence Act 1958 (Vic)
- Freedom of Information Act 1982 (Vic)
- Information Privacy Act 2000 (Vic)
- Local Government Act 1989 (Vic)
- Privacy Act 1988 (Cth)
- Privacy and Data Protection Act 2014 (Vic)
- Public Records Act 1973 (Vic)
- SPAM Act 2003 (Cth)

- Telecommunications Act 1997 (Cth)
- Standard for the Management of Electronic Records (PROS 99/007)
- Crimes Act 1958 (Vic) (eg anti-bullying provisions)
- Defamation Act 2005 (Vic)
- Fair Trading Act 1999 (Vic)
- Fair Work Act 2009 (Cth)
- Equal Opportunity Act 2010 (Vic)
- Australian Human Rights Commission Act 1986 (Cth)
- Racial and Religious Tolerance Act 2001 (Vic)
- Wrongs Act 1958 (Vic)
- Council Plan 2013-2017
- Customer Service Charter 2013
- Moorabool Shire Council Communications Framework 2012
- Moorabool Community Broadband and Telecommunications Strategy 2010
- Moorabool Shire Council Internet & email acceptable use policy 2009
- MAV template Social Media Policy 2010

Dept	Economic Development and Marketing
MSC	Moorabool Shire Council

Appendix A: Moorabool Shire Social Media Response Guide



*Adapted by Symphony3 from US Air Force Response Policy

10.3 COMMUNITY SERVICES

10.3.1 Moorabool Health and Wellbeing Plan 2013-2017 – Annual Review.

Introduction

File No.: 12/01/001
Author: Kate Diamond-Keith
General Manager: Danny Colgan

Background

The purpose of this report is to present the Council with the outcomes of the annual review of the Moorabool Health and Wellbeing Plan 2013-2017 for adoption.

The Victorian *Public Health and Wellbeing Act 2008* requires that the Council conduct an annual review of the Municipal Public Health Plan, which is the Moorabool Health and Wellbeing Plan 2013-2017. The Department of Health has developed a guide for Councils in undertaking the annual review process. The guide specifies that conducting an annual review entails making sure that the actions identified in the plan are being implemented satisfactorily and that they remain the best way for council to invest in health and wellbeing over the life of the plan.

The Moorabool Health and Wellbeing Plan 2013-2017 is a four year plan for enhancing the health and wellbeing of our residents. The plan captures the health and wellbeing status of the community and presents a plan in partnership with local health providers and community organisations, to improve the health of the Moorabool community. The Plan was adopted by the Council at the Ordinary Meeting of Council on 6 November 2013.

The review and development of this report was undertaken through the following:

- Review of the Council's Health and Wellbeing Committee meetings for the past 12 months;
- Review of the first year action plan;
- Workshop with the Health and Wellbeing Committee members;
- Analysis of the Department of Health Annual review guidelines; and
- Discussion with other councils about their review processes.

Year one of the Plan contained 26 actions, which was a very ambitious undertaking for the first year. The report of the annual review of the Health and Wellbeing Plan is contained in **Attachment 10.3.1(a)** and the status of the implementation of the action plan contained in **Attachment 10.3.1(b)**.

The outcomes of the first year as follows:

Eleven actions were completed in the twelve months being:

- Implement a Community Leadership Program that focusses on health and wellbeing issues and outcomes;
- Implement the Lerdi Listeners program, which is a program for isolated older people and people with disabilities to utilise the Lerderderg Library;
- Further promote walking, cycling and running groups operating in the Shire;
- Identify and apply for funding opportunities for improving and enhancing walking tracks, including cultural walks;
- Advocate to the State Government to implement the Bacchus Marsh Town Bus review recommendations;
- Increase access to services for the elderly in Ballan through a trial community transport service around Ballan;
- Be a culturally inclusive Shire and create a sense of place for Indigenous people
- Deliver and promote the Federal Government funded Healthy Communities Project and evaluate this project with a view to sustainability;
- Develop a Domestic Animal Management Plan to support and encourage the positive health benefits of responsible pet ownership;
- Advocate for improved food security for low-income families; and
- Promote and monitor food safety compliance in Moorabool and provide advice on food safety to the public.

Fourteen actions are in progress, but it should be noted that nine of these actions are actions that are specified as year 1-4 actions and will therefore not be completed until the end of four year plan. It was therefore recommended that in the future, actions that are year 1-4 be presented differently to clarify the reporting of these actions.

- Advocate for improved careers advice services and apprenticeship opportunities for young people;
- In partnership with external agencies and Council staff prepare a report for Council consideration, to identify the key components of a new and dedicated youth space including the size and type of space required, governance and management arrangements, capital costs, operating costs, location and potential funding sources;
- Develop a Social Outings Guide for Moorabool Shire;
- Continue to promote the positive health benefits of increased education and employment opportunities in the community;
- Continue to promote the Council as employer of young people through apprenticeships;
- Actively pursue strong youth engagement practice, particularly on-line. This will include engaging young people in the design, development and maintenance of an on-line communication strategy as well as having young people directly involved in the design and maintenance of an online framework to gain educational outcomes for their involvement;

- Promote the positive health benefits of volunteerism and continue to provide opportunities for community members to participate in volunteer activities;
- Continue to promote the positive health benefits of the community use of community facilities and participation in sport and recreation activities currently provided;
- Promote the prevention of violence against women message through local print, radio and television media;
- Develop and build an Early Years Hub in Darley;
- Utilise the Moorabool Shire Council Website to provide information about local services;
- Provide programs that support frail older people and people with disabilities in the Home and Community Care target group to live in the community as independently and autonomously as possible;
- Promote opportunities for families to access existing physical activity programs in the community i.e. community sporting clubs; and
- Improve the breastfeeding rates for the Shire by promoting breastfeeding friendly spaces and providing information/education on the importance of breastfeeding.

One action was not completed, however, it emerged in the review process that this action was no longer relevant and that the action needed to be updated as follows:

Current Action

- Create links between disparate arts and community cultural initiatives and events by promoting the Arts Alive Arts Atlas

Proposed

- Provide support to existing and emerging arts and cultural groups to develop new opportunities within the Shire.

Considering the number of actions in the first year, the number of actions completed or in progress was considered very positive and the committee remarked that this was a positive achievement for the first year.

There was also a recommendation that the Plan continue to highlight the actions that have been completed to ensure that these projects are sustainable in the future.

Health Profile

The review identifies that the health profile could be updated to reflect current information and statistics.

Partners

The following were suggested as new partners to be added to the Health and Wellbeing Committee: local Schools and Council's Youth Action Group.

New Actions

The review identified a number of new actions that could be progressed and one action recommended for inclusion in the updated Plan.

Proposal

Following the completion of the review of the first year of the Moorabool Health and Wellbeing Plan 2013-2017, it is proposed that the following recommendations are to be considered by the Council:

1. That officers update the Health Profile to ensure data is current and relevant.
2. That additional partners be included in The Plan, including local schools and the Youth Action Group.
3. That the following new actions to be added to The Plan:
 - That a partnership approach be undertaken to investigate the impact of ICE on the community and that a strategy be developed to address this issue including determining the Council's role; and
 - Support the continued use of the Darley Civic and Community Hub, including encouraging greater use by community groups, committees and services.
4. That new funding opportunities be pursued to implement actions in The Plan.

Officers will update the Health Profile to ensure the data is current and the revised plan is to include schools and the youth action group as new partners in the implementation of the plan. Officers also will continue to pursue funding opportunities.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Community Wellbeing
Objective	Inclusive, responsive and accessible community service
Strategy	Ensure Council's services and facilities are accessible

The proposal Moorabool Health and Wellbeing Plan 2013-2017 Year One Review Report is consistent with the 2013-2017 Council Plan.

Financial Implications

There are no financial implications from the recommendations proposed.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Health and Wellbeing Plan	Council is required to review the Health and Wellbeing Plan annually under the Public Health and Wellbeing Act 2008	Low	Council to review the Health and Wellbeing Plan annually.

Communications and Consultation Strategy

The following community engagement activities have been undertaken, in accordance with the Council's Community Engagement Policy and Framework

Level of Engagement	Stakeholder	Activities	Outcome
Involve	Health and Wellbeing Committee	Review Workshop Submissions on draft report	Committee provided Feedback and endorsed recommendations

Victorian Charter of Human Rights and 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 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Danny Colgan

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

Author – Kate Diamond-Keith

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

Conclusion

The review determined that the first year of the Moorabool Health and Wellbeing Plan 2013-2017 was implemented with success. The review highlighted that some areas need to be updated to ensure the Plan is consistent with community needs and relevant to emerging issues. This includes updating the Health Profile to ensure data is current; addition of new partners; changes to working group process; additional actions to address emerging issues; such as ICE and promotion of new funding opportunities to implement actions.

The report of the review of the Health and Wellbeing Plan was considered at a meeting of the Social Development S86 Advisory Committee of Council on 10 December 2014. The recommendation by the Committee was that the Council endorse the recommendations of the review of the Moorabool Health and Wellbeing Plan.

Recommendation:

That the Council endorses the Moorabool Health and Wellbeing Plan 2013-2017 first year review report and authorises the following new actions to be added to the Plan:

- **That a partnership approach be undertaken to investigating the impact of ICE on the community and that a strategy be developed to address this issue including determining the Council's role.**
- **Support the continued use of Darley Civic and Community Hub including encouraging greater use by community groups, committees and services.**

Report Authorisation

Authorised by:



Name: Danny Colgan
Title: General Manager Community Services
Date: Wednesday, 11 February 2015

Attachment - Item 10.3.1(a)

Moorabool Health and Wellbeing Plan

First Year Review Report

December 2014



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Introduction

The purpose of this report is to present the Council with the outcomes of the review of the first year of the Moorabool Health and Wellbeing Plan 2013-2017.

The Moorabool Health and Wellbeing Plan 2013-2017 is a four year plan for enhancing the health and wellbeing of our residents. The plan aims to capture the health and wellbeing status of our community and present a plan in partnership with local health providers and community organisations, to improve the health of the Moorabool community.

Under section 26 of the Public Health and Wellbeing Act 2008, the Council is required to develop a Health and Wellbeing Plan within 12 months of a Council Election. The Health and Wellbeing Plan must be consistent with the Council Plan and the Municipal Strategic Statement and be reviewed annually and evaluated at the end of the four year period. The Plan was adopted by the Council at the Ordinary Meeting of Council on the 6th November 2013.

The Health and Wellbeing of our community is determined by not only physical and psychological factors, but also by the way we live and work, our social networks, friends and family, how we access leisure facilities, availability of services in our area, laws and regulations governing our community.

The focus of the plan is on addressing the following key health issues:

- Mental health
- Obesity
- Drug and alcohol abuse
- Family violence
- Access to family support services.

The Plan focuses on the following key priority areas and goals:

Priority Area 1: Community Connectedness

Goal Statement: We will create inclusive and engaged communities that provide opportunities for people across their life stages to participate in activities that enhance the wellbeing of our communities.

Priority Area 2: Healthy and Safe Built Environments

Goal Statement: We will support and advocate for the planning and construction of safe and sustainable built environments that address community needs and provide a liveable community for our future.

Priority Area 3: Accessible Services

Goal Statement: We will work together to provide cross-agency collaboration and advocate for equity of access to services for all residents in our community.

Priority Area 4: Supporting Healthy Lifestyles and Being Active

Goal Statement: We will promote existing and provide new opportunities for people to be active, access good nutrition and embrace healthy lifestyle choices

The review has evaluated the effectiveness of the Plan over the first 12 months including the delivery of actions, partnerships, as well as review of any updates required to the health profile and any future funding opportunities.

Department of Health Review Requirements

The Victorian *Public Health and Wellbeing Act 2008* requires that the Council conduct an annual review of the Municipal Public Health Plan, which is the Moorabool Health and Wellbeing Plan 2013-2017. The Department of Health have developed a guide for Councils in undertaking the annual review process. The guide specifies that conducting an annual review entails making sure that the actions identified in the plan are being implemented satisfactorily and that they remain the best way for council to invest in health and wellbeing over the life of the plan.

