

ORDINARY MEETING OF COUNCIL

Minutes of the
Ordinary Meeting of Council held at
Council Chambers, 15 Stead Street, Ballan on
Wednesday 1 May 2013,
at 7:00 p.m.

Members:

Cr. Pat Toohey (Mayor)	Woodlands 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. Paul Tatchell	Central Ward
Cr. Tom Sullivan	West Moorabool Ward

Officers:

Mr. Rob Croxford	Chief Executive Officer
Mr. Shane Marr	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

AGENDA

1.	OPENING OF MEETING AND PRAYER	4
2.	PRESENT	4
3.	APOLOGIES	4
4.	CONFIRMATION OF MINUTES	4
4.1	<i>Ordinary Meeting of Council – Wednesday 17 April 2013.....</i>	<i>4</i>
5.	DISCLOSURE OF CONFLICT OF INTEREST	5
6.	MAYOR’S REPORT	7
7.	COUNCILLORS' REPORTS	8
8.	PUBLIC QUESTION TIME	11
9.	PETITIONS	14
10.	PRESENTATIONS / DEPUTATIONS	15
11.	OFFICER'S REPORTS	16
11.1	CHIEF EXECUTIVE OFFICER	16
11.1.1	<i>Consideration of the Draft 2013-2017 Council Plan</i>	<i>16</i>
11.1.2	<i>March Quarterly Report – 2012/13 Council Plan Actions.....</i>	<i>21</i>
11.1.3	<i>Quarterly Financial Report March 2013.....</i>	<i>24</i>
11.1.4	<i>Capital Improvement Program Quarterly Report - March 2013.....</i>	<i>27</i>
11.1.5	<i>Moorabool Shire Council Film Policy Review.....</i>	<i>31</i>
11.2	GROWTH AND DEVELOPMENT	36
11.2.1	<i>Ballan Structure Plan – Consultation Draft.....</i>	<i>36</i>
11.3	COMMUNITY SERVICES	41
11.3.1	<i>Community Grants Program Summer 2013.....</i>	<i>41</i>
11.4	INFRASTRUCTURE SERVICES.....	56
11.4.1	<i>Flood Recovery Works Program Quarterly Report – March 2013</i>	<i>56</i>
11.4.2	<i>Draft Road Management Plan 2013 - 2017</i>	<i>60</i>
11.4.3	<i>Highlands Regional Waste Management Group Constitution</i>	<i>64</i>

11.5	CORPORATE SERVICES.....	68
11.5.1	<i>Review of Councillor and Mayoral Allowances as required under Section 74(1) of the Local Government Act 1989</i>	<i>68</i>
12.	OTHER REPORTS.....	74
12.1	<i>Assembly of Councillors</i>	<i>74</i>
12.3	<i>Section 86 - Delegated Committees of Council - Reports</i>	<i>76</i>
13.	NOTICES OF MOTION.....	77
13.1	<i>Cr Edwards: N.O.M. No. 228 – Darley Park Ball Protection Fencing</i>	<i>77</i>
14.	URGENT BUSINESS	78
14.1	<i>Urgent Business.....</i>	<i>78</i>
15.	CLOSED SESSION OF THE MEETING TO THE PUBLIC.....	79
15.1	<i>Confidential Reports.....</i>	<i>79</i>
16.	MEETING CLOSURE.....	81

1. OPENING OF MEETING AND PRAYER

The Mayor, Cr. Toohey, opened the meeting with the Council Prayer at 7.00pm.

2. PRESENT

Cr. Pat Toohey (Mayor)	Woodlands 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. Paul Tatchell	Central Ward
Cr. Tom Sullivan	West Moorabool Ward

In attendance

Mr. Rob Croxford	Chief Executive Officer
Mr. Shane Marr	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
Mr. Keith Linard	Manager Assets
Mr. Gavin Alford	Manager, Strategic & Sust. Development
Ms. Sam Romaszko	Manager Engineering Services
Mr. Glenn Townsend	Manager Operations
Ms. Dawn Tschujasehenko	Acting Community Development Manager
Ms. Deb Absolom	Minute Taker

3. APOLOGIES

There were no apologies.

4. CONFIRMATION OF MINUTES**4.1 Ordinary Meeting of Council – Wednesday 17 April 2013**

Resolution:

Crs. Comrie/Dudzik

That Council confirms the Minutes of the Ordinary Meeting of Council held on Wednesday 17 April 2013.

CARRIED.

5. 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.

5.1 Disclosure of an Indirect Conflict of Interest

Cr. Dudzik declared a conflict of interest in regards to Item 11.3.1 – Community Grants Program Summer 2013 – assistance was provided to a community group in their preparation of an application.

6. MAYOR'S REPORT

Since the last Ordinary Meeting of Council, the Mayor, Cr. Pat Toohey, attended the following meetings and activities:

Cr Pat Toohey – Mayor's Report	
April / May 2013	
18 April	Blackwood Community Fire Refuge Pilot Project Community Information Evening – Craig Lapsley, Fire Services Commissioner in attendance; plus representatives from CFA, Building Services Commission, VicPol and VicRoads
20 April	Vibrant Communities Conference, Ballan Mechanics Institute
21 April	Bacchus Marsh Anzac Day Commemorative March and Wreath Laying Service
23 April	Port Phillip & Westernport Groundwater Atlas Stakeholder Reference Group – Southern Rural Water
25 April	Ballan Anzac Day Service and Presentation of the Anzac Day Address
1 May	<ul style="list-style-type: none"> • Assembly of Council – PR & Comms Strategy • Assembly of Council – Audit & Risk Committee Briefing • Assembly of Council – Budget • Ordinary Meeting of Council

Resolution:

Crs. Edwards/Spain

That the Mayor's report be received.

CARRIED.

7. COUNCILLORS' REPORTS

Since the last Ordinary Meeting of Council, Councillors have attended the following meetings and activities:

Cr. Edwards	
April 2013	
25 April	Bacchus Marsh RSL Dawn Service
26 April	Tour of Hepburn Wind Farm
27 April	EC Griffith Cup at Pykes Creek
29 April	Peri Urban Meeting with Metro Ministerial Advisory Group

Cr. Spain	
April 2013	
20 April	Vibrant Communities Conference at Ballan
21 April	Bacchus Marsh Anzac Day Commemorative March and Wreath Laying Service
24 April	Bacchus Marsh Hall Committee Meeting
25 April	<ul style="list-style-type: none"> • Bacchus Marsh RSL Dawn Service • Ballan Anzac Day Service and Presentation of the Anzac Day Address
26 April	Tour of Hepburn Wind Farm

Cr. Tatchell	
April 2013	
18 April	EC Griffith Cup Welcome Dinner
25 April	Ballan Anzac Day Service and Presentation of the Anzac Day Address
27 April	EC Griffith Cup at Pykes Creek

Cr. Sullivan	
April 2013	
18 April	National Timber Towns Association Conference
25 April	Ballan Anzac Day Service and Presentation of the Anzac Day Address
29 April	Ministerial Advisory Committee on Waste Sector

Cr. Comrie	
April 2013	
25 April	Bacchus Marsh RSL Dawn Service
27 April	Stonehill Celebration
28 April	EC Griffith Cup at Pykes Creek

Cr. Dudzik	
April 2013	
18 April	<ul style="list-style-type: none"> • Board of Port Phillip & Westernport Catchment Authority Lunch • Moorabool Health & Wellbeing Plan Community Workshop
19 April	Reconciliation Victoria & Melton Shire Council Aboriginal Liaison
20 April	Vibrant Communities Conference at Ballan
21 April	<ul style="list-style-type: none"> • Bacchus Marsh Anzac Day Commemorative March and Wreath Laying Service • CHLLEN Committee of Management Meeting

25 April	Bacchus Marsh RSL Dawn Service
26 April	<ul style="list-style-type: none">• Tour of Hepburn Wind Farm and Daylesford Project Brief• Ladies Night Out – Bridge to Love Fundraiser

Resolution:

Crs. Sullivan/Comrie

That the Councillors' reports be received.

CARRIED.

8. 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**.

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.

Procedural Guidelines – Public Question Time

A maximum of two questions may be asked by any one person at any one time.

If a person has submitted 2 questions to a meeting, the second question: may, at the discretion of the Mayor, be deferred until all other persons who have asked a question have had their questions asked and answered; or may not be asked if the time allotted for public question time has expired.

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

The Mayor will nominate the appropriate person to respond to each question. In the event that the question is directed for response by a Council Officer, it shall be referred through the Chief Executive Officer.

The Mayor may disallow any question, which is considered:

To relate to a matter outside the duties, functions and powers of Council;

To be defamatory, indecent, offensive, abusive, irrelevant, trivial or objectionable in language or substance;

To be confidential in nature or of legal significance;

To deal with a subject matter already answered;

To be aimed to embarrass any person;

To relate to personnel matters;

To relate to the personal hardship of any resident or ratepayer;

To relate to industrial matters;

To relate to contractual matters;

To relate to proposed developments;

To relate to legal advice;

To relate to matters affecting the security of Council property; or

To relate to any other matter which Council considers would prejudice the Council or any person.

The Mayor has the discretion to seek clarification of the question if deemed necessary but otherwise the person asking the question is not permitted to enter into debate with or directly question the Mayor or Chief Executive Officer.

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

The following question was taken on notice by the Chair at the meeting:

Ms. Danielle Cooper – Darley – Space for Reconciliation Group

Further investigations are to be undertaken in regard to this question and a written response will be provided in the next Council Minutes upon completion of the investigations.

The following questions were responded to at the meeting:

Ms. Jessie Strawbridge – Ballan – Ballan Structure Plan

Mr. Bernard Drymott – Ballan – Ballan Structure Plan

Ms. Vicki Buchanan – Ballan – Ballan Structure Plan

Ms. Janine Mitchell – Ballan – Ballan Structure Plan

QUESTION ON NOTICE

Mr. Bruce Bullock raised the following question at the Ordinary Meeting of Council on Wednesday 17 April, which was taken on notice by the Chair for further investigations to be undertaken:

Query in relation to fencing codes and regulations in Love Close, Maddingley.

RESPONSE TO QUESTION

In response to the question raised by Mr. Bruce Bullock at the Ordinary Meeting of Council on Wednesday 17 April 2013, the applicant has lodged a request for report and consent in respect of the increases in fence height for the Parwan Road and Love Close boundaries. The Municipal Building Surveyor has undertaken a site inspection and issued a dispensation in regard to the height of the fence.

9. PETITIONS

Nil.

10. 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:

Nil.

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.

Nil.

11. OFFICER'S REPORTS

11.1 CHIEF EXECUTIVE OFFICER

11.1.1 Consideration of the Draft 2013-2017 Council Plan

Introduction

File No.: 02/02/002
Author: Shane Marr
Chief Executive: Rob Croxford

The following report is presented for Council's consideration of the draft 2013-2017 Council Plan, including the Strategic Resource Plan, and to resolve to place the document on public exhibition inviting public inspection and submissions for consideration prior to adoption.

Background

The Local Government Act 1989 (the Act) in Part 6 Section 125 determines that Council must prepare a Council Plan within 6 months after each general election or by the next 30 June.

Following elections held in October 2012, Council began preparing its Council Plan. Following input from Councillors, staff and the community the following draft Council Plan was produced. This Council Plan will be in operation from 2013 until 2017 when a newly elected Council shall prepare and adopt the new Council Plan.

