

ORDINARY MEETING OF COUNCIL

Minutes of the
Ordinary Meeting of Council to be held at
the James Young Room, Lerderderg Library,
215 Main Street, Bacchus Marsh on
Wednesday 3 July 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 19 June 2013.....</i>	<i>4</i>
4.2	<i>Special Meeting of Council – Wednesday 26 June 2013.....</i>	<i>5</i>
5.	DISCLOSURE OF CONFLICT OF INTEREST	6
6.	MAYOR’S REPORT	8
7.	COUNCILLORS’ REPORTS.....	10
8.	PUBLIC QUESTION TIME.....	12
9.	PETITIONS.....	14
10.	PRESENTATIONS / DEPUTATIONS	16
11.	OFFICER’S REPORTS.....	18
11.1	CHIEF EXECUTIVE OFFICER.....	18
11.1.1	<i>Consideration of the Proposed 2013/14 Annual Budget.....</i>	<i>18</i>
11.2	GROWTH AND DEVELOPMENT	38
11.2.1	<i>Moorabool Planning Scheme Amendment C62 – Rezoning of Underbank Stud Farm – Bacchus Marsh</i>	<i>38</i>
11.2.2	<i>Council Submission to the draft Central Highlands Regional Growth Plan ..</i>	<i>52</i>
11.2.3	<i>Port Phillip and Western Port catchment Management Authority - Regional Catchment Strategy</i>	<i>58</i>
11.3	COMMUNITY SERVICES.....	64
11.3.1	<i>Funding of the Workplace Learning Coordinators Program – Highlands Local Learning and Employment Network.....</i>	<i>64</i>
11.4	INFRASTRUCTURE SERVICES	68
11.5	CORPORATE SERVICES.....	69
12.	OTHER REPORTS	70
12.1	<i>Assembly of Councillors.....</i>	<i>70</i>

12.2	<i>Section 86 - Delegated Committees of Council - Reports</i>	<i>72</i>
13.	NOTICES OF MOTION	73
13.1	<i>Cr Toohey: N.O.M. No. 230 – Respect for Premier and Other Levels of Government.....</i>	<i>73</i>
13.2	<i>Cr Dudzik: N.O.M. No. 231 – Electoral Boundary Changes</i>	<i>74</i>
13.3	<i>Cr Spain: N.O.M. No. 232 – Amendment C51 Bacchus Marsh Activity Centre Structure Plan</i>	<i>76</i>
14.	URGENT BUSINESS	77
15.	CLOSED SESSION OF THE MEETING TO THE PUBLIC	78
16.	MEETING CLOSURE	79

1. OPENING OF MEETING AND PRAYER

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

2. PRESENT**Members:**

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
Ms. Jacinta Tori	Assistant Accountant
Mr. Steve Ivelja	Finance Manager
Mr. Justin Horne	Environmental Planning Coordinator
Ms. Lisa Gervasoni	Strategic Planning Co-ordinator
Mr. Gavin Alford	Manager, Strategic & Sustainable Development
Ms. Deb Absolom	Minute Taker

3. APOLOGIES

Nil.

4. CONFIRMATION OF MINUTES**4.1 Ordinary Meeting of Council – Wednesday 19 June 2013****Resolution:**

Crs. Sullivan/Edwards

That Council confirms the Minutes of the Ordinary Meeting of Council held on Wednesday 19 June 2013.

CARRIED.

4.2 Special Meeting of Council – Wednesday 26 June 2013

Resolution:

Crs. Sullivan/Edwards

That Council confirms the Minutes of the Special Meeting of Council held on Wednesday 26 June 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.

Nil.

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	
June 2013	
7 June	Rotary Art Club of Bacchus Marsh
11 June	Meeting with RSL President and Secretary
12 June	Central Highlands Mayors & CEOs Forum Assembly of Council – Underbank Developer Contributions and Planning Scheme Amendments Special Meeting of Council – Consideration of Public Submissions for the Proposed 2013-2017 Council Plan
14 June	Western Highway Action Committee (WHAC) Meeting
16 June	ALGA Conference Welcome Reception, Canberra 4th Australian Council of Local Government (ALCG) 2013 Dinner (hosted by The Hon Anthony Albanese MP, Minister for Infrastructure and Transport, Minister for Regional Development and Local Government and Leader of the House)
17 June	ALGA Conference, Canberra Meeting with The Hon Catherine King (Minister for Road Safety and Minister for Regional Services, Local Communities and Territories) and Chris Carpenter (Minister's Advisor) Mr Andrew Robb (Shadow Minister for Finance, Deregulation and Debt Reduction) and Cameron Hill (Chief of Staff)
18 June	ALGA Conference, Canberra Meeting with Mr Darren Chester (Shadow Parliamentary Secretary for Roads and Regional Transport) Mr Mike Mrdak (Secretary, Department of Infrastructure and Transport), Ms Lyn O'Connell (Deputy Secretary, Department of Transport and Infrastructure) and Mr Andrew Jagers (Executive Director, National Building Infrastructure Investment Division)

19 June	<p>ALGA Conference, Canberra</p> <p>Meeting with Senator John Madigan (Senator for Victoria)</p> <p>The Hon John Cobb (Shadow Minister for Agriculture and Food Security)</p> <p>Advisor to Senator Barnaby Joyce (Senator for Queensland and Shadow Spokesperson for Regional Development, Local Government and Water)</p> <p>Mr Patrick Secker, MP (Member for Barker, S.A.)</p> <p>Ms Glenys Beauchamp (Secretary, Department of Regional Australia, Local Government, Arts and Sport)</p>
24 June	<p>MAV Rural South Central Forum, Hepburn Shire Council</p> <p>Meeting with Chris Sharkey regarding rate issues</p>
25 June	<p>Port Phillip & Westernport Groundwater Atlas Stakeholder Reference Group – Meeting 3</p>
26 June	<p>Assembly of Council – Regional Growth Plan</p> <p>Assembly of Council – Budget (consideration of feedback and comments on submissions)</p> <p>Special Meeting of Council – Consideration of Submissions to the 2013/14 Annual Budget</p>
3 July	<p>Assembly of Council – Proposed Electoral Boundaries</p> <p>Assembly of Council – Municipal Health & Wellbeing Plan</p> <p>Assembly of Council – Statutory Planning Review (Milner Report)</p> <p>Ordinary Meeting of Council</p>

Resolution:

Crs. Comrie/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	
June 2013	
20 June	Coimadai War Memorial and Avenue of Honour Public Meeting

Cr. Tatchell	
June 2013	
20 June	20th Anniversary Rotary Club
20 June	Myrniong Recreation Reserve AGM
24 June	Meeting with Mr Sharkey – Balliang East

Cr. Comrie	
June 2013	
20 June	Coimadai War Memorial and Avenue of Honour Public Meeting
25 June	Blacksmiths Cottage Committee Meeting
28 June	Bacchus Marsh Aerodrome Meeting

Cr. Dudzik	
June 2013	
20 June	Coimadai War Memorial and Avenue of Honour Public Meeting
24 June	Central Highlands Local Learning and Employment Network
24 June	ANZAC Centenary Commemorations Steering Committee
28 June	NAIDOC Planning Meeting

Cr. Spain	
June 2013	
20 June	Meeting with Sports Minister – Grants Announcement
20 June	Coimadai War Memorial and Avenue of Honour Public Meeting
24 June	Meeting with Mr Sharkey – Balliang East
28 June	Bacchus Marsh Aquatic Centre Consortium

Cr. Sullivan	
June 2013	
24 June	MAV Rural South Central Forum
24 June	Central Highlands Rural Waste Management Group AGM.

Resolution:

Crs. Spain/Edwards

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 responded to at the meeting:

Mr. Chris Sharkey – Balliang East – What will Council do in current and future budgets, to address the financial burden on residents?

QUESTION ON NOTICE

Mr. Ronald Griffin raised the following question at the Ordinary Meeting of Council on Wednesday 19 June 2013, which was taken on notice by the Chair for further investigations to be undertaken:

Query in relation to Public Transport in Hillview area.

RESPONSE TO QUESTION

In response to the question raised by Mr. Ronald Griffin at the Ordinary Meeting of Council on Wednesday 19 June 2013, Council's General Manager, Infrastructure Services has advised the following:

Council officers followed up with Mr Griffin and advised that Council's responsibility is generally limited to planning for and ensuring that the road network includes provision for public transport routes as per state policy. When the infrastructure is in place, Council can only advocate for more services accordingly. A transport plan is about to be undertaken by Council for Bacchus Marsh that will include consideration of public transport and the relevant authorities (Department of Transport and Public Transport Victoria) will be involved in the study. This may increase awareness of issues in Bacchus Marsh.

9. PETITIONS

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

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:

Item No	Description	Name	Position
13.1	<i>Cr Toohey: N.O.M. No. 230 – Respect for Premier and Other Levels of Government</i>	Chris Huculak	Objector
13.1	<i>Cr Toohey: N.O.M. No. 230 – Respect for Premier and Other Levels of Government</i>	Pat Griffin	Objector
13.1	<i>Cr Toohey: N.O.M. No. 230 – Respect for Premier and Other Levels of Government</i>	Margaret Scarff	Objector

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 Officers report on the planning item.

Item No	Description	Name	Applicant/ Objector
11.2.1	<i>Moorabool Planning Scheme Amendment C62 – Rezoning of Underbank Stud Farm – Bacchus Marsh</i>	Pat Griffin	Objector

11. OFFICER'S REPORTS

11.1 CHIEF EXECUTIVE OFFICER

11.1.1 Consideration of the Proposed 2013/14 Annual Budget

Introduction

File No.: 07/01/011
Author: Steven Ivelja
General Manager: Shane Marr

In accordance with Section 130 of the Local Government Act 1989 (the Act) Council is required to formally adopt the 2013/14 Annual Budget by 31 August 2013. As resolved by Council on 15 May 2013, the proposed Budget was placed on public exhibition from Tuesday 21 May 2013 to Tuesday 18 June 2013 inclusive, calling for submissions as required under Section 223 of the Act. This was advertised in The Moorabool News on 21 May 2013 and the Ballarat Courier on 21 May 2013.

Section 223 of the Act requires Council to follow a process of enabling submissions to be received. There were 3 written submissions received by 18 June 2013 and 1 late submission received. Council considered submissions at the Special Meeting of Council on 26 June 2013 and resolved as follows:

1. *That the four submissions be received;*
2. *That Council takes into consideration the matters raised within the submissions in consideration of the 2013/14 Annual Budget at the Ordinary Meeting of Council on 26 June 2013; and*
3. *That following the adoption of the 2013/14 Annual Budget, responses are provided to each Submitter.*

Having completed all statutory requirements, the 2013/14 Annual Budget can now be considered for adoption.

Background

The Proposed 2013/14 Annual Budget recognises the importance of setting a clear direction for the future, achieving measurable objectives, encouraging community input and consultation, and being financial responsible. It is part of a financial plan that aims to secure a viable and sustainable path to achieve the Shire's objectives.

The budget includes a 5.5% rate increase for 2013/14. Council have aimed to balance the needs of the ratepayers with the ongoing requirements to maintain existing infrastructure.

Policy Implications

The 2013 . 2017 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.

The consideration of the Proposed 2013/14 Annual Budget is consistent with the 2013-2014 Council Plan.