The guide outlines the following areas for the review to address:

1. Check implementation is on track
 - Check the progress of health and wellbeing actions
 - Check the progress of capacity building actions
 - Check the progress of partner projects
 - Identify what might need to change
2. Check results to date are what is expected
 - Check the effectiveness of plan action
 - Check whether council practices match the principles underlying the MPHWP
 - Identify what might need to change
3. Check the context has not changed
 - Identify any significant demographic changes
 - Identify emerging health risks
 - Identify new major council or partner projects
 - Identify relevant funding opportunities
 - Identify major internal or external structural systems of personnel changes
4. Decide what needs to be done differently
 - Share your findings with the key people responsible for MPHWP actions
 - Propose changes to the next phase of the MPHWP

Methodology

The review and development of this report was undertaken through the following:

- Review of the Council's Health and Wellbeing Committee meetings for the past 12 months
- Review of the first year action plan
- Workshop with the Health and Wellbeing Committee members
- Analysis of the Department of Health Annual review guidelines
- Discussion with other councils about their review processes

Overview Implementation of Moorabool Health and Wellbeing Plan

Year One

The Moorabool Health and Wellbeing Plan 2013-2017 has been implemented during the first 12 months through the following process:

- Quarterly meetings of the Health and Wellbeing Committee
 - The Committee comprises Cr Dudzik as Chairperson, Council staff from across the organisation as well as external organisations and agencies. There are currently 43 members of the committee of which about 80% attend meetings regularly.
- Working groups were established, with members of the committee on each group, to implement the actions in The Plan. The actions were grouped into several key areas, including:
 - Youth
 - Physical activity
 - Violence against women
 - Arts and culture
 - Volunteerism and community
 - Food safety

Each working group had representation from the Council as well as external agencies. The Working Groups were responsible for ensuring the actions were implemented and to report back to the Committee.

- A First Year Action Plan was developed to communicate the progress on each action and this was regularly updated and provided to the committee for each meeting.

Review Outcomes

Actions

Year 1 of the Plan contained 26 actions, which was a very ambitious undertaking for the first year. The First Year Action Plan is contained in **Attachment 1**.

The outcomes of the first year as follows:

- Eleven actions were completed in the twelve months being
 - Implement a Community Leadership Program that focusses on health and wellbeing issues and outcomes
 - Implement the Lerdi Listeners program, which is a program for isolated older people and people with disabilities to utilise the Lerderderg Library
 - Further promote walking, cycling and running groups operating in the Shire
 - Identify and apply for funding opportunities for improving and enhancing walking tracks, including cultural walks
 - Advocate to the State Government to implement the Bacchus Marsh Town Bus review recommendations
 - Increase access to services for the elderly in Ballan through a trial community transport service around Ballan
 - Be a culturally inclusive Shire and create a sense of place for Indigenous people
 - Deliver and promote the Federal Government funded Healthy Communities Project and evaluate this project with a view to sustainability
 - Develop a Domestic Animal Management Plan to support and encourage the positive health benefits of responsible pet ownership
 - Advocate for improved food security for low-income families
 - Promote and monitor food safety compliance in Moorabool and provide advice on food safety to the public

- Fourteen actions are in progress, but it should be noted that 9 of these actions are actions that are specified as year 1-4 actions and will therefore not be completed until the end of four year plan. It was therefore recommended that in the future, actions that are year 1-4 be presented differently to clarify the reporting of these actions.
 - Advocate for improved careers advice services and apprenticeship opportunities for young people
 - In partnership with external agencies and Council staff prepare a report for Council consideration, to identify the key components of a new and dedicated youth space including the size and type of space required, governance and management arrangements, capital costs, operating costs, location and potential funding sources
 - Develop a Social Outings Guide for Moorabool Shire
 - Continue to promote the positive health benefits of increased education and employment opportunities in the community
 - Continue to promote the Council as employer of young people through apprenticeships
 - Actively pursue strong youth engagement practice, particularly on-line. This will include engaging young people in the design, development and maintenance of an on-line communication strategy as well as having young people directly involved in the design and maintenance of an on-line framework to gain educational outcomes for their involvement
 - Promote the positive health benefits of volunteerism and continue to provide opportunities for community members to participate in volunteer activities
 - Continue to promote the positive health benefits of the community use of community facilities and participation in sport and recreation activities currently provided

- Promote the prevention of violence against women message through local print, radio and television media
 - Develop and build an Early Years Hub in Darley
 - Utilise the Moorabool Shire Council Website to provide information about local services
 - Provide programs that support frail older people and people with disabilities in the Home and Community Care target group to live in the community as independently and autonomously as possible
 - Promote opportunities for families to access existing physical activity programs in the community i.e. community sporting clubs
 - Improve the breastfeeding rates for the Shire by promoting breastfeeding friendly spaces and providing information/education on the importance of breastfeeding
- One action was not completed, however, it emerged in the review process that this action was no longer relevant and that the action needed to be updated.

Current action

- Create links between disparate arts and community cultural initiatives and events by promoting the Arts Alive Arts Atlas

Proposed

- Provide support to existing and emerging arts and cultural groups to develop new opportunities within the Shire.

Considering the number of actions in the first year, the number of actions completed or in progress was considered very positive and the committee remarked that this was a positive achievement for the first year.

There was also a recommendation that the Plan continue to highlight the actions that have been completed to ensure that these projects are sustainable in the future.

Process to undertake actions

The review process also considered the effectiveness and efficiency of the process to undertake the actions, including the Working Group structure.

Overall the Working Groups worked well as a mechanism for supporting the implementation of actions and ensuring the accountability of partners and committee members.

Areas for improvement for year 2 are:

- Working groups need a 'lead' person appointed to ensure actions progress
- Working group meetings should be held before each committee meeting, as it was difficult to meet in between meetings. Consideration also to be given to other mechanisms such as Yammer (social media) or teleconferencing.
- All stakeholders to be held accountable for actions
- An action plan template to be developed for working groups to use to keep actions on track and to support reporting

Health Profile

Overall the data included in the Health profile was still considered relevant and current. However, there were some new and emerging health risks that could be added to the Plan, including:

- Social isolation
- Use of the drug 'ICE' and its impact on the community
- Decline in sexual health of the community, particularly to do with pregnancy and sexually transmitted diseases (STD's)
- Update in obesity statistics

The review also considered if there was any information that needed to be added to the Health profile. The following information was discussed for updating the health profile:

- Data from other Plans currently under development (i.e. Municipal Early Years Plan, Age Well, Live Well) could enhance the Health Profile
- Data about public transport usage
- Walkability data of local neighbourhoods
- Statistics about access to good healthy food in the Shire
- Literacy and numeracy information
- Alcohol statistics
- Gambling statistics
- Immunisations rates
- Volunteering figure – further breakdown required

The Plan

The review of The Plan overall addressed the following questions:

- Are there any emerging actions that need to be added to The Plan?
- Are there any new partners that need to be added?
- Have there been any other Council strategies developed that influence The Plan?
- Are there any new funding opportunities that could be applied for to complete actions?

Emerging actions to be considered:

- Investigation of the impact of ICE on the community and developing a strategies to address this issue
- Heatwave policy review as a result of auditor general report
- Pandemic Plan review
- Investigation into increased respite for all ages
- More planning for aged-assisted living
- Investigate emerging issues regarding women's health
- Encourage physical activity in future higher density developments – Footpaths – Walkability/Accessibility
- Participation in Central Highlands Drug Action Taskforce
- Use of prescription drugs for the aged
- Support continued use of Darley Civic and Community Hub
- Late night transport safety issues

- Provision of more local youth activities

The review process that many of these actions may be included in other plans or plans currently under development, including the Age Well, Live Well Plan. However, some new actions may be relevant to ensure The Plan is current and meeting community needs.

New partners

The following were suggested as new partners to be added to the Health and Wellbeing Committee:

- Local Schools
- Youth Action Group

Other Council Strategies that influence the Plan

The following strategies either having been completed or in progress were considered to influence the implementation of the Health and Wellbeing Plan:

- Municipal Early Years Plan
- Leisure Facilities & Services Review
- Community Development Paper
- Recreation and Leisure Strategy
- Access and Inclusion Plan
- Statement of Commitment to Indigenous People
- Local laws review
- Local Housing Policy
- Age Well, Live Well Strategy

New Funding Opportunities

The review process recommended the following as potential funding sources for future actions:

- ICE Prevention Grants
- Community Crime Prevention Grants
- Bendigo Bank
- Service Club Grants
- Bank MECU
- Philanthropic
- Vic Health
- Donkey Wheel
- Commonwealth Bank
- Bank of Melbourne

Summary of review

Overall the review determined that the first year of the Moorabool Health and Wellbeing Plan 2013-2017 was implemented with success. The success and consistency of the Health and Wellbeing Committee and the partnership approach to the delivery of the actions was a key driver for the implementation of The Plan.

The review highlighted that some areas need to be updated to ensure the Plan is consistent with community needs and relevant to emerging issues. This includes updating the Health Profile to ensure data is current; addition of new partners; changes to working group process; additional actions to address emerging issues; such as ICE and promotion of new funding opportunities to implement actions.

Recommendations

Following the completion of the review of the first year of the Moorabool Health and Wellbeing Plan 2013-2017, the following recommendations are to be considered by the Council:

1. That officers update the Health Profile to ensure data is current and relevant.
2. That additional partners be included in The Plan, including local schools and the Youth Action Group
3. That the following new actions to be added to The Plan:
 - That a partnership approach be undertaken to investigating the impact of ICE on the community and that a strategy be developed to address this issue including determining the Council's role
 - Support the continued use of Darley Civic and Community Hub
4. That new funding opportunities be pursued to implement actions in The Plan

Attachment - Item 10.3.1(b)

Moorabool Health and Wellbeing Plan Action Plan

	Not started
	Completed
	In progress
	Deferred

Priority Area 1: Community Connectedness

Improve the Health and Wellbeing outcomes for the Moorabool Community

	Actions	Year	Health & Wellbeing Committee Partners	Working Group members	Actions	Funding/Costs	Final Comments
1.	Advocate for improved careers advice services and apprenticeship opportunities for young people	Year 1	Highlands Local Learning and Employment Network	Moorabool Youth Services	<ul style="list-style-type: none"> Work with the relevant agencies (HLEN, The Laurels) to support and advocate for improved links and opportunities. HLEN to advise working group about existing and future plans LLEN has in this area. 		Further information to be sought from HLEN to continue to progress this action.
2.	In partnership with external agencies and Council staff prepare a report for Council consideration, to identify the key components of a new and dedicated youth space including the size and type of space required, governance and management arrangements, capital costs, operating costs, location and potential funding sources	Year 1	Highlands Local Learning and Employment Network & Victoria Police	HLEN, BGT Youth Connections, Vic Pol, Matchworks Manager, Youth Services, Cr. Tonia Dudzik, Council, CAFS, Principal Bacchus Marsh Grammar, Principal Bacchus Marsh College, The Laurels	<ul style="list-style-type: none"> It is vital that Moorabool Council Youth Services attend and meetings of the Health and Wellbeing Committee and lead working group meetings. It is vital that working group discussions include Jim Ross and Brendan O'Connell. Meetings need to be scheduled to enable these people to attend. Provide all members of the working group with a copy of the MAST document to establish a youth space. Provide all members of the working group with an update from youth services in progress towards feasibility study. Investigate funding sources to get a Youth Space established. State and Federal Funding, Bendigo Bank and possibly Western Bulldogs Football Club. Establish a youth working group to obtain feedback on need, design and options for youth space. Conduct a youth survey with Bacchus Marsh High School, Bacchus Marsh Grammar, Avenue Group and Young Mums group to establish need, projected usage 		Funding for Feasibility Study included in Draft Council Budget 2014/15, therefore as the action has just commenced it will be included in year 2 actions.

	Actions	Year	Health & Wellbeing Committee Partners	Working Group members	Actions	Funding/Costs	Final Comments
					<p>and requirements of a youth space.</p> <ul style="list-style-type: none"> • Ensure that if a youth space is established in Bacchus Marsh that there are also outreach options available to the rest of the Shire. • Investigate options for site of youth space. Should it be a building located in Rotary Park or possibly the Quamby Rooms? A new multipurpose building constructed elsewhere to locate elderly citizens, bowls club and RSL. • When establishing a Youth Space adult supervision will be necessary. Investigate option of relocating youth services staff to the new space rather than at Council Offices. • Investigate how Sarah Cafferkey Appeal can link into project. Need to make contact with Djerriwarrh Health CEO. • Suggestion made by Dale Johnson that the library PlayStation and Xbox could be relocated to a youth space in the future. • Suggestion made that youth space should have graffiti wall on a building that is regularly removed so young people can graffiti it again. 		
3.	Develop a Social Outings Guide for Moorabool Shire	Year 1	Central Highlands Primary Care Partnership	Community Development Team, Central Highlands Primary Care Partnership	<ul style="list-style-type: none"> • Research and information gathering • Develop Draft Guide • Community Engagement about draft • Finalise and promote 	PCP to print	Draft in progress, to be finalised by June 2015.
4.	Implement a Community Leadership Program that focusses on health and wellbeing issues and outcomes	Year 1	Community/Neighbourhood Houses Primary Care Partnership	Community Engagement Coordinator , CHPCP, Youth Services, Aged & Disability, VIC POL,	<ul style="list-style-type: none"> • Submit funding application • Recruit position • Program Launch 	State and Federal Government	Funding successful, Community Leadership program Coordinator appointed, project commenced and currently being implemented.

