

## ORDINARY MEETING OF COUNCIL

**Notice** is hereby given of the  
Ordinary Meeting of Council to be held at  
the Gordon Public Hall, 64 Main Street, Gordon on  
Wednesday 7 September 2016,  
commencing at 5:00 p.m.

### Members:

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

### Officers:

Mr. Rob Croxford	Chief Executive Officer
Mr. Phil Jeffrey	General Manager Infrastructure
Mr. Satwinder Sandhu	General Manager Growth and Development
Mr. Danny Colgan	General Manager Social and Organisational Development

**Rob Croxford**  
**Chief Executive Officer**

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**1. OPENING OF MEETING AND PRAYER**

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

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

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

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

**Amen**

**2. ACKNOWLEDGEMENT TO COUNTRY**

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

**3. PRESENT**

**4. APOLOGIES**

**5. CONFIRMATION OF MINUTES**

**5.1 Ordinary Meeting of Council – Wednesday 3 August 2016**

**Recommendation:**

**That Council confirms the Minutes of the Ordinary Meeting of Council held on Wednesday 3 August 2016.**



## 6. DISCLOSURE OF CONFLICT OF INTEREST

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

Definitions of the class of the interest are:

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

### Time for Disclosure of Conflicts of Interest

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

Section 79(6) of the Act states:

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

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

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

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

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

## 7. PUBLIC QUESTION TIME

The aim of Public Question Time is to provide an opportunity for the public to ask general questions at Council Meetings requiring routine responses. Public Question Time is conducted in accordance with Section 6.9 of the Council's *Meeting Procedure Local Law No. 9*.

Questions must be in writing on the form provided by the Council and submitted by 5.00pm on the day before the meeting. Members of the public can contact a Councillor and raise a question which the Councillor will submit on their behalf.

A question will only be read to the meeting if the Chairperson or other person authorised for this purpose by the Chairperson has determined that:

- i) the person directing the question is present in the gallery;
- ii) the question does not relate to a matter of the type described in section 89(2) of the Act (for confidential matters);
- iii) the question does not relate to a matter in respect of which Council has no power to act;
- iv) the question is not defamatory, indecent, abusive or objectionable in language or substance;
- v) the question is not a repetition of a question already asked or answered (whether at the same or an earlier meeting); and
- vi) the question is not asked to embarrass a Councillor, member of Council staff or member of the public.

A Councillor or Council officer may:

- i) immediately answer the question asked; or
- ii) elect to have the question taken on notice until the next Ordinary meeting of Council; at which time the question must be answered and incorporated in the Agenda of the meeting under Public Question Time; or
- iii) elect to submit a written answer to the person asking the question within 10 working days.

Responses to public questions answered at the meeting, will be general in nature, provided in good faith and should not exceed two minutes. These responses will be summarised in the minutes of the meeting.

Public Question Time does not substitute for other forms of communication with or other formal business procedures of the Council.

**8. PETITIONS**

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

## 9. PRESENTATIONS / DEPUTATIONS

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

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

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

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

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

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

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

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

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

Item No	Description	Name	Position
-	-	-	-

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

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

Item No	Description	Name	Applicant/ Objector
-	-	-	-

## 10. OFFICER'S REPORTS

### 10.1 CHIEF EXECUTIVE OFFICER

#### 10.1.1 Adoption "in principle" of the 2015/16 Financial Statements for Submission to the Victorian Auditor-General for Certification

##### Introduction

File No.: 02/02/002  
Author: Steven Ivelja  
General Manager: Phil Jeffrey

##### Background

The following report presents the 2015/16 Financial Statements for adoption "in principle" by Council for submission to the Auditor-General for certification.

The Local Government Act 1989 requires that Council complete the following at the end of each financial year with respect to producing an Annual Report.

##### **S. 131 Annual report**

- (1) *A Council must prepare an annual report in respect of each financial year*
- (2) *An annual report must contain the following, in respect of the financial year reported on—*
  - (a) *a report of operations of the Council;*
  - (b) *an audited performance statement;*
  - (c) *audited financial statements;*
  - (d) *a copy of the auditor's report on the performance statement, prepared under section 132;*
  - (e) *a copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994;*
  - (f) *any other matter required by the regulations.*
- (5) *The financial statements in the annual report must—*
  - (a) *include any other information required by the regulations;*  
*and*
  - (b) *be prepared in accordance with the regulations.*

##### **S. 132 Annual Report - Preparation**

- (1) *A Council must submit the performance statement and financial statements in their finalised form to the auditor for auditing as soon as possible after the end of the financial year.*
- (2) *The Council, after passing a resolution giving its approval in principle to the performance statement and financial statements, must submit the statements to the auditor for reporting on the audit.*

(3) *The auditor must prepare a report on the performance statement.*

*Note: The auditor is required under Part 3 of the Audit Act 1994 to prepare a report on the financial statements.*

(4) *The auditor must not sign a report under subsection (3) or under Part 3 of the Audit Act 1994 unless the performance statement or the financial statements (as applicable) have been certified under subsection (5).*

(5) *The Council must ensure that the performance statement and financial statements, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by—*

- (a) *2 Councillors authorised by the Council for the purposes of this subsection; and*
- (b) *any other prescribed persons.*

(6) *The auditor must provide the Minister and the Council with a copy of the report on the performance statement as soon as is reasonably practicable.*

## **Proposal**

The 2015/16 Financial Statements have been prepared in accordance with the requirements of the Local Government Act, Local Government (Planning and Reporting) Regulations 2014 and Australian Accounting Standards.

In accordance with Council's Governance protocols, the reports will be presented to Council's Audit Committee for review and recommendation to Council for adoption "in principle" and authorisation of two Councillors, being the Councillor members of the Audit Committee, to sign the audited statements.

In summary, the statements indicate the following results for 2015/16:

1. Financial Statements: reflect the comparative performance to the previous financial year.
  - Comprehensive Income Statement – The result reflects a total comprehensive gain of \$23.532 million. Included within this result are the following significant items:
    - \$15.707 million in net asset revaluation increments as a result of the revaluation of Councils infrastructure assets.
    - \$5.304 million decrease in 'Grants – Operating' mainly due to the early payment of Financial Assistance grants as advised by Local Government Victoria in late June 2015.
    - \$1.633 million increase in 'Contributions – Non-Monetary' due to an increase in completed subdivisions throughout the Shire. The result being a large amount of infrastructure assets being handed over to Council.

- \$0.889 million increase in 'Other Income' which relates to a reimbursement for costs incurred for the Scotsburn Fire in December 2015.
- Balance Sheet – The movement in net assets reflects the total operating gain of \$23.532 million. Included within this result are the following significant items:
  - A \$1.106 million increase in 'Other Assets' which relates to the accrual for costs to be reimbursed for the Scotsburn Fire.
  - An increase in 'Property, Infrastructure, Plant and Equipment' mainly due to the revaluation of Roads.
  - A net \$3.012 million increase in 'Interest-Bearing Loans and Borrowings' which reflects new borrowings of \$4.476 million, and repayments of \$1.464 million in 2015/16.
- Cash Flow Statement – The movement in cash held at the end of the year is an increase of \$0.279 million. Included within this result are the following significant items:
  - Net cash flows from operating activities decreased by \$1.775 million from last year to \$11.233 million. This is mainly due to Council receiving half of the Grants Commission allocation in the previous financial year.
  - Net cash used in investing activities has increased by \$4.275 million to \$13.242 million. This is due to the commencement of major capital works projects such as Darley Children's Hub and Hallett's Way Extension. There was also the completion of various projects carried forward from 2014/15.
  - Net cash used for financing activities was \$3.731 million more than last year, due primarily to new borrowings of \$4.476 million in 2015/16. The new borrowings were required to fund major projects in the capital improvement program.
- Statement of Capital Works – In comparison to the 2014/15 year, overall capital expenditure for 2015/16 is \$4.412 million higher than the previous year made up of the following items;
  - Capital Expenditure on Road Infrastructure projects in 2015/16 was \$1.934 million greater than the comparative year due to the construction of a number of larger road reconstruction and rehabilitation projects.
  - Expenditure on Recreational, Leisure and Community Facilities was \$1.389 million greater in 2015/16, largely due to the commencement of the Darley Children's Hub \$1.343 million.
  - Expenditure on Footpaths was \$0.660 million more than 2014/15 due mainly to projects completed for Main Street, Bacchus Marsh and Hallett's Way, Darley.
  - Rehabilitation works on Bridges in 2015/16 was higher than the previous year by \$0.651 million mainly due to the completion of works at Lees Road and Clarendon-Blue Bridge Road.

As per the changes with the Local Government Reporting Framework, Council is no longer required to prepare a set of Standard Statements. A set of alternative note



disclosures have now been included as part of the Financial Statements to replace the Standard Statements.

### **Policy Implications**

The 2013–2017 Council Plan provides as follows:

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

The 2015/16 financial statements are consistent with the 2013-2017 Council Plan.

### **Financial Implications**

The financial statements detail Council's financial performance and position for 2015/16. They demonstrate that over time Council has steadily improved its financial position, but indicates that there are still numerous financial challenges that lay ahead which will require responsible fiscal stewardship.

### **Communications Strategy**

The Annual Financial Statements and Performance Statements are reported to Council to adopt "in principle" for submission to the Auditor-General for certification. Audited Statements are then incorporated into Council's Annual Report, which is completed by Council by 30 September each year.

### **Victorian Charter of Human Rights and Responsibilities Act 2006**

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

### Officer's Declaration of Conflict of Interests

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

*General Manager – Phil Jeffrey*

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

*Author – Steven Ivelja*

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

### Conclusion

The attached Financial Statements for 2015/16 have been prepared in accordance with the requirements of the Local Government Act.

At the time of printing this document, Council's Financial Statements were included on the Agenda for consideration at the Audit and Risk Committee Meeting on Wednesday 7 September 2016, with a recommendation that the Audit and Risk Committee recommend that Council adopt the statements "in principle".

Following a resolution, the Financial Statements will then be submitted to the Auditor-General for certification. Council is also required to authorise two Councillors to sign the Financial Statements on behalf of Council, as required under the *Local Government Act 1989*.

It is practice for the Councillor members of the Audit Committee to sign the certified statements on behalf of Council.

### Recommendation:

#### That Council:

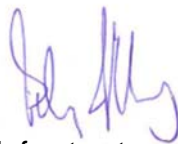
1. **In accordance with S. 132 of the Local Government Act (1989):**
  - a) **adopt in principle and submit the 2015/16 Financial Statements to the Auditor-General for certification; and**
  - b) **authorise the Council's Audit Committee Representatives, Cr. Edwards and Cr. Dudzik, to certify the 2015/16 Financial Statements in their final form, after any changes recommended, or agreed to by the Auditor, have been made.**

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### Report Authorisation

#### Authorised by:

**Name:** Phil Jeffrey  
**Title:** General Manager Infrastructure  
**Date:** Wednesday, 17 August 2016



# Attachment - Item 10.1.1

**MOORABOOL SHIRE COUNCIL  
ANNUAL FINANCIAL REPORT**

*For the Year Ended 30 June 2016*

**Moorabool Shire Council**  
**2015/2016 Financial Report**  
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Certification of the Financial Statements

## Comprehensive Income Statement For the Year Ended 30 June 2016

	Note	2016 \$'000	2015 \$'000
<b>Income</b>			
Rates and charges	3	29,331	27,633
Statutory fees and fines	4	448	482
User fees	5	1,918	1,716
Grants - operating	6	6,518	11,822
Grants - capital	6	4,699	4,961
Contributions - monetary	7	1,254	933
Contributions - non-monetary	7	5,481	3,848
Net gain (loss) on disposal of property, infrastructure, plant and equipment and investment properties	8	(1,682)	(3,612)
Other income	9	2,612	1,723
<b>Total Income</b>		<b>50,579</b>	<b>49,507</b>
<b>Expenses</b>			
Employee costs	10	(17,729)	(17,094)
Materials and services	11	(15,854)	(15,428)
Bad and doubtful debts	12	(58)	(22)
Depreciation and amortisation	13	(7,398)	(7,708)
Borrowing costs	14	(724)	(777)
Loss on revaluation		(324)	-
Other expenses	15	(667)	(793)
<b>Total Expenses</b>		<b>(42,755)</b>	<b>(41,823)</b>
<b>Surplus/(deficit) for the year</b>		<b>7,825</b>	<b>7,684</b>
<b>Other comprehensive income</b>			
<b>Items that will not be reclassified to surplus or deficit in future periods</b>			
Net asset revaluation increment/(decrement)	27(a)	15,707	14,616
<b>Total comprehensive Result</b>		<b>23,532</b>	<b>22,300</b>

The above statement should be read in conjunction with the accompanying notes

## Balance Sheet As at 30 June 2016

	Note	2016 \$'000	2015 \$'000
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	16	12,452	12,173
Trade and other receivables	17	4,978	4,377
Other financial assets	18	-	-
Inventories	19	21	21
Non-current assets classified as held for sale	20	991	991
Other assets	21	1,412	306
<b>Total current assets</b>		<b>19,854</b>	<b>17,868</b>
<b>Non-current assets</b>			
Trade and other receivables	17	126	122
Property, infrastructure, plant and equipment	22	463,135	438,127
<b>Total non-current assets</b>		<b>463,261</b>	<b>438,249</b>
<b>Total assets</b>		<b>483,115</b>	<b>456,117</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	23	3,795	3,856
Trust funds and deposits	24	781	599
Provisions	25	4,164	3,820
Interest-bearing loans and borrowings	26	1,431	1,464
<b>Total current liabilities</b>		<b>10,171</b>	<b>9,740</b>
<b>Non-current liabilities</b>			
Provisions	25	909	919
Interest-bearing loans and borrowings	26	13,611	10,567
<b>Total non-current liabilities</b>		<b>14,520</b>	<b>11,486</b>
<b>Total liabilities</b>		<b>24,692</b>	<b>21,226</b>
<b>Net assets</b>		<b>458,423</b>	<b>434,891</b>
<b>Equity</b>			
Accumulated surplus		138,035	131,611
Reserves	27	320,388	303,281
<b>Total Equity</b>		<b>458,423</b>	<b>434,891</b>

The above balance sheet should be read in conjunction with the accompanying notes

## Statement of Changes in Equity For the Year Ended 30 June 2016

2016	Note	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
Balance at beginning of the financial year		434,891	131,611	298,973	4,307
Surplus/(deficit) for the year	27a	7,825	7,825	-	-
Net asset revaluation increment/(decrement)		15,707	-	15,707	-
Transfers to other reserves	27b	-	(2,455)	-	2,455
Transfers from other reserves	27b	-	1,055	-	(1,055)
<b>Balance at end of the financial year</b>		<b>458,423</b>	<b>138,035</b>	<b>314,680</b>	<b>5,708</b>

2015	Note	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
Balance at beginning of the financial year		412,592	124,985	284,358	3,249
Surplus/(deficit) for the year	27a	7,684	7,684	-	-
Net asset revaluation increment/(decrement)		14,616	-	14,616	-
Transfers to other reserves	27b	-	(1,374)	-	1,374
Transfers from other reserves	27b	-	315	-	(315)
<b>Balance at end of the financial year</b>		<b>434,891</b>	<b>131,611</b>	<b>298,973</b>	<b>4,307</b>

The above statement should be read in conjunction with the accompanying notes



## Statement of Cash Flows For the Year Ended 30 June 2016

	2016	2015
	Inflows/ (Outflows)	Inflows/ (Outflows)
Note	\$'000	\$'000
<b>Cash flows from operating activities</b>		
Rates and charges	29,209	27,480
Statutory fees and fines	448	481
User fees (inclusive of GST)	1,546	1,624
Grants - operating	6,518	12,172
Grants - capital	4,699	4,961
Contributions - monetary	1,254	933
Interest received	431	469
Trust funds and deposits taken	634	117
Other receipts (inclusive of GST)	2,286	1,293
Net GST refund/payment	2,555	1,938
Employee costs	(17,394)	(16,798)
Materials and services (inclusive of GST)	(19,774)	(20,515)
Trust funds and deposits repaid	(452)	(331)
Other payments	(725)	(815)
<b>Net cash provided by (used in) operating activities</b>	<b>11,233</b>	<b>13,008</b>
28		
<b>Cash flows from investing activities</b>		
Payments for property, infrastructure, plant and equipment	(13,606)	(9,194)
Proceeds from sale of property, infrastructure, plant and equipment	364	228
<b>Net cash provided by (used in) investing activities</b>	<b>(13,242)</b>	<b>(8,966)</b>
<b>Cash flows from financing activities</b>		
Finance costs	(724)	(777)
Proceeds from borrowings	4,476	1,000
Repayment of borrowings	(1,464)	(1,667)
<b>Net cash provided by (used in) financing activities</b>	<b>2,287</b>	<b>(1,444)</b>
Net increase (decrease) in cash and cash equivalents	279	2,598
Cash and cash equivalents at the beginning of the financial year	12,173	9,576
<b>Cash and cash equivalents at the end of the financial year</b>	<b>12,452</b>	<b>12,173</b>
16		
Financing arrangements	29	
Restrictions on cash assets	16	

The above statement should be read in conjunction with the accompanying notes

## Statement of Capital Works For the Year Ended 30 June 2016

	Note	2016 \$'000	2015 \$'000
<b>Property</b>			
Land		50	133
Buildings		460	507
<b>Total property</b>		<b>510</b>	<b>640</b>
<b>Plant and equipment</b>			
Plant, machinery and equipment		1,382	1,521
Computers and telecommunications		12	16
Library books		100	143
<b>Total plant and equipment</b>		<b>1,494</b>	<b>1,680</b>
<b>Infrastructure</b>			
Roads		7,674	5,740
Bridges		809	157
Footpaths and cycleways		826	166
Drainage		144	84
Recreational, leisure and community facilities		1,908	520
Parks, open space and streetscapes		-	45
Other infrastructure		242	163
<b>Total infrastructure</b>		<b>11,603</b>	<b>6,875</b>
<b>Total capital works expenditure</b>		<b>13,606</b>	<b>9,194</b>
<b>Represented by:</b>			
New asset expenditure		2,175	971
Asset renewal expenditure		8,802	7,692
Asset upgrade expenditure		2,628	531
<b>Total capital works expenditure</b>		<b>13,606</b>	<b>9,194</b>

The above statement should be read in conjunction with the accompanying notes

### Introduction

Moorabool Shire Council was established by an Order of the Governor in Council on Friday, 6 May 1994 and is a body corporate. The Council's main office is located at 15 Stead Street, Ballan.

### Statement of Compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and notes accompanying these financial statements. The general purpose financial report complies with Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1989, and the Local Government (Planning and Reporting) Regulations 2014.

## Note 1 Significant accounting policies

### (a) Basis of accounting

The accrual basis of accounting has been used in the preparation of these financial statements, whereby assets liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to note 1 (k) )
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to note 1 (l) )
- the determination of employee provisions (refer to note 1 (r) )

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.

### (b) Change in accounting policies

There have been no changes in accounting policies from the previous period.

### (c) Committees of management

All entities controlled by Council that have material revenues, expenses, assets or liabilities, such as committees of management, have been included in this financial report. Any transactions between these entities and Council have been eliminated in full.

### (d) Revenue recognition

Income is recognised when the Council obtains control of the contribution or the right to receive the contribution, it is probable that the economic benefits comprising the contribution will flow to the Council and the amount of the contribution can be measured reliably.

#### *Rates and charges*

Annual rates and charges are recognised as revenues when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

#### *Statutory fees and fines*

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

#### *User fees*

User fees are recognised as revenue when the service has been provided or the payment is received, whichever first occurs.

#### *Grants*

Grant income is recognised when Council obtains control of the contribution. This is normally obtained upon their receipt (or acquittal) or upon earlier notification that a grant has been secured, and are valued at their fair value at the date of transfer.

Where grants or contributions recognised as revenues during the financial year were obtained on condition that they be expended in a particular manner or used over a particular period and those conditions were undischarged at balance date, the unused grant or contribution is disclosed in note 6. The note also discloses the amount of unused grant or contribution from prior years that was expended on Council's operations during the current year.

**Note 1 Significant accounting policies (cont.)**

**(d) Revenue recognition (cont.)**

*Contributions*

Monetary and non monetary contributions are recognised as revenue when Council obtains control over the contributed asset.

*Sale of property, infrastructure, plant and equipment*

The profit or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer.

*Interest*

Interest is recognised as it is earned.

*Dividends*

Dividend revenue is recognised when the Council's right to receive payment is established.

*Other Income*

Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

**(e) Fair value measurement**

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

AASB 13 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Fair value under AASB 13 is an exit price regardless of whether that price is directly observable or estimated using another valuation technique.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

*Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities*

*Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and*

*Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.*

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

**(f) Cash and cash equivalents**

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of 90 days or less, net of outstanding bank overdrafts.

**(g) Trade and other receivables**

Receivables are carried at amortised cost using the effective interest rate method. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred.

**(h) Other financial assets**

Other financial assets are valued at fair value, being market value, at balance date. Term deposits are measured at amortised cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

**(i) Inventories**

Inventories held for distribution are measured at cost, adjusted when applicable for any loss of service potential. Inventories are measured at the lower of cost and net realisable value.

All other inventories, including land held for sale, are measured at the lower of cost and net realisable value. Where Inventories are acquired for no cost or nominal consideration, they are measured at current replacement cost at the date of acquisition.

Note 1 Significant accounting policies (cont.)

(j) Non-current assets classified as held for sale

A non-current asset held for sale (including disposal groups) is measured at the lower of its carrying amount and fair value less costs to sell, and are not subject to depreciation. Non current assets, disposal groups and related liabilities assets are treated as current and classified as held for sale if their carrying amount will be recovered through a sale transaction rather than through continuing use. This condition is regarded as met only when the sale is highly probable and the asset's sale (or disposal group sale) is expected to be completed within 12 months from the date of classification.

(k) Recognition and measurement of property, plant and equipment, infrastructure, intangibles

**Acquisition**

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the amount for which the asset could be exchanged between knowledgeable willing parties in an arm's length transaction.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits detailed in note 1(l) have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

**Revaluation**

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use on an asset result in changes to the permissible or practical highest and best use of the asset. Further details regarding the fair value hierarchy are disclosed at Note 22, Property, infrastructure, plant and equipment, and infrastructure.

In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis up to every 5 years. The valuation is performed either by experienced Council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

**Land under roads**

Council recognises land under roads it controls at fair value. Council does not recognise land under roads that it controlled prior to 1 July 2008 in its financial report.

(l) Depreciation and amortisation of property, plant and equipment, infrastructure

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Straight line depreciation is charged based on the residual useful life as determined each year.

**Note 1 Significant accounting policies (cont.)**

**(l) Depreciation and amortisation of property, plant and equipment, infrastructure (cont.)**

Depreciation periods used are listed below and are consistent with the prior year unless otherwise stated.

*Asset recognition thresholds and depreciation periods*

	<b>Depreciation Period</b>	<b>Threshold Limit \$'000</b>
<b>Property</b>		
Land	-	5
Land improvements	-	5
<b>Buildings</b>		
Buildings	50-80 years	5
<b>Plant and Equipment</b>		
Plant, machinery and equipment	5-10 years	5
Fixtures, fittings and furniture	3-10 years	5
Computers and telecommunications	1-5 years	5
Library books	10 years	n/a
<b>Infrastructure</b>		
Roads		
- Formation and earthworks	Infinite	5
- Pavement and seals	20-80 years	5
- Substructure	15-30 years	5
- Road kerb, channel and minor culverts	40-70 years	5
Footpaths and cycleways	10-50 years	5
Drainage	25-100 years	5
Bridges		
- Bridges deck	80 years	5
- Bridges substructure	80 years	5
- Major culverts	80 years	5
Recreational, leisure and community facilities	15-40 years	5
Parks, open space and streetscapes	20-100 years	5

**(m) Repairs and maintenance**

Routine maintenance, repair costs and minor renewal costs are expensed as incurred. Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

**(n) Investment property**

Investment property, comprising freehold office complexes, is held to generate long-term rental yields. Investment property is measured initially at cost, including transaction costs. Costs incurred subsequent to initial acquisition are capitalised when it is probable that future economic benefit in excess of the originally assessed performance of the asset will flow to the Council. Subsequent to initial recognition at cost, investment property is carried at fair value, determined annually by independent valuers. Changes to fair value are recorded in the comprehensive income statement in the period that they arise. Rental income from the leasing of investment properties is recognised in the comprehensive income statement on a straight line basis over the lease term.

**(o) Impairment of assets**

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the Comprehensive Income Statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

**(p) Trust funds and deposits**

Amounts received as deposits and retention amounts controlled by Council are recognised as Trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited (refer to note 24).

Note 1 Significant accounting policies (cont.)

(q) Borrowings

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether the Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. The Council determines the classification of its interest bearing liabilities at initial recognition.

*Borrowing costs*

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council. Except where specific borrowings are obtained for the purpose of specific asset acquisition, the weighted average interest rate applicable to borrowings at balance date, excluding borrowings associated with superannuation, is used to determine the borrowing costs to be capitalised.

Borrowing costs include interest on bank overdrafts, interest on borrowings and finance lease charges.

(r) Employee costs and benefits

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date:

*Wages and salaries and annual leave*

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulated sick leave expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits in respect of employee services up to the reporting date, classified as current liabilities and measured at their nominal values.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

*Long service leave*

Liability for long service leave (LSL) is recognised in the provision for employee benefits.

Current Liability - unconditional LSL is disclosed as a current liability even when the Council does not expect to settle the liability within 12 months because it will not have the unconditional right to defer settlement of the entitlement should an employee take leave within 12 months.

The components of this current liability are measured at :

- present value - component that is not expected to be wholly settled within 12 months.
- nominal value - component that is expected to be wholly settled within 12 months.

*Classification of employee costs*

Non-current liability - conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability. There is an unconditional right to defer settlement of the entitlement until the employee has completed the requisite years of service.

This non-current LSL liability is measured at present value.

*Retirement Gratuity*

Retirement gratuities were provided to certain employees who were employed by the former Shire of Bacchus Marsh. The liability represents a set proportion of accumulated sick leave that is payable on retirement. At balance date, the liability is measured at the nominal value of 14 March 1996.

(s) Quarry rehabilitation provision

Council is obligated to restore quarry sites to a particular standard. The forecast life of the sites are based on current estimates of remaining capacity and the forecast rate of infill. The provision for quarry restoration has been calculated based on the present value of the expected cost of works to be undertaken. The expected cost of works has been estimated based on current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required and related costs.

(t) Leases

*Operating leases*

Lease payments for operating leases are required by the accounting standards to be recognised on a straight line basis, rather than expenses in the years in which they are incurred.

**Note 1 Significant accounting policies (cont.)**

**(u) Goods and services tax (GST)**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances, the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the balance sheet are shown inclusive of GST.

Cash flows are presented in the Statement of Cash Flows on a gross basis, except for the GST component of investing and financing activities, which are disclosed as operating cash flows.

**(v) Financial guarantees**

Financial guarantee contracts are not recognised as a liability in the balance sheet unless the lender has exercised their right to call on the guarantee or Council has other reasons to believe that it is probably that that right will be exercised. Details of guarantees that Council has provided, that are not recognised in the balance sheet are disclosed at Note 33 Contingent Liabilities and Contingent Assets.

**(w) Contingent assets and contingent liabilities and commitments**

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed by way of a note and, if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable respectively.

Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value by way of note and presented inclusive of the GST payable.

**(x) Pending accounting standards**

Certain new AAS's have been issued that are not mandatory for the 30 June 2016 reporting period. Council has assessed these pending standards and has identified that no material impact will flow from the application of these standards in future reporting periods.

**(y) Rounding**

Unless otherwise stated, amounts in the financial report have been rounded to the nearest thousand dollars. Figures in the financial statements may not equate due to rounding.



Note 2 Budget Comparison

The budget comparison notes compare Council's financial plan, expressed through its annual budget, with actual performance. The Local Government (Planning and Reporting) Regulations 2014 requires explanation of any material variances. Council has adopted a materiality threshold of the lower of 10 percent or \$1,000,000 where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The budget figures detailed below are those adopted by Council on 3 June 2015. The Budget was based on assumptions that were relevant at the time of adoption of the Budget. Council sets guidelines and parameters for revenue and expense targets in this budget in order to meet Council's planning and financial performance targets for both the short and long-term. The budget did not reflect any changes to equity resulting from asset revaluations, as their impacts were not considered predictable.

These notes are prepared to meet the requirements of the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014.

	Budget 2016 \$'000	Actual 2016 \$'000	Variance 2016 \$'000	Ref
<b>a) Income and Expenditure</b>				
<b>Income</b>				
Rates and charges	29,113	29,331	218	
Statutory fees and fines	600	448	(152)	1
User fees	1,654	1,918	264	2
Grants - operating	8,701	6,518	(2,183)	3
Grants - capital	4,517	4,699	182	
Contributions - monetary	780	1,254	474	4
Contributions - non monetary	4,500	5,481	981	5
Net gain/(loss) on disposal of property, infrastructure, plant and equip.	(1,491)	(1,682)	(191)	6
Interest received	397	431	35	
Other income	1,026	2,181	1,155	7
<b>Total income</b>	<b>49,797</b>	<b>50,579</b>	<b>783</b>	
<b>Expenses</b>				
Employee costs	(17,735)	(17,729)	6	
Materials and services	(14,292)	(15,854)	(1,562)	8
Bad and doubtful debts	-	(58)	(58)	
Depreciation and amortisation	(8,595)	(7,398)	1,196	9
Borrowing costs	(864)	(724)	140	10
Loss on revaluation	-	(324)	(324)	
Other expenses	(782)	(667)	115	11
<b>Total expenses</b>	<b>(42,268)</b>	<b>(42,755)</b>	<b>(487)</b>	
<b>Surplus/(deficit) for the year</b>	<b>7,529</b>	<b>7,825</b>	<b>296</b>	

Note 2 Budget Comparison (cont.)

(i) Explanation of material variations

Ref	Item	Explanation
1	Statutory fees and fines	Variance primarily due to reclassification of Local Laws permits (\$15k budget) and Food/Health Act registrations (\$105k budget). The budget for these is in statutory fees, however the actual income is classified as Council fees. In addition to this, there was unexpected income in planning enforcement (\$33k) relating to court costs awarded.
2	User fees	As per item 1 above, variance primarily due to reclassification of Local Laws permits (\$15k budget) and Food/Health Act registrations (\$105k budget). In addition to this, there are a number of other variances, the larger being an additional \$60k in agency receipts from Ballan Health and Care and \$32k for Meals on Wheels (these are both offset by increased costs), an additional \$35k in income from animal registrations and higher than expected takings from Bacchus Marsh transfer station (\$21k).
3	Grants - operating	Variance is primarily due to receiving \$1.98m in Financial Assistance Grants and \$895k in local roads funding relating to 2015/16 in the previous financial year.
4	Contributions - monetary	Actual is greater than budget by \$474k overall mainly due to increases in Public Open Space Contributions (\$256k) and Developer Contributions (\$200k).
5	Contributions - non monetary	Due to the highly unpredictable nature of non-monetary contributions, an estimate of potential value was made for budget purposes, however the actual value of these contributions came in higher than what was originally estimated.
6	Net gain/(loss) on disposal of property, infrastructure, plant and equipment	Overall the variance is not significant and mainly relates to the write off of various Parks and Reserves infrastructure that was no longer deemed Council assets.
7	Other income	This variance relates to a reimbursement claim of \$1.031m for costs incurred during the Scotsburn fire in December 2015.
8	Materials and services	Variance is primarily due to unbudgeted costs of \$1.023m for Scotsburn Fire relief and recovery efforts. As per item 7 above, the majority of these expenses will be reimbursed.
9	Depreciation and amortisation	The actual depreciation expense was \$1.196m under budget primarily due to the budget containing the assumption that the scheduled revaluations on infrastructure assets would be done as at 1 July 2015. The actual date of the revaluation was 30 June 2016. Therefore, the impact on depreciation expense of the new valuations will not be brought to account until the 2016/17 financial year. The 2015/16 Budget also assumed a significantly larger revaluation increment than what actually occurred.
10	Borrowing costs	Loan interest came in under budget as the loan budgeted to be taken up during 2015/16 was taken up later in the year than originally proposed in the budget.
11	Other expenses	Variance is primarily related to savings in Server leases (\$71k) as a number of leases were bought out or completed during 2015. In addition, sitting fees for Planning Scheme amendments were not used as no panels were held during the year (\$34k).

Note 2 Budget Comparison (cont.)

	Budget 2016 \$'000	Actual 2016 \$'000	Variance 2016 \$'000	Ref
<b>b) Capital Works</b>				
<b>Property</b>				
Land	-	50	50	
Buildings	240	460	220	1
<b>Total property</b>	<b>240</b>	<b>510</b>	<b>270</b>	
<b>Plant and equipment</b>				
Plant, machinery and equipment	1,367	1,382	15	
Computers and telecommunications	-	12	12	
Library books	-	100	100	
<b>Total plant and equipment</b>	<b>1,367</b>	<b>1,494</b>	<b>127</b>	
<b>Infrastructure</b>				
Roads	7,981	7,674	(307)	
Bridges	175	809	634	2
Footpaths and cycleways	207	826	619	3
Drainage	90	144	54	4
Recreational, leisure and community facilities	5,145	1,908	(3,237)	5
Parks, open space and streetscapes	-	-	-	
Other infrastructure	8	242	234	6
<b>Total infrastructure</b>	<b>13,606</b>	<b>11,603</b>	<b>(2,003)</b>	
<b>Total capital works expenditure</b>	<b>15,213</b>	<b>13,606</b>	<b>(1,607)</b>	
<b>Represented by:</b>				
New asset expenditure	6,975	2,175	(4,800)	
Asset renewal	5,947	8,802	2,856	
Asset upgrade	2,291	2,628	337	
<b>Total capital works expenditure</b>	<b>15,213</b>	<b>13,606</b>	<b>(1,607)</b>	

(i) Explanation of material variations

Ref	Item	Explanation
1	Buildings	Capital expenditure on buildings was \$220k greater than budget due to the completion of projects carried forward from prior years. The most significant project being the Bacchus Marsh Public Hall Kitchen Upgrade.
2	Bridges	Capital expenditure on bridges was \$634k greater than budget due to the completion of projects carried forward from prior years. These projects include Lees Road, Clarendon-Blue Bridge Road, and various other rehabilitation works.
3	Footpaths and cycleways	Actual expenditure exceeded budget by \$619k mainly due to the completion of footpath works in Main Street, Bacchus Marsh. This project was carried forward from 2014/15. Other completed projects from prior years include Halletts Way, Links Road, and Fitzroy Street.
4	Drainage	Overall capital spend on drainage was \$54k over budget primarily due to an overspend on a project at Cowie Street, Ballan. This overspend has been funded from savings in other areas of the capital
5	Recreational, leisure and community facilities	Actual spend is less than budget by \$3.237m due to some larger projects being incomplete at year end. These projects will be completed in the 2016/17 financial year and include; Darley Children's Hub, and the Civic Oval Public Toilets and Change Room Amenities.
6	Other infrastructure	Actual spend on other infrastructure was \$234k over budget due to the completion of a new toilet facility at Moon Reserve, Bacchus Marsh. This project was not included in the original budget for 2015/16 as it was approved and budgeted for in the 2014/15 financial year.

	2016	2015
	\$'000	\$'000

**Note 3 Rates and charges**

Council uses Capital Improved Value (CIV) as the basis of valuation of all properties within the municipal district. The CIV of a property is the market value of the land and all improvements to that land as assessed by a Council appointed valuer.

The valuation base used to calculate general rates for 2015/2016 was \$5,710 million (2014/2015 \$5,254 million).

General Rates	25,460	23,767
Waste / Garbage Charges	3,660	3,633
Supplementary rates and rate adjustments	211	233
Cultural and recreational	-	-
Revenue in lieu of rates	-	-
<b>Total rates and charges</b>	<b>29,331</b>	<b>27,633</b>

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2014 and the valuation was first applied in the rating year commencing 1 July 2014.

**Note 4 Statutory fees and fines**

Infringements and costs	95	147
Court recoveries	37	25
Town planning fees	254	255
Land information certificates	34	29
Permits	27	25
Freedom of Information	1	1
<b>Total statutory fees and fines</b>	<b>448</b>	<b>482</b>

**Note 5 User fees**

Aged and health services	574	531
Leisure centre and recreation	40	30
Child care/children's programs	62	59
Animal registrations and other permits	492	450
Building services	332	236
Waste management services	325	335
Other fees and charges	94	75
<b>Total user fees</b>	<b>1,918</b>	<b>1,716</b>

**Note 6 Grants**

Grants were received in respect of the following :

**Summary of grants**

Commonwealth funded grants	5,573	11,326
State funded grants	5,085	5,428
Others	559	29
<b>Total</b>	<b>11,217</b>	<b>16,783</b>

	2016 \$'000	2015 \$'000
<b>Note 6 Grants (cont.)</b>		
<b>(a) Operating Grants</b>		
<i>Recurrent - Commonwealth Government</i>		
Victoria Grants Commission	2,942	8,629
<i>Recurrent - State Government</i>		
Aged care	1,871	1,752
School crossing supervisors	49	54
Libraries	246	245
Maternal and child health	511	435
Other	312	336
<b>Total recurrent operating grants</b>	<b>5,932</b>	<b>11,451</b>
<i>Non-recurrent - Commonwealth Government</i>		
Healthy Ageing	120	-
Healthy Communities	1	(34)
<i>Non-recurrent - State Government</i>		
Emergency management	246	240
Valuations	-	93
Strategic planning and tourism	13	15
Families and youth	39	3
Environment and health	167	51
Community development	-	1
Other	-	2
<b>Total non-recurrent operating grants</b>	<b>586</b>	<b>371</b>
<b>Total operating grants</b>	<b>6,518</b>	<b>11,822</b>
<b>(b) Capital Grants</b>		
<i>Recurrent - Commonwealth Government</i>		
Roads to recovery	2,510	879
<i>Recurrent - State Government</i>		
Local roads	-	1,000
<b>Total recurrent capital grants</b>	<b>2,510</b>	<b>1,879</b>
<i>Non-recurrent - Commonwealth Government</i>		
Emergency recovery	-	1,853
<i>Non-recurrent - State Government</i>		
Community and recreational facilities	244	232
Local Roads	1,386	969
<i>Non-recurrent - Other sources</i>		
Sundry capital grants	559	29
<b>Total non-recurrent capital grants</b>	<b>2,189</b>	<b>3,083</b>
<b>Total capital grants</b>	<b>4,699</b>	<b>4,961</b>

	2016 \$'000	2015 \$'000
<b>Note 6 Grants (cont.)</b>		
<b>Unspent grants received on condition that they be spent in a specific manner</b>		
Balance at start of year	1,015	665
Received during the financial year and remain unspent at balance date	612	900
Received in prior years and spent during the financial year	(970)	(550)
Balance at year end	<u>656</u>	<u>1,015</u>

<b>Note 7 Contributions</b>		
Monetary	1,254	933
Non-monetary	5,481	3,848
<b>Total contributions</b>	<u>6,735</u>	<u>4,781</u>

*Contributions of non-monetary assets were received in relation to the following asset classes.*

Land	562	266
Infrastructure	4,919	3,455
Other	-	127
<b>Total non-monetary contributions</b>	<u>5,481</u>	<u>3,848</u>

<b>Note 8 Net gain (loss) on disposal of property, infrastructure, plant and equipment</b>		
Proceeds of sale	364	313
Written down value of assets disposed	(2,046)	(3,925)
<b>Total net gain/(loss) on disposal of property, infrastructure, plant and equipment</b>	<u>(1,682)</u>	<u>(3,612)</u>

The loss on disposal of assets primarily relates to the value of road infrastructure written off as a result of its capital renewal

<b>Note 9 Other income</b>		
Interest	431	469
Reimbursements, rebates and recoveries	1,396	413
Recycling income	124	132
Other rent	219	108
Royalties	55	64
Peri-Urban contributions	90	90
Insurance claims	5	76
Sales	71	63
Other	221	309
<b>Total other income</b>	<u>2,612</u>	<u>1,723</u>

<b>Note 10 (a) Employee costs</b>		
Wages and salaries	15,167	14,523
WorkCover	384	362
Casual staff	719	758
Superannuation	1,415	1,348
Fringe Benefits Tax	45	104
<b>Total employee costs</b>	<u>17,729</u>	<u>17,094</u>

	2016 \$'000	2015 \$'000
<b>Note 10 (b) Superannuation</b>		
Council made contributions to the following funds:		
<b>Defined benefits fund</b>		
Employer contributions to Local Authorities Superannuation Fund (Vision Super) at 9.5%	157	148
Employer contributions payable at reporting date	-	(5)
<b>Accumulation funds</b>		
Employer contributions to Local Authorities Superannuation Fund (Vision Super) at 9.5%	1,267	1,066
Employer contributions to other funds at 9.5%	582	564
	<u>1,849</u>	<u>1,630</u>
Employer contributions payable at reporting date	146	49
Refer to note 32 for further information relating to Council's super obligations.		

<b>Note 11 Materials and services</b>		
Materials and services	2,163	2,086
Contract payments	7,850	7,124
Building maintenance	506	514
General maintenance	795	840
Utilities	483	461
Office administration	626	640
Information technology	837	816
Insurance	502	511
Consultants	1,074	1,374
Agency staff	320	315
Community grants and advances	699	748
<b>Total materials and services</b>	<u>15,854</u>	<u>15,428</u>

<b>Note 12 Bad and doubtful debts</b>		
Parking fine debtors	-	1
Other debtors	58	21
<b>Total bad and doubtful debts</b>	<u>58</u>	<u>22</u>

<b>Note 13 Depreciation and amortisation</b>		
Property	723	720
Plant and equipment	902	828
Infrastructure	5,774	6,160
<b>Total depreciation and amortisation</b>	<u>7,398</u>	<u>7,708</u>

Refer to note 22 for a more detailed breakdown of depreciation and amortisation charges

<b>Note 14 Borrowing costs</b>		
Interest - Borrowings	724	777
<b>Total borrowing costs</b>	<u>724</u>	<u>777</u>

	2016 \$'000	2015 \$'000
<b>Note 15 Other expenses</b>		
Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	40	38
Auditors' remuneration - Internal	32	80
Councillors' allowances	250	232
Operating lease rentals	257	325
Bank fees	55	57
Other	34	61
<b>Total other expenses</b>	<b>667</b>	<b>793</b>
<b>Note 16 Cash and cash equivalents</b>		
Cash on hand	2	2
Cash at bank	6,450	8,171
Term deposits	6,000	4,000
<b>Total cash and cash equivalents</b>	<b>12,452</b>	<b>12,173</b>
Council's cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:		
- Trust funds and deposits (Note 24)	781	599
- Statutory reserves (Note 27 (b))	2,004	1,644
Total restricted funds	2,785	2,243
<b>Total unrestricted cash and cash equivalents</b>	<b>9,667</b>	<b>9,930</b>
<b>Intended allocations</b>		
Although not externally restricted the following amounts have been allocated for specific future purposes by Council:		
- Cash held to fund carried forward capital works and projects	5,588	4,875
- Recreation facilities reserve	868	715
- Halletts Way road works	-	372
Total funds subject to intended allocations	6,455	5,961
<b>Note 17 Trade and other receivables</b>		
<b>Current</b>		
Rates debtors	2,814	2,696
Special rate assessment	44	45
Infringement debtors	240	246
Provision for doubtful debts - infringements	-	(7)
Net GST receivable	370	469
Other debtors	1,566	953
Provision for doubtful debts - other debtors	(57)	(25)
<b>Total current trade and other receivables</b>	<b>4,978</b>	<b>4,377</b>
<b>Non-current</b>		
Special rate assessment	126	122
<b>Total non-current trade and other receivables</b>	<b>126</b>	<b>122</b>
<b>Total trade and other receivables</b>	<b>5,104</b>	<b>4,499</b>



	2016	2015
	\$'000	\$'000

**Note 17 Trade and other receivables (cont.)**

**(a) Ageing of receivables**

At balance date other debtors representing financial assets were past due but not impaired. These amounts relate to a number of independent customers for whom there is no recent history of default. The ageing of the Council's trade & other receivables (excluding statutory receivables) was:

Current (not yet due)	1,343	224
Past due by up to 30 days	78	529
Past due between 31 and 60 days	51	26
Past due between 61 and 90 days	6	11
Past due by more than 90 days	101	162
<b>Total trade and other receivables</b>	<u>1,578</u>	<u>953</u>

**(b) Movement in provisions for doubtful debts**

Balance at the beginning of the year	32	150
New Provisions recognised during the year	35	15
Amounts already provided for and written off as uncollectible	(7)	(132)
Amounts provided for but recovered during the year	(3)	(1)
Balance at end of year	<u>57</u>	<u>32</u>

**(c) Ageing of individually impaired receivables**

At balance date, other debtors representing financial assets with a nominal value of \$56,585 (2015: \$31,845) were impaired. The amount of the provision raised against these debtors was \$56,585 (2015: \$31,845). They have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements.

The ageing of receivables that have been individually determined as impaired at reporting date was:

Current (not yet due)	-	-
Past due by up to 30 days	-	-
Past due between 31 and 60 days	-	-
Past due between 61 and 90 days	-	-
Past due by more than 90 days	57	32
<b>Total Trade &amp; Other Receivables</b>	<u>57</u>	<u>32</u>

**Note 18 Other financial assets**

Term deposits	-	-
Managed funds	-	-
<b>Total other financial assets</b>	-	-

**Note 19 Inventories**

Inventories held for distribution	21	21
Inventories held for sale	-	-
<b>Total inventories</b>	<u>21</u>	<u>21</u>

	2016	2015
	\$'000	\$'000
<b>Note 20 Non-current assets classified as held for sale</b>		
Balance at beginning of financial year	991	991
Disposals	-	-
<b>Balance at end of financial year</b>	<b>991</b>	<b>991</b>
<b>Note 21 Other assets</b>		
Prepayments	158	139
Accrued income	1,254	167
<b>Total other assets</b>	<b>1,412</b>	<b>306</b>

Note 22 Property, infrastructure, plant and equipment

Summary of property, infrastructure, plant and equipment

	2016			2015		
	At Fair Value 30 June 2016	Accumulated Depreciation	WDV 30 June 2016	At Fair Value 30 June 2015	Accumulated Depreciation	WDV 30 June 2015
Land	44,136	-	44,136	42,802	-	42,802
Buildings	39,353	15,669	23,684	39,864	14,679	25,185
Plant and Equipment	8,677	3,560	5,117	8,172	3,453	4,719
Infrastructure	458,556	77,888	380,668	447,838	84,564	363,273
Work in progress	9,530	-	9,530	2,148	-	2,148
<b>Total</b>	<b>560,252</b>	<b>97,117</b>	<b>463,135</b>	<b>540,823</b>	<b>102,696</b>	<b>438,127</b>

Summary of Work in Progress

	Opening WIP	Additions	Transfers	Write Offs	Closing WIP
Buildings	709	352	150	-	912
Plant and Equipment	76	-	76	-	-
Infrastructure	1,363	7,872	617	-	8,618
<b>Total</b>	<b>2,148</b>	<b>8,224</b>	<b>842</b>	<b>-</b>	<b>9,530</b>

Note 22 Property, infrastructure, plant and equipment (cont.)

Land and Buildings	Note	Land - specialised	Land - non specialised	Land improvements	Total Land	Heritage Buildings	Buildings - specialised	Buildings - non specialised	Building Improvements	Leasehold Improvements	Total Buildings	Work In Progress	Total Property
At fair value 1 July 2015		1,568	41,234	-	42,802	-	29,001	10,863	-	-	39,864	709	83,375
Accumulated depreciation at 1 July 2015		-	-	-	-	-	(14,677)	(2)	-	-	(14,679)	-	(14,679)
		1,568	41,234	-	42,802	-	14,324	10,861	-	-	25,185	709	68,696
<b>Movements in fair value</b>													
Acquisition of assets at fair value		17	328	-	345	-	890	-	-	-	890	352	1,588
Contributed assets		148	414	-	562	-	-	-	-	-	-	-	562
Revaluation increments/decrements		89	679	-	768	-	(421)	(980)	-	-	(1,401)	-	(634)
Fair value of assets disposed		-	(341)	-	(341)	-	-	-	-	-	-	-	(341)
Impairment losses recognised in operating result		-	-	-	-	-	-	-	-	-	-	-	-
Transfers		4	(4)	-	-	-	-	-	-	-	-	(150)	(150)
		258	1,076	-	1,334	-	469	(980)	-	-	(511)	203	1,026
<b>Movements in accumulated depreciation</b>													
Depreciation and amortisation		-	-	-	-	-	(723)	-	-	-	(723)	-	(723)
Revaluation increments/decrements		-	-	-	-	-	(269)	2	-	-	(267)	-	(267)
Accumulated depreciation of disposals		-	-	-	-	-	-	-	-	-	-	-	-
Impairment losses recognised in operating result		-	-	-	-	-	-	-	-	-	-	-	-
Transfers		-	-	-	-	-	-	-	-	-	-	-	-
		-	-	-	-	-	(992)	2	-	-	(990)	-	(990)
At fair value 30 June 2016		1,826	42,310	-	44,136	-	29,470	9,883	-	-	39,353	912	84,401
Accumulated depreciation at 30 June 2016		-	-	-	-	-	(15,669)	-	-	-	(15,669)	-	(15,669)
		1,826	42,310	-	44,136	-	13,801	9,883	-	-	23,684	912	68,732

**Note 22 Property, infrastructure, plant and equipment (cont.)**

	Note	Heritage plant and equipment	Plant, machinery and equipment	Fixtures, fittings and furniture	Computers and telecomms	Library books	Work In Progress	Total plant and equipment
<b>Plant and Equipment</b>								
At fair value 1 July 2015		-	7,393	-	232	547	76	<b>8,247</b>
Accumulated depreciation at 1 July 2015		-	(3,080)	-	(124)	(248)	-	<b>(3,453)</b>
		-	4,312	-	108	298	76	<b>4,795</b>
<b>Movements in fair value</b>								
Acquisition of assets at fair value		-	1,458	-	12	100	-	<b>1,570</b>
Contributed assets		-	-	-	-	-	-	-
Revaluation increments/decrements		-	-	-	-	-	-	-
Fair value of assets disposed		-	(955)	-	-	(109)	-	<b>(1,064)</b>
Impairment losses recognised in operating result		-	-	-	-	-	-	-
Transfers		-	-	-	-	-	(76)	<b>(76)</b>
		-	502	-	12	(8)	(76)	<b>430</b>
<b>Movements in accumulated depreciation</b>								
Depreciation and amortisation		-	(775)	-	(44)	(83)	-	<b>(902)</b>
Accumulated depreciation of disposals		-	697	-	-	98	-	<b>794</b>
Impairment losses recognised in operating result		-	-	-	-	-	-	-
Transfers		-	-	-	-	-	-	-
		-	(79)	-	(44)	15	-	<b>(108)</b>
At fair value 30 June 2016		-	7,895	-	244	539	-	<b>8,677</b>
Accumulated depreciation at 30 June 2016		-	(3,159)	-	(168)	(233)	-	<b>(3,560)</b>
		-	<b>4,736</b>	-	<b>76</b>	<b>305</b>	-	<b>5,117</b>

Note 22 Property, infrastructure, plant and equipment (cont.)

	Note	Roads	Bridges	Footpaths and cycleways	Drainage	Recreational, leisure and Community	Waste Management	Parks open spaces and streetscapes	Aerodromes	Off street car parks	Other Infrastructure	Work In Progress	Total Infrastructure
<b>Infrastructure</b>													
At fair value 1 July 2015		313,083	43,406	15,720	65,791	4,340	-	3,405	-	-	2,093	1,363	449,201
Accumulated depreciation at 1 July 2015		(43,439)	(13,149)	(7,126)	(16,759)	(2,605)	-	(1,188)	-	-	(297)	-	(84,564)
		269,643	30,256	8,594	49,032	1,735	-	2,217	-	-	1,796	1,363	364,637
<b>Movements in fair value</b>													
Acquisition of assets at fair value		2,680	-	612	29	-	-	79	-	-	-	7,872	11,273
Contributed assets		1,582	-	738	2,599	-	-	-	-	-	-	-	4,919
Revaluation increments/decrements		17,646	(12,212)	(890)	1,888	-	-	-	-	-	-	-	6,433
Fair value of assets disposed		(1,738)	(289)	(209)	(160)	(77)	-	(1,237)	-	-	-	-	(3,710)
Impairment losses recognised in operating result		-	-	(324)	-	-	-	-	-	-	-	-	(324)
Transfers		-	-	-	-	(1,610)	-	1,610	-	-	-	(617)	(617)
		20,171	(12,501)	(73)	4,356	(1,687)	-	452	-	-	-	7,255	17,973
<b>Movements in accumulated depreciation</b>													
Depreciation and amortisation		(3,716)	(488)	(523)	(755)	(135)	-	(106)	-	-	(51)	-	(5,774)
Revaluation increments/decrements		1,345	8,014	123	693	-	-	-	-	-	-	-	10,175
Accumulated depreciation of disposals		1,258	66	32	44	31	-	843	-	-	-	-	2,275
Impairment losses recognised in operating result		-	-	-	-	-	-	-	-	-	-	-	-
Transfers		-	-	-	-	631	-	(631)	-	-	-	-	-
		(1,112)	7,592	(367)	(18)	527	-	106	-	-	(51)	-	6,676
At fair value 30 June 2016		333,253	30,904	15,647	70,147	2,653	-	3,857	-	-	2,093	8,618	467,174
Accumulated depreciation at 30 June 2016		(44,552)	(5,558)	(7,493)	(16,778)	(2,078)	-	(1,082)	-	-	(348)	-	(77,888)
		288,702	25,347	8,154	53,370	575	-	2,775	-	-	1,745	8,618	389,286

**Note 22 Property, infrastructure, plant and equipment (cont.)**

*Valuation of land and buildings*

Valuation of land and buildings were undertaken by a qualified independent valuer (Opteon (Victoria) Pty. Ltd.). The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2016 are as follows:

	Level 1	Level 2	Level 3
Land	-	42,310	-
Specialised land	-	-	1,826
Buildings	-	9,883	13,801
<b>Total</b>	<b>-</b>	<b>52,193</b>	<b>15,627</b>

*Valuation of infrastructure*

Valuation of infrastructure assets has been determined in accordance with valuations undertaken by Council staff and expert contractors.

The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2016 are as follows:

	Level 1	Level 2	Level 3
Roads	-	-	288,702
Bridges	-	-	25,347
Footpaths and cycleways	-	-	8,154
Drainage	-	-	53,370
Recreational, leisure and community facilities	-	-	575
Parks, open space and streetscapes	-	-	2,775
Other infrastructure	-	-	1,745
<b>Total</b>	<b>-</b>	<b>-</b>	<b>380,668</b>

*Description of significant unobservable inputs into level 3 valuations*

**Specialised land and land under roads** is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 5% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$1 and \$27 per square metre.

**Specialised buildings** are valued using a depreciated replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs is calculated on a square metre basis and ranges from \$1,500 to \$3,000 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 6 years to 75 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

**Infrastructure assets** are valued based on the depreciated replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 1 year to 100 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2016	2015
	\$'000	\$'000
<b>Reconciliation of specialised land</b>		
Land under roads	1,826	1,568
<b>Total specialised land</b>	<b>1,826</b>	<b>1,568</b>

	2016 \$'000	2015 \$'000
<b>Note 23 Trade and other payables</b>		
Trade payables	414	621
Accrued expenses	3,381	3,235
<b>Total trade and other payables</b>	<b>3,795</b>	<b>3,856</b>

	2016 \$'000	2015 \$'000
<b>Note 24 Trust funds and deposits</b>		
Refundable building deposits	594	464
Refundable contract deposits	26	26
Refundable civic facilities deposits	13	11
Retention amounts	74	73
Fire Services Levy	66	19
Other refundable deposits	7	6
<b>Total trust funds and deposits</b>	<b>781</b>	<b>599</b>

*Purpose and nature of items*

Refundable deposits - Deposits are taken by Council as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities.

Fire Service Levy - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

Retention Amounts - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

**Note 25 Provisions**

	Quarry restoration \$ '000	Employee \$ '000	Total \$ '000
<b>2016</b>			
Balance at beginning of the financial year	231	4,507	4,739
Additional provisions	6	2,054	2,060
Amounts used	-	(1,726)	(1,726)
Balance at the end of the financial year	237	4,836	5,073
<b>2015</b>			
Balance at beginning of the financial year	228	4,215	4,443
Additional provisions	3	1,889	1,893
Amounts used	-	(1,597)	(1,597)
Balance at the end of the financial year	231	4,507	4,739

	2016 \$'000	2015 \$'000
<b>(a) Employee provisions</b>		
<b>Current provisions expected to be wholly settled within 12 months</b>		
Annual leave	918	1,099
Long service leave	210	351
RDO's / Time in lieu	168	160
	1,296	1,610
<b>Current provisions expected to be wholly settled after 12 months</b>		
Annual leave	312	143
Long service leave	2,318	1,836
RDO's / Time in lieu	-	-
	2,631	1,979
<b>Total current employee provisions</b>	<b>3,927</b>	<b>3,589</b>
<b>Non-current</b>		
Long service leave	909	919
<b>Total non-current employee provisions</b>	<b>909</b>	<b>919</b>



**Note 25 Provisions (cont.)**

	2016 \$'000	2015 \$'000
Aggregate carrying amount of employee provisions:		
Current	3,927	3,589
Non-current	909	919
Total aggregate carrying amount of employee provisions:	<u>4,836</u>	<u>4,507</u>
The following assumptions were adopted in measuring the present value of employee benefits:		
Weighted average increase in employee costs	4.44%	4.44%
Weighted average discount rates	1.79%	2.53%
<b>(b) Quarry restoration</b>		
Current	237	231
Non-current	-	-
	<u>237</u>	<u>231</u>

Council is required to rehabilitate the land once the useful life of the gravel quarry comes to an end.

**Note 26 Interest-bearing loans and borrowings**

<b>Current</b>		
Borrowings - Secured (1)	1,431	1,464
	<u>1,431</u>	<u>1,464</u>
<b>Non-current</b>		
Borrowings - Secured (1)	13,611	10,567
	<u>13,611</u>	<u>10,567</u>
<b>Total interest-bearing loans and borrowings</b>	<u>15,043</u>	<u>12,032</u>
(1) All Council borrowings are secured by a charge against rate revenue.		
(a) The maturity profile for Council's borrowings is:		
Not later than one year	1,431	1,464
Later than one year and not later than five years	4,331	5,036
Later than five years	9,280	5,531
	<u>15,043</u>	<u>12,032</u>

Note 27 Reserves

(a) Asset revaluation reserves	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Prior Period Error Corrections \$'000	Balance at end of reporting period \$'000
<b>2016</b>				
<b>Property</b>				
Land	24,180	679	-	24,859
Land under roads	170	89	-	258
Buildings	2,279	(1,668)	-	611
	<u>26,629</u>	<u>(900)</u>	<u>-</u>	<u>25,728</u>
<b>Infrastructure</b>				
Roads	220,608	19,348	-	239,955
Bridges	22,261	(4,198)	-	18,063
Footpaths and cycleways	767	(767)	-	-
Drainage	24,902	2,581	-	27,483
Recreation, leisure and community facilities	3,390	-	-	3,390
Kerb & channel	418	(356)	-	62
	<u>272,344</u>	<u>16,608</u>	<u>-</u>	<u>288,952</u>
<b>Total Asset Revaluation Reserves</b>	<b>298,973</b>	<b>15,707</b>	<b>-</b>	<b>314,680</b>
<b>2015</b>				
<b>Property</b>				
Land	24,180	-	-	24,180
Land under roads	170	-	-	170
Buildings	2,279	-	-	2,279
	<u>26,629</u>	<u>-</u>	<u>-</u>	<u>26,629</u>
<b>Infrastructure</b>				
Roads	220,608	-	-	220,608
Bridges	22,261	-	-	22,261
Footpaths and cycleways	767	-	-	767
Drainage	10,286	14,616	-	24,902
Recreation, leisure and community facilities	3,390	-	-	3,390
Kerb & channel	418	-	-	418
	<u>257,729</u>	<u>14,616</u>	<u>-</u>	<u>272,344</u>
<b>Total Asset Revaluation Reserves</b>	<b>284,358</b>	<b>14,616</b>	<b>-</b>	<b>298,973</b>

The asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

Note 27 Reserves (cont.)

	Balance at beginning of reporting period \$'000	Transfer from accumulated surplus \$'000	Transfer to accumulated surplus \$'000	Balance at end of reporting period \$'000
<b>(b) Other reserves</b>				
<b>2016</b>				
Car park reserve	43	-	-	43
Recreation facilities	715	316	(163)	868
Development works	1,885	65	(151)	1,800
Social infrastructure reserve	174	38	-	212
Storm water management	73	-	-	73
Closed landfill	372	225	-	597
Defined benefits	116	64	-	180
Capital works seed funding	116	64	(48)	132
Capital works contributions reserve	14	-	-	14
Developer contribution reserve	799	880	(693)	987
Essence Estate Playground	-	20	-	20
LGFV Loan repayment reserve	-	783	-	783
<b>Total statutory and other reserves</b>	<b>4,307</b>	<b>2,455</b>	<b>(1,055)</b>	<b>5,708</b>
<b>2015</b>				
Car park reserve	43	-	-	43
Recreation facilities	914	74	(273)	715
Development works	1,907	21	(42)	1,885
Social infrastructure reserve	127	46	-	174
Storm water management	73	-	-	73
Closed landfill	72	300	-	372
Defined benefits	56	60	-	116
Capital works seed funding	56	60	-	116
Capital works contributions reserve	-	14	-	14
Developer contribution reserve	-	799	-	799
<b>Total statutory and other reserves</b>	<b>3,249</b>	<b>1,374</b>	<b>(315)</b>	<b>4,307</b>

Car park reserve

The purpose of this reserve is to provide improved parking facilities in urban areas.

Recreation facilities reserve

The purpose of this reserve is to provide funding for recreational facilities. Funded from developer contributions this reserve requires that recreation facilities be established within the proximity of the relevant new subdivision.

Development works reserve

The purpose of this reserve is to provide improved facilities within the municipality, funded through funds allocated to the reserves by Council.

Social Infrastructure reserve

The purpose of this reserve is to provide funding for increased social infrastructure requirements arising out of new subdivisions and developments and is funded by a levy on developers.

Storm water management reserve

The purpose of this reserve is to provide funding for future storm water management works which will be required for future subdivisions at the western end of Holts Lane in Darley.

Closed landfill reserve

The purpose of this reserve is to provide funding for future site remediation works related to closed landfills within Moorabool Shire.

Defined benefits reserve

The purpose of this reserve is to provide funding for future liability calls related to the Defined Benefits Superannuation scheme.

Capital works seed funding reserve

The purpose of this reserve is to provide a funding platform for the planning and advancement of future Capital Works projects.

Capital works contributions reserve

The purpose of this reserve is to provide funding for future capital works, such as road works, associated with specific developments funded by contributions from the developer.

Developer contribution reserve

The purpose of this reserve is to provide funding for various agreed infrastructure requirements arising from new developments and is funded from developer contributions.

**Note 27 Reserves (cont.)**

Essence Estate Playground

The purpose of this reserve is to provide funding towards the construction of a playground at the Stage 5 Reserve in Essence Estate, Bacchus Marsh.

LGFV loan repayment reserve

The purpose of this reserve is to provide funding for the repayment of the principal component of loans held through the Local Government Funding Vehicle (LGFV). These loans are interest only until maturity.

	2016	2015
	\$'000	\$'000
<b>Note 28 Reconciliation of cash flows from operating activities to surplus/(deficit)</b>		
Surplus/(deficit) for the year	7,825	7,684
Depreciation/amortisation	7,398	7,708
(Profit)/loss on disposal of property, infrastructure, plant and equipment	1,682	3,612
Contributions - non-monetary assets	(5,481)	(3,848)
Interest expense	724	777
Movement in receivables relating to asset sales	-	85
Loss on revaluation of assets	324	-
Work in progress from previous year expensed	18	7
<i>Change in assets and liabilities:</i>		
(Increase)/decrease in trade and other receivables	(605)	(430)
(Increase)/decrease in prepayments	(19)	(43)
(Increase)/decrease in accrued income	(1,087)	(140)
Increase/(decrease) in trade and other payables	121	(2,696)
(Increase)/decrease in inventories	(1)	(4)
Increase in provisions	334	296
<b>Net cash provided by/(used in) operating activities</b>	<b>11,233</b>	<b>13,008</b>

**Note 29 Financing arrangements**

Bank overdraft	750	750
Credit card facilities	-	-
Other facilities	-	-
<b>Total facilities</b>	<b>750</b>	<b>750</b>
Used facilities	-	-
Unused facilities	-	-

Note 30 Commitments

The Council has entered into the following commitments

2016	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating</b>					
Garbage Collection	2,005	983	1,044	-	4,032
Recycling	473	496	519	-	1,488
Leisure facilities	493	521	-	-	1,014
Maintenance services	169	28	-	-	196
Consultancies	44	44	-	-	88
Cleaning contracts for Council buildings	-	-	-	-	-
	<u>3,183</u>	<u>2,071</u>	<u>1,563</u>	<u>-</u>	<u>6,818</u>
<b>Capital</b>					
Plant replacement	-	-	-	-	-
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<b>Total</b>	<u>3,183</u>	<u>2,071</u>	<u>1,563</u>	<u>-</u>	<u>6,818</u>

2015	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating</b>					
Garbage Collection	1,923	2,005	2,027	-	5,954
Recycling	452	473	1,015	-	1,941
Leisure facilities	447	478	-	-	925
Maintenance services	217	138	94	-	449
Consultancies	404	-	-	-	404
Cleaning contracts for Council buildings	105	-	-	-	105
	<u>3,547</u>	<u>3,094</u>	<u>3,135</u>	<u>-</u>	<u>9,777</u>
<b>Capital</b>					
Plant replacement	190	-	-	-	190
	<u>190</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>190</u>
<b>Total</b>	<u>3,737</u>	<u>3,094</u>	<u>3,135</u>	<u>-</u>	<u>9,966</u>

Note 31 Operating leases

	2016 \$'000	2015 \$'000
<b>(a) Operating lease commitments</b>		
At the reporting date, the Council had the following obligations under non-cancellable operating leases for the lease of equipment and land and buildings for use within Council's activities (these obligations are not recognised as liabilities):		
Not later than one year	59	159
Later than one year and not later than five years	73	121
Later than five years	-	-
	<u>132</u>	<u>279</u>

**(b) Operating lease receivables**

The Council has entered into commercial property leases on its investment property, consisting of surplus freehold office complexes and land. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 10 years. Most leases include a CPI based revision of the rental charge annually.