Financial Implications

The 2013/14 Annual Budget has been prepared within the adopted five year strategic financial plan. This will allow Council to reduce the underlying deficit, improve the cash position and balance the building of new infrastructure with maintaining our existing infrastructure. This is evidenced by:

- The underlying deficit is budgeted to improve from a 2012/13 forecasted deficit of \$9.094m to a 2013/14 budgeted deficit of \$3.573m.
- The cash position is budgeted to increase from a 2012/13 forecasted position of \$3.369m to a 2013/14 budgeted position of \$3.535m. Over the 5 year period of the strategic financial plan Council's cash position will steadily improve.
- The 2012/13 capital budget is \$7.938m with almost 70% of this being committed to renewal/upgrade projects.

Budget Amendments

Since the Proposed Budget was presented to Council there have been some minor amendments to the Operating budget. The net impact of these changes are immaterial and have slightly increased the Operating deficit by \$7K as compared to the Proposed Budget.

Budget Amendments to Council Fees and Charges

Since the Proposed Budget was presented to Council, a number of changes to the GST status of Council Fees and Charges has occurred. These amendments are a result of changes to Division 81 of the GST Act. Division 81 of the GST Act is the legislative provision that exempts (or taxes) certain charges levied by government. An internal working group was set up to review the proposed changes to the legislation and have recommended a number of changes when compared to the Proposed Budget.

As a result, the GST status of 70 Fees and Charges will change. Of the 70 changes, 68 of these fees will reduce in price due to GST no longer being levied. This will see some fees reducing by greater than \$350. Two fees that did not previously attract GST will now become leviable resulting in a fee increase. A further 2 Fees will change as a result of error corrections to the Proposed Budget. The following changes in Council Fees and Charges is appended in the following tables;

Fees that will increase as a result of a change in GST treatment;

Table 1.1

Description	Proposed Budget	Adopted Budget	Increase in Fees
	2013/14	2013/14	
Environmental Health			
Environmental Health - Food Act Registrations and Late Payment Fee	50% of Registration	50% of Registration	Varies
Environmental Health - Health Act Registrations and Renewals			
Late payment fee	50% of Registration	50% of Registration	Varies

Fees that will increase as a result of corrections to the Proposed Budget;

Table 1.2

Description	Proposed Budget	Adopted Budget	Increase in Fees
	2013/14	2013/14	
Environmental Health			
Environmental Health - Food Act Registrations and Premises Pre Sale Inspection	2.00	200.00	198.00
Planning and Building			
Building Control - Permits & Services Request for copy of House Plans - On Site (Copying Extra)	0.00	50.00	50.00

Fees that will decrease due to GST not being levied from 04/07/2013;**Table 1.3**

Description	Proposed Budget	Adopted Budget	Reduction in Fees
	2013/14	2013/14	
Compliance			
Compliance Administration with audit trail			
Organisation/Business parking permit	14.00	12.75	-1.25
Impounded Items			
Impounded Items release fees, includes the following:			
- Advertising Frames	40.00	37.00	-3.00
- Supermarket Trolleys	40.00	37.00	-3.00
- Other items	40.00	37.00	-3.00
Impounded Vehicles			
- Impound Fee	105.00	95.00	-10.00
Animal Control - Pound Fees			
Pound Entry Fee - Cattle & Horses			
	94.00	85.00	-9.00
Pound Entry Fee - Stallions & Bulls			
	142.00	129.00	-13.00
Pound Entry Fee - Sheep, Goats, miscellaneous animal (Eg: Emu, chicken, etc)			
	29.00	26.00	-3.00
Pound Entry Fee - Dog, Cat			
	77.00	70.00	-7.00
Customer Service			
Customer Service (Photocopying)			
Council Agenda - Business Papers plus non confidential	21.50	19.50	-2.00
Council Agenda - Business Papers excluding attachments	18.00	16.50	-1.50
Council Agenda - CD Rom	6.50	6.00	-0.50
Environmental Health			
Environmental Health - Food Act Registrations and Additional Regulatory Inspections			
	126.00	115.00	-11.00
Transfer of Registration			
	200.00	200.00	0.00
Premises Pre Sale Inspection			
	200.00	200.00	0.00
Pre Registration			
	200.00	200.00	0.00
Sample Request			
	95.00	86.50	-8.50
Environmental Health - Health Act Registrations and Renewals			
Transfer of Registration			
	150.00	150.00	0.00
Environmental Health - Septic Tank Fees			
Sample Request			
	95.00	86.50	-8.50
Planning and Building			
Building Control - Permits & Services			
Building Notices and Orders			
	328.20	298.00	-30.20
Request for copy of House Plans (Copying extra)			
	136.00	124.00	-12.00
Request for copy of House Plans - On Site (Copying Extra)			
	50.00	50.00	0.00
Place of Public Entertainment - Low impact (occupancy permit)			
	700.00	636.00	-64.00
Place of Public Entertainment - High impact (occupancy permit)			
	1,400.00	1,273.00	-127.00
Land Use Planning			
Secondary Consent			
	121.00	110.00	-11.00
Satisfaction Matter			
	102.00	93.00	-9.00

Permit extension (1st)	159.50	145.00	-14.50
Permit extension (2nd)	319.10	290.00	-29.10
Permit extension (3rd and subsequent)	478.70	435.00	-43.70
Section 52 Public Notice - Application for Permits - Notice by Normal Mail	8.60	7.80	-0.80
Section 52 Public Notice - Application for Permits - Notice in Newspaper	208.40	189.50	-18.90
Section 52 Public Notice - Application for Permits - Notice for site	29.80	27.00	-2.80
Public notice erected and maintained on site for 14 days	166.80	151.60	-15.20
Retrieval of Planning Files	59.60	54.20	-5.40
Planning Information Controls	71.30	64.80	-6.50
Hopetoun Park Assessment	121.40	110.40	-11.00
Advertising sign A3 (Laminated)	29.80	27.00	-2.80
Advertising sign A2 (Laminated)	59.60	54.20	-5.40
Advertising sign A1 (Laminated)	89.40	81.20	-8.20
Additional A3 Signs	18.00	16.40	-1.60
Copy of Permit	41.60	37.80	-3.80
Copy of Endorsed Plans - A4	1.30	1.20	-0.10
Copy of Endorsed Plans - A3	2.30	2.00	-0.30
Copy of Endorsed Plans - A2	14.60	13.00	-1.60
Copy of Endorsed Plans - A1	21.30	20.00	-1.30
Copy of Endorsed Plans - A0	28.60	26.00	-2.60
Waste Management			
Waste Management - Sales			
Wheelie Bin 120 Litre - Only sold to residents in BM & Urban townships	100.00	91.00	-9.00
Wheelie Bin 240 Litre - Sold to all residents in Shire	136.00	124.00	-12.00
Wheelie Bin 120 Litre - Replacement Red Lid (If Bin purchased elsewhere)	28.00	25.50	-2.50
Wheelie Bin 240 Litre - Replacement Red Lid (If Bin purchased elsewhere)	34.00	31.00	-3.00
Garbage Collection Services - Commercial			
1 (Number of 240 Litre Bins)	246.00	224.00	-22.00
2	478.00	435.00	-43.00
3 Ballan & Bacchus Marsh - Weekly Service	708.00	644.00	-64.00
4 Rural Areas - Fortnightly Service	934.00	850.00	-84.00
5	1,168.00	1,062.00	-106.00
6 Urban Eg: 2 bins for collection x 3 collections of each bin	1,402.00	1,274.00	-128.00
7 per week = 6 pick ups	1,628.00	1,480.00	-148.00
8	1,862.00	1,692.00	-170.00
9 Rural Eg: 2 bins for collection x 1 collection of each bin	2,089.00	1,899.00	-190.00
10 per fortnight = 2 pick ups	2,322.00	2,110.00	-212.00
11 (4 bins for rural collection per fortnight = 4 pick ups)	2,549.00	2,317.00	-232.00
12	2,777.00	2,525.00	-252.00
13	3,017.00	2,743.00	-274.00
14	3,244.00	2,949.00	-295.00
15	3,478.00	3,162.00	-316.00
16	3,711.00	3,374.00	-337.00
20	3,938.00	3,580.00	-358.00
Commercial Recycling (Schools Only)			
Fortnight Collection (maximum 4 bins per School)	176.00	160.00	-16.00

Communications Strategy

In accordance with Section 223 of the Act, Council considered submissions on 26 June 2013. Council received four written submissions, with the following people requesting to speak to their submission:

- Tim Van Der Poel

The following outlines the timetable for the communication and adoption of the 2013/14 Annual Budget:

Timetable for the Proposal and Adoption of the 2013/14 Annual Budget	
Proposed 2013/14 Annual Budget presented for Council adoption and Public Notification	15 May 2013
Advertise Proposed 2013/14 Annual Budget, inviting public inspection and submissions according to Section 223 of the Local Government Act 1989, in Council's nominated newspapers	21 May to 18 June 2013
Consider public submissions per Section 223(1)(b) of the Local Government Act 1989 for the Proposed 2013/14 Annual Budget	26 June 2013
Formally adopt 2013/14 Annual Budget	3 July 2013
Submit 2013/14 Budget to the Minister for Local Government	5 July 2013
Public Notice . Adoption of 2013/14 Annual Budget	9 July 2013

Victorian Charter of Human Rights and Responsibilities Act 2006

In developing this report to Council the briefing 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 – Steven Ivelja

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

Conclusion

The budget presents Council's immediate and longer-term financial strategy and links the actions set out in the Council Plan. It also identifies the capital works and services the community can expect from Council during the 2013/14 financial year and beyond.

Resolution:

Crs. Sullivan/Edwards

1.1 That Council adopts the amendments to the 2013/14 Proposed Fees & Charges as a result in changes to Division 81 of A New Tax System (Goods and Services Tax) Act 1999 as appended in Table 1.1 and Table 1.3 of this report.

1.2 That Council adopts the amendments to the 2013/14 Proposed Fees & Charges as a result of corrections to the Proposed Budget as appended in Table 1.2.

1.3 That having considered the details of the 2013/14 recurrent and capital budget appended to this report, which includes:

1.3.1 – Mayor's Introduction

1.3.2 – Chief Executive Officer's Summary

1.3.3 – Overview

1.3.4 – Budget analysis

1.3.5 – Long term strategies, including Rating Strategy

1.3.6 Appendix A – Budgeted Standard Statements

1.3.7 Appendix B – Statutory Disclosures

1.3.8 Appendix C – Capital Improvement Program

1.3.9 Appendix D – Key Strategic Activities

1.3.10 Appendix E – Fees and Charges

the proposed operating and capital budget 2013/14 be the budget prepared for the purposes of section 127 of Act.

1.4 That in accordance Regulation 8 of the Regulations, Council declares its intention to borrow \$2.845m. Loan redemption for 2013/14 will be \$2.633m.

1.5. General Rates

1.5.1 That in accordance with Section 158 of the Local Government Act 1989, Council declares a General Rate for the rating period commencing 1 July 2013 and ending 30 June 2014.