	Actions	Year	Health & Wellbeing Committee Partners	Working Group members	Actions	Funding/Costs	Final Comments
5.	Continue to promote the positive health benefits of increased education and employment opportunities in the community	Year 1-4	Highlands Local Learning and Employment Network	Community Development Manager, LLEN, Youth Services, MCH – Early Years Strategy, DEECD	<ul style="list-style-type: none"> Identifying existing education opportunities: <ul style="list-style-type: none"> Early Years (Central intake for preschool?) Traditional Alternate programs Neighbourhood House (Adult learning) Develop a promotion campaign for media, Moorabool Matters. 	Using existing	<p>Youth Services has continued to develop the Primary to Secondary Transition and will facilitate a transition expo - which will focus on the difficulties young people face in making the transition from small local primary schools to larger Regional Secondary Colleges.</p> <p>This transition can have a significant impact on young people continued education.</p> <p>Economic Development Strategy being developed by the Council, which may outline future employment opportunities.</p>
6.	Continue to promote the Council as employer of young people through apprenticeships	Year 1-4	Highlands Local Learning and Employment Network	Youth Services/Community Development Manager	<ul style="list-style-type: none"> Report on current apprenticeships, discuss with HR Identify target area apprenticeships 	None needed	Apprenticeship opportunities advertised when available, i.e. Parks and Gardens. Young people also now employed as casuals in the library for weekends.

Create spaces and activities that support creativity, cultural diversity and arts development in the Community

	Actions	Year	Health & Wellbeing Committee Partners	Working Group members	Actions	Funding/Costs	Final comments
7.	Create links between disparate arts and community cultural initiatives and events by promoting the Arts Alive Arts Atlas	Year 1-2	Community/Neighbourhood Houses	Community Development Manager, Library Programs Coordinator, Community/neighbourhood Houses Wombat Arts Network	<ul style="list-style-type: none"> Get updated information about the status of the Arts Alive Arts Atlas Promote to arts groups and artists, 	None	Action to be deleted as not relevant to local community.

Address social inclusion issues through improved communication and information

	Actions	Year	Health & Wellbeing Committee Partners	Working Group members	Actions	Funding/Costs	Progress comments
8.	Actively pursue strong youth engagement practice, particularly on-line. This will include engaging young people in the design, development and maintenance of an on-line communication strategy as well as having young people directly involved in the design and maintenance of an on-line framework to gain educational outcomes for their involvement	Year 1	Highlands Local Learning and Employment Network	Youth Services			Digital strategy in progress, which will outline priority areas for this action.
9.	Implement the Lerdi Listeners program, which is a program for isolated older people and people with disabilities to utilise the Lerderderg Library	Year 1	All	Library Programs Coordinator, Aged and Disability Manager	<ul style="list-style-type: none"> Implement program Develop a promotional plan Promote service 	None needed	Program participants recruited, and program commenced.
10.	Promote the positive health benefits of volunteerism and continue to provide opportunities for community members to participate in volunteer activities	Year 1-4	All	Community Development Officer Community/Neighbourhood Houses	<ul style="list-style-type: none"> Promote existing and new volunteering opportunities in Moorabool through media and social media Development volunteer profiles Promote training opportunities for groups about recognition and retention of volunteers Develop a Volunteer Strategy and Policy Celebrate Volunteer Week 	None needed	Volunteer Strategy and Policy development in progress. To be completed by June 2015. Volunteer opportunities advertised when available Volunteer profiles in progress Volunteer week celebration to be determined through strategy.
11.	Continue to promote the positive health benefits of the community use of community facilities and participation in sport and recreation activities currently provided	Year 1-4	All	Community and Recreation Development Teams, Committees of Management	<ul style="list-style-type: none"> Promote community and sporting facilities through newsletters and Moorabool Matters i.e. feature 1 facility at a time to 'showcase' 	None needed	Promotion of facilities in progress.

	Actions	Year	Health & Wellbeing Committee Partners	Working Group members	Actions	Funding/Costs	Progress comments
					<ul style="list-style-type: none"> Utilise social media and community noticeboards 		
12.	Further promote walking, cycling and running groups operating in the Shire	Year 1	Djerriwarrh Health Services, Ballan District Health and Care	Health Communities Coordinator Djerriwarrh Health Services, Ballan District Health and Care	<ul style="list-style-type: none"> Continue to promote existing walking groups Research appropriate walking tracks for accessibility by prams/wheelchairs Fax updates to GP Surgeries re; Physical activity opportunities referral 	Funded by Federal Government	Completed – advertisements in local newspapers and Moorabool Matters
13.	Promote the prevention of violence against women message through local print, radio and television media	Year 1-4	Women's Health Grampians & CAFS	Community Development Manager, Manager, Early Years, Maternal and Child Health Coordinator, Women's Health Grampians & CAFS, Department of Justice, Legal Aid, Centrelink	<ul style="list-style-type: none"> Develop calendar of messages – Link in with other days I.E. NAIDOC, May – Family Violence Week Develop package of tools I.E. – 16 days of activism media kit 25/10-10/12, Jeannine – print out media toll kit & send out & any other example, posters & brochures – everyone to collect, White ribbon templates Look for funding for school student presentations – “you the man” & “Respectful relationship training” Grampians FV commute – Develop schedule of presentations to teachers, carers, early childhood education White Ribbon day event – Oath swearing (Council Staff, Councillors, Community) – Community event, Glenn – White Ribbon Day committee to read 		Calendar of events completed. White Ribbon Day event completed.

Priority Area 2: Healthy and safe built environments

Plan for state of the art infrastructure ensuring a place and space for future service provision that promotes Community Health and Wellbeing

	Actions	Year	Health & Wellbeing Committee Partners	Working Group members	Actions	Funding/Costs	Progress comments
14.	Develop and build an Early Years Hub in Darley	Year 1-4	CAFS	General Manager Community Services Early Years Manager	<ul style="list-style-type: none"> Complete concept design Seek funding Engage with partners including – kindergarten providers and Pentland Primary school 	State Government Council	Council has resolved to endorse the re-use of the former Science Wing at the Civic and Community Hub for the Early Years Hub. Detailed design is to commence in January 2015. Application for State Government of \$1.6m towards construction was successful.
15.	Identify and apply for funding opportunities for improving and enhancing walking tracks, including cultural walks	Year 1-2		Community Development Manager, Recreation and Youth development Manager	<ul style="list-style-type: none"> Complete Hike and Bike Strategy Include projects in Council's Capital Improvement Program Apply for funding 	State Government PLF	Myrniong Walking Trail completed. Funding applications currently pending for Halletts Way Shared Path and Darley Walking Trail.

Advocate for increased transport options that connect people with social activities and services

	Actions	Year	Health & Wellbeing Committee Partners	Working Group members	Actions	Funding/Costs	Progress comments
16.	Advocate to the State Government to implement the Bacchus Marsh Town Bus review recommendations	Year 1	All	Community Development Manager	Letter to Minister	None	Completed – new services to start July 2014.
17.	Increase access to services for the elderly in Ballan through a trial community transport service around Ballan	Year 1	Ballan District Health and Care, Ballan Community House	Healthy Communities Coordinator Aged and Disability Manager Ballan District Health and Care	<ul style="list-style-type: none"> Implement a trial service for shopping. Evaluate trial service 	Funded TCP	Trial completed and to continue through HACC when required by clients.

Involve the Community in creating a 'sense of place' for their Community

	Actions	Year	Health & Wellbeing Committee Partners	Working Group members	Actions	Funding/Costs	Progress comments
18.	Be a culturally inclusive Shire and create a sense of place for Indigenous people	Year 1	Indigenous Group for Bacchus Marsh and Surrounds, Local Aboriginal	Community Development Manager, Indigenous Group for Bacchus Marsh	<ul style="list-style-type: none"> Develop a draft Policy Statement on Council's commitment to 	State Government Grants	NAIDOC Week events completed 7 th July 2014. A

			Cooperative and Services	and Surrounds, Local Aboriginal Cooperative and Services Schools Wurundjeri Land Council and Wada Wurrung Land Council, Vic Aboriginal Child Care Agency, Reconciliation Victoria, Learning Stones	indigenous people in Moorabool. <ul style="list-style-type: none"> Encourage schools to fly the flag Fly flag at Council offices all year Plan for implementing Learning Stones Environments Share cultural days of importance with Community Sharing Days 		statement of commitment to Indigenous People has been prepared for consideration by the Council.
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Priority Area 3: Accessible Services

Improve access to information about services and waiting times through the development of an integrated 'one stop shop' approach

	Actions	Year	Health & Wellbeing Committee Partners	Working Group members	Actions	Funding/Costs	Progress comments
19.	Utilise the Moorabool Shire Council Website to provide information about local services	Year 1	All	Health and Wellbeing Committee	<ul style="list-style-type: none"> All members to provide updated relevant information for website Community Development Manager to manage process to update Committee members to provide updates where relevant 	None needed	Pending decision on Council website upgrade and Digital Strategy.

Priority Area 4: Supporting healthy lifestyles and being active

Increase participation in active lifestyle programs that enhance Community Wellbeing

	Actions	Year	Health & Wellbeing Committee Partners	Working Group members	Actions	Funding/Costs	Progress comments
20.	Provide programs that support frail older people and people with disabilities in the Home and Community Care target group to live in the community as independently and autonomously as possible	Year 1-4	Djerriwarrh Health Services and Ballan District Health and Care	Aged and Disability Manager, Djerriwarrh Health Services and Ballan District Health and Care			Programs implemented, including planned activity groups, senior citizens, and exercise programs.
21.	Deliver and promote the Federal Government funded Healthy Communities Project and evaluate this project with a view to sustainability	Year 1	Djerriwarrh Health Services and Ballan District Health and Care	Health Community Coordinator, Djerriwarrh Health Services and Ballan District Health and Care	<ul style="list-style-type: none"> Implement Healthy Communities Project Complete project report 	Federal Government	Completed and acquitted.
22.	Promote opportunities for families to access existing physical activity programs in the community i.e. community sporting clubs	Year 1-4		Healthy Communities Coordinator, Recreation Development Officer, Manager Early Years	Promote existing opportunities		Opportunities through clubs promoted when required. Recreation

							and Leisure Strategy in progress.
23.	Develop a Domestic Animal Management Plan to support and encourage the positive health benefits of responsible pet ownership	Year 1		Community Safety Coordinator	Completed		Completed

Increase opportunities for people to make healthy eating choices to improve their health

	Actions	Year	Health & Wellbeing Committee Partners	Working Group members	Actions	Funding/Costs	Progress comments
24.	Improve the breastfeeding rates for the Shire by promoting breastfeeding friendly spaces and providing information/education on the importance of breastfeeding	Year 1-4	Djerriwarrh Health Services, CAFS, Grampians Medicare, Local	Manager Early Years	Implement funded project	Grant successful Medicare Local Council - ongoing	Funded project in progress.
25.	Advocate for improved food security for low-income families	Year 1	CAFS				Aged and Disability Dietician supporting those at risk in the community and conducting an assessment for people receiving meals on Wheels. Community Grant provided to The Marsh Food Bus to improve service.
26.	Promote and monitor food safety compliance in Moorabool and provide advice on food safety to the public	Year 1	Djerriwarrh Health Services, Ballan District Health and Care	Coordinator Community Safety			This is an ongoing annual process.

10.3.2 Lerderderg Library Meeting Room Fees and Charges

Introduction

File No.: 17/02/001
 Author: Kate Diamond-Keith
 General Manager: Danny Colgan

Background

The purpose of this report is to recommend that the Council introduce commercial meeting room hire fees for the Lerderderg Library in Bacchus Marsh.