Future minimum rentals receivable under non-cancellable operating leases are as follows:

Not later than one year	176	81
Later than one year and not later than five years	286	251
Later than five years	443	414
	<u>906</u>	<u>746</u>

Note 32 Superannuation

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are made or due.

**Accumulation**

The Fund's accumulation categories, Vision MySuper/Vision Super Saver, receive both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2016, this was 9.5% as required under Superannuation Guarantee legislation).

**Defined Benefit**

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.

**Funding arrangements**

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary.

As at 30 June 2015, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category. The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 105.8%. To determine the VBI, the fund Actuary used the following long-term assumptions:

Net investment returns 7.00% pa  
Salary information 4.25% pa  
Price inflation (CPI) 2.50% pa.

Vision Super has advised that the estimated VBI at June 30 was 102%. The VBI is to be used as the primary funding indicator. Because the VBI was above 100%, the 2015 interim actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

**Employer contributions**

**Regular contributions**

On the basis of the results of the 2015 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2016, this rate was 9.5% of members' salaries (9.5% in 2014/2015). This rate will increase in line with any increase to the contribution rate. In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

**Funding calls**

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall. Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up. If there is a surplus in the Fund, the surplus cannot be returned to the participating employers. In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

**2015 Interim actuarial investigation surplus amounts**

The Fund's interim actuarial investigation as at 30 June 2015 identified the following in the defined benefit category of which Council is a contributing employer:

A VBI surplus of \$130.8 million; and  
A total service liability surplus of \$239 million.

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2015. The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses. Council was notified of the 30 June 2015 VBI during August 2015.

**Future superannuation**

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2017 is \$110,000.

**Note 33**    **Contingent liabilities and contingent assets**

**Contingent liabilities**

- Council has a bank guarantee to the value of \$15,000 in favour of the Department of Environment and Primary Industries. This guarantee is for an extractive mining licence in relation to the Allen's Gravel Pit.
- Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined in Note 32. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists. At this point in time it is not known if additional contributions will be required, their timing or potential amount.

**Contingent assets**

- Subdivision developments expected to be accounted for by Council in 2016/2017 total \$4.635 million (actual 2015/2016 \$5.481 million).

Note 34 Financial instruments

**(a) Objectives and policies**

The Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in Note 1 of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

**(b) Market risk**

Market risk is the risk that the fair value or future cash flows of our financial instruments will fluctuate because of changes in market prices. The Council's exposures to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

**Interest rate risk**

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rate.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 1989*. We manage interest rate risk by adopting an investment policy that ensures:

- diversification of investment product,
- monitoring of return on investment,
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

**(c) Credit risk**

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause us to make a financial loss. We have exposure to credit risk on some financial assets included in our balance sheet. To help manage this risk:

- we have a policy for establishing credit limits for the entities we deal with;
- we may require collateral where appropriate; and
- we only invest surplus funds with financial institutions which have a recognised credit rating specified in our investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the Council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

We may also be subject to credit risk for transactions which are not included in the balance sheet, such as when we provide a guarantee for another party. Details of our contingent liabilities are disclosed in note 33.

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

**(d) Liquidity risk**

Liquidity risk includes the risk that as a result of our operational liquidity requirements we will not have sufficient funds to settle a transaction when required, we will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed in the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 33, and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 26.



Note 34 Financial instruments (cont.)

**e) Fair value**

Unless otherwise stated, the carrying amount of financial instruments reflect their fair value.

*Fair value hierarchy*

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

**(f) Sensitivity disclosure analysis**

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of +1% and -1% in market interest rates (AUD) from year-end rates of 2.5%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

**Note 35 Related party transactions**

**(i) Responsible persons**

Names of persons holding the position of a Responsible Person at Moorabool Shire Council at any time during the year are:

<b>Councillors</b>	Councillor Paul Tatchell
	Councillor Allan Comrie (Mayor)
	Councillor Tonia Dudzik
	Councillor David Edwards
	Councillor John Spain
	Councillor Tom Sullivan
	Councillor Pat Toohey

**Chief Executive Officer** Rob Croxford

**(ii) Remuneration of Responsible Persons**

The numbers of Responsible Persons whose total remuneration from Council and any related entities, excluding retirement benefits, fall within the following bands:

	2016	2015
	No.	No.
<\$20,000	-	-
\$20,000 - \$29,999	5	6
\$40,000 - \$49,999	1	-
\$60,000 - \$69,999	1	-
\$70,000 - \$79,999	-	1
\$230,000 - \$239,999	-	1
\$240,000 - \$249,999	1	-
	<b>8</b>	<b>8</b>

	<b>\$'000</b>	<b>\$'000</b>
Total Remuneration for the reporting year for Responsible Persons included above amounted to	493	469

**(iii) Senior Officers Remuneration**

A Senior Officer, other than a Responsible Person, is an officer of Council who:

- a) has management responsibilities and reports directly to the Chief Executive; or
- b) whose total annual remuneration exceeds \$139,000 (2015 - \$136,000)

The number of Senior Officers, other than the Responsible Persons, are shown below in their relevant income bands:

	2016	2015
	No.	No.
Income Range:		
<\$139,000	-	2
\$139,000 - \$139,999	-	-
\$140,000 - \$149,999	3	-
\$160,000 - \$169,999	1	1
\$170,000 - \$179,999	-	1
\$180,000 - \$189,999	1	1
\$190,000 - \$199,999	1	-
	<b>6</b>	<b>5</b>

	<b>\$'000</b>	<b>\$'000</b>
Total Remuneration for the reporting year for Senior Officers included above, amounted to	972	650

**(iv) Responsible persons retirement benefits**

No retirement benefits have been made by the Council to a Responsible Person.

**(v) Loans to responsible persons**

No loans have been made, guaranteed or secured by the Council to a Responsible Person during the reporting year.

**Note 35 Related party transactions (cont.)**

**(vi) Transactions with responsible persons**

During the period Council entered into the following transactions with responsible persons or related parties of responsible persons.

<b>Responsible Person / Related Party</b>	<b>2016 \$'000</b>	<b>2015 \$'000</b>
Helen Tatchell		
The Moorabool News (Ballan News Pty Ltd)		
- Sale of goods and services	36	45

Moorabool Shire utilises services provided by the Moorabool News Pty Ltd. A public sector tender process was undertaken for the provision of media services and a contract is in place between the two entities. All transactions entered into between the two entities are in accordance with the terms and conditions of the contract.

**Note 36 Events occurring after balance date**

No matters have occurred after balance date that require disclosure in the financial report.

## Certification of the Financial Statements 2015/16

In my opinion the accompanying financial statements have been prepared in accordance with the *Local Government Act 1989*, the *Local Government (Planning and Reporting) Regulations 2014*, Australian Accounting Standards and other mandatory professional reporting requirements.

*Steven Ivelja CPA*  
**Principal Accounting Officer**

**Dated:** 11 September 2016  
*Darley*

In our opinion the accompanying financial statements present fairly the financial transactions of Moorabool Shire Council for the year ended 30 June 2016 and the financial position of the Council as at that date.

As at the date of signing, we are not aware of any circumstances which would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2014* to certify the financial statements in their final form.

*Tonia Dudzik*  
**Councillor**

**Dated:** 11 September 2016  
*Darley*

*John Spain*  
**Councillor**

**Dated:** 11 September 2016  
*Darley*

*Rob Croxford*  
**Chief Executive Officer**

**Dated:** 11 September 2016  
*Darley*

### 10.1.2 Adoption “in principle” of the 2015/16 Performance Statement for submission to the Victorian Auditor-General for certification

#### Introduction

File No.: 02/02/002  
Author: John Whitfield  
General Manager: Satwinder Sandhu

#### Background

The 2015/16 Performance Statement has been prepared to meet the requirements of the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014* for adoption “in principle” by Council for submission to the Auditor-General for certification.

Legislation was introduced in early 2014 which set up the requirement for Councils to report on their performance through their annual report to their community.

Pursuant to Section 131(4) of the *Local Government Act 1989*, the performance statement in the annual report must—

- (a) contain the following—
  - (i) for the services funded in the budget for the financial year reported on, the prescribed indicators of service performance required by the regulations to be reported against in the performance statement and the prescribed measures relating to those indicators;
  - (ii) the prescribed indicators of financial performance and the prescribed measures relating to those indicators;
  - (iii) the prescribed indicators of sustainable capacity performance and the prescribed measures relating to those indicators;
  - (iv) results achieved for that financial year in relation to those performance indicators and measures referred to in subparagraphs (i), (ii) and (iii);
  - (v) any other information required by the regulations; and
- (b) be prepared in accordance with the regulations.

#### Proposal

In accordance with Council’s governance protocols, the Performance Statement will be presented to Council’s Audit and Risk Committee on Wednesday 7 September 2016 for review and recommendation to Council for adoption “in principle” and authorisation for two Councillors, being the Councillor members of the Audit Committee, and the Chief Executive Officer to sign the audited statements.

The Performance Statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results for the 2015/16 year.

Overall there are 35 performance indicators that have been mandated for an independent audit. Of these indicators six (6) relate to sustainable capacity, seventeen (17) relate to service performance and twelve (12) relate to financial performance.

The *Local Government (Planning and Reporting) Regulations 2014* requires explanation of any material variations in the results contained in the performance statement. This is the second year of reporting under the new framework. As such, the performance indicator results for 2015/16 will be compared to the results for the previous financial year for the first time.

The forecast figures included in the performance statement are those adopted by Council in its Strategic Resource Plan on 29 June 2016 and which forms part of the Council Plan. The Strategic Resource Plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term.

In relation to the financial performance Indicators, some of the major trends include;

- E1 Revenue Level – in 2015/16 average residential rates per residential property assessments amounted to \$1,460.85. The forward outlook for future years will be impacted by rate capping, and the calculation basis used for calculating rate revenue in future years.
- L1 Working Capital – in the 2015/16 year, Council's working capital ratio of 195.20% is high compared to previous years indicating a high level of liquidity. The increase is due to a number of major capital works projects being carried forward into 2016/17. The forward outlook for working capital indicates that this ratio is likely to decline in 2016/17 but then increase over the further 3 years. This is predominantly due to the MAV bond issuance, which will require Council to set aside cash on an annual basis in reserve to discharge the debt facility at the end of the bond term.
- L2 Unrestricted cash – unrestricted cash levels are at 33.65% as at 30 June 2016 which is a decrease from 2015. Due to the impact of the Scotsburn Fires, Council was required to fund restoration and remedial works through cash and working capital. Council has submitted a claim for costs of \$1.031m and is expecting to receive the funds in the 2016/17 financial year. In addition to this, unrestricted cash was negatively impacted by the delay in the sale of a significant land parcel. The land sale is now expected to be settled in the 2016/17 financial year. After taking into account these timing delays, Council's levels of unrestricted cash would have improved.
- O1 Asset Renewal – Asset renewal expenditure for the 2016 Actual was greater than anticipated due in large part to the receipt of additional Blackspot funding. The 2017 forecast will also be favourably impacted by the receipt of additional Roads to Recovery funding. Over the long term, asset renewal expenditure is expected to progressively increase. This is due to an increase in Council's capacity to internally fund asset renewal with a reduced reliance on government grants to fund future renewal programs.
- O2 Loans and Borrowings – as the 30 June 2016, loans and borrowings were 51.28% of rate revenue. In the 2015/16 financial year, Council took up additional borrowings to progress a number of important projects including the Darley Early Years Hub and the construction of Halletts Way. Council is likely to continue to utilise debt borrowings as a source of project funding to fund the development of strategically important projects to the community. The proposed level of loan borrowings is scheduled to remain comfortably with prudential limits and external benchmarks set down by the State.

- OP1 Adjusted Underlying Result – the adjusted underlying deficit for 2015/16 is 2.64%. The early payment of 2015/16 Victorian Grants Commission funding into the previous financial year has impacted the results of both 2014/15 and 2015/16 financial years. As a result of this, Council is reporting a small adjusted underlying deficit in 2015/16. The future outlook for this measure is improving.
- S1 Rates Concentration - Council rates compared to adjusted underlying revenue was 70.41% in the 2015/16 financial year. Moorabool Shire has a relatively high reliance on Rates. This is primarily due to Moorabool receiving significantly lower levels of recurrent government funding on a per capita basis as compared to the Victorian average. Moorabool Shire also has a limited capacity to raise significant levels of income through user fees and statutory charges.

### **Policy Implications**

The 2013 - 2017 Council Plan provides as follows:

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

The proposal to present the 2015/16 Performance Statement to Council is consistent with the 2013-2017 Council Plan.

### **Financial Implications**

There are no financial implications from this report. The preparation and presentation of the 2015/16 Performance Statement has been performed within the allocated budget.

### Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Inadequate performance by Council	Inability to meet attainable levels of performance	Medium	Systems, processes and measures to provide comprehensive performance information that meets the needs of a number of audiences

### Communications Strategy

The Performance Statement will be presented to the Victorian Auditor General's Office for review and certification. The Performance Statement will form part of the Council's Annual Report which will be lodged with the Minister for Local Government prior to 30 September 2016. The Annual Report will be made publically available on Council's website and at all office locations early in October 2016.

### 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 – John Whitfield*

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

### Conclusion

The 2015/16 Performance Statement has been prepared to meet the requirements of the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014* for adoption "in principle" by Council for submission to the Auditor-General for certification.



At the time of printing this document, Council's Performance Statement was included on the Agenda for consideration at the Audit and Risk Committee Meeting on Wednesday 7 September 2016, with a recommendation that the Audit and Risk Committee recommend that Council adopts the statement "in principle".

Following a resolution, the Performance Statement will then be submitted to the Auditor-General for certification. Council is also required to authorise two Councillors to sign the Performance Statement on behalf of Council, as required under the *Local Government Act 1989*.

It is practice for the Councillor members of the Audit and Risk Committee to sign the certified statements on behalf of Council.

**Recommendation:**

**That Council, in accordance with S. 132 of the *Local Government Act 1989*:**


- 1. adopts 'in principle' the 2015/16 Performance Statement and submits the Performance Statement, subject to no material change, to the Victorian Auditor-General for certification; and**
- 2. authorises the Council's Audit and Risk Committee Representatives, Cr. Edwards and Cr. Dudzik, to certify the 2015/16 Performance Statement in its final form, after any changes recommended, or agreed to by the Auditor, have been made.**

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**Report Authorisation**

**Authorised by:**

**Name:** Satwinder Sandhu  
**Title:** General Manager Growth and Development  
**Date:** Thursday, 25 August 2016



# Attachment - Item 10.1.2

# 2015-16 Performance Statement

## Description of municipality

Moorabool Shire is a fast growing semi-rural municipality nestled between Melbourne, Geelong and Ballarat. Moorabool's eastern boundary is located just 40km west of Melbourne's CBD and extends westwards to the City of Ballarat municipal boundary. The Shire straddles Victoria's Western Highway and has excellent transport access to Melbourne, Ballarat and Geelong.

Spanning more than 2,110 square kilometres, Moorabool is made up of 64 localities, hamlets and towns. More than 74% of the Shire comprises of water catchments, state forests and national parks.

The population of Moorabool Shire in 2016 is 32,311. More than half the population lives in Bacchus Marsh and surrounds (18,535). The Shire's second largest population can be found in and around Ballan (3,010). The remaining population is distributed throughout the large number of small towns, hamlets and farming areas within the Shire.

The population of the Shire is estimated to increase by 65% between 2016 and 2041 to 53,270. The majority of growth during this period will come from the new estates in Maddingley which are forecast to increase by over 200% during this same period.

## Sustainable Capacity Indicators - for the year ended 30 June 2016

LGV Ref	Indicator / measure	Results 2015	Results 2016	Material Variations and Comments
	<b>Population</b>			
C1	<i>Expenses per head of municipal population</i> [Total expenses / Municipal population]	\$1,352.32	\$1,410.85	No Material Variations
C2	<i>Infrastructure per head of municipal population</i> [Value of infrastructure / Municipal population]	\$12,782.93	\$14,704.57	The increase is the result of a large capital works budget for 2015/16, and the effect of asset revaluations for some asset classes in the 2015/16 year.
C3	<i>Population density per length of road</i> [Municipal population / Kilometres of local roads]	21.48	21.97	No material variation
	<b>Own-source revenue</b>			
C4	<i>Own-source revenue per head of municipal population</i> [Own-source revenue / Municipal population]	\$903.51	\$1,089.31	Own source revenue per head of population has increased in the 2015/16 year due to the reimbursement of costs incurred for the Scotsburn Fires being included in the calculation base.
	<b>Recurrent grants</b>			
C5	<i>Recurrent grants per head of municipal population</i> [Recurrent grants / Municipal population]	\$431.03	\$268.03	The early payment of \$2.8M in Victorian Grants Commission funding has negatively impacted the 2016 Actual

# 2015-16 Performance Statement

LGV Ref	Indicator / measure	Results 2015	Results 2016	Material Variations and Comments
C6	<i>Disadvantage</i> <i>Relative Socio-Economic Disadvantage</i> [Index of Relative Socio-Economic Disadvantage by decile]	7.00	7.00	No Material Variations

## Sustainable Capacity Indicators – Definitions

"adjusted underlying revenue" means total income other than:  
 (a) non-recurrent grants used to fund capital expenditure; and  
 (b) non-monetary asset contributions; and  
 (c) contributions to fund capital expenditure from sources other than those referred to above.

"infrastructure" means non-current property, plant and equipment excluding land.

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004.

"population" means the resident population estimated by council.

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants).

"relative socio-economic disadvantage", in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA.

"SEIFA" means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website.

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

# 2015-16 Performance Statement

## Service Performance Indicators - for the year ended 30 June 2016

LGV Ref	Service / indicator / measure	Results 2015	Results 2016	Material Variations and Comments
AF6	<p><b>Aquatic Facilities</b> <i>Utilisation</i> <i>Utilisation of aquatic facilities</i> [Number of visits to aquatic facilities / Municipal population]</p>	0.28	0.23	Our facilities are outdoors, and are affected by factors such weather and days the facility is open. They are governed by a weather policy, where they remain closed if thresholds are not met. This and other seasonal variations have led to a decline in patronage for this period.
AM4	<p><b>Animal Management</b> <i>Health and safety</i> <i>Animal management prosecutions</i> [Number of successful animal management prosecutions]</p>	0.00	0.00	There were no animal management prosecutions for the 2015/16 period.
FS4	<p><b>Food Safety</b> <i>Health and safety</i> <i>Critical and major non-compliance outcome notifications</i> [Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100</p>	89.00%	83.33%	No Material Variations
G5	<p><b>Governance</b> <i>Satisfaction</i> <i>Satisfaction with council decisions</i> [Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]</p>	50.00	48.00	No Material Variations
HC6	<p><b>Home and Community Care (HACC)</b> <i>Participation</i> <i>Participation in HACC service</i> [Number of people that received a HACC service / Municipal target population for HACC services] x100</p>	30.24%	32.67%	No Material Variations
HC7	<p><i>Participation</i> <i>Participation in HACC service by CALD people</i> [Number of CALD people who receive a HACC service / Municipal target population in relation to CALD people for HACC services] x100</p>	12.98%	18.97%	The increase since last year is due both to an increase in CALD people moving to Moorabool, and extra funding from DHHS and other sources allowing us to extend existing programs and add new ones, resulting in more clients being served.

# 2015-16 Performance Statement

LGV Ref	Service / indicator / measure	Results 2015	Results 2016	Material Variations and Comments
LB4	<p><b>Libraries</b></p> <p><b>Participation</b></p> <p><i>Active library members</i> [Number of active library members / Municipal population] x100</p>	12.00%	9.24%	The library system was unable to narrow the parameters to exactly match the indicator definition in the 2014/15 year, this inability to exclude certain transactions resulted in a higher figure. The system has since been improved to provide more accurate results, which give the appearance of a drop in active membership for this period, whereas there has been no real decline.
MC4	<p><b>Maternal and Child Health (MCH)</b></p> <p><b>Participation</b></p> <p><i>Participation in the MCH service</i> [Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100</p>	82.00%	No data	External CDIS system MCH data unavailable for 2015/16
MC5	<p><b>Participation</b></p> <p><i>Participation in the MCH service by Aboriginal children</i> [Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100</p>	78.00%	No data	External CDIS system MCH data unavailable for 2015/16
R5	<p><b>Roads</b></p> <p><b>Satisfaction</b></p> <p><i>Satisfaction with sealed local roads</i> [Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]</p>	43.00	47.00	There has been an improvement in community satisfaction for this period.
SP4	<p><b>Statutory Planning</b></p> <p><b>Decision making</b></p> <p><i>Council planning decisions upheld at VCAT</i> [Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100</p>	89.00%	27.27%	There were a number of contentious applications which were determined by Council which had the potential for determining either way. During the VCAT process further negotiation was undertaken by both parties resulting in variations to Council's original determination.
WC5	<p><b>Waste Collection</b></p> <p><b>Waste diversion</b></p> <p><i>Kerbside collection waste diverted from landfill</i> [Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100</p>	33.00%	35.07%	No Material Variations

# 2015-16 Performance Statement

## Service Performance Indicators - Definitions

"Aboriginal child" means a child who is an Aboriginal person.

"Aboriginal person" has the same meaning as in the Aboriginal Heritage Act 2006.

"active library member" means a member of a library who has borrowed a book from the library.

"annual report" means an annual report prepared by a council under sections 131, 132 and 133 of the Act.

"CALD" means culturally and linguistically diverse and refers to persons born outside Australia in a country whose national language is not English.

"class 1 food premises" means food premises, within the meaning of the Food Act 1984, that have been declared as class 1 food premises under section 19C of that Act.

"class 2 food premises" means food premises, within the meaning of the Food Act 1984, that have been declared as class 2 food premises under section 19C of that Act.

"Community Care Common Standards" means the Community Care Common Standards for the delivery of HACC services, published from time to time by the Commonwealth.

"critical non-compliance outcome notification" means a notification received by council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health.

"food premises" has the same meaning as in the Food Act 1984.

"HACC program" means the Home and Community Care program established under the Agreement entered into for the purpose of the Home and Community Care Act 1985 of the Commonwealth.

"HACC service" means home help, personal care or community respite provided under the HACC program.

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004.

"major non-compliance outcome notification" means a notification received by a council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken.

"MCH" means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age.

"population" means the resident population estimated by council.

"target population" has the same meaning as in the Agreement entered into for the purposes of the Home and Community Care Act 1985 of the Commonwealth.

"WorkSafe reportable aquatic facility safety incident" means an incident relating to a council aquatic facility that is required to be notified to the Victorian WorkCover Authority under Part 5 of the Occupational Health and Safety Act 2004.

# 2015-16 Performance Statement



## Financial Performance Indicators - for the year ended 30 June 2016

LGV Ref	Dimension / indicator / measure	Results 2015	Results 2016	Forecasts				Material Variations and Comments
		2015	2016	2017	2018	2019	2020	
E1	<b>Efficiency</b> <b>Revenue level</b> <i>Average residential rate per residential property assessment</i> [Residential rate revenue / Number of residential property assessments]	\$1,392.85	\$1,460.85	\$1,511.94	\$1,564.82	\$1,619.57	\$1,676.30	No Material Variations
	<b>Expenditure level</b> <i>Expenses per property assessment</i> [Total expenses / Number of property assessments]	\$2,665.52	\$2,677.65	\$2,724.55	\$2,818.73	\$2,890.28	\$2,952.32	No Material Variations
	<b>Workforce turnover</b> <i>Resignations and terminations compared to average staff</i> [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100	8.89%	9.91%	8.70%	8.62%	8.53%	8.44%	A number of long-serving staff retired during the 2015/16 year.
L1	<b>Liquidity</b> <b>Working capital</b> <i>Current assets compared to current liabilities</i> [Current assets / Current liabilities] x100	183.45%	195.20%	130.72%	174.85%	194.68%	222.37%	No Material Variations



# 2015-16 Performance Statement



LGV Ref	Dimension / indicator / measure	Results 2015	Results 2016	Forecasts				Material Variations and Comments
				2017	2018	2019	2020	
L2	<p><b>Unrestricted cash</b></p> <p><i>Unrestricted cash compared to current liabilities</i></p> <p>[Unrestricted cash / Current liabilities] x100</p>	42.66%	33.65%	48.31%	92.92%	115.63%	143.10%	<p>The 2016 Actual was impacted by the Scotsburn Fires. As a result, Council was required to fund restoration and remedial works through cash and working capital. Council has submitted a claim for costs of \$1.031M and is expecting to receive the funds in the 2016/17 financial year. In addition to this, unrestricted cash was negatively impacted by the delay in the sale of a significant land parcel. The land sale is now expected to be settled in the 2016/17 financial year. After taking into account these timing delays, council's levels of unrestricted cash would have improved.</p>
O1	<p><b>Obligations</b></p> <p><b>Asset renewal</b></p> <p><i>Asset renewal compared to depreciation</i></p> <p>[Asset renewal expense / Asset depreciation] x100</p>	99.79%	118.98%	91.48%	76.30%	65.52%	86.32%	<p>Asset renewal expenditure for the 2016 Actual was greater than anticipated due in large part to the receipt of additional Blackspot funding. The 2017 forecast will also be favorably impacted by the receipt of additional Roads to Recovery grant funding. Over the long term, asset renewal expenditure is expected to progressively increase. This is due to an increase in Councils capacity to internally fund asset renewal with a reduced reliance on government grants to fund future programs.</p>

# 2015-16 Performance Statement



LGV Ref	Dimension / indicator / measure	Results		Forecasts				Material Variations and Comments
		2015	2016	2017	2018	2019	2020	
<b>Loans and borrowings</b>								
O2	<i>Loans and borrowings compared to rates</i> [Interest bearing loans and borrowings / Rate revenue] x100	43.54%	51.28%	52.83%	50.62%	49.43%	44.52%	In the 2015/16 financial year, Council took up additional borrowings to progress a number of important projects including the Darley Early Years Hub and the construction of Halletts Way. Council is likely to continue to utilise debt borrowings as a source of project funding to fund the development of strategically important projects to the community. Loans taken up in 2014/15 and 2015/16 are interest-only, with principal due on maturity, which differs from earlier borrowings which included both principal and interest repayments on a periodic basis. In addition, council has benefitted from falling interest rates in recent years.
O3	<i>Loans and borrowings repayments compared to rates</i> [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	8.84%	7.46%	7.53%	6.90%	5.77%	5.34%	
O4	<b>Indebtedness</b> <i>Non-current liabilities compared to own source revenue</i> [Non-current liabilities / Own source revenue] x100	41.11%	44.51%	48.49%	47.33%	46.30%	42.93%	
<b>Operating position</b>								
OP1	<b>Adjusted underlying result</b> <i>Adjusted underlying surplus (or deficit)</i> [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100	-0.43%	-2.64%	3.50%	-1.09%	0.12%	1.66%	The early payment of 2015/16 Victorian Grants Commission funding into the previous financial year has impacted the results of both 2014/15 and 2015/16 financial years. As a result of this, Council is reporting a small adjusted underlying deficit in 2015/16. The future outlook for this measure is improving.

# 2015-16 Performance Statement



LGV Ref	Dimension / indicator / measure	Results	Results	Forecasts				Material Variations and Comments
		2015	2016	2017	2018	2019	2020	
S1	<b>Stability</b> <b>Rates concentration</b> <i>Rates compared to adjusted underlying revenue</i> [Rate revenue / Adjusted underlying revenue] x100	66.36%	70.41%	67.34%	70.57%	70.38%	70.21%	Moorabool Shire has a relatively high reliance on Rates. This is primarily due to Moorabool receiving significantly lower levels of recurrent government funding on a per capita basis as compared to the Victorian average. Moorabool Shire also has a limited capacity to raise significant levels of income through user fees and statutory charges.
	<b>Rates effort</b> <i>Rates compared to property values</i> [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.48%	0.50%	0.52%	0.53%	0.54%	0.55%	

# 2015-16 Performance Statement



## Financial Performance Indicators – Definitions

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above.

"adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure.

"asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability.

"current assets" has the same meaning as in the AAS.

"current liabilities" has the same meaning as in the AAS.

"non-current assets" means all assets other than current assets.

"non-current liabilities" means all liabilities other than current liabilities.

"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan.

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants).

"population" means the resident population estimated by council.

"rate revenue" means revenue from general rates, municipal charges, service rates and service charges.

"recurrent grant" means a grant other than a non-recurrent grant.

"residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties.

"restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year.

"unrestricted cash" means all cash and cash equivalents other than restricted cash.

## Other Information

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014.

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's strategic resource plan. The Local Government (Planning and Reporting) Regulations 2014 requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its strategic resource plan on 29 June 2016 and which forms part of the council plan. The strategic resource plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The strategic resource plan can be obtained by contacting council.

# 2015-16 Performance Statement



## Certification of the performance statement

In my opinion, the accompanying performance statement has been prepared in accordance with the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014.

**Steven Ivelja CPA**  
**Principal Accounting Officer**  
**Dated:** *7 September 2016*

In our opinion, the accompanying performance statement of the Moorabool Shire Council for the year ended 30 June 2016 presents fairly the results of council's performance in accordance with the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014.

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the council and by the Local Government (Planning and Reporting) Regulations 2014 to certify this performance statement in its final form.

***Cr. Tonia Dudzik***  
**Councillor**  
**Dated:** *7 September 2016*

***Cr. David Edwards***  
**Councillor**  
**Dated:** *7 September 2016*

**Rob Croxford**  
**Chief Executive Officer**  
**Dated:** *7 September 2016*

# 2015-16 Performance Statement



## Independent Auditor's Report

*To be provided*

DRAFT

### 10.1.3 2016 Governance and Management Checklist

#### Introduction

File No.: 02/06/011  
Author: John Whitfield  
General Manager: Satwinder Sandhu

#### Background

The 2016 Governance and Management Checklist (Checklist) is a component of the new Local Government Performance Reporting Framework (LGPRF) and is a requirement of Section 131(3) of the *Local Government Act* 1989 and Regulation 12 of the *Local Government (Planning and Reporting) Regulations* 2014.

Section 131(3)(ii) provides that Council must contain in its report of operations the results, in the prescribed form, of the Council's assessment against the prescribed governance and management checklist and indicators. The checklist is then certified by the Mayor and Chief Executive Officer.

#### Proposal

The Governance and Management Checklist contains 24 items relating to Council plans, policies, strategies, frameworks and reporting. This checklist is reviewed by the Chief Executive Officer and presented to both the Audit and Risk Committee and Council for adoption prior to its incorporation into Council's 2014/15 Annual Report and submission to Local Government Victoria and published on the newly established 'Know Your Council' website.

Overall, from the 24 listed items on the Checklist, 23 items are established and in operation, with the remaining items in progress. The item currently in progress relate to a Disaster Recovery Plan with this plan expected to be finalised by December 2016.

#### Policy Implications

The 2013–2017 Council Plan provides as follows:

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

The Governance and Management Checklist is consistent with the 2013-2017 Council Plan.



### **Financial Implications**

There are no financial implications relating to the 2016 Governance and Management Checklist.

### **Communications Strategy**

The Governance and Management Checklist will be published in Council's Annual Report and available for review on the Local Government Victoria "*Know Your Council*" website.

### **Victorian Charter of Human Rights and Responsibilities Act 2006**

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

### **Officer's Declaration of Conflict of Interests**

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

*General Manager* – Satwinder Sandhu

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

*Author* – John Whitfield

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

### **Conclusion**

The 2016 Governance and Management Checklist has been prepared and certified by the Mayor and Chief Executive Officer in accordance with *Local Government Act* 1989.

At the time of printing this document, Council's Governance and Management Checklist was included on the Agenda for consideration at the Audit and Risk Committee Meeting on Wednesday 7 September 2016, with a recommendation that the Audit and Risk Committee recommend that Council adopts the Checklist prior to its inclusion to the 2015/16 Annual Report and submission to Local Government Victoria for publication on the "Know Your Council" website.

**Recommendation:**

**That Council adopts the 2016 Governance and Management Checklist for inclusion in the 2015/16 Annual Report and submission to Local Government Victoria for publication on the "Know Your Council" website.**

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**Report Authorisation**

**Authorised by:**



**Name:** Satwinder Sandhu  
**Title:** General Manager Growth and Development  
**Date:** Wednesday 17 August 2016

# Attachment - Item 10.1.3

The following are the results in the prescribed form of Council's assessment against the prescribed governance and management checklist.

Column 1 Governance and Management Items	Column 2 Assessment
1 <b>Community engagement policy</b> (policy outlining council's commitment to engaging with the community on matters of public interest)	Date of operation of current policy: <input checked="" type="checkbox"/> 2/03/2016
2 <b>Community engagement guidelines</b> (guidelines to assist staff to determine when and how to engage with the community)	Date of Operation of current guidelines: <input checked="" type="checkbox"/> 2/03/2016
3 <b>Strategic Resource Plan</b> (plan under section 126 of the Act outlining the financial and non-financial resources required for at least the next 4 financial years)	Adopted in accordance with section 126 of the Act <input checked="" type="checkbox"/> Date of adoption: 29/06/2016
4 <b>Annual budget</b> (plan under section 130 of the Act setting out the services to be provided and initiatives to be undertaken over the next 12 months and the funding and other resources required)	Adopted in accordance with section 130 of the Act <input checked="" type="checkbox"/> Date of adoption: 29/06/2016
5 <b>Asset management plans</b> (plans that set out the asset maintenance and renewal needs for key infrastructure asset classes for at least the next 10 years)	Plans <input checked="" type="checkbox"/> Date of operation of current plans: Road Asset Management Plan - 5/06/2013 Buildings & Structures Asset Management Plan - 3/12/2014 Drainage Asset Management Plan - 3/12/2014 Recreation & Open Space Asset Management Plan - 3/12/2014

Column 1 Governance and Management Items	Column 2 Assessment
6 <b>Rating strategy</b> (strategy setting out the rating structure of Council to levy rates and charges)	Strategy Date of operation of current strategy: 04/05/2016 <input checked="" type="checkbox"/>
7 <b>Risk policy</b> (policy outlining Council's commitment and approach to minimising the risks to Council's operations)	Policy Date of operation of current policy: 12/12/2013 <input checked="" type="checkbox"/>
8 <b>Fraud policy</b> (policy outlining council's commitment and approach to minimising the risk of fraud)	Policy Date of operation of current policy: 1/08/2014 <input checked="" type="checkbox"/>
9 <b>Municipal emergency management plan</b> (plan under section 20 of the <i>Emergency Management Act 1986</i> for emergency prevention, response and recovery)	Prepared and maintained in accordance with section 20 of the <i>Emergency Management Act 1986</i> Date of preparation: 20/03/2014 <input checked="" type="checkbox"/>
10 <b>Procurement policy</b> (policy under section 186A of the <i>Local Government Act 1989</i> outlining the matters, practices and procedures that will apply to all purchases of goods, services and works)	Prepared and approved in accordance with section 186A of the <i>Local Government Act 1989</i> Date of approval: 3/06/2015 <input checked="" type="checkbox"/>
11 <b>Business continuity plan</b> (plan setting out the actions that will be undertaken to ensure that key services continue to operate in the event of a disaster)	Plan Date of adoption: 23/06/2016 <input checked="" type="checkbox"/>
12 <b>Disaster recovery plan</b> (plan setting out the actions that will be undertaken to recover and restore business capability in the event of a disaster)	No current plan in operation Reason: A Disaster Recovery Plan is currently being developed, and procedures are in place for recovery of business systems and data in the event of disaster. <input checked="" type="checkbox"/>

Column 1 Governance and Management Items	Column 2 Assessment
13 <b>Risk management framework</b> (framework outlining council's approach to managing risks to the Council's operations)	Framework Date of operation of current framework: 25/03/2015 <input checked="" type="checkbox"/>
14 <b>Audit Committee</b> (advisory committee of council under section 139 of the Act whose role is to oversee the integrity of a council's financial reporting, processes to manage risks to the council's operations and for compliance with applicable legal, ethical, and regulatory requirements)	Established in accordance with section 139 of the Act <input checked="" type="checkbox"/> Date of establishment: 23/03/2004
15 <b>Internal audit</b> (independent accounting professionals engaged by the council to provide analyses and recommendations aimed at improving council's governance, risk and management controls)	Engaged <input checked="" type="checkbox"/> Date of engagement: 1/07/2010
16 <b>Performance reporting framework</b> (a set of indicators measuring financial and non-financial performance, including the performance indicators referred to in section 131 of the Act)	Framework <input checked="" type="checkbox"/> Date of operation of current framework: 1/07/2014
17 <b>Council Plan reporting</b> (report reviewing the performance of the council against the Council Plan, including the results in relation to the strategic indicators, for the first six months of the financial year)	Current Reports <input checked="" type="checkbox"/> Date reports presented: Quarter 1 - 4/11/2015 Quarter 2 - 3/02/2016 Quarter 3 - 4/05/2016 Quarter 4 - 3/08/2016
18 <b>Financial reporting</b> (quarterly statements to Council under section 138 of the Act comparing budgeted revenue and expenditure with actual revenue and expenditure)	Statements presented to council in accordance with section 138(1) of the Act <input checked="" type="checkbox"/> Date statements presented: Quarter 1 - 4/11/2015 Quarter 2 - 3/02/2016 Quarter 3 - 4/05/2016 Quarter 4 - 3/08/2016

Column 1 Governance and Management Items	Column 2 Assessment
19 <b>Risk reporting</b> (six-monthly reports of strategic risks to council's operations, their likelihood and consequences of occurring and risk minimisation strategies)	Six-monthly Reports <input checked="" type="checkbox"/> Date of reports: Half year (Q2) - 10/02/2016 Full year (Q4) - 10/08/2016
20 <b>Performance reporting</b> (six-monthly reports of indicators measuring the results against financial and non-financial performance, including performance indicators referred to in section 131 of the Act)	Six-monthly Reports <input checked="" type="checkbox"/> Date of reports: Half year (Q2) - 3/02/2016 Full year (Q4) - 3/08/2016
21 <b>Annual report</b> (annual report under sections 131, 132 and 133 of the Act to the community containing a report of operations and audited financial and performance statements)	Report presented to Council <input checked="" type="checkbox"/> Date statements presented: 7/10/2015
22 <b>Councillor Code of Conduct</b> (Code under section 76C of the Act setting out the conduct principles and the dispute resolution processes to be followed by Councillors)	Reviewed in accordance with section 76C of the Act <input checked="" type="checkbox"/> Date reviewed: 29/06/2016
23 <b>Delegations</b> (a document setting out the powers, duties and functions of council and the Chief Executive Officer that have been delegated to members of staff)	Reviewed in accordance with section 98(6) of the Act <input checked="" type="checkbox"/> Date of reviews: 5/12/2012, 4/09/2013 and 2/07/2014
24 <b>Meeting procedures</b> (a local law governing the conduct of meetings of council and special committees)	Meeting procedures local law made in accordance with section 91(1) of the Act <input checked="" type="checkbox"/> Date local law made: 29/06/2016

I certify that this information presents fairly the status of Council's governance and management arrangements.

  
Rob Croxford

Chief Executive Officer

Dated: 29/7/2016

  
Cr Allan Comrie

Mayor

Dated: 28/7/2016

### 10.1.4 Office Arrangements - Christmas / New Year Period 2016/17

#### Introduction

File No.: 02/08/004  
 Author: Natalie Abbott  
 CEO: Rob Croxford

The following report proposes closure arrangements for the Christmas/New Year period 2016/17 for the Council offices, 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 2016/17 are as per the information released by Information Victoria – For Information on State Government.

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

2016	The Christmas Day Public Holiday will be held on <b><i>Tuesday 27 December 2016</i></b> Boxing Day 2016 Public Holiday will be held on <b><i>Monday 26 December, 2016</i></b>
2017	New Year's Day Public Holiday will be held on <b><i>Monday 2 January 2017</i></b>

Subject to Council approval, it is proposed that Council's offices will be closed to the public for the period commencing on the afternoon from 12.30pm **Friday 23 December 2016**, with the offices reopening on Tuesday 3 January, 2017 as in previous years.

In accordance with the proposal to close the Council Offices for the Christmas period, it is also proposed to close the Lerderderg Library for the same period.



Waste and recycling collection will be collected on an alternative date which will be advertised closer to the collection day.

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

- Friday 23 December, 2016 from 12.30pm
- Monday 26 December, 2016 (Boxing Day Public Holiday)
- Tuesday 27 December 2015 (Christmas Day Public Holiday)
- Wednesday 28 December, 2016
- Thursday 29 December, 2016
- Friday 30 December, 2016
- Monday 2 January, 2017 (Public Holiday)

The Ballan Transfer Station, Mt Egerton Transfer Station and Bacchus Marsh Transfer Station will be closed on:

- Christmas Day – Sunday 25 December, 2016
- New Year's Day – Sunday 1 January, 2017

Offices will re-open at 8.30am on Tuesday 3 January, 2017.

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;

<b>Key Result Area</b>	Representation and Leadership of our Community
<b>Objective</b>	Good governance through open and transparent processes and strong accountability to the community.
<b>Strategy</b>	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 notices 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.

*Chief Executive Officer – Rob Croxford*

In providing this advice to Council as the CEO, 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**

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

Emergency arrangements will be put in place in areas such as Works, Maternal & Child Health and the Aged & Disability Services. Recommencement of Occasional Care sessions will be advertised closer to the Christmas period.

Waste and recycling collection will be collected on an alternative date which will be advertised closer to the collection day.

### **Recommendation:**


**That:**

- 1. Council approve the closure of Council Offices, Works Depots, Library Services, Maternal & Child Health, Lerderderg Children Centre and Aged & Disability for the period from 12.30pm on the afternoon of Friday 23 December, 2016 with the offices reopening on Tuesday 3 January, 2017.**
- 2. Appropriate Public Notices be placed in the local media to inform the public of the closure, emergency and after hours telephone numbers and contacts available during the closure.**

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### **Report Authorisation**

**Authorised by:**

**Name:** Rob Croxford   
**Title:** Chief Executive Officer  
**Date:** Wednesday, 17 August 2016.

## 10.2 GROWTH AND DEVELOPMENT

### 10.2.1 Submission to the Act for the Future/Directions for a new Local Government Act paper

#### Introduction

File No.: 02/09/002  
Author: John Whitfield  
General Manager: Satwinder Sandhu

#### Background

As Councillors are aware the state government is in the process of reviewing the Local Government Act 1989. It has reached a stage where it has released a paper entitled "Act for the future – Directions for a new Local Government Act".

A link to the Directions Paper can be found here.

<http://www.yourcouncilyourcommunity.vic.gov.au/DirectionsPaper>

This paper outlines 157 proposed Directions and seeks comment on the review of the Act based on these Directions. Responses to the proposed reforms are due by Friday 16 September 2016 at 5pm.

The Council considered a Memo at an Assembly of Council on Wednesday 24 August 2016 that contained:

- A Briefing Note
- A DRAFT Response to the Local Government Act Review Directions Paper using the Submission Template provided by the state government
- An Act for the future Factsheets Kit
- The MAV Submission Local Government Electoral Review in 2014
- The OMC Agenda report for 5 November 2014 relating to the Local Government Electoral Review Submission

#### Proposal

In its Directions paper, the state government provides the following overview of the proposed reforms.

#### **Revitalising local democracy**

*The role of councils will be made clearer. They will be charged with planning for and ensuring the delivery of services, infrastructure and amenity for their municipality, collaborating with other levels of government and advocating for their communities.*

*Mayors will be put in charge of councils by giving them longer terms and by expanding their role to lead councillors in developing strategic directions. The mayor will lead an in-depth deliberative community engagement process to shape a four-year council plan, lead the monitoring of its implementation and report back annually to the community on progress. Mayors will be expected to exercise visible, sustained and accountable leadership.*

*Council structures and election processes will be simplified and made more consistent and representative. They will reinforce municipality-wide governance. Voting rules will be aligned with state elections to reduce confusion and informal voting. The franchise will be modernised to reinforce the integrity of the council roll and improve voter participation; and candidates will compete on a level playing field, with equal quotas.*

*The state government, through the minister, will have the tools to intervene to ensure the integrity of the sector as a whole and to address governance issues in individual councils early and effectively, minimising the need to suspend or dismiss entire councils.*

### **Innovative, collaborative and efficient councils**

*Innovation and collaboration with other councils, levels of government and organisations will be the rule and not the exception. Existing hurdles to collaboration between councils and others will be removed.*

*The new Act will support councils to embrace new technological opportunities as they emerge. It will be flexible enough to enable councils to embrace a new information age based around ever-increasing individual choice and globalisation via social media and whatever replaces the current platforms that have emerged over the past decade.*

*A stronger legislative framework will support sound financial management, sustainable rating policies and modern, integrated strategic planning. Long-term asset management and financial management plans will be required, and these will be integrated with the four-year council plan which will become the primary policy instrument of all councils. In an increasingly data-rich society, sharing information in these plans can unleash sustained citizen participation and co-production capacity.*

*Unnecessary red-tape requirements will be removed from the Act. The focus will move to delivery of required outcomes, consistently prescribed and monitored. So long as councils demonstrate they comply with principles of good governance and sound financial management, the business of how they achieve outcomes will be left largely in their hands.*

### Easy-to-read, accessible Act

*The Act will set out the principles by which councils are to achieve outcomes, which will be clearly expressed in the Act. Regulations will specify the processes required to achieve these outcomes. The minister will be empowered to exempt a council from the requirements if it can show it is achieving the outcomes required by the Act in other ways. The minister will have the power to issue non-legislative guidelines on any matter in the Act.*

The following table lists the ten major proposed reform directions set out in the Directions paper.

#### MAJOR REFORM DIRECTIONS

No.	Major reform direction
1	<b>Mayors leading councils:</b> Enable a mayor to provide greater leadership to their council by having two-year terms and extending their powers and responsibilities.
2	<b>Consistent representative structures:</b> Improve the consistency of council representative structures by establishing a consistent formula for determining councillor numbers and having councils be unsubdivided or consist entirely of uniform multi-member wards.
3	<b>Consistent, simpler voting arrangements:</b> Simplify voting arrangements for council elections by using the state roll to determine eligible voters (except in the City of Melbourne), introducing partial preferential voting and having a consistent voting method for all council elections determined by the minister.
4	<b>Deliberative community engagement:</b> Require councils to undertake a deliberative community engagement process before adopting a four-year council plan by December of the year after their election.
5	<b>Integrated, strategic planning and reporting:</b> Require councils to have an integrated strategic planning and reporting framework including (as well as the four-year council plan) a 10-year community plan, 10-year financial plan and 10-year asset plan.
6	<b>Effective ministerial intervention:</b> Strengthen the minister's powers to deal with individual councillors who are contributing to or causing serious governance failures at a council.
7	<b>Transparent CEO employment and performance:</b> Require all councils to have a CEO remuneration policy and to have an independent advisory mechanism to guide recruitment, contractual arrangements and performance monitoring of CEOs.
8	<b>Power to innovate and collaborate:</b> Improve the financial sustainability of councils and strengthen their capacity to be innovative and to undertake collaborative activities.
9	<b>A consistent rating system:</b> Establish a single method for valuing land for rates, modernise exemptions from rates and increase transparency in the levying of differential rates.

<b>10</b>	<b>Autonomous decision-making balanced by a principle-based Act:</b> Extend autonomy to councils by deregulating council decision-making processes and replacing them with high-level principles requiring transparency and accountability.
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The table below outlines timeline for the review and adoption of a new Local Government Act.

Phase	Year
Issues identification	2015–16
Consultation	
Reform directions	2016
Consultation	
Exposure draft Bill	2016
Consultation	
Bill	2017
Act	2018

The attached draft submission has been prepared by staff for Council's consideration. It uses the submission template supplied by the state government for response to the Directions paper. If approved by the Council, a submission will be made to the state government by the deadline of Friday 16 September 2016 at 5.00pm.

On Wednesday, 31 August 2016, the MAV forwarded by email their draft submission to the Directions Paper for Victorian Councils to comment on. The MAV draft submission is also attached to this report. Because of the late arrival of the MAV draft submission there has been no reconciliation of Moorabool Shire Council's draft response to the Directions Paper to the response of the MAV at the time of writing this report.

### Policy Implications

The 2013 – 2017 Council Plan provides as follows:

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

The preparation of this draft submission to the Act for the future - Directions for a new Local Government Act paper is consistent with the 2013-2017 Council Plan.

### **Financial Implications**

No financial implications to Council.

### **Risk & Occupational Health & Safety Issues**

No Risk and Occupational Health and Safety issues apply to Council unless the relevant Council officers do not receive the appropriate instrument of appointment and authorisation from Council.

### **Communications Strategy**

A copy of Council's submission, should it choose to make one will be posted on the Council's website. It will also be available on the Local Government Act review website at [www.yourcouncilyourcommunity.vic.gov.au](http://www.yourcouncilyourcommunity.vic.gov.au)

### **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 – John Whitfield*

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

### **Conclusion**

We have concerns with the principle of stripping down the act and using regulations and guidelines that will be issued by the minister without the rigour of consultation on the Act changes. That is, we are not sure what we are agreeing on in principle at a high level not having been exposed to the detail.

Further, the act is not empowering local government as claimed in the presentations by DELWP staff. The Act is tightening control of the sector through prescription and direction.

There are reservations around the use of Ministerial direction to impose additional requirements upon local government which will again result in 'big brother' approach and introduction of more prescriptive requirements. We need more of a self-governing approach to local government, and let the local community be its jury, not the state government

State government should work with the local government sector on a partnership approach to achieve consistency of best-practice throughout councils. This will lead to greater knowledge sharing, collaboration and partnership on best-practice and service delivery. In this way the needs and diversity of the local government sector will be reflected.

It is recommended that the draft submission to the Act for the future - Directions for a new Local Government Act paper as attached to this report and with any changes made at the Council meeting, be submitted to the state government.

**Recommendation:**

**That in relation to the Act for the future - Directions for a new Local Government Act paper, the Council makes a submission as per Attachment 10.2.1(a) to this report adjusted to reflect any amendments to that submission made at this meeting.**

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**Report Authorisation**

**Authorised by:**

**Name:** Satwinder Sandhu   
**Title:** General Manager Growth and Development  
**Date:** Friday, 19 August 2016



# Attachment - Item 10.2.1

# Act for the Future - Directions for a new Local Government Act Submission Template

Name	
Suburb	
Age*	
Gender*	

*\*Please see the last page of this document for our terms and conditions around privacy of your information*

If you work in an organisation or council, please provide the following information:

Organisation or council name	Moorabool Shire Council
Position	Governance Coordinator
Are you providing this submission on behalf of the organisation or council?	Myself / Organisation

## Key information about making a submission

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### Who can make a submission?

Anyone is able to make a submission to the Local Government Act review Directions Paper - whether you're responding yourself, or on behalf of a community group or local council.

### How will submission be used?

All submission received will be considered and used to inform the next stages of the review.

### Will submissions be made publicly available?

Written submissions (electronic and physical) will be made publicly available unless confidentiality is requested, and granted by the Local Government Act Review Advisory Committee, or if the committee determines the material should remain confidential. Submissions that are defamatory or offensive will not be published.

### Can I provide a submission in another format?

It is strongly preferred for submissions to be made through the online form or by completing this form. However, if another format suits your needs or the requirements of your organisation you are welcome to use another format.

### Do I have to respond to all of the questions in the template?

You're welcome to respond to as many, or as few, of the questions as you would like.

### How do I make a submission?

Submissions can be made in three ways:

- ➔ **Online** via the online submission form, or by uploading your completed submission form
- ➔ **Email** your completed form to [local.government@delwp.vic.gov.au](mailto:local.government@delwp.vic.gov.au)
- ➔ **Post** your completed form to:  
Local Government Act Review Secretariat  
C/o Local Government Victoria,  
PO Box 500, Melbourne VIC 3002

## Chapter 2: Contemporary councils capable of meeting future challenges

### Direction 1 proposes to:

Require councils to take the following principles into account when performing their functions and exercising their powers:

- the need for transparency and accountability
- the need for deliberative community engagement processes
- the principles of sound financial management
- the economic, social and environmental sustainability of the municipality
- the potential to cooperate with other councils, tiers of government and organisations
- plans and policies about the municipality, region, state and nation
- the need for innovation and continuous improvement
- any other requirements under the Act or other state or federal legislation.

Do you support this direction?  Yes  No

### What other comments would you make for this proposal?

Introduction of articulated over-arching governance principles in the Act is a positive step towards a more mature, adaptive Local Government Act.

The main criticism of the previous Act has been that it is prescriptive in nature and sets statutory requirements which have become outdated over time. Thereby it is critical the new Act has flexibility, adaptive to diversity of the Victorian communities and longevity into the future.

Council welcomes the State Government initiatives to modernise the Act and taking out the prescriptive requirements. This approach will ensure there is greater flexibility, adaptation and longevity into the future.

### Direction 2 proposes to:

Provide that the role of a council is to:

- plan for and ensure the delivery of services, infrastructure and amenity for its municipality, informed by deliberative community engagement
- collaborate with other councils, tiers of government and organisations
- act as an advocate for its local community
- perform functions required under the Act and any other legislation.

Do you support this direction?  Yes  No

### What other comments would you make for this proposal?

Council agrees with this statement. The current Act provides lack of clarity about the actual activities undertaken by Councils. It is our suggestion that their needs to be clear separation and division of functions.

In representing its local communities, Council will take on an Advocacy role on a needs basis and the Act needs to recognise this as well.

**Direction 3 proposes to:**

Provide that councils have the powers described in the Act and in other legislation.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 4 proposes to:**

Make the following reforms to the election of mayors:

- Elect all mayors for two-year terms
- Retain election of the mayor by their fellow councillors for most councils
- Provide the minister with power to approve the direct election of mayors for councils where:
  - the size of the council is sufficient to support the additional costs of direct election
  - the significance of the council in its own terms or in terms of the region in which it is situated supports a directly elected mayor
  - community consultation provides evidence of strong support for a directly elected mayor, recognising the additional costs to the community.
- Should the minister approve direct election of a mayor for a municipality, the City of Melbourne model will apply. This is that the mayor and deputy mayor are jointly elected by voters and councillors are elected at large to represent the entire municipality.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

We support the status quo. There are already adequate provisions which exists within the current Act to allow Councils to elect a Mayor for two years. Council does not see any major benefit in mandating a minimum two-year Mayoral term.

Council supports retaining of the election of Mayor by a vote of councillors and not to have the minister with the power to mandate a direct election of Mayor and Deputy Mayor.

These proposals are a tightening of control of the sector through prescription and direction.

**Direction 5 proposes to:**

Expand the role of the mayor to include the following powers and responsibilities:

- to lead engagement with the community on the development, and the reporting to the community at least annually about the implementation, of the council plan
- to require the CEO to report to the council about the implementation of council decisions
- to appoint chairs of council committees and appoint councillors to external committees that seek council representation
- to support councillors—and promote their good behaviour—to understand the separation of responsibilities between the elected and administrative arms of the council
- to remove a councillor from a meeting if the councillor disrupts the meeting
- to mutually set council meeting agendas with the CEO
- to be informed by the CEO before the CEO undertakes any significant organisational restructuring that affects the council plan

- to lead and report to council on oversight of the CEO's performance
- to be a spokesperson for the council and represent it in conduct of public civic duties.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Council in principal supports the proposals to increase the powers and responsibilities of the Mayor as many of the increased powers and responsibilities are just formalising of what is widely in place as part of Council's engagement with the community and the Mayor's working relationship with the Chief Executive Officer.

However, Council is not supportive to the proposal to allow Mayors to appoint chairs of council committees and appoint councillors to external committees. The current system where all elected members through a voting system appoint councillors to external committees has been efficient and effective and carries the confidence of a majority of councillors directly form the support of whole Council.

Finally, any changes to expand the powers of the Mayor should not allow the Mayor to be involved with operational matters.

**Direction 6 proposes to:**

Review the formula for setting mayoral allowances in light of the proposed expanded role of mayors.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Council is supportive of improved Councillor conditions, entitlements and commensurate remuneration for the work and effort undertaken by Councillors. The proposals to provide Councillors with all relevant entitlements should be consistent with other significant public offices.

**Direction 7 proposes to:**

Formalise the status of the Local Government Mayoral Advisory Panel (LGMAP) by making it a statutory advisory board to the minister under the Local Government Act.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

By simply formalising the LGMAP as a statutory advisory board without clarification of any additional powers or functions is superfluous and unnecessary. More can be achieved by introducing provisions in the new Act to support a fairer working relationship between the Minister for Local Government and councils.

**Direction 8 proposes to:**

Require all councils to appoint a deputy mayor elected in a manner consistent with the mayor. That is:

- where councillors elect their mayor, councillors elect the deputy mayor for the same two-year period
- where the mayor is directly elected, a deputy mayor is jointly elected with the mayor on the same ticket.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

In line with our response to Mayoral two year terms; we prefer the status quo.

**Direction 9 proposes to:**

Consider deputy mayoral allowances in light of the expanded role of deputy mayors.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 10 proposes to:**

Require councillors to actively participate in engagement processes mandated by the Act.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

We are not sure what this Direction would prescribe. In principle and at a high level it sounds fine but we do not know the detail. It seems the Act is not empowering local government but rather tightening control of the sector through prescription and direction.  
The proposal to require Councillors to actively participate in engagement processes remains unclear and needs further clarification.

**Direction 11 proposes to:**

Require councillors to recognise and support the role of the mayor specified in the Act.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

We agree in principle and note that the Councillor Code of Conduct and good governance principles are really what will influence a councillors support for the role of mayor.

**Direction 12 proposes to:**

Provide that councillors are entitled to all relevant entitlements consistent with other significant public offices (such as for disability support, maternity leave and childcare).

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 13 proposes to:**

Require the CEO to provide support to the mayor by:

- consulting the mayor when setting council agendas
- keeping the mayor informed about progress implementing significant council decisions, including reporting on implementation when asked to do so
- providing information the mayor requires to meet the responsibilities of the role

- informing the mayor before making significant organisation changes that that affect the council plan
- supporting the mayor in their leadership role (such as by ensuring adequate council resources and access to staff for the proper conduct of council meetings and for civic engagements).

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

We support in principle but as previously stated in our response to Direction 5, operational boundaries should not be crossed.

**Direction 14 proposes to:**

Require all councils to have a CEO remuneration policy that broadly aligns with the Remuneration Principles of the Victorian Public Sector Commission's *Policy on Executive Remuneration for Public Entities in the Broader Public Sector*.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Councils should have the autonomy to set salaries for their CEO. The remuneration for a CEO should be a market driven matter. More detail might placate our concerns.

**Direction 15 proposes to:**

Require the audit and risk committee to monitor and report on a council's performance against the remuneration policy.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

It is the Councillors responsibility to monitor, administer and work within any remuneration policy. It is not seen as an Audit & Risk Committee responsibility.

**Direction 16 proposes to:**

Require the mayor to get independent advice in overseeing CEO recruitment, contractual arrangements and performance monitoring.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Agreed and seen as best practice. But we believe it is the Council that is responsible for getting independent advice; facilitated by the Mayor. Finally we note the cost burden to smaller organisations, to obtain this advice.

**Direction 17 proposes to:**

Remove detailed prescription about council decision-making processes from the Act.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

We support in principle but would like to see more detail. Will it be removed from the Act but find its way into Regulations and Guidelines?

**Direction 18 proposes to:**

Include high-level principles about council decision-making processes: namely, that they be open and accountable.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

We support in principle but would like to see more detail.

**Direction 19 proposes to:**

Require councils to adopt rules about internal council processes that are consistent with the high-level principles in the Act.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

We have some overarching concerns and would like to have some clarity about the proposed internal council processes.

**Direction 20 proposes to:**

Include in the new Act that a council may determine that information is confidential if:

- it affects the security of the council, councillors or council staff
- it would prejudice enforcement of the law
- it would be privileged from production in legal proceedings
- it would involve unreasonable disclosure of a person's personal affairs
- it relates to trade secrets or would disadvantage a commercial undertaking.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

The Council supports the proposal to redefine that information that councils may determine is confidential and believes that this more broadly aligns with good governance principles and community expectation. Need to clarify what could be considered 'unreasonable' disclosure of a person's personal affairs. Will a definition be included?

**Direction 21 proposes to:**

Require a committee to which a council may delegate any of its powers to be known as a special committee and require it to include at least two members who are councillors.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

No position offered; again we would like to see the detail. But to note that the Council has systems in place to manage its Special Committees appropriately.



**Direction 22 proposes to:**

Allow councils to establish administrative committees to manage halls and reserves, with limited delegated powers including limits on expenditure and procurement; and for councils to approve annually committee rules that specify the roles and obligations of administrative committee members.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

The Council already has systems in place to deal with committees. We don't see a change in the Act as needed.

**Direction 23 proposes to:**

Apply legislative provisions exclusively to special committees that have delegated council powers and to administrative committees (as described in the proposed direction above).

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 24 proposes to:**

Remove from the Act provisions regulating assemblies of councillors, leaving councils to deal with issues of public transparency about these or any other advisory committees as part of the council's internal rules.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Council supports the proposal to remove requirements in legislation to disclose Assemblies of Councillors. Also supports the intent of the paper to provide greater flexibility to local government to determine and monitor these and other matters.

**Direction 25 proposes to:**

Remove matters about employing council staff from the Act.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Helps in providing a more mature, flexible Local Government Act

**Direction 26 proposes to:**

Require the CEO to establish a workforce plan that describes the council's staffing structure including future needs; that the plan include a requirement that it can only be changed in consultation with staff; and that the plan be available to the mayor and to staff.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Council is supportive of having workplace planning however, does not support this proposal as it contradicts two other aspects of the Paper which seeks to remove similar prescription. A good employer already has these types of plans as part of their business growth planning.

**Direction 27 proposes to:**

Require a council CEO to consult the staff if there is a major organisational restructure.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

These matters should not be prescribed in legislation, as again it contradicts two other aspects of the Paper which seeks to remove similar prescriptive requirements which is already covered under other arrangements. Provisions that a CEO consults with staff prior to major organisational changes are already included as a matter for consideration in Council's Enterprise Bargaining Agreement.

**Direction 28 proposes to:**

Require a community consultation process before making or varying a local law.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Current best practice

**Direction 29 proposes to:**

Include in the Act principles that local laws must meet and require that a council, after receiving advice from an appropriately qualified person, certify that the local law meets these principles.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 30 proposes to:**

Retain the power of the Governor in Council, on the recommendation of the minister, to revoke a local law that is inconsistent with the principles.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

There are other ways to deal with local laws that need improvement.

**Direction 31 proposes to:**

Note that model local laws may be issued as guidelines on various matters to achieve greater quality, consistency and scrutiny. These would be based on best-practice local laws.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Best practice

**Direction 32 proposes to:**

Consult to determine the appropriate value of a penalty unit for local laws and whether the value should be indexed annually.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 33 proposes to:**

Remove the requirement to submit local laws to the minister.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

More autonomy for the council.

## Chapter 3: Democratic and representative councils

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### Direction 34 proposes to:

Extend the band (currently 5–12) for the number of councillors per council to 5–15 and provide the minister with the power to increase the number of councillors per council within this band after receiving advice of the VEC.

Do you support this direction?  Yes  No

### What other comments would you make for this proposal?

Council is currently represented by 7 Councillors and we consider that this provides adequate representation across the municipality.  
The current electoral structure works well in that it provides local representation for the diverse communities in Moorabool and supports the strong councillor links with their local communities.  
The current structure also complies well with communities of interest, which is one of the basic principles under which the VEC conducts representation reviews.  
The proposal is too simplistic.

### Direction 35 proposes to:

Include in Regulations a formula for determining councillor numbers and require that the VEC consistently apply it. Base the formula on the ratio of councillors to residents, mediated by the geographic scale of the local government area, loading councillor numbers by one, two or three for geographically vast local government areas.

Do you support this direction?  Yes  No

### What other comments would you make for this proposal?

Refer to the response for Direction 34. More say for Councils in determining their representational structure is a better option.

### Direction 36 proposes to:

Allow for one of two representative structures—unsubdivided or entirely uniform multi-member wards—to be applied in each municipality. (Option 1) or

Allow for one of three representative structures—unsubdivided, entirely uniform multi-member wards or entirely single-member wards—to be applied in each municipality. (Option 2)

Initially this would require the VEC to conduct representation reviews to arrive at new council structures for the first council elections after the Act is enacted.

Do you support option 1?  Yes  No

Do you support option 2?  Yes  No

### What other comments would you make for this proposal?

Council supports Option 2. It believes the three alternative structures outlined in this option are suitable for the state.