1.5.2 It be further declared that the general rate be raised by the application of differential rates.

1.5.3 A differential rate be declared for rateable land having the respective characteristics specified in the

Schedule to this resolution, which characteristics will form the criteria for each differential rate so declared:

Category	Cents/\$CIV
<i>Commercial & Industrial Rate</i>	<i>0.006488</i>
<i>Commercial & Industrial Vacant Land</i>	<i>0.010543</i>
<i>Extractive Industry Rate</i>	<i>0.012976</i>
<i>Farm Rate</i>	<i>0.003244</i>
<i>General Rate</i>	<i>0.004055</i>
<i>Vacant Land General</i>	<i>0.008515</i>
<i>Vacant Land FZ and RCZ</i>	<i>0.004055</i>
<i>Vacant Land R1Z or R2Z</i>	<i>0.010137</i>
<i>Residential Retirement Villages</i>	<i>0.003649</i>

1.5.4 Each differential rate will be determined by multiplying the Capital Improved Value (CIV) of each rateable land (categorised by the characteristics described in the Schedule to this Resolution) by the relevant percentages.

1.5.5 It be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that:

1.5.5.1 the respective objectives of each differential rate be those specified in the Schedule to this Resolution; and

1.5.5.2 the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Resolution; and

1.5.5.3 the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the Schedule to this Resolution; and

1.5.5.4 the relevant

(a) uses of;

(b) geographical locations of; and

(c) Planning Scheme zonings of; and

(d) types of buildings on the respective types or classes of land be those identified in the Schedule to this Resolution.

1.6. Municipal Charge

1.6.1 It be confirmed that no municipal charge is declared in respect of the 2013/14 Financial Year.

1.7. Annual Service Charge

1.7.1 An annual service charge be declared in respect of the 2013/14 Financial Year.

1.7.1.1 The annual service charge be declared in respect of the period 1 July 2013 to 30 June 2014.

1.7.1.2 The annual service charge be declared for the collection and disposal and management of refuse from land.

1.7.1.3 The annual service charge be in the sum of, and be based on the criteria, set out below:

- (i) \$142 per annum for each property that is within the defined urban service area to which a domestic waste collection service is available;**
- (ii) \$142 per annum for each property that is within the defined rural service area to which a domestic waste collection service is available;**
- (iii) \$142 per annum for each property that is not within a defined service area, to which a domestic waste collection service is provided;**
- (iv) \$92 per annum for all rateable properties in all Wards including:**
 - (a) each rateable land that is "farm land" within the meaning of section 2(1) of the Valuation of Land Act 1960 and is a 'single farm enterprise' within the meaning of Section 159(8) of the Local Government Act 1989; and**
 - (b) each other rateable land, from which there is capable of being generated waste which can be deposited by a ratepayer or resident at a landfill or waste transfer station or any other litter facility.**
- (v) \$33 per annum for all rateable properties in all Wards including:**
 - (a) each rateable land that is "farm land" within the meaning of section 2(1) of the Valuation of Land Act 1960 and is a 'single farm enterprise' within the meaning of Section 159(8) of the Local Government Act 1989; and**
 - (b) each other rateable land, from which there is capable of being generated waste which can be**

deposited by a ratepayer or resident at a landfill or waste transfer station or any other litter facility.

The defined service areas outlined above and the designated routes are defined on a plan, which can be viewed at the Council offices.

1.8. Rebates & Concessions

1.8.1 It be recorded that Council grants to each owner of rateable land who is an "eligible recipient" within the meaning of the State Concessions Act 1986, a rebate of an amount determined by the Department of Human Services in respect of their principal place of residence. The criterion for "eligible recipient" is also determined by the Department of Human Services.

1.9. Payment

1.9.1 All rates and charges to be paid in four instalments, in accordance with Section 167 (1) and (2) of the Local Government Act 1989.

1.9.2 Unless Council resolves otherwise, a person may only pay rates and charges as a lump sum if payment is made on or before 15 February 2014.

1.10. Consequential

1.10.1 It be confirmed that, subject to sections 171 and 172 of the Local Government Act 1989, Council will require a person to pay interest on any rates and charges which:

1.10.1.1 that person is liable to pay;

1.10.1.2 have not been paid by the date specified for their payment.

1.11 That it is proposed that an amount of \$26,146,049 be declared as the amount Council intends to raise from the general rates and charges (including Supplementary and Special Rates) for the period from 1 July 2013 to 30 June 2014.

1.12 That in accordance with Section 158 of the Act and Regulation 8 of the Regulations, detailed information concerning General Rates and Special Rates and charges is appended to this report.

1.13 That as part of the public presentation process for the proposed budget, the following actions were undertaken in accordance with:

- 1.13.1 Sections 127 and 129 of the Act and Regulation 9 of the Regulations – that the proposed 2013/14 budget be made available for public inspection.**
- 1.13.2 Section 129 of the Act and Regulation 9 of the Regulations – that the Chief Executive Officer be authorised to give public notice that the Proposed 2013/14 Annual Budget has been prepared and is available for public inspection.**
- 1.13.3 Sections 158 to 162 of the Act and Regulation 9 of Regulations - that Council give public notice and have ready for public inspection all prescribed information to be available from 21 May until 18 June 2013.**
- 1.14 That Council resolved 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 heard submissions on Wednesday 26 June 2013 at the Council Chambers, Ballan.**
- 1.15 That in accordance with Section 130 of the Act, Council resolves to notify and place on public notice its intention to adopt the 2013/14 Annual Budget on 3 July 2013 at a Meeting of Council to be held at the James Young Room, Lerderderg Library, Bacchus Marsh.**
-

SCHEDULE

Differential Rating Categories

General Developed Land

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

- 1 Construction and maintenance of public infrastructure; and**
- 2 Development and provision of health and community services; and**
- 3 Provision of general support services.**

Types and Classes:

Rateable land having the relevant characteristics described in the below definition.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.

Definition:**Any land:**

- **on which a dwelling is lawfully erected and occupied for the principal purpose of physically accommodating persons; and**
- **which does not have the characteristics of:**
 - **Commercial and Industrial Land;**
 - **Vacant Commercial and Industrial Land;**
 - **Extractive Industry Land;**
 - **Farm Land**
 - **Residential Retirement Villages Land;**
 - **Vacant General Land;**
 - **Vacant FZ and RCZ Land; or**
 - **Vacant R1Z and R2Z Land.**

Commercial and Industrial Land**Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

Types and Classes:

Rateable land having the relevant characteristics described in the below definition.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.

Definition:

Any land which is lawfully used:

- **for the principal purpose of carrying out the manufacturing or productions of goods; or**
- **for the principal purpose of carrying out trade in goods or services.**

Vacant Commercial and Industrial Land**Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

Types and Classes:

Rateable land having the relevant characteristics described in the below definition.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

Definition:**Any land:**

- **located within an Industrial or Business zone under the Moorabool Planning scheme; and**
- **which is vacant; or**
- **not lawfully developed for the principal purpose of carrying out the manufacturing or production of goods or trade in goods or services; and**
- **which does not have the characteristics of General Developed Land.**

Extractive Industry Land**Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

Types and Classes:

Rateable land having the relevant characteristics described in the below definition.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.

Definition:**Any land;**

- **which is used primarily for the extraction or removal of minerals, earth or stone including the treatment of minerals, earth or stone; or**
- **on which activities for the extraction or removal of minerals, earth or stone including the treatment of minerals earth or stone have been discontinued but which has not yet been rehabilitated to environmental standards as required by law.**

Farm Land**Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

Types and Classes:

Rateable land having the relevant characteristics described in the below definition.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.

Definition:

Any land;

- **which is "farm land" within the meaning of section 2(1) of the Valuation of Land Act 1960.**

Vacant General Land**Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

Types and Classes:

Rateable land having the relevant characteristics described in the below definition.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

Definition:**Any land;**

- **on which no building is lawfully erected; and**
- **which does not have the characteristics of;**
 - **Vacant commercial and Industrial Land; or**
 - **Vacant FZ and RCZ Land; or**
 - **Vacant R1Z and R2Z Land.**

Vacant FZ and RCZ Land**Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

Types and Classes:

Rateable land having the relevant characteristics described in the below definition.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

Definition:**Any land;**

- **on which no building is lawfully erected; and**
- **which is located within the Farm Zone (FZ) or Rural Conservation Zone (RCZ) under the Moorabool Planning Scheme; and**
- **which does not have the characteristics of Farm Land.**

Vacant R1Z and R2Z Land**Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

Types and Classes:

Rateable land having the relevant characteristics described in the below definition.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

Definition:

Any land;

- on which no dwelling is lawfully erected; and
- which is located within the Residential 1 Zone (R1Z) or Residential 2 Zone (R2Z) under the Moorabool Planning Scheme.

Residential Retirement Village Land

Objective:

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

Types and Classes:

Rateable land having the relevant characteristics described in the below definition.

Use and Level of Differential Rate:

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which council considers is necessary to achieve the objectives specified above.

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

Types of Buildings:

All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.

Definition:**Any land:**

- **Which is defined as a Retirement Village land under the Retirement Villages Act 1986.**

CARRIED.

SUBSEQUENT MOTION**Crs. Sullivan/Comrie**

Subsequent to the adoption of the budget, officers report on the following priorities in response to feedback received during the submission process:

- **a review of the Rating Strategy including the formation of a rural advisory committee**
- **finalisation of the recreation reserve committee of management policy, strategy and service levels**
- **a review of the public toilet policy**
- **review of the environment policy including a review of core responsibilities of council**

CARRIED.

Report Authorisation**Authorised by:**

Name: Shane Marr
Title: General Manager Corporate Services
Date: Friday, 28 June 2013

11.2 GROWTH AND DEVELOPMENT

11.2.1 Moorabool Planning Scheme Amendment C62 – Rezoning of Underbank Stud Farm – Bacchus Marsh

Introduction

File No.: 13/06/62
Author: Gavin Alford
General Manager: Satwinder Sandhu

Background

The site, referred to as the Underbank Stud Farm, is generally comprised of 174 Mortons Road Pentland Hills and the southern corner of 5 Randwick Avenue, Bacchus Marsh. This parcel of land covers approximately 153ha of low quality farming land, currently zoned Farming Zone (FZ) under Clause 35.07 of the Moorabool Planning Scheme. Some land within the holding is currently zoned Residential 1.

The site is irregular in shape, with frontage to the Western Freeway and access via the residential subdivision at Randwick Avenue to the northeast. Residential development abuts the site to the east and residential subdivision has been approved on the northern most part of the site, which is currently zoned Residential 1. There is also residential development located further to the south, across the Werribee River. Land to the west of the subject site is rural.

The Municipal Strategic Statement within the Moorabool Planning Scheme includes the Bacchus Marsh Framework Plan which was adopted by Council and implemented into the planning scheme amendment C34 in 2009. The framework plan indicates that the site can be considered for urban purposes.

An application to rezone the land was received in 2011. Council officers requested documentation to support the request. The following documents have been provided by the applicants:

- Flora, Fauna & Net Gain Assessment
- Surface Water Assessment
- Traffic impact assessment
- Road Networks Upgrade discussion paper
- Due Diligence Archaeological Assessment
- Retail and service needs
- Agricultural Capability
- Land Supply Analysis
- Site Analysis
- Land Contamination
- Concept Plan
- Planning Stages assessment

In accordance with the Act, the key stages of a planning scheme amendment process are:

- Authorisation
- Exhibition
- Consideration of submissions
- Panel hearing
- Consideration of panel report
- Council Decision
- Minister's Decision.

