

ORDINARY MEETING OF COUNCIL

Minutes of the
Ordinary Meeting of Council held at
Council Chambers, 15 Stead Street,
on Wednesday 2 October 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

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1. OPENING OF MEETING AND PRAYER

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

2. PRESENT**Members:**

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

Officers:

<i>Mr. Rob Croxford</i>	<i>Chief Executive Officer</i>
<i>Mr. Shane Marr</i>	<i>General Manager Corporate Services</i>
<i>Mr. Phil Jeffrey</i>	<i>General Manager Infrastructure</i>
<i>Mr. Satwinder Sandhu</i>	<i>General Manager Growth and Development</i>
<i>Mr. Danny Colgan</i>	<i>General Manager Community Services</i>
<i>Ms. Natalie Abbott</i>	<i>Manager Customer and Business Services</i>
<i>Mr. Robert Fillisch</i>	<i>Coordinator Statutory Planning</i>
<i>Ms. Lace Daniel</i>	<i>Minute Taker</i>

3. APOLOGIES

Nil.

4. CONFIRMATION OF MINUTES**4.1 Ordinary Meeting of Council – Wednesday 18 September 2013****Resolution:**

Crs. Comrie/Sullivan

That Council confirms the Minutes of the Ordinary Meeting of Council held on Wednesday 18 September 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	
September 2013	
23 September	<i>Dementia Awareness Week Community Event Opening</i>
27 September	<i>Central Highlands Mayors & CEO's Forum</i>
2 October	<i>Assembly of Council – Pool Review Assembly of Council – Pool Sponsorship Assembly of Council – Budget Process and Council Plan Assembly of Council – MSC's Rate Strategy Assembly of Council – Update from Audit & Risk Committee Assembly of Council – Bacchus Marsh Racecourse Recreation Reserve Ordinary Meeting of Council</i>

Resolution:

Crs. Comrie/Edwards

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. Tatchell	
September 2013	
21-22 September	Relay for Life

Cr. Spain	
September/October 2013	
19 September	Darley Neighbourhood House AGM
1 October	Tidy Towns Presentation (Myrniong)

Cr. Comrie	
September 2013	
21-22 September	Relay for Life
24 September	Blacksmiths Cottage and Forge Committee Meeting

Cr. Dudzik	
September/October 2013	
21 September	Relay for Life
23 September	Dementia Awareness Event
30 September	ANZAC Centenary Steering Committee
1 October	Health & Wellbeing Plan Committee Meeting

Cr. Edwards	
September/October 2013	
19 September	Meeting with the Deputy Premier, The Hon. Peter Ryan, MP & Chief Executive Officer of Regional Development Victoria
2 October	Australian Peri Urban Conference

Cr. Sullivan	
September/October 2013	
30 September	Dunnstown Recreation Reserve AGM
2 October	Garage Sale Trail Launch

Resolution:

Crs. Spain/Dudzik

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:

Ms. Julie Dawson – Long Forest – Odour issues from Long Forest Road.

QUESTION ON NOTICE

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

Mr. Scott Bailey, Maddingley – Communication in relation to works to be completed affecting Grant Street service road.

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

9. PETITIONS

Nil.

10. PRESENTATIONS / DEPUTATIONS

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

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

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

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

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

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

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

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

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

Nil.

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

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

Item No	Description	Name	Applicant/ Objector
11.2.1	Planning Application PA2013-103; The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign; CA87B, Parish of Kerrit Bareet, Yendon Egerton Road, VIC, Mount Egerton, 3352	Cathleen Littlejohn	Objector
11.2.1	Planning Application PA2013-103; The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign; CA87B, Parish of Kerrit Bareet, Yendon Egerton Road, VIC, Mount Egerton, 3352	Sandra Siniawski	Objector
11.2.1	Planning Application PA2013-103; The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign; CA87B, Parish of Kerrit Bareet, Yendon Egerton Road, VIC, Mount Egerton, 3352	Andrea Shaw	Supporter
11.2.1	Planning Application PA2013-103; The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign; CA87B, Parish of Kerrit Bareet, Yendon Egerton Road, VIC, Mount Egerton, 3352	Peter Martin	Objector

Item No	Description	Name	Applicant/ Objector
11.2.1	Planning Application PA2013-103; The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign; CA87B, Parish of Kerrit Bareet, Yendon Egerton Road, VIC, Mount Egerton, 3352	Daniel Slater	Objector
11.2.1	Planning Application PA2013-103; The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign; CA87B, Parish of Kerrit Bareet, Yendon Egerton Road, VIC, Mount Egerton, 3352	Dylan Finnegan	Supporter
11.2.1	Planning Application PA2013-103; The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign; CA87B, Parish of Kerrit Bareet, Yendon Egerton Road, VIC, Mount Egerton, 3352	Katie Proksa	Supporter
11.2.1	Planning Application PA2013-103; The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign; CA87B, Parish of Kerrit Bareet, Yendon Egerton Road, VIC, Mount Egerton, 3352	Nathan Camilleri	Supporter
11.2.1	Planning Application PA2013-103; The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign; CA87B, Parish of Kerrit Bareet, Yendon Egerton Road, VIC, Mount Egerton, 3352	Daniel Camilleri	Applicant

Item No	Description	Name	Applicant/ Objector
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11.2.1	Planning Application PA2013-103; The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign; CA87B, Parish of Kerrit Bareet, Yendon Egerton Road, VIC, Mount Egerton, 3352	Charmaine Redford	Objector

11. OFFICER'S REPORTS

11.1 CHIEF EXECUTIVE OFFICER

11.1.1 Australia Day Award Recipient Selection Panel

Introduction

File No.: 02/04/003
Author: Dianne Elshaug
Chief Executive Officer: Rob Croxford

Background

Moorabool Shire Council Australia Day 2013 Celebrations are scheduled to be held on Saturday 26 January, 2014 in the Mechanics Institute, Inglis Street, Ballan and will include a community breakfast and award presentations.

Advertisements have been placed in the local papers and on the website calling for nominations for Moorabool Shire Council's Australia Day Citizen of the Year, Young Citizen of the Year and Community Event of the Year. Nominations close mid November 2013.

Proposal

A selection panel for the Awards made up of Councillors and the 2013 Australia Day Citizen/s of the Year will be required to meet in December to determine the award recipients for 2014.

Policy Implications

The 2013-2017 Council Plan provides as follows:

Key Result Area	Community Wellbeing
Objective	Community Self Reliance
Strategy	Support community and cultural events.

The proposal to have a selection panel made up of Councillors and the 2013 Australia Day Citizen/s of the Year to determine 2014 award recipients is consistent with the 2013-2017 Council Plan.

Financial Implications

Nil.

Risk & Occupational Health & Safety Issues

Nil.

Communications and Consultation Strategy

Advertising and media releases will be prepared leading up to Australia Day celebrations.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Manager – Rob Croxford

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

Author – Dianne Elshaug

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

Conclusion

That a selection panel for the Awards be made up of Councillors and the 2013 Australia Day Citizen/s of the Year and will meet in December to determine the award recipients for 2014.

Recommendation:

That two Councillors be nominated to be a part of the Australia Day Selection Panel to determine award recipients for 2014.

Resolution:

Crs. Edwards/Comrie

That Cr. Spain and Cr. Dudzik be nominated to be a part of the Australia Day Selection Panel to determine award recipients for 2014.

CARRIED.

Report Authorisation

Authorised by:

Name: Rob Croxford
Title: Chief Executive Officer
Date: Monday 23 September 2013



11.2 GROWTH AND DEVELOPMENT

11.2.1 Planning Application PA2013-103; The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign; CA87B, Parish of Kerrit Bareet, Yendon Egerton Road, VIC, Mount Egerton, 3352

Application Summary:	
Application No:	PA2013-103
Lodgement Date:	8 May 2013
Applicant:	Inca Roads Inc. c/- Daniel Camilleri
Planning Officer:	Victoria Mack
Earliest date the applicant may apply to VCAT for an appeal against Failure to Determine:	2 September 2013
Address of the land:	CA87B, Parish of Kerrit Bareet, Yendon Egerton Road, VIC Mount Egerton, 3352
Proposal:	The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign
Lot size:	8.33ha
Moorabool Planning Scheme (Relevant details):	
State Planning Policy Framework (SPPF):	Clause 14.02-1, Catchment planning and management
Local Planning Policy Framework (LPPF):	Clause 21.03-5 Rural Lifestyle Opportunities
Zone:	Farming Zone (FZ)
Overlays:	Environmental Significance Overlay . Schedule 1 (ESO1, Proclaimed Water Catchment Areas) Design and Development Overlay . Schedule 2 (DDO2 Visual amenity and building design)
Particular provisions:	Clause 52.05, Advertising signs
General provisions:	Clause 65 Clause 66
Why is a permit required?	Provisions of the Farming Zone and Environmental Significance Overlay . Schedule 1

Public Consultation:	
Number of notices to properties:	16
Notices on site:	1
Notice in Newspaper:	No
Number of objections:	5
Consultation meeting:	14 August 2013. Attended by all objectors
Policy Implications:	
Key Result Area -	Enhanced Infrastructure and Natural Built Environment.
Objective -	Effective and efficient land use planning and building controls.
Strategy -	Implement high quality, responsive, and efficient processing systems for planning and building applications. Ensure that development is sustainable, resilient to change and respects the existing character.
Victorian Charter of Human Rights and Responsibilities Act 2006	
In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.	
Officer's Declaration of Conflict of Interests	
Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest. <i>General Manager Growth and Development – Satwinder Sandhu</i> In providing this advice to Council as the General Manager, I have no interests to disclose in this report. <i>Author – Victoria Mack</i> In providing this advice to Council as the Author, I have no interests to disclose in this report.	

Executive Summary:

The application is to conduct a small annual three day music festival to cater for a maximum of 650 people, including members (patrons) artists and organisers including volunteer staff. The application is before Council owing to the receipt of five (5) objections from neighbouring landowners and occupiers.

The key concerns of objectors include: excessive noise; the disruption to the peaceful rural amenity of the area; the risk that the patrons may create a detriment to themselves and neighbours; fire risk; and increased traffic on local roads.

In weighing up the concerns of the concerns of objectors it is considered that the applicant has demonstrated that the festival can be managed appropriately and securely, that noise emissions can be controlled to meet EPA guidelines and the traffic which would be generated by the event is modest when spread over the three days.

It is noted that a number of neighbours attend the event. The music is not of the ~~aveq~~ style and it is not considered that this festival would become a future ~~woodstockq~~ and no alcohol is sold at the event.

It is considered that appropriate measures have been taken to conduct a music festival in a responsible manner and would provide small economic benefits to local businesses within the municipality.

This application went to Council for a determination on 19 September 2013. An amendment motion by Cr Dudzik was lost, and it was considered by Council that additional information was required for the application to be considered. The applicant has subsequently provided the information required.

Summary Recommendation:

The proposal has been assessed against the relevant components of the Moorabool Planning Scheme, particularly those set out in the State and Local Planning Policy Framework, Clause 35.07-1 and Clause 35.07-6 Decision guidelines of the Farming Zone and it is considered that the proposed use is generally consistent with requirements of the scheme.