In each subsequent year from the adoption of the Council Plan, Council is required to review the document and confirm actions for the next financial year which will support the objectives and strategies contained within the Council Plan.

Strategic Resource Plan

Council must also develop a Strategic Resource Plan as per Part 6 Section 126 of the Local Government Act 1989.

The Strategic Resource Plan considers the resources required to support the Council Plan and other strategic documents.

The Financial Statements contained within the Strategic Resource Plan must include a period of at least 4 financial years from each year the Council Plan is reviewed.

Proposal

That Council, in accordance with section 223 of the Local Government Act 1989, place the draft 2013-2017 Council Plan and Strategic Resource Plan on exhibition, inviting public submissions during the prescribed period of 28 days as required under the Act.

Policy Implications

The 2009. 2013 Council Plan provides as follows:

Key Result Area	Continuous Improvement in Council Services
Objective	Effective strategic and business planning for a growing community.
Strategy	Develop, implement and maintain relevant strategic and business plans

The proposal to place the draft 2013-2017 Council Plan on public exhibition is consistent with the 2009-2013 Council Plan.

Financial Implications

In accordance with Section 126 of the Local Government Act 1989, Council has prepared the attached proposed 2013-2017 Strategic Resource Plan that details the resources required to achieve the objectives and strategies outlined in the draft 2013-2017 Council Plan.

The Strategic Resource Plan includes the following information in respect of next 5 financial years commencing from 1 July 2013 and concluding 30 June 2018:

- the standard statements describing the required financial resources in the form and containing the information required by the regulations;

This five-year forecast is Council's accountability to the community in the way it will deliver on the 4 key result areas as set out in the 2013-2017 Council Plan being:

1. Representation and Leadership of our Community
2. Community Wellbeing
3. Enhanced Natural and Built Environment
4. Continuous Improvement in Council Services

The Strategic Resource Plan for each financial year is subject to final determination as part of Council's Annual Budget Process.

Risk & Occupational Health & Safety Issues

There are no risk implications in relation to this report.

Communications Strategy

Community consultation and engagement is essential in preparing a new Council Plan. Advertisements were placed in regional and local papers to notify the community of an opportunity to provide valuable input via Council's Have your Say web page or via printed copies of the survey which were made available at each Council office.

This community engagement was conducted over a four week period in March 2013. Results from the website indicated that the ~~±~~Have Your Say page received 168 views with 17 participants having registered. Seven of those registered provided comment.

In addition to the community engagement, Councillors and Council staff were also afforded the opportunity during a number of sessions to provide their input and comments.

The information gathered through this engagement process has assisted in the preparation of the draft 2013-2017 Council Plan that is now being presented to Council for consideration to invite public inspection and submissions.

In accordance with the Local Government Act 1989, the draft 2013-2017 Council Plan and Strategic Resource Plan will progress through the following consultation and adoption process:

Timetable for the Proposal and Adoption of Council Plan and Strategic Resource Plan	
Draft 2013-2017 Council Plan and Strategic Resource Plan presented for Council Adoption and Public Notification	1 May 2013
Advertise draft 2013-2017 Council Plan and Strategic Resource Plan, inviting public inspection and submissions according to Section 223 of the Local Government Act 1989, in both regional and local newspapers. Ballarat Courier . Saturday 4 May 2013 Moorabool News . Tuesday 7 May 2013	7 May . 4 June 2013
Consider Public Submissions as per Section 223 (1)(b) of the Local Government Act 1989 for draft 2013-2017 Council Plan and Strategic Resource Plan at a Special Meeting of Council.	12 June 2013
Formally adopt 2009-2013 Council Plan and Strategic Resource Plan	19 June 2013
Public Notice - Adoption of 2009-2013 Council Plan and Strategic Resource Plan	22 June 2013
Submit 2009-2013 Council Plan and Strategic Resource Plan to Minister for Local Government by:	27 June 2013

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.

Chief Executive Officer – Rob Croxford

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

Author – Shane Marr

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

Conclusion

The draft 2013-2017 Council Plan and Strategic Resource Plan is presented for Council's consideration, in accordance with section 223 of the Local Government Act 1989, to place on public exhibition inviting public submissions during the prescribed period of 28 days as required under the Act.

Resolution:

Crs. Sullivan/Spain

1. ***That, having considered the details of the draft 2013-2017 Council Plan appended to this report, Council, in accordance with the requirements of Part 6 Section 125 and 126 of Local Government Act 1989***
 - 1.1 ***authorises the Chief Executive officer to give public notice that the draft 2013-2017 Council Plan has been prepared and is available for public inspection; and***
 - 1.2 ***gives public notice and have ready for public inspection all prescribed information to be available from 5 May 2013 until 3 June 2013.***
2. ***That Council resolves to allow 28 days for submissions to be made by members of the public and that all submissions are to be made in the prescribed manner. Council will hear submissions on Wednesday 12 June 2013 at a Special Meeting of Council to be held in the Council Chamber, 15 Stead Street, Ballan commencing at 7pm.***
3. ***That in accordance with Section 125 of the Local Government Act 1989, Council resolves to notify and place on public notice its intention to adopt the 2013-2017 Council Plan on Wednesday 19 June 2013 at the Ordinary Meeting of Council to be held in the James Young Room, Lerderderg Library, 215 Main Street, Bacchus Marsh commencing at 7pm.***

CARRIED.

Report Authorisation

Authorised by:



Name: Shane Marr

Title: General Manager Corporate Services

Date: Wednesday 1 May 2013

11.1.2 March Quarterly Report – 2012/13 Council Plan Actions

Introduction

File No.: 02/02/002
Author: Michelle Morrow
General Manager: Shane Marr

Background

The 2009-2013 Council Plan was developed and adopted by Council in June 2009. As part of the development of the framework of the Council Plan, Council determines appropriate actions which will support the framework, delivering agreed outcomes for the Community. The Council Plan is reviewed annually.

All Council activities can be linked back to the Council Plan and at the Ordinary Meeting of Council on Wednesday 14 June 2012 Council identified 20 new actions which are indicative of its success in achieving the strategic direction of the Council Plan.

Discussion

The attached 2012/13 Council Plan Actions Third Quarter Progress Report indicates each of the actions and the progress comments for the 2012/13 Financial Year.

Proposal

This report is to inform Council and the community on the progress of key Council Plan actions for 2012/13.

Policy Implications

The 2009. 2013 Council Plan provides as follows:

Key Result Area	Continuous Improvement in Council Services
Objective	Effective strategic and business planning for a growing community.
Strategy	Develop, implement and maintain relevant strategic and business plans.

Financial Implications

There are no financial implications from this report. All projects being delivered have been allocated a budget.

Risk & Occupational Health & Safety Issues

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

Communications and Consultation Strategy

Specific projects may have their own communications strategy nevertheless this report will be displayed on Council's website and the annual progress will be reported in Council's Annual Report.

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 – Shane Marr

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

Author – Michelle Morrow

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

Conclusion

Council continues to make progress in all areas of the Council Plan. Four of the 20 actions considered within this report are now complete, with the remaining actions progressing as expected.

Resolution:

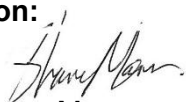
Crs. Sullivan/Dudzik

That Council receives the 2012/13 Council Plan Actions Third Quarter Progress Report.

CARRIED.

Report Authorisation:

Authorised by:



Name:

Shane Marr

Title:

General Manager Corporate Services

Date:

Wednesday 1 May 2013

11.1.3 Quarterly Financial Report March 2013

Introduction

File No.: 07/01/004
Author: Aaron Light
General Manager: Shane Marr

This Quarterly Report covers the period of 1 July 2012 to 31 March 2013. The report outlines the year to date financial position of Council and forecast projections for the full year results.

The forecast result at the end of the financial year is a decrease in the surplus by \$3.574m. Please refer to the attached report for a detailed review of the financials.

Background

Under section 138 . Quarterly Statements, of the Local Government Act (1989), Council is to receive a quarterly report on progress against the adopted budget.

Proposal

That Council receives the Quarterly Report . March 2013.

Policy Implications

The adoption of the Quarterly Report . March 2013 meets Council's statutory obligations under section 138 . Quarterly Statements of the Local Government Act (1989).

The 2009-2013 Council Plan provides as follows:

Key Result Area	Continuous Improvement in Council Services
Objective	Sound, long term financial management
Strategy	Develop and maintain a long term financial planning, management and reporting system, which ensures resources to deliver services and manage Council's assets.

Annual Budget

The attached Quarterly Financial Report, **Attachment 1**, provides an explanation of the Income Statement, Balance Sheet, Cash Flow Statement and Capital Works Statement with the year-to-date actuals compared to the year-to-date budget, and the annual budgets compared to the annual forecasts.

Income Statement

The main changes within the Income Statement are as follows:

- Decrease in %Operating Grants+ due to the early payment of part of the 2012/13 Grants Commission allocation (\$2.894m);
- Increased %Capital Grants+ associated with flood restoration works (\$1.741m, originally budget was \$2.100m);
- Increased %Employee Costs+ due to carry forward grant funded positions (\$0.267m);
- Increased %Materials and Consumables+ expenditure of \$1.450m associated with flood restoration works that are not capital in nature;
- Increased %Materials and Consumables+ expenditure of \$0.848m due to the carry forward of incomplete projects;

The net effect of these changes and other minor variances causes the total surplus for the year to decrease by \$3.574m to \$3.456m.

Cash

The forecasted cash balance at 30 June 2013 has decreased by \$0.778m to \$3.369m in comparison to the adopted budget. This is mainly due to carry forward of incomplete projects (both capital and operating).

Capital Improvement Program (CIP)

The total cash expenditure forecast for CIP has increased by \$6.326m, from the adopted Budget of \$11.428m to \$17.754m. This is due to the following forecast changes:

- | | |
|--|-----------------|
| • 2011/12 CIP Projects . Carry Forward | \$2.334m |
| • 2011/12 Flood Recovery . Net Carry Forward | \$4.203m |
| • New Funding in 2012/13 | |
| ○ Aged and Disability Minor Capital | \$0.050m |
| ○ Clarinda Street Kerb and Channel | \$0.036m |
| ○ Avenue of Honour Walking Trail | \$0.030m |
| ○ Elaine Recreation Reserve Tennis Courts | \$0.010m |
| ○ DDA Retrofit Program | \$0.007m |
| • Other adjustments | |
| ○ Maddingley Park Tennis Courts | \$0.060m |
| ○ Rotary Club Shed - Scout Hall | \$0.030m |
| ○ Maddingley Park Netball Change/Toilet | \$0.030m |
| ○ Capital Works Deferred | (\$0.547m) |
| ○ Other Minor Adjustments | \$0.083m |
| | \$6.326m |

Risk & Occupational Health & Safety Issues

There are no identified risks associated with this process.

Communications Strategy

To Council, through the Ordinary Meeting of Council on 1 May 2013, and to the Audit Committee meeting on 29 May 2013.

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 – Shane Marr

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

Author – Steve Ivelja

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

Conclusion

The Quarterly Report . March 2013 has been prepared in accordance with Section 138 . Quarterly Statements of the Local Government Act (1989) for review and receiving by Council.

Resolution:

Crs. Spain/Edwards

That Council receives the Quarterly Report – March 2013.