The average time for a planning scheme amendment is 22 months.

If the land is rezoned and a development plan overlay applied there are several additional stages for Council to consider the process. A development plan needs to be prepared. Council can place this plan on public comment and consider submissions in choosing to endorse the plan. Once a development plan is endorsed all planning and subdivisions plans should be generally in accordance with the development plan.

The development plan / planning permit process is likely to be a six month process. A planning permit for subdivision would then require the preparation of detailed plans for certification before any physical works could commence. Land title release cannot occur until all works specified in the planning permit for that stage (roads, drains etc.) have been completed and compliance given. This process is usually a minimum of 12 months.

It is likely that, if Council resolves to exhibit the amendment, housing development on land to be rezoned may commence in a 3 to 5 year period.

Council is at the initial stage of the process. The question as to whether it will seek that the Minister authorise the exhibition of the Amendment. With the recent changes to the Act Council must have fully resolved amendment documentation as a basis of a request, and if authorised must exhibit the amendment within 40 working days.

Seeking authorisation demonstrates that the proposal does meet Council's strategic vision for the area and allows community consultation to occur (via the exhibition process). Council can then consider their position to the proposal in response to submissions.

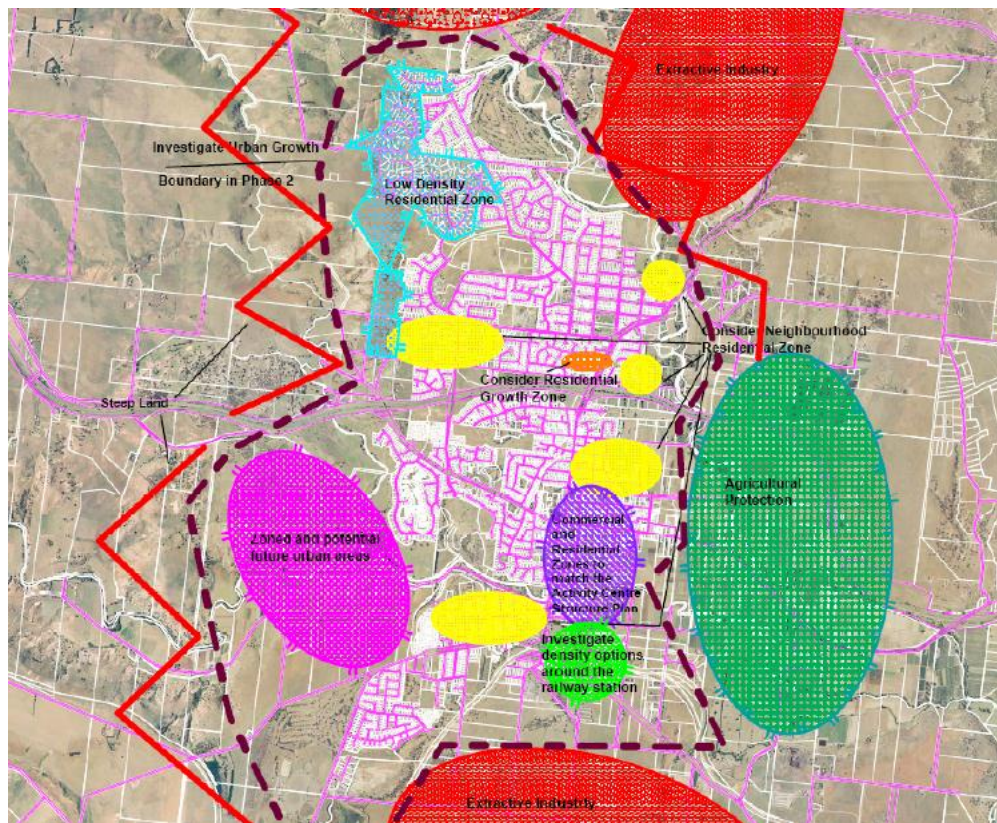
Moorabool 2041 Urban Growth Policy

As the strategic work underpinning the Bacchus Marsh Framework Plan dates to 2006 Council is in the process of reviewing its strategic position in relation to the development of the Shire. Stage 1 of this process was the adoption of the Moorabool 2041 Phase 1 Urban Growth Policy by Council. The Underbank and West Maddingley areas are identified the future urban areas for Bacchus Marsh. Council's position to the State Government in relation to the future growth of Bacchus Marsh has been that the West Maddingley / Underbank area is the last greenfield site that can be developed due to a range of physical constraints.

The rezoning proposal and suite of controls implement the general policy principles and implementation tasks to guide development of Bacchus Marsh within the Moorabool 2041 Urban Growth Policy.

By 2041 Moorabool Shire will:

- É Development will support the social and physical infrastructure requirements to support a population of around 45,000 - 50,000 person with Bacchus Marsh growing to a limit of around 30,000 people, Ballan to around 4,500 persons and the remaining population in revitalised small town and settlements, and rural areas, across the Shire.
- É Have a network of self-contained and resilient urban centres where people have the opportunity live, work, access education and health services, recreate, engage in culture, feel part of the community.
- É Each urban settlement will be based on development that is co-ordinated and delivers high quality developments that provide a safe, functional, good quality environment, provides the appropriate level of social and physical infrastructure, have a sense of places and cultural identity and environmentally sustainable. New d Development areas will be master planned.
- É Demonstrate how infill can be well designed and respectful yet provide a diversity of housing.



The land is located to the immediate west of the established Bacchus Marsh Township and north of the West Maddingley development plan area which was rezoned without exhibition by the Minister for Planning.

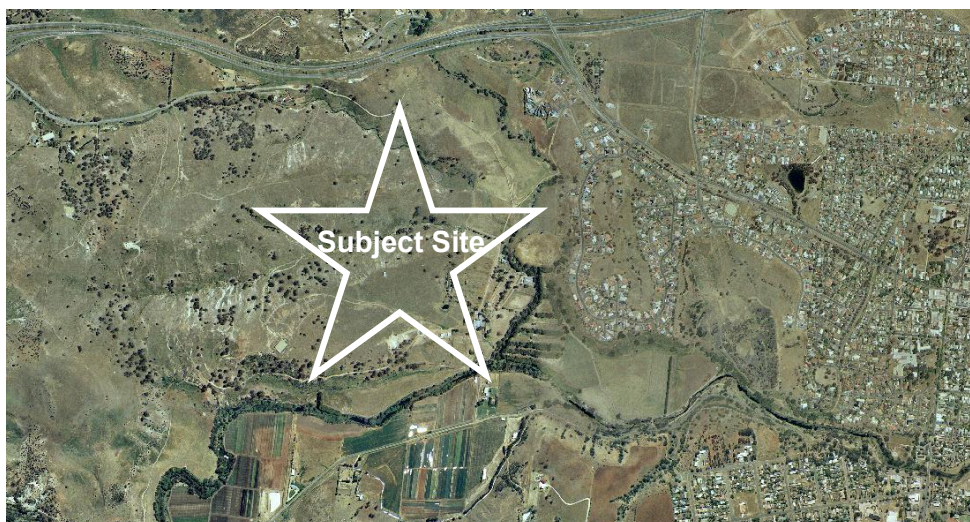


Figure 1 - Locality Map

Proposal

It is proposed that the land be rezoned to Residential 1 Zone (R1Z) existing Zone / General Residential Zone (GRZ) (new residential zones translation zone) under Clause 32.01 to enable the development of the land for residential purposes. The proposal also includes insertion of a new Schedule to the Development Plan Overlay (DPO) at Clause 43.04 and the subsequent deletion of Design and Development Overlay (DDO) Schedules 2 and 3 at Clause 43.02 from the subject land.

Rezoning of the land to R1Z/GRZ will allow for residential development in accordance with the purpose of the zone, specifically providing residential development at a range of densities with a variety of dwellings and in appropriate locations allowing for recreational, community and other limited non-residential uses to serve local community needs (if deemed necessary).

The rezoning is proposed to be supported by a site specific Schedule to the Development Plan to provide the necessary guidance to ensure the coordinated and considered planning and development of the land. A full copy of the proposed Schedule is provided as Appendix A to the applicant's report, which forms the Addendum to this assessment report.

The use of the Development Plan Overlay allows council to have greater control over the specific planning outcomes for the site and ensure increasingly levels of detail are provided (above those required to support rezoning) to guide subdivision applications so as to achieve a master planned development outcome.

The draft Schedule requires that the Development Plan be generally in accordance with the Concept Development Plan provided in Clause 5. The Development Plan must also provide details on how the following elements will be addressed:

- Development staging;
- Infrastructure and servicing
- Neighbourhood design;
- Neighbourhood and density objectives;

- Community facilities and services;
- Open space, escarpment and landscaping
- Traffic and movement networks; and
- Environmental Considerations.+

The amendment will remove DDO2 and DDO3 which will be superseded by the suite of controls within the amendment. The management of noise effects from the Western Freeway will continue in the way that has been required for the existing residential zoned land. Either buffers or noise attenuation methods will be required in immediate proximity to the freeway reserve.

Policy Implications

The 2013. 2017 Council Plan provides as follows:

Key Result Area	Enhanced infrastructure and natural and built environment.
Objective	Effective and efficient land use planning and building controls.
Strategy	Implement high quality, responsive, and efficient processing systems for planning and building applications. Ensure the Planning Scheme is reviewed and updated in order to facilitate land use and development to support the social, economic, environment and well-being of the Shire. Ensure that development is sustainable, resilient to change and respects the existing character.

The proposed rezoning of the land is consistent with the 2013-2017 Council Plan.

The amendment reflects Council's general position of support to residential development at the subject site as detailed within the Local Planning Policy Framework (LPPF) and the Municipal Strategic Statement (MSS).