It is recommended that Council resolve to issue a Notice of Decision to Grant a Permit for this application pursuant to Section 61(1) of the Planning and Environment Act 1987 subject to conditions contained later in this report.

Site History

A search of Council Records reveals that no planning permits have been issued on the subject land. A music festival was conducted on the land in both 2011 and 2012 without a permit. The matter was investigated after three complaints from neighbours were received in 2012, however, no enforcement was undertaken. This was on the basis that the applicant had contacted Council (the applicant has provided email evidence of this) prior to both events and while the matter was not referred to planning, advice was provided that a permit was not required to hold the event.

Proposal

Inca Roads proposes to conduct a Music Festival on the land from Friday 29 November 2013 to Sunday 1 December 2013. The site would be set up the day prior and clean up would occur the day following. The application can be summarised as follows:

- **The applicant:** Inca Roads is an incorporated not-for-profit charitable music club and claims to celebrate the best in young talent by encouraging new performers to perform at the event in a family friendly environment; and provide a professional platform for artists as young as 15 years of age.
- **Music type:** A mix of classic genres would be played such as soul, jazz & rhythm and blues; as well as modern day pop, rock and acoustic music.
- **Attendees / patrons:** All festival patrons would be required to be members of Inca Roads. No tickets are proposed to be sold at the gate on the event weekend. A membership database is kept.
- **Age demographic:** The documentation provided states that the demographic would be from 15 to 80 years of age, with the majority of attendees being between 25 and 35 years of age.
- **Participant numbers:** The three day music festival would be capped at a maximum of 650 people made up of: members (500), organisers and volunteer staff (50); and performing artists (100).
- **Hours of festival:** Live music would be played at the following times:
 - Friday 29 November: 1pm . 1am (Saturday)
 - Saturday 30 November: 11am . 1am (Sunday)
 - Sunday 1 December: 10am . 1.45pm.
- **Performance breaks:** There would be 30-45 minute performances followed by 30-45 minute breaks.
- **Entrance and exit:** Entrance and exit from the site would be from the Yendon Egerton Road, in the north-east corner of the site. An emergency exit is also suggested to the west along the south side boundary of the site across neighbouring land to Lillis Road, but no easements are registered on title nor is there an unused government road. A third exit for use in emergency is proposed through Lot 87 D to the east of the property.

- **Traffic:** The organisers estimate that the maximum number of cars that would be on the site over the three days would be 200-250, with some traffic movements on each day as performers and others arrive or depart the venue. It is estimated that approximately 150 cars would be on the site at any one time. An in-paddock parking area for 159 cars (including two (2) disabled spaces) is noted on the site plan as well as an additional 40 car spaces for artists, closer to the performing area. It is not anticipated by the applicant that there would be a peak time for arrivals or departures.
- **Traffic Management:** There would be no queuing on the Yendon Egerton Road and cars would enter the site where there would be a waiting area able to accommodate at least 30 cars. Traffic management volunteers would control and direct all cars from this assembly area.
- **Signage:** One (1) sign would be erected on the gate to the property which would be 1m long x 0.5 wide. No other signage would be erected on the property or any other roads, other than temporary internal directional signs.
- **Alcohol:** No alcohol would be sold on the site but patrons would be able to bring their own alcohol to the event. A Liquor Licence would not be required as alcohol is not being sold at the event. A copy of an email response from the Victorian Commission for Gambling and Liquor Regulation was received which indicated that in this instance where there was no liquor being sold to the public and the premises was not a club and not a premises where meals or light refreshments are normally served to the public, that a Liquor Licence was not required.
- **Accommodation:** Patrons and organisers would bring their own tents for overnight accommodation. Three camping areas have been noted on the site plan.
- **Food:** No cooking equipment would be allowed on the site, or any fires. Food during the event would be provided either by a general BBQ for members, brought by participants themselves, or purchased from food vans to be available during the event. Perishable food would be stored in a refrigerator on the site. Insurance and registration for any vendors on site would be required.
- **Waste management:** Rubbish bags would be provided to members on arrival and waste bins would be available around the site. Bins would be emptied into a waste disposal area which is noted on the site plan, to be located behind an existing shed on the land and screened by trees. Collected waste would be disposed of in a Council waste handling facility after the event.
- **Portable toilets:** Twenty four (24) portable toilets and one (1) disabled toilet would be provided on the site by Palmer Hire for the duration of the event. This equates to one cubicle per 35 patrons, Washbasins and soap would be provided and volunteers would check the cubicles each 6 hours. The location of the portable toilets is marked on the site plan.

- **Stage and performing area:** The stage area would contain a site induction point, a drinking water point, a food vending and service area, a first aid tent and a disabled viewing area, all to be located south east of the main stage. The stage would be rented for the event and have a floor area of 20sqm (4m x 5m) with scaffolding and a tarpaulin. Some plywood would also be used on the roof and walls to be constructed by a licenced carpenter. Details of the stage area are marked on the site plan.
- **Staff:** All staff would be volunteers and would be inducted at least one hour prior to their shift about the site's safety and operational procedures.
- **Security:** Would be provided by Regional Security Services, with one (1) security guard per 35 patrons.
- **First Aid:** There would be at least one Chief First Aid and OH&S officer on shift and at least two General First Aid officers on shift.
- **Land:** The land is owned by a relative of the applicant.
- **Water:** Would be free to participants.
- **Power and lighting:** A 15Kva generator would power the site with smaller generators for night lighting. The camp areas will be lit between the hours of 8pm and 4am. Low level lighting would be used for the stage and surrounds - no laser lighting would be used.
- **Risk:** Public and Products Liability Insurance would be in place with Hohan Group as underwriters.
- **Fire risk and water supply:** A 25,000L mobile fire tanker would be available with appropriate CFA connections. The grass would be mown to approximately 5cm in height and cleared of debris prior to the event.
- **Local suppliers:** would be used to provide security, coffee, food and local farm products.
- **Website:** The Inca Roads website can be accessed at: www.incaroads.com.au **Acoustic Report:** An acoustic report has been provided prepared by Sound and Acoustic Engineer, Dom Watson, from ATC Productions.

The summary of the acoustic report findings (August 2013) stated as follows:

Measurements were taken at key points along the boundary of the property, within the festival site and at neighbouring properties. With a 112dB(A) weighted peak output one metre from the source location this was found to be well within the limits of EPA regulations at all properties in the local area. All properties were well within the 65dB (A) EPA limit. See also recommendations.

All objectors are those most minimally impacted with recordings of less than 45dB (A). Interestingly readings of 4WD's trucks and V6 cars driving down the road easily reached 75-85dB (A).

Based on these results, it is my strong belief that the operating of this festival will not have any adverse effects on the neighbouring properties or objectors and will cause minimal disruption to the surrounding area.

It was also noted by the acoustic consultant that the audio system to be used in 2013 is superior to that used in previous events and that ~~the~~ the greater amount of ~~headroom~~ the less sonic distortion and shorter distance the sound travels~~q~~

Recommendations to dampen sound leakage (summarised):

1. Insulate three (3) walls of the stage with large square straw bales (approx. 150kg each).
2. Add artificial barriers to reduce noise escaping from the site.
3. Consult with festival sound engineer to arrange speaker directions to cancel out any reverberating frequencies during the event, such as using cardioid array to minimise effect of bass frequencies.
4. Provide a public complaint hotline operator in event of noise exceedance.
5. Procedure in place to monitor and act upon sound exceedance.

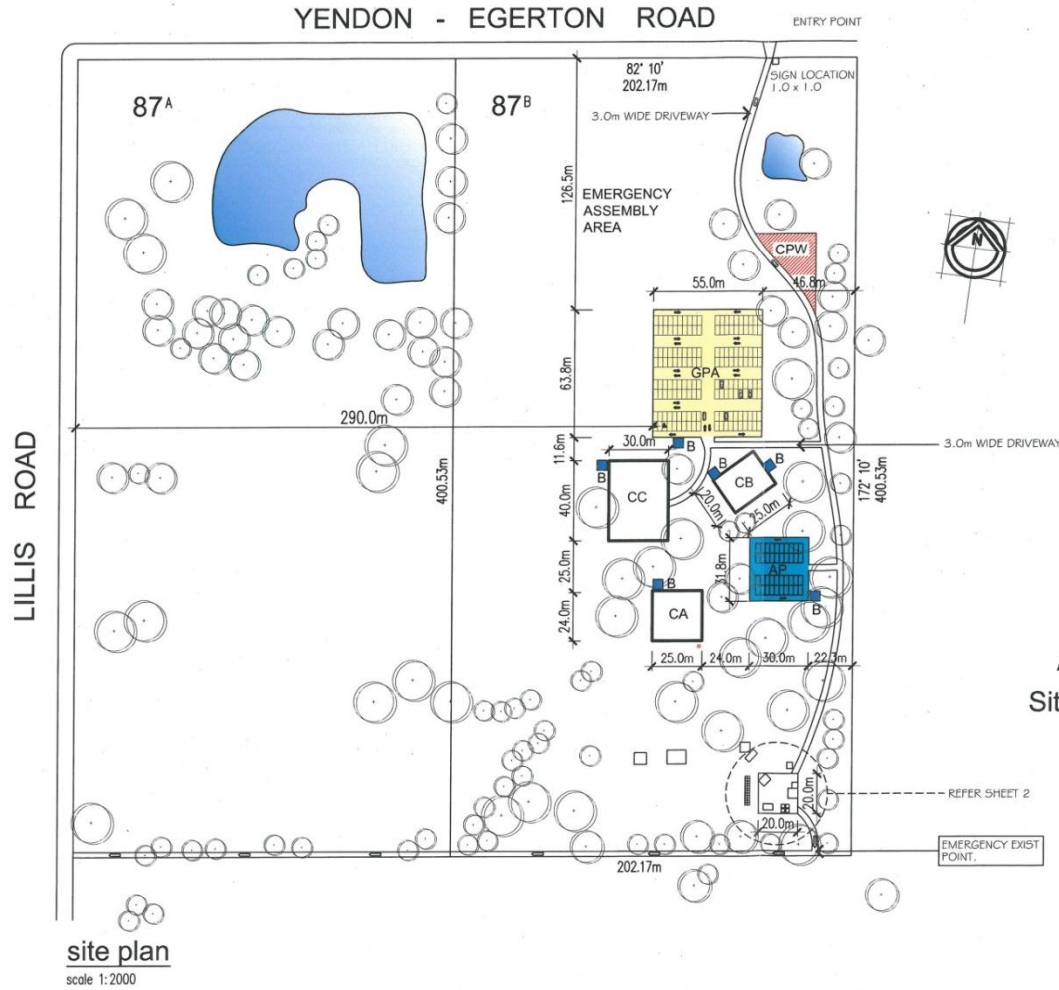
The applicants have stated they will use a digital decibel meter to determine sound levels across all spectrums prior to the commencement of the event and will comply with the following:

- The ~~Reasonable Noise~~ and ~~Reasonable~~ duration of amplified sound~~q~~ of s48A of the EPA Production Act 1970;
- EPA (Residential Noise) Regulations 2008
- s46 and s48B (Entertainment Venue / Concert restrictions ~~Duration of Sound~~).