CARRIED.

Report Authorisation:

Authorised by:

Name:

Shane Marr

Title:

General Manager Corporate Services

Date:

Wednesday 1 May 2013

11.1.4 Capital Improvement Program Quarterly Report - March 2013

Introduction

File No.: 16/01/001
 Author: Sam Romaszko
 General Manager: Phil Jeffrey

Background

The delivery of the Capital Improvement Program is an important function of Council's operations and represents a significant portion of Council's overall expenditure. Accordingly, the status of the overall program is reported to Council every quarter.

Proposal

This quarterly report provides Council with an overview of the progress of Council's 2012/2013 Capital Improvement Program to 31 March 2013.

Implementation of the 2012/2013 Capital Improvement Program

The 2012/2013 Capital Improvement Program currently consists of 86 projects. This list incorporates projects from various sources including but not limited to the following:

- Projects carried forward from 2011/2012 program
- 2012/2013 Council budgeted projects
- Grant funded projects

Also for simplicity sake the reseal, final seal, gravel road resheet and shoulder resheet programs have been listed as 4 projects in total rather than listing each individual road under each respective program.

The Engineering Services Unit nominates 6 key stages of the project delivery process and will report with reference to these stages in regard to the overall program status. The table below summarises the overall program status as at 31 March 2013:

CIP Program Delivery Stage	Actual as of 31 March 2013	
	No. of Projects	%
Not Commenced	13	15.1
Documentation/Design Preparation	2	2.3
Tender/Quote Stage	6	7.0
Project Awarded . Waiting Commencement	12	14.0
In Progress/Under Construction	23	26.7
Complete	30	34.9
TOTAL	86	100.00

The attached report details the proposed timeframe and progress of each individual project. In addition the report also provides specific comments in relation to each project and its status.

Program Status

At this stage of the financial year the program is generally tracking well. 34% of the program is complete with a majority of projects either awarded or in progress.

Further to the advice provided in the December quarterly report, preplanning for Clarendon-Lal Lal Road bicycle/walking path is well underway with a planning permit submitted for the removal of native vegetation. The native vegetation offset requirements are not as onerous as initially advised therefore the project will proceed when permits are in place. Council's Works Department will undertake these works, with a likely commencement date in May 2013.

Predicted Carry Forwards

- There are 9 externally funded projects. Of these, 8 are awaiting grant approval and these will be carried forward into the 2013/2014 financial year. Funding through RDV for Navigators Public Hall rotunda and BBQ has recently been announced and is scheduled for completion by June 2013.
- Racecourse Reserve . project funded via NoM and is on hold pending scope being finalised
- BMCCH Building E - project funded via NoM and is on hold pending scope being finalised
- Labilliere Street and Grant Street intersection improvements will carry forward to allow further negotiations with developers.
- Preplanning works for the Ballan Depot relocation project and BMCCH Pavilion are scheduled for completion later this year.
- Aquatic Centre Design . design development portion of project on hold until formal adoption of schematic design following community consultation.
- Halletts Way PP . functional layout prepared by developers and will progress to include bridge further detail later in the year.

With the exception of the externally funded projects and the projects detailed above, the successful delivery of all other projects is progressing as expected.

Program Financial Status

Council officers have reviewed the overall Capital Improvement Program financial status in terms of forecast expenditure for the 2012/2013 financial year in comparison to the available budget. At the end of the financial year it is expected that the entire program will be within budget parameters with an underspend currently predicted.

The June quarterly report will detail the value of the underspend and make recommendations in relation to possible carry forward and funding of further projects with the surplus funds.

Policy Implications

The 2009. 2013 Council Plan provides as follows:

Key Result Area	Enhanced Natural and Built Environment
Objective	Long Term Asset Management
Strategy	Develop long term strategic asset management plan for all Council Assets to manage current and future asset needs.

The Capital Improvement Program reporting is consistent with the 2009-2013 Council Plan.

Financial Implications

Reporting of the Capital Improvement Program has been resourced as part of Council's budget; accordingly there are no additional financial implications. At this point in time, the program is within budget parameters.

Risk & Occupational Health & Safety Issues

There are no irregular Risk and Occupational Health and Safety issues identified in this report. Specific risk elements are analysed and dealt with as part of the delivery of each individual project.

Communications Strategy

The Capital Improvement Program report is currently presented quarterly to Council. Specific projects are communicated to the community and affected residents as required through a range of methods including but not limited to advertisements, mail outs and letter drops. In addition to this, the progress of significant projects is reported monthly in the Councillor Information Bulletin.

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 – Phil Jeffrey

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

Author – Sam Romaszko

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

Conclusion

This report provides a summary of the progress of the Capital Improvement Program for the third quarter of the 2012/2013 period for the information of Councillors.

Resolution:

Crs. Dudzik/Comrie

That Council receives the Capital Improvement Program quarterly report to 31 March 2013.

CARRIED.

Report Authorisation

Authorised by:

Name: Phil Jeffrey
Title: General Manager Infrastructure
Date: Wednesday 1 May 2013

11.1.5 Moorabool Shire Council Film Policy Review

Introduction

File No.: 17/05/005
Author: Peter Forbes
Manager: Rob Croxford

Background

The current Moorabool Shire Council Film Policy has been reviewed to ensure it remains relevant and current for its purpose of facilitating film activity within Moorabool Shire Council.

Moorabool Shire has been the location for various feature films since this policy has been in place. Feature films like *'Charlotte's Webb'*, television series such as *'RUSH'* and television commercials such as *'Good Year'* tyres.

Since the last review of this policy in September 2010, Moorabool Shire has been the location for mini-series such as the *'Dr Blake Mysteries'*, a documentary for the Discovery Channel, *'Behind Mansion Walls'* and a television commercial for the *'Traffic Accident Commission'*.

There are currently two enquires being assessed, one for a proposed movie production called *'Gallipoli'* scheduled for 2014 and another for a Television Commercial for *Mazda*.

The film industry is labour and resource intensive, with potential to generate additional jobs and investment into the local economy.

Prior to Council adopting the current Moorabool Shire Council Film Policy, Council's dealings with the film industry were undertaken by the Business Development Officer without policy or protocols. Since the implementation of the Moorabool Shire Council Film Policy, Council now have clear policies and protocols to guide actions and responses.

The original Film Policy was formally considered and adopted by Council at the Ordinary Meeting of Council on Wednesday 19 April 2006 and last reviewed and adopted on 1 September 2010.

Many enquires have been reviewed via this policy since the last review, culminating in approximately 8 location permits being issued. No serious incidents have been documented from the issuing of these permits.

The current policy has brought benefits to Moorabool Shire Council as predicted in the report to establish establishing the Film Policy.

Specifically the development of a Film Policy has allowed Council to:

- Present a clear statement of intent in respect of filming within the Shire;
- Promote the shire as a film friendly location to local, state-wide, national and international film makers;

- Have a co-ordinated approach to the conduct of Council and its officers in relation to filming within the Shire;
- Develop opportunities to promote and market the shires natural and built features for films and film crews; and
- Allow all stakeholders (including local government, public authorities, the community, producers and production companies) to understand precisely their commitments and expectations when filming within Moorabool Shire.

Strategies listed and developed within the film policy have provided positive outcomes for the film and television industry, Moorabool Shire and the community, including:

- A balance between residential, business and film and television industry needs and interests;
- Streamlined promotion of and access to Moorabool Shire for the film and television industry;
- Recognition of Moorabool Shire as a film-friendly and premier filming location in Victoria;
- An increase in film and television productions using Moorabool Shire as a location;
- Enhanced reputation and profile for Moorabool Shire as offering a coordinated, high quality service;
- Contribution to building Moorabool Shire's capacity as a centre for arts and cultural activities;
- Greater visitor awareness of Moorabool Shire's geographical, environmental and heritage assets;
- Minimised risk of litigation and insurance claims for Moorabool Shire, and increased protection for the Council's reputation; and
- Recognition of the cultural value and economic benefits to be derived from the attraction of filming activity.

As part of the review, feedback was sought from Film Victoria and The Film Cluster of Film Ballarat and Beyond. Both confirmed the current policy was adequate from a film industry and a film liaison perspective.

Proposal

The current Moorabool Shire Council Film Policy be retained and be endorsed as appropriate for future use, subject to very minor alterations to reflect the current staffing, practise, structures and resources.

Policy Key Elements

It is proposed that for the time being the Film Liaison Officer responsibilities should reside with the Tourism Officer and the permit signed off by the Manager, PR, Marketing and Tourism.

The Film Liaison Officer responsibility initially resided with a Business Development Officer within the Economic Development Unit until this position was discontinued. The role was subsequently transferred to the Executive Officer, Economic Development until this position was also discontinued.

The strategic alliance with the Local Governments of Ballarat, Ararat, Northern Grampians, Pyrenees, Hepburn and now Golden Plains has offered greater attractiveness and variety for film makers. This partnership cluster has led to increased promotional opportunities and profile for Moorabool at minimal cost to Council.

The co-funded film website is Council's main tool in which to communicate with film and television professionals to select film locations in the seven participating Councils. It is recommended that this alliance continue to be an integral part of Council's Film Policy and Strategy.

In order to facilitate timely investigation and resolution of filming applications, delegation of authority for issuing permits over all areas should continue to reside with the Film Liaison Officer.

The policy includes a ~~No Fees~~ position for processing of filming permits, which is consistent with the approach of all the seven member Councils in the Ballarat and Beyond Film Partnership Cluster.

The no fees position only applies to the permit itself. Council fees and charges for other activities resulting from the filming activities, such as, for example, road management, filming on Council land where a fee would normally apply, supervisory personal if required, and any other costs incurred in the facilitation of the application, still apply and will be borne by the applicant.

In addition, a bond may also be required for filming activity in buildings and on or around property owned by Council. A bond is refundable and will act as a security deposit to be paid to Moorabool Shire Council subject to the conditions of the Film Permit.

The no fees policy for filming permits is based on the rationale that the net fee return is likely to be insubstantial compared with the increased attraction of promoting the entire region as a no Filming Permit Fees. Additionally where no permit fee charged, Council may consider itself a sponsor of the film on a case by case basis. Council may therefore receive promotional benefits of this approach.

Scope of Policy

After review, it is recommended that the scope of the Moorabool Shire Council Film Policy remain as per the following:

- Policy coverage to all areas of Moorabool Shire to coordinate filming activity occurring on land under its care and management; and
- A framework within which applications for filming and, stills photography will be reviewed and processed. (see film policy and appendices 1,2,3,4,5 for process)

Policy Implications

The 2009. 2013 Council Plan provides as follows:

Key Result Area	Community Wellbeing
Objective	A strong and diverse local economy
Strategy	Encourage tourism initiatives through local and regional groups

The review of the Moorabool Shire Council Film Policy is consistent with the 2009-2013 Council Plan.

Financial Implications

There are no financial implications as a result of the review of this policy

Risk & Occupational Health & Safety Issues

There are no risk or Occupational Health and Safety issues as a result of a review of this policy

Communications Strategy

There is no communications strategy required for the review of this policy.

Consideration

The policy protocol relating to the consideration of items which affect beyond the current year is applied for consideration of matters whose impact or influence will extend to directly affect the activities and/or financial planning of Council for a period beyond the term of the Current Council Budget, and whether relating to Council policy pronouncements or specific projects.