Local Planning Policy Framework

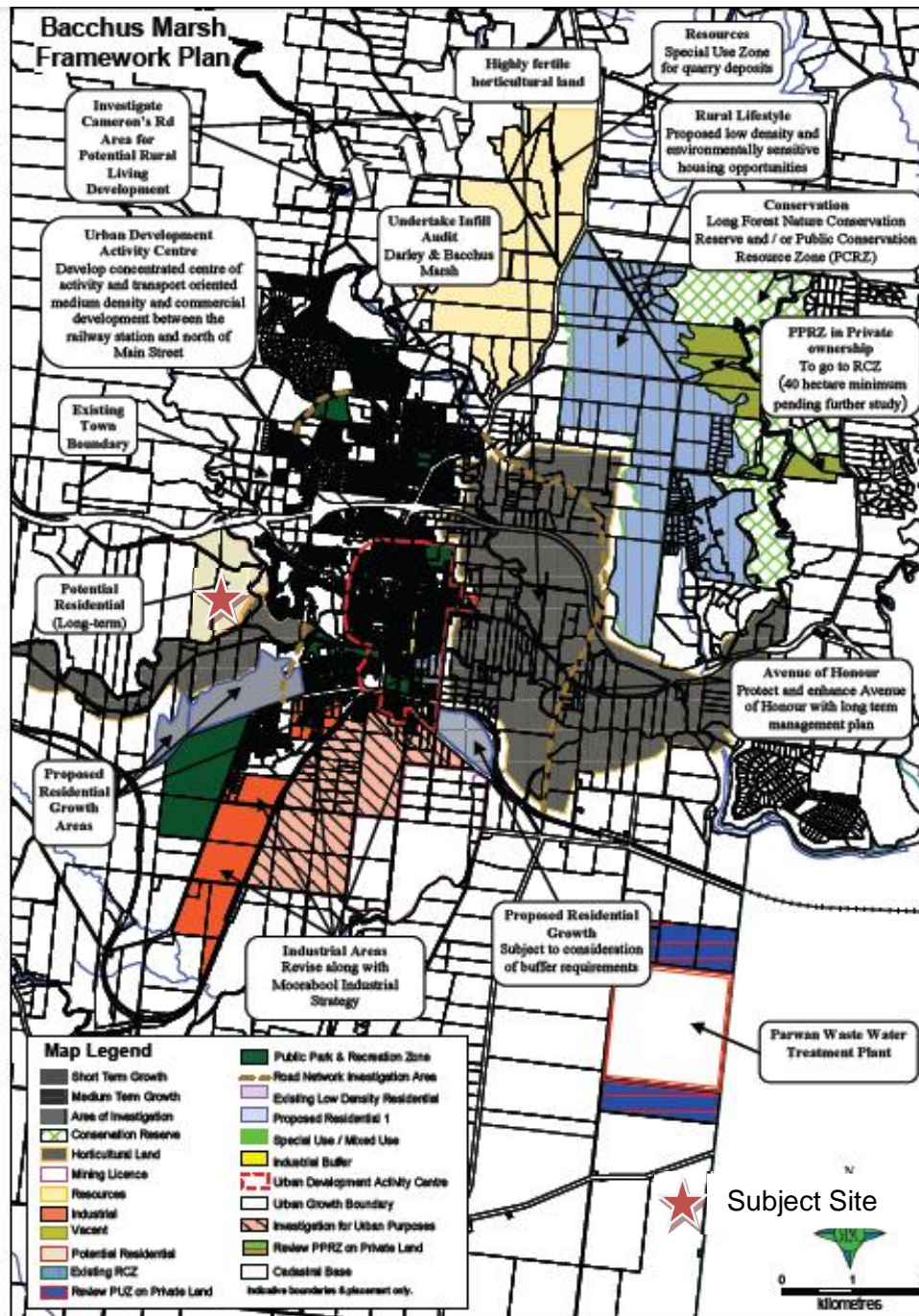
The proposal complies with Clause 21.01 - Municipal Context which identifies Bacchus Marsh as the focus for economic and residential growth, whilst retaining valuable agricultural land. The proposed rezoning is further supported under Clause 21.01-3 - Strategic Framework Plan (prepared in 2008) which designates Bacchus Marsh as a key centre for residential growth within the Shire. The site is identified at Clause 21.07 . Bacchus Marsh which identifies the subject site for "Potential Residential (Long-term)" growth. Specifically the proposal reflects Council's objective at Clause 21.07-3 . Accommodating township growth to promote coordinated, master-planned development of identified areas in and around Bacchus Marsh".

West Maddingley is indicated on the Framework Plan, prepared in 2008, as proposed residential land and Underbank long term. West Maddingley has been rezoned, the development plan prepared and approved and initial subdivision stages have been sold and construction on blocks commenced. The process from rezoning to land title release for Underbank is likely to take three to five years. Traffic reports for the West Maddingley growth area assumed development occurring on this site within the planning period.

It is critical that the growth of Bacchus Marsh is both managed and coordinated to ensure timely provision of major infrastructure. The coordination of development contributions is an essential requirement to being able to deliver a legacy benefit to the whole community through the development of the Halletts Way extension. The funding model for Halletts Way includes contributions from both West Maddingley and Underbank.

The proposal is supported by Council's Settlement and Housing strategy (Clause 21.03-2) *"to plan and manage sustainable urban growth that is concentrated in and around the Shire's major towns"* with specific reference to the growth of Bacchus Marsh included as a key strategy: *"direct(ing) population and employment growth to Bacchus Marsh..."* Further objectives relating to Settlement and Housing, as listed in Clause 21.03, will be addressed through the implementation of a Development Plan.

Local Planning Policies 21.03 and 21.05 encourage growth in Bacchus Marsh to deliver infrastructure and ensure new development provides development contributions towards road and community infrastructure (Clauses 21.05-3 and 21.05-5). The proposed rezoning and requirement for a Section 173 agreement, which requires the developer to deliver and contribute towards key infrastructure, will ensure that the objectives and strategies contained in the local planning policies are met.



State Planning Policy Framework

The amendment is consistent with the State Planning Policy Framework (SPPF) Clause 11 Settlement with future development providing a logical extension to the existing settlement patterns and infrastructure, whilst remaining sensitive to the cultural, natural and environmental health of the land impacted. Supporting documentation provided by the applicant demonstrate this compliance.

The proposal also complies with Clause 12 Environmental and Landscape Values and Clause 14 Natural Resource Management demonstrating that the development has the potential to improve the environmental value of the area and its surrounds and to provide development that respects the existing landscape values by avoiding the siting of residential land in valleys and on steep land.

The application includes documentation to demonstrate compliance with Clause 13 Environmental Risks presenting remediation options in regard to any small risk of onsite contamination, as well as soil, erosion and landslip management.

The Schedule to the DPO provides for compliance with Clauses 15, 16, 17 & 18 (regarding Built Environment and Heritage; Housing; Economic Development; Transport) and compliance with Clause 19 Infrastructure is to be managed through a Section 173 Agreement regarding Development Contributions as well as conditions imposed by the respective service authorities at the planning permit and subdivision stage.

The request to rezone the Underbank land to Residential is consistent with the current policy direction outlined in the planning scheme.

Development Contributions

In order to support the development of this area the proponent has agreed to make significant development contributions over the life of the project, which is in excess of \$13,000,000.

This rate is comparative to what council has required for the West Maddingley development area and will contribute substantially to ensuring that major infrastructure projects, such as, the Halletts Way extension, provision of a multi-purpose recreational / community hub, upgrades of Peppertree Park and enhancement of the community's recreation and community facilities can occur.

The funding model for the extension of Halletts Way included development on the Underbank site in accordance with the Bacchus Marsh Framework Plan. Contribution from development is required for Council to be able to fund this critical north - south road network.

Contributions will be triggered via an Agreement in accordance with Section 173 of the *Planning and Environment Act 1987* and will be payable by stage of development. The contributions will be indexed yearly in accordance with the relevant ABS indexes to ensure the level of contribution remains current and funding shortfalls are avoided.

By supporting the development of Underbank, the funding of a number of major projects will be secured and assist council in ensuring that the creation of these new communities provides a legacy benefit to the whole Bacchus Marsh community. The following projects intend to be funded in full or part via the development contributions collected during the life of the development.

Project Type	Infrastructure Item
Road and Paths	Halletts Way extension
	Bacchus Marsh Rd / Halletts Way roundabout upgrades
	Grant St / Main St / Gisborne Rd intersection upgrades
	Werribee Vale Rd upgrades and shared path
	Grant St / Meikle St intersection
	Bacchus Marsh Rd / Underbank Blvd intersection upgrades
	Ascot Ave / Rosehill St upgrades and pedestrian link
Recreation and Community	Construction of a new integrated recreation and community facility, including football / cricket oval, tennis courts, netball courts, multi-purpose community meeting space
	Regional open space upgrades (1% of open space requirement in lieu)
	Integrated path and passive open space network
	Family & Children Services facility upgrades

Road Network

The potential impacts on the road network have been assessed in detail by both the proponent's and council's traffic engineering consultants. Traffic modelling for the West Maddingley area included Underbank demand and the Underbank proponents have undertaken further detailed modelling in excess of that generally expected at the rezoning stage. These assessments ensure that there is a full understanding of the road network impact. In collaboration with council's engineers the proponent has recommended a range of upgrades that will be funded in full or part by their development contributions.

In relation to road network there are two types of road projects. The local street network that is in close proximity to the site and the broader road / street network that forms the overall Bacchus Marsh urban area.

The improvements to the local street network, such as, Underbank Blvd, Ascot Ave and Rosehill St will prioritise and alter the existing street cross sections to help cater for the increased traffic volumes that will be seeking to connect to Bacchus Marsh Rd to the north. A key focus of these works will be to encourage traffic to utilise a number of connections and provide formalised indented car parking areas along the street, to assist a free flow of vehicle movements. There is no intuitive link to Bacchus Marsh Road to the north however it is envisaged that traffic will be encouraged to use Ascot Street that connects to Bacchus Marsh Road via an existing roundabout.

Coupled with the opening of a south eastern connection to the future Halletts Way, the traffic volumes generated by the development will be able to merge into the broader road / street network to the south and east.

The construction of the extension of Halletts Way across the Werribee River is a crucial project for Bacchus Marsh, as it will provide a viable alternate north . south route for all Bacchus Marsh, Darley and Maddingley residents and will help mitigate the increased traffic that is expected along Grant Street that is already approaching capacity during peak periods. The extension of Halletts Way is a priority and therefore a significant proportion of the early development contributions that are being received from the West Maddingley development is reserved for the Halletts Way. It is proposed that a similar approach to development contributions is applied to Underbank, which will assist in ensuring the earliest possible delivery of this critical infrastructure project.

Additionally, the Underbank development will make other road network contributions that are also being made by West Maddingley, including upgrades to the Main St / Bacchus Marsh Rd intersection, Werribee Vale Rd and Meikle St along with the strengthening of the local bicycle and pedestrian path network.

Recreation Facilities

In consultation with council officers and building on the detailed assessments completed during the West Maddingley planning process, the proponents have undertaken a review of the current and future recreation needs of the community.

This assessment has determined that there is need for a new active recreation facility to be provided on-site, which incorporates a football / cricket ground, tennis courts and netball courts, as well as a multi-purpose community space that can be used all week across the entire year. This facility will provide a home club environment for the future Underbank residents and build on the growing Bacchus Marsh / Darley recreation network.

The facility on the site will be well connected to the Werribee River shared path corridor that will provide strong recreational links to the existing Bacchus Marsh community.

It is proposed that a number of shared paths will be provided in and around the Underbank site so that active transport options are encouraged and supported.

Community Facilities

In consultation with council officers and building on the desk top assessments completed during the West Maddingley planning process, the proponents have undertaken an extensive review of the current and future community facility needs.

For the Underbank development the proponent will provide community meeting space within the multi-purpose community space and upgrades to existing facility(s).

The meeting space within the on-site community space will be built to support both recreation and community needs.

The intention of this meeting space would be to provide new Underbank residents and existing Bacchus Marsh / Darley residents with a facility to host group / club events, gatherings and other formal and informal activities that encourage community connectedness and social interaction.

The more formalised community services, such as, maternal child health and family services will be provided within the future new West Maddingley facility. By integrating with these existing and future facilities council can better manage and service the needs of the growing community without significantly increasing the infrastructure, maintenance and staffing commitments.

Passive Open Space

Underbank has the opportunity to provide an interesting and varied open space network that provides the community with a passive and engaged open space experience.

There are a number of interconnecting valleys, streamlines and proposed open space areas that will accommodate ~~retreat~~ ~~interaction~~ and ~~connection~~. The linear spaces provide the opportunity to create a significant shared path network through the site that connects to both the north and south and east, as well as, leading to the proposed recreation / community hub that will be located centrally on the site.