The applicants have stated that they will undertake hourly checks of noise to ensure the mix is not travelling long distances; and instruct the Sound Engineer to remove all low end and ~~sub~~ bass frequencies from the mix. After 10pm the volume will be reduced by 15% every hour until 1am.

SITE PLAN . CA 87B
VERSION 1 June 2013

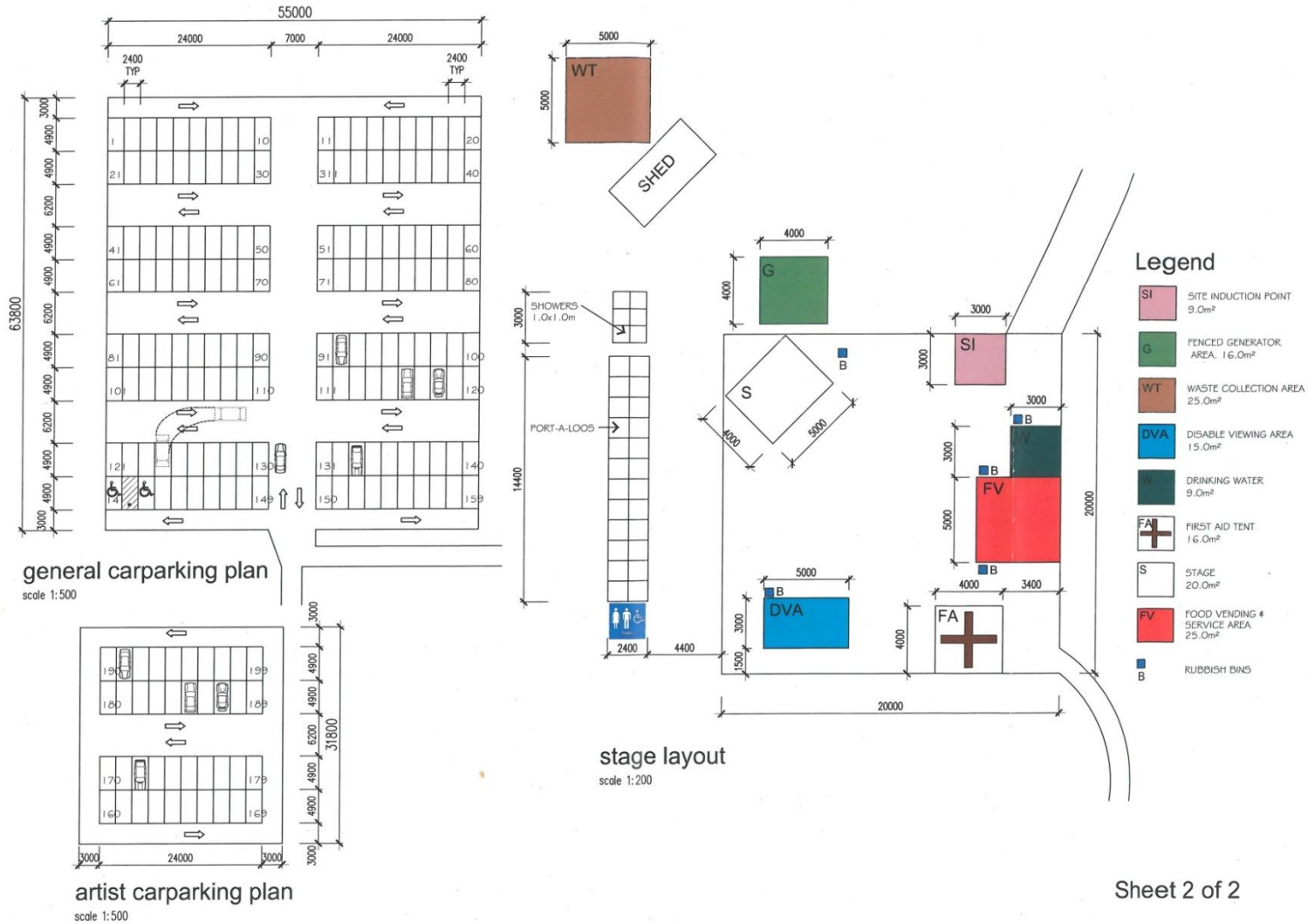
"Inca Roads Music Festival"



Applicant: Daniel Camilleri
 Site: 87B Yendon-Egerton Road
 Mt. Egerton
 JUNE 2013

Sheet 1 of 2

DETAILED STAGE AND CAR PARKING PLAN . CA 87B
 Version 1 June 2013



Sheet 2 of 2

Site Description

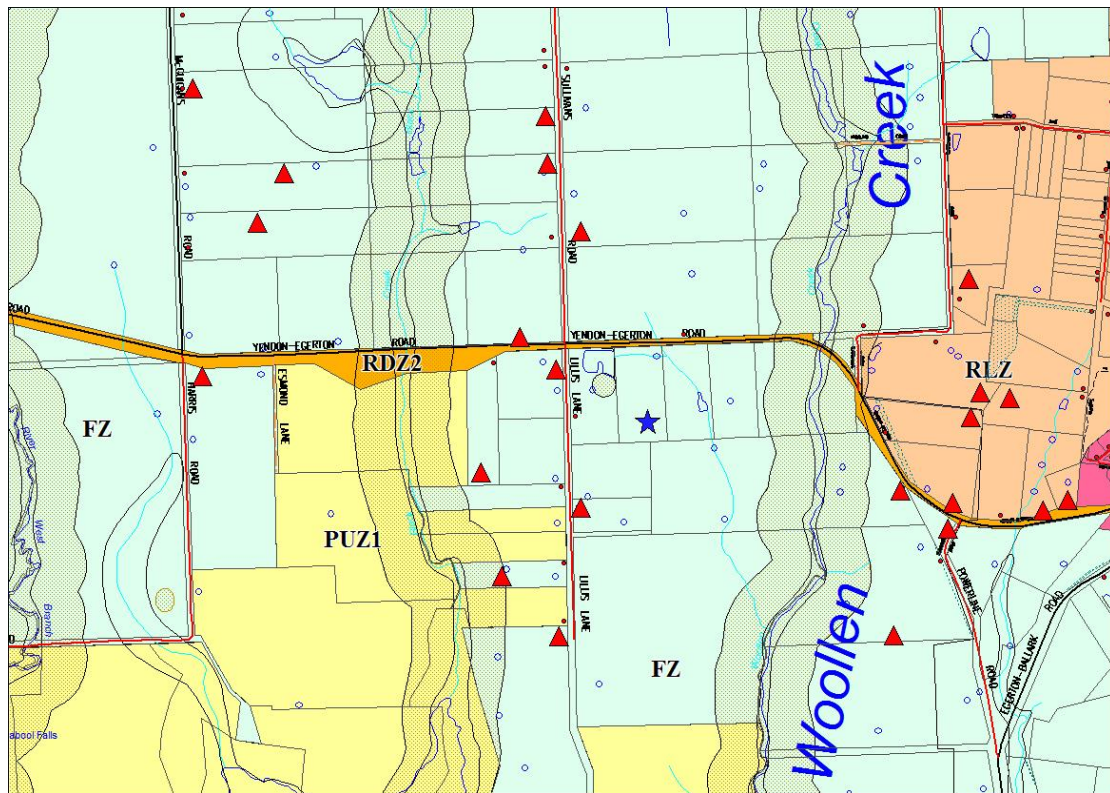
The site is vacant farming land with an area of 8.33ha. The entrance to the land is via a crossover and a farm gate from the Yendon Egerton Road located in the north east corner of the site. The property is accessed from this gateway via a gravel farm track. There is a small dam in this corner of the allotment setback approximately 28m south of the road.

Two waterways are also located in the north east corner of the site - one running east west parallel with the road which also runs through the dam and which then connects with the other which clips the north east corner of the site and flows to the south east across neighbouring land.

The pastured grazing land is undulating rising to the rear south side boundary of the allotment. There is native vegetation along the east side boundary and then scattered native vegetation across the southern half of the site.

Neighbouring land is used for predominantly grazing and fodder conservation. To the east, south and west of the site the land is generally cleared with vegetation more generally limited to windbreaks and a few scattered trees. To the north of the site the land is also used for grazing but has medium density scattered native vegetation.

Neighbouring allotments are generally of similar size or larger some with dwellings. It is estimated that there are approximately 13 dwellings within a 1km radius of the site.



★ Subject site ▲ Neighbouring Dwellings

Planning Scheme Provisions

State Planning Policy Framework

Clause 14.02-1, Catchment planning and management

- The objective of this policy is to assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

Local Planning Policy Framework

Clause 21.03-5 Rural Lifestyle Opportunities

- The objective of this policy is to support development in small towns and rural lifestyle opportunities as an additional residential choice.

Zone

Farming Zone

Pursuant to Clause 35.07-1, Section 2 of the Moorabool Planning Scheme a planning permit is required to use land for a Place of Public Assembly (Music Festival).

Overlays

Environmental Significance Overlay – Schedule 1

Pursuant to Clause 42.01-2 of the Moorabool Planning Scheme a planning permit is required to construct or carry out works.

Design and Development Overlay – Schedule 2

A permit is not required to construct or to carry out works where all external walls and roof areas are clad with non-reflective materials.

Particular Provisions

Advertising Signage

Pursuant to Clause 52.05-9, a permit is required to display a business identification sign.

The objectives for advertising signs are:

- *To regulate the display of signs and associated structures.*
- *To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
- *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

In Category 4 . sensitive areas . the total advertisement area to each premises for a Business Identification must not exceed 3 sqm.

Only one (1) sign is proposed which would be located on the front gateway to the property and which would have an area of 0.5 sqm. More particularly, the scale and form of the sign proposed would only be erected for the duration of the festival.

General Provisions

Clause 65 sets out a list of criteria that the responsible authority must consider as appropriate, including the following:

- The matters set out in Section 60 of the Act. (This is the consideration of objections).
- The State Planning Policy Framework (SPPF) and the Local Planning Policy (LPPF), including the Municipal Strategic Statement (MSS) and local policies.
- The purpose of the zone, overlay or other provisions.
- Any matter required to be considered in the zone, overlay or other provisions.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- The extent and character of native vegetation and the likelihood of destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.

Referrals

Pursuant to Section 55 of the Planning and Environment Act 1987 the application was referred to the following authorities.

Authority	Response
Central Highlands Water	No objection subject to one (1) condition

The application was referred internally to Council's Environmental Health Officer and Infrastructure departments, both of whom offer no objection to the proposed development subject to conditions.

Public Notice

The application was advertised to adjoining owners and occupiers within a one (1) kilometre radius of the site by sending individual notices on 2 July 2013 and a sign placed on the site from 3 July 2013 to 18 July 2013. Five (5) objections were received.

A consultation meeting was held on 14 August 2013 at Ballan Council Chambers between 5pm and 6.30pm and was attended by all objectors.