### Direction 37 proposes to:

Subject to fixing councillor numbers by formula and reducing the range of representative structures, conduct future electoral representation reviews by exception when the minister directs the VEC to conduct a review on the basis of:

- evidence of a marked increase in population in a municipality
- a request to the minister from a council or members of the community supported by evidence of the need for a review
- in response to a recommendation from the VEC
- on any grounds determined by the minister published in the government gazette.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Refer to replies to Directions 34 – 36 above.

**Direction 38 proposes to:**

Introduce partial preferential voting, consistent with Victorian Legislative Council elections, for multi-member wards and unsubdivided elections, such that the voter is only required to mark the ballot paper with the number of consecutive preferences for which there are vacancies to be filled.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Leave the voting system the way it is. It currently works well.

**Direction 39 proposes to:**

Implement a countback method to fill casual vacancies between general elections by which all valid votes cast at the general election would be counted, not just those of the vacating councillor (excluding the votes that made up the quotas of the continuing councillors).

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Supported. It would mean the next preferred candidate at the election would fill the casual vacancy.

**Direction 40 proposes to:**

Consolidate all electoral provisions in a schedule to the Act, arranged according to the model provided by the Electoral Act 2002; retain most provisions in the current electoral regulations; and retain procedural matters (such as prescribing forms and setting fees) in Regulations.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Support in principle.

**Direction 41 proposes to:**

Make the entitlement to vote in a council election to be on the register of electors for the Victorian Legislative Assembly (the state roll) for an address in their municipality. Grandfather the voting entitlement of existing property-franchise voters in that municipality. Institute compulsory voting for all enrolled voters. **(Option 1)** or

Maintain the existing franchise but cease automatic enrolment of property owners and require these voters to apply to enrol for future council elections if they choose to do so. Institute compulsory voting for all enrolled voters. **(Option 2)**

Do you support option 1?  Yes  No

Do you support option 2?  Yes  No

What other comments would you make for this proposal?

**Direction 42 proposes to:**

Require the VEC to revise the candidate's nomination form to require candidates to explicitly state that no disqualification conditions apply to them.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 43 proposes to:**

Require a council CEO to complete a police check and a check of the Australian Securities & Investments Commission (ASIC) register of persons disqualified under the *Corporations Act 2001* for elected candidates within three months after the general election. **(Option 1)** or

Require each candidate to submit a completed ASIC and police check when nominating. **(Option 2)**

Do you support option 1?  Yes  No

Do you support option 2?  Yes  No

What other comments would you make for this proposal?

Qualifications should be checked at nomination time. Much more clean cut that way.

**Direction 44 proposes to:**

Require adoption of a uniform voting method for council elections as determined by the minister after receiving advice from the VEC. Have the minister publish the method to be used in the government gazette 12 months before the general elections.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Support this Direction if the uniform method is Postal Voting.

## Chapter 4: Councils, communities and participatory democracy

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### Direction 45 proposes to:

Include deliberative community engagement as a principle in the Act and include in the role of a councillor the requirement to participate in deliberative community engagement, leaving the method to be determined by each council.

Do you support this direction?  Yes  No

### What other comments would you make for this proposal?

The principle of community engagement is accepted. There is no need to prescribe the detail, leave the method to be determined by each council.

### Direction 46 proposes to:

Require a council to prepare a community consultation and engagement policy early in its term to inform the four-year council plan and ten-year community plan.

Do you support this direction?  Yes  No

### What other comments would you make for this proposal?

The principle of community engagement is accepted. There is no need to prescribe the detail.

### Direction 47 proposes to:

Require a council to conduct a deliberative community engagement process to prepare its council plan and to demonstrate how the plan reflects the outcomes of the community engagement process.

Do you support this direction?  Yes  No

### What other comments would you make for this proposal?

The principle of community engagement is accepted. There is no need to prescribe the detail.

### Direction 48 proposes to:

Include in regulations that an engagement strategy must ensure:

- the community informs the engagement process
- the community is given adequate information to participate
- the scope/remit of the consultation and areas subject to influence are clear
- those engaged are representative of the council's demographic profile.

Do you support this direction?  Yes  No

### What other comments would you make for this proposal?

The principle of community engagement is accepted. There is no need to prescribe the detail.

**Direction 49 proposes to:**

Require a council to complete its council plan by 31 December in the second year of its term, recognising the time required to conduct a deliberative community engagement process.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

The completion of a council plan by 31 December in the year after election is curious. A new council needs time to settle in to the role and to undertake community engagement in the early part of its term. A new council is often keen to make its stamp on new direction and priorities through the revised council plan and first budget. It will be difficult to wait until the second budget of a four year term to resource new directions. Further consideration could be given to changing the election date to provide more time. Several options have been tried historically. On balance it is recommended that the 30 June timeframe be retained ie: status quo.

**Direction 50 proposes to:**

Require the mayor to report to the community each year about how the council plan has implemented the community's priorities as directed through the deliberative community engagement process.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Requiring the mayor to report to the community is tied into the increased powers and leadership role of the mayor. This is discussed in other Sections

**Direction 51 proposes to:**

Require a council to publish on its website all documents and registers currently required to be kept on council premises and ensure this information is accessible to the public.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

No issue with electronic publishing and reduced need to send information to minister overall.

**Direction 52 proposes to:**

Require a council to publish its CEO remuneration policy on its website.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

No issue in principle but other parts of the Act talk about using employment law to guide matters relating to staff.

**Direction 53 proposes to:**



Regulate for minimum standards and include in guidelines best-practice processes for ensuring transparency and accountability in council operations and administration, basing the guidelines on current Melbourne City Council practices.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Yes for dot point 4 Councillors and staff visiting other countries & dot point 7 conflict-of-interests

No for the following dot points:

- 1 - Authorised officers listing (to what purpose? Authorised officers carry suitable ID when carrying out their job),
- 2 - Expenditure (doesn't prove anything, was the expenditure within or outside of budget? Already have quarterly financial reporting, why \$500K per quarter, quite arbitrary and varies on size of the Council),
- 3 - Assets value (including infrastructure assets?, why \$2.5M, quite arbitrary)
- 5 - Senior executive contract arrangements (to what end?, it is contrary to directions to align with employment law into the future)
- 6 - Audio recording of council meetings (we think minutes are sufficient, this is an over-kill)

With the proposed increased role of internal audit committees, external audit and a raft of risk and OHS and procurement policies it is unclear why there is a need for additional transparency. And doesn't translate to smaller councils. It's too prescriptive

**Direction 54 proposes to:**

Include in the Act a definition of a customer complaint consistent with the Ombudsman's recommendation of as it an 'expression of dissatisfaction with the quality of an action taken, decision made or service provided by a council or its contractor or a delay or failure in providing a service, taking an action or making a decision by a council or its contractor, but with the addition that the customer has been directly affected by the action.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Further prescription is not required to deliver good customer service standards.  
Councils already have customer charters, performance monitoring and oversight by councillors.  
The Ombudsman has an oversight role in this matter also.

**Direction 55 proposes to:**

Require a council to develop a policy about customer complaints that includes a process for dealing with customer complaints, and that the process contain an avenue for independent review that is clearly accessible to the public. Policy and statutory decisions of the council would not be subject to the complaints policy.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Further prescription is not required to deliver good customer service standards.  
Councils already have customer charters, performance monitoring and oversight by councillors.  
The Ombudsman has an oversight role in this matter also.

## Chapter 5: Strong probity in council performance

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### Direction 56 proposes to:

Incorporate the current councillor conduct framework largely unamended in the Act, including:

- the definitions
- the principal requirements imposed on councils and councillors, relevant statutory officers, principal councillor conduct registrars
- the role and powers of the minister and ministerial monitors and the Chief Municipal Inspector (CMI).

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Agreed. The changes from the Local Government Amendment (Improved Governance) Act 2015 – eg. New Councillor Code of Conduct - are very new and should not be altered until some time has passed to see if they are effective changes.

### Direction 57 proposes to:

Include in Regulations all the processes specified in the current councillor conduct framework.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

As for Direction 56

### Direction 58 proposes to:

Extend the offence of release of confidential information to council staff who unlawfully disclose confidential information.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Staff that breach confidentiality should be subject to appropriate action. Alignment with Councillor obligations is appropriate. Already covered in most staff code of conduct.

### Direction 59 proposes to:

This will make councillors and council staff liable to criminal prosecution for more serious disclosures and liable to disciplinary action—councillors for serious misconduct through the councillor conduct panel process and council staff under their contract of employment—for less serious breaches.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

As for Direction 58

### Direction 60 proposes to:

Provide that a conflict of interest exists where:

- the councillor or a person with whom they are closely associated stands to gain a benefit or suffer a loss depending on the outcome of the decision (a 'material conflict of interest') the councillor has, or could reasonably be taken to have, a conflict between their personal interests and the public interest that could result in a decision contrary to the public interest.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Support a simplification of conflicts of interest

**Direction 61 proposes to:**

Make a breach of conflict of interest subject to disciplinary action for serious misconduct through a councillor conduct panel, at the discretion of the CMI. The maximum penalty a councillor conduct panel can impose for serious misconduct is six month suspension from office and loss of a councillor allowance for that period.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 62 proposes to:**

Retain the capacity to prosecute a person in court for a conflict-of-interest breach when it involves failure to disclose a 'material conflict-of-interest'. This is a criminal offence with a maximum fine of 120 penalty units and an associated disqualification from being a councillor for eight years.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 63 proposes to:**

Retain the current legislative provision on misuse of position.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 64 proposes to:**

Retain the current legislative provisions on improper direction, noting they will be supported by the further legislative measures to clarify the roles and responsibilities of councillors, mayors and CEOs set out in Chapter 2 of this paper.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 65 proposes to:**

Retain the current enforcement role, functions and powers of the CMI and the inspectorate.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

## Chapter 6: Ministerial oversight of councils

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### Direction 66 proposes to:

Include in the Act principles to apply to a proposal to create a new municipality, that:

- each new municipality shall be viable and sustainable in its own right
- the allocation of revenues and expenditures between municipalities being separated shall be equitable for the residents of each municipality
- the views of the communities affected by the restructuring shall be taken into consideration
- each new municipality shall have sufficient financial capacity to provide its community with a comprehensive range of municipal services and to undertake necessary infrastructure investment and renewal.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Appears appropriate in principle.

### Direction 67 proposes to:

Other than the proposed direction above, retain the current provisions (in Part 10A) about altering external municipal boundaries.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Appears appropriate in principle.

### Direction 68 proposes to:

Retain the power of the minister to:

- appoint a municipal monitor in a manner and with the role and powers as currently set out in the Act
- issue a governance direction to a council, noting that other powers of the minister to direct councils (such as the power to direct a council to submit financial statements under section 135) be included in this general power
- stand down a councillor as currently set out in the Act.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

### Direction 69 proposes to:

Empower the minister to recommend that a councillor be suspended by an order in council where the councillor is contributing to or causing serious governance failures at a council. This power to only be exercisable in exceptional circumstances in that:

- the councillor has caused or substantially contributed to a breach of the Act or Regulations by the council or to a failure by the council to deliver good government and
- a council (by resolution), a municipal monitor, the CMI, the Ombudsman or the Independent Broad-based Anti-corruption Commission have recommended that the minister suspend the councillor on these grounds and
- the council, the municipal monitor, the CMI, the Ombudsman or the Independent Broad-based Anti-corruption Commission have satisfied the minister that the councillor has been provided with detailed reasons for the recommendation and was given an opportunity to respond to their recommendation and
- the minister is satisfied that if the councillor is not suspended that there is an unreasonable risk that the council will continue to breach the Act or continue to be unable to provide good government for its constituents.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

The ability for the minister to focus on one or a small number of councillors that may be frustrating good governance is preferable to dismissing the whole council.

**Direction 70 proposes to:**

Retain the provisions in the Act about the suspension and dismissal of a council in their current form, including the provisions allowing appointment of administrators.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 71 proposes to:**

Streamline the minister's power to conduct inquiries into councils into a single power to appoint commissions of inquiry consisting of one or more commissioners to inquire into and make recommendations to the minister about any matter as requested by the minister. This will include, but not be limited to:

- governance issues
- financial probity issues
- disputes between councils and between councils and other parties.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 72 proposes to:**

Retain the existing power to forbid a council from employing a new CEO or entering into a new contract with an existing CEO but amend the power to provide that it can only be exercised on the recommendation of a municipal monitor or the CMI.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Council using employment law framework should not need oversight of minister in CEO employment matters.  
The removal of senior officers components is consistent with this principle.

**Direction 73 proposes to:**

Remove the power relating to senior officers from the new Act as all staff employment matters should be dealt with by relevant employment laws.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Council using employment law framework is a preferable arrangement for employment of senior officers

**Direction 74 proposes to:**

Bring all provisions (and all other elements) of the Fair Go Rates System into the new Act consistent with the legislative hierarchy in Chapter 10.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

However the Councils maintains that local government should be responsible to and accountable to their community for the rates structure that they adopt. Councils already carry out extensive community consultation before adopting rating levels.

**Direction 75 proposes to:**

Retain the general power for the minister to recommend regulations to give effect to the Act and empower the minister to relieve a council of requirements to follow processes set out in Regulations.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 76 proposes to:**

Empower the minister to issue non-regulatory guidelines on any matter under the Act.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

We have concerns with the principle of stripping down the act and using regulations and guidelines that will be issued by the minister without the rigour of consultation on the Act changes.

**Direction 77 proposes to:**

Remove the requirement to request ministerial exemption from public tenders, as explained in Chapter 8.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

It frees Councils up in its procurement processes.

**Direction 78 proposes to:**

Remove the power requiring a contract for a senior officer: all employment matters for council staff will now be subject to employment law.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Council using employment law framework is a preferable arrangement for employment of senior officers

**Direction 79 proposes to:**

Explore an alternative method for handling instances of a majority of councillors having a conflict of interest preventing them voting on a planning scheme amendment.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

There is a need to address the situation where the majority of councillors have a conflict on a matter, eg heritage overlay that precluded voting and progressing a matter. "Explore" is an act review is not appropriate. Support in principle but before complete support provided, one would need to see what the alternative method is.



## Chapter 7: Integrated planning

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### Direction 80 proposes to:

Include an integrated strategic planning and reporting framework in the Act that identifies the four-year council plan as a council's central strategic planning instrument, and also requires long-term (10 year) plans—being a community plan, financial plan and asset plan—and short-term (1 year) reporting documents—being the budget and annual report (containing all performance reporting).

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

We are concerned about the resources needed to implement an integrated strategic planning and reporting framework. We agree that the annual budget needs to take into account other longer term strategies.

### Direction 81 proposes to:

Include in Regulations and guidelines details about the information a council will include in each plan.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

### Direction 82 proposes to:

Require:

- a council to prepare and adopt a four-year council plan by 31 December of the second year after a general election
- preparation of the council plan to be informed by the deliberative community engagement process described in Chapter 4
- the council plan to include information about services, infrastructure and amenity priorities for the council term.

Do you support this direction?  Yes  No What other comments would you make for this proposal?

We refer to our comments in Chapter 4; especially D49 in regard to dot point one above.  
Agree in principle with dot points two & three.

### Direction 83 proposes to:

Remove the requirement to submit a copy of the council plan to the minister and replace it with a requirement to publish it on the council website and to have the mayor report annually to the community on the achievement of the council plan.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 84 proposes to:**

Require a council to prepare and adopt a rolling community plan of at least 10 years by 31 December of the second year after a general election to guide strategic planning and inform the preparation of the council plan. Require preparation of the community plan to be informed by the deliberative community engagement process that also underpins the council plan.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Makes sense to deal with the community plan and council plan at the same time and using the same engagement processes.

But we refer to our comments about the 31 December timeframe especially where it concerns the Council Plan preparation

**Direction 85 proposes to:**

Set out in Regulations and guidelines what is to be included in the community plan, including a community vision statement.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Again we have concerns with the principle of stripping down the act and using regulations and guidelines that will be issued by the minister without the rigour of consultation on the Act changes. We would like to see some detail.

**Direction 86 proposes to:**

Require all councils to prepare and adopt a rolling financial plan of at least ten years by 31 December of the second year after a general election, in accordance with the principles of sound financial management, and for council to review and approve this plan annually.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Makes sense to deal with a long term financial plan at the same time as the community plan and council plan. But we refer to our comments about the 31 December timeframe especially where it concerns the Council Plan preparation.

**Direction 87 proposes to:**

Remove the requirement for a council to prepare a strategic resource plan.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

The creation of a longer term planning framework will supersede the need to produce a strategic resource plan so from this perspective, Council agree that the need for a strategic resource plan will not be required. However, care must be taken to ensure that the Council plan and the Annual Budget continue to draw information from council's strategic planning instruments being the community plan, the financial

plan and the asset plan to ensure that the documents are not seen as mutually exclusive but part of an integrated planning and reporting framework.

**Direction 88 proposes to:**

Require the financial plan to:

- guide financial planning and inform the council plan
- provide the community with prescribed information about the human resource and capital works assumptions and decision-making underlying financial forecasts
- be informed by the deliberative community engagement process.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

More information needed about the form and content of a deliberative community engagement process. Any deliberative community engagement process must be incremental in its requirements or else community engagement will be treated as a compliance exercise.

**Direction 89 proposes to:**

Require all councils to prepare and adopt a rolling asset plan of at least ten years by 31 December of the second year after a general election, in accordance with the principles of sound financial management, and for a council to review and approve this plan annually. This plan will guide asset planning and inform the council plan.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

There may be little to be gained from undertaking this exercise on an annual basis especially if the plan does not change from year to year. It is more logical to require Asset Plans to be reviewed and adopted every 4 years.

(We note here that there is an inconsistency: Figure 3 on Page 86. It does not show annual reviews of the Asset Plan; only 4 yearly reviews and updates at 31 Dec in Year 1 of a Council term. We agree with Figure 3; it should be each 4 years)

**Direction 90 proposes to:**

Require the asset plan to include information about new assets, asset retirement, maintenance and renewal requirements for each class of infrastructure assets and to be informed by the deliberative community engagement process.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

The Asset Plan should be informed by professional judgement rather than deliberative community engagement.

**Direction 91 proposes to:**

Set out requirements for what is to be included in the financial and asset plans in Regulations and guidelines.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Again we have concerns with the principle of stripping down the act and using regulations and guidelines that will be issued by the minister without the rigour of consultation on the Act changes. We would like to see some detail.

**Direction 92 proposes to:**

Require a council to prepare a budget annually and to review it mid-cycle at 31 December each year. Require the CEO to report the results and to explain material budget variations, including whether a revised budget is required, to council.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Agreed. This is currently done across most councils so would probably be a good thing.

**Direction 93 proposes to:**

Include in the Act a clearer definition of material variation in order to clarify when a revised council budget must be struck.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Council's preference is for a local policy of what constitute a material variation. There is a contradiction in having an integrated planning and reporting framework but then mandating a number of static examples where a revised budget must be struck.

**Direction 94 proposes to:**

Remove the requirement to submit a copy of the adopted budget to the minister.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 95 proposes to:**

Require all councils to establish an audit and risk committee with an expanded oversight of:

- the integrated strategic planning and reporting framework and all associated documents
- financial management and sustainability
- financial and performance reporting
- risk management and fraud prevention
- internal and external audit

- compliance with council policies and legislation
- service reviews and continuous improvement
- collaborative arrangements
- the internal control environment.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

The current environment is sound. We see no reason to expand ARC oversight. This will lead to added layers of administration and increase in reporting and accountability requirements. There are already sufficient checks and balances.

The ARC is an advisory committee only and would be over-loaded with these proposed changes.

**Direction 96 proposes to:**

Require the audit and risk committee to include a majority of independent members and include councillors, but not council staff.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Retain the status quo. This proposal would place too much responsibility on independent members and takes away from Council's responsibilities.

The preference is for reliance on the Council to remain responsible for the list in Direction 95; advised by local government professional staff with strong internal systems, processes and controls and high quality reporting.

A key ARC member's role is to review processes and identify weaknesses that prevent integrity and quality in reporting.

This runs the risk that the Audit and Risk Committee could place unreasonable or unrealistic demands on internal resources.

**Direction 97 proposes to:**

Require the audit and risk committee to report to the council biannually and require each council to table the biannual audit and risk committee report at a council meeting.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 98 proposes to:**

Continue to require a council to include information in its annual report of operations about achievements against its council plan, community plan, financial plan, asset plan and budget.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 99 proposes to:**

Remove the requirement for a council to submit a copy of its annual report to the minister.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 100 proposes to:**

Require a council to present its annual report at an annual general meeting at which the mayor must report progress on implementing the council plan.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Why at an AGM? Why not at an OMC?

**Direction 101 proposes to:**

Require that in developing its council plan, a council take account of relevant aspects of regional and state plans that affect the municipality.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Already best practice, no need to prescribe.

## Chapter 8: Sustainable finances for innovative and collaborative councils

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### Direction 102 proposes to:

Require a council to embed the principles of sound financial management in its council plan, community plan, financial plan and asset plan.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

### Direction 103 proposes to:

Include in the Act the following principles of sound financial management:

- manage financial risks prudently, having regard to economic circumstances
- align income and expenditure policies with strategic planning documents
- undertake responsible spending and investment for the benefit of the community to achieve financial, social and environmental sustainability over the long term
- provide value-for-money services and infrastructure which are accessible and responsive to the community's needs
- ensure that decisions are made and actions are taken having regard to their financial effects on future generations
- ensure full, accurate and timely disclosure of financial information about the council
- undertake regular stress testing and evaluation of financial risk management.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Agreed – but need to see the details

### Direction 104 proposes to:

Remove the current best value provisions, as value for money is included in the new principles of sound financial management.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

### Direction 105 proposes to:

Require a council at the start of the council term to develop and adopt a procurement policy that is consistent with the principles of sound financial management and require that all council procurement practices and contracts comply with this policy.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Currently the procurement policy is required to be reviewed and adopted by Council on an annual basis. This can be onerous and unnecessary and review can often be a compliance process versus a consultative, collaborative review which may provide more efficiencies. There would provide more robust discussion at review periods via this process

**Direction 106 proposes to:**

Specify in Regulations what must be included in a procurement policy, including when council will go to tender for the provision of goods and services (including thresholds), the process for going to tender and what collaborative arrangements have been explored to deliver value for money for the council.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Agree in principle but would like to see the details. As long as regulations were realistic for rural councils and not just considering metro Councils who have more resources and less diversity of requirements. Eg: Not worth putting social procurement into a procurement policy if it cannot be well administered across whole organisation – a lot of smaller and mid Councils only have centre led procurement models. A reconsideration of the tender threshold to increase it is recommended.

**Direction 107 proposes to:**

Require the audit and risk committee to review compliance with the procurement policy and require a council to report in its annual report any non-compliance with its procurement policy.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Agree in principle on annual basis. Again more detail needed; what level of non compliance – lack of quotes, cumulative supplier spend does not always recognise distinct tasks/jobs – something that could not be tendered as one job but multiple jobs resulted in spend which may indicate tender required Systems would need to be further developed to support this.

**Direction 108 proposes to:**

Require a council to make its procurement policy available on its website.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 109 proposes to:**

Remove the requirement for an annual review of the procurement policy and the requirement to obtain ministerial exemptions for failure to go to tender in certain circumstances.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Removal of annual spend would reduce administrative compliance checks and result in more efficient reviews



**Direction 110 proposes to:**

Provide councils with automatic access to state purchase contracts, whole-of-Victorian-Government contracts and the *Construction Suppliers Register* to save time, strengthen standards and improve efficiency.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Could certainly improve value for money outcomes for smaller councils who do not necessarily have spend levels to obtain better pricing. Would be good for more communication from State Government to Local Government Procurement teams about the contracts they have in place so that we could consider such collaborative opportunities before going to individual tenders.

**Direction 111 proposes to:**

Require councils to develop and adopt an investment policy in accordance with the principles of sound financial management and require all council investment decisions to be made in accordance with that policy.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 112 proposes to:**

Require the audit and risk committee to review compliance with the investment policy and require a council to report any non-compliance with its investment policy in its annual report.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 113 proposes to:**

Require a council to develop and adopt a debt policy in accordance with the principles of sound financial management and only enter into debt in accordance with that policy.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 114 proposes to:**

Require the audit and risk committee to review compliance with the debt policy and require a council to report any non-compliance with its debt policy in its annual report.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 115 proposes to:**

Remove the overdraft provisions and remove the requirement for the minister to approve the repayment of an overdraft from its borrowings.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 116 proposes to:**

Require councils to expressly describe in their budgets any intention to sell, exchange or lease land. This will enable consultation with the community during the budget process.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Retain current system. There may be instances where councils ability to negotiate are lessened where their budgets detail any intention to sell, exchange or lease land. Where this possibility exists, council should be exempt from these requirements.

**Direction 117 proposes to:**

Remove the requirement for a council to allow a person to make a submission under the Act in relation to the sale, exchange or lease of land where the matter has been considered as part of the budget consultation.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Retain current system. There may be instances where councils ability to negotiate are lessened where their budgets detail any intention to sell, exchange or lease land. Where this possibility exists, council should be exempt from these requirements.

**Direction 118 proposes to:**

Remove from the Act the requirement for councils to have public liability and professional liability insurance. As a body corporate and organisation with a number of roles and responsibilities to the community and its staff, it is expected as a matter of course that councils take out appropriate insurance policies consistent with effective risk management as well as with the sound financial management principles in the Act.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

**Direction 119 proposes to:**

Remove the entrepreneurial powers in the Act and include revised powers to allow councils to participate in the formation and operation of an entity (such as a corporation, trust, partnership or other body) in collaboration with other councils, organisations or in their own right for the delivery of any activity consistent with the revised role of a council under the Act.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

## Chapter 9: Fair rates and sustainable and efficient councils

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### Direction 120 proposes to:

Require a council to prepare a revenue and rating strategy that:

- is for at least four years
- outlines its pricing policy for services
- outlines the amount it will raise through rates and charges
- outlines the rating structure it will use to allocate the rate burden to properties.

Do you support this direction?  Yes  No

### What other comments would you make for this proposal?

A four year strategy would provide clear direction for ratepayers, what it will raise through rates and charges. An estimate would be needed to allow for the Fair Go Rate System Cap.

### Direction 121 proposes to:

Require a council to align the strategy to its financial plan and to review and adopt it after each general revaluation of properties.

Do you support this direction?  Yes  No

### What other comments would you make for this proposal?

Rate strategy would make sense to align to financial plan but to review against each revaluation effectively implies undertaking a strategy every two years. Council's differential rate structure and levels should redistribute across property base if there is a significant shift in value in a particular group or groups of property. The shifting of categories or levels to redistribute rate burden due to valuation shifts is not an effective rate model.

### Direction 122 proposes to:

Define all land as rateable except for the following four categories of land that would be exempt:

- land of the Crown, public body or public trustee that is unoccupied or used exclusively for a public or municipal purpose (to be defined to mean to perform public functions for the common good)
- land vested or held in trust for any charitable not-for-profit organisation and used exclusively for a charitable purpose (to be defined to mean the relief of poverty, the advancement of education, the advancement of religion or for other purposes beneficial to the community and the environment)
- land vested or held in trust for any religious not-for-profit body and used exclusively as a residence of a minister of religion or place of worship or for the education to be a minister of religion
- land held in trust and used exclusively as a not-for-profit club for persons who performed service duties under the *Veterans Act 2005*. **(Option 1)** or

Include land subject to a lease, sublease, licence or sublicense that is used for the purposes in Option 1, provided the lease, sublease, licence or sublicense is for a nominal amount (that is, the lease or rental

amount is very small compared with the actual market lease or rental amount: commonly called a peppercorn rent).

Make land rateable that is:

- owned by a for-profit organisation but leased to a charitable organisation
- used exclusively for mining purposes. **(Option 2)**

Do you support option 1?  Yes  No

Do you support option 2?  Yes  No

What other comments would you make for this proposal?

Option 1 would be preferred with more criteria around item 2 being charitable not-for-profit organisations. Council has more and more privately owned land that becomes non rateable due to leases by these types or groups – which then pushes more rate burden to other properties. The Act needs more around what is deemed as charitable not-for-profit organisation to enable consistency across the state for different groups as at the moment it up to each council to determine.

**Direction 123 proposes to:**

Retain the capacity for councils to grant rebates and concessions and apportion rates based on separate occupancies or activities.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 124 proposes to:**

Require councils to apply capital improved value as the single uniform valuation system for raising general rates. The City of Melbourne would be exempt from this provision.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 125 proposes to:**

Fix the municipal charge at a maximum of 10% of the total revenue from municipal rates and general rates in the financial year, divided equally among all rateable properties.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

We prefer the status quo. Further, does this remove exemptions for Single Farm Enterprises? This needs clarification. It is best dealt with in the rating strategy.

**Direction 126 proposes to:**

Retain differential rates in their current form. Continue through ministerial guidelines to advise that farm land and retirement villages are appropriate for the purposes of levying differential rates at the discretion of councils.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Each Council should have the option to consider 'fit for purpose' differentials (whilst considering ministerial guidelines) within their municipal boundary to accommodate the diversities in properties that they may have. What may be relevant within a metro is completely different to a rural Council.

**Direction 127 proposes to:**

Require councils to clearly specify how the use of differential rating contributes to the equitable and efficient conduct of council functions compared to the use of uniform rates (including specification of the objective of and justification for the level of each differential rate having regard to the principles of taxation, council plans and strategies and the effect on the community).

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Use the rating strategy as the basis for determination of differential rates. Sometimes a review of a rate strategy with the implementation of a general revaluation moves away from how each rate contributes to the equitable and efficient conduct of council functions and the differential levels are altered purely to soften the rate shift. Uniform rates in a diverse Council does not recognise where there may be more capacity to pay Eg: Commercial/Industrial – generating income from property, tax incentives, etc

**Direction 128 proposes to:**

Retain the requirement that the highest differential rate must be no more than four times the lowest differential rate.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Council supports the dismantling of the 4 times rule to allow for more diversity. To use the rating strategy as the basis for determination of differential rates. The 4 times rule is an arbitrary limit that prevents a rating strategy to be at its most effective.

**Direction 129 proposes to:**

Retain service rates and charges, renamed 'service charges' but remove their application to the provision of water supply and sewage services.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 130 proposes to:**

As part of these changes, provide the minister with the power to prescribe the setting of other service charges in Regulations.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 131 proposes to:**

Retain special rates and charges, but provide clearer guidance in the Act about the purpose of special rates and charges, and about the criteria councils should use when declaring them and determining the benefit ratio.

Do you support this direction?  Yes  No

**What other comments would you make for this proposal?**

This section of the Act and requirements for defining benefit and no objections to proposed rates/charges makes it almost impossible for Council to consider such rates/charges.

**Direction 132 proposes to:**

Allow councils to offer ratepayers the ability to pay by lump sum or more frequent instalments on a date or dates determined by a council, provided all ratepayers have the option to pay in four quarterly instalments. Penalty interest when it is charged is to be charged on any late payment from the respective instalment due date.

Do you support this direction?  Yes  No

**What other comments would you make for this proposal?**

A good majority of Council's have already made decisions to offer more manageable payment options to support their communities.

**Direction 133 proposes to:**

Allow a council to use rebates and concessions to support the achievement of their council plan's strategic objectives, provided that the purpose is consistent with their role

Do you support this direction?  Yes  No

**What other comments would you make for this proposal?**

**Direction 134 proposes to:**

Clarify in the Act that, where a ratepayer successfully challenges the rateability of land, a refund of rates may only be backdated to the date of most recent ownership.

Do you support this direction?  Yes  No

**What other comments would you make for this proposal?**

Not supported. This may result in refunds/adjustments being made for a greater period than what the statute of limitations allows. Ratepayers should also have an onus on them to check the information on their annual notices and lodge within that financial year. It would make more sense that the refund/adjustment should date back to the rating period in which they challenged the rateability of the land.

**Direction 135 proposes to:**

Establish a uniform process and timeline for people wanting a review or to appeal a rates or charges decision.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

Need to define this process before being able to comment properly. This would include what period the adjustment can be back dated to. Councils are required to issue annual notices, surely ratepayers should have onus to check information annually. We submit that refunds/reviews should only go date back to the rating period in which they challenged the rateability of the land.

**Direction 136 proposes to:**

Incorporate the municipal council rating provisions in the *Cultural and Recreational Lands Act 1963* in the Local Government Act. Require in the Act that councils disclose the rates that are struck for cultural and recreational lands.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

The provisions of the Cultural and Recreational Lands Act need to be reviewed appropriately. This act makes it very difficult for Councils to declare straight differential for cultural and recreational land properties as it stands

**Direction 137 proposes to:**

Incorporate the municipal council rating provisions in the *Electricity Industry Act 2000* in the Act.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?



## Chapter 10: A rational legislative hierarchy

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### Direction 138 proposes to:

Create a systematic legislative hierarchy comprising new principle-based provisions in the Act and new Regulations setting out the processes required to meet the obligations set out in the Act, and with the capacity for the minister to issue ongoing non-statutory sector guidance as required about any aspect of the Act.

Do you support this direction?  Yes  No

### What other comments would you make for this proposal?

We have concerns with the principle of stripping down the act and using regulations and guidelines that will be issued by the minister without the rigour of consultation on the Act changes. That is, we are not sure what we are agreeing on in principle at a high level not having been exposed to the detail. Further, the act is not empowering local government as claimed in the presentations by DELWP staff. The Act is tightening control of the sector through prescription and direction. There are reservations around the use of Ministerial direction to impose additional requirements upon local government which will again result in 'big brother' approach and introduction of more prescriptive requirements. We need more of a self-governing approach to local government, and let the local community be its jury, not the state government. State government should work with the local government sector on a partnership approach to achieve consistency of best-practice throughout councils. This will lead to greater knowledge sharing, collaboration and partnership on best-practice and service delivery. In this way the needs and diversity of the local government sector will be reflected.

### Direction 139 proposes to:

Include an overarching statement of the Act's objectives, intended outcomes and a plan of the remaining provisions in the Act.

Do you support this direction?  Yes  No

### What other comments would you make for this proposal?

But we have concerns with the principle of stripping down the act and using regulations and guidelines that will be issued by the minister without the rigour of consultation on the Act changes. That is, we are not sure what we are agreeing on in principle at a high level not having been exposed to the detail.

### Direction 140 proposes to:

Include high-level statements to frame the structure, language and content of the remainder of the Act, including new sections setting out the roles and functions and powers of councils.

Do you support this direction?  Yes  No

### What other comments would you make for this proposal?

### Direction 141 proposes to:

Include a general power for the minister to make Regulations setting out the requirements councils must meet when exercising their powers or discharging their responsibilities under the Act (for example, requirements about the conduct of elections and mandated obligations under the councillor code of conduct

framework). Include in this power capacity for other relevant subordinate legislation (such as legislative instruments like ministerial orders and governor-in-council orders) with the subordinate legislation only relating to matters permitted by the Act.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

But we have concerns with the principle of stripping down the act and using regulations and guidelines that will be issued by the minister without the rigour of consultation on the Act changes. That is, we are not sure what we are agreeing on in principle at a high level not having been exposed to the detail.

**Direction 142 proposes to:**

Empower the minister to release a council from the processes set out in Regulations if the council can show it is successfully discharging its obligations under the Act using different processes.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 143 proposes to:**

Include a general power for the minister to make guidelines to supplement Regulations on any issue related to the Act (such as best-practice versions of documents councils must adopt like councillor codes of conduct, budget documents, meeting procedures and councillor briefing processes). The presumption would be that, by adopting these best-practice documents, a council would comply with the Act and Regulations.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

But we have concerns with the principle of stripping down the act and using regulations and guidelines that will be issued by the minister without the rigour of consultation on the Act changes. That is, we are not sure what we are agreeing on in principle at a high level not having been exposed to the detail.

**Direction 144 proposes to:**

Empower the minister through the ministerial directions power to require a council to adopt these best-practice policies and procedures where there have been governance failures.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 145 proposes to:**

Require councils to take the following principles into account when performing their functions and exercising their powers:

- the need for transparency and accountability
- the need for deliberative community engagement
- the principles of sound financial management

- the economic, social and environmental sustainability of the municipality
- the potential for cooperation with other councils, tiers of government or other organisations
- plans and policies in relation to the municipality, region, state and nation

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 146 proposes to:**

Retain the current power of the minister to intervene where a council does not comply with the obligations set out in the Act or regulations by imposing a municipal monitor or by issuing a ministerial governance direction.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 147 proposes to:**

Include a general power for the minister to make Regulations setting out the detailed requirements of councils when exercising their powers or discharging their responsibilities under the Act (such as requirements about the conduct of elections and mandated obligations under the councillor code of conduct framework). Include in this power other relevant subordinate legislation.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

But we have concerns with the principle of stripping down the act and using regulations and guidelines that will be issued by the minister without the rigour of consultation on the Act changes. That is we are not sure what we are agreeing on in principle at a high level not having been exposed to the detail.

**Direction 148 proposes to:**

Empower the minister to release a council from the processes set out in Regulations if the council can show it is successfully discharging its obligations under the Act using different processes.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 149 proposes to:**

Provide guidance to the sector in relation to governance, compliance and best practice. This guidance will be in the form of guidelines and formal and informal advice to the sector.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

But we have concerns with the principle of stripping down the act and using regulations and guidelines that will be issued by the minister without the rigour of consultation on the Act changes.

**Direction 150 proposes to:**

Create best-practice versions of essential documents that councils are required to adopt. Adoption of these best-practice documents will constitute compliance.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

Council supports creating best-practice versions, in partnership with local councils, of essential documents which councils can adopt. Adoption of these best-practice documents will also assist to constitute compliance. The key here is the use of terms partnership and for a choice to be retained by local government.

**Direction 151 proposes to:**

The minister will have a power under the new Act to require the council to adopt best-practice policies and procedures as part of a governance order where governance issues have been identified.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

But we have concerns with the principle of stripping down the act and using regulations and guidelines that will be issued by the minister without the rigour of consultation on the Act changes. That is we are not sure what we are agreeing on in principle at a high level not having been exposed to the detail.

**Direction 152 proposes to:**

Incorporate relevant portions of Part 9, Division 2 and schedules 10 and 11 of the current Act into the *Road Management Act 2004* (or other relevant legislation), to better consolidate the legislation dealing with road management.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

But need to see the details.

**Direction 153 proposes to:**

Clarify the role of councils in local drainage, waterways and flood management. Consult about whether these are included in the new Act or in the *Water Act 1989*.

**Do you support this direction?**  Yes  No

**What other comments would you make for this proposal?**

But need to see the details.

**Direction 154 proposes to:**

List all Acts that impose obligations on councils in a schedule in the new Act, to be updated as new legislation is enacted.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 155 proposes to:**

Repeal the *City of Greater Geelong Act 1993* and include relevant provisions in the new Act.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 156 proposes to:**

Retain the *City of Melbourne Act 1993* as a separate Act with the City of Melbourne retaining its distinct electoral provisions. Consider ways to modernise the Act and remove redundant or outdated provisions.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

**Direction 157 proposes to:**

Consider matters relating to the *Municipal Associations Act 1907* independently of this directions paper in consultation with the Municipal Association of Victoria.

Do you support this direction?  Yes  No

What other comments would you make for this proposal?

# Terms and conditions of this submission paper

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Bang the Table takes the privacy of the participants using this site very seriously.

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## DELWP (Review of Local Govt Act 1989) - Privacy Policy

### Who do I contact for more information?

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### What information do we collect?

#### ***Basic Identifying Information***

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- Screen Name
- Email Address

#### ***Demographic Information***

Additional demographic information such as your age, sex, suburb and interests may also be collected at this time.

### Why do we collect this information?

#### ***To Collect and Collate your Feedback to Inform Better Policy***

The principle reason for collecting this information is to help inform the creation of better policy. The information is therefore provided to DELWP (Review of Local Govt Act 1989) for analysis and interpretation at their discretion.

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### ***To Improve the Website & Software***

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### **Who has access to this information?**

When you sign up for a user account you provide three types of information:

1. Publicly available information
2. Information available to both DELWP (Review of Local Govt Act 1989) and Bang the Table
3. Information available to Bang the Table only

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Publicly available information is limited to your screen name and any comments you leave under that name in the forums or other tools on the site.

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# Attachment - Item 10.2.1(b)

# DRAFT MAV SUBMISSION ON THE LOCAL GOVERNMENT ACT REVIEW DIRECTIONS PAPER

## INTRODUCTION

Thank you for the opportunity to provide a submission on behalf of the Victorian local government sector on the Directions for a new Local Government Act. I trust the sector's views will be afforded due consideration.

The discussion paper and the directions paper are critical of the current Act. They have described the Act as, amongst other things, being outdated and flawed, lacking coherence and having technical shortcomings. These views are not shared by the sector. The opportunity to conduct a comprehensive review of the Act was widely supported by the sector as an opportunity to provide greater autonomy to councils, remove some of the layers of prescription and make some further improvements. The current Act has evolved considerably over the years as evidenced by the number of amendments that have been made to it. Many of these amendments have been in response to emerging issues and community expectations. In many respects the changes to the Act have kept pace with contemporary expectations. Generally, the sector does not believe the current Act is "broken". The fact that the directions paper envisages transferring many of the provisions in the current Act to the new Act with little or no change seems to support this view. It is considered that there are many parts of the existing Act that have stood the test of time and/or have kept pace with contemporary society. We caution on not throwing the baby out with the bath water.

Undoubtedly, the sector accepted the State's rhetoric, which reflected the expectations of the sector of an Act with broad enabling powers, greater autonomy for councils and less prescription. The directions paper has fallen well short of providing a solid base for this result. Although it removes some provisions that are redundant or of little value, these provisions are generally of low impact in terms of council resources. On the other side of the ledger, the directions paper now proposes a significant increase in statutory requirements and greater prescription in a number of areas. And these requirements and prescription are, in some cases, high impact in terms of resources and of questionable value to councils and the communities they serve.

We are very concerned that in an extremely tight fiscal environment underpinned by rate capping, further requirements and prescription proposed in the directions paper will add substantially to council costs without any increase in the efficiency of council operations. The cost of compliance should be a practical consideration wherever additional requirements and prescription is proposed.

While we recognise that this is a directions paper and much of the detail will need to be developed, we are reluctant in a number of cases to support a general direction without knowing the detail.

We believe that considerably more consultation on a number of issues is required. This is particularly so in relation to the rating provisions and on those items where the detail is still to be clarified and developed. Notwithstanding this, the timetable for this review provides 9 months (2017 – Q1-3) for drafting of exposure draft bill and three months (2017 – Q4) within which to conduct consultation on the exposure draft bill, get Government approval of the Bill and introduce the bill to parliament. We ask that you review the timetable to enable meaningful consultation on the draft bill to occur so that the strategic, administrative and cost consequences of the detailed provisions may be subject to appropriate scrutiny and review.

## Chapter 2: Contemporary Councils Capable of Meeting Future Challenges

### Proposed Direction 1 – Legal characteristics

1. *Require councils to take the following overarching principles into account when performing their functions and exercising their powers:*
  - *The need for transparency and accountability*
  - *The need for deliberative community engagement processes*
  - *The principles of sound financial management*
  - *The economic, social and environmental sustainability of the municipality*
  - *The potential to cooperate with other councils, tiers of government and organisations*
  - *Plans and policies about municipality, region, state and nation*
  - *The need for innovation and continuous improvement*
  - *Any other requirements under the Act or other state or federal legislation*

Commentary:

It is proposed that councils take these overarching principles into account when performing their functions and exercising their powers. The set of principles and the provisions for the role of a council will replace the charter provisions in the current Act. One of the principles is the “need for deliberative community engagement processes”. This is commented on later in this submission. It is considered that this principle should simply reflect the need for appropriate community engagement processes. It is also considered that the fourth dot point should include cultural sustainability. This is commented on further in relation to proposed direction 145.

MAV position:

The proposed overarching principles be supported subject to the principle relating to community engagement being amended to “the need for appropriate community engagement processes” and the inclusion of cultural sustainability in the fourth dot point (refer also to proposed direction 145).

### Proposed Direction 2 – Councils’ role

2. *Provide that the role of a council is to:*
  - *Plan for and ensure the delivery of services, infrastructure and amenity for its municipality, informed by deliberative community engagement*
  - *Collaborate with other councils, tiers of government and organisations*
  - *Act as an advocate for its local community*
  - *Perform functions required under the Act and any other legislation*

Commentary:

This provides a limited perspective of the role of a council, focussing on the service delivery function rather than the primary governmental role that positions local government as the provider of leadership within the municipality.

In conjunction with the “overarching principles”, this limited descriptor is intended to replace the charter provisions in the current Act. Preliminary feedback is supportive of the existing

charter, particularly the recognition of local government as government. It is proposed that the retention of the existing description in the charter be retained.

Again, it is considered that the word “deliberative” in relation to community engagement is not required in this context.

MAV position:

That the proposed role of a council reflect the current role as described in the Charter, with a focus on the role of local government in providing leadership within each municipality. Any description of “community engagement” should not include ‘deliberative’ for the reasons previously given.

### **Proposed Direction 3 – Councils’ powers**

3. *Provide that councils have the powers described in the Act and in other legislation.*

Commentary:

This is an overarching provision that specifies councils have the powers described in the Act and in other legislation. This is intended to overcome any confusion between the current provisions which mix general and specific powers.

MAV position:

That this proposal be supported.

### **Proposed Direction 4 – Mayors leading councils**

4. *Make the following reforms to the election of mayors:*

- *Elect all mayors for two-year terms*
- *Retain election of the mayor by their fellow councillors for most councils*
- *Provide the minister with power to approve the direct election of mayors for councils where:*
  - *The size of the council is sufficient to support the additional costs of direct election*
  - *The significance of the council in its own terms or in terms of the region in which it is situated supports a directly elected mayor*
  - *Community consultation provides evidence of strong support for a directly elected mayor, recognising the additional costs to the community*

Commentary:

The current Act provides for councils to elect a mayor for a two year term if they so choose. Councils can also elect a mayor for a one year term and then elect the same person for additional consecutive terms. Electing a mayor for a two-year term may discount well-credentialed councillors who are not prepared or able to commit for a two-year term. For example, those who need to take leave of absence from their employment, reduce their work hours or make other arrangements so as to be available to properly discharge the role of mayor. There is a real risk that it might entrench the semi-retired into the role at the expense of younger people, those with young families and those with a serious career. This would hardly be representative of the communities they serve. It is considered that the current legislative provisions provide the flexibility for a council to elect a mayor for a one-year term,

to evaluate their performance in the role and consider whether to re-elect the person for a further term(s).

It is considered that the election of mayors by their fellow councillors should be retained. The directions paper does not present any compelling arguments for the direct elections of mayors from the community. It is considered that any consideration of direct election of the mayor for other than the City of Melbourne should be subject to the development of a research paper and extensive consultation with the sector and the wider community.

MAV position:

That:

- That the proposal to elect mayors for two year terms be opposed and that the retention of the existing provisions be supported
- That the current provisions for the election of mayors by their fellow councillors be retained and that any consideration of direct election of mayor be subject to an in-depth consideration of the proposal including extensive consultation with the sector and the wider community.

#### **Proposed Direction 5 – Mayoral role and powers**

5. *Expand the role of the mayor to include the following powers and responsibilities:*
- *To lead engagement with the community on the development, and the reporting to the community at least annually about the implementation, of the council plan*
  - *To require the CEO to report to the council about the implementation of council decisions*
  - *To appoint chairs of council committees and appoint councillors to external committees that seek council representation*
  - *To support councillors – and promote their good behaviour – to understand the separation of responsibilities between the elected and administrative arms of the council*
  - *To remove a councillor from a meeting if the councillor disrupts the meeting*
  - *To mutually set council meeting agendas with the CEO*
  - *To be informed by the CEO before the CEO undertakes any significant organisational restructuring that affects the council plan*
  - *To lead and report to council on oversight of the CEO's performance*
  - *To be a spokesperson for the council and represent it in the conduct of civic duties*

Commentary:

The directions paper makes the point that “In any new Act, it is clear that a mayor should not be expected to have powers that negate the democratic responsibilities of other councillors for decision-making”. It is also considered that any changes should not add to any further confusion in the community about the role and powers of the mayor. In these contexts, it is not considered appropriate or necessary for the mayor to lead community engagement or to report on the implementation of the council plan. Implementation of the council plan should be reported on in the annual report. The council should decide how they will communicate their plans over and above through their annual report. All councillors should have the opportunity to participate in community engagement processes as they see fit.

Most, if not all, CEO's report to their council on the implementation of decisions and are assessed on this in their performance reviews. The proposition that CEO's have a legislative obligation (which appears under the mayoral role and powers) to report to council on implementation of council decisions made over an unspecified period, without a rationale being provided in either paper, is not supported. The regularity and form of any reports should be a matter for council determination and not the subject of legislative provision.

Appointees to external committees are representatives of the council. They should be chosen by, and have the support of, the council.

The role of the mayor in supporting councillors and promoting their good behaviour is supported. This would also make it clear that it is not the responsibility of the CEO to become involved in these matters, except through the function of supporting the mayor in the discharge of his/her role.

Some councils already have a power in their local laws for the mayor (chair) to remove a councillor for disruptive behaviour. It is considered that while this is supported in principle it should be confined to exceptional circumstances with appropriate safeguards, including a review process, to ensure that it is not used for political purposes.

In relation to the proposal for the mayor to mutually set council agendas with the CEO, this conflicts with the requirement of the CEO to consult with the mayor. This is not considered a necessary legislative provision. The CEO should be able to bring matters before the council without the prospect of intervention by the mayor, whatever the motivation. The mayor and councillors liaise with the CEO on a regular basis on what items are listed to come to council. The mayor and councillors have other avenues to bring matters before the council should they wish to do so.

It is proposed that the mayor be informed by the CEO before the CEO undertakes any significant organisational restructuring that affects the council plan. This is presented as being a power or responsibility of the mayor yet it is merely a requirement that the mayor be 'informed' of a particular circumstance. It is still intended that the CEO be responsible for establishing an organisational structure and for all matters related to staff. The directions paper states that "it would support the mayoral office if the CEO was required to engage with the mayor before making certain types of major decisions about the organisation". It is difficult to understand the objective of this requirement and it has the potential to blur the lines of accountability. This proposed direction is not supported.

The proposal for the mayor to lead and report on the oversight of the CEO's performance reflects the arrangements that currently exist in most councils. This proposal should be supported. The proposal that the mayor be the spokesperson for the council and represent it in the conduct of civic duties also reflects current practice and should be supported.

MAV position:

That:

- The proposals for the mayor to lead community engagement or to report on the implementation of the council plan are not supported
- Appointments to chairs of committees and external committees should have the support of the council and should be made by the council
- The proposition that the CEO report on the implementation of council decisions is more appropriately a matter for individual councils and does not warrant legislative provision

- The proposal for the mayor to support councillors and promote their good behaviour is supported
- The power for the mayor to remove a councillor from a meeting for disruptive behaviour is supported in principle subject to appropriate safeguards and review processes
- The proposal for the mayor to set council agendas with the CEO is opposed as it potentially exposes an administrative function to interference
- The proposition that the mayor be informed by the CEO before the CEO undertakes any significant organisational restructuring that affects the council plan is opposed because it blurs accountability lines
- The proposal that the mayor oversees the CEO's performance review and is the spokesperson and civic representative is supported

### **Proposed Direction 6 – Mayoral allowances**

6. *Review the formula for setting mayoral allowances in light of the proposed expanded role of mayors.*

Commentary:

Currently the upper limit for mayoral allowances is set according to which of the three categories a council is in. It is considered that a review of mayoral allowances might be opportune given the time commitments required for the discharge of the mayoral role. The opportunity should also be taken to review the allowances of councillors.

MAV position:

That the proposed review of mayoral allowances be supported and that this be done in conjunction with a review of councillor allowances.

### **Proposed Direction 7 – Local Government Mayoral Advisory Panel**

7. *Formalise the status of the Local Government Mayoral Advisory Panel (LGMAP) by making it a statutory advisory board to the minister under the Local Government Act.*

Commentary:

It is proposed that the mayoral advisory panel be made a statutory advisory board to the minister consisting of at least 5 mayors appointed by the minister. It is considered that any consultation mechanism between the sector and the minister will be in the interests of local government. It is considered that a proper structure, a clear and transparent process for appointment of representatives and clear and transparent reporting arrangements to the sector on issues to be considered and outcomes should be developed in conjunction with and with the agreement of the sector.

MAV position:

That the proposal be supported subject to the development of a clear structure and appointment process for the role and selection of the committee, including clear and transparent reporting arrangements, in conjunction with and by agreement with the sector.

### **Proposed Directions 8 & 9 – Deputy mayor**

8. *Require all councils to appoint a deputy elected in a manner consistent with the mayor. That is:*

- *Where councillor elect their mayor, councillors elect the deputy mayor for the same two-year period*
  - *Where the mayor is directly elected, a deputy mayor is jointly elected with the mayor on the same ticket*
9. *Consider deputy mayoral allowances in light of the expanded role of the deputy mayors.*

Commentary:

The directions paper suggests that it may be useful for the mayor to have a designated deputy in certain circumstances (e.g. takes leave, absent from a meeting, cannot attend civic functions or resigns or is disqualified from office). It is considered the earlier opposition to directly elected mayors and deputies should be maintained until a comprehensive review is undertaken. It is also considered that councils should continue to have the discretion to decide whether or not to appoint a deputy mayor. The issue of replacing a mayor who resigns or is disqualified is procedurally straight forward where the mayor is elected by the fellow councillors - a replacement can be elected quickly. It only becomes time consuming and expensive where the mayor is popularly elected. The other roles envisaged for a deputy can either be performed by a deputy mayor or another councillor. In relation to considering deputy mayoral allowances, it is not clear what the expanded role is (other than filling in for the mayor on occasions). The proposal might well involve additional costs to council.

MAV position:

That:

- Support for the retention of the current provisions for the election of mayors by their fellow councillors be restated until a full and comprehensive review of the pros and cons of the direct election of mayors is undertaken.
- The election of a deputy mayor for a two-year term be opposed for the same reasons as the election of a mayor for two-years, on the basis that this should be at the discretion of the council
- A separate allowance for the deputy mayor is not warranted and would add additional costs to a council's operations
- The position of deputy mayor should not be mandated and councils should continue to have the discretion to decide whether or not to appoint a deputy mayor

### **Proposed Directions 10, 11 &12 – Councillors**

10. *Require councillors to actively participate in engagement processes mandated by the Act.*
11. *Require councillors to recognise and support the role of the mayor specified in the Act.*
12. *Provide that councillors are entitled to all relevant entitlements consistent with other significant public offices (such as for disability support, maternity leave and childcare).*

Commentary:

Councillors are elected representatives. They should engage with the community through a variety of mechanisms to assist them to inform themselves and to perform their role. Councillors should also be accessible to the community. Notwithstanding this, it is not clear what the implications of direction 10 which requires councillors to actively participate in engagement processes mandated by the Act actually involves. As elected representatives,



councillors should determine how they will engage with the community and their accessibility. In addition, where a councillor expresses a view, as part of community engagement on an administrative process they may be in breach of the requirement to keep an open mind and as a consequence, be perceived as biased. In all circumstances, Councillors are expected to make decisions after understanding the entire spectrum of views and the information provided to them and the proper discharge of this role is more important than a legislative expectation that councillors 'actively participate' in engagement processes.

Direction 11 requires councillors to recognise and support the role of the mayor. Again, it is unclear how this can be required and how it would be demonstrated and assessed. While the sentiment may be laudable, its legislative value is unclear. How, for instance, would a councillor support the role of mayor where he or she alleges that the mayor has failed to comply with an obligation imposed on him or her?

Councillors should be supported in all facets of their role and should enjoy the same entitlements as other elected representatives. This was the subject of an MAV State Council resolution in May 2016 to advocate to the State Government to have maternity and paternity leave entitlements for Victorian councillors recognised and incorporated into the Local Government Act 1989 and the new Local Government Act. This direction is fully supported.

MAV position:

That:

- The participation of councillors in engagement processes should be at the discretion of individual councillors and the role of councillors should be separate to the role of participants
- The general sentiment that councillors recognise and support the role of the mayor be supported subject to the intent of the provision being clarified
- The extension of support common to other senior public offices to councillors be fully supported.

### **Proposed Direction 13 – Chief Executive Officer**

*13. Require the CEO to provide support to the mayor by:*

- *Consulting the mayor when setting council agendas*
- *Keeping the mayor informed about progress implementing significant council decisions, including reporting on implementation when asked to do so*
- *Providing information the mayor requires to meet the responsibilities of the role*
- *Informing the mayor before making significant organisation changes that affect the council plan*
- *Supporting the mayor in their leadership role (such as by ensuring adequate council resources and access to staff for the proper conduct of council meetings and for civic engagements).*

Commentary:

This direction provides for consulting the mayor when setting council agendas. This conflicts with Direction 5 which provides for the mayor to mutually set council agendas with the CEO. As with direction 5, this is considered to be an administrative function of the CEO and should not be open to politicisation.

It is considered that the CEO should keep the mayor and councillors informed on the implementation of significant council decisions. This proposed direction is at cross purposes with the second dot point of proposed direction 5 which requires “the CEO to report to the council about the implementation of council decisions”. Councils can legitimately direct the CEO to do this. It does not warrant legislative force.

The provision of information to the mayor that is required to meet the responsibilities of the role is fully supported.

In relation to the requirement to inform the mayor before making significant organisational changes that affect the council plan – the objective is unclear and the proposal blurs the accountability line.

Support for the mayor to perform their leadership role is, and should, continue to be a function of the CEO.

MAV position

That:

- The setting of council agendas is considered to be an administrative function of the CEO and should not be exposed to politicisation by the mayor
- The proposition that the CEO keep the mayor and councillors informed on the progress of implementing significant decisions is fully supported in principle, but the need to legislate the requirement is not considered to be warranted (noting the discrepancy with the second dot point of proposed direction 5)
- The requirement to provide the mayor with information to meet the responsibilities of the role is fully supported
- The proposal that the CEO be required to inform the mayor before making significant organisational changes is opposed because there is no clear objective and it blurs the accountability line
- Supporting the mayor in their leadership role is fully supported.

#### **Proposed directions 14, 15 & 16 – CEO remuneration and contract management**

- 14. Require all councils to have a CEO remuneration policy that broadly aligns with the Remuneration Principles of the Victorian Public Sector Commission’s Policy on Executive Remuneration for Public Entities in the Broader Public Sector*
- 15. Require the audit and risk committee to monitor and report on a council’s performance against the remuneration policy*
- 16. Require the mayor to get independent advice in overseeing CEO recruitment, contractual arrangements and performance monitoring (Note also direction 52 on transparency of CEO remuneration policy)*

Commentary:

Direction 14 provides for councils to have a CEO remuneration policy. This is considered to be a positive transparency mechanism and is supported. The proposition that the audit and risk committee monitor and report on the council’s performance against the remuneration policy is also considered to be a sound independent review. However, this is only one item in an expanded role envisaged for the audit and risk committee which will detract from the key audit and risk role and require members with additional expertise. There are concerns at the capacity of some audit committees to attract the level of expertise required to perform the expanded role. There are also financial implications associated with the expanded role.

Direction 16 requires the mayor to get independent advice in relation to overseeing recruitment, contractual arrangements and performance monitoring. It is considered that this should not be a requirement but at the individual council's discretion depending on their level of expertise.

MAV position

That:

- That the requirement to have a CEO remuneration policy be supported
- The requirement that the audit and risk committee monitor and report on a council's performance against the remuneration policy be supported in principle
- The expanded role envisaged for the audit and risk committee be further considered
- The requirement for a council to obtain independent advice in relation to CEO matters be at the discretion of the council instead of being mandated

### **Proposed Directions 17, 18 & 19 – Council decision-making – removing unnecessary prescription**

- 17. Remove detailed prescription about council decision-making processes from the Act*
- 18. Include higher level principles about council decision-making processes: namely that they be open and accountable*
- 19. Require councils to adopt a set of rules concerning internal council processes that are consistent with the high level principles in the Act*

Commentary

Key council meeting procedures should be consistent across councils so that the community can understand the processes when dealing with different councils. The current provisions have worked well across the sector. It is considered that the current provisions should be included in the new Act.

While the notion of high level principles is supported, the current provisions provide for open and accountable meeting arrangements. Councils currently adopt meeting procedure local laws that are consistent with the current legislative provisions.

MAV position

That the retention of the existing provisions for council decision-making processes be supported.

### **Proposed Direction 20 – Giving primacy to open decision-making**

- 20. Include in the new Act that a council may determine that information is confidential if:*
  - *It affects the security of the council, councillors or council staff*
  - *It would prejudice enforcement of the law*
  - *It would be privileged from production in legal proceedings*
  - *It would involve unreasonable disclosure of a person's personal affairs*
  - *It relates to trade secrets or would disadvantage a commercial undertaking*

The intent of this direction is that as an organisation serving the public, councils should avoid dealing with matters in confidence unless exceptional circumstances require confidentiality. Transparency in decision-making should continue to be a hallmark of local government. It is considered that this proposed direction needs further consideration. It removes the ability for a council to go into closed session to debate the merits of dealing with a matter in closed session. It is also unclear whether the fifth dot point would enable councils to deal with the

acceptance of tenders and contractual matters in a confidential session. If the consequence of these provisions is open tendering, this may result in tenderers being reluctant to tender for local government work.

MAV position

That the proposed direction be supported in principle subject to further consideration of the treatment of acceptance of tenders and the ability for a council to debate the merits of dealing with a matter confidentially in closed session.

### **Proposed Directions 20 & 21 – Committees making delegated decisions**

- 21. Require a committee to which a council may delegate any of its powers to be known as a special committee and require it to include at least two members who are councillors*
- 22. Allow councils to establish administrative committees to manage halls and reserves, with limited delegated powers including limits on expenditure and procurement; and for councils to approve annually committee rules that specify the roles and obligations of administrative committee members.*

Commentary

Councils can currently delegate a wide range of decisions to committees that may be made up of any combination of councillors, council staff or members of the public called special committees. In practice many special committees are either committees of councillors or are small local community committees that manage local halls and reserves. The intent of this direction is to reflect actual practice and to minimise risk exposure of community committees that operate remotely from the council.

MAV position

That proposed directions 20 and 21 be supported in principle.

### **Proposed Directions 23 & 24 – Simplifying committee types**

- 23. Apply legislative provisions exclusively to special committees that have delegated council powers and to administrative committees (as described in the proposed direction above)*
- 24. Remove from the Act provisions regulating assemblies of councillors, leaving councils to deal with issues of public transparency about these or any other advisory committees as part of the council's internal rules.*

Commentary

The proposal to apply legislative provisions to decision-making committees (special and administrative committees) is supported in principle. Advisory committees and the like should be established and conducted at the discretion of council. It is unclear what conflict of interest provisions would apply to those types of committees that are currently termed as assemblies of councillors. It is considered that a person who has a conflict of interest in a matter should not be able to participate and vote on a matter in an advisory committee or similar type committee.

MAV position

That directions 23 and 24 be supported in principle subject to further clarification in relation to the application of conflict of interest provisions to advisory committees.

## **Proposed Directions 25, 26 & 27 – Council staff**

- 25. Remove matters about employing council staff from the Act*
- 26. Require the CEO to establish a workforce plan that describes the council's staffing structure including future needs; that the plan include a requirement that it can only be changed in consultation with staff; and that the plan be available to the mayor and to staff*
- 27. Require a council CEO to consult the staff if there is a major organisational restructure.*

### Commentary:

The directions paper asserts that many of the provisions relating to staff duplicate other legislation. While this may be so, it is considered that the provisions relating to the appointment of the CEO and contractual arrangements for senior officers should be retained in the new Act. Only those provisions where there is clear duplication should be removed.

Direction 26 proposes that the CEO establishes a workforce plan. This is a sound governance practice and should be supported. The workforce plan may need to be changed as a result of council decisions on service provision and budget decisions. It is not clear how staff consultation would work in these situations.

While direction 27 is reasonable, it is a matter that would be covered in a council's EBA and doesn't require legislative provision.

### MAV position

#### That

- The removal of those staffing matters that are duplications of other legislation be supported in principle
- The provisions relation to the CEO and senior officers in relation to contracts be retained in the new Act
- The requirement for the CEO to establish a workforce plan be supported in principle subject to further consideration of the practical effects of council decisions on service provision and resourcing and staff consultation
- Direction 27 is not considered warranted as its intent will already be covered in a council's EBA provisions.

## **Proposed Directions 28 to 33 – Local laws**

- 28. Require a community consultation process before making or varying a local law*
- 29. Include in the Act principles that local laws must meet and require that a council, after receiving advice from an appropriately qualified person, certify that the local law meets these principles*
- 30. Retain the power of the Governor in Council, on the recommendation of the minister, to revoke a local law that is inconsistent with the principles*
- 31. Note that model local laws may be issued as guidelines on various matters to achieve greater quality, consistency and scrutiny. These would be based on best-practice local laws*
- 32. Consult to determine the appropriate value of a penalty unit for local laws and whether the value should be indexed annually*
- 33. Remove the requirement to submit local laws to the minister*

### Commentary

The directions paper identifies the key issues as being the quality of some local laws and the inconsistency of local laws with differences between councils with regard to content and enforcement mechanisms. Differences in content between council local laws often reflect local issues that arise in one council to a greater or lesser extent than in another. The current arrangements allow councils to target local issues of concern. Notwithstanding this, the sector has supported the development of best practice local laws for some time. This would provide a sound basis for councils to tailor the best practice content to local circumstances. The issue of the value of a penalty unit has been a concern to the sector for many years. In many situations it is no longer an effective deterrent. A number of submissions have been made to the government to review the value of a penalty unit. This is strongly supported.