The development of Underbank also provides council with the opportunity to direct some open space contributions to the upgrade and enhancement of regional open space, which will continue to provide an open space function to the existing and future communities.

The Development Plan will require that all new dwellings within the Underbank development are located within a walkable distance to open space.

Werribee River Interface

The proponent has undertaken studies to identify inundation and stormwater issues. The Development Plan Overlay Schedule will ensure that the Werribee River corridor will be protected from development that will be well setback and located outside areas that may be affected by flood events.

This buffer also creates the opportunity to enhance the experience along the Werribee River corridor for both the future Underbank and existing Bacchus Marsh / Darley communities. The upgrading of the corridor along the site frontage will add additional length to the existing shared path that is constructed along Werribee River to the east.

Through the preparation of a Development Plan the subdivision design will be made to associate with the corridor providing increased natural surveillance and activity. All dwellings in proximity to the corridor will be oriented to ~~look over~~ rather than back onto the corridor.

Escarpment Management

The Development Plan requires the identification of escarpment / steep sloped land. An environmental management plan will be required for this land to identify how the land will be stabilised and the feasibility of maintenance. This builds upon the approach taken with West Maddingley, the Development Plan with I outline the matters that must be addressed in ensuring the character of the escarpment is maintained and remains a feature of the landscape.

There will be no development on the escarpment and all development at the base of the escarpment will be of a larger lot size.

Neighbourhood Centre

The work undertaken by the proponent demonstrates that it does not require its own retail activity centre. There will be opportunities for small localised business opportunities, such as, child care, convenience shop and other local service businesses.

Importantly, this will only be developed if suitable need is identified rather than attempting to compete with other retail centres within Bacchus Marsh and Darley. Upon construction of the Halletts Way extension, Underbank residents will also have access to the future West Maddingley neighbourhood centre.

Financial Implications

Determining this application for rezoning would not represent any financial implications to Council beyond those of implementing and managing the legislated planning responsibilities.

There will be long term financial implications for Council in relation to provision of services and maintenance of public land. These aspects will be considered in detail as part of the Development Plan Overlay requirements and subdivision works (compliance). There will be economies of scale relating to management of services in an urban environment.

Risk & Occupational Health & Safety Issues

The recommendation of approval of this rezoning does not create any risk or Occupational Health and Safety issues to Council.

Risk Identifier	Detail of Risk	Risk Rating	Control/s
OHS . Manual Handling	-	Medium	-
Financial . Inadequate funds to deliver required infrastructure	Inadequate financial management	Low	Preparation of development contributions agreement. Cash flow analysis to determine timing of provision.
Public Liability .	-	-	

Communications and Consultation Strategy

The communication and consultation for such a rezoning would be in keeping with all relevant legislation and policies. Whilst the land has been identified for future residential development in the Planning Scheme, the proposed planning scheme amendment will require formal exhibition and thus allowing the community substantial opportunity to be consulted and have their input, including the ability to make formal submissions to the amendment and to have their submissions considered by Council and an independent Planning Panel.

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 – Gavin Alford

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

Conclusion

The proposed rezoning of the Underbank area to residential is in keeping with the existing and anticipated role of the Bacchus Marsh Township and the strategic direction that is outlined in the Bacchus Marsh Framework Plan within the Moorabool Planning Scheme.

The application documentation as supplied is thorough and provides a sound supporting argument for the requested rezoning, in keeping with existing legislation and strategic plans, including the Draft Council Plan 2013-2017.

The development of Underbank will generate significant development contributions that will assist in delivering key road, recreation and community infrastructure that will support the growth and function of the Bacchus Marsh and Darley communities.

By aligning the urban development of both West Maddingley and Underbank as directed by existing local planning policy council will have the opportunity to ensure that an integrated and timely provision of infrastructure can be achieved.

Consideration of Deputation

Mr. Pat Griffin addressed Council in relation to Moorabool Planning Scheme Amendment C62 – Rezoning of Underbank Stud Farm – Bacchus Marsh

The business of the meeting then returned to the agenda.

Resolution:

Crs. Sullivan/Edwards

That Council resolve to:

- 1. Endorse the preparation of an agreement in accordance with Section 173 of the Planning and Environment Act 1987 that details the development contribution requirements associated with the rezoning of the land to residential.***
- 2. Pursuant to Section 9 (2) of the Planning and Environment Act 1987, request the Minister for Planning to authorise Moorabool Shire Council to prepare and exhibit Amendment C62, in general accordance with the documents attached to this report.***

CARRIED.

Report Authorisation

Authorised by:

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Friday 21 June 2013



11.2.2 Council Submission to the draft Central Highlands Regional Growth Plan

Introduction

File No.: U/M2041/GA/02
Author: Sean Greer
General Manager: Satwinder Sandhu

Background

Council officers have attended an extensive series of meetings and workshops throughout the preparation process of the Central Highlands Regional Growth Plan (CH RGP). This process has been undertaken over a period nearing two years and officer involvement has included the preparation of a formal Council submission during an earlier phase of the project.

In participating through this process, officers have advocated Council's strategic policy positions included within the Moorabool 2041 Rural and Urban Growth Policy Statements.

The CH RGP is one of eight regional growth plans being prepared across Victoria by the State Government. These eight regional growth plans along with the Metropolitan Planning Strategy form the State Government's new vision for Victoria.

The main purpose of the Plan is to provide a regional approach to land use planning in the Central Highlands and identify opportunities to encourage and accommodate growth and manage change over the next 30 years, to 2041 and beyond.

It is envisioned that the Plan will also provide land use planning responses to the directions outlined by the Central Highlands Regional Strategic Plan, which was prepared in 2010 through a collaborative approach between State Government and the relevant councils.

The CH RGP is required to be formulated on the basis of being consistent with the State Planning Policy Framework (SPPF) and with a view of providing certainty in land use for farming communities.

The draft Central Highlands Regional Growth Plan (CH RGP) has been prepared and is currently available for public comment. This consultation phase commenced on 3 June 2013 and submissions can be lodged until 5 July 2013.

The basis of this report is for Council to formally lodge a submission to the draft CH RGP. The proposed submission has been the focus of recent Assembly of Council sessions and these discussions have assisted Council officers in preparing the proposed submission. A copy of the proposed submission is attached to this report.

Discussion

Current Status

As was mentioned above, the draft Central Highlands Regional Growth Plan is available for public comment from Monday, 3 June to Friday, 5 July 2013. The consultation of the Draft Regional Growth Plan marks the commencement of the fifth phase of the preparation process.

In total there are seven phases associated with this project. The project timeline provided below indicates the completed project phases and the phases that will be undertaken following the conclusion of the consultation phase.

	Phase	2011	2012	2013
1.	Project establishment	Jul-Nov		
2.	Data review and Issues Paper prepared	Aug . Dec		
3.	Integrated issues analysis		Jan . Aug	
4.	Prepare Draft Regional Growth Plan		Sep -	May
5.	Draft Regional Growth Plan consultation			Jun - Jul
6.	Prepare Final Regional Growth Plan			Jul-Sep
7.	Endorsement			Oct

Consultation and engagement

Council officers have been advocating Council's position to the Project Team through the preparation process of the CH RGP. This has included representing Council through the Project Steering Committee and the Technical Working Group. The list below identifies the key engagement methods that have been undertaken by Council officers:

- Providing detailed commentary on the draft issues paper through a briefing note to Councillors dated 16 March 2012.
- Regular discussions with the Project Team about the land use planning issues affecting Moorabool to increase the likelihood of the Plan being well-informed and of relevance to the opportunities and challenges facing Moorabool.
- Arranging an Assembly of Council presentation from representatives of DPCD on during July 2012.
- A report to the Ordinary Meeting of Council held on 5 September 2012 outlining the draft Central Highlands Regional Growth Plan strategic directions brochure and including a detailed submission to DPCD.
- The holding of two meetings between Council officers and representatives of the Project Team during October 2012. These meetings involved a discussion on rural issues and how they are to be reflected in the CH RGP, along with the content pertaining to key Moorabool towns.

- Discussions between the Moorabool CEO and the DPCD Technical Director in February 2013.
- Council officer feedback to the confidential draft of the Central Highlands Regional Growth Plan, dated 4 February 2013.
- Various briefing notes throughout the process providing updates to Councillors.

There has been two key engagement stages throughout the preparation of the CH RGP that have enabled Council and Council officers to provide feedback. This feedback has focussed upon ensuring that the opportunities and challenges facing the region, and Moorabool, are accurately reflected within the contents of the CH RGP.

The first stage was the consultation of the Proposed Strategic Directions which was considered at the Ordinary Meeting of Council held on 5 September 2012. The second stage was officer feedback to the confidential draft Central Highlands Regional Growth Plan.

Proposal

The proposed submission has been formatted into the eight questions that were put forward by the relevant Project Team. Underpinning the proposed submission, and Council's advocacy to date, has been the directions provided through the Moorabool 2041 Phase 1 process. The Project Team has previously been provided with Council's adopted Rural Growth Policy Statement and the Urban Growth Policy Statement.

Some of the key points of the proposed submission are as follows:

- Support the reference to improving transport links of Bacchus Marsh as a critical strategic need and continue to promote improving north-south road connections for Bacchus Marsh as a regional priority.
- Endorse references to the potential of the Parwan areas as a future employment zone warranting further investigation and continue to pursue this potential role being emphasised within various sections of the Central Highlands Regional Growth Plan.
- Encourage the infrastructure priorities identified through Section 14.3 . Water, energy and utilities. In particular, references to infrastructure required to support the growth of smaller settlements and services that support local employment opportunities such as intensive horticulture in the Moorabool Shire.
- Links to the Metropolitan Planning Strategy and the Regional Growth Plans external to Central Highlands, specifically neighbouring regions, have been underplayed. There should also be additional recognition of the pressures on land use planning within peri-urban areas, and that further peri-urban policy work is required.

A copy of the proposed submission can be found as an attachment to this report.

In considering this submission, Council needs to be cognisant of the following factors that provide insight into the parameters of the Regional Growth Plan:

- The preparation of the Regional Growth Plan is being led by the State Government and the role of participating local councils is to provide input throughout the process.
- The Regional Growth Plan must align with State Government policy and be capable of implementation through the planning system. This would result in a document that is largely consistent with the current State Planning Policy Framework (SPPF).
- During the final endorsement stage, it is envisioned that the State Government will seek endorsement of the Regional Growth plan from Local Government.

The proposed submission has been prepared in a matter consistent with these parameters to increase the ability of Councils feedback to inform and influence the contents of the Central Highlands Regional Growth Plan.

The Project Team has indicated that there would be opportunity for discussion on matters raised by Council through a submission. This would occur between the conclusion of the consultation period and prior to the commencement of preparing the final CH RGP. These discussions are to occur through the future workings of the Project Steering Committee and the Technical Working Group.

Policy Implications

The adopted 2013 - 2017 Council Plan provides as follows:

Key Result Area	Enhanced Infrastructure and Natural and Built Environment.
Objective	Effective and integrated strategic planning in place to create sustainable communities.
Strategies	Development of Urban and Rural Growth Strategies in conjunction with other related plans. Advocate and lobby government for increased infrastructure funding and ensure state land use plans are in line with the Moorabool community needs.