Summary of Objections

A summary of the objections are as follows:

Objection	Officer's response
<p>Noise</p> <p>The objectors' overriding concern was the noise emanating from the festival and that the operating hours proposed are excessive for families with young children. More generally the concern was that the event would disturb the peaceful rural amenity of the area.</p> <p>There was also concern that the physical address of the venue could be easily found on the internet, and that this could easily attract gate crashers to the event.</p>	<p>At the consultation meeting objectors acknowledged that the noise from the event in 2012 was not as invasive as in 2011. It was also noted that some neighbours do attend the event.</p> <p>The applicant has provided an acoustic report which demonstrates that the noise leakage from the stage area can be contained within acceptable levels, with both an improved sound system, as is proposed in 2013, and also with specific sound engineering controls to minimise noise travelling long distances.</p> <p>Most objectors live more than 750m north and west of the proposed site.</p> <p>The applicant has advised following the Consultation meeting that all references to the address of the site have been removed from internet sites. The event will be advertised as in the Greater Ballarat Region.</p>
<p>Alcohol and drugs</p> <p>Objectors were concerned about over consumption of alcohol and the possibility of prohibited drugs. They wanted to know how will the organisers ensure that the patrons did not end up overdosed or out of control over the three days.</p>	<p>The applicant has contracted Regional Security Services Australia, Ballarat, to be on site for the duration of the event. This firm was also present in 2012. It is not considered that this event would get out of control; however, a strong security presence should address any issues that arise. Additionally there would be qualified staff with appropriate first aid training and prior to the event there would be staff and patron induction procedures.</p>

<p>Traffic Increased traffic created by the event would create a detriment to local road users.</p>	<p>The traffic will arrive and depart throughout the event, and the organisers claim that there is no peak period for arrival or departure. There would be no queuing in the Yendon Egerton Road.</p> <p>Council's Infrastructure Department as a condition of permit requires that a traffic report is provided to them prior to the event.</p>
<p>Fire risk Fire risk if the season dries off early. Objectors questioned how such a large crowd of people could be evacuated if there was a bushfire.</p> <p>Cigarettes cause a fire risk.</p>	<p>While there is some risk of fire at this time of year, often at the end of November grass is still green, and bushfires at the end of November are not common. The applicant has stated that there would be a static water supply plus a mobile water tanker available on site in the event of fire and appropriate fire control measures in place if a fire was to start on the site.</p> <p>If the grass is cut early in November this usually encourages fresh green grass growth.</p>
<p>Rubbish Clean-up of the site, including cigarette butts.</p>	<p>A satisfactory waste plan has been submitted and the requirement for a full clean-up of the site can be conditioned.</p>
<p>Why here? Why couldn't the festival be held in an alternative venue better suited for the purpose.</p>	<p>The applicants have stated that they are a charitable organisation run by volunteers and do not have a big budget. The aim is to give young and emerging performers an opportunity to perform in front of an audience, and to run the event at relatively low cost.</p>

Assessment of Application

The application is for one annual three day music festival. The applicants have conducted this festival twice on the subject land, in 2011 and 2012, without a permit.

Three complaints about noise were received by Council in early December after the 2012 festival. Investigation of these events resulted in the operators being told that must obtain a Planning Permit if they proposed to run the event in 2013. No enforcement resulted, as the applicant was provided advice by Council that a permit was not required.

The event is operated by Inca Roads Inc. which is a not-for-profit arts organisation that claims to have been created to provide a genuine platform where musicians and artists, particularly young people, can perform and collaborate, in a family friendly environment.

The maximum number of people that would attend the event would be 650, made up of 500 members (patrons), 100 artists, and 50 organisers / support volunteers.

Attendees would all be members of the Inca Roads organisation, and attendance would be as part of pre-paid membership arrangements, with no tickets being sold at the gate during the event. This requirement should also be made a condition of a permit.

The applicant has provided details of how the event would be conducted and managed to ensure safety and security, and minimise risk. Documentation has been provided entitled *Inca Roads Procedural Manual* which covers the following matters:

- Security . one guard per 35 members to be provided by Regional Security Services Australia, Ballarat; and one volunteer staff member would be on site for every 10 members attending.
- Perimeter patrol - Security will patrol the perimeter of the property throughout the event and be present the entry at all times.
- 15m internal property boundary - within the property a clearly marked setback distance of 15m will be made.
- Gate-crasher prevention policy including wristband policy for members.
- Intoxication prevention . no alcohol would be sold at the event, and security, volunteers and first aid officers will monitor alcohol consumption as required. Water will be made available free to members.
- Physical altercations policy.
- Illicit substance prevention policy will include: prior warning to all members via email and the website; thorough car searches at the gate; volunteers, staff and security looking out for any suspicious behaviour; security checking through tents throughout the weekend; and police assessing the site.
- Emergency procedures and plans covering such possible emergencies requiring evacuation as stage fire or bushfire threat (with CFA recommendations).
- Evacuation procedure.
- Safety procedure and plans including contact details & maps.

- Risk assessment including: volunteer site induction procedure; tasks and responsibilities.
- Local area procedure including communication, management and general logistics information.
- Fire management and prevention procedure.
- Traffic management report.
- Acoustic report.

The application was advertised and five (5) objections were received. The concern of the objectors was based on their previous negative experience of the festival's noise and also internet research which revealed some social media style reports of the festival experience by attendees that ranged from complimentary to a bit wild.

While all objectors were concerned about the impact of this event on their peaceful rural amenity, two also stated at the consultation meeting that the noise from the festival in 2012 was not as invasive as it had been in 2011. An Acoustic Report was provided with the application which indicated that the music noise could be managed to meet the EPA guidelines No. N2, for the control of music noise at public premises, and that the modelled noise at neighbouring properties, including the objectors' properties would be well under the EPA requirements.

It is considered that the organisers have tried to accommodate the concerns of objectors and they have developed a management response for the 2013 event which indicates it would satisfactorily address noise emissions, security, fire and other potential hazards and risks, public safety and traffic management.

However, it is considered that the event should be allowed to be conducted in 2013 only and any future events should require a new permit application which should be assessed based on the conduct of the 2013 event.

It is also considered that the hours of operation should be amended from the hours requested, such that the music stops at midnight on both the Friday and Saturday nights instead of 1am. This should be conditioned.

It is also recommended that a condition of the permit should restrict the permit to Inca Roads Inc. only and in this instance that the permit does not run with the land.

The application was referred to Council's Infrastructure Department and Environmental Health who did not object to the application subject to conditions. The application was also referred to Central Highlands Water who did not object to the application subject to one condition.

The applicant has submitted an application for a Temporary Occupancy Permit from Council's Building Department . Form 5 (Place of Public Entertainment - POPE) with Council's Building Department.

This has been assessed by the Municipal Building Surveyor and that based on the information provided by the applicant that in accordance with the Building Amendment (Place of Public Entertainment) Regulations 2013, a POPE is not required. The POPE application accords with the information provided for this Planning Permit application.

Consideration of Deputations – Planning Permit Application No. PA2013-103.

Ms. Cathleen Littlejohn addressed Council as an objector to the granting of a planning permit for the application.

Ms. Sandra Siniawski addressed Council as an objector to the granting of a planning permit for the application.

Ms. Andrea Shaw addressed Council as a supporter to the granting of a planning permit for the application.

Mr. Peter Martin addressed Council as an objector to the granting of a planning permit for the application.

Mr. Daniel Slater addressed Council as an objector to the granting of a planning permit for the application.

Mr. Dylan Finnegan Slater addressed Council as a supporter to the granting of a planning permit for the application.

Mr. Katie Proksa addressed Council as a supporter to the granting of a planning permit for the application.

Mr. Nathan Camilleri addressed Council as a supporter to the granting of a planning permit for the application.

Mr. Daniel Camilleri addressed Council as the applicant.

Ms. Gayleen Martin addressed Council as an objector to the granting of a planning permit for the application.

Ms. Charmaine Redford addressed Council as an objector to the granting of a planning permit for the application.

The business of the meeting then returned to the agenda.

Recommendation:

That Council having considered all relevant matters as prescribed by s.60 (1) of the Planning and Environment Act 1987 issue a Notice of Decision to Grant a Permit PA2013-103 for The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign at CA87B, Parish of Kerit Bareet, also known as 87B Yendon Egerton Road, Mount Egerton, subject to the following conditions:

1. Before the use commences, amended plans must be submitted to the satisfaction of the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a. The location of prominent Emergency Exit signage for all proposed exits from the site in the event of an emergency.
 - b. A traffic management plan in accordance with Infrastructure's Condition 20.
 - c. Amended site plan including shower and hand washing facilities.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. This permit only allows the November 2013 Music festival to take place. A new application is required for any further events on the site, which will take into account adherence to Council requirements.
4. The following plans are to be endorsed as part of the permit:
 - a. Site plan (whole site) and detailed site plan in accordance with the requirements of Condition 1.
 - b. Inca Roads Procedural Manual (Version 2, September 2013), which includes the Acoustic report by Dom Watson, ATC Productions, (August 2013).
 - c. Traffic Management Plan, to be provided as per condition 1b).
 - d. Sign design with dimensions.

The music festival must be run in accordance with all of the endorsed plans.

5. The festival must comply with all recommendations contained in the endorsed acoustic report prepared by Acoustic Engineer, Dom Watson, from ATC Productions (August 2013).
6. Noise emissions from the site must comply with the State Environment Protection Authority (EPA) noise guidelines Policy N2 (control of music noise from Public Premises).

7. **This permit can only be operated by Inca Roads Inc. and is not transferable to any other body without the consent of the Responsible Authority.**
8. **At least three weeks prior to the event the site must be slashed to remove the grass burden to reduce risk of fire.**
9. **A mobile water tank with minimum capacity of 1000 litres must be available on site for fire fighting purposes with suitable pumps and hosing for rapid response.**
10. **No more than 650 people are permitted to attend the Music Festival which includes members, artists and paid or voluntary staff.**
11. **All attendees must be members of Inca Roads and must have pre-paid tickets which must not be available for purchase on the night. The tickets must notify members that they may be subject to random searches for illegal substances.**
12. **The entrance to the site must be kept clear of vehicles and be securely staffed at all times.**
13. **Appropriately trained security personnel must be in attendance for the duration of the event at a minimum ratio of one to 35 members. Security staff must regularly patrol the boundary fencing of the site.**
14. **There must be no lights in the sky or projecting onto other properties.**
15. **Live music can only be played at the following times:**
 - a. **Friday: 12 midday – 12 midnight**
 - b. **Saturday: 11am – 12 midnight**
 - c. **Sunday: 10am – 4pm.**
16. **The location, dimensions and features of the approved sign (including the design, colours, materials and sign type) shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**
17. **The sign must be only displayed immediately prior to and during the event and must be removed within 3 days of the conclusion of the event to the satisfaction of the Responsible Authority.**
18. **Within seven (7) days of the completion of the event the site must be cleaned of all waste and all structures are to be removed.**
19. **Areas set aside for the parking and movement of vehicles as shown on the endorsed plan must be made available for such use and must not be used for any other purpose.**

Infrastructure conditions

20. Not less than twenty eight days prior to the event, the proponent must submit to the Responsible Authority a Traffic Management Plan, detailing the location and type of all advance warning signs and all signs at the entrance to the event.