Since the opening of the Lerderderg Library in 2011, the use of the three meeting rooms has been steadily increasing. The meeting rooms are used regularly by community groups, committees, Council staff and for functions and Council meetings. Over the last 12 months, officers have received an increasing number of requests for hire of the meeting rooms from commercial businesses. The current meeting room fees and charges only include a community group hire rate, therefore commercial businesses currently hire the meetings rooms at the reduced community group rate.

Current meeting room charges:

	Geoffrey Hine Room (Small Meeting Room)	Jean Oomes Room (Medium Meeting Room)	James Young Room (Large Meeting Room)
Casual Hire	\$11.50/hour	\$17.00/hour	\$17.00/hour
Regular / Ongoing Hire	\$6.00/hour	\$11.00/hour	\$11.00/hour
Day/Night Hire for 8 hours	Not Applicable	\$33.00/8 hours	\$56.00/8 hours
Security Deposit	\$200.00	\$200.00	\$200.00
Insurance/Hire (applicable if hirer's own public liability insurance does not cover offsite/Australia wide).	\$33.50	\$33.50	\$33.50

The Lerderderg Library was constructed with funding from the Council and State government. The facility was established as a multi-purpose community facility, encompassing a library, Council customer service, visitor information centre, historical society and community meeting rooms. The meeting rooms were constructed to meet an increasing need in the community for meeting space for community groups and committees. Therefore the meeting rooms should be as accessible as possible for community groups and committees to access. The current meeting room fees provide the same accessibility to commercial businesses as community groups and committees and therefore this needs to be addressed to ensure the facility is meeting the community's needs and its purpose.

Other Local Governments:

Officers have undertaken benchmarking with other local governments hiring similar meeting facilities within library facilities. These libraries all have a meeting room hire rate for community groups as well as a hire rate for commercial businesses.

Proposal

It is proposed that the Council adopt meeting room hire fees and charge for the Lerderderg Library meeting rooms for commercial businesses, as follows:

Definitions:

Community Groups -Activities/Functions of community groups and incorporated associations that are not for profit

Commercial/Profit Making Groups - Activities/Functions which charge other personnel for attendance at class/activity and/or are registered for GST purposes, or organisation is a for profit business.

Geoffrey Hine; - Seats 6, Video conferencing facilities, Wireless Internet

\$20 per hour
\$30 per hour with use of video conferencing facilities
\$110 per day
\$160 per day with use of video conferencing facilities

Jean Oomes - Seats 12, No projector, Wireless Internet

\$25 per hour
\$130 per day

James Young 1 or 2 - Seats 15-20, Projector, Wireless Internet

\$35 per hour
\$160 per day

James Young 1 & 2 combined - Seats 40, Projector, Wireless Internet

\$65 per hour
\$300 per day

A security deposit of \$200 is required for each meeting room.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Community Wellbeing
Objective	Inclusive, responsive and accessible community services
Strategy	Ensure Council's services and facilities are accessible

The proposal Lerderderg Library meeting room fees and charges is consistent with the 2013-2017 Council Plan.

Financial Implications

The addition of commercial library fees may result in additional revenue for the use of the meeting rooms.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Hire rates for library meeting rooms	Commercial businesses can hire the library meeting rooms at the community group rate.	Medium	Introduce a commercial hire fees for the library meeting rooms

Community Engagement Strategy

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Inform	General community	Media Release detailing proposed changes to hire fees and charges	All	March 2015	To be determined

Victorian Charter of Human Rights and 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 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Danny Colgan

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

Author – Kate Diamond-Keith

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

Conclusion

The Lerderderg Library in Bacchus Marsh has three meeting rooms for hire by the Moorabool community. The current fees and charges for these meeting rooms only include a community group hire fee. There have been an increasing number of requests for hire by commercial businesses, who are currently able to hire the meeting rooms at the community group rate.

It is proposed to introduce a commercial business meeting room hire fees. This will ensure that the meeting rooms remain accessible to community groups and ensure that the facility is meeting its intended purpose.

Recommendation:

That Council:

1. Adopts the following additional meeting room hire fees for the Lerderderg Library meeting rooms:

- **Geoffrey Hine; - Seats 6, Video conferencing facilities, Wireless Internet**

\$20 per hour

\$30 per hour with use of video conferencing facilities

\$110 per day

\$160 per day with use of video conferencing facilities

- **Jean Oomes - Seats 12, No projector, Wireless Internet**

\$25 per hour

\$130 per day

- **James Young 1 or 2 - Seats 15-20, Projector, Wireless Internet**

\$35 per hour

\$160 per day

- **James Young 1 & 2 combined - Seats 40, Projector, Wireless Internet**

\$65 per hour

\$300 per day

Report Authorisation

Authorised by: 

Name: Danny Colgan

Title: General Manager Community Services

Date: Wednesday, 11 February 2015

10.3.3 Appointment of Chairperson and Committee of Management for the Bacchus Marsh Racecourse and Recreation Reserve

Introduction

File No.: 534900
Author: Troy Scoble
General Manager: Danny Colgan

The purpose of this report is to recommend that the Council appoint a Chairperson for the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management and also appoints the Bacchus Marsh Racecourse Recreation Reserve Committee of Management, consistent with the Appointments and Delegations policy adopted by Council on the 18 April 2012.

Background

The Bacchus Marsh Racecourse and Recreation Reserve Committee of Management is a section 86 Committee of Council in accordance with the Local Government Act 1989. At the Ordinary Council Meeting on 18 April 2012 Council adopted the Appointments and Delegations Policy.

The existing members of the Bacchus Marsh Recreation and Racecourse Reserve Committee of Management were appointed for a period of two years at the Ordinary Meeting of Council on 6 June 2012

Appointment of Chairperson and Establishment of New Committee of Management

An advertisement was placed in the local papers inviting nominations for the position of Committee Chairperson and community representative positions. Existing user groups were also invited to nominate a representative to the Committee of Management consistent with the criteria outlined in Council's Appointment and Delegations Policy.

Chairperson Position

Two nominations were received for the position of Chairperson within the advertised nomination period. Council officers assessed the applicants and the East Moorabool Councillors interviewed the applicants on 28 January, 2015. In accordance with the Appointments and Delegations policy, the Chairperson of the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management is to be ratified by Council using the resolution and schedule from this policy.

Community Representatives Positions

Nominations for appointment as community representative positions were received from the Bacchus Marsh BMX Club, Bacchus Marsh Soccer Club, Bacchus Marsh Cricket Club, Darley Cricket Club and Ann Wilson. Ms Wilson in her nomination stated she is a non-active life member of the Bacchus Marsh Pony Club.

There has also been interest from both the Darley Football Netball Club and the Bacchus Marsh Football Netball Club in having representation on the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management in the future.

User Group Nominations

User group nominations have been received from the following groups consistent with the criteria outlined in the Appointment and Delegations Policy; Bacchus Marsh Pony Club; Bacchus Marsh Campdrafting Club; Bacchus Marsh Harness Club; , Bacchus Marsh and Melton Poultry Club; and Footscray Poultry Club.

A nomination was also received from the Bacchus Marsh West Golf Club to be regarded as a user group with an active interest in the future development and operation of the reserve.

Proposal

It is proposed that in accordance with Council's Appointment and Delegations Policy, that Council

1. Appoint Mr Patrick Griffin as Chairperson for a period of two years.
2. Appoint the nominees from the existing user groups to the committee as listed as 'User Representatives';
3. Include the Bacchus Marsh West Golf Club as a user group on the Committee of Management and appoint Dean Cowan to the Committee; and
4. Appoint Les Stewart (Bacchus Marsh BMX Club), Noel Stanley (Bacchus Marsh Soccer Club), Marcus Invorgson (Darley Cricket Club), Darran Fowlie (Bacchus Marsh Cricket Club) and Ann Wilson, to the Committee as 'Community Representatives' for a period of two years.

Policy Implications

The 2013–2017 Council Plan provides as follows:

Key Result Area	Community Well Being
Objective	Community Self Reliance
Strategy	Actively support Committees of Management of community assets.

The proposal to appoint the Chairperson and Committee of Management of the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management is consistent with the 2013-2017 Council Plan.

Financial Implications

Council provides operational funding to Bacchus Marsh Racecourse and Recreation Reserve as part of the Recreation Reserve Funding Policy. An Annual Management Agreement is in place outlining the service level for maintenance, roles and responsibilities in management of both Council and delegated to the Committee of Management.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Vacant chairperson position	Position remains vacant	Low	Appoint chairperson to committee or Council manage the reserve.

Communications and Consultation Strategy

The outcomes of this report will be communicated to the applicants for the Chairperson position, Community Representative Positions and User Group Representatives of the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management.

Victorian Charter of Human Rights and 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 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Danny Colgan

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

Author – Anthony McGrath

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

Conclusion

The Bacchus Marsh Racecourse and Recreation Reserve Committee of Management is a Section 86 Committee of Management and is delegated management and maintenance responsibilities at the reserve on behalf of Council. The appointment of the chairperson will ensure that the Committee of Management can continue to support Council to perform this function in the future.

Recommendation:**That Council:**

1. **Appoint Mr Patrick Griffin as the Chairperson of the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management for a period of two years.**
2. **Appoint the following 'User Group Representatives' and 'Community Representatives' to the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management for a period of two years:**

User Groups Nominees**Bacchus Marsh Pony Club****Bacchus Marsh Campdrafting Club****Bacchus Marsh West Golf Club****Bacchus Marsh Harness Racing Club****Bacchus Marsh and Melton Poultry Club****Footscray District Poultry Club****Representative****Diedre Davey****Damian Everard****Dean Cowan****Robert Young****George Rogers****Jack Pavey****Community Representative Nominees****Les Stewart****Noel Stanley****Marcus****Invorgson****Darran Fowlie****Ann Wilson**

3. **Write to unsuccessful nominee for the position of Chairperson to thank them for their nomination.**
4. **Write to outgoing Committee of Management Chairperson and Members, thanking them for their contribution towards the betterment of the reserve.**

Report Authorisation**Authorised by:****Name:** Danny Colgan**Title:** General Manager Community Services**Date:** Thursday, 12 February 2015

Attachment - Item 10.3.3

Appendix S1 – Council Resolution and Schedule Appointments and Delegations (Special Committees)

In exercise of the powers conferred by sections 86 of the *Local Government Act 1989* (the Act), Council resolves that:

1. From the date of this resolution, there be established as a Special Committee, the Bacchus Marsh Racecourse and Recreation Reserve Special Committee known as the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management (**'the Committee'**).
2. The purposes of the Committee are those set out in the schedule to this resolution.
3. The members of the Committee are:

Chairperson	Patrick Griffin
User Groups Nominees	Representative
Bacchus Marsh Pony Club	Diedre Davey
Bacchus Marsh Campdrafting Club	Damian Everard
Bacchus Marsh West Golf Club	Dean Cowan
Bacchus Marsh Harness Racing Club	Robert Young
Bacchus Marsh and Melton Poultry Club	George Rogers
Footscray District Poultry Club	Jack Pavey
Community Representative Nominees	
	Les Stewart
	Noel Stanley
	Marcus Invorgson
	Darran Fowlie
	Ann Wilson
TOTAL	12

4. There be delegated to the Committee the powers, duties and functions set out in the attached Instrument of Delegation (**the Instrument**).
5. The Instrument:
 - 5.1 comes into force immediately; and
 - 5.2 remains in force until Council determines to vary or revoke it.

- 6.** The members of the Committee are pursuant to section 81(2A) of the Act, exempted from being required to submit a primary return or ordinary return.
- 7.** A quorum for the Committee is a whole number that is an absolute majority of voting members of the Committee.
- 8.** All members of each Committee have voting rights on the Committee. The Chairperson shall have a casting vote as well as a vote as a member of the Committee.
- 9.** The Committee is required to report to Council at the intervals specified in the Schedule to this Resolution.
- 10.** The powers, duties and functions conferred on the Committee by the Instrument must be exercised in accordance with any guidelines or policies Council may from time to time adopt.

SCHEDULE

Special Committee of Council known as the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management

1. Introduction

In this document, Reserve means “[Bacchus Marsh Racecourse and Recreation Reserve]”

2. Purpose of Committee

To exercise and perform Council's functions, powers and duties in providing for the overall betterment of all facilities and assets, flora and fauna, in the best interests of the greater community.

To allocate and manage use of facilities consistent with Council's user agreement process.

3. Powers and Responsibilities

The Committee of Management will act in a lawful manner and in accordance with the powers and responsibilities outlined in the Section 86 Delegated Committees of Council for Public Halls and Recreation Reserves Policy 2012.