The proposed submission is consistent with the adopted 2013 . 2017 Council Plan.

Financial Implications

This project is being led and funded by the State Government. There have been no costs incurred to Council beyond Council officer time which has been undertaken within budget.

The development of an Implementation Plan to accompany the final version of the Central Highlands Regional Growth Plan is anticipated to provide details regarding any possible funding opportunities and initiatives that would be supported on a regional basis. These details would be relevant to implementing the Plan and any regional infrastructure priorities identified.

Risk & Occupational Health & Safety Issues

A requirement underpinning the development of the Central Highlands Region Growth Plan is that it is to be formulated on the basis of being consistent with the State Planning Policy Framework (SPPF). A component of Council's role as part of the Project Steering Committee and Technical Working Group is to ensure the preparation of the Plan is consistent with local planning policies. The draft Central Highlands Regional Growth Plan is consistent with existing state and local planning policies.

There are no risk implications associated with lodging a submission to the draft Plan beyond reputational risk. There are unlikely to be any occupational health and safety implications for Council in relation to lodging a submission.

Communications and Consultation Strategy

Copies of the draft CH RGP and feedback forms have been made available at the Council offices in Ballan and Darley, the Lerderderg Library and the Ballan Library at the Ballan Mechanics Institute throughout the consultation period. Information on the project was also provided on Council's website accompanied with links to the relevant DPCD website.

A mail out of the consultation documents to interest groups nominated by Council officers also occurred. The Moorabool Heritage Advisory Committee and the Moorabool Landcare Advisory Committee were put forward as groups that may be interested in the preparation of the CH RGP.

Through the preparation process thus far, there have been two stages of community engagement. The first stage occurred in August 2012 and related to the Proposed Strategic Directions. The current community engagement stage of the draft Plan marks the second stage.

The draft CH RGP has been prepared with a high level of project partner support between local government and state agencies / authorities.

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 – Sean Greer

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

Conclusion

The proposed submission has incorporated directions provided through the undertakings of Phase 1 of Moorabool 2041, in particular the Council adopted policy statements pertaining to Rural Growth and Urban Growth. This is consistent with previous submissions and feedback throughout the preparation process of the Central Highlands Regional Growth Plan.

The proposed submission has attempted to establish a balance with previous feedback from the Project Team regarding matters that could constitute a regional priority and matters which are of local significance to be pursued by local councils. This has been undertaken to ensure that advocacy matters are prioritised and strategic issues are provided with appropriate emphasis within the Plan.

Resolution:

Crs. Spain/Sullivan

That Council resolves to formally lodge the proposed submission to the draft Central Highlands Regional Growth Plan.

CARRIED.

Report Authorisation

Authorised by:

Name: Satwinder Sandhu

Title: General Manager Growth and Development

Date: Wednesday 26 June 2013



11.2.3 Port Phillip and Western Port catchment Management Authority - Regional Catchment Strategy

Introduction

File No.: 20/01/010, 20/02/017
Author: Justin Horne
General Manager: Satwinder Sandhu

Background

On Wednesday 15 May 2013, David Buntine (CEO) and Shane Scanlan (Environmental Strategy Leader) with the Port Phillip and Westernport Catchment Management Authority, presented the draft Regional Catchment Strategy to an Assembly of Council.

A second Assembly of Council was held on 5 June 2013 to further discuss this matter.

This report aims to outline:-

- The overall aim of the Regional Catchment Strategy
- The proposed targets relating to Moorabool Shire Council

With many of the land use changes that are occurring within Moorabool Shire, it is considered important that Council takes a leadership role and works with the Catchment Management Authorities to develop goals that reflect the needs and desires of residents within the area of Moorabool Shire.

Aim of the Port Phillip and Westernport Regional Catchment Strategy

In general, a Regional Catchment Strategy (RCS) is the fundamental document for ongoing coordination of natural resource management. Each of the ten Catchment Management Authorities (CMAs) that operate in Victoria are required to review and develop an RCS

Regional Catchment Strategies aim to integrate and set regional priorities that align with relevant national and state legislation, policies and plans that relate to natural resource management.

The aims of the draft Port Phillip and Westernport Regional Catchment Strategy are:

- To protect the environmental assets that are the cornerstone of healthy and resilient ecosystems in the Port Phillip and Westernport region . native vegetation, native animals, waterways and wetlands, the hinterland, coasts. Port Phillip Bay and Westernport;
- To gain agreement between Victorian Government organisations and Council on specific, measureable targets for the condition of the environmental assets;
- To identify and acknowledge organisations that provide leadership to attain the targets;
- To establish specific, measureable, achievable, realistic, time bound (SMART) targets as the basis for monitoring, reporting and continual improvement;

- To foster collaboration and coordination between Victorian Government organisations, Councils and many other organisations, groups and communities involved in environmental management;
- To optimise the use of resources available for environmental works; and
- To connect local decision-making and action with region-scale planning.

Proposed Targets

Two targets have been proposed by the Port Phillip and Westernport Catchment Management Authority for Moorabool, these targets are outlined below:

Proposed Target 1: ~~No net loss is achieved whenever any of the existing other native vegetation in the Moorabool Shire Council is cleared~~

Council	Total area (hectares) (1)	Approx. average quality score	Approx. Habitat Hectares (area * quality)	Proposed target
Moorabool	15,329	0.49	7,472	No net loss is achieved whenever any of the existing other native vegetation in the Moorabool Shire Council are is cleared

Note (1): Assessments of the extent and quality of the total Other Native Vegetation in each Council area have been made using data from the 'NV 2005extent' and 'NV 2005qual' data layers published by the Department of Sustainability and Environment in 2007.

The proposed target of ~~No net loss is achieved whenever any of the existing other native vegetation in the Moorabool Shire Council area is cleared~~

This target is in keeping with the draft changes to the section 52.17 of the Victoria Planning Scheme that will be implemented in September 2013. The draft provision states;

To ensure permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria's biodiversity. This is achieved through the following approach:

- *Avoid the removal of native vegetation that makes a significant contribution to Victoria's biodiversity.*
- *Minimise impacts on Victoria's biodiversity from the removal of native vegetation.*

- *Where native vegetation is permitted to be removed, ensure it is offset in a manner that makes a contribution to Victoria's biodiversity that is equivalent to the contribution made by the native vegetation to be removed.*
- *To manage native vegetation to minimise land and water degradation.*

Proposed Target 2: Maintain at least 63,164 hectares zoned as Green Wedge, Rural Living, Farming or Rural Conservation to 2030 in the Moorabool Council area that is within the PPW region

Council	Total current extent of Hinterland (Ha) within the PPWCMA region (2)	Proposed targets (3)
Moorabool	63,164	Maintain at least 63,164 hectares zoned as Green Wedge, Rural Living, Farming or Rural Conservation to 2030 in the Moorabool Council area that is within the PPW region.

Note (2): Area is based on current zoning, not on vegetation quality

Note (3) : Currently no land zoned Green Wedge within Moorabool Shire

An aspirational target of 63,104Ha which is aimed at the preservation of all land currently zoned Rural Living Zone, Farm Zone or Rural Conservation Zone within Moorabool Shire that lies inside the boundaries of the PPWCMA. The aim for this target is outlined below;

'The following targets are proposed for the future extent of the region's Hinterland. A vision is that it be secure, agriculturally productive, environmentally valuable and continues to make a significant contribution to the liveability of Melbourne and Victoria. The targets are focused on extent in the future, specifically on retaining as much of the Hinterland as practical. The targets are an important basis for ongoing discussion with Councils and the relevant Victorian Government departments as they manage Melbourne's future urban growth and determine the urban-rural mix of the region.'

Concerns relating to endorsing these targets include:-

- It is unclear at this time what the implications will be of the review that is currently being undertaken of the Planning and Environment Act by the State Government on these zones.
- If Council was to agree to the target then there may be complications relating to applications to rezone the land and reporting on the numbers indicated.
- Council does not have the final say when it comes to the zoning of land, therefore Council may not be able to deliver these targets.
- There are many other competing issues to consider when rezoning land of which environmental issues, although important, may not be the only ones considered.

Policy Implications

The 2013. 2017 Council Plan provides as follows:

Key Result Area Enhanced Infrastructure and Natural and Built Environment

Objective Enhance and protect the long term integrity and biodiversity of the natural environment.

Strategy Work with landcare networks, government and community people to implement and support environmental and sustainability initiatives.

Key Result Area Enhanced Infrastructure and Natural and Built Environment

Objective Promote and enhance places of heritage, landscape and environmental significance.

Strategy Ensures environmentally sensitive areas such as Lerderderg State Park and remnant vegetation are protected and enhanced.

The proposal to support the regional catchment strategy is consistent with the 2013-2017 Council Plan.

Financial Implications

The recommendation of supporting the Port Phillip and Westernport Regional Catchment Strategy does not represent any known financial implications to Council, beyond existing current resources.

Risk & Occupational Health & Safety Issues

The recommendation of support the Port Phillip and Westernport Regional Catchment Strategy does not represent any known risk or OH&S issues to Council.

Communications and Consultation Strategy

To inform the community of Council's position supporting the Port Phillip and Westernport Regional Catchment Strategy, it is proposed that a media release be drafted that outlines Council's position on coal and coal seam gas.

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 – Justin Horne

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

Conclusion

The Port Phillip and Westernport CMA has put forward to environmental targets for land within Moorabool Shire.

1. No net loss of native vegetation, and;
2. No zone change to Rural Conservation Zone, Rural Living Zone and Farming Zone.

Option 1 represents the current State Government objectives relating to native vegetation.

Option 2, however is a broad target that may have implications for Council's strategic planning activities.

With many of the land use changes that are occurring within Moorabool Shire, it is considered important that a leadership role is taken. As such it is recommended that Council works with the Port Phillip and Westernport Catchment Management Authority in developing targets for the Regional Catchment Strategy that reflect the needs and desires of residents within the area of Moorabool Shire.

That the Port Phillip and Westernport Regional Catchment Strategy is noted and that Council supports target 1, but at this time it cannot support the objectives outlined in target 2.

Resolution:**Crs. Sullivan/Tatchell*****That Council resolves:***

1. ***To receive the Port Phillip and Westernport Regional Catchment Strategy and continue to work closely with the Port Phillip and Westernport Catchment Management Authority in further developing appropriate and achievable goals for Moorabool Shire.***
2. ***Endorse Proposed Target 1:
No net loss is achieved whenever any of the existing 'other native vegetation' in the Moorabool Shire Council area is cleared.***

As it supports and does not exceed existing State Government native vegetation objectives for Moorabool Shire.

3. ***Unable to Support Proposed Target 2:
'Maintain at least 63,164 hectares zoned as Green Wedge, Rural Living, Farming or Rural Conservation to 2030 in the Moorabool Council area that is within the PPW region.'***

On the following grounds:-

- ***Council does not have the final say when it comes to the zoning of land***
- ***It is unclear at this time what the implications will be of the review that is currently being undertaken of the Planning and Environment Act by the State Government on these zones.***
- ***If Council was to agree to the target then there may be complications relating to applications to rezone the land and reporting on the numbers indicated.***

CARRIED.