Environmental Health conditions

21. All temporary and mobile food vendors must be registered under the Food Act 1986 with the appropriate authority on Streatrader, online database for mobile and temporary food premises, and submit a Statement of Trade to Moorabool Shire Council at least 5 working days prior to the first day of the festival.
22. All drinking water provided at the festival must be potable water which meets the requirements of the Australian Drinking Guidelines 2011 and be contained on site in a secure, clean and sanitary container/tank.
23. All waste water generated on site from the toilets, showers and wastewater from food vending activities must be suitably contained on-site and removed off-site by an approved waste water management contractor/company.

Central Highlands Water condition

24. Wastewater generated onsite during the event must be collected and disposed of through the use of portable sanitary facilities.

Expiry condition

25. This permit will expire on 15 December 2013. This permit cannot be extended.

Permit Note:

The applicant must apply for a Temporary Occupancy Permit from Council's Building Department – Form 5 (Place of Public Entertainment).

It is recommended that Inca Roads invite property owners immediately adjoining the festival site to attend the event.

Resolution:**Crs. Tatchell / Sullivan**

That Council having considered all relevant matters as prescribed by s.60 (1) of the Planning and Environment Act 1987 issue a Notice of Decision to Grant a Permit PA2013-103 for The Use of the land for a Place of Assembly (Music Festival) and a Business Identification sign at CA87B, Parish of Kerrit Bareet, also known as 87B Yendon Egerton Road, Mount Egerton, subject to the following conditions:

- 1. Before the use commences, amended plans must be submitted to the satisfaction of the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:***
 - a. The location of prominent Emergency Exit signage for all proposed exits from the site in the event of an emergency.***
 - b. A traffic management plan in accordance with Infrastructure's Condition 20.***
 - c. Amended site plan including shower and hand washing facilities.***
- 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.***
- 3. This permit only allows the November 2013 Music festival to take place. A new application is required for any further events on the site, which will take into account adherence to Council requirements.***
- 4. The following plans are to be endorsed as part of the permit:***
 - a. Site plan (whole site) and detailed site plan in accordance with the requirements of Condition 1.***
 - b. Inca Roads Procedural Manual (Version 2, September 2013), which includes the Acoustic report by Dom Watson, ATC Productions, (August 2013).***
 - c. Traffic Management Plan, to be provided as per condition 1b).***
 - d. Sign design with dimensions.***

The music festival must be run in accordance with all of the endorsed plans.

- 5. The festival must comply with all recommendations contained in the endorsed acoustic report prepared by***

- Acoustic Engineer, Dom Watson, from ATC Productions (August 2013).**
- 6. Noise emissions from the site must comply with the State Environment Protection Authority (EPA) noise guidelines Policy N2 (control of music noise from Public Premises).**
 - 7. This permit can only be operated by Inca Roads Inc. and is not transferable to any other body without the consent of the Responsible Authority.**
 - 8. At least three weeks prior to the event the site must be slashed to remove the grass burden to reduce risk of fire.**
 - 9. A mobile water tank with minimum capacity of 1000 litres must be available on site for fire fighting purposes with suitable pumps and hosing for rapid response.**
 - 10. No more than 650 people are permitted to attend the Music Festival which includes members, artists and paid or voluntary staff.**
 - 11. All attendees must be members of Inca Roads and must have pre-paid tickets which must not be available for purchase on the night. The tickets must notify members that they may be subject to random searches for illegal substances.**
 - 12. The entrance to the site must be kept clear of vehicles and be securely staffed at all times.**
 - 13. Appropriately trained security personnel must be in attendance for the duration of the event at a minimum ratio of one to 35 members. Security staff must regularly patrol the boundary fencing of the site.**
 - 14. There must be no lights in the sky or projecting onto other properties.**
 - 15. Live music can only be played at the following times:**
 - a. Friday: 12 midday – 12 midnight**
 - b. Saturday: 11am – 12 midnight**
 - c. Sunday: 10am – 4pm.**
 - 16. The location, dimensions and features of the approved sign (including the design, colours, materials and sign type) shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**
 - 17. The sign must be only displayed immediately prior to and during the event and must be removed within 3 days of the conclusion of the event to the satisfaction of the**

Responsible Authority.

18. ***Within seven (7) days of the completion of the event the site must be cleaned of all waste and all structures are to be removed.***
19. ***Areas set aside for the parking and movement of vehicles as shown on the endorsed plan must be made available for such use and must not be used for any other purpose.***

Infrastructure conditions

20. ***Not less than twenty eight days prior to the event, the proponent must submit to the Responsible Authority a Traffic Management Plan, detailing the location and type of all advance warning signs and all signs at the entrance to the event.***

Environmental Health conditions

21. ***All temporary and mobile food vendors must be registered under the Food Act 1986 with the appropriate authority on Streatrader, online database for mobile and temporary food premises, and submit a Statement of Trade to Moorabool Shire Council at least 5 working days prior to the first day of the festival.***
22. ***All drinking water provided at the festival must be potable water which meets the requirements of the Australian Drinking Guidelines 2011 and be contained on site in a secure, clean and sanitary container/tank.***
23. ***All waste water generated on site from the toilets, showers and wastewater from food vending activities must be suitably contained on-site and removed off-site by an approved waste water management contractor/company.***

Central Highlands Water condition

24. ***Wastewater generated onsite during the event must be collected and disposed of through the use of portable sanitary facilities.***

Expiry condition

25. ***This permit will expire on 15 December 2013. This permit cannot be extended.***

Extra condition

26. ***If the proposed event falls on a day or days of total fire ban, the event will not proceed.***

Permit Note:

The applicant must apply for a Temporary Occupancy Permit from Council's Building Department – Form 5 (Place of Public Entertainment).

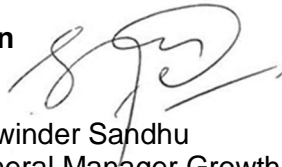
It is recommended that Inca Roads invite property owners immediately adjoining the festival site to attend the event.

CARRIED.

Report Authorisation

Authorised by:

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Monday 23 September 2013



11.2.2 Draft Domestic Animal Management Plan

Introduction

File No.: 04/02/002
Author: Sarah Annells
General Manager: Satwinder Sandhu

Background

The purpose of this report is to recommend that Council endorse the draft Moorabool Domestic Animal Management Plan 2012-2016 (the Plan) for the purposes of a public exhibition period of four weeks.

It is a requirement of the *Domestic Animals Act 1994* that Council prepare and adopt a Domestic Animal Management Plan every 4 years. The Plan enables Council to take a greater strategic approach to animal management by:

- Promoting responsible pet ownership
- Encompassing effective management of dogs and cats through desexing programs and identification through microchipping. Reducing public and environmental nuisances caused by dogs either wandering and / or not under effective control in public places and open spaces.

Council's Community Safety Unit has reviewed and revised the previous Plan and prepared the new Plan for endorsement by Council prior to commencing a public exhibition process.

Proposal

Responsible pet ownership and domestic animal management are an important factor in the wellbeing and safety of our community. This Plan considers best practise domestic animal management and available resources, and then recommends a positive list of actions to support the Moorabool community and protect community safety.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Community Wellbeing
Objective	A safe community
Strategy	Promote and administer Council's Local Laws and other relevant legislation

The proposal to endorse the draft Moorabool Domestic Animal Management Plan 2012-2016 is consistent with the 2013-2017 Council Plan.

Financial Implications

There are no financial implications in the adoption of the draft Domestic Animal Management Plan as it was produced by officers within current budget allocations.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Domestic Animal Management Plan	Requirement under section 68A of the <i>Domestic Animals Act 1994</i>	Low	Council to develop and implement Domestic Animal Management Plan

Communications and Consultation Strategy

Once adopted by Council the Draft plan will be advertised in the Moorabool News, placed on the *"have your say"* website and hardcopies located at all customer service centres.

Copies will also be sent to all external stakeholders, including Department of Primary industries and Environment, local vets, the RSPCA, Pets Haven and any animal adoption group currently used by council.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Satwinder Sandhu

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

Author – Sarah Annells

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

Conclusion

The Draft Moorabool Domestic Animal Management Plan 2012-2016 has been prepared in accordance with guidance documents from the Department of Environment and Primary Industries, and is a legislative requirement of the *Domestic Animals Act* 1994. The Domestic Animal Management Plan will be implemented and reviewed by Council's Community Safety Unit.

Resolution:

Crs. Spain/Sullivan

That Council:

- 1. endorse in principle the draft Moorabool Domestic Animal Management Plan 2012-2016 for the purposes of public exhibition for a period of four weeks.***
- 2. receive a further report at the conclusion of the exhibition period seeking adoption of the Moorabool Domestic Animal Management Plan 2012-2016.***

CARRIED.

Report Authorisation

Authorised by:

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Thursday 19 September 2013



11.2.3 Central Highlands Regional Growth Plan

File No.: U/M2041/GA/03
Author: Gavin Alford
General Manager: Satwinder Sandhu

Background

The final draft version of the Central Highlands Regional Growth Plan (CHRGP) is complete and has been forwarded to Council by the State Government for endorsement. A copy of the CHRGP is attached.

The CHRGP is intended to identify preferred locations for particular activities or development in both rural and urban areas. It does this by examining existing economic, environmental, and social issues and trends, looking at how these might change in the future. The Plan takes a long term, strategic approach by setting out a vision over a 30 year timeframe.

In particular the Plan:

- Seeks to establish at a regional scale where future development will be encouraged.
- Aims to provide direction for accommodating change and additional land requirements for residential, employment, industrial, commercial and primary industry uses.
- Looks to identify important regional environmental, economic, community and cultural resources to be preserved, maintained or developed.
- Highlights key regional needs for future infrastructure planning and investment to support growth.

The Plan does not generally provide direction at a local level; this is the role of Council's normal planning functions and processes such as structure planning, municipal strategic statements and other strategic projects, and the issuing of planning permits.

Preparation of the CHRGP commenced in 2011. Over June- July 2013, a draft CHRGP was publicly exhibited. Council resolved to make a detailed submission on the draft at the Ordinary Meeting of Council held on 4 July, 2013.

The CHRGP was revised in response to the submissions and feedback from the Technical Working Group and the Project Steering Committee. Moorabool Shire Council was represented on both committees.

In addition to the Council submission, Moorabool Shire Council, with support from the other Peri Urban Councils, had been lobbying the State Government for better recognition of peri urban issues in the RGPs and in Government policy making more broadly. On 2 August 2013, a workshop was held between peri urban Councils and DTPLI regional growth Plan project managers and State technical working group members. An outcome of this workshop was additional material specific to the peri urban areas was added to each RGP plus a commitment from the State Government to develop a peri urban statement as the next step towards enhanced strategic planning and policy development for the peri urban region.

Council officers have been advocating Council's position to Department of Transport, Planning and Local Infrastructure (DTPLI) during each stage of the CHRGP preparation process. It can be concluded that the final plan is more closely aligned to Council's preferred direction than might otherwise have been the case.

Key Changes

There have been some changes to the CHRGP from the version exhibited in June-July 2013.