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.

Manager – Rob Croxford

In providing this advice to Council as the 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 film policy has been reviewed and adopted as per the original resolution 2.5 of the Ordinary Meeting of Council on Wednesday 19 April 2006, and again at the Ordinary Meeting of Council on 1 September 2010. The review has shown that the current policy remains fundamentally sound. Notwithstanding some very minor text and delegation adjustments to ensure currency and accuracy into the future and compliance with current council processes, It should be continued, and reviewed on an as needs basis.

Resolution:

Crs. Comrie /Spain

That Council, in accordance with the Moorabool Shire Council Policy Protocol - Consideration of Items which Affect beyond the Current Year, the Moorabool Shire Council Film Policy now lay on the table for further consideration at the next Ordinary Meeting of Council.

CARRIED.

Report Authorisation

Authorised by:

Name: Rob Croxford

Title: Chief Executive Officer

Date: Wednesday 1 May 2013



11.2 GROWTH AND DEVELOPMENT

11.2.1 Ballan Structure Plan – Consultation Draft

Introduction

File No.: 13/01/012
Author: Lisa Gervasoni
General Manager: Satwinder Sandhu

Background

The reports recommends that Council resolve to place on public exhibition consultation draft of the Ballan Structure Plan.

In 2011, Council resolved to formulate a new structure plan for the Ballan Township. The Structure Plan was to:

- Provide detail on the form and shape of Ballan over the next 15 year period
- Identify necessary physical and social infrastructure to support the projected growth of Ballan, including open space; recreational facilities; roads; stormwater and community facilities.
- Provide detailed policy directions and urban design requirements;
- Incorporate a streetscape master plan for the main street of Ballan
- Engage the community and other stakeholders in the process

The Structure Plan is to help guide local planning policies and planning zones. The Structure Plan will also provide more detailed policy direction, and urban design requirements, for the development of residential, commercial and industrial location including addressing image, character and design responses. It will help guide Council's consideration of proposed rezonings and applications for planning permits. Implementation of the Ballan Structure Plan will provide certainty for residents, landowners and developers regarding the future planning direction for the township.

Since its inception the Ballan Structure Plan has been based on strong community consultation process which has been well received in the community. This consultation has been used to guide structure plan responses.

Consultation

The initial stage of the Ballan Structure Plan was consultation. As part of the engagement with the community a series of processes have been undertaken. The engagement strategy was designed sequentially in order to allow one session to feed into the next. The purpose of this strategy was to enable the community to have continual input into the plan preparation and to re affirm Council's commitment to hear the views and aspirations of the participants.

The activities which were undertaken as part of the engagement process were the following:

- Intercept surveys;
- Open house information day;
- Presentation to the Ballan and District Chamber of Commerce;
- The distribution of information bulletins;
- A stall at the Ballan Autumn festival;
- Online moderated form;
- Three interactive workshops;
- two enquiry by design sessions.

The aims of the engagement process were:

- to determine the key themes and issues from the community surrounding the future development of Ballan
- to consolidate the vision / character of the town
- to connect and collaborate with the community through the engagement process in order to aid community capacity and building
- and to input the vision of the development of the structure plan.

A synopsis of the points which were raised by the community for considered response in the structure plan are summarised as follows:

- the land south of the railway line is seen as the preferred growth corridor;
- residents appreciate the rural village feel of the township, which is accentuated by the wide streets and deciduous trees which line the streets;
- resident appreciate the low density nature of development and feel new subdivision and infill is not in keeping with the rural township character of Ballan
- Acceptance that growth will continue in Ballan
- the vehicular and rail access in and out of town is seen as a significant benefit;
- Support for the improvement of pedestrian and bicycle movements within Ballan.
- the commercial core and the industrial areas are important assets to be protected and enhanced
- the river corridor is an important environmental feature of the Ballan landscape

Drafting the Plan

Ascertaining the community's vision for the future of Ballan is an important component of the Plan preparation process. However, it is not the only consideration. As the primary purpose of the document is to guide the land use and development of Ballan over the next 15 years the community desires need to be assessed against ability to be implemented in the planning system and financial capacity to be delivered.

Throughout the process specific sub consultancies such as those for traffic and landscape have been undertaken. Following the completion of the consultation the key themes identified were assessed by Council staff through a series of background papers considering demography; infill development; heritage; environment; and servicing.

Where an issue identified by the community cannot be implemented, or where there is divergence of views, the Structure Plan clearly identifies what the issues are and what the proposed response is. This allows easy identification of how the issues have been considered and why certain planning responses are proposed.

Public Comment

It is proposed that the Ballan Structure Plan be placed on public comment for a 4 week period commencing at the end of April. Background papers and indicative draft schedules will be available to accompany the draft plan.

After close of the exhibition period, submissions to the Structure Plan will be reviewed and alterations made, if required. It would then be anticipated that the Plan would be the subject of a subsequent report to Council, where formal endorsement will be sought, as well as to use it as a basis for a planning scheme amendment and seeking authorisation from the Minister for Planning to prepare and exhibit the amendment.

Section 7 of the draft Plan includes some examples of what a proposed planning scheme response may look like. This is intended to help inform submitters to the consultation draft and assist in the drafting of the planning scheme amendment.

Policy Implications

The 2009. 2013 Council Plan provides as follows:

Key Result Area	Enhanced natural and built environment
Objective	Effective and efficient land use planning and building control

Strategy

The proposal of the implementation of the Ballan Structure Plan is consistent with the 2009-2013 Council Plan.

Financial Implications

Council officer and contracted staff are involved in the preparation and exhibition of the amendment. Allowance for the latter is included within the budget allocation for this project.

Risk and Occupational Health and Safety Issues

There is unlikely to be risk or occupation health and safety implications for Council.

Communications and Consultation Strategy

The draft Structure Plan has been based on community consultation process. The community will have two further opportunities to be involved in the plan through the public comment period and through formal exhibition of a planning scheme amendment to implement the Structure Plan. Submitters to the Planning Scheme Amendment will have the ability to present to a Planning Panel to be appointed by the Minister for Planning.

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 – Lisa Gervasoni

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

Conclusion

The draft Ballan Structure Plan has been prepared by consulting with the community about what their future vision for Ballan is and then testing those ideas against the responsibilities of a planning authority (as expressed in the *Planning and Environment Act 1987*, as amended, and the *Victoria Planning Provision*) and any constraints in the natural environment or physical & financial ability to provide services.

Ballan is a town undergoing change. The Structure Plan acknowledges that this will continue to occur but aims to identify how change can happen without impacting on the cherished cultural identity of Ballan.

The draft of the 2012 Ballan Structure Plan represents the culmination of a lengthy development and consultative process, whilst establishing the strategic basis for the long term planning for the town ship.

It is recommended that the Structure Plan and supporting documents be released for the purpose of public consultation for a 4 week period from May 2013.

Resolution:

Crs. Sullivan/Edwards

That Council places the consultation draft of the Ballan Structure Plan, as tabled, as well as supporting documents, for public comment for a period of 4 weeks from 8 May 2013 to 7 June 2013.

CARRIED.

Report Authorisation

Authorised by:

Name:

Satwinder Sandhu

Title:

General Manager Growth and Development

Date:

Wednesday 1 May 2013

11.3 COMMUNITY SERVICES

Cr. Dudzik declared a conflict of interest in regards to Item 11.3.1 – Community Grants Program Summer 2013 – assistance was provided to a community group in their preparation of an application.

11.3.1 Community Grants Program Summer 2013

Introduction

File No.: 06/03/004
Author: Dawn Tschujasehenko
General Manager: Danny Colgan

Background

Community grants totalling \$140,000 per annum are available in two separate funding rounds of \$70,000 each. The Summer round of the Community Grants Program opened on the 1st February 2013 and closed on the 29th February 2013.

At the Ordinary Meeting of Council on the 19th May 2010, the Council adopted the revised Community Grants Guidelines. The Summer 2013 Community Grant Program represents the sixth round under the revised Community Grant Policy. The grant applications received in the Summer round have been assessed in the accordance with the existing policy with the recommendation consistent with the policy. The Guidelines will be reviewed and presented to the Council for adoption prior to the next round of the Community Grants program.

Council's Community Grants program enables not for profit community groups to apply for funding under the following three program categories:

- " Community Strengthening Grants: Community projects, programs and initiatives with a specific focus on connecting communities and building community capacity (\$50,000 available per round).
- " Events Grants: Non-recurrent, seed funding designed to encourage and promote the development of sustainable local events (\$10,000 available per round).
- " Arts Grants: Supporting local artists and organisations to use a creative approach to the development of community projects and initiatives (\$10,000 available per round).

Community groups and organisations can apply for up to \$5000 for Community Strengthening Grants and up to \$3000 for Arts & Events Grants. Groups also need to demonstrate a cash or in-kind contribution toward the cost of their project on a ratio of \$2 for \$1 (Council \$2: Group \$1). Small Community Strengthening Projects under \$1500 are not required to demonstrate a contribution.

The categories under the Community Grants Program recognise the diverse range of activities that community groups in Moorabool are engaged in and the areas in need of financial support from Council.

The Community Grants Program Policy Guidelines state that applicant groups must demonstrate the support of the committee responsible for management of the

proposed facility/service. This includes demonstrating that proposed projects are consistent with the service or facilities Master Plan, Strategic Plan or Business Plan.

In accordance with the application process, community groups are required to present their projects by addressing the following criteria:

Policy Assessment Criteria:

- a. Project Description . 10%
- b. Why is the project needed and who will it target? . 20%
- c. What will the project achieve and who are the project partners? . 20%
- d. How will the project be implemented and who will be doing it? 15%
- e. How will risk and safety issues associated with the project be addressed? . 15%
- f. Budget? 20%

Each criterion is given a score between 0 and 10 and this score is weighted according to the criteria percentage. The maximum possible score for any application is 100.

Application Support

The Community Grants Program Policy specifies that all applicant groups must meet with a Community Development Officer prior to lodging an application. The majority of applicant groups for the Summer 2013 round of Community Grants received support and advice from Community Development Officers.

Number of applications and amount requested

In total, 44 applications were received across the three program categories: Community Strengthening (32), Events (5) and Arts (7). A total of \$145,955.53 was requested with \$69,416 available.

Category	Applications Received	Amount Requested	Amount recommended	Amount Available
Community Strengthening	32	\$116,185.53	\$49,728.00	\$50,000
Events	5	\$14,770.00	\$8,770.00	\$9,266
Arts	7	\$16,150.00	\$10,150.00	\$10,150
Total	44	\$145,955.53	\$68,648.00	\$69,416

Assessment

The assessment of the applications was conducted by a panel of officers and ranked according to the extent to which the application addressed Council's policy assessment criteria.