Report Authorisation**Authorised by:**

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Friday 21 June 2013



11.3 COMMUNITY SERVICES

11.3.1 Funding of the Workplace Learning Coordinators Program – Highlands Local Learning and Employment Network

Introduction

File No: 12/12/002
Author: Troy Scoble
General Manager: Danny Colgan

Background

The purpose of this report is to recommend that the Council write to the Victorian Minister for Education to support the continued funding of the Workplace Learning Coordinators Program run by the Highlands Local Learning and Employment Network (Highlands LLEN).

Local Learning and Employment Networks (LLEN) were established in 2002 to connect employers, education and training providers, government groups, agencies and individuals to help turn business and community needs and ideas into new and innovative programs for young people.

The core objective of a LLEN is to improve participation, engagement, attainment and transition outcomes for young people 10 - 19 years old within its geographical boundaries. LLENs also have a particular focus on those young people who are at risk of disengaging, or who have already disengaged from education and training and are not in meaningful employment.

Each LLEN is contracted to broker strategic, sustainable partnerships that support improved education and transition outcomes for young people, including increasing Year 12 or equivalent attainment rates. In its role as a partnership broker, the LLEN uses its knowledge of the region to influence strategic planning and broker partnerships among key stakeholders to improve education outcomes and support young people to remain engaged, or re-engage, in education or training and realise their full social and economic potential.

The partnerships established by LLEN exist for the benefit of young people across all government, Catholic and other non-government education and training sectors that fall in the target age range within the LLEN area, including those experiencing high levels of disadvantage.

The Highlands LLEN comprises five Local Government Areas: Moorabool, Ballarat, Hepburn, Pyrenees and Golden Plains. The Highland LLEN is governed by a Committee of Management. Cr Dudzik was appointed by the Council in November 2012 as Council's representative on the Committee.

The Workplace Learning Coordinators Program aims to improve access to quality work placement opportunities for young people aged 15-19. The

Program identifies, facilitates and coordinates workplace learning placements in Structured Workplace Learning (SWL), School Based Apprenticeships and Traineeships (SBATS) and Work Experience. The Workplace Learning Coordinators work with government and non-government secondary schools, TAFEs, Adult and Community Education providers, industry, local employers and Koorie community representatives to identify local skill and student learning needs and to generate workplace learning opportunities for young people.

Since its inception in July 2010, the Highland LLEN Workplace Learning Coordinators Program has supported 784 young people in the region to secure quality workplace learning opportunities with the support of many local employers.

The Workplace Learning Coordinators Program has been working in the Moorabool shire in the following areas:

- increasing employer participation in work experience and structured workplace learning and promoting the benefits of school based apprenticeships;
- providing resources to students to assist them in approaching employers for work experience, structured workplace learning and school based apprenticeships;
- providing resources to students to allow them to record their placement information, including supervisor feedback (which have been used successfully in obtaining placements in university, further training and employment);
- delivering work readiness sessions to Year 10 students at Bacchus Marsh College and Bacchus Marsh Grammar schools in relation to work experience preparation and how to make the most of this experience;
- delivering work readiness sessions to Vocational Education and Training in Schools (VETiS) and Victorian Certificate of Applied Learning (VCAL) students;
- obtaining placements for students who have had difficulty in obtaining placements themselves including ~~at~~ risk+students; and
- facilitating and funding employer breakfasts to increase awareness of work experience, structured workplace learning and school based apprenticeships.

Proposal

It is proposed that the Council write to the Victorian Minister for Education asking the Victorian Government to continue funding of the Workplace Learning Coordinators Program run by the Highlands LLEN. It is also proposed that a copy of the letter be sent to local members of the Victorian Parliament.

Policy Implications

The 2013. 2017 Council Plan provides as follows:

Key Result Area	Community Wellbeing
Objective	Inclusive, responsive and accessible community services
Strategy	Advocate, support and deliver youth development programs and services in partnership with other agencies

Financial Implications

This matter has no direct financial implications for the Council.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Workplace Learning Coordinators Program ceases	Impact on support to young people at risk and increased impost on employers to manage work placements for young people	Medium	Advocate to the State Government for continued funding

Communications and Consultation Strategy

It is recommended that representations be made to the Victorian Minister for Education highlighting the importance of the Workplace Learning Coordinators Program to the communities of Moorabool. It is recommended that a copy of the letter be sent to local members of the Victorian Parliament.

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 – Troy Scoble

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

Conclusion

It is recommended that the Council write to the Victorian Minister for Education to support the continued funding of the Workplace Learning Coordinators Program run by the Highlands Local Learning and Employment Network (Highlands LLEN).

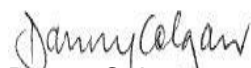
Local Learning and Employment Networks (LLEN) were established in 2002 to connect employers, education and training providers, government groups, agencies and individuals to help turn business and community needs and ideas into new and innovative programs for young people.

The Workplace Learning Coordinators Program run by the Highland LLEN is a successful program that has supported young people in the local area to secure quality workplace learning opportunities with the support of many local employers.

Resolution:**Crs. Dudzik/Comrie*****That Council:***

1. ***Write to the Victorian Minister for Education, the Hon. Peter Dixon supporting the continued funding of the Workplace Learning Coordinators Program***
2. ***Send a copy of the letter to the Minister for Education to local members of the Victorian Parliament.***

CARRIED.

Report Authorisation**Authorised by:****Name:****Title:****Date:**

Danny Colgan

General Manager Community Services

Thursday 27 June, 2013

11.4 INFRASTRUCTURE SERVICES

No reports for this meeting.

11.5 CORPORATE SERVICES

No reports for this meeting.

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 12 June 2013 . Underbank Developer Contributions and Planning Scheme Amendments
- Assembly of Councillors . Wednesday 19 June 2013 . Electric Line Clearance . Ballan
- Assembly of Councillors . Wednesday 19 June 2013 . Regional Growth Plan
- Assembly of Councillors . Wednesday 26 June 2013 . Regional Growth Plan
- Assembly of Councillors . Wednesday 26 June 2013 . Budget . Consideration of Feedback and Comments on Submissions.

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

- ***Assembly of Councillors – Wednesday 12 June 2013 – Underbank Developer Contributions and Planning Scheme Amendments***
- ***Assembly of Councillors – Wednesday 19 June 2013 – Electric Line Clearance – Ballan***
- ***Assembly of Councillors – Wednesday 19 June 2013 – Regional Growth Plan***
- ***Assembly if Councillors – Wednesday 26 June 2013 – Regional Growth Plan***
- ***Assembly of Councillors – Wednesday 26 June 2013 – Budget – Consideration of Feedback and Comments on Submissions.***

CARRIED.

12.2 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
Navigators Community Centre	16 May 2013	Community Members

Resolution:

Crs. Sullivan/Comrie

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

- ***Navigators Community Centre Committee of Management meeting of Thursday, 16 May 2013.***

CARRIED.

13. NOTICES OF MOTION**13.1 Cr Toohey: N.O.M. No. 230 – Respect for Premier and Other Levels of Government*****Consideration of Deputations***

Mr. Chris Huculak addressed Council in relation to N.O.M No. 230 – Respect for Premier and Other Levels of Government.

Mr. Pat Griffin addressed the Council in relation to N.O.M No. 230 – Respect for Premier and Other Levels of Government.

Ms. Margaret Scarff addressed Council in relation to N.O.M No. 230 – Respect for Premier and Other Levels of Government.

The business of the meeting then returned to the agenda.

Motion

That Council:

Make a public statement that it does not support the recent actions of Cr Dudzik in relation to:

- Press articles and the presentation of an effigy of the Premier at a recent Council Meeting calling on the Premier to resolve the Halletts Way and Eastern Interchange issue;
- Writing directly to the Premier and other Ministers on the above matter; and
- Approaching the Federal Member for Ballarat directly for funding of major projects.

These actions are seen as disrespectful of the Premier and the State and Federal Government, do not recognise the protocol of the Mayor being the official spokesperson for the Council and further, brings the image of the Council into disrepute.

The Mayor sort leave of the Council to move a motion and requested at an Acting Chair be appointed.

APPOINTMENT OF ACTING CHAIR

Crs. Sullivan/Spain

That Cr. Comrie be appointed Acting Chair for consideration of Item 13.1 Cr Toohey: N.O.M. NO. 230 – Respect for Premier and Other Levels of Government.

CARRIED.

Cr Toohey vacated the Chair at 8.08pm.

Resolution:***Crs. Toohey/Spain******That Council:***

1. ***Expresses its strong concerns to Cr Dudzik in relation to:***
 - ***The disrespect shown to the Chairperson and Councillors at a recent Council meeting by her refusal to follow the directions of the Chairperson to remove an effigy of the Premier of Victoria she had caused to be displayed.***
 - ***The disrespect shown to the Premier of Victoria by the display of the effigy in violation of accepted principles of Councillor Conduct generally, and specifically by displaying the effigy at a Council Meeting.***
2. ***Expresses its concerns to Cr Dudzik in relation to her ignoring the precedence of the Mayor at an ANZAC memorial function and inappropriately approaching the Federal Member for Ballarat to seek funding for major projects.***
3. ***Re-affirms the role of the Mayor as the primary and official spokesperson of Moorabool Shire Council.***

CARRIED.***A Division was called for.******Councillors voting for the resolution:******Cr. Edwards
Cr. Sullivan
Cr. Spain
Cr. Toohey******Councillors voting against the resolution:******Cr. Dudzik
Cr. Tatchell
Cr. Comrie.******Cr Toohey resumed the chair at 8.44pm.***

13.2 Cr Dudzik: N.O.M. No. 231 – Electoral Boundary Changes**Motion**

That Council review the implications of the proposed electoral boundary changes and the Moorabool Shire Council make a submission to the Electoral Boundaries Commission.

Preamble

The Victorian Electoral Boundaries Commission have released a proposed new State electoral boundaries for public comment.

The proposed change to electoral boundaries splits West and South Maddingley from Bacchus Marsh and Darley. The proposed boundary changes take effect from the 2014 State election.

Consideration needs to be given on the future implications this may have on Moorabool Shire residents and future funding opportunities.

The Electoral Boundaries Commission will accept a written suggestion or objection until 29 July, 2013.

Resolution:**Crs. Dudzik/Sullivan**

That Council review the implications of the proposed electoral boundary changes and the Moorabool Shire Council make a submission to the Electoral Boundaries Commission.

CARRIED.

13.3 Cr Spain: N.O.M. No. 232 – Amendment C51 Bacchus Marsh Activity Centre Structure Plan**Motion**

That Council accept late submissions for Amendment C51 Bacchus Marsh Activity Centre Structure Plan up to 24 July 2013, a period of three (3) weeks to enable ratepayers and residents to complete submission to the plan.

Resolution:**Crs. Spain/Comrie**

That Council accept late submissions for Amendment C51 Bacchus Marsh Activity Centre Structure Plan up to 24 July 2013, a period of three (3) weeks to enable ratepayers and residents to complete submission to the plan.

CARRIED.

14. URGENT BUSINESS

Nil.

15. CLOSED SESSION OF THE MEETING TO THE PUBLIC**Recommendation:**

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

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

16. MEETING CLOSURE

The meeting closed at 8.46 pm.

Confirmed.....Mayor.