These changes include:

- Peri urban chapter . flags peri urban statement
- Supports on-going growth and change in small towns
- Recognising Parwan potential
- BM transport- North-South route important
- Freight gateways and hubs
- Social infrastructure . peri urban increased demand recognised
- Risk management approach development subject natural hazards
- New employment opportunities needed in peri urban areas

A new section on Melbourne's peri urban region (reproduced in all four peri urban impacted regional growth Plans) was added. It includes *"the government, in partnership with councils, will work to provide specific statements about the peri urban region to respond to the unique pressures and opportunities that are common to these localities"* (section 7, page 12). The change in the regional growth Plans to strengthen recognition of the peri urban would not have occurred without the specific advocacy of Moorabool Shire Council.

There has been a modification to Plan Principles. *"Development of sustainable and vibrant communities"*; this has been replaced with *"Development of resilient and vibrant communities"*. Also, *"support sustainable growth and change in small towns"* has been replaced with *"support ongoing growth and change in small towns"*.

Changes have been made to the Challenges for Growth section (section 8). Added to this section is recognising that the *provision of affordable resources, including heavy construction materials to support settlement growth and cost-effective infrastructure will be an important consideration for the region.*

The revised CHRGP recognises the opportunities in the Parwan area by adding to section 12.4 *“It will be critical to also support the rapid population growth in peri-urban areas by encouraging significant new employment opportunities to reduce the current reliance on commuting to Melbourne and Geelong. To this end Moorabool Shire is investigating the Parwan area as a key employment hub for Bacchus Marsh.”* And also, recognising the need for new employment opportunities in peri-urban settlements to promote sustainable growth (Map 12).

The CHRGP notes, that for Bacchus Marsh, *there are various constraints associated with expansion of the urban area, including physical limitations and potential natural hazards for future outward growth of the township section 14.5).* And also, in Bacchus Marsh improved north-south access bypassing the town centre is *important* to improve network capacity (section 15.1).

For social infrastructure, the CHRGP notes that *the peri-urban parts of the region will need particular attention with regards to social infrastructure planning given the expected population growth and challenge in upgrading facilities to match the rapid change expected in communities such as Bacchus Mars (section 15.2).* It also seeks to highlight the need to *building on the higher order services provided in Ballarat and the regional centres of Ararat and Bacchus Marsh*, ensure *“appropriate and timely service provision within other centres, and ensure “that early forward planning for projected growth in peri-urban areas is undertaken” (section 15.2)*

Impact on Moorabool

The Plan recognises the importance of Bacchus Marsh as a regional centre experiencing considerable growth, which is expected to continue over the life of this Plan. It offers clear support for ongoing growth of the centre. Further planning will be required to explore alternative opportunities for long term growth outside the existing urban boundary.

Ballan is identified as the other key location for growth in the peri-urban area, having regard to its various issues around rural character and environmental assets.

The Plan supports the ongoing growth and local planning for small towns such as Gordon and Bungaree.

The Plan supports a sustainable approach to growth by encouraging employment to be provided in areas experiencing population pressures. In particular it identifies an opportunity to investigate employment and agribusiness at the Bacchus Marsh airport and Parwan area.

A number of regionally significant agricultural assets are identified by the Plan including the horticultural areas around Bacchus Marsh.

The Plan acknowledges that Moorabool is located in Melbourne's peri-urban region and is therefore subject to a number of distinct pressures related to population growth and needs for associated planning and infrastructure. The Plan also recognises that the peri-urban environment contains a number of State significant land assets important to the functioning of Melbourne and Victoria as a whole. These include resources, infrastructure, environmental assets and cultural heritage. The road and rail infrastructure reinforces strong two-way connections between Melbourne and Bacchus Marsh providing access to jobs, markets, customers and tourists. Careful planning is required to manage this complex environment.

The Plan identifies regionally significant environmental and landscape assets such as the declared water catchments across the shire and the Lerderderg and Werribee Gorge State Parks.

Further infrastructure enhancements are supported by the Plan, particularly where these will support the population and economic growth identified by the Plan or achieve other benefits. Examples noted include improvements to the irrigation infrastructure at Bacchus Marsh and improving the town's north-south transport network.

Policy Implications

The adopted 2013 - 2017 Council Plan provides as follows:

Key Result Area	Enhanced Infrastructure and Natural and Built Environment.
Strategic 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 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.

Council could use the Plan to help seek future funding and investment in infrastructure or other planning which supports the directions of the Plan.

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

The Plan has been under development since June 2011. Stakeholders and the broader community have been involved at various stages of the Plan's development.

There were two stages of public consultation as part of the project. These were conducted as part of establishing the Plan's strategic directions in July to August 2012 and as part of the preparation of the draft Plan in June to July 2013. These provided an extensive range of feedback and suggestions which have assisted in the Plan's development and refinement.

A framework for the project's approach to consultation was established through the development of a community engagement strategy guided by the IAP2 spectrum of public consultation.

Generally, consultation and engagement included a website, brochures, newsletters, face-to-face briefings, online questionnaires, hard-copy questionnaires, telephone interviews, and advertisements placed in locally circulating newspapers across the region.

The project team has undertaken a number of meetings with councillors and Council officers during the development of the Plan.

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 Central Highlands Regional Growth Plan, as revised, is now more aligned to Council's general positions on the future direction of growth and development in Moorabool Shire.

The State Government has requested that Council endorse the CHRGP, as revised and as attached.

Recommendation:

That Council:

- 1. adopt the Central Highlands Regional Growth Plan as endorsed by the Central Highlands Regional Growth Plan Project Steering Committee; and**
- 2. request the Minister for Planning to approve the Central Highlands Regional Growth Plan as adopted and consult with Central Highlands councils on implementation into planning schemes.**

Resolution:

Crs. Edwards/Spain

That Council:

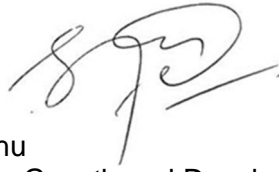
- 1. support the Central Highlands Regional Growth Plan as endorsed by the Central Highlands Regional Growth Plan Project Steering Committee; and***
- 2. request the Minister for Planning to approve the Central Highlands Regional Growth Plan as supported and consult with Central Highlands councils on implementation into planning schemes.***

CARRIED.

Report Authorisation

Authorised by:

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Thursday 19 September 2013



11.3 COMMUNITY SERVICES

11.3.1 Draft Moorabool Youth Strategy 2013-2016

Introduction

File No.: 12/09/017
Author: Troy Scoble
General Manager: Danny Colgan

Background

The purpose of the report is to recommend that the Council endorse the Draft Moorabool Youth Strategy 2013-2016 for the purposes of public exhibition for a period of four weeks.

The Draft Moorabool Youth Strategy 2013-2016 (~~draft strategy~~) is a four year strategy that provides the framework for the future provision of Youth Services in the Shire and encourages a greater focus on engagement and connectedness in partnership with a range of other external service providers.

The draft strategy acknowledges that the focus for future development is not only on addressing the immediate needs of young people; but also to provide opportunities for Council and the community to enhance connections with young people; recognise outstanding achievements by young people; and enhance the community understanding and appreciation of young people and their contributions to the community. Local agencies, health services and organisations have demonstrated a strong commitment to the development and implementation of the draft strategy.

The draft strategy has been developed through extensive engagement and involvement of key stakeholders including the Moorabool Agencies and Schools Together (MAST) Committee which will be a major driver in the implementation and ongoing review of the Strategy over the next four years.

The Draft Moorabool Youth Strategy outlines:

- " State, Federal and Local Government context;
- " Council's role in the provision of youth services;
- " Strategic planning context;
- " Research and Community Engagement undertaken;
- " Key recommendations; and
- " An Action Plan outlining key strategies and actions

The draft strategy includes an action plan to ensure the key recommendations are progressed and reviewed annually.

The draft strategy highlights the many positive health and wellbeing aspects of the Shire including:

- The Moorabool Shire provides many opportunities for residents including young people and visitors to embrace a healthy lifestyle including a variety of community facilities that offer health and wellbeing outcomes. From our many sporting and recreation centres, to the vast network of walking trails, there is ample opportunity for people to engage in physical activities.
- The Shire has the highest percentage per capita of people actively involved in sport and recreation participation across the Grampians Region (Department Planning Community Development, 2011, LGA Participation Central Highlands Wimmera).
- Moorabool has a high level of volunteerism. Moorabool is a community known for its high level of volunteerism with many young people in the community connected through volunteering, for example at the local sporting club, CFA and SES.
- According to the 2011 Census, voluntary work performed by the population in Moorabool Shire compared to Victoria showed that there were a higher proportion of persons who volunteered for an organisation or group. Overall, 20.3% of the population or over 5,700 people reported performing voluntary work, compared with 17.7% for Victoria.
- The Shire's growing population provides tremendous opportunities for business growth and investment. The excellent services we provide and those planned for the future will see Moorabool become an even more attractive prospect for raising young people.
- The community infrastructure, sporting and social networks and character of the communities, make Moorabool an attractive place for young people to live.
- Moorabool historically has a low unemployment rate compared to the Victorian average. The latest figures show the unemployment rate in Moorabool Shire is 4.6%, below the State average of 4.8%.

Proposal

The draft strategy outlines the existing provision for youth services in the Shire and presents a plan in collaboration with other external agencies and community organisations that will further improve the health and wellbeing of the young people in the community.

The draft strategy encourages Council to focus on service provision and management, organisation wide strategy and policy development, facilitating networks and communication and advocacy and leadership.

The recommended strategic directions of the draft strategy are categorised under five key themes: Health and Well Being; Education and Employment; Infrastructure . Built and Natural Environment; Resourcing Council's Youth Services; and Communicating with Young People.

It is proposed that the Council endorse the Draft Moorabool Youth Strategy 2013-2016 for the purposes of public exhibition for a period of four weeks. Following the exhibition period and consideration of feedback, the draft strategy will be then be presented to the Council on the 20 November for adoption.

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.

The proposed Draft Moorabool Youth Strategy 2013-2016 is consistent with the 2013-2017 Council Plan.

Financial Implications

The Draft Moorabool Youth Strategy 2013 - 2016 contains an action plan outlining key strategies and actions to be implemented over the next four years. Officers will continue to source funding and resource opportunities both internally and externally including collaborative partnerships with other service providers to implement the action plan.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Community Needs	Service gaps if priorities in strategy are not implemented	High	Future strategic planning for high priority recommendations identified in context of other priorities
Financial	Funding required to progress actions set out in strategy	Medium	Business cases will be prepared for consideration in future Council's budgets along with applications for external funding.

Communications and Consultation Strategy

Community Engagement was undertaken with young people, parents, teachers and external agency staff to inform the preparation of the draft strategy. The engagement included social media, youth program and events evaluation surveys, forums with young people, meeting key networks and stakeholders including the Moorabool Agencies and Schools Together (MAST) network, State Government and Agencies, community sporting groups and Councillor workshops.

The draft strategy will be placed on public exhibition for four weeks. The exhibition of the draft plan will involve:

- The Have Your Say website, Council's on-line engagement portal;
- Making copies of the draft plan available at Council's Customer Service locations, Lerderderg Library, Ballan Library and all rural library sites;
- Providing a copy of the draft strategy to members of the MAST network, external agencies, education and training providers, other community groups and organisations, State and Federal Government and adjoining municipalities.