MAV position

That proposed directions 28 to 33 be supported in principle with strong support for the development of best practice local laws and urgent review of the value of a penalty unit.

### **Chapter 3 – Democratic and Representative Councils**

#### **Proposed Direction 34 – Determining council numbers accounting for population growth**

*34. Extend the band (currently 5-12) for the number of councillors per council to 5-15 and provide the minister with the power to increase the number of councillors per council within this band after receiving advice of the VEC.*

This is proposed to respond to rapid and sustained population growth in some municipalities. This was advocated by MAV in response to the discussion paper.

MAV position

That direction 34 be supported.

#### **Proposed Direction 35 – consistency in determining councillor numbers**

*35. Include in Regulations a formula for determining councillor numbers and require that the VEC consistently apply it. Base the formula on the ratio of councillors to residents, mediated by the geographic scale of the local government area, loading councillor numbers by one, two or three for geographically vast local government areas.*

Commentary

It is considered that because of the variety of local government areas, there should be flexibility in determining the number of councillors based on local circumstances in conjunction with a review of the ward structure. The proposed direction limits this flexibility. The formula that the VEC currently uses in its reviews could form the basis for further discussion in relation to current range of electoral structures.

MAV position

That proposed direction 35:

- be opposed on the ground that it does not provide sufficient flexibility for the number of councillors to reflect local circumstances
- further consultation take place on the current formula applied by the VEC

### **Proposed Direction 36 – Simpler and more consistent electoral structures**

36. *Allow for one of two representative structures – unsubdivided or entirely uniform multi-member wards to be applied in each municipality (Option 1)*

*Allow for one of three representative structures – unsubdivided, entirely uniform multi-member wards or entirely single member wards – to be applied in each municipality (Option 2)*

*Initially this would require the VEC to conduct representation reviews to arrive at new council structures for the first council elections after the Act is enacted.*

#### Commentary

There are currently five structural models available under the existing legislation. The VEC currently determines the structure by undertaking a representational review and recommending a structure to the minister. The directions paper states that the strength of the current arrangements is that it allows for the structure to be adapted to suit local circumstances and to account for communities of interest. The counter argument in the directions paper is that the weakness of the range of structures is that inconsistencies can lead to community perceptions of arbitrariness and that councils with both single and multi-member wards require two different ballot counting systems for the same election which can contribute to a community perception that votes are treated inconsistently. It is considered that the ability to apply a structure that better suits local circumstances and community interest should outweigh arguments based on community perception. It is proposed that the flexibility afforded by the current range of options should be retained in the new Act.

#### MAV position

That options 1 and 2 be opposed in favour of the current range of electoral structures being retained in the new Act.

### **Proposed Direction 37 – Rationalising electoral representation reviews**

37. *Subject to fixing councillor numbers by formula and reducing the range of representative structures, conduct future electoral representation reviews by exception when the minister directs the VEC to conduct a review on the basis of:*

- *Evidence of a marked increase in population in a municipality*
- *A request to the minister from a council or member of the community supported by evidence of the need for a review*
- *In response to a recommendation from the VEC*
- *On any grounds determined by the minister published in the government gazette*

#### Commentary

The proposition that representation reviews be conducted by exception (rather than every twelve years) when there are grounds for doing so is supported. The proposed direction ties the reviews to the proposed formula for fixing councillor numbers and reducing the range of representative structures. Undertaking representational reviews by exception does not need to be tied to the other proposals. Subdivision reviews (which focus on ensuring that the number of voters represented by each councillor per ward do not vary by more than 10%) should continue to be conducted as and when required.

#### MAV position

That:

- The conduct of representational reviews by exception be supported (irrespective of whether fixing councillor numbers by formula or a reduction in the range of representative structures are adopted)
- The arrangements for subdivision reviews continue in line with the arrangements set out in the current Act.

### **Proposed Direction 38 – Aligning ballot counting systems and reducing informality in voting**

*38. Introduce partial preferential voting, consistent with Victorian Legislative Council elections, for multi-member wards and unsubdivided elections, such that the voter is only required to mark the ballot paper with the number of consecutive preferences for which there are vacancies to be filled.*

#### Commentary

In May 2016, the MAV State Council passed a resolution to call on the State Government to request the Victorian Electoral Commission to report on the feasibility of implementing an optional preferential system based on senate reforms for elections with more than one vacancy. The directions paper supports unsubdivided and multi-member wards structures. This option would enable a single ballot-counting system to be possible. This would also enable partial preferential voting across the board. MAV has, elsewhere in this submission, opposed reducing the electoral structures to unsubdivided and multi-member wards only. The argument for partial preferential voting is that it reduces the number of informal votes. This is a positive objective and should be supported. It is not clear how this process would work in relation to a countback to fill a casual vacancy.

#### MAV position

That partial preferential voting be supported in principle subject to clarification of the arrangements that would apply in single member wards and in relation to a countback to fill a mid-term vacancy.

### **Proposed Direction 39 – Reflecting independent candidacy in filling casual vacancies**

*39. Implement a countback method to fill casual vacancies between general elections by which all valid votes cast at the general election would be counted, not just those of the vacating councillor (excluding the votes that made up the quotas of the continuing councillors).*

#### Commentary

Under the current system only the votes that elected the vacating councillor are counted. While this system might be suitable for the legislative council it is not suitable for local government. This proposal was advocated in the earlier MAV submission and provides for an improved democratic process for local government elections. It is fully supported.

#### MAV position

That proposed direction 39 be fully supported.

### **Proposed Direction 40 – Streamlining organisation of electoral provisions**

*40. Consolidate all electoral provisions in a schedule to the Act, arranged according to the model provided by the Electoral Act 2002; retain most provisions in the current*



*electoral regulations; and retain procedural matters (such as prescribing forms and setting fees) in Regulations.*

#### Commentary

The current electoral provisions are scattered throughout the Act, schedules to the Act and in Regulations. The objective of consolidating the electoral arrangements in a single location is supported. What is unclear is which provisions in the current electoral regulations will not be retained.

#### MAV position

That proposed direction 40 be supported in principle subject to clarification of which provisions in the current electoral regulations are not proposed to be retained.

#### **Proposed Direction 41 – Modernising the council franchise**

- 41. Make the entitlement to vote in a council election to be on the register of electors for the Victorian Legislative Assembly (the state roll) for an address in their municipality. Grandfather the voting entitlement of existing property-franchise voters in that municipality. Institute compulsory voting for all enrolled voters. **(Option 1)** Maintain the existing franchise but cease automatic enrolment of property owners and require these voters to apply to enrol for future council elections if they choose to do so. Institute compulsory voting for all enrolled voters. **(Option 2)***

#### Commentary

The current arrangements provide automatic enrolment of voters on the state roll, automatic enrolment of two owners of rateable property not resident in the municipality and on application for non- Australian citizens, up to two occupiers who are ratepayers and a representative of a corporation owning or occupying property.

The two options provide for a diminution of the current electoral franchise for local government. The current franchise provides for those people who are stakeholders in the local community to cast a vote. The proposed direction disenfranchises these stakeholders, including property owners and local employers. The proposal would enable people who have moved into a rental property for 3 months to vote at council elections but would disenfranchise property owners and businesses who, arguably, have a greater stake in the municipality.

It is considered that local government is best served by all stakeholders having an opportunity to vote in council elections. For this reason, both options 1 and 2 are opposed and retention of the existing franchise is supported.

#### MAV position

That options 1 and 2 of proposed direction 41 be opposed because they disenfranchise key stakeholders in the municipality and that retention of the franchise provisions in the current Act be supported.

#### **Proposed Directions 42 & 43 – Enforcing candidate qualifications**

- 42. Require the VEC to revise the candidate nomination form to require candidates to explicitly state that no disqualification conditions apply to them.*
- 43. Require a council CEO to complete a police check and a check of the Australian Securities and Investments Commission (ASIC) register of person disqualified under*

*the Corporations Act 2001 for elected candidates within 3 months after the general election (Option 1) or Require each candidate to submit a completed ASIC and police check when nominating (Option 2)*

#### Commentary

The proposed directions are designed to prevent ineligible candidates from taking office should they be elected. Direction 42 would require candidates to explicitly focus on the various grounds for disqualification and state that they do not apply to them. This is considered reasonable and is supported.

Direction 43 has two options. The first requires the CEO to undertake police and ASIC checks. The other requires all candidates to submit them at the time of nomination. The first option is a further requirement and financial impost on councils. The second option requires all candidates (not just successful candidates) to submit this documentation. This might have the effect of discouraging some legitimate/eligible candidates. An alternative would be to require successful candidates to submit an ASIC and police check to the CEO within 3 months of the general election.

#### MAV position

That:

- The revised nomination form be supported
- As an alternative to the options presented under proposed direction 43, that successful candidates be required to submit an ASIC and police check to the CEO within 3 months of the general elections.

#### **Proposed Direction 44 – Achieving consistency in voting method**

*44. Require adoption of a uniform voting method for council elections as determined by the minister after receiving advice from the VEC. Have the minister publish the method to be used in the government gazette 12 months before the general elections.*

#### Commentary

Of the 78 councils going to elections in 2016, 72 councils are conducting postal elections. 6 councils are conducting attendance elections. The directions paper sets out arguments in support of uniform postal voting across the sector. These relate to participation rates, voting formality and cost. It also puts the case that uniform voting would support a transition to electronic voting. The issues with the 2016 census would suggest that electronic voting is some way off.

This has been a vexed question for the sector for some time. The MAV has consistently maintained that councils should have the flexibility to use the system that they consider best suits their municipality. It is proposed to maintain this position.

#### MAV position

That the retention of postal and attendance voting in the new Act be supported.

## **Chapter 4: Councils, Communities and Participative Democracy**

### **Proposed Directions 45 to 50 – Community engagement on strategic and financial plans**

45. *Include deliberative community engagement as a principle in the Act and include in the role of a councillor the requirement to participate in deliberative community engagement, leaving the method to be determined by each council.*
46. *Require a council to prepare a community consultation and engagement policy early in its term to inform the four-year council plan and ten-year community plan.*
47. *Require a council to conduct a deliberative community engagement process to prepare its council plan and to demonstrate how the plan reflects the outcomes of the community engagement process.*
48. *Include in regulations that an engagement strategy must ensure:*
  - *The community informs the engagement process*
  - *The community is given adequate information to participate*
  - *The scope/remit of the consultation and areas subject to influence are clear*
  - *Those engaged are representative of the council's demographic profile*
49. *Require a council to complete its council plan by 31 December in the second year of its term, recognising the time required to conduct a deliberative community engagement process.*
50. *Require the mayor to report to the community each year about how the council plan has implemented the community's priorities as directed through the deliberative community engagement process.*

#### Commentary

The directions paper states that the current Act provides limited submission rights to the public about specific activities such as council plans and budgets. It mentions the submission arrangements for special rates and charges and regional library corporations. It contends that the current consultation arrangements are relatively passive: they are about informing the community or seeking comment on a position already largely determined. It states that leading councils are undertaking deliberative community engagement processes which allow their communities to shape policy and resource allocation. One example is the development of 10 year community plans through deep, deliberative engagement with the local community.

Proposed direction 45 provides for including deliberative community engagement as a principle in the Act and including it in the role of a councillor. Inclusion of deliberative community engagement as a principle in the Act is supported. The extension of this to elected representatives is not considered appropriate. (Refer to comments in relation to proposed direction 10)

Proposed direction 46, to require a council to prepare a community consultation and engagement policy, to inform the council plan and 10 year community plan, is reasonable and should be supported.

Proposed direction 47 takes the community consultation and engagement policy a step further by requiring a council to conduct a deliberative community engagement process to prepare its council plan and to reflect how the council plan reflects the outcomes of the community engagement process. Directions 46 and 47 provide for further prescription in how a council should operate. As a level of government in its own right, councils should have the discretion to determine appropriate levels of consultation for the range of plans, policies and strategies they are required to adopt. Parts of the directions paper, express dismay at the compliance mentality inherent in certain provisions of the current Act. These directions are further compliance requirements. The fact that a number of councils currently apply deliberative community engagement suggests that councils can and will use these methods where they believe they will add value. Deliberative community engagement can

be time consuming and costly. Councils should be able to consider these issues in the context of their overall operations and decide on how their resources are best utilised.

Proposed direction 48 is a further layer of prescription. It provides for regulations to further prescribe what should be covered in an engagement strategy. This is considered overly prescriptive and unnecessary.

Proposed direction 49 is to require a council to complete its council plan by 31 December in the second year of its term, recognising the time required to conduct a deliberative community engagement process. This will mean that a new council will not have a community plan in place for well over 12 months. The budget that the council will develop after the elections will not be based on any council plan. This disconnect between the budget and the council plan is unworkable. It is likely that the mid-year budget review (scheduled for when the council plan will be completed) will need to be amended to reflect the new council plan. This is likely to have implications for existing budget funding commitments. Overall, it highlights that the requirement for a deliberative community engagement process that will take in excess of a year to complete will have significant implications for the first year and more of a new council without a council plan and a budget designed to implement the council plan. This proposed direction is strongly opposed as poor governance.

Require the mayor to report to the community each year about how the council plan has implemented the council's priorities as directed through the deliberative community engagement process. This process will give the community the impression that the mayor is responsible for implementing the council plan. The papers have suggested that there is a misconception in the community about the role and powers of the mayor. This proposal will simply add to this misconception. It is considered that the council should report in its annual report on the implementation of the council plan and any community priorities. The current proposals would mean that the mayor report on the carryover council plan from the previous council. There would be no council plan to report on for the period from July to December of the second year of the council term. The mayor in the second term will be reporting to the community on a council plan that will cover 6 months and will not be synchronised with the budget for that year. This needs further consideration by the government.

#### MAV position

That:

- The principle of including deliberative community engagement in the Act be supported
- The requirement for councillors to participate in deliberative community engagement is unnecessary and inappropriate prescription on an elected representative and is opposed
- The requirement for a council to prepare a community consultation and engagement policy to inform the four-year council plan and 10 year community plan is supported
- Proposed direction 47 requiring a council to conduct a deliberative community engagement process to prepare its council plan is opposed on the grounds that it is over-prescriptive and should be a matter left to the council to consider in the preparation of its community consultation and engagement policy
- The proposed regulations (under proposed direction 48) are opposed on the grounds that they are over-prescriptive and unnecessary
- Proposed direction 49 requiring a council to complete its council plan by 31 December in the second year of its term be strongly opposed because:

- It will result in a council being without a council plan for 6 months
- It creates a disconnect between the council plan and the council budget
- Proposed direction 50 requiring the mayor to report to the community each year about the council plan is opposed because:
  - It will give the misleading impression to the community that the mayor is responsible for delivering the council plan (This should more appropriately be addressed in the council's annual report)
  - It is unworkable for the 6 month period when the council will not have a council plan.

### **Proposed Directions 51 to 53 – Transparency in public information related to council operations**

- 51. Require a council to publish on its website all documents and registers currently required to be kept on council premises and ensure this information is accessible to the public*
- 52. Require a council to publish its CEO remuneration policy on its website*
- 53. Regulate for minimum standards and include in guidelines best-practice processes for ensuring transparency and accountability in council operations and administration, basing the guidelines on current Melbourne City Council practices.*

Proposed direction 51 requiring the publication of documents and registers on the council's website is supported.

Similarly, the publication of the CEO's remuneration policy on a council's website is also a transparency initiative and is supported.

While the intent of publishing information relating to a council's operations and administration is supported in principle, it is difficult to comment in the absence of the detail of any regulations and best practice guidelines. There may be resource implications for some councils depending on the requirements.

That:

- Proposed directions 51 and 52 be supported as sound governance and transparency measures
- Proposed direction 53 be supported in principle subject to further detail on the regulations and guidelines

### **Proposed Directions 54 & 55 – Consistency in complaint handling**

- 54. Include in the Act a definition of a customer complaint consistent with the Ombudsman's recommendation of as it an "expression of dissatisfaction with the quality of an action taken, decision made or service provided by a council or its contractor or a delay or failure in providing a service, taking an action or making a decision by a council or its contractor" but with the addition that the customer has been directly affected by the action.*
- 55. Require a council to develop a policy about customer complaints that includes a process for dealing with customer complaints, and that the process contain an avenue for independent review that is clearly accessible to the public. Policy and statutory decisions of the council would not be subject to the complaints policy.*

Commentary

This proposal has arisen out of a recommendation from the Ombudsman. The definition of a complaint would not be universally supported by all councils. The addition of the provision that the customer has been directly affected is an improvement over the Ombudsman's definition. If a council is to have a complaints policy, it makes sense to have a definition of a "complaint". The definition should be further refined in discussions with the sector.

Proposed direction 55 requires a council to develop a customer complaints policy and include an avenue for independent review. Some councils already have an avenue for internal review by a person who is not involved with the matter. A requirement for independent review will have resource implications for councils. It is considered reasonable for councils to have a customer complaints policy. The content of the policy should be a matter for the council. An avenue for independent review already exists through the Ombudsman's office. The proposed direction exempts policy and statutory decisions of the council from the complaints policy. This should be broadened to encompass all decisions of the council.

MAV position

That:

- The definition of complaint should be subject to further discussions with the sector while acknowledging that the requirement that the customer be directly affected is an improvement over the Ombudsman's definition
- Proposed direction 55 for a council to develop a customer complaints policy be supported subject to no prescription in relation to policy content (independent review) and all decisions of the council being exempt from the policy

## Chapter 5: Strong Probity in Council Performance

### Proposed Directions 56 & 57 – Standards of conduct – councillor conduct framework

*56. Incorporate the current councillor conduct framework largely unamended in the Act, including*

- *The definitions*
- *The principal requirements imposed on councils and councillors, relevant statutory officers, principal councillor conduct registrars*
- *The role and powers of the minister and ministerial monitors and the Chief Municipal Inspector (CMI)*

*57. Include in Regulations all the processes specified in the current councillor conduct framework*

Commentary

The directions paper acknowledges that the current councillor conduct framework largely came into effect on 1 March 2016 and, at the time of preparing the paper, had not applied for long enough to assess its effectiveness to determine if some aspects could be improved. The proposed direction is to incorporate the framework largely unamended in the Act and to include the processes in regulations. It is agreed that there has been insufficient time to review the effectiveness of the current framework. At this time, the MAV supports the retention of the current framework; however, if shortcomings with the framework become obvious over the course of this review, further consultation should be undertaken with the sector to make amendments as part of the review of the Act.

MAV position

That retention of the current councillor conduct framework be supported in principle at this time subject to further review of the provisions if obvious shortcomings become apparent during the course of the review of the LGA.

### **Proposed Directions 58 & 59 – Release of confidential information**

- 58. Extend the offence of release of confidential information to council staff who unlawfully disclose confidential information*
- 59. This will make councillors and council staff liable to criminal prosecution for serious disclosures and liable to disciplinary action – councillors for serious misconduct through the councillor conduct panel process and council staff under their contract of employment – for less serious breaches*

The intent to protect and discourage the unlawful disclosure of confidential information is strongly supported. The directions paper draws a distinction between what is termed “more serious” breaches and “less serious” breaches. Depending on which category the breach falls into, different treatments will apply. While the principle is supported, more detail is required to understand how the provisions will operate in practice. It is unclear as to what investigative arrangements will apply where a council officer is accused of unlawful disclosure of confidential information.

MAV position

That the proposed directions be supported in principle subject the provision of more detail on the distinction between “more serious” and “less serious” breaches and the proposed investigative arrangements which would apply in relation to an officer suspected or accused of unlawfully disclosing confidential information (perhaps arrangements applicable to the public service might provide a useful model).

### **Proposed Directions 60, 61 & 62 – Conflicts of Interest**

- 60. Provide that a conflict of interest exists where:*
  - The councillor or a person with whom they are closely associated stands to gain a benefit or suffer a loss depending on the outcome of the decision (a “material conflict of interest”)*
  - The councillor has, or could reasonably be taken to have, a conflict between their personal interests and the public interest that could result in a decision contrary to the public interest*
- 61. Make a breach of conflict of interest subject to disciplinary action for serious misconduct through a councillor conduct panel, at the discretion of the CMI. The maximum penalty a councillor conduct panel can impose for serious misconduct is six month suspension from office and loss of a councillor allowance for that period*
- 62. Retain the capacity to prosecute a person in court for a conflict-of-interest breach when it involves failure to disclose a “material conflict-of-interest”. This is a criminal offence with a maximum fine of 120 penalty units and an associated disqualification from being a councillor for 8 years*

Commentary

The conflict of interest provisions have been changed a number of times over the years. Each change requires councillors, council staff and the community to get their heads around a new set of rules. The current provisions have evolved in response to the variety of issues that have arisen over the years. Anecdotal feedback from the sector suggests that the

current provisions are operating effectively. It is considered that the current provisions (with some minor amendment) should be retained.

It is not clear what constitutes “closely associated” in the proposed direction 60. It also provides that the person “stands to gain” a benefit rather than their being a reasonable prospect of that occurring. If proposed direction 60 is to proceed it should be subject to further discussion and refinement with the sector.

Proposed direction 61 vests the discretion to prosecute through a councillor conduct panel in the CMI. There should be clear guidance on the circumstances for a prosecution. It is also of concern that a councillor conduct panel can impose a 6 month suspension on a councillor. The effect of this is that the community does not have one of their representatives for a period of 6 months. The community has been quite vocal when a casual vacancy has occurred and not been filled, about the lack of representation during this time. This would present a similar situation. Further consideration needs to be given to this proposal.

The capacity to prosecute a person for a conflict of interest breach under the current or proposed provisions should be retained.

MAV position

That:

- The current conflict of interest provisions be retained in the new Act with any changes after consultation with the sector
- If the government intends to proceed with proposed direction 60, that further consultation take place with the sector
- In relation to proposed direction 61, concern be expressed at the discretion afforded the CMI and the representational implications for the community of having a councillor suspended for 6 months
- The retention of the capacity to prosecute a person in court for a conflict of interest breach is supported

### **Proposed Direction 63 – Misuse of position**

*63. Retain the current legislative provision on misuse of position.*

Commentary

The directions paper notes that no compelling suggestions for improving the current misuse-of-position provision were advanced in the submissions on the discussion paper. It is considered that the current provisions are sound and should be retained.

MAV position

That the current legislative provisions on misuse of position be retained.

### **Proposed Direction 64 – Improper direction**

*64. Retain the current legislative provisions on improper direction, noting they will be supported by the further legislative measures to clarify the roles and responsibilities of councillors, mayors and CEO’s set out in chapter 2.*

The directions paper states that the prohibition on councillors directing council staff is essential to the proper and effective function of a council. Retention of the current provisions is supported.



MAV position

That the retention of the current legislative provisions on improper direction be retained.

### **Proposed Direction 65 – Chief Municipal Inspector enforcement**

*65. Retain the current enforcement role, functions and powers of the CMI and the inspectorate.*

Commentary

The Local Government Amendment (Improved Governance) Act 2015 assigned the Chief Municipal Inspector new roles and powers. The proposed direction, to retain the current role, functions and powers in the new Act, is supported.

MAV position

That retention of the existing role, functions and powers of the CMI and the inspectorate in the new Act be supported.

## **Chapter 6: Ministerial Oversight of Councils**

### **Proposed Directions 66 & 67 – Structure of the sector**

*66. Include in the Act principles to apply to a proposal to create a new municipality, that:*

- *Each new municipality shall be viable and sustainable in its own right*
- *The allocation of revenues and expenditures between municipalities being separated shall be equitable for the residents of each municipality*
- *The views of the communities affected by the restructuring shall be taken into consideration*
- *Each new municipality shall have sufficient financial capacity to provide its community with a comprehensive range of municipal services and to undertake necessary infrastructure investment and renewal*

*67. Other than the proposed direction above, retain the current provisions (in part 10A) about altering external municipal boundaries.*

Commentary

Part 10A of the Act sets out the requirements for changes to municipal districts. These involve the establishment of a panel to undertake any proposed restructure reviews. Proposed direction 66 provides principles to be applied to the creation of a new municipality. It is considered that the principles are reasonable and the current provisions of Part 10A should be retained.

MAV position

That proposed directions 66 and 67 be supported.

### **Proposed Directions 68 to 70 – Governance interventions**

*68. Retain the power of the minister to:*

- *Appoint a municipal monitor in a manner and with the role and powers as currently set out in the Act*
- *Issue a governance direction to a council, noting that other powers of the minister to direct councils (such as the power to direct a council to submit financial statements under section 135) be included in this general power*
- *Stand down a councillor as currently set out in the Act*

69. Empower the minister to recommend that a councillor be suspended by an order in council where the councillor is contributing to or causing serious governance failures at a council. This power to only be exercisable in exceptional circumstances in that:
- The councillor has caused or substantially contributed to a breach of the Act or Regulations by the council or to a failure by the council to deliver good government and
  - A council (by resolution), a municipal monitor, the CMI, the Ombudsman or the Independent Broad-based Anti-corruption Commission have recommended that the minister suspend the councillor on these grounds and
    - The council, the municipal monitor, the CMI, the Ombudsman or the Independent Broad-based Anti-corruption Commission have satisfied the minister that the councillor has been provided with detailed reasons for the recommendation and was given an opportunity to respond to their recommendation and
    - The minister is satisfied that if the councillor is not suspended that there is an unreasonable risk that the council will continue to breach the Act or continue to be unable to provide good government for its constituents.
70. Retain the provisions in the Act about the suspension and dismissal of a council in their current form, including the provisions allowing appointment of administrators.

#### Commentary

The directions paper makes the point that earlier and more targeted interventions by the minister may be more effective in addressing the sorts of governance issues that ultimately result in a council's dismissal. The Local Government Amendment (Improved Governance) Act 2015 implemented several reforms to address governance and conduct issues earlier to reduce the likelihood of a council facing dismissal.

Proposed direction 68 proposed that the power of the minister to appoint a municipal monitor, issue a governance direction and to stand down a councillor be retained. This is supported.

Proposed direction 69 empowers the minister to suspend a councillor. The direction proposes that it only be exercised in exceptional circumstances and appears to provide robust and adequate safeguards. This direction is also supported.

Proposed direction 70 retains the provisions relating to the suspension and dismissal of a council. Retention of these provisions is supported.

#### MAV position

That proposed recommendations 68, 69 and 70 be supported.

#### **Proposed Direction 71 – Commission of Inquiry**

71. Streamline the minister's power to conduct inquiries into councils into a single power to appoint commissions of inquiry consisting of one or more commissioners to inquire into and make recommendations to the minister about any matter as requested by the minister. This will include, but not be limited to:

- Governance issues
- Financial probity issues
- Disputes between councils and between councils and other parties.

## Commentary

The current Act provides the minister with a range of mechanisms (boards of inquiry, commissions and local government panels) to conduct inquiries into councils. The proposal seeks to streamline these arrangements vesting these powers in a commission to undertake the various inquiry types set out in the current Act. This proposal is supported.

## MAV position

That proposed direction 71 to provide for commissions to be appointed to conduct the range of inquiry types set out in the current Act is supported.

## **Proposed Directions 72 & 73 – Minister’s power relating to CEO employment**

- 72. Retain the existing power to forbid a council from employing a new CEO or entering into a new contract with an existing CEO but amend the power to provide that it can only be exercised on the recommendation of a municipal monitor or the CMI*
- 73. Remove the power relating to senior officers from the new Act as all staff employment matters should be dealt with by relevant employment laws.*

## Commentary

It is proposed to amend the minister’s power to forbid a council from employing a new CEO or entering into a new contract with an existing CEO to provide that the power can only be exercised on the recommendation of a municipal monitor or the CMI. This is an improvement on the existing provisions and should be supported.

The provisions relating to senior officers provide for contractual arrangements, similar to those in the private sector, to apply to designated senior officers. It is considered that these accord with contemporary management practices and should be retained.

## MAV position

That:

- The retention and amendment of the minister’s powers in relation to CEO contracts is supported
- Removal of the provisions relating to senior officers be opposed and that the requirement for senior officers to be employed on contracts be retained in the new Act.

## **Proposed Direction 74 – Minister’s power to set a cap on rates**

- 74. Bring all provisions (and all other elements) of the Fair Go Rates System into the new Act consistent with the legislative hierarchy in Chapter 10.*

## Commentary

The principle of consolidating legislation applying to local government in one place is strongly supported. This should not be taken in any way that the Fair Go Rates System is supported. The MAV, other industry bodies and individual councils have made their opposition to rate capping very clear. The Fair Go Rates System is in direct conflict with the notion of broad enabling powers and greater autonomy for local government. The current system requires the community to support a council’s application to exceed the rate cap. A system that requires the community to actively support the application of increased rates is fundamentally flawed. Notwithstanding this, the fact that some exemptions were provided to

councils demonstrates the inherent shortcomings of this system. Rate capping is still strongly opposed by the sector for the reasons previously enunciated.

MAV position

That the proposed direction be opposed on the basis that the continued operation of the Fair Go Rates System is strongly opposed.

### **Proposed Directions 75 & 76 – Minister’s power to make regulations and issue guidelines**

*75. Retain the general power for the minister to recommend regulations to give effect to the Act and empower the minister to relieve a council of requirements to follow processes set out in regulations.*

*76. Empower the minister to issue non-regulatory guidelines on any matter under the Act.*

Commentary

The powers to recommend regulations and issue guidance currently reside in the Act and their inclusion in the new Act should be supported. Providing the minister with the power to relieve a council of requirements to follow processes set out in Regulations is a new initiative to recognise that the objectives of the Act may be achieved other than by following the regulations. It begs the questions about why such processes need to be specified in regulations at all rather than relying on the requirements of the Act. Notwithstanding this, as the processes are likely to continue to be specified, a process to enable the minister to relieve councils of regulatory compliance requirements is supported. (Refer also to commentary on proposed direction 142 regarding operational practicalities.)

MAV position

That:

- The retention of the minister’s power to recommend regulations and to issue non-regulatory guidelines is supported
- The power for the minister to relieve a council of requirements to follow processes set out in Regulations is supported in principle subject to the necessity for processes to be set out in regulations to be closely scrutinised as to whether they are needed. (Also refer to commentary on proposed direction 142)

### **Proposed Directions 77 to 79 – Ministerial exemptions**

*77. Remove the requirement to request ministerial exemption from public tenders, as explained in Chapter 8.*

*78. Remove the power requiring a contract for a senior officer: all employment matters for council staff will now be subject to employment law.*

*79. Explore an alternative method for handling instances of a majority of councillors having a conflict of interest preventing them voting on a planning scheme amendment.*

Commentary

In relation to proposed direction 77, the changes proposed in Chapter 8 will involve a council in developing a procurement policy and monitoring its compliance through the audit and risk committee. This change will render the need for ministerial exemption obsolete.

It is considered that senior officers should continue to be employed on contractual arrangements as set out in the current Act. These arrangements have proved to be effective over time and there is no compelling argument advanced to change these provisions. It is recommended that this proposed direction be opposed consistent with the earlier opposition to proposed direction 25.

Proposed direction 79 proposes that an alternative method be explored in relation to a majority of councillors declaring a Col on a planning scheme amendment. While there is no objection to exploring alternatives, a meaningful submission cannot be made until a proposal is developed.

MAV position

That:

- As the proposed Chapter 8 changes in relation to procurement policy are supported, the removal of the requirement for ministerial exemption is also supported
- Proposed direction 78 be opposed on the grounds that the current arrangements in relation to senior officer contracts have proved to be effective and there are no compelling arguments to change these arrangements
- No objection be offered in relation to the exploration of an alternative method as proposed in proposed direction 79, subject to further sector consultation on any new proposal.

## Chapter 7 – Integrated Planning

### Proposed Directions 80 & 81 – Integration of strategic plans and reports

*80. Include an integrated strategic planning and reporting framework in the Act that identifies the four-year council plan as a council's central strategic planning instrument, and also requires long-term (10 year) plans – being a community plan, financial plan and asset plan – and short-term (1 year) reporting documents – being the budget and annual report (containing all performance reporting).*

*81. Include in Regulations and guidelines details about the information a council will include in each plan.*

Commentary

The introduction to this section states that “the new Act should support council autonomy. To achieve this, we must remove most of the detailed prescriptive processes from the Act and replace them with principles-based provisions setting out outcomes that councils must deliver.”

In relation to proposed direction 80, it is considered that this should be supported in principle, however, some of the process and detail around these arrangements will be further commented on under other directions.

Proposed direction 81 provides for the inclusion in Regulations and guidelines details about the information a council will include in each plan. This is in direct conflict with the purported intent to support council autonomy and to remove detailed prescriptive processes in favour of principles-based provisions. It is proposed to support these objectives.

That:

- Proposed direction 80 be supported in principle subject to the further qualifications set out below

- Proposed direction 81 be revised to accord with the sentiments set out in the introduction to this chapter, i.e. to support council autonomy and to remove detailed prescriptive processes and replace them with principles-based provisions.

### **Proposed Directions 82 to 85 – Council and community plans**

82. *Require:*

- *A council to prepare and adopt a four-year council plan by 31 December of the second year after a general election*
- *Preparation of the council plan to be informed by the deliberative community engagement process described in Chapter 4*
- *The council plan to include information about services, infrastructure and amenity priorities for the council term.*

83. *Remove the requirement to submit a copy of the council plan to the minister and replace it with a requirement to publish it on the council website and to have the mayor report annually to the community on the achievement of the council plan.*

84. *Require a council to prepare and adopt a rolling community plan of at least 10 years by 31 December of the second year after a general election to guide strategic planning and inform the preparation of the council plan. Require preparation of the community plan to be informed by the deliberative community engagement process that also underpins the council plan.*

85. *Set out in Regulations and guidelines what is to be included in the community plan, including a community vision statement.*

### **Commentary**

It is proposed that the positioning of the 4 year council plan as the central council strategic planning document be continued to be supported. This submission has already identified the shortcomings with deferring the council plan to 31 December of the second year after a general election (refer to proposed direction 49). To not have your primary strategic planning document adopted until well into the second year of the council term (and still not synchronised with the council budget) is completely unacceptable and poor governance.

As mentioned in relation to proposed direction 81, it is considered that the purported intent to support council autonomy and to remove detailed prescriptive processes in favour of principles-based provisions should be supported. The proposition that councils should be required to undertake a deliberative community engagement process conflicts with these objectives. The specification of deliberative community engagement processes is the direct causation for the date for the adoption of the council plan to be pushed out to 31 December. The disconnect between the budget and council plan is a fatal flaw with this proposal. The budget for the period commencing 1 July after the council elections will not be synchronised with the council plan. This is an unacceptable outcome.

Removal of the requirement to provide the minister with a copy of the council plan (proposed direction 83) is fully supported, albeit a minor issue in the overall scheme of things. The earlier position outlined in relation to proposed direction 5 is to be restated, essentially that the council plan is the product of the council and should be reported on in the annual report.

The proposition that councils develop a rolling community plan of at least 10 years by 31 December of the second year after a general election is reasonable (proposed direction 84). Many councils already have a long-term community plan. There is no need for the community plan to be developed to inform a council's council plan from the outset. Once the community plan has been developed, the council can take into account the outcomes of the

community plan in its annual reviews of the council plan. The community engagement process for the community plan should be in accordance with a council's adopted community engagement policy, leaving the discretion to conduct a deliberative community engagement process to the council to decide. This accords with the preamble to this Chapter.

Proposed direction 85 is to set out in Regulations and guidelines what is to be included in the community plan, including a community vision statement. Again, this is in conflict with the purported intent to remove detailed prescriptive processes.

MAV position

That:

- The proposition that a council adopt a four-year council plan by 31 December of the second year after a general election be opposed because a council will be without a council plan for 6 months of its council term and because of the disconnect it causes with the council budget
- The current timetable for the adoption of the council plan be retained in the new Act
- The prescription of a deliberative community engagement process in the preparation of the council plan be opposed because it will result in a delayed council plan and a disconnect between the council plan and budget. A council should have full discretion in the development of its community engagement policy and have discretion to undertake a deliberative community engagement process during the life of the council plan (as part of its annual review of the council plan) as it sees fit.
- Dispensing with the requirement to provide a copy of the council plan to the minister in favour of publication on a council's website be supported
- In relation to proposed direction 84, the adoption of a community plan of at least 10 years by 31 December of the second year after a general election is supported noting that there is no imperative to develop a community plan at the same time a council plan is developed. As with the council plan, a council should have full discretion in the development of its community engagement policy to incorporate a deliberative community engagement process.
- Proposed direction 85 be opposed on the grounds that it is in conflict with the stated intent to support council autonomy and remove detailed prescriptive processes in favour of principles-based provisions.

### **Proposed Directions 86 to 91 – Longer-term financial and asset planning**

*86. Require all councils to prepare and adopt a rolling financial plan of at least 10 years by 31 December of the second year after a general election, in accordance with the principles of sound financial management, and for council to review and approve this plan annually.*

*87. Remove the requirement for a council to prepare a strategic resource plan.*

*88. Require the financial plan to:*

- *Guide financial planning and inform the council plan*
- *Provide the community with prescribed information about the human resource and capital works assumptions and decision-making underlying financial forecasts*
- *Be informed by the deliberative community engagement process.*

*89. Require all councils to prepare and adopt a rolling asset plan of at least 10 years by 31 December of the second year after a general election, in accordance with the principles of sound financial management, and for a council to review and approve this plan annually. This plan will guide asset planning and inform the council plan.*

90. *Require the asset plan to include information about new assets, asset retirement, maintenance and renewal requirements for each class of infrastructure assets and to be informed by the deliberative community engagement process.*

91. *Set out requirements for what is to be included in the financial and asset plans in Regulations and guidelines.*

#### Commentary

The proposed financial plan and asset plan would bring Victorian councils in line with other Australian state jurisdictions. Many Victorian councils already have these plans in place. Proposed direction 86 would require a council to adopt a rolling financial plan of at least 10 years by 31 December of the second year after a general council election, in accordance with the principles of sound financial management. It is proposed to support this proposal in principle noting that councils have been able to factor projected rates increases into these plans with some certainty. The current rates capping regime which puts increases at the discretion of the minister introduces further uncertainty into these financial plans.

Proposed direction 87 removes the requirement for a council to prepare a strategic resource plan. This direction is supported given that other proposals will render this requirement obsolete.

Proposed direction 88 requires the financial plan to guide financial planning and provide certain prescribed information. These are reasonable and should be supported. It also requires the financial plan to be informed by the deliberative community engagement process. Again, it is considered that this should be a matter for the council to decide in the development of its community engagement policy and should not be subject to prescription. The proposed directions provide for deliberative community engagement processes to be undertaken for the:

- council plan
- community plan
- financial management plan
- asset management plan

The requirements for deliberative community engagement plans for each of these plans are onerous in terms of resources, time and cost. As mentioned earlier they are also at odds with the notions of council autonomy and less prescription and should be opposed.

Proposed directions 89 and 90 describe what an asset plan should contain and provide for a deliberative community engagement process.

Proposed direction 91 sets out requirements for Regulations and guidelines for these plans. Proposed direction 91 should be opposed on the grounds that it is in conflict with the stated intent to support council autonomy and remove detailed prescriptive processes in favour of principles-based provisions.

#### MAV position

That:

- proposed direction 86 is supported in principle noting that the value of this plan is compromised by the uncertainty introduced by the rate capping regime currently in place
- proposed direction 87 involving removal of the requirement for a strategic resource plan is supported



- proposed direction 88 (first two dot points) in relation guiding financial planning and providing prescribed information is supported in principle
- the requirement for the financial plan to be informed by the deliberative community engagement process is opposed. The deliberative community engagement process should be a matter left in the hands of the council and not subject to prescription
- the requirement for a council to conduct deliberative community engagement processes on:
  - the council plan
  - the community plan
  - the financial plan
  - the asset plan

be strongly opposed because they are onerous, resource intensive, time consuming and costly and in conflict with the stated intention to support council autonomy and less prescription

- proposed directions 89 and 90 relating to the asset plan are supported in principle subject to removal of the requirement for a deliberative community engagement process
- Proposed direction 91 is opposed on the grounds that it is in conflict with the stated intent to support council autonomy and remove detailed prescriptive processes in favour of principles-based provisions.

#### **Proposed Directions 92 to 94 – Improved budget guidance**

*92. Require a council to prepare a budget annually and to review it mid-cycle at 31 December each year. Require the CEO to report the results and to explain material budget variations, including whether a revised budget is required, to council.*

*93. Include in the Act a clearer definition of material variation in order to clarify when a revised budget must be struck.*

*94. Remove the requirement to submit a copy of the adopted budget to the minister.*

#### **Commentary**

Proposed direction 92 requires a council to review its budget mid-cycle at 31 December each year. This is a process undertaken by most if not all councils. It is a sound financial and governance process and is supported.

Proposed direction 93 is designed to address the uncertainty around the current provisions for a revised budget in the Act. This is supported in the interests of clarity.

Proposed direction 94 removes an obsolete administrative procedure.

#### **MAV position**

That proposed directions 92, 93 and 94 be supported.

#### **Proposed Directions 95 to 97 – Strengthened role for audit and risk committees**

*95. Require all councils to establish an audit and risk committee with an expanded oversight of:*

- *The integrated strategic planning and reporting framework and all associated documents*
- *Financial management and sustainability*
- *Financial and performance reporting*

- *Risk management and fraud prevention*
  - *Internal and external audit*
  - *Compliance with council policies and legislation*
  - *Service reviews and continuous improvement*
  - *Collaborative arrangements*
  - *The internal control environment*
96. *Require the audit and risk committee to include a majority of independent members and include councillors, but not council staff.*
97. *Require the audit and risk committee to report to the council biannually and require each council to table the biannual audit and risk committee report at a council meeting.*

#### Commentary

Councils are currently required to have an audit committee, which is an advisory committee to council. The role of the audit committee is not specified. Proposed direction 95 (and elsewhere in the directions paper) provides for an expanded role for the audit and risk committee. Some rural councils struggle to attract independent members with the range of skills and expertise necessary to properly and effectively discharge the roles expected of audit committee members. This is a concern in the context of an expanded role for audit committees. The current time involvement for members of the audit committee will need to be increased to deal with the expanded range of matters. This will have resource implications for audit committees (number of meetings and members' fees).

The requirement for a majority of the audit committee members to be independent is supported. The requirement for regular reporting from the audit and risk committee to council is a sound governance practice and is supported.

#### MAV position

That:

- The expanded role for audit and risk committees under proposed direction 95 be supported in principle subject to further consultation with the sector in relation to the workability and resource implications for rural councils
- Proposed directions 96 and 97 be supported.

#### **Proposed Directions 98 to 100 – Improved accountability to the community**

98. *Continue to require a council to include information in its annual report of operations about achievements against its council plan, community plan, financial plan, asset plan and budget.*
99. *Remove the requirement for a council to submit a copy of its annual report to the minister.*
100. *Require a council to present its annual report at an annual general meeting at which the mayor must report progress on implementing the council plan.*

#### Commentary

Despite the current requirements of the Act and Regulations in relation to what must be included in the annual report, the directions paper maintains that the contents of the annual report are not well aligned with the strategic planning document making it difficult for the community to assess the council's performance. Proposed direction 98 continues to require a council to include information in its annual report on achievements against its council plan,

community plan, financial plan, asset plan and budget. As mentioned earlier, the proposed direction to delay the development of the council plan will effectively leave a council without a council plan for a 6 month period. The reporting requirements in the annual report are supported in principle subject to resolution of these issues.

Removal of the requirement to submit a copy of the annual report to the minister addresses an obsolete administrative requirement.

Proposed direction 100 requires a council to present its annual report at an annual general meeting at which the mayor must report progress on implementing the council plan. It is not clear what this means and how it would work. The closest thing that a council has to an AGM is when it elects the mayor around November. This may be a new mayor and would not be relevant to the past council plan under the former mayor. Traditionally, an AGM would have a report on the organisation's finances. The financial report would not be available until August/September. The council must have its annual report completed by the end of September, including its financial report. As mentioned earlier in this submission, the council plan is the product of the council not just the mayor. The purpose, value and timing of this proposed direction needs further clarification.

MAV position

That:

- Proposed direction 98 is in line with community expectations of what would be contained in an annual report and is supported
- The removal of the obsolete requirement to submit a copy of the annual report to the minister is supported
- Further clarification of the purpose, value and timing of proposed direction 100 is required for the sector to form a view on this matter.

### **Proposed Direction 101 – Regional-level planning and integration with state government policy and planning**

101. *Require that in developing its council plan, a council take account of relevant aspects of regional and state plans that affect the municipality.*

Commentary

This proposed direction would bring Victoria into line with some other Australian states. It would seem reasonable for a council plan to take account of relevant aspects of regional and state plans that affect the municipality, notwithstanding that councils may want to advocate for changes to these plans.

MAV position

That proposed direction 101 is supported.

## **Chapter 8: Sustainable Finances for Innovative and Collaborative Councils**

### **Proposed Directions 102 & 103 – New financial sustainability principles**

102. *Require a council to embed the principles of sound financial management in its council plan, community plan, financial plan and asset plan.*
103. *Include in the Act the following principles of sound financial management:*
- *Manage financial risks prudently, having regard to economic circumstances*

- *Align income and expenditure policies with strategic planning documents*
- *Undertake responsible spending and investment for the benefit of the community to achieve financial, social and environmental sustainability over the long term*
- *Provide value-for-money services and infrastructure which are accessible and responsive to the community's needs*
- *Ensure that decisions are made and actions are taken having regard to their financial effects on future generations*
- *Ensure full, accurate and timely disclosure of financial information about the council*
- *Undertake regular stress testing and evaluation of financial risk management.*

#### Commentary

The discussion paper contends that the Act does not currently provide an adequate degree of clarity or demand sufficient transparency about how sound financial management principles must apply to strategic planning and decision-making and do not make reference to financial sustainability.

Proposed direction 102 requires the principles of sound financial management to be embedded in a council's key strategic documents. This is sound governance and financial practice and is supported.

It is proposed to support proposed direction 103 (the principles of sound financial management) subject to further detailed consideration of the detail by the sector.

#### MAV position

That proposed direction 102 is supported and proposed direction 103 supported in principle subject to further consultation with the sector on the detailed wording of the principles of sound financial management.

#### **Proposed Direction 104 – Removal of best value principles**

104. *Remove the current best value provisions, as value for money is included in the new principles of sound financial management.*

#### Commentary

The directions paper states that the best value provisions aim to promote benchmarking and ensure services meet minimum standards. However, councils apply the principles in a wide range of ways and there have been few service level reviews published that define the actual cost and quality of a service by comparing similar groups of councils. This is in part due to the different levels and priorities afforded similar services across different councils – no one size fits all. Some trial projects supported by LGV a number of years ago identified the difficulties and significant costs involved in complying with the legislative intent. It is proposed that the best value principle be embedded in the principles of sound financial management. This approach is supported.

#### MAV position

That proposed direction 104 to remove the current best value provisions is supported.

#### **Proposed Directions 104 to 110 – Streamlined procurement practices**

105. *Require a council at the start of the council term to develop and adopt a procurement policy that is consistent with the principles of sound financial management and require that all council procurement practices and contracts comply with this policy.*
106. *Specify in Regulations what must be included in a procurement policy, including when council will go to tender for the provision of goods and services (including thresholds), the process for going to tender and what collaborative arrangements have been explored to deliver value for money for the council.*
107. *Require the audit and risk committee to review compliance with the procurement policy and require a council to report in its annual report any non-compliance with its procurement policy.*
108. *Require a council to make its procurement policy available on its website.*
109. *Remove the requirement for an annual review of the procurement policy and the requirement to obtain ministerial exemptions for failure to go to tender in certain circumstances.*
110. *Provide councils with automatic access to state purchase contracts, whole-of-Victorian-Government contracts and the Construction Suppliers Register to save time, strengthen standards and improve efficiency.*

#### Commentary

Proposed direction 105 provides councils with the ability to develop a procurement policy that is consistent with the principles of sound financial management. This enables the policy to reflect the size and financial profile of the council. This direction is supported.

It is not considered unreasonable in the interests of consistency to specify in Regulations what must be included in the procurement policy (proposed direction 106). This direction is supported.

Proposed direction 107 provides for a monitoring role by the audit committee and reporting of any non-compliances in the annual report. This is considered to be a reasonable approach subject to earlier concerns expressed about the ability of rural councils to establish audit and risk committees with the capacity to undertake the expanded role as well as the additional resource implications.

Proposed direction 108 is a simple administrative and transparency requirement to publish the policy on the website. It is supported.

Proposed direction 109 removes the requirement for an annual review of the policy. This is supported as councils should review their policies at intervals as and when they see fit. Ministerial exemptions will no longer be relevant.

Proposed direction 110 will provide councils with automatic access to state contracts. This is long overdue and is supported.

#### MAV position

That:

- Providing councils with greater autonomy in the development of their procurement arrangements is consistent with providing more autonomy to councils and is supported.
- Proposed direction 106 to specify in Regulations what must be included in a procurement policy is supported in the interests of consistency across the sector

- The monitoring role of the audit committee is supported in principle subject to further consideration of its implications for rural councils (cost and capacity)
- Proposed direction 108 requiring publication of the procurement policy on a council's website is supported
- Proposed direction 109 vests responsibility for policy review in the council and makes ministerial exemptions no longer relevant and is supported
- Proposed direction 110 which provides councils with automatic access to state contracts is supported

### **Proposed Directions 111 & 112 – Improved investment practices**

111. *Require councils to develop and adopt an investment policy in accordance with the principles of sound financial management and require all council investment decisions to be made in accordance with that policy.*
112. *Require the audit and risk committee to review compliance with the investment policy and require a council to report any non-compliance with its investment policy in its annual report.*

#### **Commentary**

The directions paper notes that the range of council investment vehicles allowed in Victoria is much narrower than in other states and may result in lower returns for Victorian councils. Proposed directions 111 and 112 treat councils as a mature and responsible level of government. They are supported subject to the concerns expressed earlier in relation to the expanded role and capabilities of audit and risk committees.

#### **MAV position**

That proposed directions 111 and 112 are supported subject to issues with the expanded role and capacity of an audit committee being discussed and resolved.

### **Proposed Directions 113 to 115 – Improved debt practices**

113. *Require a council to develop and adopt a debt policy in accordance with the principles of sound financial management and only enter into debt in accordance with that policy.*
114. *Require the audit and risk committee to review compliance with the debt policy and require a council to report any non-compliance with its debt policy in its annual report.*
115. *Remove the overdraft provisions and remove the requirement for the minister to approve the repayment of an overdraft from its borrowings.*

#### **Commentary**

The directions paper notes that the range of borrowings could be expanded, which would strengthen the existing power to borrow and the ways borrowings can be applied. As with improved investment practices, these directions treat councils as a mature and responsible level of government. The expanded role of the audit and risk committee is noted.

Removal of the overdraft provisions and the role for the minister in relation to repayment of overdrafts is supported.

#### **MAV position**

That the proposed directions 113, 114 and 115 are supported subject to issues with the expanded role and capacity of the audit committee being discussed and resolved.

## **Proposed directions 116 & 117 – Streamlined sale and exchange of land provisions**

116. *Require councils to expressly describe in their budgets any intention to sell, exchange or lease land. This will enable consultation with the community during the budget process.*
117. *Remove the requirement for a council to allow a person to make a submission under the Act in relation to the sale, exchange or lease of land where the matter has been considered as part of the budget consultation.*

### **Commentary**

It is not clear what information would be required to be included in the budget in relation to the proposed sale, exchange or lease of land. The council would then need to consider any submissions on these proposals and, presumably, decide whether to proceed or abandon the proposals and give reason for their decision. It would seem that the process that would need to be followed as part of the budget process would need to be the same as that to be applied where a proposal to sell, exchange or lease land is done outside of the budget process. While the proposed direction provides an additional option for a council, there is limited value in the proposal. There is also a concern that these proposals would be buried in the budget document and would not come to the attention of interested members of the community giving rise to transparency concerns.

### **MAV position**

That the proposed directions be approved in principle subject to further detail being provided on how the new provisions would operate.

## **Proposed Direction 118 – Streamlined insurance requirements**

118. *Remove from the Act any role for the minister in determining or approving the kinds of insurance schemes councils may wish to participate in and remove from the Act the requirement for councils to have public liability and professional indemnity insurance. As a body corporate and organisation with a number of roles and responsibilities to the community and its staff, it is expected as a matter of course that councils take out appropriate insurance policies consistent with effective risk management as well as with the sound financial management principles in the Act.*

### **Commentary**

The directions paper argues that a council should assume responsibility for this in accordance with their adherence to sound financial management principles. This is considered reasonable and is supported. Although the discussion paper does not mention section 76 relating to indemnifying councillors, members of council committees and council staff while performing their roles and acting in good faith, this provision needs to be retained. In the absence of insurance or inadequate insurance, this provision provides a protection for these people.

### **MAV position**

That proposed direction 118 to vest responsibility for taking out appropriate insurances in a council is supported, subject to section 76 which provides indemnities for councillors, committee members and staff being included in the new Act.

## **Proposed Direction 119 – Entrepreneurial powers integrated into new collaborative arrangements**

119. *Remove the entrepreneurial powers in the Act and include revised powers to allow councils to participate in the formation and operation of an entity (such as a corporation, trust, partnership or other body) in collaboration with other councils, organisations or in their own right for the delivery of any activity consistent with the revised role of a council under the Act.*

#### Commentary

The directions paper contends that the current provisions in relation to forming library corporations and other collaborative arrangements are cumbersome and severely restrict other collaborative arrangements for the delivery of other council services. The proposed direction seeks to encourage these arrangements in the new Act. The intent to encourage and streamline these types of arrangements is supported. The current provisions in the Act also cover speculative and commercial entrepreneurial activities and seek to provide a process for these activities to be subject to ministerial approval based on the level of financial risk involved. These provisions are designed to have a process in place to protect the community's financial interests from ill-considered and risky ventures. It is considered that the current entrepreneurial powers should be amended to:

- Encourage and facilitate collaborative arrangements between councils and service providers to deliver economies of scale, improved council services and increased value for money while making these arrangements less cumbersome for the delivery of council functions and services
- Preserve processes to ensure that an entrepreneurial activity that involves significant council investment in a commercial or speculative activity is subject to a risk assessment and approval process by the relevant minister(s) to protect and safeguard the council's financial assets in the best interests of the local community and the council's ongoing financial sustainability

#### MAV position

That:

- The proposed direction 119 be supported in principle in relation to encouraging and facilitating collaborative arrangements between councils and service providers to deliver more efficient services with less cumbersome structural arrangements
- Appropriate processes should continue to be specified in the Act to ensure a rigorous assessment process for commercial and speculative activity that involves significant financial risk is undertaken, including a ministerial approval process, to protect and safeguard a council's and community's financial assets

## Chapter 9: Fair Rates and Sustainable and Efficient Councils

### Proposed Directions 120 & 121 – Improved transparency of revenue and rating systems

120. *Require a council to prepare a revenue and rating strategy that:*
- *Is for at least 4 years*
  - *Outlines its pricing policy for services*
  - *Outlines the amount it will raise through rates and charges*
  - *Outlines the rating structure it will use to allocate the rate burden to properties*



121. *Require a council to align the strategy to its financial plan and to review and adopt it after each general revaluation of properties.*

#### Commentary

A revenue and rating strategy is integral to the development of a council's financial plan. Accordingly, a council will need to consider its fees and charges policy, the amount it needs to raise from rates and its rating structure as part of the development of its financial plan. In the circumstances, given that a council will be required to develop a financial plan, the requirement to develop a revenue and rating strategy is supported.

#### MAV position

That the requirement to prepare a revenue and rating strategy is supported because it is a critical component in the development of a financial plan.

#### Proposed Directions 122 & 123 – Clearer exemptions for rateable land

122. *Define all land as rateable land except for the following four categories of land that would be exempt:*

- *Land of the Crown, public body or public trustee that is unoccupied or used exclusively for a public or municipal purpose (to be defined to mean to perform public functions for the common good)*
- *Land vested or held in trust for any charitable not-for-profit organisation and used exclusively for a charitable purpose (to be defined to mean the relief of poverty, the advancement of education, the advancement of religion or for other purposes beneficial to the community and the environment)*
- *Land vested or held in trust for any religious not-for-profit body and used exclusively as a residence of a minister of religion or place of worship or for the education to be a minister of religion*
- *Land held in trust and used exclusively as a not-for-profit club for persons who performed service duties under the Veterans Act 2005. **(Option 1)** or*

*Include land subject to a lease, sublease, licence or sublicense that is used for the purposes in Option 1, provided the lease, sublease, licence or sublicense is for a nominal amount (that is, the lease or rental amount is very small compared with the actual market lease or rental amount: commonly called a peppercorn rent)*

*Make land rateable that is:*

- *Owned by a for-profit organisation but leased to a charitable organisation*
- *Used exclusively for mining purposes. **(Option 2)***

123. *Retain the capacity for councils to grant rebates and concessions and apportion rates based on separate occupancies or activities.*

#### Commentary

The directions paper maintains that the current exemptions are unclear and as a result can be applied inconsistently. It notes that all other jurisdictions rate mining operations recognising the impacts of mining on local government infrastructure, services and the environment. As part of the review of the Act, a paper has been commissioned on rating. While it is considered that the current rating provisions warrant a comprehensive review, it is considered premature to provide comment on these proposed directions in advance of the rating paper being produced.

## MAV position

That while a comprehensive and detailed review of the current rating provisions is supported, it is considered premature to comment on proposed directions 122 and 123 pending the preparation and release of the rating paper. Further consultation needs to take place with the sector informed by the rating paper.

### **Proposed direction 124 – A consistent method of valuing land for the purpose of raising general rates**

124. *Require councils to apply capital improved value as the single uniform valuation system for raising general rates. The City of Melbourne would be exempt from this provision.*

#### Commentary

The directions paper mentions that 73 councils use Capital Improved Value (CIV) and the remaining 6 councils use Net Annual Value (NAV). It argues that there is a strong case to adopt CIV as a uniform system for valuing land as almost all Victorian councils use it and, as it includes all improvements in the valuation, it reflects more closely the capacity-to-pay principle. As well as improving consistency, it is also more transparent given that the public find the concept of a market value of a property much easier to understand than NAV or site value.

It is proposed that this proposed direction be supported but only on the condition that councils have scope to apply differential rates to allow councils to manage the particular circumstances within their municipalities.

## MAV position

That proposed direction 124 is supported in principle conditional on the guidance material in relation to differential rates providing sufficient scope for councils to manage any rating anomalies within their municipalities. Further consultation is required in relation to differential rating.

### **Proposed Direction 125 – Municipal charge to be fixed at a maximum of 10%**

125. *Fix the municipal charge at a maximum of 10% of the total revenue from municipal rates and general rates in the financial year, divided equally among all rateable properties.*

#### Commentary

Currently the municipal charge cannot exceed 20% of the total revenue from municipal charges and general rates in the financial year. The directions paper states that the average proportion of revenue derived from municipal charges for all councils for the 2015-16 municipal year was 9.1%.

There are no compelling arguments advanced in the directions paper for reducing the maximum municipal charge to 10%. As the average charge is 9.1%, it is likely that a number of councils have seen fit to levy a charge in excess of 10%. It is considered that the proposal not be supported in preference to retaining the existing provisions.

## MAV position

That proposed direction 125 not be supported in the absence of compelling reasons to reduce the maximum charge from 20% to 10% and that the charge be retained at 20%.

## **Proposed Directions 126 to 128 – Increased transparency in the levying of differential rates**

126. *Retain differential rates in their current form. Continue through ministerial guidelines to advise that farm land and retirement villages are appropriate for the purposes of levying differential rates at the discretion of councils.*
127. *Require councils to clearly specify how the use of differential rating contributes to the equitable and efficient conduct of council functions compared to the use of uniform rates (including specification of the objective of and justification for the level of each differential rate having regard to the principles of taxation, council plans and strategies and the effect on the community).*
128. *Retain the requirement that the highest differential rate must be no more than four times the lowest differential rate.*

### **Commentary**

A council can apply a differential rate if it uses CIV for valuing land. The directions paper notes that a council must consider any relevant ministerial guidelines before declaring a differential rate. The paper does not support mandating differential rates for farm land and retirement villages and recognises that the types and characteristics of land are different within each municipality. It concludes that differential rating is best determined by councils to reflect local circumstances.

### **MAV position**

That the retention of differential rates be supported in their current form subject to further consultation with the sector on the ministerial guidelines (refer to MAV position on proposed direction 124).

## **Proposed Directions 129 & 130 – Streamlined service charges**

129. *Retain service rates and charges, renamed “service charges” but remove their application to the provision of water supply and sewage charges.*
130. *As part of these changes, provide the minister with the power to prescribe the setting of other service charges in Regulations.*

### **Commentary**

The current Act allows a council to declare a service rate or service charge for a specific purpose (such as providing a water supply, collecting refuse and providing sewage services). Water supply and sewage services are now redundant in relation to local government. The directions paper identifies that councils may want to levy other service rates and charges (for example an environmental charge to fund green power for public lighting or an infrastructure charge to fund asset renewal). The potential expansion of the application of these charges is supported.

### **MAV position**

That the proposed directions 129 and 130 be supported subject to further consultation with the sector on the specific purposes to which service charges may be applied.

## **Proposed Direction 131 – More transparent special charges**

131. *Retain special rates and charges, but provide clearer guidance in the Act about the purpose of special rates and charges, and about the criteria councils should use when declaring them and determining the benefit ratio.*

## Commentary

Currently, if a council proposes to levy a special rate or charge to recover more than two-thirds of the total cost of a scheme, it must allow affected ratepayers to object and may not proceed if a majority of affected ratepayers object. Special charge schemes can be costly for councils and can be difficult to implement. They should be retained in the Act. Clearer guidance for these schemes is supported.

## MAV position

That proposed direction 131 be supported in principle subject to further consultation with the sector on the detail.

### **Proposed Direction 132 – More flexible rate payment methods**

*132. Allow councils to offer ratepayers the ability to pay by lump sum or more frequent instalments on a date or dates determined by a council, provided all ratepayers have the option to pay in four quarterly instalments. Penalty interest when it is charged is to be charged on any late payment from the respective instalment due date.*

## Commentary

This proposed direction provides for more flexibility for the council to determine the lump sum date, more flexibility for ratepayers of more frequent instalments subject to the continuing option to pay by 4 quarterly instalments. This proposal is supported.

## MAV position

That proposed direction 132 be supported.

### **Proposed Direction 133 – Greater autonomy in applying rebates and concessions**

*133. Allow a council to use rebates and concessions to support the achievement of their council plan's strategic objectives, provided that the purpose is consistent with their role and functions as specified in the Act.*

## Commentary

The directions paper contends that the current provisions in relation to applying rebates and concessions are very restrictive and may prevent a council from incentivising activities that are beneficial to the broader community or supporting some groups in the community on equity grounds. Greater autonomy for councils is supported.

## MAV position

That proposed direction 133 is supported.

### **Proposed Direction 134 – Clearer guidance on land ceasing to be rateable**

*134. Clarify in the Act that, where a ratepayer successfully challenges the rateability of land, a refund of rates may only be backdated to the date of most recent ownership.*

## Commentary

The directions paper asserts that where a person successfully appeals a decision of council about their rates and charges, there is ambiguity in the current provisions as to the

timeframe to which the appeal decision applies. This proposal seeks to clarify the situation of retrospectivity and is supported.

MAV position

That proposed direction 134 is supported.

### **Proposed Direction 135 – Uniform process for reviewing and appealing rates and charges**

135. *Establish a uniform process and timeline for people wanting a review or to appeal a rates or charges decision.*

Commentary

The directions paper argues that the inconsistency for reviews and appeals can confuse people and may result in people not effectively using the review or appeal processes to exercise their rights. This recommendation is supported in principle subject to further detail on the processes and timelines.

MAV position

That proposed direction 135 is supported in principle subject to further detail on the process and timelines.

### **Proposed Direction 136 – Inclusion of *Cultural and Recreational Lands Act 1963* rating provisions**

136. *Incorporate the municipal council rating provisions in the Cultural and Recreational Lands Act 1963 in the Local Government Act. Require in the Act that councils disclose the rates that are struck for cultural and recreational lands.*

Commentary

The directions paper contends that there appears to be no good reason to isolate rating provisions for recreational lands in another Act and that incorporating these provisions in the Act would ensure greater consistency in the setting of rates and charges on recreational lands. As these provisions only relate to a council function, it seems reasonable to consolidate them in the Local Government Act.

MAV position

That this proposed direction be supported.

### **Proposed Direction 137 – Inclusion of *Electricity Industry Act 2000* rating provisions**

137. *Incorporate the municipal council rating provisions in the Electricity Industry Act 2000 in the Act.*

Commentary

The Electricity Industry Act 2000 allows a generation company that is liable to pay rates under the Act to elect to pay amounts agreed between the generation company and the council. In a similar vein to the Cultural and Recreational Lands Act, the directions paper argues that there appears to be no good reason to isolate rating provisions for the electricity industry in another Act. Where these provisions relate to a function that is only exercised by a council, it seems reasonable to embed them in the Local Government Act. In this way the

provisions are consolidated and serve to provide a coherent whole for locating relevant provisions.

MAV position

That this proposed direction be supported.