Proposal

Based on the above process and funding criteria, it is proposed that the Council allocate the grants for the Summer 2013 round of Community Grants as follows:

Community Strengthening Grants:

Name of Organisation	Project Name	Brief Description of Project	Requested Amount	Recommended Amount	Project Total Value	Progressive Total	Previous Grant awarded
Darley Football & Netball Club	Darley Park room extension	Fit out a newly build extension with gym equipment, seating and carpet for the user groups of the facility	\$5,000.00	\$5,000.00	\$20,950.00	\$5,000.00	
Yendon Recreation Reserve	Installation of a basketball ring	Installation of a basketball ring to give the youth of Yendon a much needed focus point for meeting and recreation	\$1,500.00	\$1,500.00	\$2,390.00	\$6,500.00	Winter 2010
Dunnstown Football & Netball Club	Improvements to flooring in Dunnstown netball building	Sanding/polishing of existing floors plus covering of currently bare concrete floors to minimise the risk of slips/falls and accidents which is an ongoing issue for club members, supporters and visitors.	\$3,284.00	\$3,284.00	\$5,226.50	\$9,784.00	
Ballan Pony Club Inc.	Show jumping arena	Purchase of sand for arena surface as part of the arena's 5 year Infrastructure Development Plan	\$5,000.00	\$5,000.00	\$11,768.00	\$14,784.00	
Wallace Recreation Reserve	Kitchen cool room	Purchase of a cool room to meet increasing user demand	\$5,000.00	\$5,000.00	\$9,775.00	\$19,784.00	
Elaine Recreation Reserve	Kitchen refit for cricket pavilion	Refit of existing dilapidated kitchen to meet the needs of the reserve's growing user groups.	\$5,000.00	\$5,000.00	\$10,000.00	\$24,784.00	Summer 2010

Name of Organisation	Project Name	Brief Description of Project	Requested Amount	Recommended Amount	Project Total Value	Progressive Total	Previous Grant awarded
Ballan & District Kindergarten	Installation of rubber surfacing	Lay down rubber surfacing in the undercover play area to enhance child safety and reduce the incidence of injury	\$5,000.00	\$5,000.00	\$12,020.00	\$29,784.00	
St Andrews Playgroup Bacchus Marsh	RE-build sandpit shelter	Rebuild an existing deteriorated sandpit shelter that is a potential safety hazard for the children who play there	\$4,000.00	\$4,000.00	\$6,000.00	\$33,784.00	Winter 2009
Family Drug Help Support Group	Family Drug Help Support Group-Speakers program & library	Establishment of a speakers program to educate members of this peer led self-help group for families experiencing problematic alcohol or drug use by a family member	\$1,367.00	\$1,367.00	\$2,050.00	\$35,151.00	
Gordon Primary School	Bouncing back sessions	Run interactive workshops on building resilience into you character through a series of games, stories and music	\$600.00	\$600.00	\$770.00	\$35,751.00	
Indigenous Group	Marketing and promotion project	The grant will fund equipment and communication tools for the purpose of marketing and promotion to enhance group membership and awareness	\$5,000.00	\$5,000.00	\$7,880.00	\$40,751.00	
Greendale Reserve Committee of Management	Egan's Reserve landscaping phase 3	Final landscaping and installation of safety bollards & stainless steel tops for existing BBQs to compliment the previous phases lead by community action	\$5,000.00	\$5,000.00	\$7,800.00	\$45,751.00	

Name of Organisation	Project Name	Brief Description of Project	Requested Amount	Recommended Amount	Project Total Value	Progressive Total	Previous Grant awarded
Ballan & District Chamber of Commerce	Ballan farmer's market	Market promotion & advertising, Insurance costs and assistance with gaining market accreditation for the successful monthly farmer's market	\$1,500.00	\$1,500.00	\$3,500.00	\$47,251.00	2011
Ballan Anglers Club Inc.	Help the environment	Enhance family participation through the purchase of conveniences such as camping toilets and showers	\$1,137.00	\$1,137.00	\$1,137.00	\$48,388.00	
Balliang Fire Brigade	Hospitality	Installation of a kitchenette at the brigade's office for the convenience of members and visitors and allow for the brigade to provide hospitable services when delivering important information to the community	\$1,340.00	\$1,340.00	\$2,500.00	\$49,728.00	
Darley Primary School	Student support centre	Renovate the current student support centre to create a more welcoming and comfortable space for students, families & volunteers	\$5,000.00		\$7,500.00	\$54,728.00	
Bacchus Marsh VICSES	Flood/water rescue capability upgrade	Upgrade of rescue equipment to meet the needs of the volunteer member base	\$1,276.72		\$1,276.72	\$56,004.72	
Bacchus Marsh Little Athletics Centre	Purchase of new portable sun shelters with transport and storage trailer	Purchase of new portable sun shelters with transport and storage trailer to provide adequate sun protection to families at BMLAC events	\$5,000.00		\$10,010.00	\$61,004.72	Summer 2012
The Marsh Food Bus	The Marsh Food Bus	Construct a kitchen into the food bus to enable the group to distribute food to those homeless in the Bacchus Marsh area.	\$5,000.00		\$14,574.46	\$66,004.72	

Name of Organisation	Project Name	Brief Description of Project	Requested Amount	Recommended Amount	Project Total Value	Progressive Total	Previous Grant awarded
Ballan District Health and Care	Ballan's aged care men's activities shed	Construction of a activity shed as new community initiative to encourage social interaction and engagement for those in full time aged care	\$5,000.00		\$10,000.00	\$71,004.72	Winter 2012 (Ineligible)
Bacchus Marsh Tourism Association	Accessible local produce community bus service	Free community bus initiative available to local residents. The bus will circuit local produce providers during growing season allowing residents to shop for fresh, healthy and local food.	\$5,000.00		\$7,500.00	\$76,004.72	
Ballan & District Community House	Making woodwork accessible	Purchase of a sit down Lathe to enhance safety	2788.81		5577.61	78793.53	
Bacchus Marsh Pony Club	Safety first	Enhance existing facilities by adding permanent fixtures to mark arenas improving safety, creating greater opportunities to host competitions and allowing for the arenas to be utilised at all times instead of only when temporary ropes are up	\$5,000.00		\$8,191.00	\$83,793.53	Summer 2011
Gordon Fire Brigade	Enhancing delivery of community fire safe messages	Purchase of equipment to enable the brigade to effectively conduct community awareness programs around fire safety, planning and emergency responses	\$2,000.00		\$3,000.00	\$85,793.53	

Name of Organisation	Project Name	Brief Description of Project	Requested Amount	Recommended Amount	Project Total Value	Progressive Total	Previous Grant awarded
Blackwood Fire Brigade	Vital emergency equipment	Purchase of essential equipment to enhance the brigade's ability to respond to emergency situations more effectively	\$3,276.00		\$4,898.00	\$89,069.53	
St John Ambulance-Djerriwarrh Regional Division	Essential Communications between emergency service providers	Due to changes in frequency allocations, there is a urgent need to replace UHF radios for communications between emergency providers and for coordinating activities between teams at events	\$3,891.00		\$6,668.00	\$92,960.53	Summer 2012
Gordon Recreation Reserve	Netball court extension	Extension of current court adding extra surface to enable a safe space for netballers to warm up and practise	\$5,000.00		\$11,610.00	\$97,960.53	Winter 2012
Bacchus Marsh Gliding Club	Bacchus Marsh gliding garden tractor project	Purchase of a garden tractor to manage the mowing of the 16 acres the gliding clubs use.	\$2,199.00		\$3,299.00	\$100,159.53	
Moorabool Environmental Group Inc.	Moorabool Shire environmental map	Development of a Shire map that depicts all places and activities of environmental interest such as natural features, sustainable food production and conversation projects	\$5,000.00		\$9,000.00	\$105,159.53	
Friends of Maddingley Park	Report of irrigation needs for botanic areas in park	Preparation of a comprehensive report detailing the physical and technical requirements needed to install an irrigation system for the botanical areas in the park	\$5,000.00		\$5,000.00	\$110,159.53	Summer 2011

Name of Organisation	Project Name	Brief Description of Project	Requested Amount	Recommended Amount	Project Total Value	Progressive Total	Previous Grant awarded
Conservation Volunteers Australia- W James Whyte Island Reserve	Community engagement- "Solar supporting people power"	Installation of a power system that will be able to meet the increased power need due to growth in the reserves volunteer base.	\$4,598.00		\$16,601.00	\$114,757.53	
Clarendon Cemetery Trust	Small storage shed at clarendon cemetery	Construction of a small shed to adequately store all necessary equipment	\$1,428.00		\$2,142.00	\$116,185.53	
Total:			\$116,185.53	\$49,728.00	\$230,614.29		

Events Grants:

Name of Organisation	Project Name	Brief Description of Project	Requested Amount	Recommended Amount	Project Total Value	Progressive Total	Previous Community Grant awarded
Moorabool Relay For Life 2013	Moorabool Relay For Life 2013	Support local participants in the Relay For Life by funding a PA system for volunteer entertainers & security for the safety of participants and spectators	\$3,000.00	\$3,000.00	\$5,563.00	\$3,000.00	
Djerriwarrh Health Services	2nd Annual Ladies Tennis Day Tournament	Fundraising event to raise money for essential medical equipment. The event encourages social interaction and physical activity to women of all ages by participating in a day of tennis	\$3,000.00	\$3,000.00	\$6,500.00	\$6,000.00	
Pentland Hills Land Care Group	Pentland Hills Land care 25th Anniversary Dinner	To celebrate their success in environmental matters over the past 25 years, The group will be holding a celebratory dinner with guest speaker, Rod Quantock	\$2,770.00	\$2,770.00	\$5,770.00	\$8,770.00	Winter 2011
Bacchus Marsh Football and Netball Club	Fevola at Bacchus Marsh Football and Netball Club	Brendan Fevola will play one match for Bacchus Marsh Football and Netball Club. This grant will assist with the costs associated with this community event, such as temporary fencing for community safety and toilet hire for spectator convenience	\$3,000.00		\$11,900.00	\$11,770.00	Winter 2012 (Community strengthening grant)
Melbourne Runabout Speedboat Club Inc.	AUEC Griffith Cup Australasian	Conduct and promote the AUEC powerboat championship in its 100th Anniversary	\$3,000.00		\$173,360.00	\$14,770	Ineligible
Total:			\$14,770.00	\$8,770.00	\$203,093.00		

Arts Grants:

Name of Organisation	Project Name	Brief Description of Project	Requested Amount	Recommended Amount	Project Total Value	Progressive Total	Previous Community Grant awarded
Coimadai Primary School	150 years of history at Coimadai Primary School	Printing of a commemorative book celebrating 150 years of history at the school	\$1,500.00	\$1,500.00	\$5,670.00	\$1,500	
Jennie Fraine	Writers workshops in Moorabool	Running of writers workshops in Moorabool to connect writers of all ages and experience and showcase local talent.	\$3,000.00	\$3,000.00	\$5,600.00	\$4,500	
Blackwood Academy	Blackwood Academy of Traditional Music 2013	A series of musical education events held every Sunday in Blackwood focusing on folk and blues music.	\$3,000.00	\$3,000.00	\$11,760.00	\$7,500	Summer 2012
Ballan Caravan Park Committee of Management	Ballan Caravan Park eco village mosaic arts project	Engage residents in creating a series of mosaics to ascetically enhance the park and create a stimulating and inviting atmosphere for residents, guests and visitors	\$2,650.00	\$2,650.00	\$15,670.00	\$10,150	
Velislav Georgiev	Ballan wind sculpture project	Enhancing public art in Ballan through the installation of an ensemble of wind sculptures produced and designed by local artists	\$3,000.00		\$53,241.00	\$13,150	
Ballan & District Pre-School	Fairy wonderland	Create a mural on a currently dull roller door that will be a main feature of the Pre-School and inspire children's imagination whilst playing in the undercover area.	\$1,000.00		\$1,000.00	\$14,150	
Myrning Primary School	The wet lands	Enhance student involvement and interest in art by developing a mural based on wild life and flora of the Northern Territory wetlands.	\$2,000.00		\$3,000	\$16,150.00	Winter 2012 Ineligible
Total:			\$16,150.00	\$10,150.00	\$95,941.00		

Policy Implications

The 2009 . 2013 Council Plan provides as follows:

Key Result Area: Community Wellbeing

Objective: Community Self-Reliance

Strategy: Provide community development support and partnership projects

The proposed allocation of grants under the Summer 2013 Community Grants Program is consistent with the 2009-2013 Council Plan.