The process for submissions will be advertised through local newspapers and other communication processes i.e. email groups and Council's website.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

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

The Draft Moorabool Youth Strategy 2013-2016 (~~the~~ draft strategy) is a four year strategy that provides the framework for the future provision of Youth Services in the Shire and encourages a greater focus on engagement and connectedness in partnership with a range of other external service providers.

The draft strategy encourages Council to focus on service provision and management, organisation wide strategy and policy development, facilitating networks and communication and advocacy and leadership.

Resolution:

Crs. Dudzik/Comrie

That Council:

- 1. endorses 'in principle' the Draft Moorabool Youth Strategy 2013-2016 for the purposes of public exhibition for a period of four weeks; and***
- 2. receives a further report at the conclusion of the exhibition period seeking adoption of the Moorabool Youth Strategy 2013-2016.***

CARRIED.

Report Authorisation

Authorised by:



Name:

Danny Colgan

Title:

General Manager Community Services

Date:

Thursday 19 September, 2013

11.3.2 ANZAC Centenary Proposed Projects

Introduction

File No.: 06/03/004
Author: Kate Diamond-Keith
General Manager: Danny Colgan

Background

The centenary of the First World War and of ANZAC Day from 2014-2018 has brought many communities in Moorabool together to plan commemorative projects and events. The community organisations and groups proposing these projects have requested support from the Council to develop and implement projects as well as providing ongoing maintenance.

The proponents of the following projects are seeking support from the Council for the Coimadai War Memorial Avenue restoration and Yendon Avenue of Honour restoration; and Bacchus Marsh RSL Memorial.

The proposal in Coimadai is to reconstruct the Coimadai Avenue of Honour by re-planting 122 trees; restore and relocate the existing Coimadai War Memorial Cairn located at the Bacchus Marsh . Diggers Rest (Toolern Vale) Road to the Merrimu Picnic Ground; and add the names of local people who went off to war on the restored cairn. The estimated capital cost over 4 years is \$155,714.

The proposal in Yendon is restore the Yendon Avenue of Honour, which is located along Yendon Number 2 road (main street in Yendon) between the Navigators/Harbours Rd and Pope Street. There are currently nine mature oak trees there but the distance between them suggests there were more trees originally. The group are proposing to install an additional seven oak trees. The proposal also includes installing plaques on the trees as well as an Honour Board and approach signage. The estimated capital cost is \$7,700.

The Bacchus Marsh RSL proposal is to re-locate the existing war memorial and install additional facilities at the old library site. The project may include: a Memorial Wall; a space to display the RSL cannon; move the cenotaph; and provide a larger space for gatherings and a memorial rose garden. The estimated capital cost is \$75,000

Further information about the above three projects is contained in **Attachment 11.3.2.**

Other projects and activities include activities being undertaken by the Great War Centenary Committee; ANZAC Commemorative Naming Project; and National Trust of Victoria.

The Great War Centenary Committee is a committee that has been established to plan and implement events over the next four years to commemorate significant events from the Great War. This committee held a

very successful awareness raising day on the 10 August 2013. It is expected that this group will organise further events for the Centenary and Council officers will continue to support this committee. The Committee may also apply for a Community Events Grant.

The National Trust has launched a Pilot program to assist local communities to identify and appreciate the history of the memorial Avenues of Honour with Bacchus Marsh selected as one of the local communities for the pilot program. The focus of this pilot program is awareness raising and education in the community. The National Trust participated in the Great War Centenary Committee's awareness raising day on the 10th August 2013 by engaging with community groups and schools to create awareness of the significance of the Bacchus Marsh Avenue of Honour. This included working with local schools to provide art work and a book commemorating the Bacchus Marsh Avenue of Honour. From this the National Trust will now publish photos and a blog about the awareness raising day to encourage other communities to hold similar events.

Funding for the ANZAC Commemorative Naming Project was recently announced by the Victorian Government. The project which is being managed by the Office of Geographic Names (OGN) is part of Victoria's contribution to the national ANZAC centenary commemoration. The State Government is asking Local Governments to get involved in the project and engage their communities in researching local ex-service people and others who have displayed the ANZAC spirit. A grant will either be provided to the Council or local groups such as historical societies, RSLs or schools to support the research. Names that reflect the sacrifice of local veterans and communities may then be assessed and proposed as part of the usual naming process.

Proposal

Coimadai War Memorial and Avenue Restoration

The Coimadai Avenue of Honour Restoration Association proposal is estimated to cost \$155,714 over four years. The Association have requested funding support from the Council of \$4,700, which includes \$2,200 in the 2013/14 financial year for trees and components of the watering system. This proposal includes the re-planting of 112 trees. It is anticipated that the Association may request further funding support from the Council in future years for this project, as the majority of the funding sources for this project are not known and there are limited grant opportunities for war memorials. The Association have also requested support with public liability insurance, but advice from the Council's insurance company has indicated that the Association should purchase their own via the Local Community Insurance Services which has been communicated to the group.

Recurrent funding of \$6,200 will also be required to maintain the trees and other facilities.

The Association have contacted Southern Rural Water (SRW) about using a portion of land in the Merrimu Picnic Ground for the memorial, with a gazebo and memorial wall and fence. Southern Rural Water is in the process of providing a provisional letter of agreement for the group to use the land for

the memorial. However, SRW have indicated that the Association might require the Council's support to maintain the facilities. The Council may also note that Vicroads does not provide amenity maintenance to Avenues of Honour.

Officers are concerned that this project may impose a significant liability and maintenance responsibility upon the Council as the trees mature and gazebo and memorial age. The Bacchus Marsh Avenue of Honour is a larger scale example of the costs that could be incurred in the maintenance and management of avenues of trees. Further, the support from other stakeholders is yet to be confirmed; stakeholders include Vicroads, Southern Rural Water and Powercor. Southern Rural Water will also need to agree to maintaining any structures on its land.

Officers recommend that the Council endorse the continued involvement of officers in working with the Coimadai Association to pursue funding options. It is also recommended that the Council continues to be kept informed of developments prior to committing capital or maintenance funding at this stage.

Yendon Avenue of Honour:

The Yendon History Group has applied to ANZAC Centenary Local Grants Program for funding and the application is currently pending. The group have requested Council funding support of \$1,200 for the purchase of trees, which can be funded out of the existing budget. Recurrent funding of \$1,200 will be required to maintain the trees.

Officers have concerns over the future liability and maintenance of seven additional oak trees. The smaller scale of this project reduces the risk to Council. However, as the trees mature the costs of maintenance will increase. Officers recommend that the Council endorse the continued involvement of officers in working with the Yendon group to pursue funding options. It is also recommended that the Council continues to be kept informed of developments prior to committing capital or maintenance funding at this stage.

Bacchus Marsh R.S.L.

The Bacchus Marsh R.S.L. proposal is estimated to cost \$75,000. The Bacchus Marsh R.S.L. have indicated that the land known as the old library site is their preferred option for the project. However, they have indicated that they would consider an alternative location if it included re-locating the R.S.L. Hall facility to the same site. Due to the considerations and implications arising from the Bacchus Marsh Activity Structure Plan adopted by the Council in December 2011, the impact on the proposed Greenway and the lack of a clear strategic plan for the precinct adjacent to the library and rear of the hall, officers propose that the Council does not support the implementation of this project on the land known as the old library site. There is also currently no funding in the budget to commence any further strategic planning for the precinct.

The Council may wish to consider supporting this project if the R.S.L. were to identify an alternative location. Officers have identified some alternative locations, including Eddie Toole Place, Rotary Park and Moon Reserve. The approximate recurrent cost required if completed is \$2,850 per annum.

The Bacchus Marsh R.S.L. have also proposed in the interim to utilise the vacant land on the old library site for commemorative events during the year. These include ANZAC Day and Remembrance Day. This is due to the large number of people now attending these events and the requirement for more space to ensure the events proceed with minimal disruption to the main street. It is therefore proposed for the Council to receive a further report about the Bacchus Marsh R.S.L. using the site to erect a temporary removable memorial and use the old library site for ANZAC Day and Remembrance Day events. However the temporary memorial must be erected and removed on the day of the events, with no permanent structure to remain.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Community Wellbeing
Objective	Community self reliance
Strategy	Provide community development support and partnership projects

The proposal ANZAC Centenary Projects is consistent with the 2013-2017 Council Plan.

Financial Implications

There are a number of financial implications resulting from these projects.

The Coimadai Avenue of Honour Restoration Association is seeking a contribution of \$4,700 from Council. Additional capital funding may be requested with recurrent costs of \$6,200. This small contribution does not take account of future liabilities and maintenance issues.

The Yendon History Group have sought the purchase of trees by the Council at a cost of \$1,200 along with the recurrent maintenance costs of \$1,200.

The Bacchus Marsh R.S.L. has not specified the requested contribution from the Council, but the capital cost of the project is estimated at \$75,000. Approximately \$2,850 is required for recurrent maintenance costs. The Bacchus Marsh R.S.L. may have the capacity to contribute their own funds to this project or undertake community fundraising.

External Funding:

The three projects identified above are all subject to external funding. The State and Federal Government Grants available are very limited for these projects and will not be sufficient to fund all components of the projects. It is therefore proposed that the Council only support projects that have already secured all external funding required. It is proposed for officers to work with the groups to submit funding applications to the State and Federal Government.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Funding	External funding not received and Council expected to fund projects.	High	Support groups to identify and apply for further funding
Public Liability Insurance	Projects require public liability insurance to undertake volunteer works	High	Groups to source insurance for projects

Communications and Consultation Strategy

Council officers have met with the groups proposing projects to discuss their progress and the proposed support required from the Council. Council officers have also attended meetings of an ANZAC Centenary Steering Committee for Moorabool.

The outcomes of this report will be communicated to the groups via a letter as well as discussions about the next steps for each project.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Danny Colgan

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

Author – Kate Diamond-Keith

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

Conclusion

The Centenary of ANZAC from 2014-2018 will be an important occasion for the Moorabool community which is evident by the number and range of community members and groups proposing significant projects to commemorate the event. The Council may wish to support the Coimadai War Memorial and Avenue restoration and Yendon Avenue of Honour restoration projects ~~in principle~~ through the provision of Officer time and support with grant applications. Officers propose that the Council does not support the Bacchus Marsh R.S.L. proposal for the land known as the old library site due to the implications from the Bacchus Marsh Activity Structure Plan, lack of precinct planning and the proposed Greenway. Officers may support the Bacchus Marsh R.S.L. to identify any alternative locations as well as grant applications for this proposal. The Council may consider capital contributions to the projects once the groups have secured all external funding required. If the projects are completed, then recurrent maintenance funding will be required annually.