4. Limitations on Committee's functions and powers

The Committee must operate within the limitations set out by Council in this Resolution, the Instrument of Delegation and any guidelines governing the operations of the Committee. In particular, the Committee must:

- 4.1 not enter into any employment or contractual agreement with any individual or organisation unless the Committee has discussed and sought approval from Council for any proposal to enter into such an agreement, and that the agreement is not outside the routine maintenance or agreed budget for that financial year.

5. Reporting

The Committee of Management will report to Council as set out below:

5.1 Annual Reports

The Committee must submit to Council no later than the third week of September each year:

- 5.1.1 Annual Reports & Financial Statements (to include details of all income and expenditure) to be audited by Council.

5.2 Ordinary / Special Meeting Report

- 5.2.1 The Committee must submit to Council, through the Nominated Council Liaison Officer, the minutes (inclusive of financial statements) of any Ordinary or Special meeting of the Committee within 10 business days following confirmation of the minutes of such meeting at the Committee meeting following the relevant Ordinary or Special meeting of the Committee.

Appendix S2 – Instrument of Delegation and Schedule (Special Committee)

Moorabool Shire Council

Instrument of Delegation

Bacchus Marsh Racecourse and Recreation Reserve Special Committee

Moorabool Shire Council delegates to the Special Committee established by resolution of Council passed on **[date]** and known as the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management (**the Committee**), the powers and functions set out in the Schedule, and declares that:

6. this Instrument of Delegation is authorised by a resolution of Council passed on **[date]**;
7. the delegation:
 - 7.1 Comes into force immediately;
 - 7.2 Remains in force until Council resolves to vary or revoke it; and
 - 7.3 Is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
8. all members of the Committee will have voting rights.

CHIEF EXECUTIVE OFFICER:
PRINT NAME:

DATE:

SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Bacchus Marsh Racecourse and Recreation Reserve, and for those purposes:

9. To do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers in accordance with the Council Resolution and associated Schedule and all guidelines as amended from time to time.
10. Facilitate the entering into user agreements with users of the Reserve.
11. To manage the reserve on a day to day basis and to resolve any disputes between various users of the facility.
12. To prepare draft forward plans for the development and improvement of the Reserve for consideration by Council when approving its budgets.

Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to:

13. Enter into contracts, or incur expenditure, for an amount which exceeds in total the amount approved in Council's annual budget and allocated to the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management together with other income including grants, user charges, sponsorship, unless done so in accordance with the requirements of clause 3.2 of the Schedule to the Council Resolution and subject to prior liaison with, and approval from, Council.
14. Exercise the powers which, pursuant to Section 86(4) of the Act, cannot be delegated.
15. Enter into any employment agreement with any individual or organisation that is outside the routine maintenance or agreed budget for that financial year, without prior approval from Council.

10.3.4 Blackwood Hall

Introduction

File No.: 90095
Author: Dawn Tschujasehenko
General Manager: Danny Colgan

The purpose of this report is to provide information to Councillors regarding emergency repairs required to the Blackwood Hall and to recommend that the Council allocate \$15,000 from the Woodland Ward Funds toward the repair works.

Background

The Blackwood Hall is a Department of Environment, Land, Water and Planning (DELWP) facility. Council provides operational support to the Committee of Management for the facility through an annual Operational Grant. The Committee also has access to Council's Community Grants and Community Development Fund Programs.

The Blackwood Crown Reserves Committee of Management recently advised Council of urgent repairs needed to the Hall to restore safe access and use by the local community. An inspection of the Hall confirmed that the facility is in a state of disrepair and poses a considerable safety risk to users. Damage to the Hall includes significant, long term water damage to the subfloor and floorboards which is the result of inadequate drainage pits installed approximately twelve years ago as part of the bitumen driveway installation. The pits slope toward the facility, thus pushing excess water in and around the footings. The extensive damage means that the Hall is unable to be safely accessed by the community.

If repairs are not promptly carried out, the Hall may need to be closed to the community indefinitely. The repairs required are: replacement of the subfloor and floorboards (approximately \$45,000); and installation of a new drainage system including water tank (approximately \$18,000), a total cost of \$63,000.

Council Officers have been working with the Blackwood Crown Reserves Committee of Management to identify potential funding sources to undertake the emergency works required at the Hall. To date, officers have been in contact with representatives from Regional Development Victoria (RDV) and DELWP. Officers from DELWP have inspected the site and confirmed that the Department would be willing to support an application to their Public Land Safety Grants Program for up to \$15,000 toward the flooring repairs. A representative from RDV has also inspected the Hall and has encouraged the Committee of Management to make an application to the Putting Locals First Program to support the project.

The Committee of Management has also been in recent discussions with the Blackwood Bowling Club around a potential contribution to the project. The

Bowling Club has expressed interest in utilising the Hall for indoor bowls and may wish to contribute to the project with the view of facilitating its use. However the funding contribution still to be confirmed. The Bowling Club has also advised that an additional investment of \$7,000 for the purchase of indoor bowling equipment will be required. Council Officers will work with the Blackwood Bowling Club in relation to applying for a Community Grant for the purchase of this equipment.

The total potential funds available to complete the repair work is listed below:

DELWP	\$15,000
RDV	\$13,000
Blackwood Bowling Club (not confirmed)	\$15,000
In-Kind (Committee of Management)	\$ 5,000
Total Funds	\$48,000

At the Ordinary Meeting of Council on 2 February 2011, Council resolved to:

“Confirm its decision made at the Council Meeting held on Wednesday 3 November 2010, to sell the surplus land known as Crown Allotment 1 Section G Township and Parish of Blackwood”.

“That the funds obtained from the sale of this land be directed to the Woodlands Ward reserve seed funding for community projects”.

The sale of the land detailed above totalled \$16,500. It is therefore proposed that Council resolve to allocate \$15,000 from the Woodlands Ward Fund toward repairs required to restore safe access and usage of the Blackwood Hall by the community.

These funds will be used as seed funding to leverage the external funding opportunities listed above. Council Officers will work closely with the Committee of Management to prepare external funding submissions with the view to securing adequate funding for the project.

Secondary Project – Hall Upgrade Project

It should be noted that a broader ‘Blackwood Hall Upgrade Project’ which includes kitchen and toilet upgrade has also been proposed by the Committee of Management. Council Officers have advised the Committee of Management to apply for a Community Development Fund Grant to progress this project.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Community Wellbeing
Objective	Community self-reliance and resilience

Strategy

Actively support Committees of Management in the management of community assets

The proposal to allocate \$15,000 Woodland Ward Funds toward the Blackwood Hall Flooring Repairs is consistent with the 2013-2017 Council Plan.

Financial Implications

In the current financial year, the Council is providing the Hall Committee with \$4,483 in operational funding. The repairs required to the Blackwood Hall to restore safe access and use by the community is a newly emerged project requiring immediate attention. As such the project is not detailed in the current CIP list for recommendation and has not been allocated funding as part of the 2014/15 Annual Budget. A Council contribution of \$15,000 Woodland Ward Funds is proposed as a Council commitment to support external funding submissions toward the delivery of the project.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Financial – Inadequate funds to undertake project	Committee of Management unable to secure external funding to support the project	Moderate	Council Officers to work closely with Committee of Management to prepare funding submissions

Communications Strategy

Council Officers have been in contact with key representatives of the Blackwood Hall Committee of Management. The Committee of Management has been involved in the development of this project as well as the funding model proposed.

Officers from external funding bodies including DELWP and RDV have been contacted and have inspected the site.

The outcomes of this report will be communicated to all stakeholders.

Victorian Charter of Human Rights and 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 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Danny Colgan

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

Author – Dawn Tschujasehenko

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

Conclusion

The Blackwood Hall is in a current state of disrepair and poses a considerable safety risk to users. Damage to the Hall includes significant, long term water damage to the subfloor and floorboards. Failure to carry out repairs may result in the indefinite closure of the facility. Officers have been in contact with the Committee of Management and potential external funding bodies. A funding strategy has been outlined including the proposal to allocate \$15,000 from Woodland Ward reserve fund to the project.

Recommendation:

1. That Council resolves to allocate \$15,000 from the Woodlands Ward Reserve Fund toward repairs required to restore safe access and usage of the Blackwood Hall by the community.
2. That funds be used to leverage external funding opportunities.
3. That Council Officers work with the Committee of Management to prepare external funding submissions with the view to securing external funding to enable all required works to be completed.

Report Authorisation

Authorised by: 

Name: Danny Colgan
Title: General Manager Community Services
Date: Wednesday, 18 February 2015

10.4 INFRASTRUCTURE SERVICES

No reports for this meeting.

10.5 CORPORATE SERVICES

10.5.1 CEO Contract of Employment

Introduction

File No: Personnel
Author: Natalie Abbott

Background

The Chief Executive Officer's Contract of Employment with Moorabool Shire Council expires on 25 July, 2015.

Robert Croxford was appointed as CEO of the Moorabool Shire Council commencing on 26 July, 2010 with a five year employment contract expiring on 25 July, 2015 unless terminated earlier in accordance with his Contract of Employment. There are two options available to Council to appoint a CEO. They are:

- To reappoint the incumbent CEO without any advertising process, in accordance with Section 94(4) of the Local Government Act 1989 (LGA); or
- To commence the process of advertising the CEO position in accordance with section 94(3) of the Act before the expiry date, having advised the CEO of this intention within the timeframe specified in his/her contract.

The Local Government Act provides Council with the option of reappointing Robert Croxford as its CEO. To do this, the Council must formally resolve its intention to reappoint the CEO without an advertising process and give public notice of this intention followed by a further report to Council resolving to make the appointment. The meeting to confirm the appointment cannot take place until 14 days after the public advertisement has been placed.

A Panel was established comprising the Mayor, Cr. Toohey and Cr. Edwards and an independent consultant to advise on and commence the process for renewing or advertising a new contract of employment for a CEO.

A rigorous confidential process was undertaken to assist the Panel in making its recommendations to Council, including consideration of the requirements of the Local Government Act, contractual requirements, market advice/benchmarking and current and future municipal requirements.

Resulting from this process, Council resolved on 4 February, 2015 its intention to reappoint Robert Croxford as the Chief Executive Officer of the Moorabool Shire Council without the position being advertised.

In accordance with Section 94(4) of the Local Government Act 1989 a public notice was subsequently published stating Council's intention to pass a resolution at a meeting of Council to be held on Wednesday 4 March, 2015 that would result in Robert Croxford being reappointed to the position of

Chief Executive Officer of Moorabool Council without the position being advertised.

Proposal

It is now open to Council to formally resolve to reappoint Mr Robert Croxford as its CEO for a further term of 5 years.

Policy Implications

The 2013–2017 Council Plan provides as follows:

Key Result Area	Representation and Leadership of our community.
Objective	Good Governance through open and transparent processes and strong accountability to the community.
Strategy	Ensure policies and good governance are in accordance with legislative requirements and best practice.

Financial Implications

Budgeted amount for appointment of an independent consultant to work with Councillor panel to advise on the process for renewing or advertising a new contract of employment for a CEO.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Governance	Poor structures and processes frustrate good governance outcomes	Medium	Clear direction and processes are in place.

Communications and Consultation Strategy

Once appointed a media release advising the community of the appointment of the Chief Executive Officer of Moorabool Shire Council will be announced.

Victorian Charter of Human Rights and 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 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Author – Natalie Abbott, Acting General Manager Corporate Services

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

The independent consultant, Lydia Wilson, has advised that she does not have any conflicts of interest in this matter.

Conclusion

The Moorabool Shire Council has carefully considered the requirements of the Local Government Act 1989, contractual requirements, market advice and current and future municipal requirements in considering whether to reappoint its current Chief Executive Officer, Robert Croxford or alternatively to publicly advertise the position of CEO.

Council, having carefully considered this matter and undertaken the statutory process, can now resolve to reappoint Robert Croxford for a further five year period. This would be effective from 26 July, 2015.

Recommendation:

That Council;

1. **Resolves to reappoint Mr Robert Croxford in accordance with Section 94(4) of the *Local Government Act 1989* for a further five year period subject to and in accordance with the contract of employment tabled at this meeting effective from 26 July, 2015.**
2. **Under Section 94(6) of the *Local Government Act 1989* will make available the proposed total remuneration payable to the Chief Executive Officer under the new contract for public inspection within 14 days.**

Report Authorisation

Authorised by:

Name: Natalie Abbott
Title: A/General Manager Corporate Services
Date: Tuesday, 17 February 2015



10.5.2 Review of Property Rate Debt Management Policy

Introduction

File No.: 02/06/007
Author: Jacinta Erdody
General Manager: Natalie Abbott

Background

Council last adopted the Property Rate Debt Management Policy on 6 April 2011 and at the time the policy was adopted for a period of three years. Overall the policy and its contents continues to work well and provides a consistent framework for managing the collection and escalation of property rate accounts.