Financial Implications

Consistent with the Community Grants Policy, the available Council contribution for each round of Community Grants is \$70,000.

- " \$50,000 allocated to Community Strengthening Grants
- " \$10,000 to Events Grants
- " \$10,000 to Arts Grants

An overspend of \$734 from the last round of Events Grants, brings the total available for the Summer 2013 round of Events Grants to \$9,266.

A surplus of \$150 from the last round of Arts Grants results in \$10,150 being available for the Summer 2013 round of Arts Grants.

A total of \$69,416 is available for allocation in the Summer 2013 round of the Community Grants Program. The total for grants being recommended for allocation in this round is \$68,648.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk rating	Control/s
Project timelines	Grant recipients exceeding prescribed timelines	Medium	-Terms and conditions agreements required to be signed by grant recipients -Scheduled monitoring of projects
Financial	Grant recipients appropriate expenditure of Council funds	Medium	- Terms and conditions agreements required to be signed by grant recipients -Grant acquittal required upon completion of projects

Communications and Consultation Strategy

Applicants for the Summer 2013 round of Community Grants Program will be advised in writing that they will be notified of the outcomes of their grant applications in May 2013.

Community Development Officers will provide feedback to unsuccessful applicant groups via meetings or phone contact. Feedback will include:

- Advice to applicant groups of the relative strengths and areas for improvement in their Community Grant applications
- Options for alternative funding
- Supporting a group to re-lodge their application in the next appropriate round of Community Grants Program

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

Applications received under the Summer 2013 round of Community Grants are reflective of the diverse range of activities that community groups are engaged in and the areas in need of financial support from Council. In total, 44 applications were received across the three program categories: Community Strengthening (32), Events (5) and Arts (7).

There was a substantial increase in applications this round compared to last, particularly in the community strengthening category which was considerably oversubscribed. This highlights the increasing community awareness of the program and how Council can support a variety of initiatives within Moorabool Shire that strengthen and meet the needs of the community.

Cr. Dudzik adjourned from the meeting at 7.57 pm and did not participate in voting on the Item.

Resolution:

Crs. Comrie/Spain

1. *That the Council Allocates the following grants in the Community Strengthening Grant category.*

Name of Organisation	Project Name	Requested Amount	Recommended Amount
Darley Park Football and Netball Club	Darley Park Room Extension	\$5,000.00	\$5,000.00
Yendon Recreation Reserve	Installation of a basketball ring	\$1,500.00	\$1,500.00
Dunnstown Football & Netball Club	Improvements to flooring in Dunnstown netball building	\$3,284.00	\$3,284.00
Ballan Pony Club Inc.	Show jumping arena	\$5,000.00	\$5,000.00
Wallace Recreation Reserve	Kitchen cool room	\$5,000.00	\$5,000.00
Elaine Recreation Reserve	Kitchen refit for cricket pavilion	\$5,000.00	\$5,000.00
Ballan & District Kindergarten	Installation of rubber surfacing	\$5,000.00	\$5,000.00
St Andrews Playgroup Bacchus Marsh	Rebuild sandpit shelter	\$4,000.00	\$4,000.00
Family Drug Help Support Group	Family Drug Help Support Group-Speakers program & library	\$1,367.00	\$1,367.00
Gordon Primary School	Bouncing back sessions	\$600.00	\$600.00
Indigenous Group	Marketing and promotion project	\$5,000.00	\$5,000.00
Greendale Reserve Committee of Management	Egan's Reserve landscaping phase 3	\$5,000.00	\$5,000.00
Ballan & District Chamber of Commerce	Ballan farmer's market	\$1,500.00	\$1,500.00
Ballan Anglers Club Inc.	Help the environment	\$1,137.00	\$1,137.00

Balliang Fire Brigade	Hospitality	\$1,340.00	\$1,340.00
	Total:	\$49,728.00	\$49,728.00

2. That the Council allocates the following grants in the Community Events Grant category.

Name of Organisation	Project Name	Requested Amount	Recommended Amount
Moorabool Relay For Life 2013	Moorabool Relay For Life 2013	\$3,000.00	\$3,000.00
Djerriwarrh Health Services	2nd Annual Ladies Tennis Day Tournament	\$3,000.00	\$3,000.00
Pentland Hills Land care Group	Pentland Hills Land care 25th Anniversary Dinner	\$2,770.00	\$2,770.00
	Total:	\$8,770.00	\$8,770.00

3. That the Council allocates the following grants in the Community Arts Grant category

Name of Organisation	Project Name	Requested Amount	Recommended Amount
Coimadai Primary School	150 years of history at Coimadai Primary School	\$1,500.00	\$1,500.00
Jennie Fraine	Writers workshops in Moorabool	\$3,000.00	\$3,000.00
Blackwood Academy	Blackwood Academy of Traditional Music 2013	\$3,000.00	\$3,000.00
Ballan Caravan Park Committee of Management	Ballan Caravan Park eco village mosaic arts project	\$2,650.00	\$2,650.00


	Total:	\$10,150.00	\$10,150.00
--	---------------	--------------------	--------------------

4. *That all applicants be notified in writing of the outcome of their application.*
5. *That Council Staff provide feedback to unsuccessful groups and provide suggestions for alternative funding, or how the group may choose to improve and re-develop their application for submission to the next appropriate round of the Community Grants Program.*

CARRIED.

Cr. Dudzik returned to the Meeting at 8.03 pm.

Report Authorisation

Authorised by: 
Name: Danny Colgan
Title: General Manager Community Services
Date: Wednesday 1 May, 2013

11.4 INFRASTRUCTURE SERVICES

11.4.1 Flood Recovery Works Program Quarterly Report – March 2013

Introduction

File No.: 02/13/023
Author: Sam Romaszko
General Manager: Phil Jeffrey

Background

During 2010 and early 2011 various severe weather events were experienced across the Shire resulting in widespread flood damage to Council's infrastructure including roads, drains, bridges, walking trails, recreation reserves and buildings. The most dangerous and necessary damaged assets were attended to by Council's Works Department and Contractors during or shortly after the events for public safety and amenity.

Subsequently a series of significant tasks on multiple occasions were undertaken to inspect, assess and estimate costs for flood damage on all Council's roads and other infrastructure across the Shire. Each event has triggered submission of damage estimates to the Department of Treasury and Finance for Natural Disaster Financial Assistance now totalling approximately \$19.7 million. Council is currently in the process of delivering the works associated with those grants.

Proposal

This quarterly report provides Council with an overview of the progress of the Flood Recovery Works Program to 31 March 2013.

Implementation of the Flood Recovery Program

The number of individual projects in the Flood Recovery Program is currently 720. Significant emergency repairs were implemented at the time of each event and Council officers have grouped remaining like projects and simplified the list for reporting purposes. As a result the reportable number of projects associated with the Flood Recovery Program consists of 46 projects.

To be consistent with the capital program reporting, the Engineering Services Unit has used the 6 key stages of the project delivery process and will report with reference to these stages in regard to the overall program status. The table below summarises the overall program status as at 31 March 2013:

Flood Recovery Works Program Delivery Stage	Actual as at 31 March 2013	
	No. of Projects	%
Not Commenced	0	0.0
Documentation/Design Preparation	5	10.9
Tender/Quote Stage	0	0.0
Project Awarded . Waiting Commencement	2	4.3
In Progress/Under Construction	3	6.5
Complete	36	78.3
TOTAL	46	100.0

The attached report details the progress of each individual project. In addition the report also provides specific comments in relation to each project and its status.

Significant Projects

There has been significant progress to date with approximately \$16.45M worth of works committed, in progress or complete. Recent large projects underway include;

- Sealed road repairs throughout the shire . major patching contracts complete.
- Golden Point Road, Blackwood . major culvert replacement works complete.
- Egerton-Ballark Road, Morrisons (stages 1 & 2) . reconstruction works are complete.
- Mount Wallace-Ballark Road, Mount Wallace - reconstruction works are complete.
- Elaine-Egerton Road / Elaine-Morrison Road intersection reconstruction works are complete.
- Purcells Lane, Myrniong reconstruction works are complete.
- S Conroy Road, Bunding bridge replacement . design is underway, with construction works scheduled to commence in May 2013.

Further to the list above, a number of significant projects have been procured and awaiting commencement.

- Elaine-Morrisons Road, Morrisons . reconstructions works have been awarded and scheduled to commence in April 2013.
- Simmons Reef Road, Blackwood reconstruction works to commence in April 2013.

Estimated damage and timing of repairs

Council's current damage estimates submitted to the Department of Treasury and Finance (DTF) for Natural Disaster Financial Assistance total \$19.7 million. This will be adjusted and reimbursement for actual costs will inform the final damage amount.

Further to the advice provided in the December quarterly report, Council are yet to receive advice regarding the request for an extension of time that was submitted to DTF in October 2012. However, a cash advance has been requested that will cover the total estimated flood restoration works and should be received this financial year. Works will continue to be delivered using this amount including the restoration of walking tracks that are delayed due to complexities around river water levels, native vegetation, cultural heritage and authority requirements associated with relocation.

All other major projects identified for delivery are currently in the preplanning or procurement phase, with all major projects scheduled for completion by June 2013.

Policy Implications

The 2009. 2013 Council Plan provides as follows:

Key Result Area	Enhanced Natural and Built Environment
Objective	Effective and safe transport networks
Strategy	Maintain and develop roads, bridges and footpaths at appropriate standards.

The proposed Flood Recovery Works is consistent with the 2009-2013 Council Plan.

Financial Implications

Reporting of the Flood Recovery Program has been resourced as part of the financial assistance claims from state government; accordingly there are no additional financial implications. At this point in time, the program is within overall budget parameters although Council will be reimbursed for actual expenditure.

Risk & Occupational Health & Safety Issues

There are no irregular Risk and Occupational Health and Safety issues identified in this report. Specific risk elements are analysed and dealt with as part of the delivery of each individual project.

Communications Strategy

Progress on the Flood Recovery program will be reported in the following formats:

- Infrastructure Update Weekly
- Councillor Information Bulletin Monthly
- Moorabool Matters Bi Monthly
- Moorabool News Updates on Significant Progress
- Capital Improvement Program Quarterly

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 – Phil Jeffrey

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

Author – Sam Romaszko

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

Conclusion

This report provides a summary of the progress of the Flood Recovery Program for the third quarter of the 2012/2013 period for the information of Councillors.

Resolution:

Crs. Comrie /Sullivan

That Council received the Flood Recovery Program Quarterly Report to 31 March 2013.

CARRIED.