## **Chapter 10: A Rational Legislative Hierarchy**

### **Proposed Directions 138 to 144 – Legislative hierarchy**

#### ***Hierarchy***

138. *Create a systematic legislative hierarchy comprising new principle-based provisions in the Act and new Regulations setting out the processes required to meet the obligations set out in the Act, and with the capacity for the minister to issue ongoing non-statutory sector guidance as required about any aspect of the Act.*

#### ***Principle act***

139. *Include an overarching statement of the Act's objectives, intended outcomes and a plan of the remaining provisions in the Act.*
140. *Include high-level statements to frame the structure, language and content of the remainder of the Act, including new sections setting out the roles and functions and powers of councils.*

#### ***Subordinate legislation***

141. *Include a general power for the minister to make Regulations setting out the requirements councils must meet when exercising their powers or discharging their responsibilities under the Act (for example, requirements about the conduct of elections and mandated obligations under the councillor code of conduct framework). Include in this power capacity for other relevant subordinate legislation (such as legislative instruments like ministerial orders and governor-in-council orders) with the subordinate legislation only relating to matters permitted by the Act.*
142. *Empower the minister to release a council from the processes set out in Regulations if the council can show it is successfully discharging its obligations under the Act using different processes.*

#### ***Non-legislative guidance***

143. *Include a general power for the minister to make guidelines to supplement Regulations on any issue related to the Act (such as best-practice versions of documents councils must adopt like councillor codes of conduct, budget documents, meeting procedures and councillor briefing processes). The presumption would be that, by adopting these best-practice documents, a council would comply with the Act and Regulations.*
144. *Empower the minister through the ministerial directions power to require a council to adopt these best-practice policies and procedures where there have been governance failures.*

#### **Commentary**

Proposed direction 138 is to create a legislative hierarchy comprising new principle-based provisions in the Act and new Regulations setting out processes. The intent should be for clear and unambiguous provisions in the Act and Regulations. The Act and Regulations

should seek to minimise the compliance and prescription placed on councils. Notwithstanding this, there will be situations where principles should be underpinned with clear prescription to ensure that councils and the community are clear on the legislative intent and outcomes. There are many instances where prescription has served the sector well. This also provides the sector with a level of protection for autonomous localised decision-making unaffected by the political agendas of the person occupying the position of Minister for Local Government. The Minister should only have the power to make Regulations or issue binding guidelines in areas specifically provided for in the Act, which should reflect the provisions in the current Act. Non-statutory sector guidance should not seek to direct councils in areas that should more properly be included in the Act and Regulations and subject to parliamentary scrutiny.

Proposed directions 139 and 140 being an overarching statement of the Act's objectives etc. including high-level statements to frame the Act and to set out the roles and functions and powers of councils are supported in principle. The sector will need to be consulted on the detail.

In relation to proposed direction 141, the inclusion of a general power for the minister to make Regulations is supported. Proposed direction 142 seeks to empower the minister to release a council from the processes set out in Regulations if the council can show it is successfully discharging its obligations under the Act using different processes. It is not clear how this would work in practice. A council may need to seek a release before it does not comply with the Regulations. It may be in breach of the Regulations if the minister does not release the council where she is not satisfied that that it has discharged its obligations under the Act using different processes. It is proposed to support this direction in principle subject to clarification of how the process would operate.

A general power for the minister to make guidelines is supported in principle. There would be a number of circumstances in which guidelines would prove helpful. Guidelines should not be used to extend the reach of the Act or Regulations.

Proposed direction 144 to empower the minister to require a council to adopt best-practice policies and procedures where there have been governance failures seems reasonable and is supported.

MAV position

That:

- Proposed direction 138 be supported on the proviso that principles be underpinned, where appropriate, with clear prescription to ensure that councils and the community are clear on the legislative intent and outcomes
- The Minister should only have the power to make Regulations or issue binding guidelines in areas specifically provided for in the Act, which should reflect the provisions in the current Act
- Non-statutory sector guidance should not seek to extend the reach of the Act and Regulations for matters that should more properly be included in the Act and Regulations having undergone parliamentary scrutiny
- The notion that the Minister of the day have largely unfettered power to do anything that he or she likes in the sector is opposed. This is properly the function of parliament
- Proposed directions 139 and 140 being an overarching statement of the Act's objectives, high-level statements to frame the Act and the roles, functions and

powers of councils are supported in principle subject to further consultation with the sector on the detail.

- Proposed direction 141 providing the minister with a general power for the minister to make regulations is supported
- Proposed direction 142 to empower the minister to release a council from the processes set out in Regulations is supported in principle subject to clarification as to how this would work in practice
- Proposed direction 143 for a general power for the minister to make guidelines is supported in principle subject to guidelines being used sparingly and not in a way to extend the reach of the Act or Regulations.
- Proposed direction 144 to empower the minister to require a council to adopt best-practice policies and procedures where there have been governance failures is supported.

### **Proposed Direction 145 – Principle-based obligations in the Act**

145. *Require councils to take the following principles into account when performing their functions and exercising their powers:*

- *The need for transparency and accountability*
- *The need for deliberative community engagement*
- *The principles of sound financial management*
- *The economic, social and environmental sustainability of the municipality*
- *The potential for cooperation with other councils, tiers of government or other organisations*
- *Plans and policies in relation to the municipality, region, state and nation*
- *The need for innovation and continuous improvement*

*These principles will underpin the more specific requirements in the Act.*

#### **Commentary**

The directions paper maintains that there is a disconnect between the preamble and charter in the current Act and the rest of the Act. The principles are intended to be underpinned by more specific requirements in the Act. In the case of deliberative community engagement it is considered that this should not be prescribed elsewhere in the Act but left to the discretion of councils. In relation to the fourth dot point, it is considered that the inclusion of cultural sustainability should be included. This would bring it into line with the City of Melbourne Act.

#### **MAV position**

That proposed direction 145 is supported subject to:

- The inclusion of deliberative community engagement not being underpinned by specific prescription
- The inclusion of cultural sustainability in the fourth dot point

### **Proposed Directions 146 to 148 – Prescriptive requirements in regulations**

146. *Retain the current power of the minister to intervene where a council does not comply with the obligations set out in the Act or regulations by imposing a municipal monitor or by issuing a ministerial governance direction.*

147. *Include a general power for the minister to make Regulations setting out the detailed requirements of councils when exercising their powers or discharging their responsibilities under the Act (such as requirements about the conduct of elections*



*and mandated obligations under the councillor code of conduct framework). Include in this power other relevant subordinate legislation.*

148. *Empower the minister to release a council from the processes set out in Regulations if the council can show it is successfully discharging its obligations under the Act using different processes.*

#### Commentary

It is considered reasonable for the minister to have intervention powers where a council does not comply with its obligations. Proposed directions 147 and 148 have essentially been addressed above.

#### MAV position

That proposed direction 146 relating to ministerial intervention is supported and that proposed directions 147 and 148 be referred to the position for proposed directions 138 to 144 above.

#### **Proposed Directions 149 to 151 – Best-practice guidelines**

149. *Provide guidance to the sector in relation to governance, compliance and best practice. This guidance will be in the form of guidelines and formal and informal advice to the sector.*
150. *Create best-practice versions of essential documents that councils are required to adopt. Adoption of these best-practice documents will constitute compliance.*
151. *The minister will have a power under the new Act to require the council to adopt best-practice policies and procedures as part of a governance order where governance issues have been identified.*

#### Commentary

Proposed direction 149 provides for sector guidance in the form of guidelines and formal and informal advice. This is generally supported however; clarification is required on informal advice. The creation of best-practice versions of essential documents would be helpful to councils and is supported. Empowering the minister to intervene where governance issues have been identified is reasonable and is supported.

#### MAV position

That proposed directions 149, 150 and 151 are supported subject to further clarification of “informal advice”.

#### **Proposed Direction 152 – Harmonisation of legislation – Roads traffic and transport legislation**

152. *Incorporate relevant sections of Part 9, Division 2 and schedules 10 and 11 of the current Act into the Road Management Act 2004 (or other relevant legislation), to better consolidate the legislation dealing with road management.*

#### Commentary

The directions paper asserts that having the same areas addressed in different pieces of legislation creates unnecessary complexity and increases the risk of inconsistency. This review provides an opportunity to reduce, where possible, the administrative burden on councils and increase clarity for the community by removing redundant legislation, schedules

and provisions and harmonising the different legislative provisions that apply to councils. A council's road management responsibilities existed before the Road Management Act 2004. The Roads Management Act and the LGA have similar provisions. It is argued that including all councils' road functions in the Road Management Act would place portfolio responsibility for all road matters under the one Act and one minister. This also extends to a council's powers over traffic management and parking. It is considered that those provisions that are the responsibility of a council and another authority should be consolidated in the Road Management Act. Those provisions that are the sole responsibility of a council should be retained in the Local Government Act.

#### MAV position

That as a matter of principle those provisions that are the sole responsibility of councils should be retained in the Local Government Act.

#### **Proposed Direction 153 – Harmonisation of legislation – Water Act 1989**

153. *Clarify the role of councils in local drainage, waterways and flood management. Consult about whether these are included in the new Act or in the Water Act 1989.*

#### Commentary

There are two policy changes being suggested in the directions paper with regard to councils' drainage functions (ss198 to 201). Firstly, that the role of councils in water and drainage responsibilities be clarified, and secondly, a question about whether or not the revised drainage provisions should be moved to the Water Act 1989. Both suggestions are more complex than they appear at face value, and require detailed examination and consultation with councils.

Greater legislative prescription of councils' role in water and drainage responsibilities will represent a significant change from the current legislative framework which is largely enabling and broad in scope. This reflects the history of water management regulation when the Water Act 1989 came into effect, when councils were divested of their previous responsibilities for water and sewerage services. Broad provisions were required to be retained at that time, however, to deal with legacy assets which were not transferred to the new water authorities, and to maintain metropolitan councils' role in managing drainage assets under continuation of the 60 hectare rule that had been established by the former Metropolitan Board of Works.

The scale of councils' involvement in managing drains is large. As a result, even small changes in policy have potential to significantly impact councils' resourcing of this function. For example, 2014 data collected by Melbourne Water shows that in just the greater-Melbourne catchment area alone, councils managed over one million drainage pipes covering 28,000 kilometres in length.

Where clarifying of roles leads to responsibilities being prescribed in legislation for all councils, careful consideration needs to be given to their impact on individual councils. While some councils may have the capacity to undertake particular activities, there will be a number of councils for which clarity will result in new imposts they will struggle to meet in a rate-capped environment.

In respect of whether ss198-201 should be moved to the Water Act 1989, the MAV is inclined to support their retention in the Local Government Act, noting that further work is

required to consider the positive and negative impacts for councils in greater detail. Analysis is particularly required in respect of the legal and liability implications that could arise.

The Water Act contains considerable prescription of the roles, responsibilities and connections between the Minister for Water and the powers and constraints of the various water authorities. Its provisions are strikingly different to the broad enabling provisions created by the functions of councils in s3 and ss198-201 of the Local Government Act. References to councils in the Water Act are currently very limited.

The directions paper notes that there is potential to create increased connection between councils and water authorities if their responsibilities are included in the same Act. In fact, most of the activities which lead to issues arising between councils and water agencies relate to other Acts, such as the Environment Protection Act and the SEPP (Waters) Policy which set out council requirements for on-site domestic wastewater regulation and requirements for stormwater quality, the Victorian Planning Provisions and councils' local planning policies.

There may be benefits in moving council drainage responsibilities to the Water Act, however, particularly if these lead to positive changes in the protection and supply of water for the economic, social and liveability needs future generations will require. For example, much greater collaboration between agencies will be required to manage increasing scarcity of water due to climate change at the same time there is a growing population. The MAV would like to see councils being given the ability to charge for any new water services they are asked to provide, and for consideration to be given to granting them ownership rights to stormwater as a tradeable commodity.

MAV position

That as the implications of this proposed direction may be extensive, this is not supported at this time pending full and detailed consultation with the sector.

#### **Proposed Direction 154 – Requirements of other legislation**

*154. List all Acts that impose obligations on councils in a schedule in the new Act, to be updated as new legislation is enacted.*

Commentary

This would be a useful tool for practitioners to locate relevant provisions relating to council obligations and responsibilities.

MAV position

That this proposed direction be supported.

#### **Proposed Direction 155 – City of Greater Geelong Act 1993**

*155. Repeal the City of Greater Geelong Act 1993 and include relevant provisions in the new Act.*

Commentary

The City of Greater Geelong supported incorporating the City of Greater Geelong Act entirely into the Local Government Act as a distinct section. In the circumstances, this proposed direction is supported.

MAV position

That proposed direction 155 is supported.

**Proposed Direction 156 – City of Melbourne Act 2001**

156. *Retain the City of Melbourne Act 2001 as a separate Act with the City of Melbourne retaining its distinct electoral provisions. Consider ways to modernise the Act and remove redundant or outdated provisions.*

Commentary

The directions paper maintains that Melbourne has a series of unique characteristics that demand distinct legislative arrangements. It is proposed to note this proposed direction.

MAV position

That the case for maintaining a separate Act for the City of Melbourne be noted.

**Proposed Direction 157 – Municipal Association Act 1907**

157. *Consider matters relating to the Municipal Association Act 1907 independently of this directions paper in consultation with the Municipal Association of Victoria.*

Commentary

It is proposed that the Municipal Association Act be considered independently of this directions paper in consultation with the MAV. It is considered that this is an appropriate way forward. The MAV will ensure sector involvement in this review.

MAV position

That proposed direction 157 be supported.

### 10.2.2 Planning Permit PA2015-293; Development and use of a dwelling and ancillary outbuilding on Mahars Road, Leigh Creek

<b>Application Summary:</b>	
Permit No:	PA2015 293.
Lodgement Date:	14 December, 2015.
Planning Officer:	Mark Lovell.
Address of the land:	Five titles – Crown Allotment 26, Section 4 Parish of Warrenheip; Crown Allotment 6 Section 2 Parish of Warrenheip; Crown Allotment 8 Section 2, Parish of Warrenheip; Lot 1 on Title Plan 599359U and Lot 1 on Title Plan 645593H.  Mahars Road, Leigh Creek.
Proposal:	Development and Use of a Dwelling and ancillary outbuilding
Lot size:	Combined land area of 24.11 hectares.
Why is a permit required?	Clause 35.07-1 and Clause 35.07-4 Farming Zone - Use and development of land for a Dwelling and ancillary outbuilding on a lot less than 40 hectares.
<b>Public Consultation:</b>	
Was the application advertised?	Yes, nine (9) notices to neighbouring owners and occupiers.
Notices on site:	Yes, two (2) signs on site.
Notice in Moorabool Newspaper:	No.
Number of Objections:	One objection to the application and five letters supporting the application.
Consultation meeting:	No formal mediation meeting, but discussions were held with both the applicant and objector. The objector offered an alternative lot arrangement with a land sale but this was not accepted by the applicant. The objection remains unresolved.

<b>Policy Implications:</b>	
<b>Key Result Area</b>	Enhanced Natural and Built Environment.
<b>Objective</b>	Effective and efficient land use planning and building control.
<b>Strategy</b>	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.
<b>Victorian Charter of Human Rights and Responsibilities Act 2006</b>	
<p>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.</p>	
<b>Officer's Declaration of Conflict of Interests</b>	
<p>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.</p> <p><i>Manager – Robert Fillisch</i></p> <p>In providing this advice to Council as the Manager, I have no interests to disclose in this report.</p> <p><i>Author – Mark Lovell</i></p> <p>In providing this advice to Council as the Author, I have no interests to disclose in this report.</p>	
<b>Executive Summary:</b>	
Application Referred?	Yes. Referred to internally to Council's Environmental Health and Infrastructure sections.
Any issues raised in referral responses?	No.
Preliminary Concerns?	Yes. Dwelling use on a small parcel of land within a Farming Zone.
Any discussions with applicant regarding concerns.	Yes. The applicant provided additional written information.

Any changes made to the application since being lodged?	The applicant has provided additional information regarding the background to the previous refusal to grant a permit for a dwelling and differences with the current application.
VCAT history?	Yes, VCAT appeal P251/2015 dated 5 October, 2015 overturned Council's Notice of Decision to Grant a permit and directed no permit to be issued for the construction of a dwelling and shed in association with an agricultural business.
Previous applications for the site?	PA2104172. A Notice of Decision was issued at the direction of Council on 4 March, 2015. The decision was overturned by VCAT on review.
General summary (Pro's/Con's of the proposal).	The primary concern with this application is the use of the land for a dwelling within a Farming Zone.
<b>Summary Recommendation:</b>	
That, having considered all relevant matters as required by Section 60 of the Planning and Environment Act 1987, Council issue a Notice of Decision to grant a permit for the use and development of a dwelling with ancillary outbuilding at Crown Allotment 26, Section 4 Parish of Warrenheip; Crown Allotment 6 Section 2 Parish of Warrenheip; Crown Allotment 8 Section 2, Parish of Warrenheip; Lot 1 on Title Plan 599359U and Lot 1 on Title Plan 645593H known as Mahars Road, Leigh Creek.	

**Public Notice**

The application was notified to adjoining and surrounding landowners and by placing two large notices on site, one of each side of Mahars Road for a period of fourteen days. One (1) objection was received. Also, five letters supporting the application were received after the completion of the advertising period.

**Summary of Objections**

The objection received is detailed below with officer's comments accompanying them:

<b>Objection</b>	<b>Any relevant requirements</b>
The application is no difference to last application lost at VCAT.	Reasons of VCAT order P521/2015
<b>Officer's response:</b> The application has changed considerably by including additional land in the same ownership which increases from 11.75 hectares to 24.11 hectares. The applicant has changed their Farm Management Plan from a Low Line Cattle Stud to a Beef Cattle Farm.	

Objection	Any relevant requirements
<b>Inconsistencies in the Farm Management Plan</b>	Farm Management Plan.
<b>Officer's response:</b> This can be rectified by ensuring the detailing of the plan matches the financial statement included within the plan.	
No legitimate justification for a dwelling (theft and checking stock) and the owner has previously lodged a fictitious Farm Management Plan to obtain a permit in order to sell the property.	
<b>Officer's response:</b> To ensure the site is used strictly in accordance with Farm Management Plan, a Section 173 agreement will be required. This does not prevent a future sale of the site but ties the use of the dwelling to a specific agricultural use which in this instance is a Beef Cattle Farm.	

### Proposal

The proposed dwelling will consist of three bedrooms, an open study, combined kitchen and meals room, combined lounge and family room with associated amenities. The dwelling will have a maximum width of 10.30 metres and a maximum length of 19.60 metres for a total floor area of 185.30m<sup>2</sup>. The dwelling is setback 40 metres from the southern side of Mahars Road, and setback 25 metres from the eastern side boundary. The dwelling will be accessed via a 6 metres in width gravel driveway and a new proposed pipe vehicle crossover. The dwelling will have a floor to ceiling height at 3.0 metres and an overall height of 6.9 metres. The dwelling will be comprised of weatherboard clad walls, Colorbond pitched roofing, and unspecified window frames.

The applicant also intends to construct an ancillary outbuilding to be used as a farm shed. The building will be 12.05 metres in width and 15.09 metres in length for a total floor area of 181.83m<sup>2</sup>. The building will have an overall height of 8.06 metres and will consist of Coloured trimdeck clad walls and Colorbond roofing. The building is located to the western side of the proposed internal driveway. The total area occupied by the dwelling, shed and associated open spaces separate from the farming land is 976.45m<sup>2</sup> or 4.05% of the total land area covering five titles.

### Site Description

The subject site is split between the northern side of Mahars Road and the southern side of Mahars Road, west of Forbes Road, Leigh Creek. The site is comprised of five separate titles, three titles to the north of Mahars Road and two titles to the south of Mahars Road with a combined land area of 24.11 hectares. The site is comprised of vacant land with slight sloped topography. The site has been cleared and does not contain any canopy trees.

To the south, visible from the site is Kryal Castle, a major tourist attraction (place of assembly) with a woodlands hill further to the south. To the north, are open agricultural uses with scattering of farm sheds. There are a small number of dwellings in the area. The site is conveniently positioned near the Western Highway located to



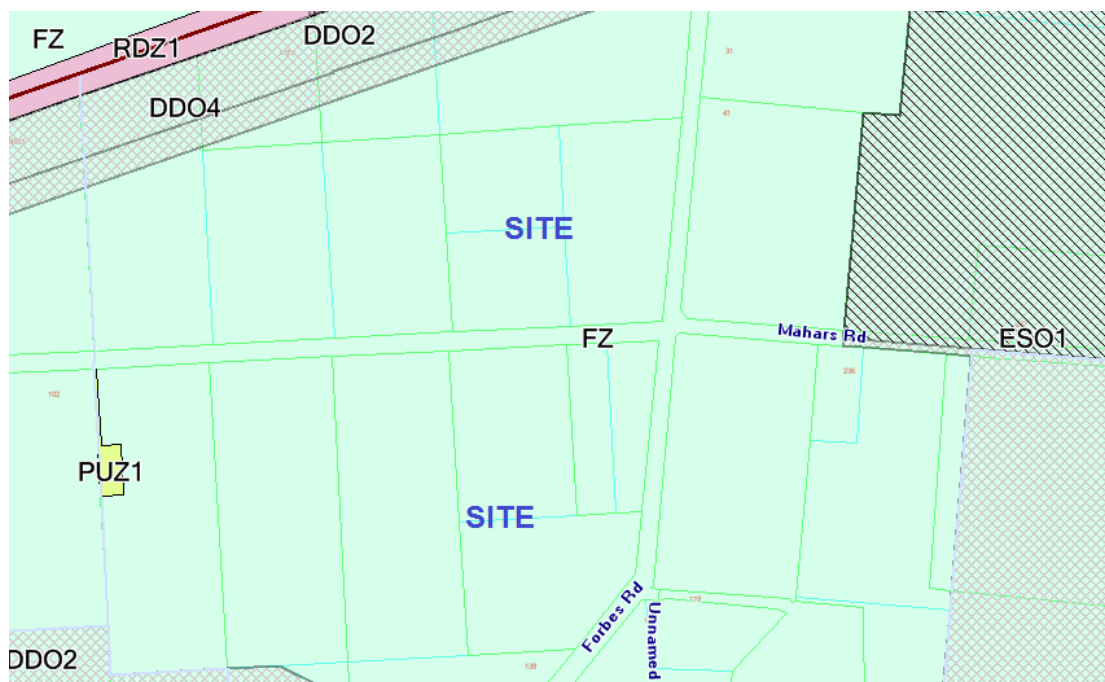
the north-west which provides easy access the Ballarat Activity Centre which contains a diverse range of retail and commercial uses.

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

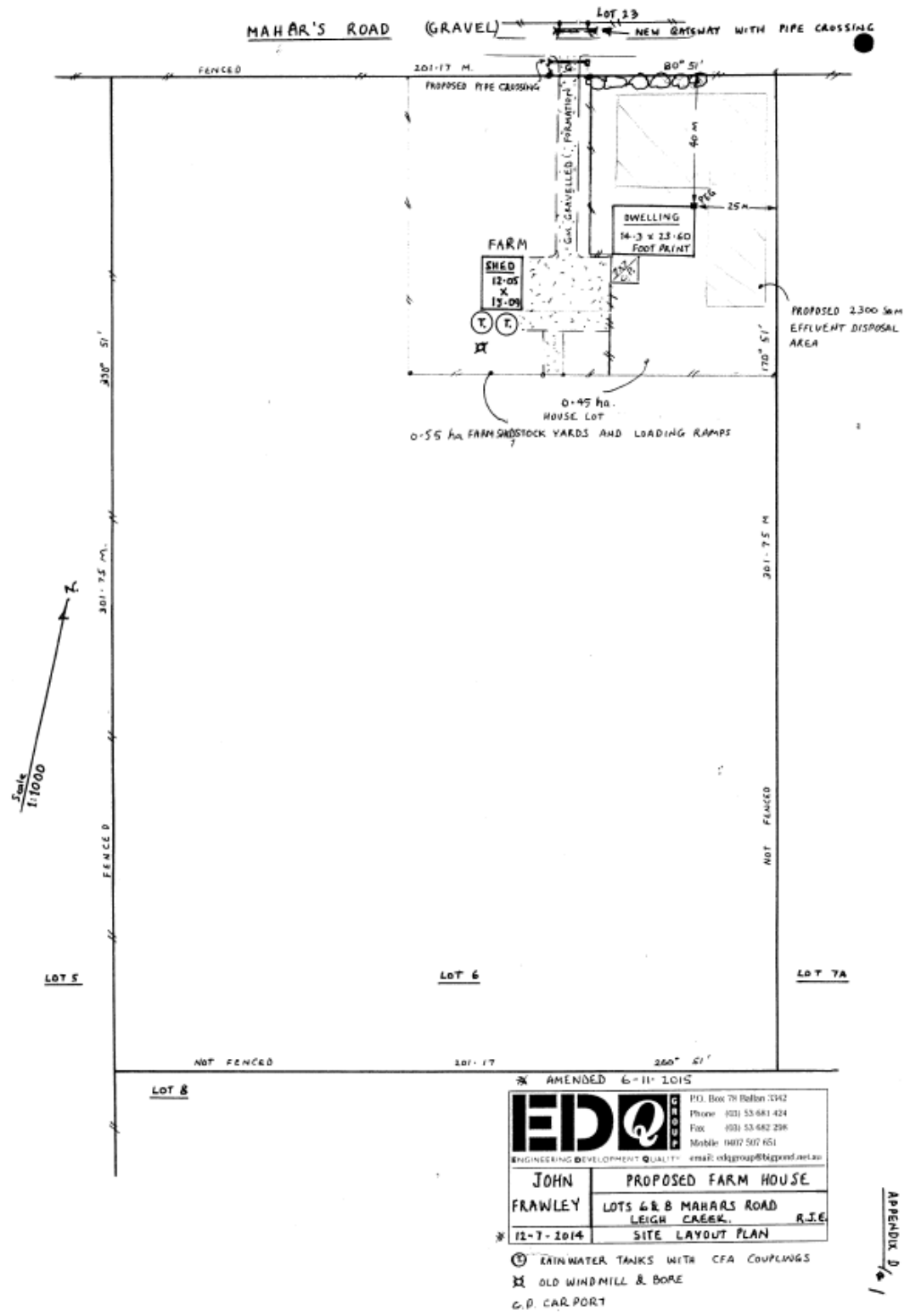
### Locality Map



### Zone Map

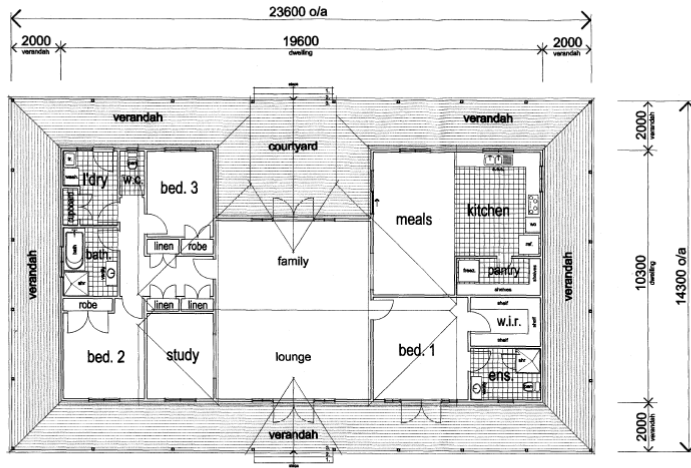


The surrounding properties are within a Farming Zone under the Moorabool Planning Scheme



Site plan

APPENDIX B  
1/1



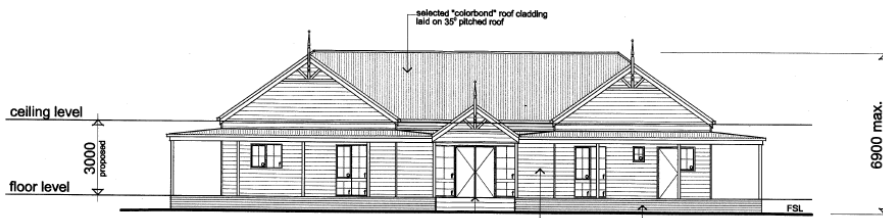
proposed floor plan  
SCALE 1:100

areas :	
proposed dwelling	: 185.30m <sup>2</sup>
proposed verandah	: 152.20m <sup>2</sup>
total	: 337.50m <sup>2</sup>

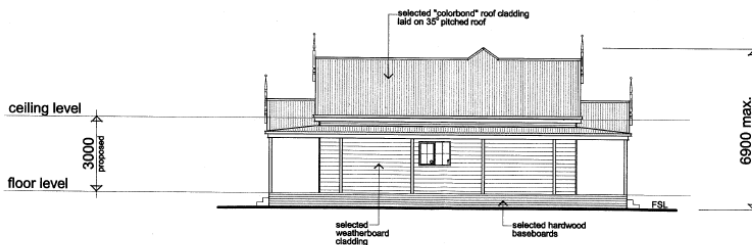
<p>The drawings have been prepared for the use of: "Architect, Design, Drafting, and Site/Trade Services" and other associated services only. The drawings are not to be used for any other purpose or in any other jurisdiction. © 2016 This drawing must not be copied, altered, or otherwise used in any way without the written consent of the author. All copyright and other rights are reserved. Author: [Name] Date: [Date]</p>	<p><b>Architect</b> Moorabool Shire Design and Drafting Services 12/1000 [Address] [Phone] [Fax] [Email] [Website]</p>	<p>proposed dwelling and verandahs</p>	<p>proposed floor plan</p>
		<p>JOHN FRAWLEY LOT 6 MAHARS ROAD LEIGH CREEK.</p>	<p>PLANNING USE ONLY not for construction</p>

Floor Plan

APPENDIX B  
1/2



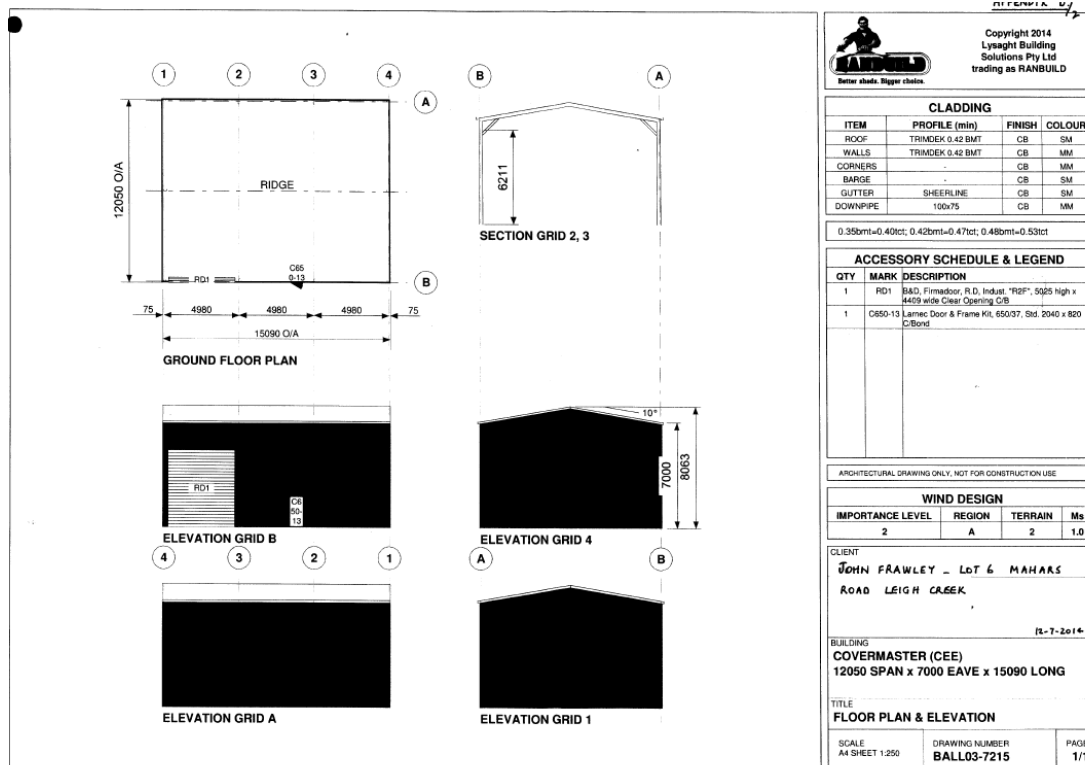
north elevation  
SCALE 1:100



west elevation  
SCALE 1:100

<p>The drawings have been prepared for the use of: "Architect, Design, Drafting, and Site/Trade Services" and other associated services only. The drawings are not to be used for any other purpose or in any other jurisdiction. © 2016 This drawing must not be copied, altered, or otherwise used in any way without the written consent of the author. All copyright and other rights are reserved. Author: [Name] Date: [Date]</p>	<p><b>Architect</b> Moorabool Shire Design and Drafting Services 12/1000 [Address] [Phone] [Fax] [Email] [Website]</p>	<p>proposed dwelling and verandahs</p>	<p>proposed elevations</p>
		<p>JOHN FRAWLEY LOT 6 MAHARS ROAD LEIGH CREEK.</p>	<p>PLANNING USE ONLY not for construction</p>

### Elevation Plan



### Shed floor and elevation plans

### Planning Scheme Provisions

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

The relevant clauses are:

- Clause 11.05-2 Melbourne's hinterland areas.
- Clause 14.01-1 Protection of Agricultural Land
- Clause 16.01-2 Location of Residential Development
- Clause 16.01-5 Housing Affordability,
- Clause 21.03-4 Landscape and Neighbourhood Character.
- Clause 21.03-5 Rural Lifestyle Opportunities.
- Clause 21.04-2 Agriculture.
- Clause 22.03 House and House lot excisions in Rural Areas.

The proposal complies with the relevant sections of the SPPF and LPPF, with the exception of the clauses outlined in the table below:

<b>SPPF</b>	<b>Title</b>	<b>Response</b>
Clause 14.01-1	Protection of Agricultural land.	The proposed dwelling will not impact upon the continuation of primary production on adjacent land. The use of part of land for dwelling will reduce the total area devoted to the agricultural use.
Clause 16.01-2	Location of Residential Development	The proposed dwelling is not located near an activity centre or an employment corridor.
<b>LPPF</b>		
Clause 21.03-4	Landscape and Neighbourhood Character	A strategy of this Clause is to avoid residential development in farming areas unless it is required for the agricultural use for the land. A Farm Management Plan demonstrates a nexus between the occupation of the dwelling and the use of the land for Beef Cattle farm.

### **Zone**

The site is located in a Farming Zone under the Moorabool Planning Scheme. The purpose of the Farming Zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provisions.

The decision guidelines under dwelling issues has the following objectives:

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

A planning permit is required use the land for a dwelling where a lot is less than 40 hectares.

A planning permit is required for building and works for a Section 2, permit required use.

The proposal is considered consistent with the objective to ensure that non-agricultural uses do not adversely affect the use of surrounding land for agriculture.

### **Overlays**

This site is not affected by overlay controls.

### **Relevant Policies**

#### **Council's Rural Growth Policy**

Council's Rural Growth Policy Statement was adopted by Council on 19 September, 2012. The document applies to all land in Farming Zone under the Moorabool Planning Scheme. The policy states:

- Encourage dwellings in areas nominate in Map 1 of Council Rural Growth Policy Statement;
- Ensure the siting of any dwellings is designed to have a minimal impact on any existing or future agricultural activities on the site and on surrounding.
- Ensure it is clear whether the dwelling is required for agricultural operation use or to maintain rural communities;
- Ensure sufficient infrastructure is available or that alternative methods are available which do not required normal infrastructure;
- Encourage development of dwellings to support communities of land which is unlikely to support agricultural land which still considering any other overlays which may impact the land. This is land which is constrained for use as agriculture by other environment factors such as vegetation, slope, soil quality, etc; and
- Ensure any subdivision is undertaken in accordance with the scheme in order to discourage fragmentation of agricultural land. Subdivision in accordance with the scheme.

The proposed dwelling is considered not have an impact upon the continued of the surrounding land for agricultural use.

## **Council's Rural Housing Policy**

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

The principles of the policy relevant to this application include:

- Support the agriculture sector so that it can be more productive, diverse, resilient and adaptive to changing agricultural trends, including supporting agricultural activities that recognise Moorabool's advantageous proximity to market;
- Protect agricultural land use from loss and allow development that increases agricultural productivity;
- Focus growth opportunities in settlements along major transport corridors, in particular where there is physical and social infrastructure and services;
- Recognise that there is substantial existing lots under 40 hectares capable of supporting the viable operation of agricultural enterprises;
- Promote a rural housing market that meets the needs of the Shire's rural communities; and
- Land parcels for the proposed on farm living dwellings are to have a minimum lot size of 8 hectares as identified in Map 1.

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

The proposed development of a dwelling easily achieves the minimum land area of 8 hectares under this policy with a combined land area of 24.11 hectares. The dwelling is linked to a Farm Management Plan (FMP) thereby supporting continued agricultural use of the land.

### **Particular Provisions**

There are no particular provisions affecting the subject land.

### **Discussion**

#### VCAT Decision.

The same permit applicant and land owner previously applied for a dwelling associated with an agriculture use on the same site except for a smaller land area of 11.55 hectares. On review against Council's Notice of Decision to grant a permit, VCAT determined the application and directed no permit be issued.



Member Watson made several statements in her order which are relevant to the current application. She noted the proposed dwelling and shed occupied 8.5% of the total land which was considered to be a large loss of productive agricultural land contrary to the purpose of the Farming Zone and would undermine state and local policies which seek to protect productive agricultural land. The member was also not persuaded by the contents of the Farm Management Plan and believed the calving process could be successfully undertaken by personnel living off site and did not believe the farm equipment requires twenty four surveillance in order to be properly secured.

The current application seeks to consolidate five land titles for a total area of 24.11 hectares. Using the same land area taken by the dwelling and shed, this would equate to approximately 4.05% of the total land. It is considered that this a minimal amount of the total land to be devoted to a dwelling and shed. The site also includes three unencumbered parcels of land on the northern side of Mahars Road which are not affected by any of the building works. The consolidation of the titles would deter additional dwellings occupying this area.

The site comprising five titles is now of a sufficient land area and can still be used for productive agricultural use consistent with the objectives of the Farming Zone.

The applicant has modified their Farm Management Plan to a high value Beef Cattle Farm. The new Farm Management Plan advised that the property has the potential capacity for 23 heifers. The intent is to purchase calving heifers in autumn and spring and sell the cow and calf in a 6 month cycle. The financial statement projects a profit for the next five years using this process. The applicant has presented a scenario for a viable farming activity. The objector has advised that this is an unusual farming process and suggested that there is a lack of knowledge of breeding cattle by the applicant. Based on the information presented in the Farm Management Plan suggests that site will operate successfully and will be used for the purpose of a beef cattle farm. The dwelling on site ensures livestock losses are minimised to prevent the beef cattle business from not being financially viable in the future.

#### Dwelling in a Farming Zone

The dwelling is positioned in the north-east corner of Lot 6. This has limited the extent of the area covered by the dwelling with its associated effluent field, ancillary shed and the internal accessway to allow most of the land to be unencumbered for agricultural use. There will be a permit condition requiring consolidation of all five titles to prevent any lots been sold off and restricts further development of the land.

The applicant has advised that their client is a legitimate farmer who has resided in the local area for a long period of time. The owner has submitted a statement advising their intent is to build a family home to enable three generation of Frawley farmers to continue to live and work on the original 30 acre property his father bought on the northern side of Mt Warrenheip. The information presented including the Farm Management Plan provides adequate evidence that a viable farming activity will be undertaken on the property in association with a dwelling. The proposal is considered to be consistent with the objectives of the Farming Zone and would not be undermined by one dwelling covering five farming lots that will be consolidated into one lot. The proposal in its current form, covering 24.11 hectares is appropriate for a one dwelling development that is associated with an agricultural activity. On this basis, the application should be supported.

**General Provisions**

Clause 65 - Decision Guidelines have been considered by officers in evaluating this application.

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.

Clause 66 - stipulates all the relevant referral authorities to which the application must be referred.

**Referrals**

The following referrals were made pursuant to s.55 of the Planning and Environment Act 1987 and Council departments were provided with an opportunity to make comment on the proposed development plan.

Authority	Response
Infrastructure	No objection subject to five conditions
Environmental Health	No objection subject to one condition.

**Financial Implications**

The recommendation for approval would not represent any financial implications for Council.

**Risk and Occupational Health and Safety Issues**

The recommendation for this application does not implicate any risk or OH&S issues to Council.

## Communications Strategy

Notice was undertaken for the application, in accordance with s.52 of the Planning and Environment Act 1987, and further correspondence is required to all interested parties to the application as a result of a decision in this matter. The submitter and the permit applicant were invited to attend this meeting and invited to address Council if desired.

## Options

An alternative recommendation would be to refuse the application on the grounds that the proposed use and development of a dwelling is inappropriate and inconsistent with the Farming Zone provisions which seek to retain productive agricultural land.

Refusing the application may result in the objector lodging an application for review of Council's decision with VCAT.

## Conclusion

The proposed use and development for a dwelling and ancillary outbuildings does satisfactorily address the decision guidelines of the Farming Zone. The site area has been enlarged compared to the previous application that was refused and allows for the consolidation of five farming lots which can be satisfied by a permit condition. The associated Farm Management Plan demonstrates a viable farming activity and will be linked to the subject land via a Section 173 agreement that will be registered on title. The objector concerns have not been fully resolved but will partly satisfied by a consolidation of titles to prevent their individual sale. The proposed use and development of a dwelling and ancillary outbuilding should be supported.

## Recommendation:

**That, having considered all matters as prescribed by the Planning and Environment Act, Council issue a Notice of Decision to grant a permit for application PA2015293 for the development and use of a dwelling and ancillary outbuilding at Crown Allotment 26, Section 4 Parish of Warrenheip; Crown Allotment 6 Section 2 Parish of Warrenheip; Crown Allotment 8 Section 2, Parish of Warrenheip; Lot 1 on Title Plan 599359U; and Lot 1 on Title Plan 645593H, known as Mahars Road, Leigh Creek with the following conditions.**

## Endorsed plans

1. **Before the use and development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by 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 or some other specified plans but modified to show:**
  - a) **The site plan to show all five lots and the plan annotated that the lots will be consolidated into one new lot.**
  - b) **The paddock plan attached to the Farm Management Plan to show all five lots only and not the adjacent property to the east of Crown Allotment 6 Section 2, Parish of Warrenheip.**

Unless otherwise approved in writing by the Responsible Authority, all buildings and works are to be constructed and or undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority prior to the commencement of the use.

#### Operational

2. Before the use and development commences, all five titles consisting of Crown Allotment 26, Section 4 Parish of Warrenheip; Crown Allotment 6 Section 2 Parish of Warrenheip; Crown Allotment 8 Section 2, Parish of Warrenheip; Lot 1 on Title Plan 599359U; and Lot 1 on Title Plan 645593H must be consolidated in accordance with the Subdivision Act and registered with Land Victoria.

#### Dwelling Requirements

3. Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
4. The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.
5. The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
6. The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

#### Farm Management Plan

7. A Farm Management Plan to the satisfaction of the Responsible Authority must be endorsed as part of this permit, and cannot be varied without the written consent of the Responsible Authority.
8. Prior to the issue of a building permit, sufficient work must have occurred in accordance with the five (5) year plan of the Farm Management Plan to the satisfaction of the Responsible Authority.
9. Before the issue of a Building Permit the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987 to the satisfaction of the Responsible Authority:
  - a) The owner of the land must acknowledge that while the land remains zoned as Farming Zone or its equivalent successor the primary use of the land is for agricultural activities and the use of the dwelling must be in conjunction with an approved agricultural activity.
  - b) Agricultural activities and environmental management identified in the endorsed Farm Management Plan must be undertaken on the land and must be in accordance with the Farm Management Plan

- endorsed under Condition 7 of the Planning Permit and cannot be varied without the written consent of the Responsible Authority.
- c) Before a Building Permit is issued for the dwelling, application must be made to the Register of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Act and the owner must provide evidence of that registration of the Agreement to the Responsible Authority.
  - d) The owner must pay the reasonable costs for the preparation, execution and registration of the Section 173 Agreement.

#### **Materials and Colors**

10. All external walls and roof areas of the proposed building/s are to be clad with non-reflective materials (zincalume prohibited) to the satisfaction of the Responsible Authority.

#### **Infrastructure**

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

#### **Environment Health**

16. The recommendations of the Land Capability Assessment prepared by Provincial Geotechnical Pty Ltd, 30 June 2014 Reference No: F4126 must be adhered to.

#### **Permit Expiry**

17. This permit will expire if one of the following circumstances applies:
  - a) The development and the use are not started within two years of the date of this permit;
  - b) The development is not completed within four years of the date of this permit.

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

**Permit Note**

**A permit to install an onsite wastewater management system must be submitted to Environmental Health.**

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**Report Authorisation**

**Authorised by:**

**Name:** Satwinder Sandhu  
**Title:** General Manager Growth and Development  
**Date:** Thursday, 18 August 2016



### 10.2.3 Planning Application PA2016 030 – 456 Navigators Road, Navigators; Use and Development of a Dwelling and Ancillary Outbuilding

<b>Application Summary:</b>	
Permit No:	PA2016-030
Lodgement Date:	5 February 2016
Planning Officer:	Tom Tonkin
Address of the land:	Crown Allotment 2, Section 20A, Parish of Warrenheip, 456 Navigators Road, Navigators 3352
Proposal:	Use and Development of a Dwelling and Ancillary Outbuilding
Lot size:	6.11ha
Why is a permit required	Clause 35.07 – Farming Zone – use and development Clause 42.01-2 – Environmental Significance Overlay – development
<b>Public Consultation:</b>	
Was the application advertised?	The application was advertised due to the proposal's potential to cause material detriment.
Notices on site:	Two (2)
Notice in Moorabool Newspaper:	None
Number of Objections:	Five (5). A sixth objection was withdrawn.
Consultation meeting:	Yes, held 27 April 2016 and attended by the applicant and objectors from two properties. Fundamental objections remain unresolved.
<b>Policy Implications:</b>	
<b>Key Result Area</b>	Enhanced Natural and Built Environment.
<b>Objective</b>	Effective and efficient land use planning and building control.
<b>Strategy</b>	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.

<b>Victorian Charter of Human Rights and Responsibilities Act 2006</b>	
<p>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.</p>	
<b>Officer's Declaration of Conflict of Interests</b>	
<p>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.</p> <p><i>Manager – Robert Fillisch</i></p> <p>In providing this advice to Council as the Manager, I have no interests to disclose in this report.</p> <p><i>Author – Tom Tonkin</i></p> <p>In providing this advice to Council as the Author, I have no interests to disclose in this report.</p>	
<b>Executive Summary:</b>	
Application Referred?	Referred to Central Highlands Water and within Council.
Any issues raised in referral responses?	No
Preliminary Concerns?	Yes, concerns were raised that the siting of the dwelling may limit the agricultural productivity of the site.
Any discussions with applicant regarding concerns	No
Any changes made to the application since being lodged?	Yes. Council officers wrote to the applicant requesting justification for the proposed siting of the dwelling, which was provided. Later, after advertising, Council requested the Farm Management Plan be amended to address concerns about the capability of the land to support the proposed farming enterprise, including stock numbers. An amended Farm Management Plan was submitted which more than halved stock numbers to 35 ewes and made consequential changes to the plan.
VCAT history?	None
Previous applications for the site?	None



General summary	<p>The proposal is for use and development for a dwelling and ancillary outbuilding on a 6.11ha lot. A farm management plan is provided in support of the proposal.</p> <p>Objections to the proposal relate mainly to fragmentation of agricultural land, environmental impacts on the potable water supply catchment, unsustainability of the proposed farming activities and impact on rural character.</p> <p>Overall, the proposal is inconsistent with relevant State and local planning policy and does not contribute to the orderly use and development of productive agricultural land.</p>
<b>Summary Recommendation:</b>	
<p>That, having considered all relevant matters as required by the Planning and Environment Act 1987, Council issue a Refusal to Grant a Permit for this application in accordance with Section 61 of the <i>Planning and Environment Act 1987</i>, on the grounds detailed at the end of this report.</p>	

### Background

With this application the applicant concurrently submitted two other applications – PA2016-031 and PA2016-032 – both for use and development of a dwelling and ancillary outbuilding on adjacent lots also forming part of 456 Navigators Road, Navigators. Objectors made either identical or near identical submissions to all the applications.

### Public Notice

Notice of this application was given to adjoining and nearby landowners and occupiers by mail on 7 March 2016 and signs erected on site facing Navigators Road and Pound Creek Road from 17-31 March 2016. Six (6) objections were received, one (1) of which was subsequently withdrawn.

### Summary of Objections

The objections received are detailed below with officer's accompanying comments. As previously mentioned objections received were not only to this application but also PA2016-031 and PA2016-032, and frequently refer to the objections as a whole. This is sometimes reflected in the summary below:

Objection	Any relevant requirements
The proposal will increase noise levels, dust and traffic, particularly on Pound Creek Road, affecting the rural ambience and set a precedence for similar development of multi lot farms, creating a suburban environment.	N/A
<p><b>Officer's response -</b> It is not considered that the proposal would not increase noise, dust or traffic to unacceptable levels given the modest nature of the proposal. There is an existing issue in part with the condition of Pound Creek Road which is separate to the consideration of this permit.</p>	
The proposal does not comply with Clause 16.02-1 of the planning scheme. The sale and development of individual lots which formed part of larger agricultural landholdings impacts on the economic viability of farming by inflating land prices.	Clause 16.02-1
<p><b>Officer's response -</b> This objection is discussed below.</p>	
The site is currently for sale, and the submitted farm management plan is generic, unrealistic and not tailored to a particular landowner's activities. The proposal could lead to a hobby farm use once the land is sold with a permit, and not contribute to agriculture in the area.	Clauses 14.01-1 and 16.02-1
<p><b>Officer's response -</b> This objection is discussed below.</p>	
The submitted farm management plan has discrepancies and inconsistencies, and would see overstocking of the land.	N/A
<p><b>Officer's response -</b> This objection is discussed below.</p>	
There is no absolute need for a dwelling on the site based on the farm management plan. The land has been farmed for generations without the need for a dwelling. The proposal does not comply with Clauses 35.07 or 22.03 of the planning scheme.	Clauses 22.03 and 35.07
<p><b>Officer's response -</b> This objection is discussed below.</p>	
The findings of the Land Capability Assessment, conducted in summer during a drought, do not reflect winter conditions when the land can be soggy and waterlogged. The report may not have captured all accurate information.	N/A

<b>Officer's response -</b> The report was prepared by a suitably qualified person and the application, including the report, referred to Council's Environmental Health Officer and Central Highlands Water, the relevant water board who are a determining referral authority, who consent to the proposal subject to conditions.	
The property is within the Two Mountains Koala Trail and the proposal, including increased traffic would impact on koalas. The objector quotes a decision guideline from Clause 35.03-5.	Clause 35.07
<b>Officer's response -</b> Clause 35.03-5 relates to land in the Rural Living Zone. The subject site is in the Farming Zone, which includes the following decision guideline: "The impact of the use or development on the flora and fauna of the site and its surrounds."	
Additional dwellings and chemical use for weed control within the water catchment will reduce the quality and quantity of water. The objector quotes policy from Clause 22.02.	Clause 22.02
<b>Officer's response -</b> Use of chemicals for weed control is not relevant to consideration of this application. As previously mentioned the impact of development in the water catchment may be mitigated by the siting of development and permit conditions which regulate the proper functioning of the wastewater treatment system on an on-going basis. The first policy statement quoted is: "Strongly discourage the subdivision of the land in proclaimed water catchment areas", which is not relevant to this proposal which is for development of existing lots. The other policy statement quoted is: "Discourage land use and development that has the potential to reduce the quality or quantity of water produced." The application included a Land Capability Assessment prepared by a suitably qualified person and the application, including the report, referred to Council's Environmental Health Officer and Central Highlands Water, the relevant water board who are a determining referral authority, who consent to the proposal subject to conditions. Whilst the proposal has potential to affect water quality it is considered that adequate provision has been made to mitigate the impacts.	
Can the electricity supply to the area cope with the additional demand?	N/A
<b>Officer's response -</b> Any condition of approval would require a dwelling to be connected to reticulated electricity or have an alternative energy source. Any issues regarding electricity supply are a matter for the landowner to resolve with Powercor.	
Is the effluent field at least 100m from the existing dam?	Clause 42.01, Schedule 1
<b>Officer's response -</b> The effluent field would be 85-90m from the dam, which is not on a waterway.	
Growth in the area would require local roads to be upgraded to cope with additional traffic.	N/A
<b>Officer's response -</b> Road upgrades are separate to the consideration of this permit application.	

Additional dwellings affect fire and flood management in the area, increase the hazard and put pressure on emergency services.	N/A
<b>Officer's response -</b> These matters are not directly relevant to the consideration of this permit application but are broader strategic matters involving several agencies.	
CA2 includes an existing hay shed, therefore no additional sheds should be needed.	NA
<b>Officer's response -</b> The applicant advises that this shed has been sold and will be removed from the site.	
Daily traffic and noise and dust from construction of the proposed dwellings will impact on farms and crops nearby.	NA
<b>Officer's response -</b> The disruption normally expected during construction of a dwelling would not be considered unreasonable. Any unreasonable offsite impacts would be dealt with as part of the building permit approval.	
Is compliance with farm management plans monitored by Council?	NA
<b>Officer's response -</b> Any approval should require the farm management plan to be endorsed, which means it must be complied with. However, Council does not proactively enforce permit conditions due to limited resources, but would investigate any reported breach of conditions.	
Weed control is expensive, and less likely to be done where there is minimal or no economic/agricultural imperative to do so, such as on a small property. This impacts neighbouring properties due to spread of weeds, and also creates a fire hazard.	Clauses 14.01-1 & 35.07-6
<b>Officer's response -</b> This objection is discussed below.	
The proposed division of a single property into multiple smaller properties is contrary to planning policy.	Clauses 16.02-1
<b>Officer's response -</b> The site comprises several lots on separately disposable titles, however it is recognized that the proposal would contribute to the potential for more likely permanent fragmentation of the current landholding. This objection is discussed further below.	
Rotation of stock on smaller properties would increase stock crossing of Pound Creek, causing erosion of the embankment and reduced water quality.	Clauses 14.01-1 & 16.02-1
<b>Officer's response -</b> This objection is discussed below.	
Navigators is in a high fire danger area – increased population is a risk, and motorbikes, farm machinery and unmanaged weeds adds fuel, and is a fire risk.	

<b>Officer's response -</b> Some nearby land, including to the west of the subject site, is affected by the Bushfire Management Overlay, the purpose of which includes "to ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level." Under this overlay, development associated with some land uses, including dwellings, requires a planning permit. Development directly associated with agriculture does not require a permit under this overlay. An assessment of fire risk or hazard is not relevant to this application.	
The need for increased population in Navigators to sustain community sporting groups, for example, is disputed.	Clause 16.02-1
<b>Officer's response -</b> Council's Rural Housing Policy seeks to ensure the viability of rural communities by increasing population growth. There is no policy particular to Navigators in this regard, and the objector's claim is anecdotal but not disputed.	
Introducing new crops like canola to the area introduces new pests and diseases. Pest control can in turn impact on birds, and there is abundant birdlife in the area.	NA
<b>Officer's response -</b> The application is for use and development of a dwelling and includes consideration of a farm management plan, discussed below. The planting of crops falls within the definition of crop raising, a use of land which (except from rice growing and timber production) in the Farming Zone does not require a planning permit.	
Local wildlife is affected by increased population and the associated pollution and disturbance of the environment.	Clause 35.07-6
<b>Officer's response -</b> The Moorabool Planning Scheme does not identify any notable environmental values on the site or surrounding area, but the statement is considered to be broadly valid in considering such an application.	
Previous permit applications by locals to develop or subdivide land have been refused. If rules have changed ratepayers should be notified.	NA
<b>Officer's response -</b> This objection is not directly relevant to this application, but it is acknowledged that Council should consider its role in communicating planning policy changes to the community.	
It was understood that given the location in a Special Water Supply Catchment the area would not be developed. This proposal could set a precedent for more development and fragmentation of productive farm land.	Clauses 22.02 & 42.01, Schedule 1 Clauses 14.01-1, 16.02-1 and 35.07-6

<b>Officer's response -</b> Over the years State and local policies have changed regarding land in Special Water Supply Catchments. In particular, Council adopted its Domestic Wastewater Management Plan (DWMP) in October 2014, in accordance with the Minister for Water's guidelines. The DWMP guides Council in managing existing onsite wastewater systems and new housing development in water catchment areas. It is noted that Central Highlands Water (CHW) had input into the preparation of the DWMP, and as a determining referral authority can object to a planning permit application in this particular catchment, which would mean that a permit could not be granted. CHW have no objection to this application, subject to conditions. Concerns about precedence and land fragmentation are discussed below.	
Traffic safety on Pound Creek Road would be compromised due to the location of proposed crossovers.	N/A
<b>Officer's response -</b> The application was referred to Council's Infrastructure unit who made no objection to the application. This objection was discussed at the consultation meeting with objectors who attended and it was resolved that, notwithstanding the concerns raised, the proposed crossover location was in the best possible position.	
External fences do not have ring lock fencing to restrict sheep from straying onto the road.	N/A
<b>Officer's response -</b> This objection is not directly related to the assessment of this application.	
The proposal encourages fragmentation of land for non-rural use by splitting up a productive enterprise.	Clauses 14.01-1, 16.02-1 & 35.07-6
<b>Officer's response -</b> This objection is discussed below.	
The Farm Management Plan is unviable and makes a mockery of how the systems, process and policies should be applied.	Clauses 14.01-1 and 16.02-1
<b>Officer's response -</b> This objection is discussed below.	
Unviable farm plans reduce the amount of land available for sustainable agriculture.	Clause 16.02-1
<b>Officer's response -</b> This objection is discussed below.	
The proposal would lead to a concentration of dwellings, meaning the land would no longer be used for agriculture, and result in an unacceptable change in rural outlook from our property.	Clauses 14.01-1, 16.02-1 & 35.07-6
<b>Officer's response -</b> This objection is discussed below.	
Loss of neighbourhood amenity due to development density creating smaller lot sizes.	Clauses 15.01-5, 35.07-6 & 65.01

<b>Officer's response -</b> It is noted that the proposal would not create smaller lot sizes but to develop an existing lot with a dwelling. The lot size is not uncommon in the area but development of a dwelling on such a lot that does not form part of a larger landholding is uncommon.	
The application does not accord with relevant policy for water catchments in Moorabool.	Clauses 14.01, 19.03, 22.02 and 42.01, Schedule 1
<b>Officer's response -</b> The objector appears to quote from a particular policy but the source is unclear. Nevertheless the information quoted is generally consistent with the guidelines in 'Planning permit applications in open, potable water supply catchment areas' (November 2012). In short, planning policy is often discretionary, as in this instance, and the application was referred to Central Highlands Water (CHW) as the relevant water board for consent, which was given subject to conditions.	
The Land Capability Assessment was conducted during the driest time in years and does not fully assess or reflect the true features and conditions of the land, and therefore its conclusions regarding proposed development setbacks from Pound Creek are questionable.	Clauses 14.02 and 22.02.
<b>Officer's response -</b> The report was prepared by a qualified professional and the application referred to Central Highlands Water as the relevant water authority, and to Council's Environmental Health Officer, who consent to the proposal.	
Additional traffic on roads already in poor condition.	N/A
<b>Officer's response -</b> This objection is not directly related to the application. The existing condition of roads is a separate matter for consideration.	
Proximity of dwelling would impede vermin control using firearms and alternative methods such as poison could impact on wildlife and livestock.	Clause 35.07-6
<b>Officer's response -</b> It is acknowledged the dwelling could impede the objector's land management practices.	
The proposal is at odds with State planning policy which is to maintain productive farm sizes and discourage fragmentation of farm land dwellings unrelated to farming.	Clauses 11.05-3, 14.01-1 and 16.02
<b>Officer's response -</b> This is discussed below.	
Constraints imposed by the zoning and drinking water supply catchment location should apply to this proposal.	Clauses 14.02 and 22.02
<b>Officer's response -</b> The application has been assessed under the current relevant provisions of the Moorabool Planning Scheme.	

Given the site is for sale there is no certainty that a prospective buyer would act on the proposal if a planning permit is granted.	N/A
<b>Officer's response -</b> This is discussed below.	
The proposed site is likely to be used for rural residential purposes for grazing horses and some cattle, as the soil quality, drainage and rainfall do not support the proposed long term intensive farming pursuits proposed.	Clauses 14.01-1 and 35.07-6
<b>Officer's response -</b> This objection is discussed below.	
Approval of the application would be to ignore Council's local planning policies.	Clauses 22.02 and 22.03
<b>Officer's response -</b> These Council policies are discretionary but give clear guidance as to their intent. It is agreed that the proposal does not comply with local planning policy.	
The proposal would not contribute to local employment or enterprise given the unsuitability of the site for the proposed farming enterprise.	Clause 35.07
<b>Officer's response -</b> Noted.	

## Proposal

It is proposed to use and develop the site for a dwelling located on CA3. Details of the proposal are as follows:

- Single storey, comprising three (3) bedrooms, main with en suite, lounge, study, open plan kitchen, meals and family area, separate lounge and rumpus, bathroom and laundry, with an attached double garage and verandah along part of the north and west façades.
- Set back 30m from Pound Creek Road and approximately 60m from the south title boundary. The dwelling would be constructed of face brick with a low pitched Colorbond roof.
- Ancillary shed positioned southeast of the dwelling, both contained in a 40m x 50m (2000sq m) building envelope.
- Effluent field located in the north side setback.
- Farm management plan provided detailing farming activity as grazing prime lambs and growing cereal crops.

The plans are provided in Attachment 10.2.3.

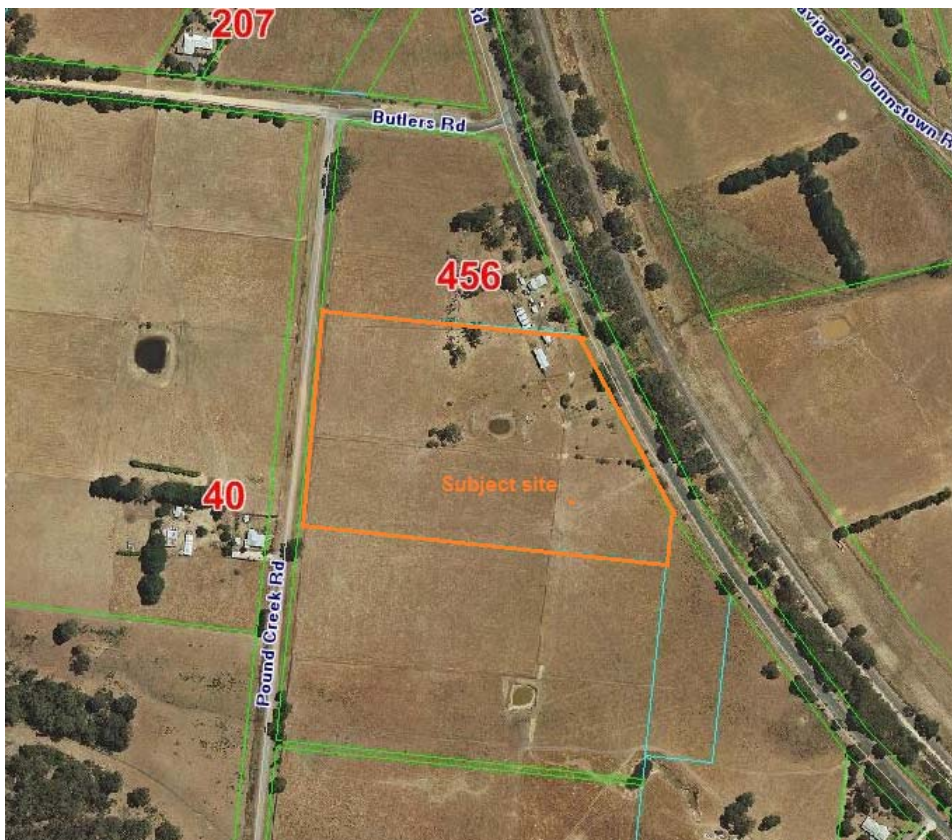
## Site Description

Site and surrounding area details are as follows:

- Identified as Crown Allotment 2, Section 20A, Parish of Warrenheip and known as 456 Navigators Road, Navigators.
- Located on the east side of Pound Creek Road, approximately 175m south of Butlers Road.