There have been a couple of minor enhancements proposed within the policy review which are further highlighted throughout this report.

Proposal

There are no significant changes to the policy, with the exception of the proposed amendments detailed as follows:

Section 3.1.3, the following statement has been inserted:

“Fourteen days after the legislated full payment date, reminder letters will be issued to ratepayers who have not paid the full payment amount. The reminder letter will not have any penalty interest calculated and will allow ratepayers a further opportunity to pay the account penalty free”

This process was trailed within the 2013/14 financial year. Most residents were generally appreciative of being given an additional reminder without incurring penalties and made a significant improvement to the conversations that the Revenue Team had with ratepayers in regards to the payment of their rate accounts.

Section 3.3, the following statement has been inserted:

“Special payment arrangements should clear the outstanding debt within a 12 month period. If the offer of the arrangement does not clear the rate debt within a 12 month period, financial hardship provisions where the property is the principal place of residence must be considered.”

Council currently has a number of special payment arrangements which are making very low regular payments but the outstanding debt continues to grow as the regular payments do not address the annual debt levied to the account.

Section 3.6, the following statement has been inserted:

“Due to the costs associated with escalation via the Magistrates Court, rate accounts with balances below \$1,000 will not be escalated to the Debt Collection Agency.”

Section 3.8.2, the following statement has been inserted:

“The consolidated criteria which will be considered when reviewing applications for the waiver of interest and/or costs will be:

- A 3 year (if owner has owned property for this period of time) good payment history (Eg: No escalation in that time);
- No previous waivers of interest and/or costs; and
- No other money owing to Council.”

Section 3.9, the following statement has been inserted:

“Financial Hardship Principles

- Early identification of financial hardship is key and where there is no communication from the ratepayer it can be very difficult to identify financial hardship
- Accessibility of information about Council hardship provisions, including material on council websites and rate brochures
- Referral of financial hardship applications to qualified financial counsellors. If the ratepayer is experiencing financial difficulties with their rate account, there are generally other accounts which they are having difficulty paying”

Section 3.11, the following line has been inserted:

“Waiver of Interest up to the value of \$25 – Delegated authority to Senior Revenue Officer and Revenue Officer”

Section 4, the following statement has been inserted:

“Municipal Association of Victoria – Hardship Policy Guidelines – November 2013. This document was created by MAV with the input of Local Government to assist with the management of ratepayers experiencing financial hardship.”

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Representation and Leadership of our community
Objective	Good governance through open and transparent processes and strong accountability to the community.
Strategy	Ensure policies and good governance are in accordance with legislative requirements and best practice.

The proposal for the review and update of the Property Rate Debt Management Policy is consistent with the 2013-2017 Council Plan.

Financial Implications

The only notable change to the policy with a financial implication is the issue of the reminder letter prior to the interest calculation on full payment accounts. The resulting reduction in interest would be deemed minimal in the scheme of the overall interest calculation and would be outweighed by the significantly improved discussions and goodwill created with ratepayers.

Community Engagement Strategy

During the life of the currently adopted policy, Council's Revenue Team have listened to feedback from ratepayers in regards to the policy and some of the changes to the review are a result of ratepayer feedback to further enhance the functionality of the policy. The policy is on Council's web page and mailed to ratepayers where appropriate.

Communications Strategy

Following review and adoption of the updated policy, the updated policy will be uploaded to Council's website.

Victorian Charter of Human Rights and 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 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

A/General Manager – Natalie Abbott

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

Author – Jacinta Erdody

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

Conclusion

Overall the policy provides a consistent framework for the collection and escalation of Council's property rate accounts. The proposed amendments will ensure, the policy will continue to meet operational requirements over coming years.

The matter pertaining to Review of Property Rate Debt Management Policy was considered at a meeting of the Finance and Governance S86 Advisory Committee of Council on 17 December 2014 with a recommendation by the Committee that the report be presented to the Ordinary Meeting of Council.

Recommendation:

That Council adopts the proposed amendments to the March 2015, Version No. 004 - Property Rate Debt Management Policy.

Report Authorisation

Authorised by:

Name: Natalie Abbott

Title: A/General Manager Corporate Services

Date: 15 January 2015



Attachment - Item 10.5.2

Policy No.:	CS006	CS006 – Property Rate Debt Management Policy
Review Date:	March 2015	
Revision No.:	004	
Policy Manual Version No.:	004	
Adopted by:	Moorabool Shire Council	<i>6 April 2011</i>

1. Purpose and Scope of the Policy

Purpose

The purpose of this Council Policy is to establish a framework for Moorabool Shire Council to manage and implement a consistent approach to the collection of property rates and charges that is consistent with Council's KRA of Sound, long term financial management.

Scope

This policy will apply to Council, its employees and its contracted service providers, in particular all staff of the Revenue Services Unit and Council's contracted Debt Collection Agency.

2. Policy

Overview

The purpose of this policy is to ensure that the Revenue Services Unit has clearly documented guidelines for the efficient and consistent collection of all outstanding property rate accounts. It will take into account all payment options that can be managed with the Revenue Services Unit and aims to:

- Establish principles to apply to the overall collection of property rate accounts;
- Establish options of payment (Full, Instalment & Special Arrangements);
- Identify the type of assistance that may be offered by Council; and
- Establish guidelines for the assessment of financial hardship applications.

Principles and Objectives

- To ensure all debts owed to Council are paid, where possible, by the due date and followed up within specified timeframes;
- To ensure a fair, equitable and accountable approach to Council's debt management and collection decisions and practices;
- Council has a responsibility to recover monies owing to it in a timely and efficient manner to finance its operations and ensure effective cash flow management;
- Council aims to minimise the amount of outstanding monies that it is owed;
- Rate debtors are expected to take responsibility of their Council debt obligations and to organise their affairs in such a way as to be able to discharge these obligations when required;
- Council and its officers will explain the rate debtor's rights and obligations in relation to any action that Council might take to recover debt;
- Council will not instigate legal action without the debtor first being advised of such action. However, Council will proceed with legal action without further notice where:

- A debtor fails to respond to communications from Council; or
- Fails to enter into realistic arrangements to meet outstanding debt; or
- Fails to meet repayments as agreed;
- Establish the framework for the Council and ratepayers to consider applications for financial hardship.

3. Process

3.1 Legislated Payment Options for Property Rate Accounts

Payment Due Dates: (in any one year)	1 st Instalment	30 September
	2 nd Instalment	30 November
	3 rd Instalment	28 February
	4 th Instalment	31 May
	Full Payment	15 February

If any of the above dates fall on a non business day, the payment date is moved to the next business day.

3.1.1 Issue of Annual Rate and Valuation Notices

Annual Rate and Valuation notices are generally issued towards the end of August or start of September as long as Council has an adopted budget and formalised General Valuation for implementation.

3.1.2 Instalments

After the issue of the annual Rate and Valuation Notice, those ratepayers who have elected to pay their rates via the instalment method will be issued with reminder notices for the remaining three instalments after the first, at least fourteen days prior to the payment date.

The week prior to the instalment due date, a small reminder notice will be placed in the Moorabool News or equivalent local paper, reminding ratepayers of the instalment due date.

Within fourteen days after the due date for each of the second, third and fourth instalment, a penalty interest update will occur and a reminder notice will be sent to all instalment ratepayers who have failed to meet the instalment amount.

Reminder letters will allow a further fourteen days to pay the outstanding balance (including incurred penalty interest) in full or contact the Revenue Services Team to negotiate a suitable special payment arrangement.

Instalment accounts will not be escalated to Council's Debt Collection Agency until after the fourth instalment due date and only if communication and a suitable payment arrangement has not been entered into with the ratepayer at that date.

If there is no communication from the ratepayer after the date for payment in the final notice which will be issued after the fourth instalment, the account will be referred to Council's Debt Collection Agency (please refer to Item 6 within this document) for recovery.

3.1.3 Full Payment (Lump Sum)

Approximately three weeks prior to the full payment due date, an advertisement will be placed in the appropriate local paper's (Moorabool News, Ballarat Courier) reminding ratepayers of their obligations to pay their annual rates and charges by the legislated due date.

Fourteen days after the legislated full payment date, reminder letters will be issued to ratepayers who have not paid the full payment amount. The reminder letter will not have any penalty interest calculated and will allow ratepayers a further opportunity to pay the account penalty free.

Within five working days after the reminder letter due date, a penalty interest update will occur and a final notice will be sent to all full payment ratepayers who have failed to meet the full payment amount.

If there is no communication from the ratepayer after the date in the final notice, the account will be referred to Council's Debt Collection Agency (please refer to Item 6 within this document) for recovery.

Legislation:

Local Government Act 1989 – Section 167 – Payment of Rates and Charges

Policy Statement:

Council will allow the payment of rates via a lump sum payment by the date set by the Minister and declared in the Government Gazette.

3.2 Additional Payment Options for Property Rate Accounts

If ratepayers opt to pay their rates via the direct debit payment channel, they can elect to "pay off" their annual rates by the full payment lump sum date via regular weekly, fortnightly or monthly payments between September and February each year.

The rationale is that weekly payments made between 1 September and 15 February (approximately 23 weekly payments) could be more easily managed, in comparison to being able to meet the complete amount in one payment.

Legislation:

NIL

Policy Statement:

Council will provide additional payment frequencies within the declared full payment date, to assist ratepayers in managing their debts.

3.3 Special Payment Arrangement Options

Ratepayers experiencing financial difficulties who are unable to pay outstanding rates and charges via the legislated full payment or instalment option or the other payment option (outlined in section 3.2) can apply to Council's Revenue Services Team to pay via a Special Payment Arrangement.

Special Payment Arrangement accounts must maintain regular payment structure (weekly, fortnightly or monthly payments) and if entered into early enough can ensure that penalty interest is not incurred.

Special Payment Arrangements which continue past the legislated payment dates will incur penalty interest. Rate Debtors will be able to apply for waiver of penalty interest in accordance with provisions within this policy.

Special payment arrangements should clear the outstanding debt within a 12 month period. If the offer of the arrangement does not clear the rate debt within a 12 month period, financial hardship provisions may need to be considered.

When a ratepayer enters into a special payment arrangement the following documentation is issued to the ratepayer:

- Payment Arrangement Agreement (Attachment 1)
 - This document outlines:
 - The registered property owner(s) name(s);
 - The property address that the arrangement relates to;
 - The payment regularity (weekly, fortnightly or monthly);
 - The minimum amount of the regular payment;
 - Notification that any balance outstanding after the legislated full payment date, will incur penalty interest at the prescribed rate;
 - The payment channels available to maintain the agreement;
 - That default of the agreement may result in the account being escalated to Council's Debt Collection Agency; and
 - The requirement for all property owners(s) to sign the agreement.
- Payment Arrangement Covering Letter (Attachment 2)
 - This document is a summary of the Payment Arrangement Agreement documentation
- Laminated Payment Card
 - This card provides the rate debtor with the required details to be able to maintain their arrangement via the Bpay or Billpay payment channels

Both the Payment Arrangement Agreement and Covering letter is created as an outbound document within Council's electronic document management system and relevant notes are made against the electronic property record in Council's mainframe rating system.

Legislation:
NIL

Policy Statement:

Council will provide assistance to ratepayers who may be experiencing financial difficulties, by offering a range of special payment arrangements. Arrangements must be within declared payment dates or beyond that, may attract penalty interest depending upon circumstances.

3.4 Calculation of Interest

Interest will be charged on overdue rates and charges in accordance with Section 172 of the Local Government Act, as follows:

3.4.1 Lump Sum

If payment was payable in a lump sum, and the lump sum was not paid by the legislated payment date, on and from the date on which each instalment was due, interest will calculate at the prescribed rate until the debt is paid in full.

3.4.2 Instalments

If the first instalment was paid by the legislated payment date and subsequent instalments were not paid by the legislated payment dates, on and from the date on which each instalment was due, interest will calculate at the prescribed rate until the debt is paid in full.

3.4.3 Rate of Interest

Interest will be charged and calculated at the rate fixed from time to time by the Attorney-General under Section 2 of the Penalty Interest Rates Act 1983.