Report Authorisation

Authorised by:

Name: Phil Jeffrey
Title: General Manager Infrastructure
Date: Wednesday 1 May 2013

11.4.2 Draft Road Management Plan 2013 - 2017

Introduction

File No.: 16/02/010
Author: Glenn Townsend
General Manager: Phil Jeffrey

Background

Moorabool Shire Council is a Road Authority as defined in Section 37 of the Road Management Act 2004, and under this legislation, road authorities may choose to develop and publish a Road Management Plan (RMP).

The RMP is an operational document that provides road users with an overview of Council's road management policy and maintenance practices.

Specifically, the RMP and its associated asset registers define:

- the road assets which Council maintains on behalf of the community
- the responsibilities of Council in relation to management of road assets
- standards of performance in relation to the maintenance of road assets considering available resources
- policies and procedures in relation to the ongoing risk inspection of road assets
- intervention levels and associated response times for Council to address defects

Whilst the development of a RMP is optional, it is commonplace for Council to have such a document in place as it is designed to:

- Meet the legislative requirements of the Act
- Mitigate risk and manage civil liability
- Demonstrate Council is responsibly managing road assets
- Define the hierarchy of road assets (roads, bridges and footpaths) and associated levels of service
- Manage community expectation in relation to required maintenance works

Under the Road Management (General) Regulations 2005, Council is required to undertake a review of its RMP every four years, in line with Council elections and the Council Plan. The amended RMP is required to be adopted by 30 June of the year following elections, in this instance 30 June 2013.

Moorabool adopted its first RMP in August 2004 in accordance the Act and Regulations. A review was undertaken and a revised document adopted by Council in 2009. The attached draft RMP is a major revision of the previous versions.

Proposal

The Draft Road Management Plan has been reviewed and the major changes can be summarised as below.

Service Standards

The primary benefit of the RMP is to transparently establish the intervention levels and to adopt standards for inspection and response where issues are identified outside those intervention levels. Two critical aspects to be considered when setting these standards is that they are reasonable and they are always achievable.

Inherent in the notion of reasonable is an acknowledgment that road authorities do not have unlimited resources or funds. Whilst aspiring to achieve better standards, the primary consideration is that Council sets reasonable standards and is able to meet those commitments.

This document sets the minimum standards for inspection and response times for all Council controlled road assets. The failure to have reasonable and achievable standards would be significantly detrimental to Council's ability to mitigate risk and manage civil liability. Notwithstanding this, Council's operational teams, in a majority of instances, achieve response standards significantly better than the minimum standards outlined in the document.

Register of Public Roads

A review of the various hierarchies relating to road asset types has been undertaken, which include roads, bridges and footpaths. As a result of that review there are instances where road assets have been reclassified within the updated criteria.

Policy Implications

The 2009. 2013 Council Plan provides as follows:

Key Result Area	Enhanced Natural and Built Environment
Objective	Effective and safe transport networks
Strategy	Maintain and develop roads, bridges and footpaths at appropriate standards

The proposal is consistent with the 2009-2013 Council Plan.

Financial Implications

The resource implications, if any, resulting from the amended categorisation of road assets or associated response timeframes can be accommodated within the existing operational budget.

There are no financial implications associated with commencing the public consultation process.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Legal . Civil Liability	Civil liability risk to Council where it is unable to achieve the commitments within its RMP	Medium	Reasonable and achievable standards and timeframes outlined in Council's RMP

Communications and Consultation Strategy

The review of the Road Management Plan includes a proposed public consultation process including statutory requirements, as outlined below:

- Advertising in local newspapers and the Government Gazette, advising of Council's intention to update the RMP and how the community can make submissions to the draft version
- Advertising on Have Your Say Moorabool as above
- Public exhibition period to allow for community comments for a period of 28 days
- All correspondence received would be documented and carefully considered prior to a final draft version being presented to Council for consideration
- Articles in Moorabool Matters
- Media releases

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 . Phil Jeffrey

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

Author . Glenn Townsend

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

Conclusion

The RMP is an operational document that provides road users with an overview of Council's road management policy and maintenance practices.

Under the Road Management (General) Regulations 2005, Council is required to undertake a review of its RMP every four years, with the next draft version required to be adopted by Council by 30 June 2013.

The intent of this recommendation is to allow for public consultation to commence, considering the proposed changes to the draft RMP.

Resolution:

Crs. Spain/Sullivan

That Council:

- 1. In accordance with the provisions of the Road Management (General) Regulations 2005, authorises the Chief Executive Officer to give public notice that the draft Road Management Plan 2013-2017 has been prepared and is available for public inspection.***
- 2. Resolves to allow 28 days for submissions to be made by members of the public***
- 3. Requests a further report at the conclusion of the public consultation period considering all submissions received prior to formally completing its review of the Road Management Plan.***

CARRIED.

Report Authorisation

Authorised by:

Name: Phil Jeffrey
Title: General Manager Infrastructure
Date: Wednesday 1 May 2013

11.4.3 Highlands Regional Waste Management Group Constitution

Introduction

File No.: 16/05/007
Author: Glenn Townsend
General Manager: Phil Jeffrey

Background

The Highlands Regional Waste Management Group (HRWMG) is an independent statutory authority whose role is to work towards leading the community to achieve environmentally responsible waste management. HRWMG is one of Victoria's 12 Regional Waste Management Groups outside the Melbourne metropolitan area.

There are currently six member Councils in the HRWMG, being Ballarat, Central Goldfields, Golden Plains, Hepburn, Pyrenees and Moorabool. Each of the member Councils is represented by one director and City of Ballarat currently by two. At the Statutory and Annual Appointments Meeting of Council on 7 November 2012, Cr Sullivan was appointed as Moorabool's representative for the HRWMG.

The existing constitution of the group states that the City of Ballarat has automatic right to the positions of chair and deputy chair. Ballarat has historically assumed the chair, but declined the deputy chair role, with the officer in that role being determined by the Directors of the group.

Proposal

The presumption that one member Council has automatic right to the chair is considered by Moorabool to be antiquated and should subsequently be updated.

In consideration of this, at the Ordinary Meeting of Council on Wednesday 5 December 2012, the following was resolved:

Resolution:

Crs. Sullivan / Dudzik

- 1. That Moorabool Shire Council writes to the Executive Officer of the Highlands Regional Waste Management Group advising Council requests a change to the constitution requiring that the positions of chair and deputy chair of the group be elected by the directors of the group, as nominated by their member Councils.*
- 2. That Moorabool Shire Council writes to all other Councils advising them of our request to amend the constitution of the Highlands Regional Waste Management Group.*

CARRIED.

Council wrote to the Executive Officer of the group and all other member Councils, advising of the resolution on 21 December 2012.

The resolution requesting an amendment to the current constitution was tabled at the HRWMG board meeting on 25 February 2013.

The existing HRWMG constitution states:

- 4.1 The provisions of this constitution may from time to time be varied, added to or deleted from by resolution of the board passed by at least two-thirds of the members.
- 4.2 The Executive Officer must give at least 21 days notice in writing to all members, directors and the minister, of the meeting at which amendments to the constitution are to be considered.

At that board meeting, the group resolved the following:

Resolution:

1. *That the Executive Officer under Clauses 4.1 and 4.2 of the Constitution write to all member Councils, Directors and the Minister of the proposed amendment to the Constitution regarding the election of chair and deputy chair of the group by the directors of the HRWMG, rather than what is currently set out in Clauses 2.21 - 2.25 of the Constitution.*
2. *That the date for the meeting at which the proposed amendments to the Constitution are considered be the next ordinary board meeting of the HRWMG.*

Moved: Cr Sullivan
Seconded: Cr McClenaghan

Correspondence from the Executive Officer of the HRWMG in relation to the proposed amendment to the constitution was received by Moorabool Shire Council on 8 April 2013.

Two important issues to note are:

1. The vote is to be by ~~members~~ not ~~directors~~ which means that Council is required to formally resolve a position at an Ordinary Meeting of Council. The resolution must include a delegation from the Council for the Councillor that is the Board member of HRWMG to vote on their behalf, in accordance with their resolved position.
2. The next board meeting of the HRWMG has been deferred until 6 May 2013 to ensure that the 21 day requirement under the constitution is met.

The board meeting on 6 May 2013 will consider the variation to the constitution, and the board will consider any responses it might receive from the member Councils and the Minister.

Policy Implications

The 2009. 2013 Council Plan provides as follows:

Key Result Area	Representation and Leadership of our Community
Objective	Services and infrastructure that meets the Shire's existing and future needs
Strategy	Advocate on behalf of the community

The proposal is consistent with the 2009-2013 Council Plan.

Financial Implications

There are no financial implications to Council associated with this report.

Risk & Occupational Health & Safety Issues

There are no Risk or Occupational Health and Safety issues to be considered in association with this report.

Communications and Consultation Strategy

Council's position will be communicated to the group at the board meeting on 6 May 2013.

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 – Phil Jeffrey

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

Author – Glenn Townsend

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

Conclusion

Following on from the Ordinary Meeting of Council on Wednesday 5 December 2012, Councils needs to consider the requested changes to the HRWVG constitution to allow directors to elect the positions of chair and deputy chair, rather than continuing with the current arrangements. The actions outlined within the recommendation are required to allow Moorabool Shire Council to put forward its response at the HRWVG board meeting on 6 May 2013.

Resolution:

Crs. Sullivan/Comrie

That Council:

1. ***Requests a change to the Highlands Regional Waste Management Group constitution requiring the positions of chair and deputy chair of the group be elected by the directors of the group, as nominated by their member Councils.***
2. ***Delegates Cr. Sullivan as Moorabool's representative on the Highlands Regional Waste Management Group to vote on its behalf in accordance with Council's position.***

CARRIED.

Report Authorisation

Authorised by:

Name: Phil Jeffrey
Title: General Manager Infrastructure
Date: Wednesday 1 May 2013

11.5 CORPORATE SERVICES

11.5.1 Review of Councillor and Mayoral Allowances as required under Section 74(1) of the Local Government Act 1989

Introduction

File No.: 01/03/001
Author: Michelle Morrow
General Manager: Shane Marr

Background

Under Section 74(1) of the Local Government Act 1989 a Council must review and determine the level of the Councillor allowance and the Mayoral allowance within the period of 6 months after a general election or by next 30 June, whichever is later. The last general election was held on Saturday 27 October 2012 therefore a review must be held by the end of June, 2013.

As part of this process Section 74(4) states that a person has a right to make a submission under section 223 of the Act in respect of a review of allowances.

Proposal

In accordance with Section 74B of the Local Government Act 1989, the Governor in Council has by Order in Council .

- specified the amounts of allowances payable by a Council as a Councillor allowance or a Mayoral allowance;
- specified limits on the amounts of allowances payable by a Council as a Councillor allowance or a Mayoral allowance;
- varied the amount, limit or range of allowances payable by a Council as a Councillor allowance or a Mayoral allowance; and
- specified the manner in which Councillor allowances and Mayoral allowances are payable.

Section 74A of the Local Government Act 1989 states, among other things, -

- that a Mayor is not entitled to receive a Councillor allowance if the Mayor is entitled to receive a Mayoral allowance;
- in addition to complying with the relevant order in Council or Ministers notice as referred to in sections 73A, 73B or 74C, a Council must pay a Councillor or Mayoral allowance in accordance with any review and determination made by a Council under section 74;
- a Council does not have to pay an allowance to a Councillor or Mayor who does not want to receive an allowance;
- a person elected to be a Councillor is entitled to receive a Councillor allowance from the date the person takes the oath of office under section 63; and
- a Councillor elected to be Mayor is entitled to receive a Mayoral allowance from the date he or she is elected under section 71.