Recommendation:

That Council:

- 1. notes the project proposals for Coimadai and requests officers to continue to work with the group to pursue and resolve the significant capital and recurrent funding for the projects.**
- 2. approves 'in principle' the Yendon Avenue of Honour project.**
- 3. advises the Bacchus Marsh R.S.L. that it is unable to support the project proposal at the old library site and request that officers continue to work with the R.S.L. to identify alternative sites and capital and recurrent funding sources.**
- 4. receives a further report on the Bacchus Marsh R.S.L. proposal to erect a temporary removable memorial and use the old library site for ANZAC Day and Remembrance Day events.**

Crs. Spain / Dudzik

That Council:

- 1. Approves in principle the Coimadai Avenue of Honour restoration project and requests officers to continue to work with the Coimadai Avenue of Honour Restoration Association Inc to identify, pursue and confirm stakeholder contributions including capital and recurrent funding.***
- 2. Approves in principle the Yendon Avenue of Honour project.***

3. ***Advises the Bacchus Marsh RSL that it is unable to support the project proposal at the old library site in Main Street but endorses the use of that site as a venue for events including ANZAC Day and Remembrance Day services, ANZAC Centenary Events and other commemorative events.***
4. ***Requests that officers continue to work with the Bacchus Marsh RSL:***
 - a. ***to develop Anzac Centenary project elements that are suitable for implementation in the proximity of the Soldiers Memorial Hall, and***
 - b. ***to identify, pursue and confirm stakeholder contributions including capital and recurrent funding.***
5. ***Receives further reports from officers as the Anzac Centenary projects develop.***

CARRIED.

Report Authorisation

Authorised by:



Name:

Danny Colgan

Title:

General Manager Community Services

Date:

Thursday 19 September, 2013

11.4 INFRASTRUCTURE SERVICES

No reports for this meeting.

11.5 CORPORATE SERVICES

11.5.1 Customer Service Strategy 2013-2016

Introduction

File No.: 02/06/010
Author: Natalie Abbott
General Manager: Shane Marr

Background

Moorabool Shire Council is committed to achieving excellent levels of service and satisfaction for our community and each other. We recognise that we are in the service industry and that our role is to provide quality customer service.

The Customer Service Strategy 2013 . 2016 is a three year plan which outlines the key focus areas for the improvement of customer service for both customers and staff.

The strategy captures the work undertaken over recent years and investigates and pursues new ways of conducting business to ensure we continue to meet the needs of our customers both now and in the future.

The purpose of this report is to recommend that the Council receives the Customer Service Strategy 2013-2016 and accompanying Customer Service Charter.

Proposal

The Customer Service Strategy 2013-2016 incorporates significant initiatives and projects, either occurring or planned to occur, within the Council over the next three years relating to customer service. It provides a clear guide highlighting areas being focused upon to further enhance the current foundation of customer service excellence.

The focus areas for Moorabool will be:

- " quality and process improvement and refining our service delivery
- " enhancing Council's online capabilities
- " building Council's leadership and values based culture
- " continuation of Council's corporate customer service training package
- " representing and leading our community.

From these focus areas, initiatives include:

- " setting overall goals, actions and key performance indicators (KPIs)
- " performance monitoring and reporting
- " investigating and implementing new technology
- " communications and engagement strategy
- " staff development and training
- " internal and external customer service charters
- " service standards.

The Customer Service Strategy 2013-2016 supports the Council Plan 2013-2017 and the Council's Customer Service Charter, as well as Council's vision and mission statements aligned to Council's values. It will be through the demonstration of these values that the initiatives listed in the action plan will be successfully achieved.

This strategy outlines the key focus areas for the improvement of customer service over the next three years for both our customers and staff. Council has already set in place some key initiatives to improve our customer service and we want to continue to build upon this foundation.

The three year Customer Service Strategy aligns to the promises made in the Customer Service Charter and will support the improvement of Council's customer service achievements.

Furthermore, it allows Council to align delivering public value and continuously improving and refining our service delivery while operating under the nine business excellence principles and the broader business excellence framework.

Key components of the business excellence principles include:

- " providing a high level of customer service
- " providing governance and leadership whilst managing our finance and human resources,
- " ensuring the integrity of systems, data and processes to benefit the community.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Representation and Leadership of our Community
Objective	Provide quality customer services that respond to the needs of our whole community.
Strategy	Deliver responsive customer service in accordance with the Customer Service Charter.

The proposal implementing the Customer Service Strategy is consistent with the 2013-2017 Council Plan.

Financial Implications

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

Risk & Occupational Health & Safety Issues

There are no risks or occupational health and safety issues in relation to this report.

Consultation with community occurred through Council's *Have Your Say Moorabool* website in the form of a survey that provided the community with an opportunity to provide feedback, ideas and examples of what Council does well, and where it can improve its customer service.

Comments were received and considered from the community, councillors and staff to ensure that the plan is relevant and will deliver outcomes to the community, our staff and the organisation.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Shane Marr

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

Author – Natalie Abbott

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

Conclusion

The Customer Service Strategy and Customer Service Charter is presented to Council for adoption. Council staff to implement and continually improve and refine its customer service over the next three years for both our customers and staff.

Resolution:

Crs: Sullivan/Spain

That Council adopts the Customer Service Strategy 2013-2016 and Customer Service Charter.

CARRIED.

Report Authorisation

Authorised by:

Name: Shane Marr

Title: General Manager Corporate Services

Date: Monday 23 September 2013



11.5.2 Office Arrangements - Christmas / New Year Period 2013/14

Introduction

File No.: 02/08/004
 Author: Shane Marr
 General Manager: Shane Marr

The following report proposes closure arrangements for the Christmas/New Year period 2013/14 for all Council offices including; Works Depots, Library Services, Maternal & Child Health Centres, Lerderderg Children Centre and Aged & Disability Services.

Background

Officers have reviewed arrangements for the forthcoming Christmas/New Year period. In previous years the practise is to close the office during the Christmas/New Year period and have in place emergency and basic maintenance operations.

Proposal

Public holidays provided to staff are to be in accordance with gazetted public holidays provided for by the State Government. Public Holidays for 2013/14 are as per the information released by Information Victoria . For Information on State Government.

With respect to the upcoming Christmas period the public holiday arrangements are:

2013	The Christmas Day Public Holiday will be held on Wednesday 25 December 2013 Boxing Day Public Holiday will be held on Thursday 26 December, 2013
2014	New Year's Day Public Holiday will be held on Wednesday 1 January 2014

Subject to Council approval, it is proposed that Council's offices will be closed to the public for the period commencing on the afternoon of **Tuesday 24 December 2013** with the offices reopening on Thursday 2 January, 2014 as in previous years.

In accordance with the proposal to close the Council Offices for the Christmas period, it is also proposed to align all Council Services including Library Services for the Christmas 2013/14 closure period.

Waste and recycling collection on Wednesday 25 December 2013 will now be collected on Thursday 26 December 2013 and collections scheduled for Wednesday 1 January 2014 will be collected on Thursday 2 January 2014.

Incorporating public holidays, it is proposed the offices would be closed on the following days:

- Tuesday 24 December 2013 from 12.30pm
- Wednesday 25 December 2013 (Public Holiday)
- Thursday 26 December 2013 (Public Holiday)
- Friday 27 December 2013
- Monday 30 December 2013
- Tuesday 31 December 2013, and
- Wednesday 1 January 2014 (Public Holiday)

Offices will re-open at 8.30am on Thursday 2 January 2014.

Staff rosters will be initiated during this period to ensure that emergency staffing and basic maintenance operations are not impacted by the Christmas closure.

Policy Implications

The 2013 . 2017 Council Plan provides as follows;

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

This proposal is consistent with the 2013-2017 Council Plan.

Financial Implications

Leave and absences will be taken via normal annual leave or rostered day off entitlements which are budgeted for. The holidays will only be undertaken in lieu as they are gazetted or they will be taken as annual leave.

Communications Strategy

Closure will be communicated via public notice in the local media, and appropriate signage at Council offices.

Victorian Charter of Human Rights and Responsibilities Act 2006

In developing this report to Council the report author 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 – Shane Marr

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

Conclusion

Council approval is sought to close Council offices, Works Depots, Library Services, Maternal & Child Health, Lerderderg Children Centre and Aged & Disability between the Christmas and New Year period.

Emergency arrangements are put in place in areas such as Works, Maternal & Child Health and the Aged & Disability Services.

Occasional Care sessions will recommence on Monday 3 February 2014.

The Ballan Transfer Station, Mt. Egerton Transfer Station and Bacchus Marsh Transfer Station are closed on:

- Christmas Day - Wednesday 25th December, 2013
- New Years Day - Wednesday 1st January, 2014

All Garbage/Recycling services within the Shire over the Christmas/New Year 2013/2014 period will be collected as below:

Collection Due Date	Collection Pick-up Date
Wednesday 25 December 2013	Thursday 26 December 2013
Wednesday 1 January 2014	Thursday 2 January 2014

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

- 1. approve the closure of Council Offices, Works Depots, Library Services, Maternal & Child Health, Lerderberg Children Centre and Aged & Disability for the period from 12.30pm on the afternoon of Tuesday 24 December 2013 with the offices reopening on Thursday 2 January, 2014 as in previous years.***
- 2. place appropriate Public Notices in the local media to inform the public of the closure and after hours and emergency telephone numbers during the closure.***

CARRIED.

Report Authorisation**Authorised by:****Name:** Shane Marr**Title:** General Manager Corporate Services**Date:** Monday 23 September 2013

12. OTHER REPORTS

12.1 Assembly of Councillors

File No.: 02/01/002

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

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

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

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

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

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

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

- Assembly of Councillors . Wednesday 18 September 2013 . Customer Service Strategy
- Assembly of Councillors . Wednesday 18 September 2013 . Update on Updating Planning Permits on Restricted Covenants
- Assembly of Councillors . Wednesday 18 September 2013 . Moorabool Shire Council's Investment Attraction Assistance Policy

Resolution:

Crs. Edwards/Spain

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

- ***Assembly of Councillors – Wednesday 18 September 2013 – Customer Service Strategy***
- ***Assembly of Councillors – Wednesday 18 September 2013 – Update on Updating Planning Permits on Restricted Covenants***
- ***Assembly of Councillors – Wednesday 18 September 2013 – Moorabool Shire Council's Investment Attraction Assistance Policy.***

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
Blacksmith's Cottage and Forge Advisory Committee of Management	27 August 2013	Cr. Comrie
Bacchus Marsh Hall Committee of Management	28 August 2013	Cr. Spain

Resolution:

Crs. Comrie/Spain

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

- ***Blacksmith's Cottage and Forge Advisory Committee of Management meeting of Tuesday 27 August 2013.***
- ***Bacchus Marsh Hall Committee of Management meeting of Wednesday 28 August 2013.***

CARRIED.

12.3 Section 86 - Advisory Committees of Council - Reports

Section 86 Advisory Committees are established to assist Council with executing specific functions or duties.

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

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

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

Committee	Meeting Date	Council Representative
Lal Lal Falls Reserve Advisory Committee of Management	12 September 2013	Cr. Sullivan

Resolution:

Crs. Sullivan/Tatchell

That Council receives the report of the following Section 86 Advisory Committee of Council:

- ***Lal Lal Falls Reserve Advisory Committee of Management meeting of Thursday, 12 September 2013.***

CARRIED.

13. NOTICES OF MOTION

Nil.

14. URGENT BUSINESS

Nil.

15. CLOSED SESSION OF THE MEETING TO THE PUBLIC

Nil.

16. MEETING CLOSURE

The meeting closed at 8.45pm.

Confirmed.....Mayor.