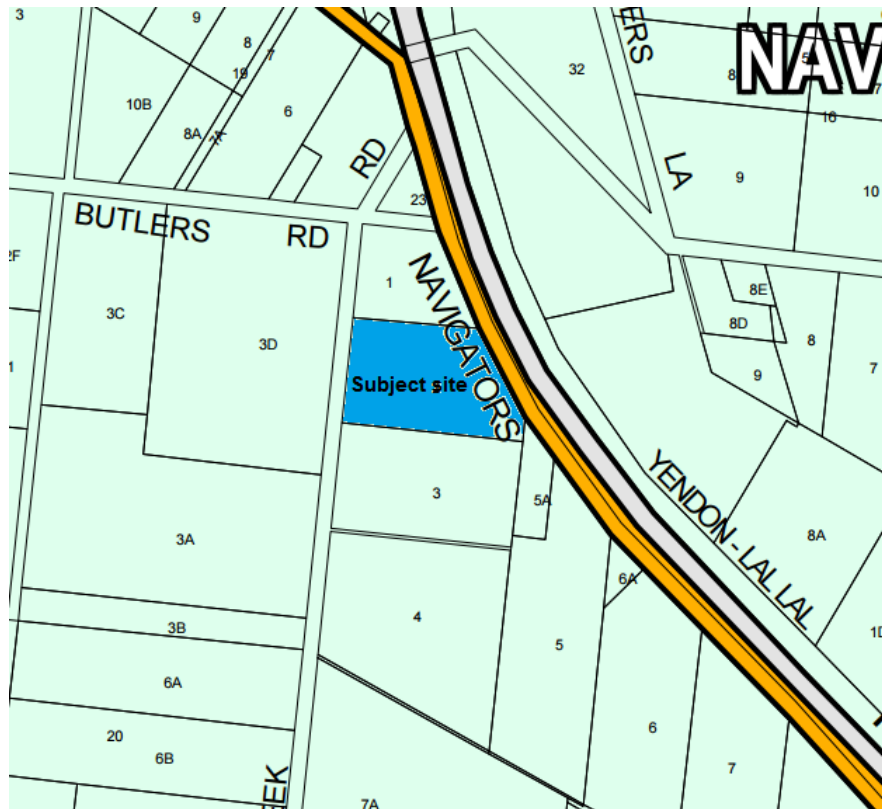


- Roughly rectangular in shape with a maximum depth of 338.36m, width of 201.3m and area of 6.11ha.
- Slightly undulating topography, vacant apart from a small dam towards the centre of the lot, scattered vegetation, and a shed towards the northeast corner of the lot.
- Forms part of 456 Navigators Road which comprises seven (7) contiguous lots, only one of which is currently developed with a dwelling.
- The site and surrounding area is in the Farming Zone and characterised by flat to gently undulating land mostly cleared of vegetation and used predominantly for grazing and fodder crops. Heavily forested areas exist further to the west and southwest.
- The surrounding subdivision pattern is not uniform and a number of lots are developed with dwellings. In particular:
  - To the south is a vacant lot forming part of the property and subject to PA2016-031.
  - To the east is Navigators Road and the Geelong-Ballarat railway line, beyond which is vacant farming land.
  - To the west, across Pound Creek Road is a lot of 16ha developed with a dwelling.
  - To the north is a vacant lot 3.37ha forming part of the property and containing a single dwelling fronting Navigators Road.



## Locality Map

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



## Planning Scheme Provisions

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

The relevant clauses are:

- 11.05-1 Melbourne's hinterland areas
- 11.05-3 Rural productivity
- 11.06 Central Highlands regional growth
- 14.01-1 Protection of agricultural land
- 14.02 Water
- 15.01-5 Cultural identity and neighbourhood character
- 21.02-2 Non Urban Landscapes
- 21.02-.3 Water and Catchment Management
- 21.03-4 Landscape and Neighbourhood Character
- 21.03-5 Rural Lifestyle Opportunities
- 22.02 Special Water Supply Catchments
- 22.03 Houses and House Lot Excisions in Rural Areas

Overall the proposal does not comply with the relevant sections of the SPPF and LPPF.

## Zone

The subject site is in the Farming Zone.

The purpose of the Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Under Clause 35.07 a permit is required for use and development of a lot of less than 40ha for a dwelling.

Overall, the proposed use and development is inconsistent with the Farming Zone provisions.

## Overlays

The site is affected by Environmental Significance Overlay, Schedule 1 due to the site being in a Special Water Supply Catchment. Under Clause 42.01-2 a permit is required for development. Reticulated sewer is not available to the site, and there are no relevant exemptions under the Schedule. The application was referred to Central Highlands Water as the determining referral authority, and to Council's Environmental Health officer, who both consented subject to conditions.

## Relevant Policies

Council's Rural Housing Policy, adopted on 19 September 2012, gives direction for assessing planning permit applications which propose new residential development of land in the Farming Zone. The Policy encourages residential development in farming areas which satisfies the purpose of the Farming Zone and supports agricultural opportunities. The proposal is broadly in accordance with this policy.

## Particular Provisions

None applicable.

## Discussion

The Moorabool Planning Scheme provides discretion for a permit to be granted to use and develop land for the purposes of a dwelling on a lot less than 40ha. Where a permit is required the decision guidelines of the Farming zone require that consideration be given to a range of matters before deciding on an application.

In relation to dwellings in the Farming Zone the decision guidelines require that the responsible authority consider whether a dwelling:

- *Will result in the loss or fragmentation of productive agricultural land;*

- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

In relation to agricultural issues in the Farming Zone the decision guidelines require that the responsible authority also consider:

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*

The following are considered to be the key issues, discussed in more detail below:

- Fragmentation of viable agricultural land;
- Unviable and speculative nature of the farm management plan; and
- Impact on the character of the rural landscape.

#### Fragmentation of viable agricultural land

The use and development of a 7.89ha site (two consolidated lots) for a dwelling is stated to be in support of a farming enterprise growing cereals and grazing prime lambs. As previously stated the site comprises two lots which form part of 456 Navigators Road which comprises seven lots. Six of those lots form part of the same landholding, and two other applications lodged simultaneously propose dwellings on two of the lots and in support of almost identical farm plans. It is understood that the sites proposed for dwellings are currently offered for sale or subject to sale conditional on the applicable permit being granted. It is understood the sites are being marketed for 'rural lifestyle' development and Council has been contacted by prospective buyers.

The pattern of subdivision in the area, including the subject site, is relatively fragmented. It is not unusual, however, for contiguous small lots to form part of a larger agricultural landholding, such as the subject site. There are also several lots in the surrounding area, from smaller than 1ha up to 10ha in size, in single ownership, many of which contain single dwellings. Many of these lots have significant tree coverage and dwellings are generally not prominent in the landscape. Whilst these small separate lots in single ownership are in the Farming Zone they are generally not bona fide agricultural landholdings.

Some objectors have raised concerns that the proposal contributes to fragmentation of the property known as 456 Navigators Road. It should be noted that each lot comprising the property is separately disposable and theoretically can be held in different ownership. This could occur regardless of this or the other planning permit applications submitted for dwellings on the land. In a sense, the land is already

fragmented. However, the likelihood of each lot being sold separately to facilitate non-residential use is minimal given the impracticality of using such small lots for agriculture. Offered for sale separately and particularly with the possibility of dwellings, the potential for the long term fragmentation of bona fide agricultural land is undeniable. Such an outcome is not supported by either State or local planning policy which includes the following objectives:

- *To manage land use change and development in rural areas to promote agriculture and rural production. (Clause 11.05-3);*
- *To protect productive farmland which is of strategic significance in the local or regional context. (Clause 14.01-1); and*
- *To maintain and enhance the natural environment and the Shire's rural identity and character. (Clause 21.02-2).*

State and local planning policy includes the following relevant strategies:

- *Prevent inappropriately dispersed urban activities in rural areas. (Clause 11.05-3);*
- *Limit new housing development in rural areas, including:*
  - *Directing housing growth into existing settlements.*
  - *Discouraging development of isolated small lots in the rural zones from use for single dwellings, rural living or other incompatible uses.*
  - *Encouraging consolidation of existing isolated small lots in rural zones. (Clause 11.05-3);*
- *Ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use. (Clause 14.01-1);*
- *Take into consideration regional, state and local, issues and characteristics in the assessment of agricultural quality and productivity. (Clause 14.01-1);*
- *Permanent removal of productive agricultural land from the State's agricultural base must not be undertaken without consideration of its economic importance for the agricultural production and processing sectors. (Clause 14.01-1);*
- *In assessing rural development proposals, planning and responsible authorities must balance the potential off-site effects of rural land use proposals (such as degradation of soil or water quality and land salinisation) which might affect productive agricultural land against the benefits of the proposals. (Clause 14.01-1);*
- *Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development. (Clause 16.02-1);*
- *Demonstrate need and identify locations for rural residential development through a housing and settlement strategy. (Clause 16.02-1); and*
- *Focus rural living development in areas close to urban centres with good access to services and facilities where there is minimal impact on productive agriculture and horticulture or areas with environmental values. (Clause 21.03-5).*

The site is evidently productive for grazing, in terms of the climate, soil conditions and water supply, and forms part of a larger rural area in the west of the Shire and the Ballarat rural hinterland. Nearby development, as described above, has taken place over several decades, and notwithstanding that some development has a 'rural residential' character, the site is clearly suited to primarily agricultural use, and this application must be assessed against current planning policy, as outlined above.

### Unviable and speculative nature of the farm management plan

A Farm Management Plan was provided with the original application. Some objections raised issues with the plan, including that the site would be unable to support the intensity of the farming activity proposed, and that given the speculative nature of the proposal due to the land being for sale the plan does not indicate any seriously entertained plan to farm the land. The applicant subsequently amended the farm plan, reducing the stock numbers by half and making consequential changes. Whilst this presumably makes the farm plan more viable it does not change its speculative nature. Whilst permit conditions can allow for changes to be made to a farm plan after a permit is granted, for the particular benefit of a prospective future landowner, this application is unusual given the speculative nature of the farm plan has been apparent from the outset. The applicant advised that the plan had been prepared in consultation with a prospective buyer, however given the plan is practically identical to those plans submitted with applications for the adjoining lots, it is difficult to reconcile the two. Furthermore, Council has been approached by prospective buyers who have admitted to not being advised of the requirement to comply with a farm management plan should they acquire the land with a permit, which casts further doubt on the legitimacy of the plan.

### Impact on the character of the rural landscape

In isolation, the proposed dwelling would be no more conspicuous in the landscape than any other dwelling nearby not substantially screened by vegetation. However, the application is being considered concurrently with dwelling applications on adjoining lots, and the combined visual impact of dwellings in this location will be noticeable and largely at odds with the rural character of the area. This is notwithstanding the modest scale and form of the dwelling, but it cannot be denied that the proposals introduce a more urban character to an area which is otherwise distinctly rural.

The Tribunal is generally consistent in its assessment of applications for dwellings on small lots in the Farming Zone.

In *Strachan v LaTrobe CC (2012)* Member Tracey Bilston-McGillen stated that:

*In considering applications for dwellings in the Farming Zone, the Tribunal has on a number of occasions commented on the adverse impact on agricultural production associated with the intrusion of dwellings on small lots in the Farming Zone. In particular the Tribunal has commented that the impact of permitting dwellings in small rural lots in the Farming Zone is incremental in nature and that care must be exercised not to lose sight of the cumulative impact of each dwelling when considering applications for individual proposals. The failure to do so lead inevitably to the circumstances where the proliferation of dwellings on small lots changes the character of a locality to rural residential and productive agricultural land is lost forever.*

If this permit was to be approved a precedent could be set for similar applications in the future. The strong guidance provided by the Moorabool Planning Scheme supports the protection of agricultural land, and it is therefore reasonable to suggest that this land should be protected and that the use of the land for a dwelling should not be supported.

If the application was to be supported it would, in effect, fragment the farming land, and once a dwelling is permitted it permanently alters the use of the land. This would be in conflict with Clause 11.05-3 and Clause 16.02-1 of the State Planning Policy Framework within the Moorabool Planning Scheme, both of which aim to manage land use change and development in rural areas to protect agricultural land and prevent inappropriately dispersed urban activities in rural areas by avoiding inappropriate rural residential development.

Overall, the proposed use and development is considered to be inconsistent with relevant State and local planning policy and the Farming Zone in respect of agricultural land use and rural housing development. The proposal is not sufficiently responsive to the site and surrounding land's features and would not support a sustainable farming operation.

### **General Provisions**

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

Clause 66 - stipulates all the relevant referral authorities to which the application must be referred.

### **Referrals**

The following referrals were made pursuant to s.55 of the Planning and Environment Act 1987 and Council departments were provided with an opportunity to make comment on the application.

<b>Authority</b>	<b>Response</b>
Central Highlands Water	Consent with conditions
Infrastructure	Consent with conditions
Environmental Health	Consent with conditions

### **Financial Implications**

The recommendation of approval of this application would not represent any financial implications for Council.

### **Risk and Occupational Health and Safety Issues**

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

### **Communications Strategy**

Notice was undertaken for the application, in accordance with s.52 of the Planning and Environment Act 1987, and further correspondence is required to all interested parties to the application as a result of a decision in this matter. All submitters and the applicant were invited to attend this meeting and invited to address Council if desired.

## Options

An alternative recommendation would be to approve the application subject to conditions.

Approving the application may result in any of the objectors lodging an application for review of Council's decision with VCAT.

## Conclusion

The proposal is for use and development for a dwelling and ancillary outbuilding on a 6.11ha lot. A farm management plan is provided in support of the proposal.

Objections to the proposal relate mainly to fragmentation of agricultural land, environmental impacts on the potable water supply catchment, unsustainability of the proposed farming activities and impact on rural character.

Overall, the proposal is inconsistent with relevant State and local planning policy and does not contribute to the orderly use and development of productive agricultural land.

## Recommendation:

**That, having considered all matters as prescribed by the Planning and Environment Act, Council issues a Refusal to Grant a Permit for PA2016-030 for Use and Development of a Dwelling and Ancillary Outbuilding at Crown Allotment 2, Section 20A, Parish of Warrenheip, 456 Navigators Road, Navigators 3352, on the following grounds:**

- 1. The proposal does not comply with State and local planning policy for the protection of agricultural land from residential development.**
- 2. The proposal does not comply with the purpose and decision guidelines of the Farming Zone.**

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## Report Authorisation

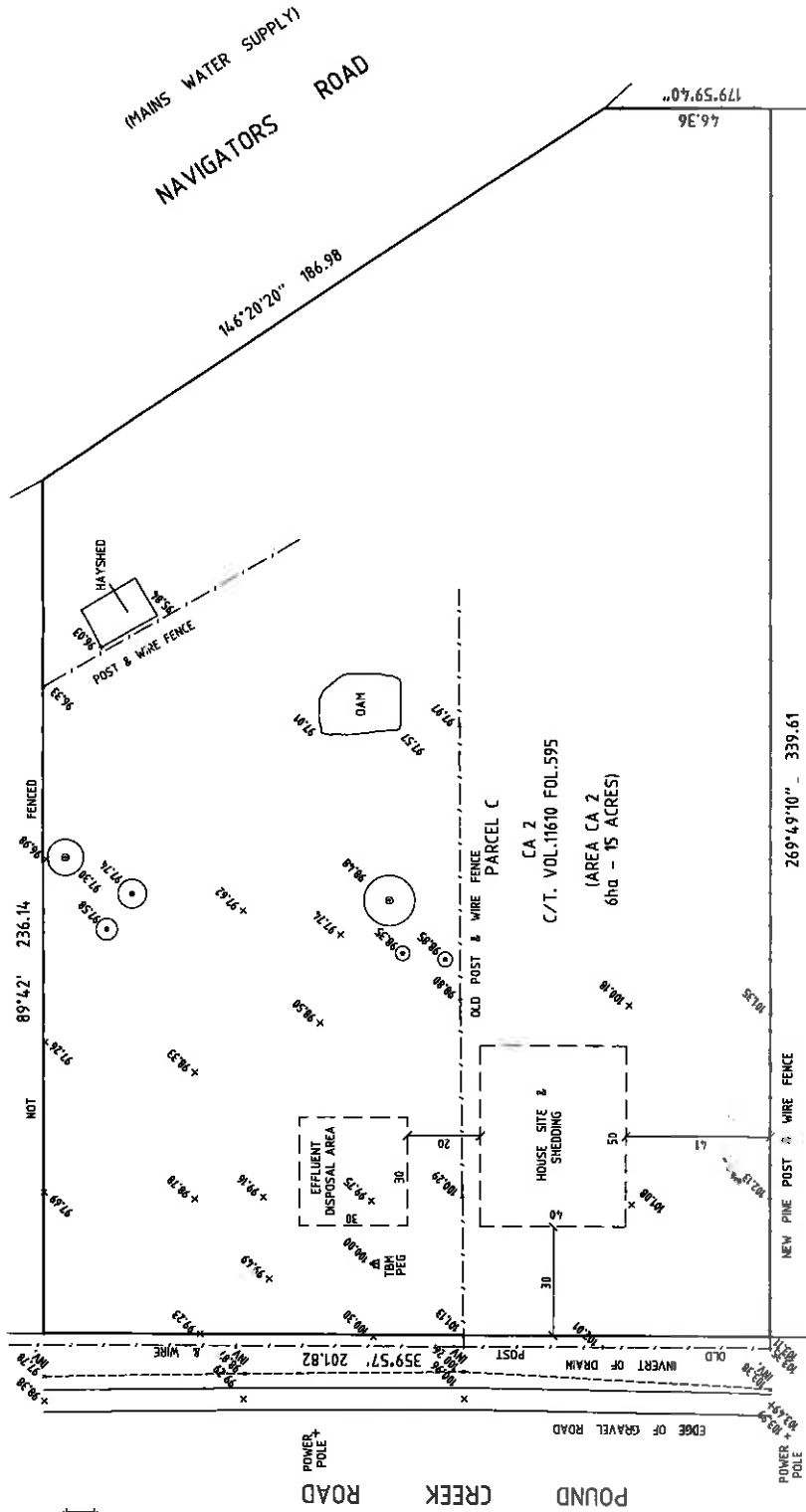
Authorised by: 

**Name:** Satwinder Sandhu  
**Title:** General Manager Growth and Development  
**Date:** Thursday, 18 August 2016



# Attachment - Item 10.2.3

APPROXIMATE TRUE NORTH



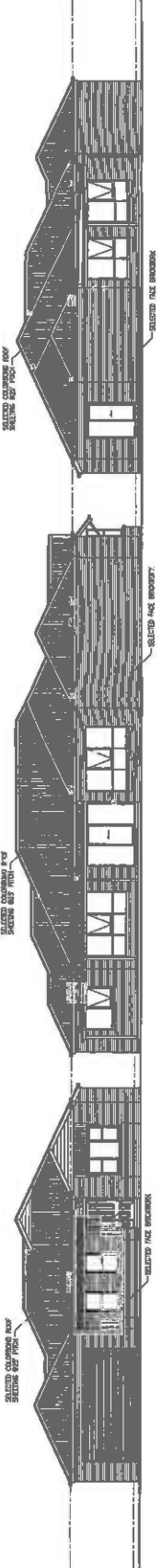
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DATE	CHECKED	09/12/15	
SCALE	DATUM	D.J.H.	SHEET SIZE <b>A2</b>
1:1000	ARB.		

PLAN OF SURVEY  
CA 2  
NAVIGATORS  
C/T. VOL.11610 FOL.595

DATE	REV/No	COMMENTS
09/12/15	A	ORIGINAL

**DICKSON HEARN PTY LTD**  
 A.C.N. 006 978 294,  
 3/92 BRIDGE MALL,  
 BALLARAT, 3350.  
 Phone (03) 3333 2225 Fax (03) 3333 3326  
 email: [info@dicksonhearn.com.au](mailto:info@dicksonhearn.com.au)

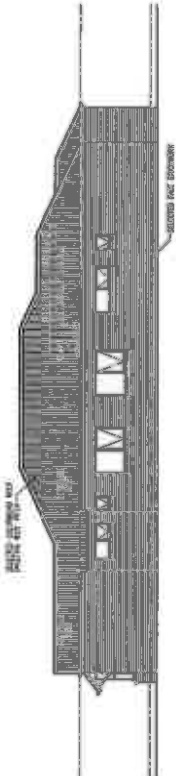




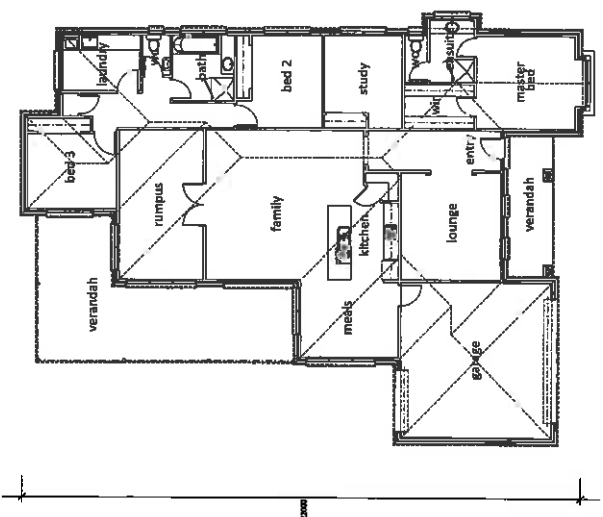
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north elevation 1:100

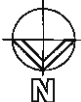
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south elevation 1:100



floor plan 1:100  
TOTAL REMODEL AND - 30.20m<sup>2</sup> 2.41km<sup>2</sup>  
TOTAL SHED, POOL - 40.17m<sup>2</sup> 0.41km<sup>2</sup>



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Project  
Proposed Residence and Shed

Crown Allotment 2  
Pound Creek Road  
Navigators

client  
Rhys Dickson

drawing

date	January 2016
drawn	Michael King
job no.	16005-tp2 of 2
day no.	16005-tp2
revision	A
scale	AS INDICATED AT A1

printed

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#### 10.2.4 Planning Application PA2016-031 – 456 Navigators Road, Navigators; Use and Development of a Dwelling and Ancillary Outbuilding

<b>Application Summary:</b>	
Permit No:	PA2016-031
Lodgement Date:	5 February 2016
Planning Officer:	Tom Tonkin
Address of the land:	Crown Allotments 3 and 5A, Section 20A, Parish of Warrenheip, 456 Navigators Road, Navigators 3352.
Proposal:	Use and Development of a Dwelling and Ancillary Outbuilding.
Lot sizes:	6.88ha and 1.19ha
Why is a permit required	Clause 35.07 – Farming Zone – use and development. Clause 42.01-2 – Environmental Significance Overlay – development.
<b>Public Consultation:</b>	
Was the application advertised?	The application was advertised due to the proposal's potential to cause material detriment.
Notices on site:	Two (2).
Notice in Moorabool Newspaper:	None.
Number of Objections:	Five (5). A sixth objection was withdrawn.
Consultation meeting:	Yes, held 27 April 2016 and attended by the applicant and objectors from two properties. Fundamental objections remain unresolved.
<b>Policy Implications:</b>	
<b>Key Result Area</b>	Enhanced Natural and Built Environment.
<b>Objective</b>	Effective and efficient land use planning and building control.
<b>Strategy</b>	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.

<b>Victorian Charter of Human Rights and Responsibilities Act 2006</b>	
<p>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.</p>	
<b>Officer's Declaration of Conflict of Interests</b>	
<p>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.</p> <p><i>Manager – Robert Fillisch</i></p> <p>In providing this advice to Council as the Manager, I have no interests to disclose in this report.</p> <p><i>Author – Tom Tonkin</i></p> <p>In providing this advice to Council as the Author, I have no interests to disclose in this report.</p>	
<b>Executive Summary:</b>	
Application Referred?	Referred to Central Highlands Water and within Council.
Any issues raised in referral responses?	No
Preliminary Concerns?	Yes, concerns were raised that the siting of the dwelling may limit the agricultural productivity of the site.
Any discussions with applicant regarding concerns	No
Any changes made to the application since being lodged?	Yes. Council officers wrote to the applicant requesting justification for the proposed siting of the dwelling, which was provided. Later, after advertising, Council requested the Farm Management Plan be amended to address concerns about the capability of the land to support the proposed farming enterprise, including stock numbers. An amended Farm Management Plan was submitted which halved stock numbers to 45 ewes and made consequential changes to the plan. Additionally, a plan was provided showing tree plantation screen planting on the southern boundary of CA 5A and common boundary of CA 3 and CA 5 to address the privacy concerns of an objector.

VCAT history?	None
Previous applications for the site?	None
General summary	<p>The proposal is for use and development for a dwelling and ancillary outbuilding on a 7.89ha land parcel (combined two lots). A farm management plan is provided in support of the proposal.</p> <p>Objections to the proposal relate mainly to fragmentation of agricultural land, environmental impacts on the potable water supply catchment, unsustainability of the proposed farming activities and impact on rural character.</p> <p>Overall, the proposal is inconsistent with relevant State and local planning policy and does not contribute to the orderly use and development of productive agricultural land.</p>
<b>Summary Recommendation:</b>	
<p>That, having considered all relevant matters as required by the Planning and Environment Act 1987, Council issue a Refusal to Grant a Permit for this application in accordance with Section 61 of the <i>Planning and Environment Act 1987</i>, on the grounds detailed at the end of this report.</p>	

### Background

With this application the applicant concurrently submitted two other applications – PA2016030 and PA2016032 – both for use and development of a dwelling and ancillary outbuilding on adjacent lots also forming part of 456 Navigators Road, Navigators. Objectors made either identical or near identical submissions to all the applications.

### Public Notice

Notice of this application was given to adjoining and nearby landowners and occupiers by mail on 7 March 2016 and signs erected on site facing Navigators Road and Pound Creek Road from 17-31 March 2016. Six (6) objections were received, one (1) of which was subsequently withdrawn.

## Summary of Objections

The objections received are detailed below with officer's accompanying comments. As previously mentioned objections received were not only to this application but also PA2016030 and PA2016032, and frequently refer to the objections as a whole. This is sometimes reflected in the summary below:

Objection	Any relevant requirements
The proposal will increase noise levels, dust and traffic, particularly on Pound Creek Road, affecting the rural ambience and set a precedence for similar development of multi lot farms, creating a suburban environment.	N/A
<b>Officer's response -</b> It is not considered that the proposal would not increase noise, dust or traffic to unacceptable levels given the modest nature of the proposal. There is an existing issue in part with the condition of Pound Creek Road which is separate to the consideration of this permit.	
The proposal does not comply with Clause 16.02-1 of the planning scheme. The sale and development of individual lots which formed part of larger agricultural landholdings impacts on the economic viability of farming by inflating land prices.	Clause 16.02-1
<b>Officer's response -</b> This objection is discussed below.	
The site is currently for sale, and the submitted farm management plan is generic, unrealistic and not tailored to a particular landowner's activities. The proposal could lead to a hobby farm use once the land is sold with a permit, and not contribute to agriculture in the area.	Clauses 14.01-1 and 16.02-1
<b>Officer's response -</b> This objection is discussed below.	
The submitted farm management plan has discrepancies and inconsistencies, and would see overstocking of the land.	N/A
<b>Officer's response -</b> This objection is discussed below.	
There is no absolute need for a dwelling on the site based on the farm management plan. The land has been farmed for generations without the need for a dwelling. The proposal does not comply with Clauses 35.07 or 22.03 of the planning scheme.	Clauses 22.03 and 35.07
<b>Officer's response -</b> This objection is discussed below.	
The findings of the Land Capability Assessment, conducted in summer during a drought, do not reflect winter conditions when the land can be soggy and waterlogged. The report may not have captured all accurate information.	N/A

<b>Officer's response -</b> The report was prepared by a suitably qualified person and the application, including the report, referred to Council's Environmental Health Officer and Central Highlands Water, the relevant water board who are a determining referral authority, who consent to the proposal subject to conditions.	
The property is within the Two Mountains Koala Trail and the proposal, including increased traffic would impact on koalas. The objector quotes a decision guideline from Clause 35.03-5.	Clause 35.07
<b>Officer's response -</b> Clause 35.03-5 relates to land in the Rural Living Zone. The subject site is in the Farming Zone, which includes the following decision guideline: "The impact of the use or development on the flora and fauna of the site and its surrounds."	
Additional dwellings and chemical use for weed control within the water catchment will reduce the quality and quantity of water. The objector quotes policy from Clause 22.02.	Clause 22.02
<b>Officer's response -</b> Use of chemicals for weed control is not relevant to consideration of this application. As previously mentioned the impact of development in the water catchment may be mitigated by the siting of development and permit conditions which regulate the proper functioning of the wastewater treatment system on an on-going basis. The first policy statement quoted is: "Strongly discourage the subdivision of the land in proclaimed water catchment areas", which is not relevant to this proposal which is for development of existing lots. The other policy statement quoted is: "Discourage land use and development that has the potential to reduce the quality or quantity of water produced." The application included a Land Capability Assessment prepared by a suitably qualified person and the application, including the report, referred to Council's Environmental Health Officer and Central Highlands Water, the relevant water board who are a determining referral authority, who consent to the proposal subject to conditions. Whilst the proposal has potential to affect water quality it is considered that adequate provision has been made to mitigate the impacts.	
Can the electricity supply to the area cope with the additional demand?	N/A
<b>Officer's response -</b> Any condition of approval would require a dwelling to be connected to reticulated electricity or have an alternative energy source. Any issues regarding electricity supply are a matter for the landowner to resolve with Powercor.	
Is the effluent field at least 100m from the existing dam?	Clause 42.01, Schedule 1
<b>Officer's response -</b> The effluent field would be 85-90m from the dam, which is not on a waterway.	
Growth in the area would require local roads to be upgraded to cope with additional traffic.	N/A
<b>Officer's response -</b> Road upgrades are separate to the consideration of this permit application.	
Additional dwellings affect fire and flood management in the area, increase the hazard and put pressure on emergency services.	N/A



<b>Officer's response -</b> These matters are not directly relevant to the consideration of this permit application but are broader strategic matters involving several agencies.	
CA2 includes an existing hay shed, therefore no additional sheds should be needed.	NA
<b>Officer's response -</b> The applicant advises that this shed has been sold and will be removed from the site.	
Daily traffic and noise and dust from construction of the proposed dwellings will impact on farms and crops nearby.	NA
<b>Officer's response -</b> The disruption normally expected during construction of a dwelling would not be considered unreasonable. Any unreasonable offsite impacts would be dealt with as part of the building permit approval.	
Is compliance with farm management plans monitored by Council?	NA
<b>Officer's response -</b> Any approval should require the farm management plan to be endorsed, which means it must be complied with. However, Council does not proactively enforce permit conditions due to limited resources, but would investigate any reported breach of conditions.	
Weed control is expensive, and less likely to be done where there is minimal or no economic/agricultural imperative to do so, such as on a small property. This impacts neighbouring properties due to spread of weeds, and also creates a fire hazard.	Clauses 14.01-1 & 35.07-6
<b>Officer's response -</b> This objection is discussed below.	
The proposed division of a single property into multiple smaller properties is contrary to planning policy.	Clauses 16.02-1
<b>Officer's response -</b> The site comprises several lots on separately disposable titles, however it is recognized that the proposal would contribute to the potential for more likely permanent fragmentation of the current landholding. This objection is discussed further below.	
Rotation of stock on smaller properties would increase stock crossing of Pound Creek, causing erosion of the embankment and reduced water quality.	Clauses 14.01-1 & 16.02-1
<b>Officer's response -</b> This objection is discussed below.	
Navigators is in a high fire danger area – increased population is a risk, and motorbikes, farm machinery and unmanaged weeds adds fuel, and is a fire risk.	

<b>Officer's response -</b> Some nearby land, including to the west of the subject site, is affected by the Bushfire Management Overlay, the purpose of which includes "to ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level." Under this overlay, development associated with some land uses, including dwellings, requires a planning permit. Development directly associated with agriculture does not require a permit under this overlay. An assessment of fire risk or hazard is not relevant to this application.	
The need for increased population in Navigators to sustain community sporting groups, for example, is disputed.	Clause 16.02-1
<b>Officer's response -</b> Council's Rural Housing Policy seeks to ensure the viability of rural communities by increasing population growth. There is no policy particular to Navigators in this regard, and the objector's claim is anecdotal but not disputed.	
Introducing new crops like canola to the area introduces new pests and diseases. Pest control can in turn impact on birds, and there is abundant birdlife in the area.	NA
<b>Officer's response -</b> The application is for use and development of a dwelling and includes consideration of a farm management plan, discussed below. The planting of crops falls within the definition of crop raising, a use of land which (except from rice growing and timber production) in the Farming Zone does not require a planning permit.	
Local wildlife is affected by increased population and the associated pollution and disturbance of the environment.	Clause 35.07-6
<b>Officer's response -</b> The Moorabool Planning Scheme does not identify any notable environmental values on the site or surrounding area, but the statement is considered to be broadly valid in considering such an application.	
Previous permit applications by locals to develop or subdivide land have been refused. If rules have changed ratepayers should be notified.	NA
<b>Officer's response -</b> This objection is not directly relevant to this application, but it is acknowledged that Council should consider its role in communicating planning policy changes to the community.	
It was understood that given the location in a Special Water Supply Catchment the area would not be developed. This proposal could set a precedent for more development and fragmentation of productive farm land.	Clauses 22.02 & 42.01, Schedule 1 Clauses 14.01-1, 16.02-1 and 35.07-6

<b>Officer's response -</b> Over the years State and local policies have changed regarding land in Special Water Supply Catchments. In particular, Council adopted its Domestic Wastewater Management Plan (DWMP) in October 2014, in accordance with the Minister for Water's guidelines. The DWMP guides Council in managing existing onsite wastewater systems and new housing development in water catchment areas. It is noted that Central Highlands Water (CHW) had input into the preparation of the DWMP, and as a determining referral authority can object to a planning permit application in this particular catchment, which would mean that a permit could not be granted. CHW have no objection to this application, subject to conditions. Concerns about precedence and land fragmentation are discussed below.	
Traffic safety on Pound Creek Road would be compromised due to the location of proposed crossovers.	N/A
<b>Officer's response -</b> The application was referred to Council's Infrastructure unit who made no objection to the application. This objection was discussed at the consultation meeting with objectors who attended and it was resolved that, notwithstanding the concerns raised, the proposed crossover location was in the best possible position.	
External fences do not have ring lock fencing to restrict sheep from straying onto the road.	N/A
<b>Officer's response -</b> This objection is not directly related to the assessment of this application.	
The proposal encourages fragmentation of land for non-rural use by splitting up a productive enterprise.	Clauses 14.01-1, 16.02-1 & 35.07-6
<b>Officer's response -</b> This objection is discussed below.	
The Farm Management Plan is unviable and makes a mockery of how the systems, process and policies should be applied.	Clauses 14.01-1 and 16.02-1
<b>Officer's response -</b> This objection is discussed below.	
Unviable farm plans reduce the amount of land available for sustainable agriculture.	Clause 16.02-1
<b>Officer's response -</b> This objection is discussed below.	
The proposal would lead to a concentration of dwellings, meaning the land would no longer be used for agriculture, and result in an unacceptable change in rural outlook from our property.	Clauses 14.01-1, 16.02-1 & 35.07-6
<b>Officer's response -</b> This objection is discussed below.	
Loss of neighbourhood amenity due to development density creating smaller lot sizes.	Clauses 15.01-5, 35.07-6 & 65.01
<b>Officer's response -</b> It is noted that the proposal would not create smaller lot sizes but to develop an existing lot with a dwelling. The lot size is not uncommon in the area but development of a dwelling on such a lot that does not form part of a larger landholding is uncommon.	

The application does not accord with relevant policy for water catchments in Moorabool.	Clauses 14.01, 19.03, 22.02 and 42.01, Schedule 1
<b>Officer's response -</b> The objector appears to quote from a particular policy but the source is unclear. Nevertheless the information quoted is generally consistent with the guidelines in 'Planning permit applications in open, potable water supply catchment areas' (November 2012). In short, planning policy is often discretionary, as in this instance, and the application was referred to Central Highlands Water (CHW) as the relevant water board for consent, which was given subject to conditions.	
The Land Capability Assessment was conducted during the driest time in years and does not fully assess or reflect the true features and conditions of the land, and therefore its conclusions regarding proposed development setbacks from Pound Creek are questionable.	Clauses 14.02 and 22.02.
<b>Officer's response -</b> The report was prepared by a qualified professional and the application referred to Central Highlands Water as the relevant water authority, and to Council's Environmental Health Officer, who consent to the proposal.	
Additional traffic on roads already in poor condition.	N/A
<b>Officer's response -</b> This objection is not directly related to the application. The existing condition of roads is a separate matter for consideration.	
Proximity of dwelling would impede vermin control using firearms and alternative methods such as poison could impact on wildlife and livestock.	Clause 35.07-6
<b>Officer's response -</b> It is acknowledged the dwelling could impede the objector's land management practices.	
The proposal is at odds with State planning policy which is to maintain productive farm sizes and discourage fragmentation of farm land dwellings unrelated to farming.	Clauses 11.05-3, 14.01-1 and 16.02
<b>Officer's response -</b> This is discussed below.	
Constraints imposed by the zoning and drinking water supply catchment location should apply to this proposal.	Clauses 14.02 and 22.02
<b>Officer's response -</b> The application has been assessed under the current relevant provisions of the Moorabool Planning Scheme.	
Given the site is for sale there is no certainty that a prospective buyer would act on the proposal if a planning permit is granted.	N/A
<b>Officer's response -</b> This is discussed below.	

The proposed site is likely to be used for rural residential purposes for grazing horses and some cattle, as the soil quality, drainage and rainfall do not support the proposed long term intensive farming pursuits proposed.	Clauses 14.01-1 and 35.07-6
<b>Officer's response -</b> This objection is discussed below.	
Approval of the application would be to ignore Council's local planning policies.	Clauses 22.02 and 22.03
<b>Officer's response -</b> These Council policies are discretionary but give clear guidance as to their intent. It is agreed that the proposal does not comply with local planning policy.	
The proposal would not contribute to local employment or enterprise given the unsuitability of the site for the proposed farming enterprise.	Clause 35.07
<b>Officer's response -</b> Noted.	

### Proposal

It is proposed to use and develop the site for a dwelling located on CA3. Details of the proposal are as follows:

- Single storey, comprising three (3) bedrooms, main with en suite, lounge, open plan kitchen and family area and separate open plan dining and lounge, bathroom and laundry, with an attached double garage and verandah along the north and south façades and part of the west façade.
- Set back >120m from Pound Creek Road and approximately 105m from the CA3 north title boundary. The dwelling would be constructed of face brick with a low pitched Colorbond roof.
- Ancillary shed positioned southeast of the dwelling, both contained in a 53m x 46m (2438sq m) building envelope.
- Effluent field located in the front setback.
- Farm management plan provided detailing farming activity as grazing prime lambs and growing cereal crops.

The plans are provided in Attachment 10.2.4.

### Site Description

Site and surrounding area details are as follows:

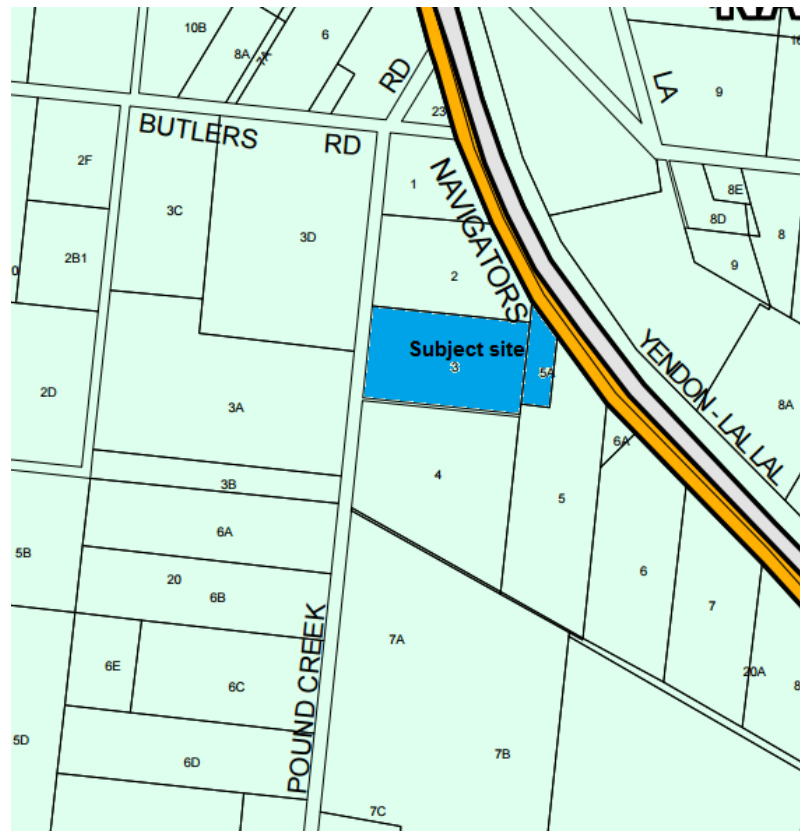
- Identified as Crown Allotments 3 and 5A, Section 20A, Parish of Warrenheip and known as 456 Navigators Road, Navigators.
- CA3 is located on the east side of Pound Creek Road, approximately 380m south of Butlers Road.
- CA3 is rectangular in shape with a maximum depth of 338.36m, width of 210.97 and area of 6.88ha.
- CA5A is a trapezoid shape with a width of 60.35m, maximum depth of 223m and area of 1.19ha, with a 93.0m frontage to Navigators Road.
- Slightly undulating topography, both lots are vacant apart from a small dam towards the centre of CA3, cleared of vegetation, and used for grazing.
- Both lots form part of 456 Navigators Road which comprises seven (7) contiguous lots, only one of which is currently developed with a dwelling.

- The site and surrounding area is in the Farming Zone and characterised by flat to gently undulating land mostly cleared of vegetation and used predominantly for grazing and fodder crops. Heavily forested areas exist further to the west and southwest.
- The surrounding subdivision pattern is not uniform and a number of lots are developed with dwellings. In particular:
  - To the south is an unmade Government road reserve, beyond which is a vacant lot forming part of the property and subject to PA2016032. Further to the south is a 27ha lot developed with a dwelling.
  - To the east is a vacant lot forming part of the property, and further to the east are two lots developed with dwellings. These lots are 0.47ha and 8.4ha in size.
  - To the east of CA5A is Navigators Road and the Geelong-Ballarat railway line, beyond which is vacant farming land.
  - To the west, across Pound Creek Road are two lots of 16ha each, both developed with dwellings.
  - To the north is a vacant lot 6ha forming part of the property and subject to PA2016030.



## Locality Map

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



## Planning Scheme Provisions

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

The relevant clauses are:

- 11.05-1 Melbourne's hinterland areas
- 11.05-3 Rural productivity
- 11.06 Central Highlands regional growth
- 14.01-1 Protection of agricultural land
- 14.02 Water
- 15.01-5 Cultural identity and neighbourhood character
- 21.02-2 Non Urban Landscapes
- 21.02-.3 Water and Catchment Management
- 21.03-4 Landscape and Neighbourhood Character
- 21.03-5 Rural Lifestyle Opportunities
- 22.02 Special Water Supply Catchments
- 22.03 Houses and House Lot Excisions in Rural Areas.

Overall the proposal does not comply with the relevant sections of the SPPF and LPPF.

## **Zone**

The subject site is in the Farming Zone.

The purpose of the Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;*
- *To provide for the use of land for agriculture;*
- *To encourage the retention of productive agricultural land;*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture;*
- *To encourage the retention of employment and population to support rural communities; and*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Under Clause 35.07 a permit is required for use and development of a lot of less than 40ha for a dwelling.

Overall, the proposed use and development is inconsistent with the Farming Zone provisions.

## **Overlays**

The site is affected by Environmental Significance Overlay, Schedule 1 due to the site being in a Special Water Supply Catchment. Under Clause 42.01-2 a permit is required for development. Reticulated sewer is not available to the site, and there are no relevant exemptions under the Schedule. The application was referred to Central Highlands Water as the determining referral authority, and to Council's Environmental Health officer, who both consented subject to conditions.

## **Relevant Policies**

Council's Rural Housing Policy, adopted on 19 September 2012, gives direction for assessing planning permit applications which propose new residential development of land in the Farming Zone. The Policy encourages residential development in farming areas which satisfies the purpose of the Farming Zone and supports agricultural opportunities. The proposal is broadly in accordance with this policy.

## **Particular Provisions**

None applicable.

## **Discussion**

The Moorabool Planning Scheme provides discretion for a permit to be granted to use and develop land for the purposes of a dwelling on a lot less than 40ha. Where a permit is required the decision guidelines of the Farming zone require that consideration be given to a range of matters before deciding on an application.



In relation to dwellings in the Farming Zone the decision guidelines require that the responsible authority consider whether a dwelling:

- *Will result in the loss or fragmentation of productive agricultural land;*
- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation;*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses; and*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

In relation to agricultural issues in the Farming Zone the decision guidelines require that the responsible authority also consider:

- *Whether the use or development will support and enhance agricultural production;*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production;*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses;*
- *The capacity of the site to sustain the agricultural use;*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure; and*
- *Any integrated land management plan prepared for the site.*

The following are considered to be the key issues, discussed in more detail below:

- Fragmentation of viable agricultural land;
- Unviable and speculative nature of the farm management plan; and
- Impact on the character of the rural landscape.

#### Fragmentation of viable agricultural land

The use and development of a 7.89ha site (two consolidated lots) for a dwelling is stated to be in support of a farming enterprise growing cereals and grazing prime lambs. As previously stated the site comprises two lots which form part of 456 Navigators Road which comprises seven lots. Six of those lots form part of the same landholding, and two other applications lodged simultaneously propose dwellings on two of the lots and in support of almost identical farm plans. It is understood that the sites proposed for dwellings are currently offered for sale or subject to sale conditional on the applicable permit being granted. It is understood the sites are being marketed for 'rural lifestyle' development and Council has been contacted by prospective buyers.

The pattern of subdivision in the area, including the subject site, is relatively fragmented. It is not unusual, however, for contiguous small lots to form part of a larger agricultural landholding, such as the subject site. There are also several lots in the surrounding area, from smaller than 1ha up to 10ha in size, in single ownership, many of which contain single dwellings. Many of these lots have significant tree coverage and dwellings are generally not prominent in the landscape. Whilst these small separate lots in single ownership are in the Farming Zone they are generally not bona fide agricultural landholdings.

Some objectors have raised concerns that the proposal contributes to fragmentation of the property known as 456 Navigators Road. It should be noted that each lot comprising the property is separately disposable and theoretically can be held in different ownership. This could occur regardless of this or the other planning permit applications submitted for dwellings on the land. In a sense, the land is already fragmented. However, the likelihood of each lot being sold separately to facilitate non-residential use is minimal given the impracticality of using such small lots for agriculture. Offered for sale separately and particularly with the possibility of dwellings, the potential for the long term fragmentation of bona fide agricultural land is undeniable. Such an outcome is not supported by either State or local planning policy which includes the following objectives:

- *To manage land use change and development in rural areas to promote agriculture and rural production. (Clause 11.05-3);*
- *To protect productive farmland which is of strategic significance in the local or regional context. (Clause 14.01-1); and*
- *To maintain and enhance the natural environment and the Shire's rural identity and character. (Clause 21.02-2).*

State and local planning policy includes the following relevant strategies:

- *Prevent inappropriately dispersed urban activities in rural areas. (Clause 11.05-3);*
- *Limit new housing development in rural areas, including:*
  - *Directing housing growth into existing settlements.*
  - *Discouraging development of isolated small lots in the rural zones from use for single dwellings, rural living or other incompatible uses.*
  - *Encouraging consolidation of existing isolated small lots in rural zones. (Clause 11.05-3)*
- *Ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use. (Clause 14.01-1);*
- *Take into consideration regional, state and local, issues and characteristics in the assessment of agricultural quality and productivity. (Clause 14.01-1);*
- *Permanent removal of productive agricultural land from the State's agricultural base must not be undertaken without consideration of its economic importance for the agricultural production and processing sectors. (Clause 14.01-1);*
- *In assessing rural development proposals, planning and responsible authorities must balance the potential off-site effects of rural land use proposals (such as degradation of soil or water quality and land salinisation) which might affect productive agricultural land against the benefits of the proposals. (Clause 14.01-1);*
- *Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development. (Clause 16.02-1);*
- *Demonstrate need and identify locations for rural residential development through a housing and settlement strategy. (Clause 16.02-1); and*
- *Focus rural living development in areas close to urban centres with good access to services and facilities where there is minimal impact on productive agriculture and horticulture or areas with environmental values. (Clause 21.03-5).*

The site is evidently productive for grazing, in terms of the climate, soil conditions and water supply, and forms part of a larger rural area in the west of the Shire and the Ballarat rural hinterland. Nearby development, as described above, has taken place over several decades, and notwithstanding that some development has a 'rural residential' character, the site is clearly suited to primarily agricultural use, and this application must be assessed against current planning policy, as outlined above.

#### Unviable and speculative nature of the farm management plan

A Farm Management Plan was provided with the original application. Some objections raised issues with the plan, including that the site would be unable to support the intensity of the farming activity proposed, and that given the speculative nature of the proposal due to the land being for sale the plan does not indicate any seriously entertained plan to farm the land. The applicant subsequently amended the farm plan, reducing the stock numbers by half and making consequential changes. Whilst this presumably makes the farm plan more viable it does not change its speculative nature. Whilst permit conditions can allow for changes to be made to a farm plan after a permit is granted, for the particular benefit of a prospective future landowner, this application is unusual given the speculative nature of the farm plan has been apparent from the outset. The applicant advised that the plan had been prepared in consultation with a prospective buyer, however given the plan is practically identical to those plans submitted with applications for the adjoining lots, it is difficult to reconcile the two. Furthermore, Council has been approached by prospective buyers who have admitted to not being advised of the requirement to comply with a farm management plan should they acquire the land with a permit, which casts further doubt on the legitimacy of the plan.

#### Impact on the character of the rural landscape

In isolation, the proposed dwelling would be no more conspicuous in the landscape than any other dwelling nearby not substantially screened by vegetation. However, the application is being considered concurrently with dwelling applications on adjoining lots, and the combined visual impact of dwellings in this location will be noticeable and largely at odds with the rural character of the area. This is notwithstanding the modest scale and form of the dwelling, but it cannot be denied that the proposals introduce a more urban character to an area which is otherwise distinctly rural.

The Tribunal is generally consistent in its assessment of applications for dwellings on small lots in the Farming Zone.

In *Strachan v LaTrobe CC (2012)* Member Tracey Bilston-McGillen stated that:

*In considering applications for dwellings in the Farming Zone, the Tribunal has on a number of occasions commented on the adverse impact on agricultural production associated with the intrusion of dwellings on small lots in the Farming Zone. In particular the Tribunal has commented that the impact of permitting dwellings in small rural lots in the Farming Zone is incremental in nature and that care must be exercised not to lose sight of the cumulative impact of each dwelling when considering applications for individual proposals. The failure to do so lead inevitably to the circumstances where the proliferation of dwellings on small lots changes the character of a locality to rural residential and productive agricultural land is lost forever.*

If this permit was to be approved a precedent could be set for similar applications in the future. The strong guidance provided by the Moorabool Planning Scheme supports the protection of agricultural land, and it is therefore reasonable to suggest that this land should be protected and that the use of the land for a dwelling should not be supported.

If the application was to be supported it would, in effect, fragment the farming land, and once a dwelling is permitted it permanently alters the use of the land. This would be in conflict with Clause 11.05-3 and Clause 16.02-1 of the State Planning Policy Framework within the Moorabool Planning Scheme, both of which aim to manage land use change and development in rural areas to protect agricultural land and prevent inappropriately dispersed urban activities in rural areas by avoiding inappropriate rural residential development.

Overall, the proposed use and development is considered to be inconsistent with relevant State and local planning policy and the Farming Zone in respect of agricultural land use and rural housing development. The proposal is not sufficiently responsive to the site and surrounding land's features and would not support a sustainable farming operation.

### **General Provisions**

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

Clause 66 - stipulates all the relevant referral authorities to which the application must be referred.

### **Referrals**

The following referrals were made pursuant to s.55 of the Planning and Environment Act 1987 and Council departments were provided with an opportunity to make comment on the application.

<b>Authority</b>	<b>Response</b>
Central Highlands Water	Consent with conditions
Infrastructure	Consent with conditions
Environmental Health	Consent with conditions

### **Financial Implications**

The recommendation of approval of this application would not represent any financial implications for Council.

### **Risk and Occupational Health and Safety Issues**

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

## Communications Strategy

Notice was undertaken for the application, in accordance with s.52 of the Planning and Environment Act 1987, and further correspondence is required to all interested parties to the application as a result of a decision in this matter. All submitters and the applicant were invited to attend this meeting and invited to address Council if desired.

## Options

An alternative recommendation would be to approve the application subject to conditions.

Approving the application may result in any of the objectors lodging an application for review of Council's decision with VCAT.

## Conclusion

The proposal is for use and development for a dwelling and ancillary outbuilding on a 7.89ha land parcel (combined two lots). A farm management plan is provided in support of the proposal.

Objections to the proposal relate mainly to fragmentation of agricultural land, environmental impacts on the potable water supply catchment, unsustainability of the proposed farming activities and impact on rural character.

Overall, the proposal is inconsistent with relevant State and local planning policy and does not contribute to the orderly use and development of productive agricultural land.

## Recommendation:

**That, having considered all matters as prescribed by the Planning and Environment Act, Council issues a Refusal to Grant a Permit for PA2016-031 for Use and Development of a Dwelling and Ancillary Outbuilding at Crown Allotments 3 and 5A, Section 20A, Parish of Warrenheip, 456 Navigators Road, Navigators 3352, on the following grounds:**

- 1. The proposal does not comply with State and local planning policy for the protection of agricultural land from residential development.**
- 2. The proposal does not comply with the purpose and decision guidelines of the Farming Zone.**

---

## Report Authorisation

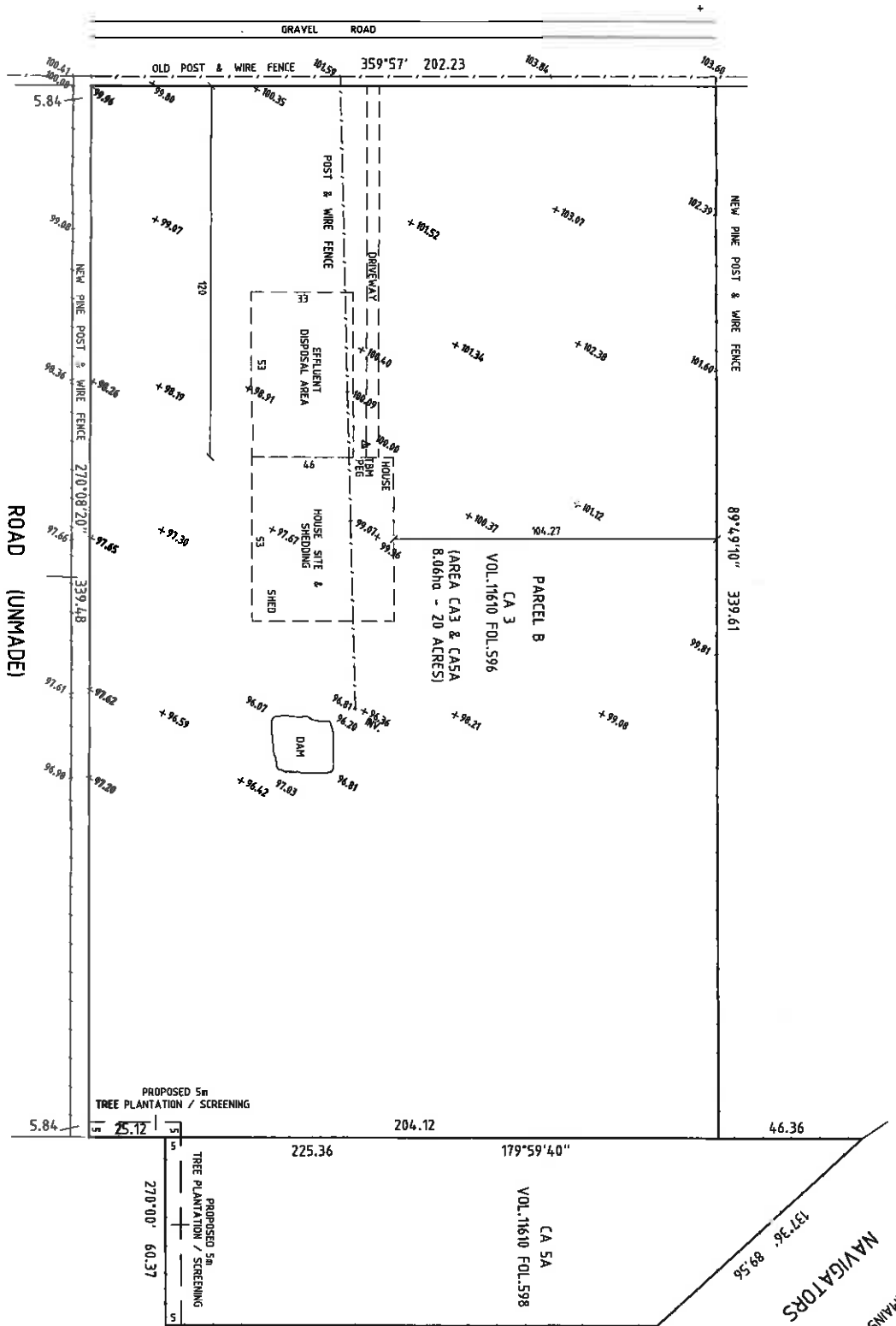
Authorised by: 

**Name:** Satwinder Sandhu  
**Title:** General Manager Growth and Development  
**Date:** Thursday, 18 August 2016

# Attachment - Item 10.2.4

APPROXIMATE TRUE NORTH

**POUND CREEK ROAD**




**DICKSON HEARN PTY LTD**  
 A.C.N. 106 978 294  
 3/92 BRIDGE MALL,  
 BALLARAT, 3350.  
 Phone (03) 5333 225 Fax (03) 5333 220  
 email: [ball@dksonhearn.com.au](mailto:ball@dksonhearn.com.au)

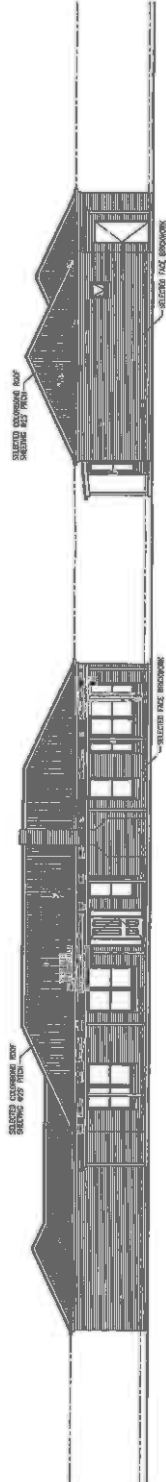
DATE	REV/NO	COMMENTS
12/05/16	0	PROPOSED TREE PLANTATIONS ADDED
15/10/16	1	EFFLUENT DISPOSAL MOVED 5M WEST 3M NORTH, DRIVEWAY MOVED NORTH
21/12/15	8	PARCEL MOVED 20M NORTH
09/12/15	A	ORIGINAL

**PLAN OF SURVEY**  
 CA 3 & CA 5A  
 NAVIGATORS  
 C/T, VOL. 11610 FOL. 596 &  
 VOL. 11610 FOL. 598

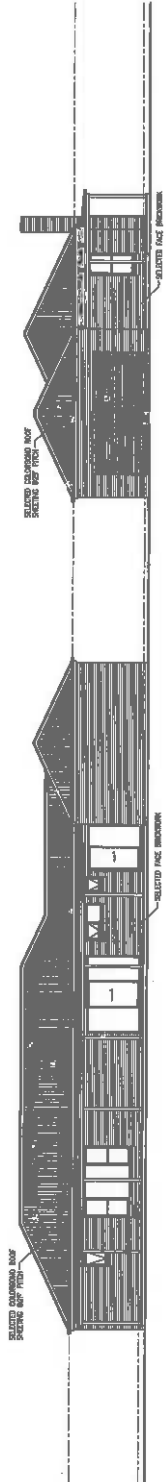
DRAWN BY	R.I.D.
DATE	09/12/15
CHECKED	D.L.H
SCALE	1:1000
DATUM	ARB.

**REF. NO**  
 6812  
**SHEET SIZE**  
 A2

INMANS WATER SUPPLY)  
 NAVIGATORS  
 ROAD  
 137°36' 89.56

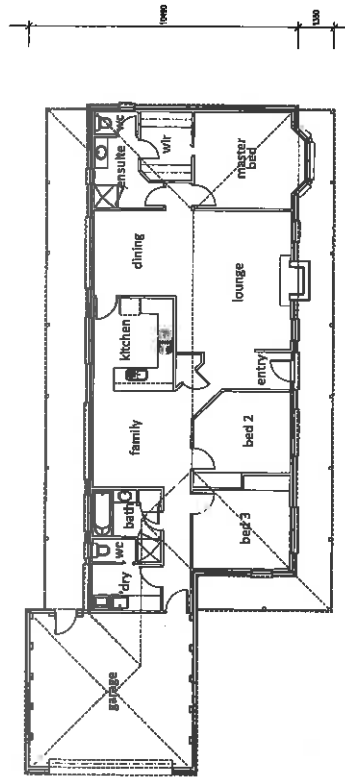


north elevation 1:100



south elevation 1:100

west elevation 1:100



floor plan 1:100  
TOTAL RESIDENCE AREA = 160.24sqm  
TOTAL SHED AREA = 112.34sqm

# madin lyons

MADIN LYONS ASSOCIATES PTY LTD  
17 HEDSWAY STREET SOUTH MOUNTAIN 1350  
T. (03) 5531 4183  
E. admin@mdlh.com.au  
FAX. 030 796 1611  
RUSSELL WAGH DP-AD1045  
TONY LYONS DP-AD1059  
PAUL ROGERS DP-AD3859

Project  
Proposed Residence and Shed

Client  
Bruce Wilson

Address  
Crown Allotment 3  
Pound Creek Road  
Navigators

Date January 2016  
Drawn michael long  
Checked 18006-1p2 of 2  
Job no. 18006-1p2  
Site no. A  
Revision AS INDICATED AT A1  
Scale Picked

PLANNED DEVELOPER HAS PROVIDED THIS SCALE.  
THIS PLAN IS PRELIMINARY AND NOT TO BE USED FOR CONSTRUCTION  
OR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION  
OF MADIN LYONS ASSOCIATES PTY LTD.  
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### 10.2.5 Planning Application PA2016-032 – 456 Navigators Road, Navigators; Use and Development of a Dwelling and Ancillary Outbuilding

<b>Application Summary:</b>	
Permit No:	PA2016-032
Lodgement Date:	5 February 2016
Planning Officer:	Tom Tonkin
Address of the land:	Crown Allotments 4 and 4A, Section 20A, Parish of Warrenheip, 456 Navigators Road, Navigators 3352
Proposal:	Use and Development of a Dwelling and Ancillary Outbuilding
Lot size:	10.58ha
Why is a permit required	Clause 35.07 – Farming Zone – use and development Clause 42.01-2 – Environmental Significance Overlay – development
<b>Public Consultation:</b>	
Was the application advertised?	The application was advertised due to the proposal's potential to cause material detriment.
Notices on site:	Two (2)
Notice in Moorabool Newspaper:	None
Number of Objections:	Five (5). A sixth objection was withdrawn.
Consultation meeting:	Yes, held 27 April 2016 and attended by the applicant and objectors from two properties. Fundamental objections remain unresolved.
<b>Policy Implications:</b>	
<b>Key Result Area</b>	Enhanced Natural and Built Environment.
<b>Objective</b>	Effective and efficient land use planning and building control.
<b>Strategy</b>	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.

<b>Victorian Charter of Human Rights and Responsibilities Act 2006</b>	
<p>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.</p>	
<b>Officer's Declaration of Conflict of Interests</b>	
<p>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.</p> <p><i>Manager – Robert Fillisch</i></p> <p>In providing this advice to Council as the Manager, I have no interests to disclose in this report.</p> <p><i>Author – Tom Tonkin</i></p> <p>In providing this advice to Council as the Author, I have no interests to disclose in this report.</p>	
<b>Executive Summary:</b>	
Application Referred?	Referred to Central Highlands Water and within Council.
Any issues raised in referral responses?	No
Preliminary Concerns?	Yes, concerns were raised that the siting of the dwelling may limit the agricultural productivity of the site.
Any discussions with applicant regarding concerns.	No
Any changes made to the application since being lodged?	Yes. Council officers wrote to the applicant requesting justification for the proposed siting of the dwelling, which was provided. Later, after advertising, Council requested the Farm Management Plan be amended to address concerns about the capability of the land to support the proposed farming enterprise, including stock numbers. An amended Farm Management Plan was submitted which halved stock numbers to 45 ewes and made consequential changes to the plan. The proposed siting of the dwelling and effluent field was substantially moved closer to the Pound Creek Road frontage to avoid crossing Pound Creek and increase setbacks from the creek.

VCAT history?	None
Previous applications for the site?	None
General summary.	<p>The proposal is for use and development for a dwelling and ancillary outbuilding on a 10.58ha parcel (two lots). A farm management plan is provided in support of the proposal.</p> <p>Objections to the proposal relate mainly to fragmentation of agricultural land, environmental impacts on the potable water supply catchment, unsustainability of the proposed farming activities and impact on rural character.</p> <p>Overall, the proposal is inconsistent with relevant State and local planning policy and does not contribute to the orderly use and development of productive agricultural land.</p>
<b>Summary Recommendation:</b>	
<p>That, having considered all relevant matters as required by the Planning and Environment Act 1987, Council issue a Refusal to Grant a Permit for this application in accordance with Section 61 of the <i>Planning and Environment Act 1987</i>, on the grounds detailed at the end of this report.</p>	

### Background

With this application the applicant concurrently submitted two other applications – PA2016030 and PA2016031 – both for use and development of a dwelling and ancillary outbuilding on adjacent lots also forming part of 456 Navigators Road, Navigators. Objectors made either identical or near identical submissions to all the applications.

### Public Notice

Notice of this application was given to adjoining and nearby landowners and occupiers by mail on 7 March 2016 and a sign erected on site facing Pound Creek Road from 17-31 March 2016. Six (6) objections were received, one (1) of which was subsequently withdrawn.