Legislation:

Local Government Act 1989 – Section 172 – Council may charge interest on unpaid rates and charges

Policy Statement:

NIL

3.5 **Pension Rebate**

The Local Government Act 1989 provides that eligible pensioners shall receive a rebate of rates and charges levied. Pensioners who hold eligible concession cards may be entitled to receive a rebate, at the amount prescribed by the Department of Human Services.

The rebate applies only to the principal place of residence of the pension card holder, which is determined by the address appearing on the ratepayer's pension card.

The Health Care Card, certain seniors cards and certain Department of Veteran Affairs (DVA) cards are not eligible cards. Proof of entitlement is required on presentation of an eligible concession card. Application forms are available from Council's customer service offices.

Legislation:

Local Government Act 1989 – Section 171 – Waiver

Pensioner rebate is administered in accordance with Department of Human Services Guidelines at the amount prescribed by the Minister

Policy Statement:

NIL

3.6 **Late Payment and Escalation of Rates and Charges**

Once Council's Revenue Services Unit has been through the Moorabool Shire Council documented in-house process of escalation, Council may then recover any outstanding rate or charge via the Magistrates' Court.

This process entails the lodgement of outstanding accounts with the Debt Collection Agency appointed by Council, who then take the following steps to attempt to recover the outstanding debt:

- Letter of Demand
 - Sent to each property as notified by Council. Letter allows seven days for the ratepayer to make full payment or enter into a suitable payment arrangement with the Collection Agency.
- If no response to the Letter of Demand, the account will be further escalated and issued with a Complaint
 - A complaint is issued by the appropriate Court and once legal costs have been incurred, the complaint is then issued to the Process Server for serving of the documents on the registered owner(s)
 - Once the documents are serviced, ratepayer(s) have rights under the court processes to resolve or further dispute the debt
- If account remains unresolved or there has been no action by the ratepayer(s), a Judgement Order will be issued
 - Letter sent to ratepayer(s) advised order registered and requesting payment
- If account remains unpaid after this point, Council can then further escalate via civil proceedings available through the court processes

All costs incurred from the Debt Collection Agency are levied back to the property rate account and are a secured charge against the property as are rate transactions.

Due to the costs associated with escalation via the Magistrates Court, rate accounts with balances below \$1,000 will not be escalated to the Debt Collection Agency. The debt will remain outstanding and continue to accrue interest until the balance outstanding reaches \$1,000, at which point the debt will be escalated.

For further information pertaining to the above escalation steps, please refer to Council's Revenue Services Unit.

Legislation:

Local Government Act 1989 – Section 180 – Unpaid Rates and Charges

Policy Statement:

NIL

3.7 Deferral of Rates, Charges and Interest

Ratepayers may have rates and charges, or part thereof, deferred in accordance with the Local Government Act. Ratepayers will be encouraged to enter into and maintain a special payment arrangement as a commitment to reduce obligated debt.

The above arrangement can be co-ordinated and implemented by the Revenue Services Unit.

If the above is not viable or suitable for the ratepayer(s), a further process is available in accordance with the Application for Financial Hardship section of this policy.

Legislation:

Local Government Act 1989 – Section 170 – Deferred Payment

Policy Statement:

The application for the deferral of rates, charges and interest will be managed in accordance with the Financial Hardship process within this policy.

3.8 Waiver of Rates, Charges, Interest and Costs

3.8.1 Rates and Charges

Any decision to waive rates and charges will be in accordance with the provisions of the Application for Financial Hardship section of this policy.

3.8.2 Interest and Debt Collection Costs

Ratepayers may have interest or debt collection costs waived where the reason for the late payment, although not related to financial hardship, is considered reasonable, subject to the following:

- Request for Waiver of Interest and/or Costs, must be in writing on the prescribed form (Attachment 3), which is in the form of a Statutory Declaration.

The following items will be considered when reviewing an application for the waiver of penalty interest and/or costs:

Acceptable Circumstances	Non Acceptable Circumstances
<ul style="list-style-type: none"> • If ratepayer has maintained a special arrangement and is showing commitment to reduce debt • If ratepayer has a proven payment history (not incurred interest and/or costs in the past 3 years) • At the completion of an agreed payment arrangement, waiver of penalty interest may be considered • Failure by Council to update a postal address after formal written notification • Incorrect contact details provided in a Notice of Acquisition/Disposition • Compassionate Grounds (family illness or death) 	<ul style="list-style-type: none"> • Mere oversight of due date for payment will not be accepted • Failure to contact Council prior to the due date to advise of financial difficulties • Previous special arrangements not being maintained • Previous history of late payments • Lack of communication from ratepayer to alter contact mail address

The application for waiver of interest and/or costs will be assessed and approved in accordance with the delegated authority section of this policy and will consider:

- A 3 year (if owner has owned property for this period of time) good payment history (Eg; No escalation in that time);
- No previous waivers of interest and/or costs;
- Special Circumstances (Health, Family, etc); and
- No other money owing to Council.

Legislation:

Local Government Act 1989 – Section 172 – Council may charge interest on unpaid rates and charges

Policy Statement:

Council will waiver interest and costs in consideration of the above acceptable circumstances.

3.9 Application for Financial Hardship

3.9.1 Financial Hardship Principles

- Early identification of financial hardship is key and where there is no communication from the ratepayer it can be very difficult to identify financial hardship
- Accessibility of information about Council hardship provisions, including material on council websites and rate brochures
- Referral of financial hardship applications to qualified financial counsellors. If the ratepayer is experiencing financial difficulties with their rate account, there are generally other accounts which they are having difficulty paying

3.9.2 Financial Hardship Application

The Moorabool Shire Council recognises that financial hardship can arise with some ratepayers and will consider applications for financial assistance in the following circumstances:

- A confidential statement must be submitted by the ratepayer as evidence that the payment of the outstanding rates and charges would cause hardship to the person(s)
- The confidential statement must be on Council's prescribed form and must be signed as a Statutory Declaration of that person(s) circumstances
- Financial Hardship will only be considered for residential, owner occupied properties
- Financial Hardship will not be considered for:
 - Investment properties;
 - Commercial, Industrial and Extractive Industry properties;
 - Vacant Land properties
- If full disclosure is not made by the applicant or it is found that incorrect disclosures were deliberately made, Council reserves the right to collect any interest previously foregone or waived
- The privacy of the applicants information is paramount and every application for assistance under this policy will be treated confidentially and all assessments will be made on a case by case basis.

3.9.3 Financial Hardship Application Referral

When a completed Financial Hardship application is received by Council's Revenue Services and Procurement Co-ordinator, it will be:

- Referred to Child and Family Services Financial Counsellor for review;
- The Financial Counsellor will contact the ratepayer and either discuss over the phone or meet face to face to ensure that the counsellor understands the ratepayers financial position sufficiently to advise Council of what the ratepayer could manage in the form of an arrangement
- The financial counsellor recommendation will be incorporated into a Confidential Council Report for discussion and resolution by Council.

3.9.4 Financial Hardship Application Consideration by Council

Once a recommendation has been received by the Financial Counsellor a Council report will be compiled which incorporates an overview of the property:

- Property number, address locality, municipal ward;
- The rate category the property is rated under;
- The current Capital Improved Value of the Property; and
- The total rate arrears, current year rates and a grand total of both.

The Council report will also include the payment arrangement recommendation from the financial counsellor, any additional considerations which should be taken into consideration and an overall recommendation which will include:

- What the offered payment arrangement will cover if the arrangement was maintained for a period of 12 months
- Waiver of any interest incurred on current year rates after the arrangement has been maintained for the 12 month period
- Regular payments to continue beyond the 12 month period if the ratepayer wants Council to consider any further applications for financial hardship
- If the ratepayers financial position does not improve in future years that they re-apply for financial hardship provisions
- At the end of the 12 month period with the consent of the property owner that any remaining outstanding rate debt be deferred as a charge against the property

3.9.5 Financial Hardship – Ratepayer obligations and deferral of rate debt

It is the ratepayers responsibility to advise Council of their financial difficulties as soon as they are aware that they will not be able to meet the rate debt.

If Council adopts the recommended resolution, the ratepayer will be advised of the outcome and the requirement to maintain agreed arrangement for a period of 12 months. At the end of the 12 month period if the arrangement has been maintained the ratepayer will be issued with a form which they will be required to sign consenting to the remaining debt to be raised as a charge against the property.

The deferral of the remaining rate account will no longer show on the ratepayers annual rate notices and will not incur ongoing penalty interest. The ratepayer would only be required to pay the deferred rate charge if:

- The ratepayers circumstances changed, which would no longer result in the ratepayer suffering hardship as a result of repaying the debt;
- The ratepayer defaults in any agreement associated with the deferral; or
- The property is sold.

Legislation:

Local Government Act 1989 – Section 171A – Waiver by application of Financial Hardship

Policy Statement:

All applications for financial hardship must be made on the prescribed Financial Hardship Application form (Attachment 4).

Council will only defer rates and charges as a charge against the property up to 10% of the Capital Improved Value of the property. The deferral of rates and charges as a charge against the property in subsequent years must ensure that the total charge does not exceed 10% of the Capital Improved Value of the property.

Where the deferral of rates and charges is in excess of 10% of the Capital Improved Value, the ratepayer will be required to pay a portion of the rates and charges.

3.10 Sale of Property for Unpaid Rates and Charges

The Local Government Act allows Council to sell property for the purposes of collecting outstanding rates and charges. To enable this process to occur:

- There must be rates and charges outstanding for a period of 3 or more years
- Council must pass a resolution to sell the property for the recovery of outstanding rates and charges
- Council must obtain appropriate Court orders
- Council must not have an existing current arrangement for the payment of outstanding rates and charges
- Must obtain a written valuation of land by a valuer
- Serve a notice on anyone appearing from the Land Title Register as an interest in the land
- Give public notice of Council's intention to sell
- Notify interested/registered parties of auction details

Once all of the above requirements are achieved, Council's Debt collection Agency will issue a pre Section 181 letter to the property owner advising that Council will proceed to sell the property if no action is taken.

Once Council's Revenue Services Unit exhausts all other collection options, a report will be generated outlining details of the property and the steps taken to recover the outstanding debt. It will be the decision of Council to sell the property.

Legislation:

Local Government Act 1989 – Section 181 – Sale of property for unpaid Rates and Charges

Policy Statement:

Council will consider each recommendation of sale at a Confidential session at any Ordinary Council meeting.

3.11 Delegation of Authority

Below are details of authority on each of the items covered in this policy

Type/Function	Authority Limit	Delegation
Special Payment Arrangements	Not Applicable	Revenue Services Unit
Escalation of Accounts to Debt Collection Agency	All outstanding accounts	Revenue Services and Procurement Co-ordinator
Waiver of interest*	Up to \$25	Senior Revenue Officer and Revenue Officer
Waiver of interest and/or costs*	Up to \$500	Revenue Services and Procurement Co-ordinator
Waiver of interest and/or costs*	>\$500 and <\$1000	Finance Manager
Waiver of interest and/or costs*	>\$1000	General Manager Corporate Services
Waiver of Rates and	Not Applicable	Council via resolution

Charges		(closed session)
Deferral of Rates, Charges and Interest	Not Applicable	Council via resolution (closed session)
Application for Financial Hardship	All applications	Council via resolution (closed session)
Appeal of Decision	All appeals	Council via resolution (closed session)
Sale of property for unpaid rates and charges	All property rate accounts	Council via resolution (closed session)

* Waiver of interest and/or costs will be consider in accordance with Section 3.8 of this policy

3.12 Right of Appeal

A delegated decision made by the Revenue Services and Procurement Co-ordinator, Finance Manager or the General Manager Corporate Services can be appealed by the applicant by making a formal request to Council for a review of the decision.

Such applications must be made by the applicant themselves (not a third party) and will be reviewed by Council in a closed session of Council. Right of Appeal applications must be on the prescribed application form (Attachment 5).

Decisions by Council are final and there are no further rights to appeal unless there is information which was overlooked in the first instance or circumstances have changed at which point, a further application can be made by the application for Council to review previous decision taking into account additional or changed information.

3.13 Reporting

The following statistical information will be reported on within the quarterly financial reports presented to Council:

- Number of current payment arrangements;
- Value of interest calculated year to date within the current financial year;
- Number of properties receiving a Pension Rebate;
- Type/Function, number and value of applications made under delegated authority;
- Type/Function, number and value of approved applications made under delegated authority;
- Number and value of Financial Hardship applications received;
- Number and value of Financial Hardship applications approved by Council;
- Summary of outstanding rates for properties that have more than three years rates outstanding by Rate Category.