The Governor in Council, by an Order in Council effected new Councillor and Mayoral allowances as published in the Government Gazette on 5 July 2012 which were to come into effect on 27 October 2012. As a result of a review of allowances ranges and limits by the Minister as required under section 73B of the Act, an adjustment was made and gazetted in the Government Gazette on 26 October 2012. These new adjusted limits and ranges took effect on 27 October 2012.

The allowances are now comprised of two parts:

- Part A Lower and upper range limits and levels of allowances for Councils in categories.
- Part B the equivalent of the superannuation guarantee contribution (currently 9%) to be added to Part A.

Moorabool Shire Council is listed under Category 2 in the Schedule to the Order in Council (refer attachment).

Councillor annual allowances and limits on Councillor allowances

Part A: from 27 October 2012, the annual allowance ranges and limits specified for Councillors for the purposes of section 74B(1) of the Local Government Act 1989 are:-

- a) \$7,542 - \$17,969 for Councils listed as Category 1 in the attached Schedule;
- b) \$9,317 - \$22,405 for Councils listed as Category 2 in the attached Schedule;
- and
- c) \$11,204 - \$26,843 for Councils listed as Category 3 in the attached Schedule.

Mayoral Annual Allowance Limits

Part A : from 1 December, 2008, and payable from the time of taking the oath of office, the following range limits are specified for the purposes of section 74B(1) of the Local Government Act 1989 are:-

- a) up to \$53,684 for Councils listed in Category 1 in the attached Schedule;
- b) up to \$69,325 for Councils listed as Category 2 in the attached Schedule; and
- c) up to \$85,741 for Councils listed as Category 3 in the attached Schedule.

Application of the equivalent of the superannuation guarantee contribution

Part B: under section 74B(2) of the Local Government Act 1989, for Councils that are not receiving the Superannuation Guarantee Contribution (SGC) as a result of a unanimous resolution to be subject to tax withholding arrangements under Commonwealth taxation legislation, all of the range limits, levels and amounts of allowances in this Order are subject to the addition of the equivalent of the superannuation guarantee contribution (SGC) (currently 9%). [This Part B applies to Moorabool Shire Council.]

In March 2013, Council received advice that under Commonwealth Legislation (Superannuation Guarantee (Administration) Amendment Act 2012, the Superannuation Guarantee is to increase annually from 1 July 2013 in accordance with the following table:

Year commencing	Percentage
1 July 2013	9.25
1 July 2014	9.5
1 July 2015	10
1 July 2016	10.5
1 July 2017	11
1 July 2018	11.5
1 July 2019	12

Councils must therefore automatically increase the payment of the equivalent of the Superannuation Guarantee from 9 to 9.25% of their applicable Mayoral and Councillor allowances from 1 July 2013 and implement further increases thereafter in line with the above table, under current arrangements.

Remote area travel allowance

If a Councillor, including a Mayor normally resides more than 50kms by the shortest possible practicable road distance from the location or locations specified for the conduct of ordinary, special or committee meetings of the Council, or any municipal or community functions which have been authorised by Council resolution for the Councillor to attend, he or she must be paid an additional allowance of \$40.00 in respect of each day on which one or more meetings or authorised functions were actually attended by that Councillor, up to a maximum of \$5,000 per annum.

Manner of payment of allowances

The payment of annual allowances is not to exceed more than one month in advance.

The Order in Council is effective from the 27 October 2012.

It is understood that in the past the Council has adopted the maximum Councillor and Mayoral allowance that is applicable to the appropriate Category for the Council to reflect the roles and responsibilities undertaken by Councillors.

Therefore in accordance with the resolution passed at the Council Statutory and Annual Appointments Meeting held on Wednesday 7 November 2012, and unless Council decides otherwise, it is recommended that Council resolve subject to Council complying with sections 73B(5), 74 and 223 of the Local Government Act 1989, that Council undertake a review of the Councillor and Mayoral allowances based on the following .:

- Councillor allowance - \$22,405.00; (No increase from current allowance);
- Mayoral allowance - \$69,325.00; (No increase from current allowance); and
- the addition of the equivalent of the superannuation guarantee contribution (SGC) (currently 9%) (No increase from current allowance);

The Councillor and Mayoral allowances will be set until the next Council general election unless Council resolves to review its category as set out in the Schedule.

Policy Implications

The 2005 . 2009 Council Plan provides as follows:

Key Result Area	Representation and Leadership of our Community
Objective	Good Governance through effective systems and procedures
Strategy	Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role.

The proposal to review Councillor and Mayoral allowances is consistent with the 2005-2009 Council Plan.

Financial Implications

If following the review, Council adopts the maximum Councillor and Mayoral allowance for Category 2, the total annual expenditure including the superannuation guarantee contribution for Council will be \$222,092.95.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Financial . Inadequate funds to finish project	Inadequate financial management	High	Close supervision

Communications Strategy

Under Section 74(4) of the Local Government Act 1989, a person has the right to make a submission under section 223 of the Act in respect of a review of allowances.

Section 223 of the Act allows Council to advertise its intentions in a newspaper circulating generally within the Municipality inviting public submissions within a 28 day period following the advertisement appearing in the newspaper. Council must then consider any submissions received in accordance with the Act.

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.

Manager – Shane Marr

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

Author – Michelle Morrow

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

Conclusion

For Council to comply with the current legislation, it must conduct a review of Councillor and Mayoral allowances within 6 months of a general election or by next 30 June, whichever is later.

This report now recommends to Council that the review be commenced in accordance with the Local Government Act 1989.

Resolution:

Crs. Sullivan/Edwards

That Council:

1. ***in order to comply with sections 73B(5), 74 of the Local Government Act 1989, conduct a review of Councillor and Mayoral allowances based on the following annual allowance for Category 2 as specified in the Order in Council and published in the Government Gazette on 26 October 2012:***
 - ***Councillor annual allowance - \$22,405 (No increase from current allowance);***
 - ***Mayoral annual allowance - \$69,325 (No increase from current allowance);***
 - ***in addition to the Councillor and Mayoral allowance the equivalent of the superannuation guarantee contribution (SGC) (currently 9%) (No increase from current allowance); and***
 - ***in accordance with the Superannuation Guarantee (Administration) Amendment Act 2012, increase the payment of the equivalent of the Superannuation Guarantee from 9 to 9.25% of their applicable Mayoral and Councillor allowances from 1 July 2013 and implement further increases thereafter in line with the table below, under current arrangements.***

Year commencing	Percentage
1 July 2013	9.25
1 July 2014	9.5
1 July 2015	10
1 July 2016	10.5
1 July 2017	11
1 July 2018	11.5
1 July 2019	12

2. ***under Section 223 of the Local Government Act 1989 gives notice of its intention to conduct a review of Councillor and Mayoral Allowances in regional and local newspapers, inviting any person to make a public submission and how submissions will be heard; and***
3. ***that a further report be presented to Council after the expiration of the public submission process, considering any public submissions received.***

CARRIED.

Report Authorisation:

Authorised by:

Name:

Shane Marr

Title:

General Manager Corporate Services

Date:

Wednesday 1 May 2013

12. OTHER REPORTS

12.1 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 17 April 2013 . Draft Tourism and Events Strategy
- Assembly of Councillors . Wednesday 17 April 2013 . Draft Road Management Plan
- Assembly of Councillors . Wednesday 17 April 2013 . Community Grants . Summer Round
- Assembly of Councillors . Wednesday 17 April 2013 . Annual Budget

Resolution:**Crs. Dudzik/Comrie*****That Council receives the record of Assemblies of Councillors as follows:***

- ***Assembly of Councillors – Wednesday 17 April 2013 – Draft Tourism and Events Strategy***
- ***Assembly of Councillors – Wednesday 17 April 2013 – Draft Road Management Plan***
- ***Assembly of Councillors – Wednesday 17 April 2013 – Community Grants – Summer Round***
- ***Assembly of Councillors – Wednesday 17 April 2013 – Annual Budget***

CARRIED.

12.3 Section 86 - Delegated Committees of Council - Reports

Section 86 Delegated Committees are established to assist Council with executing specific functions or duties. By instrument of delegation, Council may delegate to the committees such functions and powers of the Council that it deems appropriate, utilising provisions of the Local Government Act 1989. The Council cannot delegate certain powers as specifically indicated in Section 86(4) of the Act.

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

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

Committee	Meeting Date	Council Representative
Elaine Recreation Reserve Committee of Management	5 March 2013	Cr. Sullivan
Greendale Recreation Reserve Committee of Management	21 March 2013	Cr. Toohey
Blacksmith's Cottage and Forge Advisory Committee of Council	26 March 2013	Cr. Comrie

Resolution :

Crs. Sullivan/Comrie

That Council receives the reports of the following Section 86 - Delegated Committees of Council:

- ***Elaine Recreation Reserve Committee of Management meeting of Tuesday, 5 March 2013.***
- ***Greendale Recreation Reserve Committee of Management meeting of Thursday, 21 March 2013.***
- ***Blacksmith's Cottage and Forge Advisory Committee of Council meeting of Tuesday, 26 March 2013.***

CARRIED.

13. NOTICES OF MOTION**13.1 Cr Edwards: N.O.M. No. 228 – Darley Park Ball Protection Fencing****Motion**

That \$5,000 be made available from the East Moorabool Recreation Reserve Fund to the Darley Football and Netball Club to support the funding application to AFL Victoria's Football Infrastructure Program to have Ball Protection Netting installed at the southern end of the Darley Park Sportsground. The Ball Protection Netting is required to prevent users of the adjacent playground from being struck with balls when the sportsground is in use.

Preamble

The Darley Park Football Netball Club will apply to AFL Victoria for a grant of \$10,000 toward the installation of the ball protection netting. The total project cost is \$22,000 with the balance of the funding provided by the Darley Senior and Junior Football Netball Clubs and the Ballarat Football League.

Cr. Edwards withdrew the above Notice of Motion – No. 228. with the consent of Council.

14. URGENT BUSINESS

14.1 Urgent Business

Resolution:

Crs. Tatchell/Sullivan

That a report be prepared on the current police numbers in the district which includes an audited report on police numbers being compatible with community numbers in Ballan, to ensure a safe and vibrant community.

CARRIED.

15. CLOSED SESSION OF THE MEETING TO THE PUBLIC**15.1 Confidential Reports****ADJOURNMENT OF MEETING 8:13PM**

Crs. Comrie /Edwards

That the meeting now stand adjourned for a period of 12 minutes.

CARRIED.

RESUMPTION OF MEETING 8.25 PM

Crs. Sullivan/Comrie

That the meeting now be resumed.

CARRIED.

CLOSURE OF THE MEETING TO THE PUBLIC – 8.25PM

Resolution:

Crs. Sullivan/Toohey

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*

CARRIED.

**Item 15.1 is a confidential item
and therefore not included
as part of these Minutes.**

RETURN TO OPEN SESSION – 9.15 PM

Resolution:

Crs. Dudzik / Comrie

That the Meeting now return to Open Session.

CARRIED.

16. MEETING CLOSURE

The meeting closed at 9.16 pm.

Confirmed.....Mayor.