## Summary of Objections

The objections received are detailed below with officer's accompanying comments. As previously mentioned objections received were not only to this application but also PA2016030 and PA2016031, and frequently refer to the objections as a whole. This is sometimes reflected in the summary below:

Objection	Any relevant requirements
The proposal will increase noise levels, dust and traffic, particularly on Pound Creek Road, affecting the rural ambience and set a precedence for similar development of multi lot farms, creating a suburban environment.	N/A
<b>Officer's response -</b> It is not considered that the proposal would not increase noise, dust or traffic to unacceptable levels given the modest nature of the proposal. There is an existing issue in part with the condition of Pound Creek Road which is separate to the consideration of this permit.	
The proposal does not comply with Clause 16.02-1 of the planning scheme. The sale and development of individual lots which formed part of larger agricultural landholdings impacts on the economic viability of farming by inflating land prices.	Clause 16.02-1
<b>Officer's response -</b> This objection is discussed below.	
The site is currently for sale, and the submitted farm management plan is generic, unrealistic and not tailored to a particular landowner's activities. The proposal could lead to a hobby farm use once the land is sold with a permit, and not contribute to agriculture in the area.	Clauses 14.01-1 and 16.02-1
<b>Officer's response -</b> This objection is discussed below.	
The submitted farm management plan has discrepancies and inconsistencies, and would see overstocking of the land.	N/A
<b>Officer's response -</b> This objection is discussed below.	
There is no absolute need for a dwelling on the site based on the farm management plan. The land has been farmed for generations without the need for a dwelling. The proposal does not comply with Clauses 35.07 or 22.03 of the planning scheme.	Clauses 22.03 and 35.07
<b>Officer's response -</b> This objection is discussed below.	
The findings of the Land Capability Assessment, conducted in summer during a drought, do not reflect winter conditions when the land can be soggy and waterlogged. The report may not have captured all accurate information.	N/A

<b>Officer's response -</b> The report was prepared by a suitably qualified person and the application, including the report, referred to Council's Environmental Health Officer and Central Highlands Water, the relevant water board who are a determining referral authority, who consent to the proposal subject to conditions.	
The property is within the Two Mountains Koala Trail and the proposal, including increased traffic would impact on koalas. The objector quotes a decision guideline from Clause 35.03-5.	Clause 35.07
<b>Officer's response -</b> Clause 35.03-5 relates to land in the Rural Living Zone. The subject site is in the Farming Zone, which includes the following decision guideline: "The impact of the use or development on the flora and fauna of the site and its surrounds."	
Additional dwellings and chemical use for weed control within the water catchment will reduce the quality and quantity of water. The objector quotes policy from Clause 22.02.	Clause 22.02
<b>Officer's response -</b> Use of chemicals for weed control is not relevant to consideration of this application. As previously mentioned the impact of development in the water catchment may be mitigated by the siting of development and permit conditions which regulate the proper functioning of the wastewater treatment system on an on-going basis. The first policy statement quoted is: "Strongly discourage the subdivision of the land in proclaimed water catchment areas", which is not relevant to this proposal which is for development of existing lots. The other policy statement quoted is: "Discourage land use and development that has the potential to reduce the quality or quantity of water produced." The application included a Land Capability Assessment prepared by a suitably qualified person and the application, including the report, referred to Council's Environmental Health Officer and Central Highlands Water, the relevant water board who are a determining referral authority, who consent to the proposal subject to conditions. Whilst the proposal has potential to affect water quality it is considered that adequate provision has been made to mitigate the impacts.	
Can the electricity supply to the area cope with the additional demand?	N/A
<b>Officer's response -</b> Any condition of approval would require a dwelling to be connected to reticulated electricity or have an alternative energy source. Any issues regarding electricity supply are a matter for the landowner to resolve with Powercor.	
Is the effluent field at least 100m from the existing dam?	Clause 42.01, Schedule 1
<b>Officer's response -</b> The effluent field would be 85-90m from the dam, which is not on a waterway.	
Growth in the area would require local roads to be upgraded to cope with additional traffic.	N/A
<b>Officer's response -</b> Road upgrades are separate to the consideration of this permit application.	

Additional dwellings affect fire and flood management in the area, increase the hazard and put pressure on emergency services.	N/A
<b>Officer's response -</b> These matters are not directly relevant to the consideration of this permit application but are broader strategic matters involving several agencies.	
CA2 includes an existing hay shed, therefore no additional sheds should be needed.	NA
<b>Officer's response -</b> The applicant advises that this shed has been sold and will be removed from the site.	
Daily traffic and noise and dust from construction of the proposed dwellings will impact on farms and crops nearby.	NA
<b>Officer's response -</b> The disruption normally expected during construction of a dwelling would not be considered unreasonable. Any unreasonable offsite impacts would be dealt with as part of the building permit approval.	
Is compliance with farm management plans monitored by Council?	NA
<b>Officer's response -</b> Any approval should require the farm management plan to be endorsed, which means it must be complied with. However, Council investigate any reported breach of conditions.	
Weed control is expensive, and less likely to be done where there is minimal or no economic/agricultural imperative to do so, such as on a small property. This impacts neighbouring properties due to spread of weeds, and also creates a fire hazard.	Clauses 14.01-1 & 35.07-6
<b>Officer's response -</b> This objection is discussed below.	
The proposed division of a single property into multiple smaller properties is contrary to planning policy.	Clauses 16.02-1
<b>Officer's response -</b> The site comprises several lots on separately disposable titles, however it is recognized that the proposal would contribute to the potential for more likely permanent fragmentation of the current landholding. This objection is discussed further below.	
Rotation of stock on smaller properties would increase stock crossing of Pound Creek, causing erosion of the embankment and reduced water quality.	Clauses 14.01-1 & 16.02-1
<b>Officer's response -</b> This objection is discussed below.	
Navigators is in a high fire danger area – increased population is a risk, and motorbikes, farm machinery and unmanaged weeds adds fuel, and is a fire risk.	

<p><b>Officer's response -</b> Some nearby land, including to the west of the subject site, is affected by the Bushfire Management Overlay, the purpose of which includes "to ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level." Under this overlay, development associated with some land uses, including dwellings, requires a planning permit. Development directly associated with agriculture does not require a permit under this overlay. An assessment of fire risk or hazard is not relevant to this application.</p>	
<p>The need for increased population in Navigators to sustain community sporting groups, for example, is disputed.</p>	<p>Clause 16.02-1</p>
<p><b>Officer's response -</b> Council's Rural Housing Policy seeks to ensure the viability of rural communities by increasing population growth. There is no policy particular to Navigators in this regard, and the objector's claim is anecdotal but not disputed.</p>	
<p>Introducing new crops like canola to the area introduces new pests and diseases. Pest control can in turn impact on birds, and there is abundant birdlife in the area.</p>	<p>NA</p>
<p><b>Officer's response -</b> The application is for use and development of a dwelling and includes consideration of a farm management plan, discussed below. The planting of crops falls within the definition of crop raising, a use of land which (except from rice growing and timber production) in the Farming Zone does not require a planning permit.</p>	
<p>Local wildlife is affected by increased population and the associated pollution and disturbance of the environment.</p>	<p>Clause 35.07-6</p>
<p><b>Officer's response -</b> The Moorabool Planning Scheme does not identify any notable environmental values on the site or surrounding area, but the statement is considered to be broadly valid in considering such an application.</p>	
<p>Previous permit applications by locals to develop or subdivide land have been refused. If rules have changed ratepayers should be notified.</p>	<p>NA</p>
<p><b>Officer's response -</b> This objection is not directly relevant to this application, but it is acknowledged that Council should consider its role in communicating planning policy changes to the community.</p>	
<p>It was understood that given the location in a Special Water Supply Catchment the area would not be developed. This proposal could set a precedent for more development and fragmentation of productive farm land.</p>	<p>Clauses 22.02 &amp; 42.01, Schedule 1 Clauses 14.01-1, 16.02-1 and 35.07-6</p>

<b>Officer's response -</b> Over the years State and local policies have changed regarding land in Special Water Supply Catchments. In particular, Council adopted its Domestic Wastewater Management Plan (DWMP) in October 2014, in accordance with the Minister for Water's guidelines. The DWMP guides Council in managing existing onsite wastewater systems and new housing development in water catchment areas. It is noted that Central Highlands Water (CHW) had input into the preparation of the DWMP, and as a determining referral authority can object to a planning permit application in this particular catchment, which would mean that a permit could not be granted. CHW have no objection to this application, subject to conditions. Concerns about precedence and land fragmentation are discussed below.	
Traffic safety on Pound Creek Road would be compromised due to the location of proposed crossovers.	N/A
<b>Officer's response -</b> The application was referred to Council's Infrastructure unit who made no objection to the application. This objection was discussed at the consultation meeting with objectors who attended and it was resolved that, notwithstanding the concerns raised, the proposed crossover location was in the best possible position.	
External fences do not have ring lock fencing to restrict sheep from straying onto the road.	N/A
<b>Officer's response -</b> This objection is not directly related to the assessment of this application.	
The proposal encourages fragmentation of land for non-rural use by splitting up a productive enterprise.	Clauses 14.01-1, 16.02-1 & 35.07-6
<b>Officer's response -</b> This objection is discussed below.	
The Farm Management Plan is unviable and makes a mockery of how the systems, process and policies should be applied.	Clauses 14.01-1 and 16.02-1
<b>Officer's response -</b> This objection is discussed below.	
Unviable farm plans reduce the amount of land available for sustainable agriculture.	Clause 16.02-1
<b>Officer's response -</b> This objection is discussed below.	
The proposal would lead to a concentration of dwellings, meaning the land would no longer be used for agriculture, and result in an unacceptable change in rural outlook from our property.	Clauses 14.01-1, 16.02-1 & 35.07-6
<b>Officer's response -</b> This objection is discussed below.	
Loss of neighbourhood amenity due to development density creating smaller lot sizes.	Clauses 15.01-5, 35.07-6 & 65.01
<b>Officer's response -</b> It is noted that the proposal would not create smaller lot sizes but to develop an existing lot with a dwelling. The lot size is not uncommon in the area but development of a dwelling on such a lot that does not form part of a larger landholding is uncommon.	



The application does not accord with relevant policy for water catchments in Moorabool.	Clauses 14.01, 19.03, 22.02 and 42.01, Schedule 1
<b>Officer's response -</b> The objector appears to quote from a particular policy but the source is unclear. Nevertheless the information quoted is generally consistent with the guidelines in 'Planning permit applications in open, potable water supply catchment areas' (November 2012). In short, planning policy is often discretionary, as in this instance, and the application was referred to Central Highlands Water (CHW) as the relevant water board for consent, which was given subject to conditions.	
The Land Capability Assessment was conducted during the driest time in years and does not fully assess or reflect the true features and conditions of the land, and therefore its conclusions regarding proposed development setbacks from Pound Creek are questionable.	Clauses 14.02 and 22.02.
<b>Officer's response -</b> The report was prepared by a qualified professional and the application referred to Central Highlands Water as the relevant water authority, and to Council's Environmental Health Officer, who consent to the proposal.	
Additional traffic on roads already in poor condition.	N/A
<b>Officer's response -</b> This objection is not directly related to the application. The existing condition of roads is a separate matter for consideration.	
Proximity of dwelling would impede vermin control using firearms and alternative methods such as poison could impact on wildlife and livestock.	Clause 35.07-6
<b>Officer's response -</b> It is acknowledged the dwelling could impede the objector's land management practices.	
The proposal is at odds with State planning policy which is to maintain productive farm sizes and discourage fragmentation of farm land dwellings unrelated to farming.	Clauses 11.05-3, 14.01-1 and 16.02
<b>Officer's response -</b> This is discussed below.	
Constraints imposed by the zoning and drinking water supply catchment location should apply to this proposal.	Clauses 14.02 and 22.02
<b>Officer's response -</b> The application has been assessed under the current relevant provisions of the Moorabool Planning Scheme.	
Given the site is for sale there is no certainty that a prospective buyer would act on the proposal if a planning permit is granted.	N/A
<b>Officer's response -</b> This is discussed below.	

The proposed site is likely to be used for rural residential purposes for grazing horses and some cattle, as the soil quality, drainage and rainfall do not support the proposed long term intensive farming pursuits proposed.	Clauses 14.01-1 and 35.07-6
<b>Officer's response -</b> This objection is discussed below.	
Approval of the application would be to ignore Council's local planning policies.	Clauses 22.02 and 22.03
<b>Officer's response -</b> These Council policies are discretionary but give clear guidance as to their intent. It is agreed that the proposal does not comply with local planning policy.	
The proposal would not contribute to local employment or enterprise given the unsuitability of the site for the proposed farming enterprise.	Clause 35.07
<b>Officer's response -</b> Noted.	
The proposed dwelling would detrimentally impact on Pound Creek in terms of erosion and pollution, and proximity of the effluent field.	Clauses 14.02, 22.02 and 35.07-6
<b>Officer's response -</b> As previously noted the application was amended to site the dwelling and effluent field substantially closer to Pound Creek Road to avoid crossing the creek and ensure a minimum 100m setback from the creek.	

### Proposal

It is proposed to use and develop the site for a dwelling located on CA4. Details of the proposal are as follows:

- Single storey, comprising four (4) bedrooms, main with en suite, study, open plan kitchen and meals area, family area, dining and living areas, bathroom and laundry, with an attached double garage and verandah along part of the north façade.
- Set back 30m from Pound Creek Road and approximately 15m from the south title boundary. The dwelling would be constructed of face brick with a low pitched Colorbond roof.
- Ancillary shed positioned near the dwelling, both contained in a 30m x 50m (1500sq m) building envelope.
- Effluent field located in the east rear setback.
- Farm management plan provided detailing farming activity as grazing prime lambs and growing cereal crops.

The plans are provided in Attachment 10.2.5.

### Site Description

Site and surrounding area details are as follows:

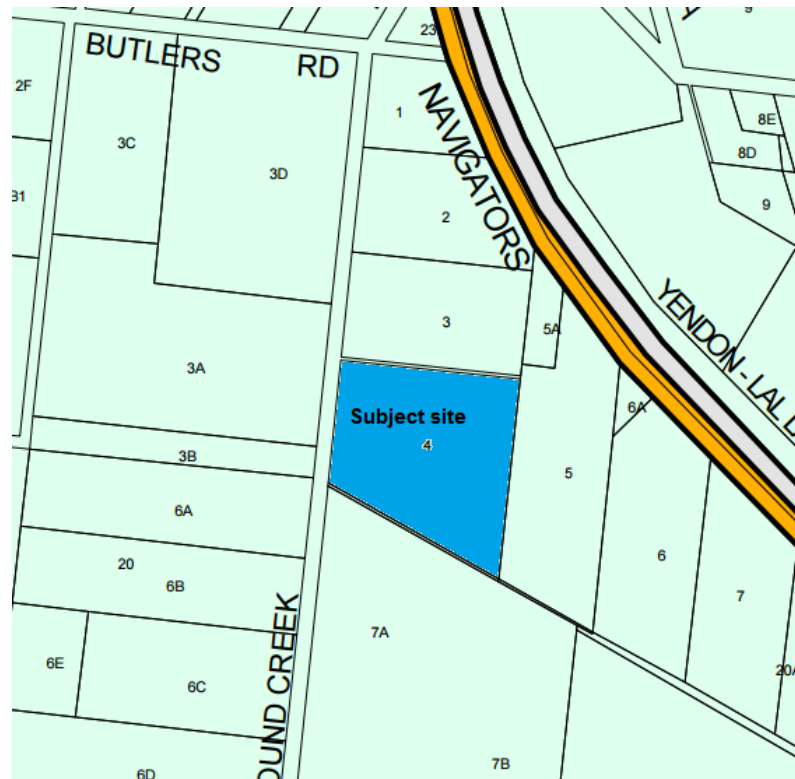
- Identified as Crown Allotments 4 and 4A, Section 20A, Parish of Warrenheip and known as 456 Navigators Road, Navigators.
- Located on the east side of Pound Creek Road, approximately 595m south of Butlers Road.

- Trapezoid shape with a maximum depth of 338.36m, width of 380m and area of 10.58ha.
- Slightly undulating topography, with Pound Creek running through the property towards the rear of the site and minimal vegetation.
- Forms part of 456 Navigators Road which comprises seven (7) contiguous lots, only one of which is currently developed with a dwelling.
- The site and surrounding area is in the Farming Zone and characterised by flat to gently undulating land mostly cleared of vegetation and used predominantly for grazing and fodder crops. Heavily forested areas exist further to the west and southwest.
- The surrounding subdivision pattern is not uniform and a number of lots are developed with dwellings. In particular:
  - To the north is a vacant lot forming part of the property and subject to PA2016031.
  - To the east is a vacant lot forming part of the property.
  - To the west, across Pound Creek Road is a lot of 16ha developed with a dwelling.
  - To the south is a lot of 27ha containing a single dwelling accessed from Pound Creek Road.



## Locality Map

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



## Planning Scheme Provisions

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

The relevant clauses are:

- 11.05-1 Melbourne's hinterland areas
- 11.05-3 Rural productivity
- 11.06 Central Highlands regional growth
- 14.01-1 Protection of agricultural land
- 14.02 Water
- 15.01-5 Cultural identity and neighbourhood character
- 21.02-2 Non Urban Landscapes
- 21.02-.3 Water and Catchment Management
- 21.03-4 Landscape and Neighbourhood Character
- 21.03-5 Rural Lifestyle Opportunities
- 22.02 Special Water Supply Catchments
- 22.03 Houses and House Lot Excisions in Rural Areas.

Overall the proposal does not comply with the relevant sections of the SPPF and LPPF.

## Zone

The subject site is in the Farming Zone.

The purpose of the Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Under Clause 35.07 a permit is required for use and development of a lot of less than 40ha for a dwelling.

Overall, the proposed use and development is inconsistent with the Farming Zone provisions.

### **Overlays**

The site is affected by Environmental Significance Overlay, Schedule 1 due to the site being in a Special Water Supply Catchment. Under Clause 42.01-2 a permit is required for development. Reticulated sewer is not available to the site, and there are no relevant exemptions under the Schedule. The application was referred to Central Highlands Water as the determining referral authority, and to Council's Environmental Health officer, who both consented subject to conditions.

### **Relevant Policies**

Council's Rural Housing Policy, adopted on 19 September 2012, gives direction for assessing planning permit applications which propose new residential development of land in the Farming Zone. The Policy encourages residential development in farming areas which satisfies the purpose of the Farming Zone and supports agricultural opportunities. The proposal is broadly in accordance with this policy.

### **Particular Provisions**

None applicable.

### **Discussion**

The Moorabool Planning Scheme provides discretion for a permit to be granted to use and develop land for the purposes of a dwelling on a lot less than 40ha. Where a permit is required the decision guidelines of the Farming zone require that consideration be given to a range of matters before deciding on an application.

In relation to dwellings in the Farming Zone the decision guidelines require that the responsible authority consider whether a dwelling:

- *Will result in the loss or fragmentation of productive agricultural land;*
- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation;*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses; and*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

In relation to agricultural issues in the Farming Zone the decision guidelines require that the responsible authority also consider:

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*

The following are considered to be the key issues, discussed in more detail below:

- Fragmentation of viable agricultural land;
- Unviable and speculative nature of the farm management plan; and
- Impact on the character of the rural landscape.

#### Fragmentation of viable agricultural land

The use and development of a 10.58ha site (two consolidated lots) for a dwelling is stated to be in support of a farming enterprise growing cereals and grazing prime lambs. As previously stated the site comprises two lots which form part of 456 Navigators Road which comprises seven lots. Six of those lots form part of the same landholding, and two other applications lodged simultaneously propose dwellings on two of the lots and in support of almost identical farm plans. It is understood that the sites proposed for dwellings are currently offered for sale or subject to sale conditional on the applicable permit being granted. It is understood the sites are being marketed for 'rural lifestyle' development and Council has been contacted by prospective buyers.

The pattern of subdivision in the area, including the subject site, is relatively fragmented. It is not unusual, however, for contiguous small lots to form part of a larger agricultural landholding, such as the subject site. There are also several lots in the surrounding area, from smaller than 1ha up to 10ha in size, in single ownership, many of which contain single dwellings. Many of these lots have significant tree coverage and dwellings are generally not prominent in the landscape. Whilst these small separate lots in single ownership are in the Farming Zone they are generally not bona fide agricultural landholdings.

Some objectors have raised concerns that the proposal contributes to fragmentation of the property known as 456 Navigators Road. It should be noted that each lot comprising the property is separately disposable and theoretically can be held in different ownership. This could occur regardless of this or the other planning permit applications submitted for dwellings on the land. In a sense, the land is already fragmented. However, the likelihood of each lot being sold separately to facilitate non-residential use is minimal given the impracticality of using such small lots for agriculture. Offered for sale separately and particularly with the possibility of dwellings, the potential for the long term fragmentation of bona fide agricultural land is undeniable. Such an outcome is not supported by either State or local planning policy which includes the following objectives:

- *To manage land use change and development in rural areas to promote agriculture and rural production. (Clause 11.05-3);*
- *To protect productive farmland which is of strategic significance in the local or regional context. (Clause 14.01-1); and*
- *To maintain and enhance the natural environment and the Shire's rural identity and character. (Clause 21.02-2).*

State and local planning policy includes the following relevant strategies:

- *Prevent inappropriately dispersed urban activities in rural areas. (Clause 11.05-3);*
- *Limit new housing development in rural areas, including:*
  - *Directing housing growth into existing settlements*
  - *Discouraging development of isolated small lots in the rural zones from use for single dwellings, rural living or other incompatible uses*
  - *Encouraging consolidation of existing isolated small lots in rural zones. (Clause 11.05-3);*
- *Ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use. (Clause 14.01-1);*
- *Take into consideration regional, state and local, issues and characteristics in the assessment of agricultural quality and productivity. (Clause 14.01-1);*
- *Permanent removal of productive agricultural land from the State's agricultural base must not be undertaken without consideration of its economic importance for the agricultural production and processing sectors. (Clause 14.01-1);*
- *In assessing rural development proposals, planning and responsible authorities must balance the potential off-site effects of rural land use proposals (such as degradation of soil or water quality and land salinisation) which might affect productive agricultural land against the benefits of the proposals. (Clause 14.01-1);*
- *Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development. (Clause 16.02-1);*
- *Demonstrate need and identify locations for rural residential development through a housing and settlement strategy. (Clause 16.02-1); and*
- *Focus rural living development in areas close to urban centres with good access to services and facilities where there is minimal impact on productive agriculture and horticulture or areas with environmental values. (Clause 21.03-5).*

The site is evidently productive for grazing, in terms of the climate, soil conditions and water supply, and forms part of a larger rural area in the west of the Shire and the Ballarat rural hinterland. Nearby development, as described above, has taken place over several decades, and notwithstanding that some development has a 'rural residential' character, the site is clearly suited to primarily agricultural use, and this application must be assessed against current planning policy, as outlined above.

#### Unviable and speculative nature of the farm management plan

A Farm Management Plan was provided with the original application. Some objections raised issues with the plan, including that the site would be unable to support the intensity of the farming activity proposed, and that given the speculative nature of the proposal due to the land being for sale the plan does not indicate any seriously entertained plan to farm the land. The applicant subsequently amended the farm plan, reducing the stock numbers by half and making consequential changes. Whilst this presumably makes the farm plan more viable it does not change its speculative nature. Whilst permit conditions can allow for changes to be made to a farm plan after a permit is granted, for the particular benefit of a prospective future landowner, this application is unusual given the speculative nature of the farm plan has been apparent from the outset. The applicant advised that the plan had been prepared in consultation with a prospective buyer, however given the plan is practically identical to those plans submitted with applications for the adjoining lots, it is difficult to reconcile the two. Furthermore, Council has been approached by prospective buyers who have admitted to not being advised of the requirement to comply with a farm management plan should they acquire the land with a permit, which casts further doubt on the legitimacy of the plan.

#### Impact on the character of the rural landscape

In isolation, the proposed dwelling would be no more conspicuous in the landscape than any other dwelling nearby not substantially screened by vegetation. However, the application is being considered concurrently with dwelling applications on adjoining lots, and the combined visual impact of dwellings in this location will be noticeable and largely at odds with the rural character of the area. This is notwithstanding the modest scale and form of the dwelling, but it cannot be denied that the proposals introduce a more urban character to an area which is otherwise distinctly rural.

The Tribunal is generally consistent in its assessment of applications for dwellings on small lots in the Farming Zone.



In *Strachan v LaTrobe CC (2012)* Member Tracey Bilston-McGillen stated that:

*In considering applications for dwellings in the Farming Zone, the Tribunal has on a number of occasions commented on the adverse impact on agricultural production associated with the intrusion of dwellings on small lots in the Farming Zone. In particular the Tribunal has commented that the impact of permitting dwellings in small rural lots in the Farming Zone is incremental in nature and that care must be exercised not to lose sight of the cumulative impact of each dwelling when considering applications for individual proposals. The failure to do so lead inevitably to the circumstances where the proliferation of dwellings on small lots changes the character of a locality to rural residential and productive agricultural land is lost forever.*

If this permit was to be approved a precedent could be set for similar applications in the future. The strong guidance provided by the Moorabool Planning Scheme supports the protection of agricultural land, and it is therefore reasonable to suggest that this land should be protected and that the use of the land for a dwelling should not be supported.

If the application was to be supported it would, in effect, fragment the farming land, and once a dwelling is permitted it permanently alters the use of the land. This would be in conflict with Clause 11.05-3 and Clause 16.02-1 of the State Planning Policy Framework within the Moorabool Planning Scheme, both of which aim to manage land use change and development in rural areas to protect agricultural land and prevent inappropriately dispersed urban activities in rural areas by avoiding inappropriate rural residential development.

Overall, the proposed use and development is considered to be inconsistent with relevant State and local planning policy and the Farming Zone in respect of agricultural land use and rural housing development. The proposal is not sufficiently responsive to the site and surrounding land's features and would not support a sustainable farming operation.

### **General Provisions**

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

Clause 66 - stipulates all the relevant referral authorities to which the application must be referred.

### **Referrals**

The following referrals were made pursuant to s.55 of the Planning and Environment Act 1987 and Council departments were provided with an opportunity to make comment on the application.

<b>Authority</b>	<b>Response</b>
Central Highlands Water	Consent with conditions
Infrastructure Environmental Health	Consent with conditions Consent with conditions

### **Financial Implications**

The recommendation of approval of this application would not represent any financial implications for Council.

### **Risk and Occupational Health and Safety Issues**

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

### **Communications Strategy**

Notice was undertaken for the application, in accordance with s.52 of the Planning and Environment Act 1987, and further correspondence is required to all interested parties to the application as a result of a decision in this matter. All submitters and the applicant were invited to attend this meeting and invited to address Council if desired.

### **Options**

An alternative recommendation would be to approve the application subject to conditions.

Approving the application may result in any of the objectors lodging an application for review of Council's decision with VCAT.

### **Conclusion**

The proposal is for use and development for a dwelling and ancillary outbuilding on a 10.58ha parcel (2 lots). A farm management plan is provided in support of the proposal.

Objections to the proposal relate mainly to fragmentation of agricultural land, environmental impacts on the potable water supply catchment, unsustainability of the proposed farming activities and impact on rural character.

Overall, the proposal is inconsistent with relevant State and local planning policy and does not contribute to the orderly use and development of productive agricultural land.

**Recommendation:**

That, having considered all matters as prescribed by the Planning and Environment Act, Council issues a Refusal to Grant a Permit for PA2016-032 for Use and Development of a Dwelling and Ancillary Outbuilding at Crown Allotments 4 and 4A, Section 20A, Parish of Warrenheip, 456 Navigators Road, Navigators 3352, on the following grounds:

1. The proposal does not comply with State and local planning policy for the protection of agricultural land from residential development.
2. The proposal does not comply with the purpose and decision guidelines of the Farming Zone.

---

**Report Authorisation****Authorised by:****Name:**

Satwinder Sandhu

**Title:**

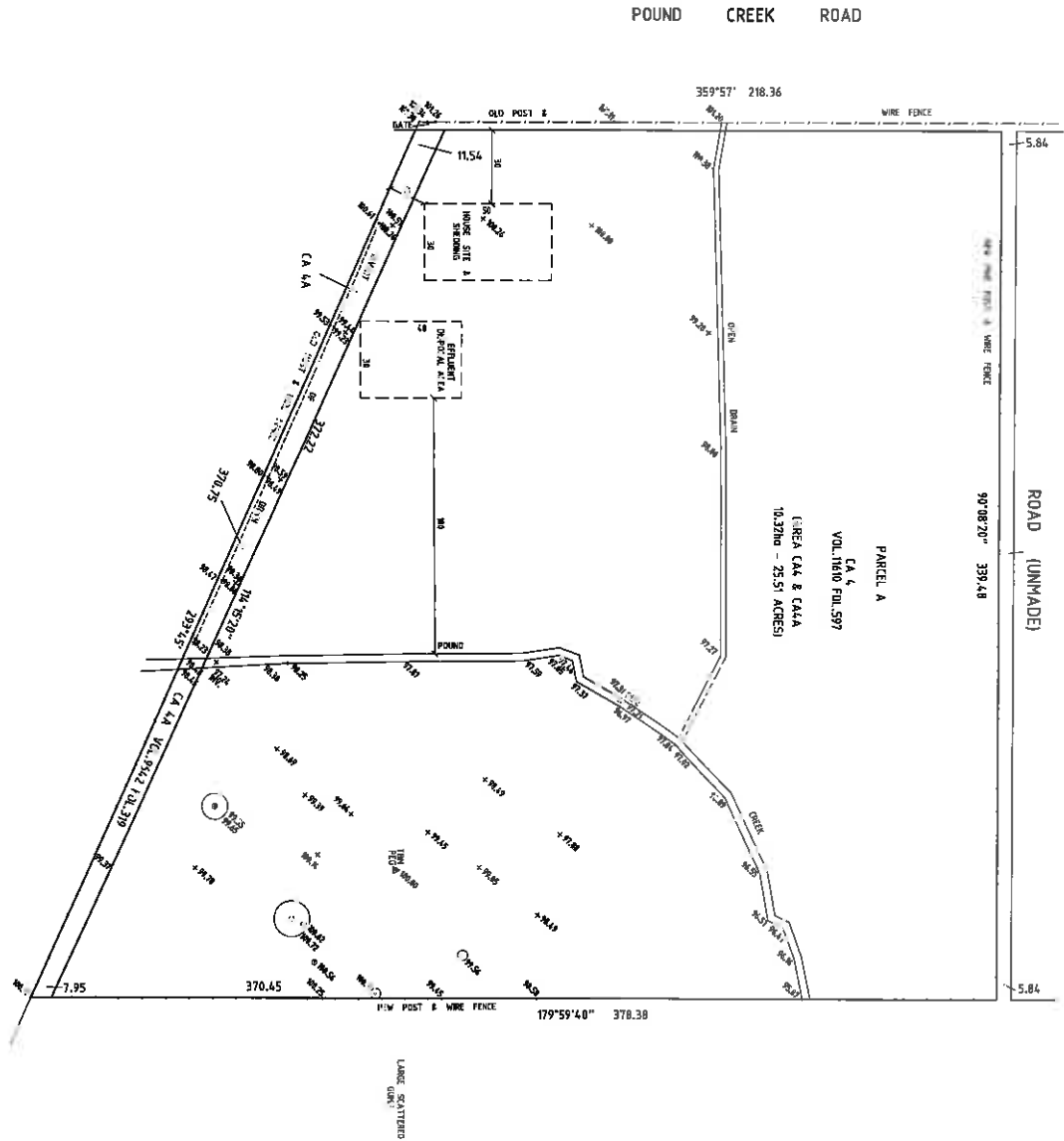
General Manager Growth and Development

**Date:**

Thursday, 18 August 2016

# Attachment - Item 10.2.5

APPROXIMATE TRUE NORTH



POUND CREEK ROAD

ROAD (UNMADE)

PARCEL A  
CA 4  
VOL. 11610 FOL. 597  
(AREA CA 4 & CA 4A  
10.3270 - 25.51 ACRES)

5.84

90°08'20" 391.48

5.84

359°57' 218.36

179°59'40" 378.38

370.45

370.75

7.95

NOTES

DATE	REF. No.	COMMENTS
12/02/14	B	NO. 11 CROSS AND EXISTING IMPLANTATIONS
09/18/14	A	ORIGINAL

PLAN OF SURVEY  
CA 4 & CA 4A  
NAVIGATORS  
C/T VOL. 11610 FOL. 597 &  
VOL. 9612 FOL. 319

DRAWN BY	R.L.B.	REF. No
DATE	09/12/15	6812
CHECKED	D.J.M.	
SCALE	1:100	SHEET SIZE
DATUM	ARB.	A1

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RUSSELL MUIR DP-401845  
TOMMY LYONS DP-401859  
PHIL ROGERS DP-4028689

project

Proposed Residence and Shed

**Crown Allotment 4**  
Round Creek Road  
Navigators

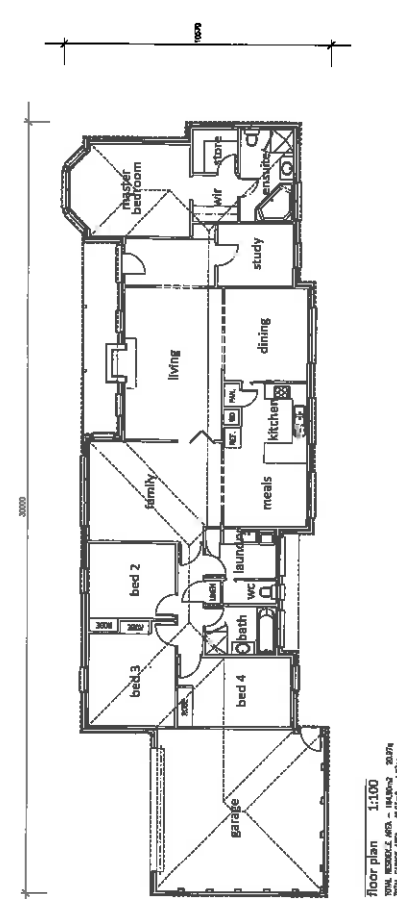
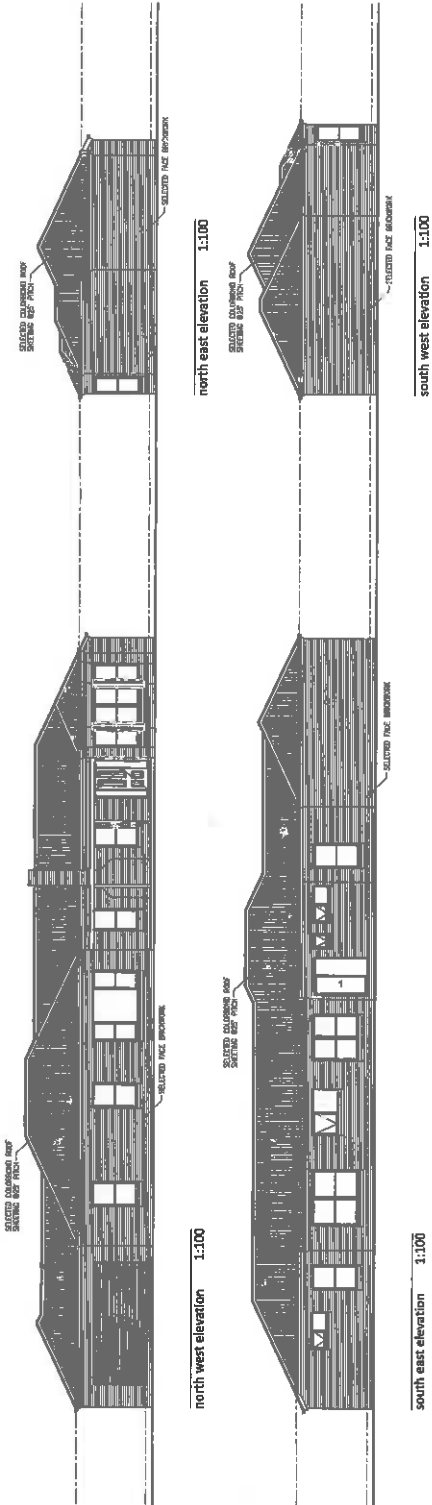
draft  
Bruce Wilson

drawn

date January 2016  
drawn michael king  
job no. 16006-1102 of 2  
4th no. 16006-1102  
revision A  
scale AS INDICATED AT A1

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## 10.2.6 Draft Moorabool Sustainable Environment Strategy

### Introduction

Author: Justin Horne  
General Manager: Satwinder Sandhu

### Background

A draft Moorabool Sustainable Environment Strategy and Implementation Plan has been developed to assist Moorabool Shire Council in relation to meeting current Federal, State and Council legislative, strategic and policy statements in the areas of natural environment, pest plants and animals and sustainability.

The Strategy has been developed to comprise of two components:

- Strategic Direction 2016 - 2026
- Implementation Plan 2016 – 2021.

The purpose of the Strategic Direction component is to demonstrate how Council will work in partnership with state and federal government agencies and the community to protect and enhance the environment over the next ten years. It will also consider the interaction between community well-being and the natural environment, with a focus on the sustainability of the built environment and community resilience.

The Implementation Plan aims to identify key priority actions in the management of Council assets to improve our local environment and to reduce water and energy consumption within Council and the local community.

The Strategy also aims to identify current initiatives being implemented by Council to reduce water and energy consumption, and to provide policy and operational directions that are measureable, realistic and relevant to Moorabool Shire Council and local communities.

The development of the Strategy and Implementation Plan is in keeping with the adopted practice of local government and community expectations. The Strategy and Implementation Plan aims to provide recommendations that provide a cost benefit or are cost neutral to Council, either through process improvement or direct action (e.g. energy efficient street lighting).

The Strategy will be the key document for guiding Council planning, decision-making and activities that impact on the natural environment and sustainability in Moorabool Shire.

### ***Progress to date:***

Workshops were held with internal and external stakeholders providing input as to the actions Council has previously undertaken in relation to sustainability and environmental management. A vision and targets for the new Strategy have also been developed.

Stakeholders providing input to the draft strategy included:

Internal	External
Assets	Department of Environment, Water, Land & Planning (DELWP)
Capital Works	Department of Economic Development, Jobs, Transport & Resources (DEDJTR)
Finance	Moorabool Landcare Network
Recreation Development	Melbourne Water
Strategic Planning	Port Phillip & Westernport Catchment Management Authority
Statutory Planning	Sustainability Victoria
Environment	Grow West
Parks & Gardens	
Moorabool Landcare Advisory Committee (MLAC)	

The Strategy considers the natural values and assets of the Shire, the threats to these values and the actions Council can take to protect and enhance the natural environment both directly and by working with others. It sets directions and priorities to ensure community wellbeing and resilience through making the built environment more liveable and protect the natural environment.

Additional work was undertaken to identify Council's current energy and water consumption and to identify cost saving actions that Council could undertake. The report also included a benchmarking exercise reflecting on the performance of Baw Baw Shire Council and Macedon Ranges Shire Council.

The Strategy and Implementation Plan has been thoroughly worked through with Council's S86 Place Making Committee with revisions and actions being identified at several meetings during 2016.

At the 17 August 2016 meeting the Committee noted the upcoming Caretaker period and as such it was proposed that public consultation should occur once the new Council was elected.

However, the Committee resolved to:

1. Provide in principle endorsement of the Moorabool Sustainable Environment Strategy with the following amendments to the Implementation Plan:
  - The inclusion of a resourcing plan, outlining timeframes and priorities of proposed actions (high/medium/low), as well as indicative resourcing requirements and percentage contributions from each partner agency. (Figure 1 below shows how these recommendations have been included in the implementation plan).
  - The inclusion of references to government legislation.
2. Recommend that the draft document be presented to the September Ordinary Meeting of Council.
3. Recommend to Council that the draft document be presented to the incoming Council, with in principle endorsement.



ACTIONS	OUTCOMES	DATA COLLECTION METHODS	RESPONSIBILITY	SPHERE of INFLUENCE	TIMING	PRIORITY	RESOURCING	ADDITIONAL FUNDING	CONTRIBUTION	
OBJECTIVE 1: To increase landscape scale connectivity of remnant and other native vegetation.										
1.1	Review and consolidate existing Biolinks and Open Space Plans for Moorabool Shire, to help guide future land use planning.	Existing Biolinks Plans are reviewed and consolidated and are referred to for future land use planning.	Review Biolinks Plans. Update native vegetation and corridors mapping	LEAD: Environment and Gardens, Strategic Planning, DELWP, CMAs, Grow West, Moorabool Landcare Network, Melbourne Water, MLAC, community	Control & Influence	2016/17	Medium	Existing departmental budget	Not required	Moorabool - 100%

Figure 1: Implementation Plan - action prioritisation and allocation.

**Proposed Strategy Vision, Strategy Directions and Priority Areas:**

During the consultation process, a Strategy Vision, four Strategy Directions and twelve Priority Areas (figure 2) were developed.

The proposed vision for the Strategy is:

*Moorabool Shire will work to ensure the Shire has healthy ecosystems, productive landscapes, sustainable communities and the capacity to adapt to future environmental challenges.*

This vision forms the direction of the strategic directions, priority areas and the actions listed in the implementation plan.

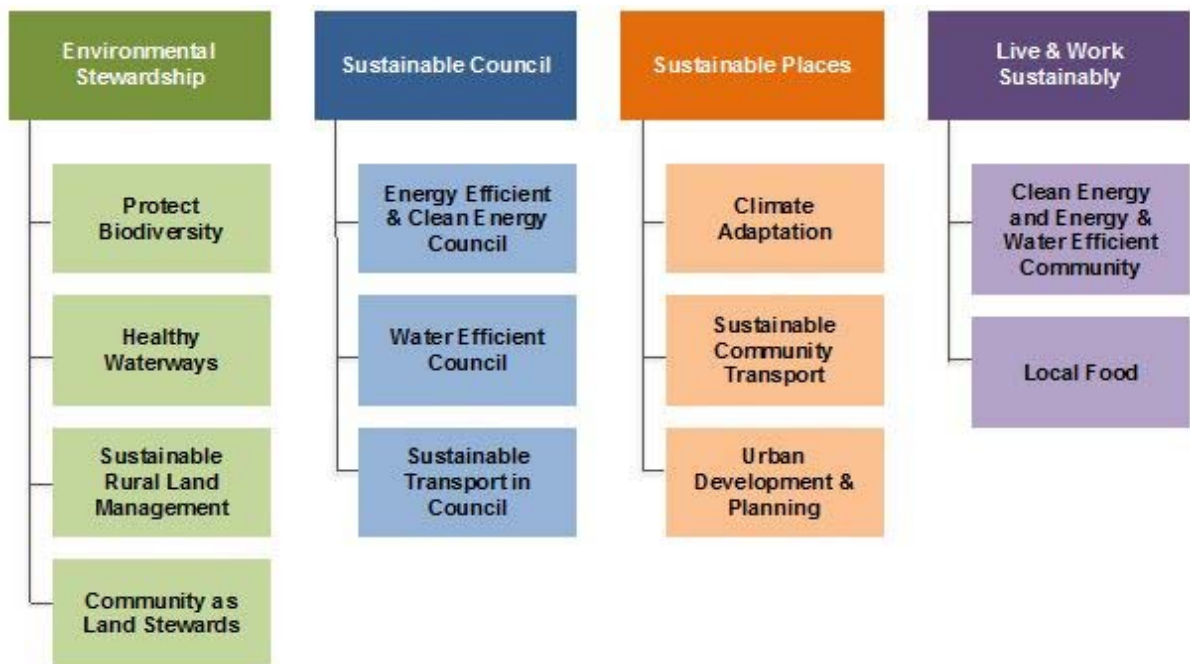


Figure 2: Proposed strategic directions and priority areas for the Moorabool Sustainability and Environment Strategy.

**Implementation Plan 2016 - 2021:**

As stated previously, the intention of the Strategy is to provide an implementation plan to assist Council departments with the delivery of programs to ensure that the vision is achieved.

The implementation plan will have a five year lifespan, and aims to assist Council with operational actions to be delivered by 2021. These will be reviewed against the objectives of the Strategy and a new implementation plan will be developed for the period 2022-2026.

During the consultation phase, it was identified that the actions in the implantation plans must be specific, measureable and achievable. The intent is that the implementation plan is feasible to accomplish.

## Proposal

To ensure that the Moorabool Sustainable Environment Strategy (MSES) is in alignment with the expectations of the community it is proposed that the MSES is made available to the community for comment.

A copy of the draft Strategy is attached to this report for information.

## Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Enhanced Infrastructure and Natural and Built Environment
Objective	Enhance and protect the long term integrity and biodiversity of the natural environment
Strategy	Pursue initiatives to reduce greenhouse gases, energy and water consumption  Work with Landcare networks, government and community to implement and support environmental and sustainability initiatives

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

## Financial Implications

There are no immediate financial implications associated with the consideration of this report.

It is expected that some actions will be delivered through changes in operational and purchasing procedures. However, some larger initiatives have not been costed and would require consideration from Council as part of future capital improvement programs or through external funding (e.g. state or federal government grants).

The Strategy will guide decision making in relation to environment and sustainability and a direction for the future.

Where implementation of specific recommendations requires a new capital allocation from Council, these will be presented and considered as part of the overall annual budget process.

The inclusion of these projects within the Strategy is likely to improve the opportunities for gaining co-contributions from external funding sources.

Actions identified in the Strategy fall into three broad categories:

1. Policy and procedural consideration for energy and water efficient products and design at the point of purchase or construction for all new buildings and assets.

2. Upgrades to existing assets. For example, changeover of street lights to LED. (Please note that the S86 Place Making Committee has provided in principle support for this project in the 2017/18 Capital Improvement Program).
3. Behaviour change initiatives such as reducing paper consumption, teleconferencing and turning off lights.

These actions all have the potential to provide long-term cost savings to Council, as well as, improved environmental outcomes.

### **Risk & Occupational Health & Safety Issues**

There are no direct Risk or Occupational Health and Safety issues associated with the recommendation within this report.

### **Communications Strategy**

It is intended that the following methods be utilised to achieve a high level of response to the survey:

- Newspaper advertising
- Social Media Links (Facebook and Twitter)
- Council website
- Have Your Say website
- Media release

### **Victorian Charter of Human Rights and Responsibilities Act 2006**

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

### **Officer's Declaration of Conflict of Interests**

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

*General Manager – Satwinder Sandhu*

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

*Author – Justin Horne*

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

## Conclusion

The draft Moorabool Sustainable Environment Strategy provides Council with policy direction and an implementation plan relating to its role in managing local environmental assets and promoting sustainability through a variety of actions, in partnership with other agencies.

The actions identified in the Strategy, have been developed and reviewed internally by operational departments to ensure they are achievable and provide a direct financial benefit to Council and ratepayers.

## Recommendation:


### That Council:

1. **In principle endorses the Draft Moorabool Sustainable Environment Strategy.**
2. **Presents the Draft Strategy to the incoming Council to commence the public consultation process.**

---

## Report Authorisation

### Authorised by:

  
**Name:** Satwinder Sandhu  
**Title:** General Manager Growth and Development  
**Date:** Thursday, 1 September 2016

# Attachment - Item 10.2.6(a)



**Moorabool Shire Sustainable Environment Strategy 2016 - 26**  
Draft Strategy

*Moorabool Shire Council*

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## Executive Summary

Moorabool Shire contains some of Victoria's best environmental assets including the Long Forest Nature Conservation Reserve, Brisbane Ranges National Park and the Lerderderg State Park. In addition to these large reserves, within the municipality there are smaller areas of significant remnant vegetation and species, streetscapes and roadsides, forested mountains, rural valleys and waterways.

Council has a role in maintaining these significant and valued areas for the community and encouraging the community to experience these places. This occurs through Council directly managing its own land, influencing private land management through its planning responsibilities and partnering with other public land managers.

Much of the work undertaken by Council, Landcare and other land owners focuses on the threats to our local environmental and agricultural assets. These include: weed invasion; declining water quality; urban development; urban stormwater; climate change; and bushfire.

By understanding what the threats are and what the community values, Council is able to make better decisions that strengthen our environment. A healthy environment provides an enormous range of benefits to the community. Some of these benefits are economic and are linked to our productive agricultural sector. There are also social and cultural benefits that encourage physical activity; allow for social interaction; and create a stronger community identity.

The Moorabool Sustainable Environment Strategy (MSES) aims to provide a framework for environmental program planning and decision making for the next ten years. To achieve this the MSES is organised into the following four strategic directions, which arose through the Strategy consultation process:

1. ENVIRONMENTAL STEWARDSHIP
2. SUSTAINABLE COUNCIL
3. SUSTAINABLE BUILT ENVIRONMENT
4. LIVE AND WORK SUSTAINABLY

This draft Environment Strategy aligns with Council's other high level strategies and sets the direction for Council's diverse range of activities and services.

# 1 INTRODUCTION

Protecting the natural environment and reducing our environmental impacts can only be achieved through partnership. The Strategy's success depends on the combined efforts of the region's many local conservation and sustainability groups, households, businesses, industry and other government and non-government organisations. The intent of the Strategy is to support, complement and promote these efforts.

The Moorabool Shire Sustainable Environment Strategy sets the framework for Council to work towards improving the natural environment and community resilience through to 2041. It is the guiding document for Council planning, decision-making and activities that impact on the Moorabool Shire environment.

The natural environment in Moorabool Shire provides the foundation for diverse social, cultural and economic values. Council recognises the intrinsic value of the natural environment in Moorabool Shire and thus the importance of taking a considered management approach. This is particularly important in the context of climate change, population growth and land use changes.

Moorabool Shire Council has a history of environmental planning and management, developing its first Environment Policy in 2004. This Strategy is the next iteration and builds on existing work by Council, State Government agencies and the community. It is the result of an extensive process of research and consultation to develop a shared vision that will guide Council's work. Research included an examination of Council's previous efforts and a review of the trends and issues influencing Moorabool Shire's future.

This Strategy sets directions to work with other agencies and stakeholders to ensure the protection and enhancement of the natural environment. Council recognises that protecting the natural environment and making the built environment more liveable is important to enhancing community wellbeing and resilience.

The Strategy has been developed in consideration of the Council Plan 2013 - 17, states and will assist to achieve the overall vision of "vibrant and resilient communities". The Strategy is also supported by other Council documents such as the Integrated Planning Framework, Urban Growth Strategy, Rural Growth Strategy and Waste Strategy.

The Strategy is organised into the following four strategic directions, which arose through the Strategy consultation process:

5. ENVIRONMENTAL STEWARDSHIP
6. SUSTAINABLE COUNCIL
7. SUSTAINABLE BUILT ENVIRONMENT
8. LIVE AND WORK SUSTAINABLY

Within each of these themes a number of priority areas are identified for Council action. The activities that Council will undertake within each of the priority areas are identified in the Implementation Plan. The Implementation Plan should therefore be read in conjunction with this Strategy. The Implementation Plan will be reviewed after five years, and a new Implementation Plan developed for the period.

The Strategy acknowledges that Council can only have direct control over some issues, for example its own resource efficiency. It can indirectly influence other issues where its partners share or have greater responsibility and there are some issues it cannot influence and so can only take an advocacy role. As such, the actions in the Implementation Plan are identified as Control, Influence, or Advocacy actions.



Mt Egerton Photo: Allen Moore

## 1.1 Strategy Vision

*Moorabool Shire Council will work in partnership to ensure healthy ecosystems, productive landscapes, sustainable communities and the capacity to adapt to future environmental challenges.*

The Strategy assists in delivering a number of the strategic objectives identified within the Moorabool Shire Council Plan 2013-17 (Table 1).

**Table 1. Strategic objectives identified for key result areas in the Moorabool Shire Council Plan 2013-17 that are relevant to the Sustainable Environment Strategy**

Key Results Areas	Strategic objectives
Community Wellbeing	Community self-reliance and resilience.
Enhanced Infrastructure and Natural and Built Environment	Effective and integrated strategic planning in place to create sustainable communities. Ensure current and future infrastructure meets the needs of the community. Enhance and protect the long-term integrity and biodiversity of the natural environment. Promote and enhance places of heritage, landscape and environmental significance. Effective and efficient land use planning and building controls.

## 1.2 Purpose of the Strategy

The purpose of this Strategy is to demonstrate how Council will work over the next ten years to protect and enhance the environment for 2041. It also considers the interaction between community well-being and the natural environment, with a focus on the sustainability of the built environment and community resilience.

The Strategy is the key document for guiding Council planning, decision-making and activities that impact on the natural environment and sustainability in the Moorabool Shire.

## 1.3 Strategy development

### 1.3.1 Scope & implementation

The Strategy considers the natural values and assets of the Shire, the threats to these values and the actions Council can take to protect and enhance the natural environment (both directly and by working with others). The Strategy also sets directions and priorities to ensure community wellbeing and resilience through making the built environment more liveable and protecting the natural environment.

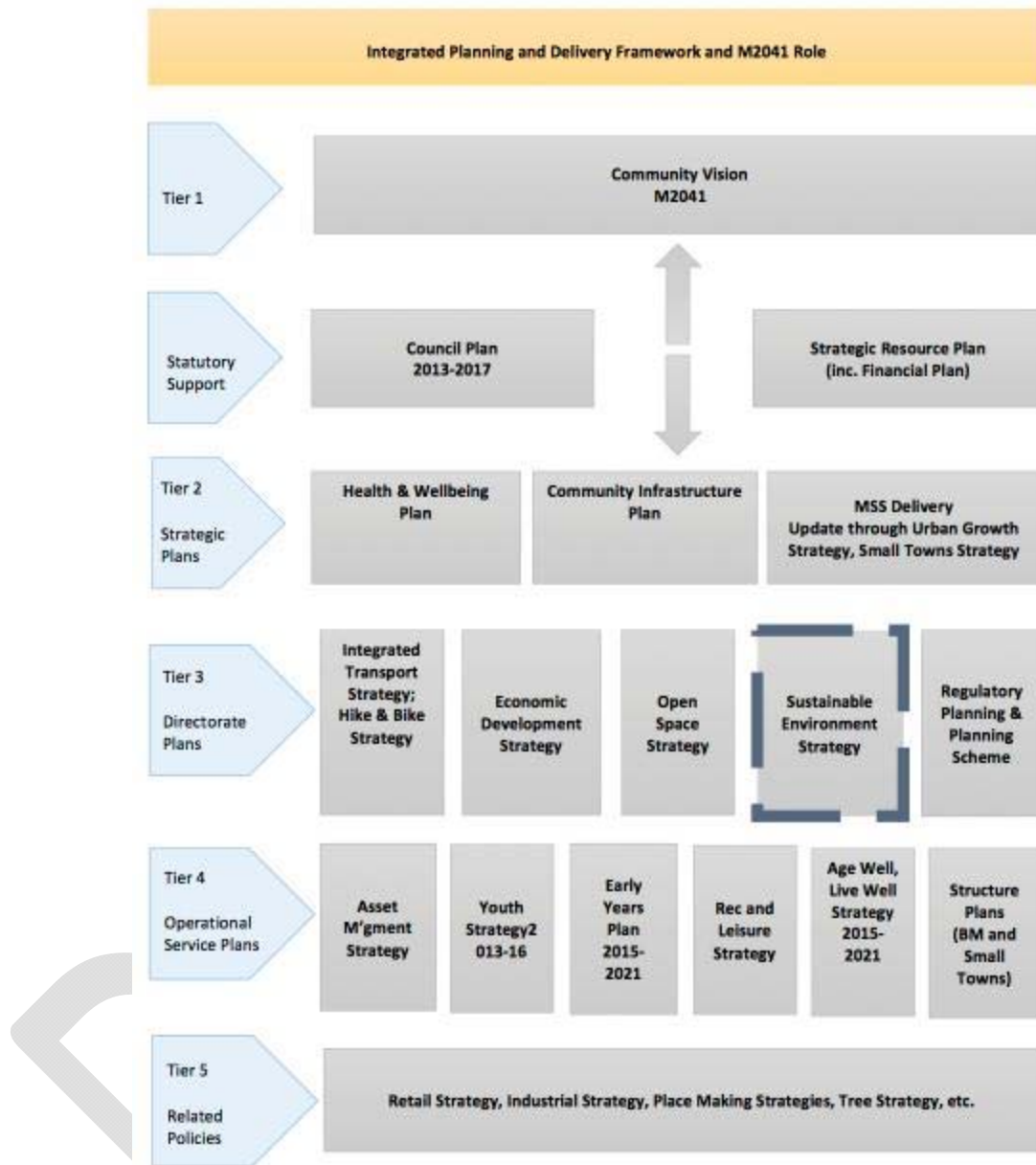
The Strategy will be one of the main guiding documents for other Council plans and strategies. Figure 1 shows where the Strategy fits with other council policies, plans and strategies. Waste is a key issue that Council manages for its community. Waste issues are not covered in this document as they have been recently addressed through the Moorabool Shire Waste Strategy.

The Environment Unit at Moorabool Shire will drive implementation of this Strategy as outlined in the Implementation Plan, however many of the actions will be the responsibility of other areas of Council. Indeed, the success of the Strategy will depend on the contribution of all areas of Council as part of a whole-of-Council approach to sustainability.

There will be a mid-term review of the Strategy after five years (2021) to determine progress against measurable targets and desired outcomes and to identify areas for improvement and adaptation. This review will coincide with a review of the first Implementation Plan 2016 - 21 and the development of a new Implementation Plan for the period 2021 - 26.

Review of the Strategy will be completed in 2021 and 2031 to ensure that it is still in alignment with Council and community expectations and State and Federal legislation.

Figure 1. The Sustainable Environment Strategy in the context of other Council plans and strategies



### 1.3.2 Methodology

The Strategy was developed over a series of steps, as described in Figure 2.

Figure 2. Stages of Strategy development



Consultation was undertaken with the community, agency stakeholders, and Council staff. This ensured that the strategy has been developed within a local context, and is relevant and practical.



Consultation activities included a stakeholder and Council staff workshop, stakeholder and staff interviews, a community workshop at Gordon, a *Moorabool 2041* listening post in Bacchus Marsh, two workshops with the Moorabool Landcare Advisory Committee at Ballan and a meeting of the Moorabool Environment Group committee.

### 1.3.3 Policy and legislative context

State and Federal government policies related to the natural environment, agriculture, economy, urban growth, transport and tourism are likely to have the most impact on the future of the local environment.

Victoria has more than 25 pieces of legislation and over 30 strategies that relate to environmental management. In addition, there are a large number of applicable federal laws (in particular the *Environment Protection and Biodiversity Conservation Act 1999*) and programs as well as international frameworks and conventions to consider. The main Victorian environmental legislative and planning instruments include:

- *Environment Protection Act 1970 and subordinate (State Environment Protection Policies)*
- *Environmental Protection and Biodiversity Conservation (EPBC) Act 1999*
- *Victorian Local Government Act 1989*
- *Victorian Flora and Fauna Guarantee Act 1988*
- *Victorian Catchment and Land Protection Act 1994*
- *Climate Change and Environment Protection Amendment Act 2012 and Victorian Climate Change Adaptation Plan 2013*
- *Pollution of Waters by Oils and Noxious Substances Act 1986*
- *Planning and Environment Act 1987 and Planning and Environment Amendment (General) Act 2013*
- *Victorian Waste and Resource Recovery Policy 2014*
- *Invasive Plants and Animals Policy Framework*
- *Victorian Waterway Management Strategy 2013.*

A more detailed overview of relevant policy and legislation is provided in Appendix 1.

There are also local plans and strategies that have relevance to this Strategy and include:

- Regional Catchment Strategies (RCS) for the Corangamite and Port Phillip and Westernport CMA regions. These RCS were released in early 2013 and identify each region's key assets and threats and set priorities for environmental investment.
- Melbourne Water's Healthy Waterways Strategy. This Strategy outlines the role Melbourne Water will play in managing these waterways to improve waterway health over the next five years.
- Corangamite Waterway Strategy 2014-2022, which provides a new plan for managing the region's waterways for the next eight years.
- Grow West Implementation Plan 2013, which outlines the process of revegetating land in the Bacchus Marsh to Ballan area to create biolinks between the Brisbane Ranges National Park, Lerderderg State Park and Werribee Gorge State Park.

- Western Alliance for Greenhouse Action (WAGA) (2012), *Climate Change Adaptation Strategy 2013-2020*, which assesses the risks to the region west of Melbourne (including Moorabool) of climate change impacts and proposes strategies to prepare for and adapt to them.
- Western Alliance for Greenhouse Action (WAGA) (2014), *Low Carbon West: A Strategy for a Transition to a Low Carbon Economy in the WAGA Region*, which assesses the greenhouse emissions of the region west of Melbourne (including Moorabool) and provides a strategy to reduce emissions by 2020.

Environmental policy and associated funding opportunities are impacted by changes occurring at all levels of government. This Strategy will be flexible in responding and accommodating these changes.

### 1.3.4 Significant stakeholders

Effective implementation of the Strategy will require a partnership between Council and other natural resource management organisations and groups, as well as the broader community. Table 2 identifies the main stakeholders that Council will work with in delivering this Strategy.

**Table 2. Main stakeholders Council will work with in delivering the Sustainable Environment Strategy**

Stakeholder group	Stakeholder name
1 Catchment Management Authorities	Corangamite Catchment Management Authority (CCMA) Port Phillip and Westernport Catchment Management Authority (PPWCMA) North Central Catchment Management Authority (NCCMA)
2 Government departments and agencies	Department of Environment, Land, Water and Planning (DELWP) <sup>1</sup> Parks Victoria Environment Protection Agency VicRoads VicRail VicTrack Sustainability Victoria
3 Water authorities	Melbourne Water Central Highlands Water Barwon Water Goulburn Murray Water Southern Rural Water Western Water
4 Indigenous community	Dja Dja Wurrung Clans Aboriginal Corporation Wathaurung Aboriginal Corporation Wurundjeri Tribe Land and Compensation Cultural Heritage Council
5 Community-based groups and organisations	Moorabool Landcare Advisory Committee Moorabool Environment Group Moorabool Landcare Catchment Network Landcare Groups

<sup>1</sup> Formerly the Department of Environment and Primary Industries (DEPI)

Stakeholder group	Stakeholder name
	Community and Friends Of Groups Victorian Farmers Federation Country Fire Authority Community Garden Groups
6 Community & Business	Residents Small to large businesses

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## 2 COUNCIL'S ROLES AND RESPONSIBILITIES



Mt Egerton, Photo: Allen Moore

### 2.1 Sphere of influence

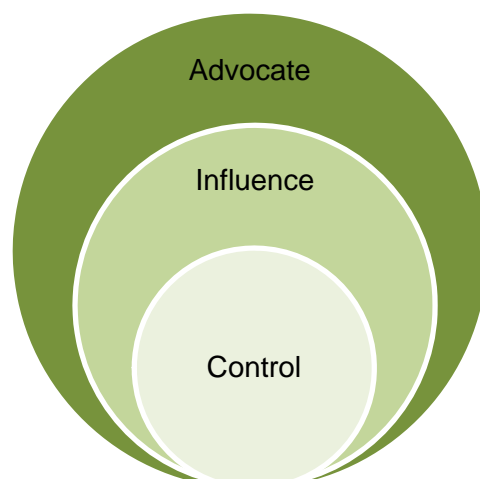
Council's ability to directly control or influence environmental and sustainability outcomes varies. In some cases Council has direct accountability, or control over an issue. In other cases Council may have limited ability to directly control or positively change a situation. This varying ability to control, influence or advocate for a situation or issue is referred to as Council's "sphere of influence" and is demonstrated in Figure 3.

In developing the Environment Strategy, actions have been identified that reflect where Council can control, influence or advocate for positive action for the natural environment within the Shire.

#### Control

Council has direct responsibility for (or control over) a range of activities relating to the management of the natural environment. Activities within Council's sphere of control include developing and implementing planning policy (in alignment with State Planning Policy) ensuring sustainable development in the Shire, managing Council reserves in a way that protects and enhances biodiversity values, undertaking community education and delivering support to specific environmental programs that will protect and enhance environmental assets.

Figure 3: Council's sphere of influence



## **Influence**

In many cases, direct responsibility for the use and management of the natural environment sits with State and Federal agencies and organisations. Organisations such as the Department of Environment, Land, Water and Planning (DELWP), the Catchment Management Authorities (CMAs), Melbourne Water, Parks Victoria and VicRoads have primary responsibility for administering environmental legislation, developing strategies and plans and managing large areas of land with high environmental significance within the Shire. In these cases, Council has an important role in influencing all relevant national, state, regional, local and non-government agencies to achieve the best environmental outcomes for Moorabool Shire.

Council can influence sustainable land management through developing and administering planning policy that seeks to protect the Shire's natural environment, such as managing development near waterways and vegetation management controls. Council can also influence land management practices of private land managers such as assisting landowners to develop and implement land and farm management plans.

## **Advocate**

Council can also play the role of advocate. This includes sharing information about and promoting the programs of other government organisations and community groups, for example CMAs, Melbourne Water and Landcare to the general community. Collaboration and coordination with other stakeholders can increase the reach of these programs. Council can offer resource efficiencies and through combined effort can result in outcomes that contribute to the vision of this Strategy, and those of other organisations and groups and the needs of the community. Council can also advocate to State Government agencies for increased funding and on ground action that lead to improved outcomes for the local community.

### **2.1.1 Tools and resources available to achieve desired outcomes**

Council has a range of tools and resources to achieve its desired outcomes in environmental management. These include:

- Moorabool Shire Council Plan 2013 – 2017 (Revised 2014)
- Various State, Regional and Council strategic plans, management plans and policies
- Planning and Environment Act 1987
- The Moorabool Planning Scheme
- The ability to source and provide resources and funds
- Skilled staff to prepare and implement suitable projects and programs
- Leading by example in its own management of the natural environment
- Support of local community and volunteer groups including Landcare, 'Friends Of' groups and other local community groups.

