



AGENDA

Moorabool Growth Management Committee Meeting Wednesday, 2 September 2020

**I hereby give notice that a Moorabool Growth Management Committee Meeting
will be held on:**

Date: Wednesday, 2 September 2020

Time: 4.00pm

Location: Online

**Derek Madden
Chief Executive Officer**

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1 OPENING**2 PRESENT AND APOLOGIES****3 RECORDING OF MEETING**

As well as the Council for its minute taking purposes, the following organisations have been granted permission to make an audio recording of this meeting:

- The Moorabool News; and
- The Star Weekly.

4 CONFIRMATION OF MINUTES

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5 MATTERS ARISING FROM PREVIOUS MINUTES**6 DISCLOSURE OF CONFLICTS OF INTERESTS**

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)
 - indirect interest because of impact on residential amenity (section 78E)

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 UPDATE ON TRENDS, ISSUES AND OTHER MATTERS

8 PROCESS FORWARD AND WORK PROGRAM

9 UPDATE ON VCAT DECISIONS

10 OTHER BUSINESS

11 DATE OF NEXT MEETING

12 CLOSED SESSION OF THE MEETING TO THE PUBLIC**RECOMMENDATION**

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

12.1 Bacchus Marsh Strategic Growth Area Update

This matter is considered to be confidential under Section 3(1)(c) of the *Local Government Act 2020*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with proposed developments.

12.2 Ballan Growth Precinct Update

This matter is considered to be confidential under Section 3(1)(c) of the *Local Government Act 2020*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with proposed developments.

13 MEETING CLOSE