4. Related Legislation/policies/Guidelines

- LGA – Section 167 – Payment of Rates and Charges
Council must offer payment via instalments (dates fixed by Minister and declared in Government Gazette) but may also offer lump sum payment (date fixed by Minister and declared in Government Gazette)
- LGA – Section 170 – Deferred Payment

Allows Council to defer payment of any rates, charge or interest in whole or in part

- LGA – Section 171 – Waiver, sub sections (1), (2) and (4)
Allows Council to waive the whole or part of any rates, charge or interest.
- LGA – Section 171A – Waiver by application – financial hardship
Allows Council to waive the whole or part of any rate, charge or interest for anyone who is suffering or would suffer financial hardship as a result of that person paying the full amount of a rate, charge or interest that he/she is liable for.
- LGA – Section 172 – Council may charge interest on unpaid rates and charges
Allows Council to levy interest on overdue rates and charges in accordance with the Penalty Interest Rates Act 1983.
- LGA – Section 180 – Unpaid rate or charge
Enables Council to escalate the collection of any outstanding rate or charge which remains unpaid after it is due and payable via the Magistrates' Court or by suing for the debt.
- LGA – Section 181 – Sale of Property for Unpaid Rates or Charges
Allows Council to sell a property for unpaid rates and charges once there are at least 3 years rates owing, provided a court order has been obtained and there are no repayment arrangements in place at the time of issuing the Section 181 notice.
- Penalty Interest Rates Act 1983 – Section 2
Determines the penalty interest rate to be calculated.
- **Municipal Association of Victoria – Hardship Policy Guidelines – November 2013**
This document was created by MAV with the input of Local Government to assist with the management of ratepayers experiencing financial hardship.

5. Council Plan Reference – Key Performance Area

6. Review

This policy will be reviewed every three years.

7. References

LGA	Local Government Act 1989
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Attachments

- Attachment 1 – Payment Arrangement Agreement
- Attachment 2 – Payment Arrangement Covering Letter
- Attachment 3 – Request for Waiver of Interest and/or Costs Application Form
- Attachment 4 – Financial Hardship Application Form
- Attachment 5 – Right of Appeal Application Form

11. OTHER REPORTS

11.1 Assembly of Councillors

File No.: 02/01/002

Section 76(AA) of the Local Government Act 1989 defines the following to be Assemblies of Councillors; an advisory committee of the Council that includes at least one Councillor; a planned or scheduled meeting of at least half the Councillors and one member of council staff which considers matters that are intended or likely to be:

- the subject of a decision of the Council; or
- subject to the exercise of a Council function, power or duty by a person or committee acting under Council delegation.

It should be noted, an assembly of Councillors does not include an Ordinary Council meeting, a special committee of the Council, meetings of the Council's audit committee, a club, association, peak body or political party.

Council must ensure that the written record of an assembly of Councillors is, as soon as practicable –

- a) reported to the next ordinary meeting of the Council; and
- b) incorporated in the minutes of that council meeting. (s. 80A(2))

Council also records each Assembly of Councillors on its website at www.moorabool.vic.gov.au

A record of Assemblies of Councillors since the last Ordinary Meeting of Council is provided below for consideration:

- Assembly of Councillors – Wednesday 18 February 2015 – Bacchus Marsh Racecourse Reserve Active Sporting Precinct
- Assembly of Councillors – Wednesday 18 February 2015 – Bacchus Marsh Transport Study

Recommendation:

That Council receives the record of Assemblies of Councillors as follows:

- **Assembly of Councillors – Wednesday 18 February 2015 – Bacchus Marsh Racecourse Reserve Active Sporting Precinct**
- **Assembly of Councillors – Wednesday 18 February 2015 – Bacchus Marsh Transport Study**

11.2 Section 86 - Advisory Committees of Council - Reports

Section 86 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.

Section 86 Advisory Committees are required to report to Council at intervals determined by the Council.

Councillors as representatives of the following Section 86 – Advisory Committees of Council present the reports of the Committee Meetings for Council consideration.

Committee	Meeting Date	Council Representative
Bacchus Marsh District Trails Advisory Committee	3 February 2015	Cr. Spain

Council officers are currently assessing the proposal by the Committee (in the attached minutes) and will prepare a report for consideration by the Council.

Recommendation:

That Council receives the reports of the following Section 86 Advisory Committees of Council:

- **Bacchus Marsh District Trails Advisory Committee meeting of Tuesday, 3 February 2015**

Attachment - Item 11.2

Bacchus Marsh & District Trails Advisory Committee

Meeting Tuesday 3rd February 2015
Time 7.30pm
Venue James Young Room, Library, Bacchus Marsh

Present Cr John Spain, Greg Ley, Leon Newton, Kylie Burton, Belinda Delios and Colin Evans

Apologies Anthony McGrath, Christa Gohler (who advised that she would be standing down from the Committee)

MINUTES

2. Minutes of previous meeting 11 November 2014

Proposed: John Spain Seconded: Greg Ley

3. Outstanding Actions from 11 November 2014

3.1 SRW Channel Route No update.

3.2 Maddingley Views Circuit CE undertook to follow up Bacchus Marsh Grammar to see if any progress had been made with remediation work on the Terraces and also securing the school site from public access (following their letter of 19 Feb 2014).

3.3 Maintenance Work Peppertree Park "Circuit" There had been no response from AM since the last meeting and GL advised that he would follow this up directly with AM. Certain sections towards the Underbank ford are getting overgrown and some cutting back of vegetation is required. **Action: Greg Ley/Anthony McGrath**

3.4 Snake Warning Signs Awaiting report back from AM (requires some priority from the Asset Department), GL advised that he would follow this up with AM. **Action: Greg Ley/Anthony McGrath**

3.5 Updating of Walking Maps No update on this due to HM's absence from meeting. GL advised that he would follow this up with Heidi. **Action: Greg Ley/Heidi Mikulic**

3.6 Lerderderg Links Track – Dogs Off Lead Since there is no short-term possibility of the Links Track being reinstated due to the lack of available land around the golf course, it was agreed that this item be removed from the Action List. However, the Committee recommended that the Reserve at the end of Robinsons Road be investigated for classification as a Dog's Off Leash Area.

Motion:

The BMDTAC recommends that Council:

- **Investigate the reserve at the river end of Robertsons Road Darley for classification as a Dog's Off-Leash area.**

Moved: Leon Newton Seconded: Greg Ley
Carried.

3.7 Access to Public Toilets at Peppertree Park JS advised that Council are still awaiting the review to be completed, so, to remain on hold until such times as Council completes review on provision of Public Conveniences within Bacchus Marsh

4. Reports:

4.1 Chairman – Nil Report

4.2 Secretary – Nil Report

5. Communications

1. MSC Letter 11 Dec 2014 Letter advising continuance of BMDTAC as a S86 Advisory Committee of Council and appointing John Spain as Council's representative for the next 12 months.
2. Email from Tina Seirlis 28 Jan 2015 advising that she is standing down from BM Tourism Association due to work commitments and recommended David Durham as an on-going contact point
david.durham@bigpond.com

6. Update on "Land Fit for Heroes"

CE advised that a meeting had taken place on Thursday 22 Jan 2015 at The Lerderderg Library with representation from a wide range of agencies including: Moorabool Shire Council, Ballarat Council, Conservation Volunteers Australia, Great Dividing Trail Committee, Growest, Leadwest, BMDTAC. It was agreed that Steering Committee be formed and that CVA be asked to oversee the Committee (this is yet to be confirmed by CVA). CVA to meet with GDTA and Ballarat Council to agree on immediate works that can be done with the funding from Perpetual Trustees. At this Meeting it was agreed that the project should come under the title "Land of Honour" and this be used as the Project name in future. It was agreed that the Private Audit conducted by BMDTAC form the basis for identifying immediate work that could be done by teams on the ground as CVA was ready to start work. However, the lack of specific detail to the "vision" was seen as both a positive and negative in terms of the flexibility it gave but also the lack of a detailed plan ("road map") for CVA to follow.

BMDTAC discussed the potential value of the project to the local community and voiced concerns that Ballarat Council appeared to have projects ready to go and that Moorabool could miss out if Council planners were not involved in the Project.

Motion:

BMDTAC recommends that Council:

- 1. Considers the benefits that further involvement in the "Land of Honour" project might bring to Moorabool Shire, including:***
 - a. Volunteer opportunities in on-ground bio-link and track development work that would increase visitor numbers during project implementation;***
 - b. A legacy infrastructure of cycle tracks and walking tracks that would increase amenity to residents and attract visitors interested in recreation, heritage, landscape and tourism destinations;***
- 2. Seek formal representation on the Land of Honour Steering Committee and nominate one Officer and accredit one community member of the Bacchus Marsh & District Trails Advisory Committee as its representatives on the Steering Committee;***
- 3. Include the Land of Honour project as an advocacy project for Moorabool Shire Council.***

Moved: Greg Ley Seconded: Colin Evans
Carried.

7. Waymarkers in Peppertree Park

KB advised that she had been in discussions with the Arts Committee and this may well become a project that they would sponsor and seek funding for but no firm agreements had been reached as yet.

CE suggested (as had been voiced previously) that a theme for these Waymarkers that had some relationship to the Centennial Commemorative events and with a possible theme of aboriginal service to the war effort, could be of significant symbolic value. Such a theme would also make it possible to seek funding through a wider array of possible sources.

8. Any other business

8.1 JS advised that there was a plan for an Indigenous Trail in the Darley area.

8.2 LN suggested that more information should be made available on areas where dogs can be walked and dog friendly areas (off leash areas). This could be considered as part of the review of maps.

8.3 CE suggested, following LN's comments, that an enclosed area with double gates could be created in one of the local reserves. Permanent agility equipment could then be installed and it could be used as an off-leash area for dogs to play and socialise. It could prove a good meeting point for dog owners. Masons Lane would have some obvious advantages being centrally located and also being the home of the Dog Obedience Club. KB advised that she would contact the Chairperson of Masons Lane Reserve to discuss (Cr. Tonia Dudzik). Action: Kylie Burton

8.4 Crop Spraying and Avenue of Honour Circuit

LN advised on two occasions in recent times he had driven down to walk his dog at the Avenue of Honour Circuit and it had been shut for spraying. Due to the popularity of this Circuit it was felt that some consideration be given to have some form of agreed spraying times with Tripod. Belinda Delios advised that spraying was normally conducted in the early morning since this was generally the stillest part of the day and so maximized effectiveness and minimized drift. It was requested that Council communicate with Tripod and see if some specific times of the day be agreed for spraying and that these then be published and notified at the Avenue of Honour Car Park. **Action: Anthony McGrath**

Motion:

BMDTAC recommends that Council:

- Communicate with Tripod and see if any possibility to some specific times of the day being agreed for spraying and that these then be published and notified at the Avenue of Honour Car Park,***

***Moved: Kylie Burton Seconded: Leon Newton
Carried.***

9. The meeting was closed at 8.52pm.

Next meeting: Tuesday 5th May 2015* (Jean Oomes Room)

*(CE will be an Apology for 5th May meeting as overseas on business, could members advise of potential availability if meeting deferred until Tuesday 12th May? A date will then be confirmed nearer the time)

Future Meetings for 2015: 4th August, 10th November (both Jean Oomes Room)

12. NOTICES OF MOTION

No notices of motion have been received for consideration as part of this Agenda.

13. MAYOR'S REPORT

To be presented at the meeting by the Mayor.

Recommendation:

That the Mayor's report be received.

14. COUNCILLORS' REPORTS

To be presented at the meeting by Councillors.

Recommendation:

That the Councillors' reports be received.

15. URGENT BUSINESS

16. CLOSED SESSION OF THE MEETING TO THE PUBLIC**16.1 Confidential Report****16.2 Confidential Report****16.3 Confidential Report****Recommendation:**

That pursuant to the provisions of the Local Government Act 1989, the meeting now be closed to members of the public to enable the meeting to discuss matters, which the Council may, pursuant to the provisions of Section 89(2) of the Local Government Act 1989 (the Act) resolve to be considered in Closed Session, being a matter contemplated by Section 89(2) of the Act, as follows:

- (a) personnel matters;
- (b) the personal hardship of any resident or ratepayer;
- (c) industrial matters;
- (d) contractual matters;
- (e) proposed developments;
- (f) legal advice;
- (g) matters affecting the security of Council property;
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public

17. MEETING CLOSURE