## 3 SETTING THE SCENE



*Looking South over Bacchus Marsh towards the You Yangs, Photo: Allen Moore*

### 3.1 Moorabool Shire

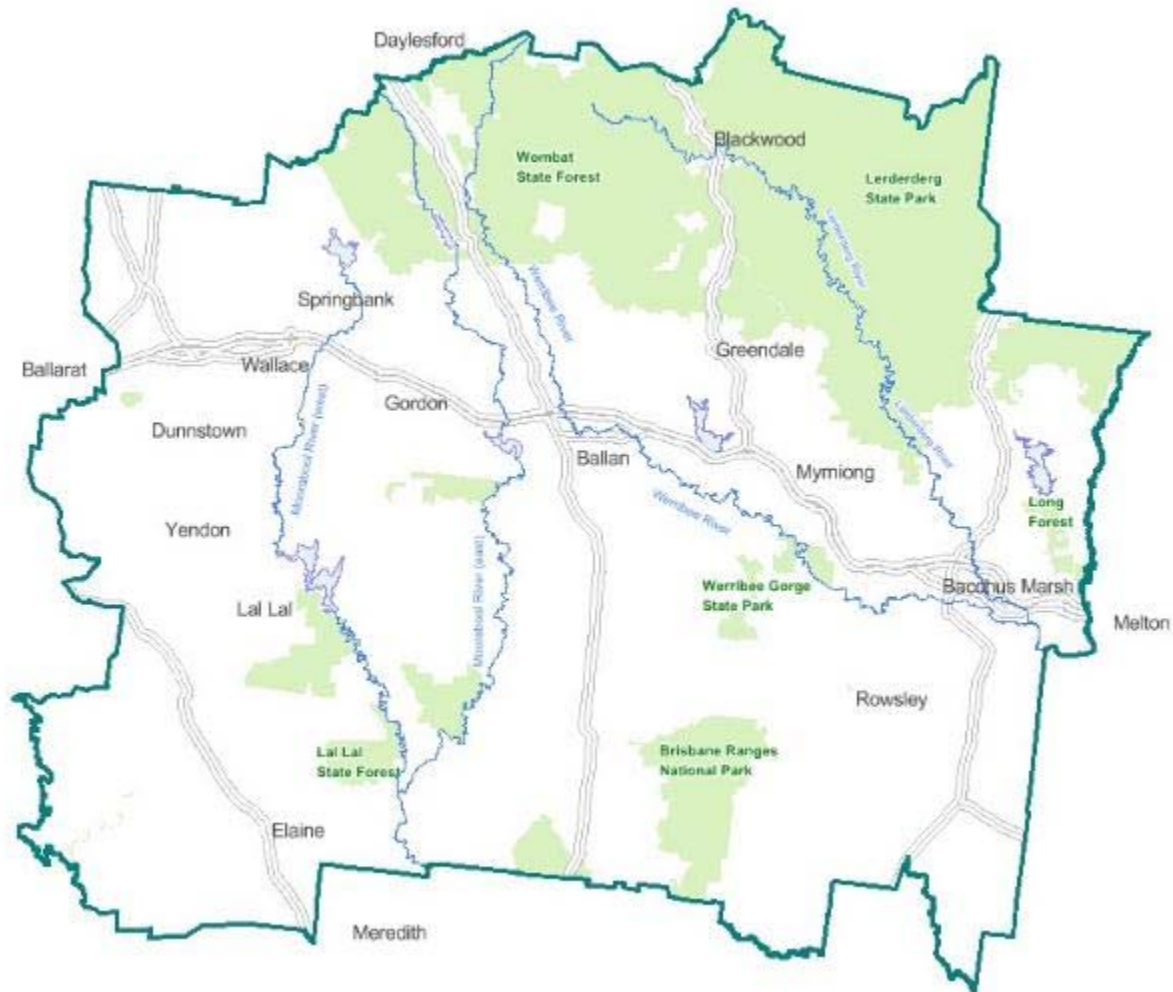
Moorabool Shire is a fast-growing, peri-urban municipality covering a geographical area of 2,112 sq. km. The Shire is centrally located with easy access to Melbourne, Ballarat and Geelong. There are 64 localities, hamlets and towns across the municipality, including the townships of Bacchus Marsh, Ballan, Gordon and Blackwood (Figure 4).

More than 74% of the Shire is protected within national and state parks and water supply catchments. Some of the major national and state parks in the Shire include:

- Brisbane Ranges National Park
- Lerderderg State Park
- Wombat State Forest
- Werribee Gorge State Park
- Long Forest Nature Conservation Reserve
- Lal Lal State Forest.

Three major rivers traverse the Shire: the Lerderderg River, Moorabool River (East and West Branches) and Werribee River. Providing tributaries such as Parwan Creek, Korkuperrimul Creek, Granite Creek, Tea Tree Creek, Lal Lal Creek and Williamsons Creek provide social, ecological and agricultural benefits.





**Figure 4: Moorabool Shire**

Outside the main townships and the protected natural areas, much of the rural area is used for agriculture, including horticulture, sheep and beef farming, cropping, timber production, and more recently, viticulture (ABS 2011). There is also some clay, mineral and coal mining undertaken in the Shire. Grazing and cropping dominate large areas and intensive horticulture occurs where there is access to irrigation water and fertile soils, such as the alluvial soils on the floodplain of the Lerderderg and Werribee Rivers at Bacchus Marsh. There are also potato growing areas in the western region of the Shire.

The rivers are also an important source of potable water. Subsequently significant areas of the shire are in Special Water Supply Catchments that supply water for the residents of Moorabool Shire as well as surrounding areas. Large reservoirs in the Shire include Lal Lal, Pykes, Moorabool, Bolwarrah and Merrimu.

Moorabool Shire is predominately located within two catchment management areas. The Port Phillip and Westernport catchment extends across the eastern half of the municipality, and the Corangamite catchment occupies the western half. A small area in the northeast of the shire is within the North Central catchment.

## 3.2 Challenges and drivers of change

Several 'drivers of change' will influence the natural environment in Moorabool Shire. A fast growing urban and semi-rural population, a changing demographic, rural land uses and an increasing demand for natural resources will all shape the natural environment, creating challenges, as well as opportunities.

There are also other drivers that have the potential to influence change to the natural environment in Moorabool. Some of these drivers are outside Council's direct control, such as changes in government priorities and legislation and larger influences like climate change.

The major drivers of change and the macro-context for Council's response include:

### Climate Change

Climate impacts such as extreme heat waves, bushfires and drought are becoming more frequent and dangerous. Council needs to plan for this in the following ways:

- Understand the climate risks to council and its community and plan and mitigate for these
- Reduce Council's corporate greenhouse emissions to reduce its own climate impacts (and costs) and utilise renewable energy production at Council owned facilities to reduce emissions and ongoing costs
- Assist the community and business to cut their emissions and energy costs and access renewable energy
- Reduce its water consumption and improve efficiency and alternative sources of water to mitigate for future drought and low water supplies
- Ensure a more localised food supply including households growing some of their own food.

### Peak Oil

Peak oil is where the cost of oil becomes more expensive as oil reserves diminish, resulting in the cost of oil-based fuels and products rising sharply. This has major implications for the cost of transport, which will drive change for people and businesses to shift to less fuel-intensive transport (such as public transport, walking, cycling) or to find more efficient ways to transport goods and people. For example, when petrol prices spiked above \$1.80 per litre in the mid 2000s, public transport patronage rapidly increased, leaving transport services struggling to respond<sup>2</sup>. Inevitable fuel price rises need to be planned for. Currently for Moorabool residents, 90% of the daily work commute is by car either as a driver or passenger<sup>3</sup>.

Food costs and supplies would also be impacted, as the cost of fertilisers, which are derived from oil, would increase. Fuel costs for machinery and freight would also increase, which may then be passed on to consumers.

### Population

Population is a major driver of environmental impacts, both positive and negative. At the local level this is mainly due to increased urban development for housing, services, recreation, transport and employment. Moorabool Shire's population has grown from 25,197 in 2003 to 30,926 in 2014<sup>4</sup> and in 2041 it is estimated

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<sup>2</sup> [http://economicdevelopment.vic.gov.au/\\_\\_data/assets/word\\_doc/0017/1094120/Changes-in-travel-demand-in-Melbourne-Is-it-time-for-a-new-paradigm.doc](http://economicdevelopment.vic.gov.au/__data/assets/word_doc/0017/1094120/Changes-in-travel-demand-in-Melbourne-Is-it-time-for-a-new-paradigm.doc)

<sup>3</sup> 2011 Census of Population and Housing, Basic Community Profile - Moorabool

<sup>4</sup> <http://profile.id.com.au/moorabool/population-estimate>

that the total population of the Shire will grow to 54,418<sup>5</sup> with Bacchus Marsh alone predicted to have a population of over 37,000.

To accommodate this population growth, development is likely to impact upon significant agricultural and environmental assets.

### **Lifestyles**

Another main driver related to population growth is consumption of resources through the way we live. This is both a local and global issue. The impacts of resource extraction, production and trade in goods and services are the result of a complex array of local and global inputs (such as water, energy, minerals, land etc.). Our material consumption results in waste; a local issue managed by Council, who must supply landfill and recycling facilities. Waste generation can be seen as a proxy for how much we are consuming: over the past decade waste generation has increased more rapidly than population growth across Victoria<sup>6</sup>.

The standard measure of the impact of our lifestyles is the ecological footprint, that is, the measure of the amount of land required to provide for all the needs of a human life. The amount of land required by the average Victorian equates to one and a half times the land area available in Victoria. It is also four times more than that which would enable all humans to live sustainably on the planet.

Our energy consumption patterns are the biggest contributor to this footprint, largely due to our reliance on fossil fuel-intensive electricity generation.

### **Economic Model**

The way we currently live and run our economy is turning natural resources into waste at a faster rate than nature can turn waste back into natural resources. This basic equation threatens the viability of our environment, and in turn undermines the sustainability of the economy and human well-being.

Our challenge is to better understand and value nature's services, consume in less impactful ways, and to 'de-couple' economic activity from environmental degradation. Business and jobs growth needs to be achieved while reducing our per capita fossil fuel and material consumption and waste.

Combined, these macro influences create a number of challenges, as well as some opportunities, for the natural environment.

## **3.3 Achievements to date**

Moorabool Shire has achieved much over the past decade in the area of environment and sustainability. This includes working with the community and other stakeholders to achieve positive environmental management outcomes such as the Grow West and Moorabool River Recovery projects. Achievements have also been made in reducing Council's resource use in the areas of energy, water and transport. Table 3 includes some of the achievements made by Moorabool Shire over the past decade.

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<sup>5</sup> <http://forecast.id.com.au/moorabool>

<sup>6</sup> <http://www.sustainability.vic.gov.au/~media/resources/documents/publications%20and%20research/publications/a%20-%20b/publications%20annual%20survey%202010-11%20report%20victorian%20local%20government.pdf>

**Table 3: Achievements by Moorabool Shire in the area of environment and sustainability**

Area	Achievements
Environmental Management	<ul style="list-style-type: none"> <li>▪ Grow West. Now in its eleventh year, Grow West is a multi-partner collaboration that aims to protect and enhance indigenous vegetation, control pest plants and animals and create biolinks. Moorabool Shire Council was a founding member and continues to have an active role in Grow West.</li> <li>▪ The Moorabool River Recovery Project. This is a joint project between Moorabool Shire Council, Barwon Water and the Moorabool Catchment Landcare Group that is improving the health of the Moorabool River through on-ground action to reduce weed cover, rabbit populations and increase native vegetation cover.</li> <li>▪ The ongoing contribution made by Landcare and environment groups to promote improved land management practices, protect key environmental assets on public and private land and provide opportunities for local communities to meet and work together. Currently there are 12 Landcare and 6 'Friends of' groups operating within the Shire, with total membership exceeding 300 members.</li> <li>▪ An updated Environment Page on the Council website highlights local biodiversity, including what can be found in residential backyards, and encouraging residents and visitors to explore the Shire's natural environment.</li> </ul>
Energy Saving & Renewable Energy	<ul style="list-style-type: none"> <li>▪ CBUS sensor lighting, delamping (e.g. removing lights) and use of energy efficient lights (e.g. T5 fluro lights) at Darley and Lerderderg Library has reduced energy use and costs.</li> <li>▪ Ballan Council office 'informal' green team has encouraged energy saving through behavioural 'green' actions (e.g. turning computers off).</li> <li>▪ Blackout blinds on west facing windows in the Darley Council office to reduce energy consumption.</li> <li>▪ Bulk purchase of solar panels for the community in 2009 with good uptake.</li> <li>▪ Cost benefit analysis undertaken on upgrading streetlights from Mercury vapour to more energy efficient options (T5, T8, LED) – installation still required.</li> <li>▪ Major sporting clubs are now paying their power bills (previously paid by Council), encouraging energy and water saving measures. One football club saved over \$4000 in the first year.</li> <li>▪ Council involvement in Victorian Government Ecolinc Building – green demonstration and education centre.</li> </ul>
Reducing Council Potable Water	<ul style="list-style-type: none"> <li>▪ 75% reduction in open space water consumption by using drought tolerant turf species, water tanks, automated irrigation and other efficiencies in open space areas. The use of ground water via bores has been reduced as a result and there are energy savings from the reduced pumping.</li> <li>▪ Water and energy savings through efficient showerheads installed at recreation reserves.</li> <li>▪ The current planning system includes water sensitive urban design (WSUD) and water reuse and harvesting; and there are controls to ensure efficiencies in new urban developments e.g. Darley stormwater retarding basin.</li> <li>▪ Currently working with Melbourne Water to investigate WSUD options in existing urban areas of Ballan and Bacchus Marsh.</li> </ul>
Sustainable Transport	<ul style="list-style-type: none"> <li>▪ Reuse of road materials for maintenance works has reduced vehicle movements, fuel and operational costs.</li> <li>▪ Council fleet policy encourages more efficient vehicles.</li> <li>▪ Trial purchase of an electric car.</li> <li>▪ Video conferencing between Darley &amp; Ballan Council offices has reduced staff vehicle travel.</li> <li>▪ The Hike &amp; Bike Strategy was developed in 2014 to increase cycling and walking in the Shire through better infrastructure and education.</li> </ul>

Food & Community  
Engagement

- Development of community gardens has worked well to this point with Council supporting positive community action – three community gardens are in operation.
- Moorabool Matters Mag has spread information about Council actions.
- Community grants program has provided many grants for positive community action including some environment-related projects.

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## 4 STRATEGIC DIRECTIONS



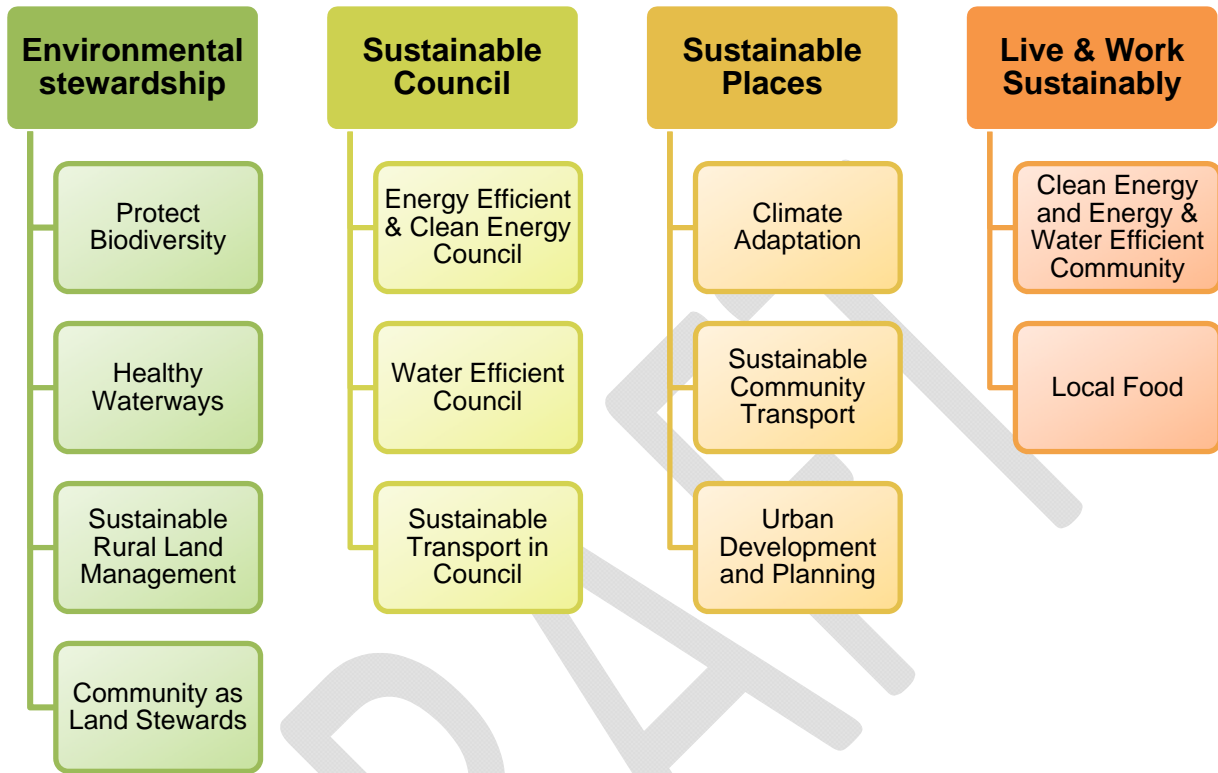
*Greendale, Photo: Allen Moore*

Four main strategic directions have been identified through the consultation process to guide Moorabool Shire's work in delivering a more sustainable environment over the next ten years. The four strategic directions are:

- ENVIRONMENTAL STEWARDSHIP
- SUSTAINABLE COUNCIL
- SUSTAINABLE PLACES
- LIVE AND WORK SUSTAINABLY.

A number of priority areas have been identified within each strategic direction. There are twelve priority areas in total (Figure 5).

Figure 5. Strategic directions and priority areas for the Moorabool Shire Sustainable Environment Strategy



The following sections present the priority areas in detail within each strategic direction.

## 4.1 ENVIRONMENTAL STEWARDSHIP



*Lerderderg State Park, Photo: Allen Moore*



*Common Rice Flower (Pimelea humilis), Photo: Moorabool Shire*



## 4.1.1 Protect Biodiversity

### At a glance

- More than 74% of the Moorabool Shire comprises national parks, state forests, reserves and protected water catchment areas. Some of the important protected areas include the Long Forest Nature Conservation Reserve, Brisbane Ranges National Park, Lerderderg State Park, Werribee Gorge State Park and the Wombat State Forest.
- The Shire spans two bioregions: the Victorian Plains and the Central Victorian Uplands.
- There are 17 threatened fauna species listed under the Australia *Environment Protection and Biodiversity Conservation (EPBC) Act 1999*.
- There are 15 threatened flora species. Two of these species are critically endangered: the Golden Sun Moth (*Synemon plana*) and the Plains Rice-flower (*Pimelea spinescens subsp. spinescens*).
- Five Ecological Vegetation Communities (EVCs) are listed as either critically endangered or endangered under the *EPBC Act 1999*. These are Grassy Eucalyptus Woodland of the Victorian Volcanic Plain, Natural Temperate Grassland of the Victorian Volcanic Plain, Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains, White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland and the Grey Box Grassy Woodlands and Derived Native Grasslands of South-eastern Australia.
- There are 25 Council managed environmental and bushland reserves, including Lal Lal Falls, Bald Hill, Hopetoun Park Conservation Reserves, Ballan Mineral Reserve, Spargo Creek Mineral Reserve and Werribee River at Bacchus Marsh and Ballan.

Source: DoE 2014, Moorabool Shire Council 2004

Grey Box (*Eucalyptus macrocarpa*) Woodland Photo, Moorabool Shire

### Protect Biodiversity vision

*There is a measurable improvement in the condition of the natural environment in Moorabool Shire over the next ten years*

## Context

Moorabool Shire is characterised by ranges, plains and rugged river gorges providing a diverse and spectacular landscape. The municipality spans two bioregions: the Victorian Plains Bioregion occurs predominately in the south where there is highly productive agricultural land, which also contains highly valuable grasslands and grassy woodlands. The Central Victorian Uplands Bioregion extends across the north of the Shire and includes grassy woodlands and forests. Appendix 2 provides more detail on the bioregions and ecological communities found in Moorabool Shire.

The large areas of protected native vegetation provide highly significant natural resources and nationally important flora and fauna habitat values. They are also important assets for tourism and recreation. Roadside vegetation also comprises high biodiversity values, providing flora and fauna movement corridors between State and National Parks or Forests (DTPLI 2011). In particular, Council roadsides support excellent stands of Victorian Volcanic Plains vegetation (Moorabool Shire Council 2004).

Outside the protected areas and roadsides, much of the remnant vegetation occurs on private land. Much of this has been greatly modified from their pre-European condition through agricultural and urban development and expansion. This is particularly true for grassland communities, the majority of which occur on private agricultural land and in areas of urban development. Council has an important role to play in ensuring that land use planning decisions protect natural resources and areas of high conservation significance.

There are a number of factors which continue to threaten biodiversity values in the Shire, including:

- Pest plants and animals
- Climate change
- Bushfire
- Urban growth
- Other development pressure
- Inappropriate land use and/or land management practices
- Modification and fragmentation of habitat
- Vegetation clearing
- Unsustainable resource use e.g. timber, quarrying, water
- Edge effects around the perimeter of protected areas.

A considerable challenge exists for Council to manage land and biodiversity values and the associated threats in order to sustain healthy, connected ecosystems.

### Strategic objectives for protecting biodiversity

1. Increased landscape scale connectivity of remnant and other native vegetation.
2. An increased knowledge of natural assets including understanding and monitoring changes in condition on Council managed reserves and roadsides.
3. Strengthened local planning policy that recognises and protects existing natural values.
4. Increased monitoring and control of the impacts of pest plants and animals on native vegetation.

## 4.1.2 Healthy Waterways

### At a glance

- The Shire is located within two main Catchment Management Authority (CMA) jurisdictions: the Corangamite CMA in the west and the Port Phillip and Westernport CMA in the east. A small area within the north east of the Shire is within the North Central CMA.
- Large areas of the Shire are in Special Water Supply Catchments providing potable water for local and regional communities.
- Three major rivers flow through the Shire: the Lerderderg, Moorabool and Werribee Rivers.
- The headwaters of the Lerderderg and Werribee rivers, and their associated gorges, are recognised as sites of international and state geomorphological significance.
- There are a number of threatened species listed under the *EPBC Act 1999* that are associated with waterways in the Shire. These include:
  - Macquarie Perch (*Macquaria australiasica*)
  - Eastern Dwarf Galaxias (*Galaxiella pusilla*)
  - Australian Greyling (*Prototroctes maraena*)
  - Growling Grass Frog (*Litoria raniformis*).
- Waterways in the Shire provide important ecosystem services including potable water for local and regional communities, water for agriculture and recreation.

Source: DoE (2014)

Lerderderg River Photo, Allen Moore

### Healthy Waterways vision

*There is a measurable improvement in the condition of waterways and the quality of water across Moorabool Shire over the next ten years.*



## Context

The three major rivers, Moorabool, Lerderderg and Werribee, which intersect the Shire and their tributaries are recognised for their important ecological values, supporting an array of aquatic flora and fauna, many of which are endangered.

The rugged and steep landscapes around the headwaters of the Lerderderg and Werribee Rivers provide breeding habitat for Peregrine Falcons and Wedge-tailed Eagles and house significant species like the Powerful Owl, Common Bentwing Bat and Brush-tailed Phascogale (Melbourne Water 2015). The Moorabool River is recognised for its important habitat values for native fish including river blackfish, Australian smelt, common galaxias and southern pigmy perch (CCMA 2015), as well as other aquatic flora and fauna.

The waterways also provide important cultural Indigenous heritage sites, recreational opportunities, amenity value and economic values for the local community. Agriculture across the Shire is underpinned by access to freshwater and the fertile floodplains at the confluence of the Lerderderg and Werribee Rivers at Bacchus Marsh support productive horticultural enterprises. Large areas of the Shire are in Special Water Supply Catchments providing potable water for local and regional populations. Much of the Special Water Supply Catchment areas contain towns, communities and productive farms (DTPLI 2011). Large reservoirs in the shire include the Lal Lal, Pykes Creek and Merrimu Reservoirs.

The condition of the rivers varies across the Shire. The general trend is that the upper reaches of the river basins are in good condition due to their occurrence in relatively undisturbed environments such as protected water catchments and forested parks and reserves. However the lower reaches show deterioration as they are exposed to more intensive land uses such as agriculture, horticulture and urban development (Moorabool Shire 2004). According to the Corangamite CMA (2009) the Moorabool River is one of the most flow stressed rivers in the State and the lower Moorabool River is in very poor ecological health. Waterways, especially those in the lower reaches, are subject to a number of threats including, but not limited to:

- Altered natural flow regimes
- Barriers to fish migration
- Poor quality streamside vegetation
- Weeds and pest animals
- Litter and rubbish dumping
- Stream bank erosion.
- Soil and nutrient runoff
- Salinity
- Increased stormwater inflows from urban development
- Stock access
- Altered flood and flow paths

Steps are being taken to improve the condition of waterways in the lower reaches. Council has played a supporting role to organisations such as CMAs and Landcare who work with private landholders on riparian protection and rehabilitation works. The Corangamite CMA is also delivering an environmental watering plan on the Moorabool River to restore some of the river's original ecological function (CCMA 2015). Even though Council has limited ability to take direct action on water related issues, it does have an important function in:

- Stormwater and wastewater management within townships,
- Managing Council reserves with waterways,
- Demonstrating leadership and action on conserving water use in all areas of Council operations,
- Advocating to State Government and local water authorities on behalf of the community on water related issues,
- Partnering with relevant organisations, such as water authorities and CMAs to promote best practice in Council and the community.

### **Strategic objectives for healthy waterways**

1. Better protected and healthier riparian vegetation within the shire.
2. Increased connectivity of riparian vegetation across the shire.
3. Improved quality of stormwater runoff.



### 4.1.3 Sustainable Rural Land Management



#### At a glance

- The natural resources and rural areas of Moorabool Shire support approximately \$80 million worth of agricultural production annually.
- The highest quality agricultural land is associated with the floodplain areas at the confluence of the Werribee and Lerderderg Rivers. There are also rich soils in the west of the Shire used for potato production.
- The main primary production enterprises are horticulture, sheep and beef, cropping and timber production.

Orchard in Bacchus Marsh, Photo: Allen Moore

#### Sustainable Rural Land Management vision

*We will develop agricultural land for agricultural production and preserve rural landscape values and amenity.*

## Context

Even though there has been a 65% decline in the total workforce employed in agriculture from 2006 to 2011, agriculture remains one of the Shire's biggest industries, employing approximately 10% of the total working population (ABS 2011). In 2011, agriculture in Moorabool was valued at an estimated \$80.4 million (Phillips Agribusiness 2014) and the value of production per hectare is around \$760 (Neil Clark & Associates 2010). The rural base of the Shire is also central to attracting people to live and work in the municipality, supporting tourism and maintaining the lifestyle appeal of the area (DTPLI 2009).

Urban and rural lifestyle development poses a number of threats to agriculture and horticulture in the Shire. This includes the loss and fragmentation of land for primary production and an increase in land prices for primary production, driven by urban growth and the demand for residential development.

Residential development within proximity to rural zones can create conflict at the urban / rural interface raising issues such as odour and noise associated with agricultural and horticultural activities. The increase in 'rural lifestyle' and hobby farmers occupying small rural blocks also has the potential to create tensions at the interface with primary production land. This occurs where new residents have limited rural experience.

Over time, the intensification of agriculture and horticulture has contributed to the decline in the quality and quantity of native vegetation, land and waterway conditions across the Shire (Moorabool Shire 2004). Specific issues include the loss and fragmentation of native vegetation habitat, species loss, decreasing water quantity and quality, soil erosion, salinity and pest plants and animals. There are projects such as Grow West and various river health and biodiversity programs administered by CMAs and Melbourne Water that aim to improve land management and protect high value natural assets on private property in the Shire. There is also an active and engaged Landcare community that is working on improving land management on private land across the Shire.

Council has an important role to play in ensuring planning solutions are implemented that effectively integrate rural living and farming activities, enabling farm businesses to operate as agricultural enterprises. It is also important that Council supports urban and rural development where it does not compromise the long-term productive use of rural land for agriculture and horticulture, or the Shire's natural resources (DTPLI 2009).

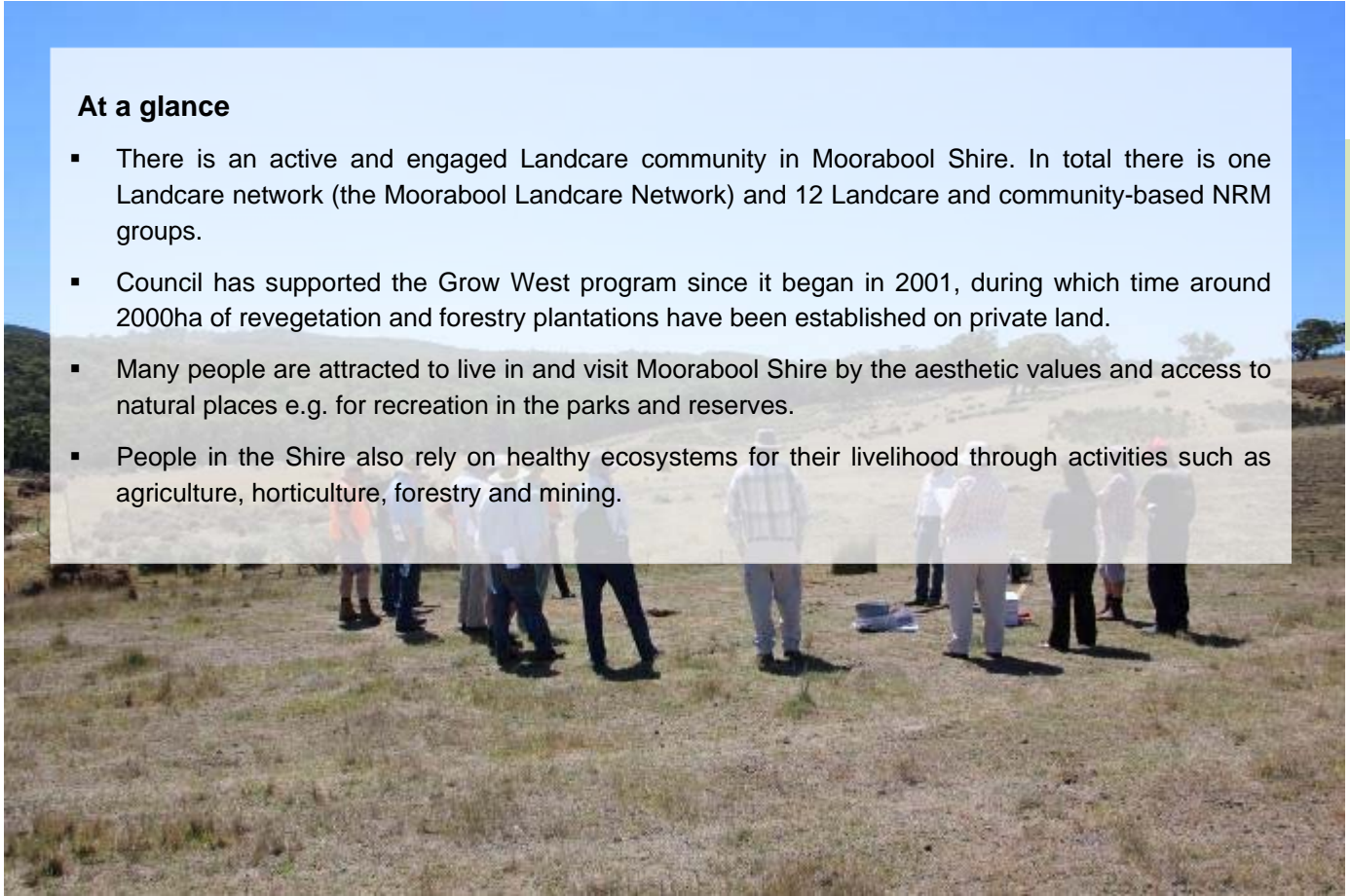
### Strategic objectives for sustainable rural land management

1. Adopt planning policies that support increased agricultural development of productive farmland.
2. Plan for land use that is respectful of rural landscape values and amenity.

## 4.1.4 Community as Land Stewards

### At a glance

- There is an active and engaged Landcare community in Moorabool Shire. In total there is one Landcare network (the Moorabool Landcare Network) and 12 Landcare and community-based NRM groups.
- Council has supported the Grow West program since it began in 2001, during which time around 2000ha of revegetation and forestry plantations have been established on private land.
- Many people are attracted to live in and visit Moorabool Shire by the aesthetic values and access to natural places e.g. for recreation in the parks and reserves.
- People in the Shire also rely on healthy ecosystems for their livelihood through activities such as agriculture, horticulture, forestry and mining.



Moorabool Catchment Landcare Group Rabbit Fumigation Day, Photo: Moorabool Shire

### Community as Land Stewards vision

*There is a measurable increase in community awareness of the natural environment and participation in NRM based activities in the Shire.*

## Context

The Shire has an active and engaged Landcare community, demonstrated through the recent and continued growth of the Moorabool Landcare Network. Even though there is a robust network of community based NRM groups. The increase in urban growth has seen a rise in young families who are likely to be 'time poor' and have priorities other than connecting with nature. Nearly 19% of the working population commute more than two hours per day (Department of Health 2013) and therefore are unlikely to have time to engage with the environment in which they live.

Local councils are the layer of government that are most closely connected to local communities. Moorabool Shire Council is well positioned to broaden and strengthen community connection to the local natural environment through building on the existing network of community-based NRM groups and other community organisations. There is also an opportunity for Council to increase partnerships with other agencies such as the CMAs and water authorities that deliver community education programs and incentives for land management.

Council can also promote incentives, such as Landcare grant programs, for the implementation of best practice land management activities. According to a recent study by the Corangamite (CMA 2013b), Moorabool Shire has the highest proportion of rural landholders who cite cost as the main barrier to doing more to protect and enhance the natural environment. The implementation of financial incentives may increase the uptake of private land conservation activities.

The study also found that pest plants and animals is the environmental issues of most concern for rural landholders in Moorabool (CCMA 2013b).

Strengthening community connection to the natural environment is also important in developing resilient communities that are prepared for adaptable to climate related impacts. Climate change presents complex challenges for communities. With the potential to generate impacts to livelihoods that are dependent on natural resources such as agriculture, horticulture, forestry and tourism, as well as impacts to health and well-being.

## Strategic objectives for community as land stewards

1. Increased community awareness of the local natural values in Moorabool Shire.
2. Participation in community based NRM groups and activities is encouraged and supported by Council.
3. Increased engagement with new rural and semi-rural landholders on best practice NRM activities.

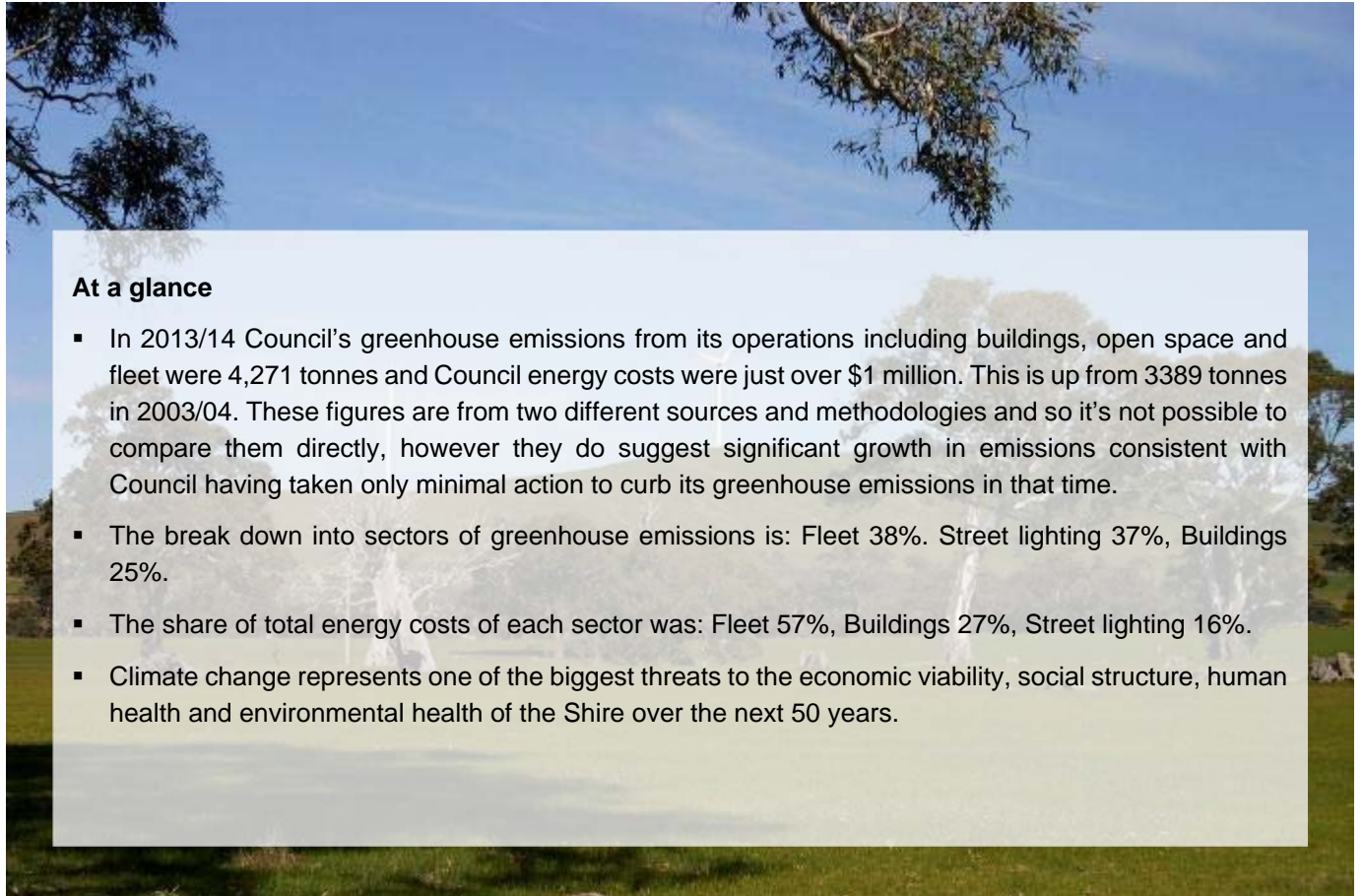


## 4.2 SUSTAINABLE COUNCIL



*Lerderberg Library, Photo: Moorabool Shire Council*

## 4.2.1 Energy Efficient & Clean Energy Council



### At a glance

- In 2013/14 Council's greenhouse emissions from its operations including buildings, open space and fleet were 4,271 tonnes and Council energy costs were just over \$1 million. This is up from 3389 tonnes in 2003/04. These figures are from two different sources and methodologies and so it's not possible to compare them directly, however they do suggest significant growth in emissions consistent with Council having taken only minimal action to curb its greenhouse emissions in that time.
- The break down into sectors of greenhouse emissions is: Fleet 38%. Street lighting 37%, Buildings 25%.
- The share of total energy costs of each sector was: Fleet 57%, Buildings 27%, Street lighting 16%.
- Climate change represents one of the biggest threats to the economic viability, social structure, human health and environmental health of the Shire over the next 50 years.

*River Red Gums (Eucalyptus camaldelensis), Photo: RMCG*

### Energy Efficient and Clean Energy Council vision

*There is a measureable improvement in energy efficiency of Council operations and an increase in clean energy use in order to achieve a carbon neutral council by 2031.*

## Context

In 2012, the Victorian Government published its first biennial report on climate change and greenhouse gases, *Report on Climate Change and Greenhouse Gas Emissions in Victoria*. The report noted that “the overall warming of the climate in Victoria over the past century has been linked to GHG-related climate change. The recent decline in autumn rainfall and the southward shift in some rain-bearing weather systems may also be partially caused by greenhouse-gas related climate change. Continued global GHG emissions, depending on their level, are likely to lead to warmer conditions in Victoria, reduced rainfall in some seasons, and sea level rise.”

The relationship between GHG emissions and climate change was further reinforced in 2013 when the Intergovernmental Panel on Climate Change (IPCC) released its latest global assessment of climate change science, *Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report (AR5) of the Intergovernmental Panel on Climate Change* (Climate Change 2013: The Physical Science Basis). AR5 stated that warming of the climate system is unequivocal, and many of the changes observed since the 1950s are unprecedented over decades to millennia.

Source: Western Alliance for Greenhouse Action *Low Carbon West, A Strategy for a Transition to a Low Carbon Economy in the WAGA Region*, p.3.

There is clearly a need for action to reduce greenhouse emissions at all levels of government. Moorabool Shire has the opportunity to contribute to reducing Victoria’s and global greenhouse emissions whilst reducing its cost overheads from the carbon-intensive aspects of council operations including buildings, open space, street lighting, fleet and waste. It can also support local businesses and the community to reduce their greenhouse emissions.

The Shire has previously done some work to reduce its and the community’s greenhouse emissions through its *Greenhouse Local Action Plan 2007* which aims to reduce the Shire’s emissions by 20% and the community’s emissions by 10% on 2003/04 levels. A clear assessment of that program has not yet been undertaken.

As part of the Sustainable Environment Strategy project, Ironbark Sustainability has undertaken an Energy and Water assessment of Council’s operations (Ironbark Sustainability 2015). The inventory enables Council to benchmark its current use and expenditure of electricity, gas, transport fuel and water. It also shows the greenhouse emissions associated with Council energy use.

The inventory shows that in 2013/14 Council’s greenhouse emissions from its operations including buildings, open space and fleet were 4,271 tonnes and council energy costs were just over \$1 million. This is up from 3,389 tonnes in 2003/04, as calculated for the *Greenhouse Local Action Plan 2007* (part of the ICLEI Cities for Climate Protection Program). As these figures are derived from two different sources and methodologies it’s not possible to compare them directly, however they do suggest significant growth in emissions consistent with Council having taken only minimal action to curb its greenhouse emissions in that time.

In addition, in 2014 Council engaged Ironbark Sustainability to undertake an assessment of costs and greenhouse emissions of street lighting in the Shire, including a business case for switching to low emission globes (Ironbark Sustainability 2014a). This report presents a compelling case for the financial and environmental savings that can be achieved by investing to low energy street lighting. In total, the projects considered in the analysis are expected to cost between \$0.66 million and \$1.13 million. Net lifetime cost savings (after project costs are removed) are projected to be between \$3.86 million and \$5.05 million, depending on technology type and increase in electricity and maintenance costs. Project costs include materials (eg. globes) labour (installation) project management, potential expertise and/or consultants, Written Down Value (WDV) and net Avoided Cost (AC) and does not include community education or

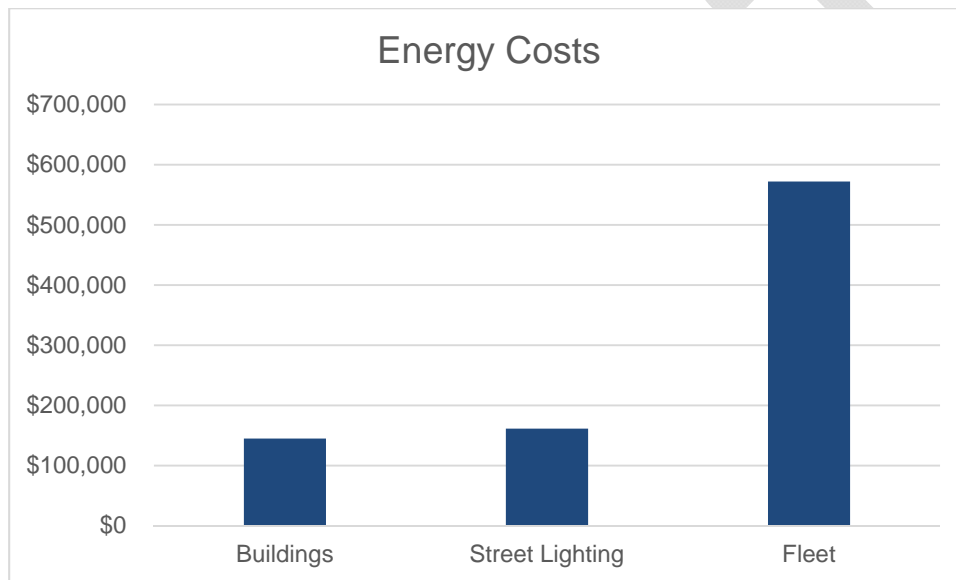
Council staffing costs. The project becomes cash flow positive in 5 to 7 years depending on which technology and implementation timeframe is adopted.

The Energy & Water inventory includes a street lighting summary (figure 6) as well as the energy and water used in Council buildings, open space and Council fleet for the financial year 2013/14. (Please note that not all utility bills were available and some smaller facilities were not included, therefore these figures are likely to be under-estimated.)

**For the 2013/14 financial year, the inventory showed the breakdown of the Shire's greenhouse emissions by sector in 2013/14 was: Fleet 38%, Street lighting 37%, Buildings 25%. The share of total energy costs of each sector was: Fleet 57%, Buildings 27%, Street lighting 16% (**

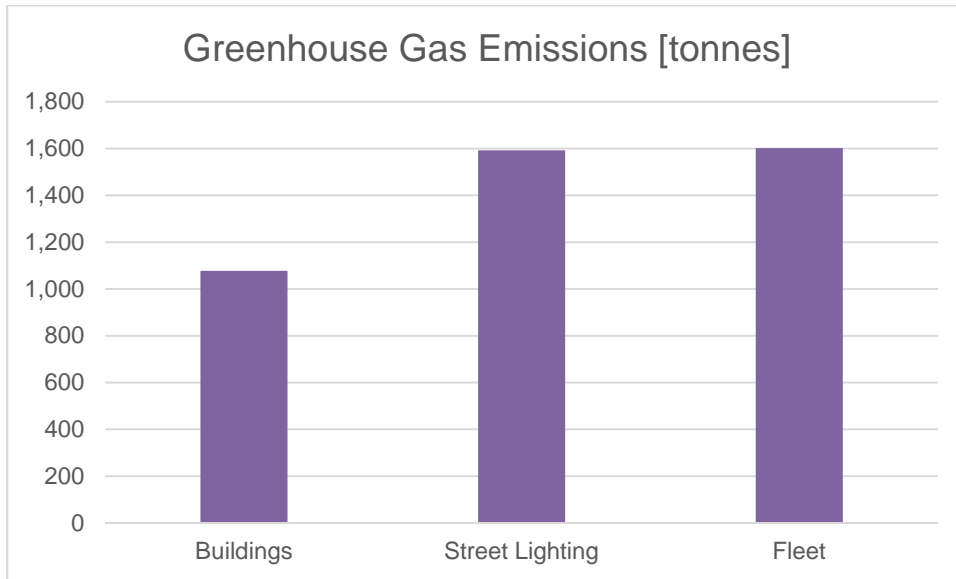
Figure 7). This shows that Fleet was the largest proportion of Shire energy costs and reductions in fleet energy use will bring substantial cost savings.

**Figure 6. Energy consumption costs (2013/14)**



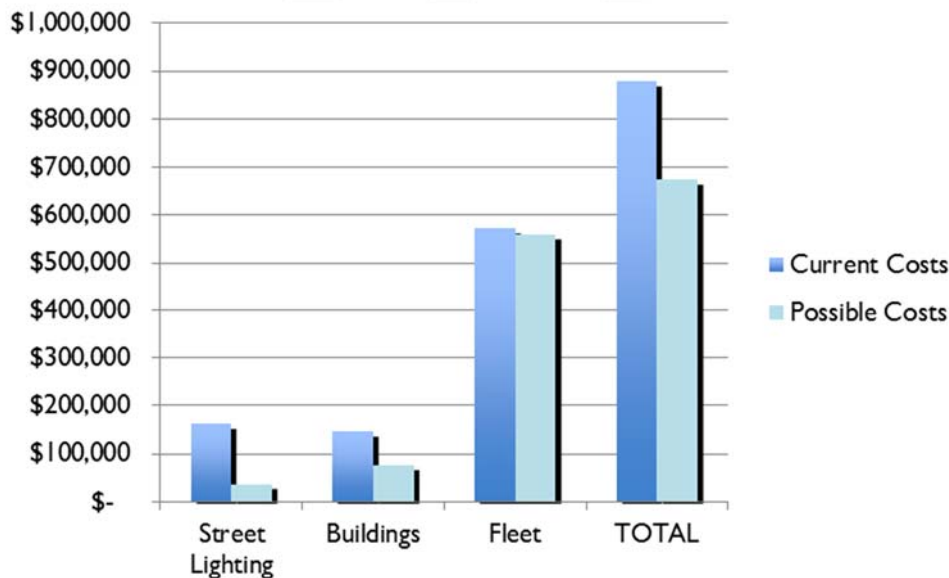
**Figure 7. Greenhouse gas emissions (2013/14)**





The inventory shows that significant financial and greenhouse savings could be achieved if Council were to undertake a range of retrofit actions to buildings and open space and made changes to the Council fleet. If the Shire were to undertake all actions listed to bring its standard to that of a “best practice” Council, the financial savings would be around **\$204,098 per annum** in combined energy and water savings after costs (most of this relates to energy saving rather than water). The majority of cost savings would be from building improvements, followed by energy efficient street lighting and fleet adjustments (Figure 8).

**Figure 8. Current vs. Possible Costs if Moorabool Shire achieved Best Practice in Energy & Water**



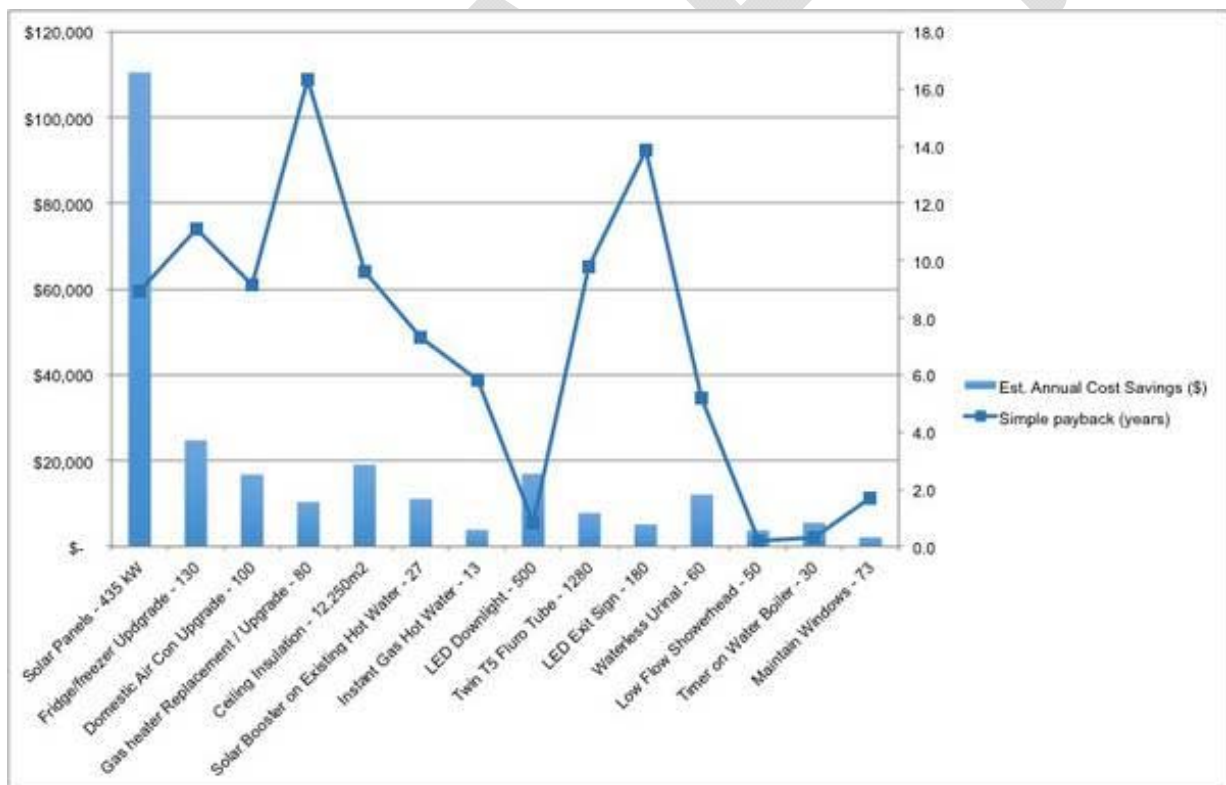
If the Shire were to implement all of the identified actions to bring it to current “best practice”, the greenhouse savings would be significant – a total reduction of approximately 1,800 tonnes of greenhouse emissions per year, which is a 42% reduction on 2013-14 emissions. If existing streetlight globes were replaced with energy efficient LEDs it is projected that the greenhouse emissions from street lighting could be cut by up to 77%. If efficiency measures for buildings were introduced, the greenhouse emissions savings for building

energy use could be up to 47%. For fleet changes, the greenhouse emissions savings for running Council's fleet could be up to 2%.

When comparing Moorabool Shire to current best practice, the majority of energy saving actions are yet to be implemented at Moorabool. This presents an enormous opportunity to the Shire to upgrade its building stock, open space, street lighting and fleet to achieve both major cost savings as well as benefiting the environment by cutting its greenhouse emissions.

In terms of prioritising which actions to take in retrofitting buildings and open space, Ironbark has calculated the greatest cost savings and payback periods – see Figure 9 below. It shows that solar photovoltaic panels would provide the largest annual savings with the investment being returned within 9 years. Smaller, lower cost actions such as LED light globes and low flow showerheads have shorter payback periods but over the long term would not achieve as large total savings. There are clearly numerous building efficiency upgrades to save energy and/or water that would save the Shire significant costs with a payback period of less than 15 years.

**Figure 9. Average annual per site cost savings compared to simple payback for a selection of actions (Ironbark Sustainability 2014b)**



The Western Alliance for Greenhouse Action (WAGA), of which Moorabool Shire is a member council, launched its strategy Low Carbon West: A Strategy for a Transition to a Low Carbon Economy in the WAGA Region in 2014. This strategy provides a range of pathways and actions for member councils to deliver in partnership with all sectors including residential and non-residential buildings, freight, residential transport, waste, and agriculture to improve energy efficiency and cut greenhouse emissions. The actions identified

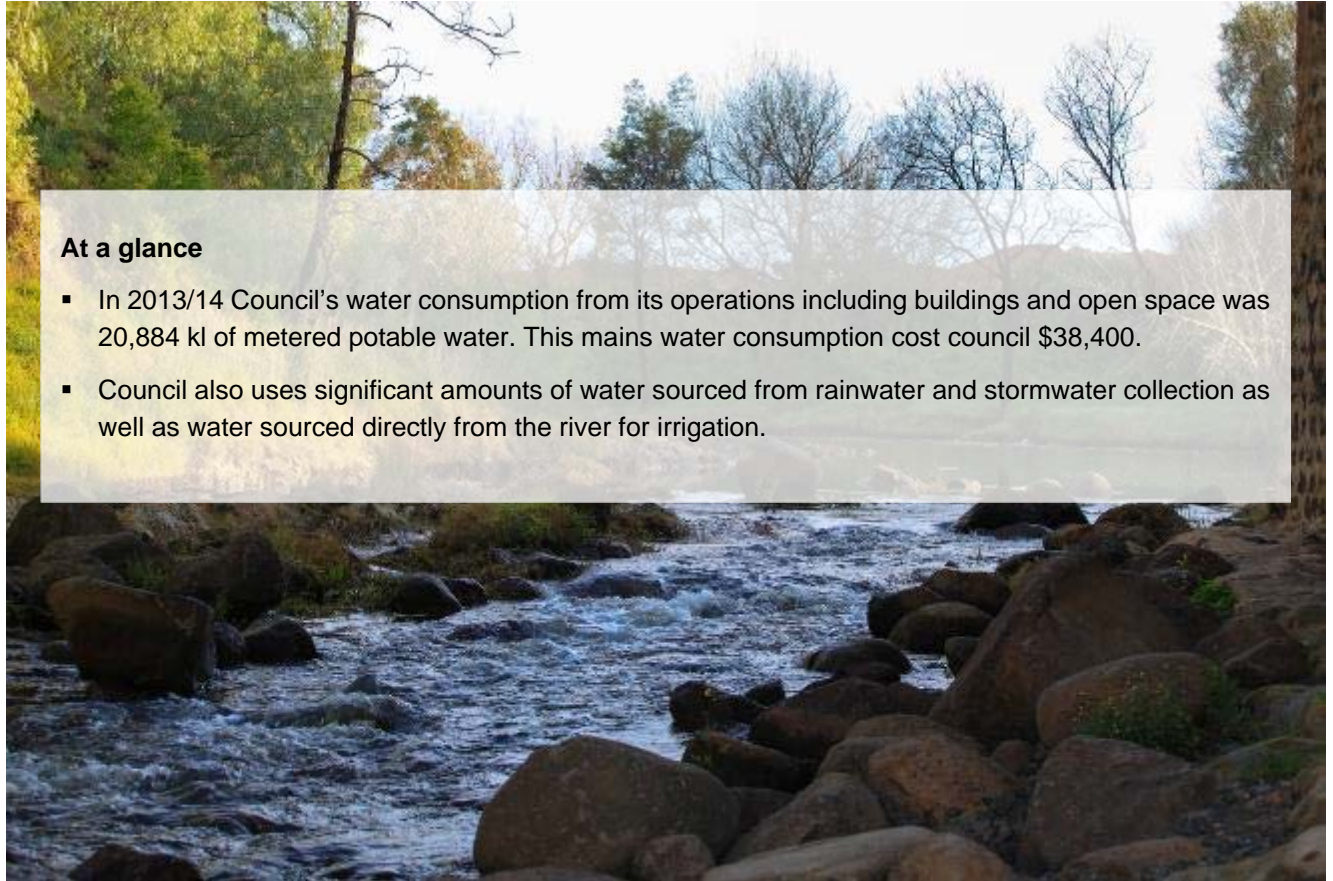
would reduce greenhouse emissions from the region by 14% compared to business as usual. It presents numerous opportunities for Moorabool to partner with larger councils to benefit from initiatives to reduce Moorabool greenhouse emissions, for example bulk purchasing of solar photovoltaic panels to offer to its community.

### **Strategic objectives for Energy Efficiency & Clean Energy**

1. To reduce the amount of electricity and gas used, and the associated greenhouse emissions, for Council operations per dollar spent by Council.
2. To increase the proportion of renewable energy used in Council's operations.
3. To shift Council's procurement towards low emissions products and services.

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## 4.2.2 Water Efficient Council



Werribee River, Photo: Allen Moore

### Water Efficient Council vision

*There is less water used in the operations of Council with a transition away from potable mains water use to rainwater, stormwater and recycled water.*

## Context

Mains water supply in Moorabool can be quite variable due to regular droughts experienced in the region – the most intense recent drought being the Millennium drought from 1995 to 2009 which was associated with a hot and dry El Nino weather pattern. The impacts of that drought were felt for many years, with government drought assistance continuing until 2012.

During drought periods water supply reservoirs dip to extremely low levels and all sections of the community are placed on water restrictions to ration consumption in order to maintain supply. Ground water is also depleted due to increased usage of bore water in the face of water restrictions.

However future projections for rainfall for the region are that temperature rises associated with human-induced climate change are almost certain to result in decreased rainfall in Victoria and so future droughts and water shortages are very likely. Therefore Council needs to prepare for the inevitable future droughts by delivering its operations much more efficiently in terms of water use.

Council has already taken steps over the years to reduce its water consumption and to find more sustainable sources. Open space irrigation has been reduced by using more drought tolerant (low-water) turf and landscaping. Alternative sources such as storm water retention and rainwater tanks have also been used, with many buildings in the Shire now having rainwater tanks.

As part of the Sustainable Environment Strategy project, Ironbark Sustainability has undertaken an Energy and Water assessment of Council's operations (Ironbark Sustainability 2015). The inventory enables Council to benchmark its current use of mains potable water as captured by water bills for Council buildings and open space.

The Water inventory for financial year 2013/14 shows that Council used 20,884 kl of mains water for buildings and open space from available water bills (some small facilities did not have bills available). This represented a total water bill cost of \$38,400. This does not include any water sourced from rainwater tanks or stormwater retention or pumped from the river for irrigation, of which an unknown but sizeable proportion is sourced for open space irrigation and facilities.

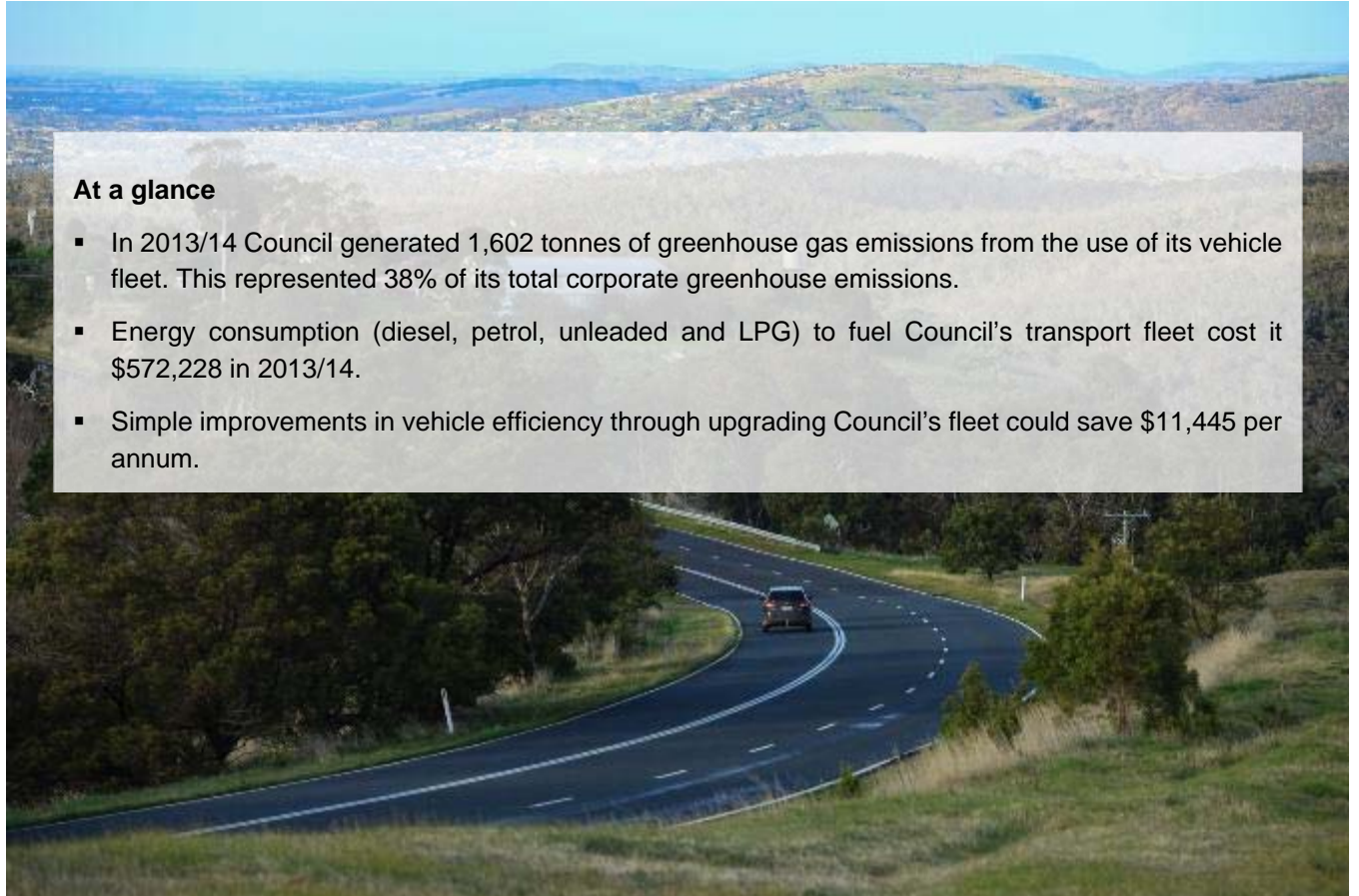
Significant water savings could be achieved if Council were to undertake a range of retrofit actions to buildings and open space to reduce water consumption and use of mains potable water. However exact cost and water saving estimates through such actions are difficult to provide until a detailed building and open space water assessment and plan is developed.

## Strategic objectives for a Water Efficient Council

1. Improve water efficiency of Council buildings and operations.
2. Transition from using potable water to using recycled water or stormwater for Council operations and facilities.



### 4.2.3 Sustainable Transport in Council



#### At a glance

- In 2013/14 Council generated 1,602 tonnes of greenhouse gas emissions from the use of its vehicle fleet. This represented 38% of its total corporate greenhouse emissions.
- Energy consumption (diesel, petrol, unleaded and LPG) to fuel Council's transport fleet cost it \$572,228 in 2013/14.
- Simple improvements in vehicle efficiency through upgrading Council's fleet could save \$11,445 per annum.

Bacchus Marsh (from Coimadaí), Photo: Allen Moore

#### Sustainable Transport Council vision

*We will reduce the greenhouse emissions from the transport used for Council operations.*

## Context

The direct greenhouse emissions and fuel costs associated with Councils transport are predominantly from:

- Heavy equipment for Council works, particularly the backhoe, large trucks and tippers.
- Staff use of fleet passenger cars to travel to work meetings.

Greenhouse emissions from fleet is the largest sector of Council's emissions profile, according to Ironbark's inventory, being 38% of emissions from energy in 2013/14 – greater than buildings, open space or street lighting (see Figure 7 and 8 in Energy Efficient Council). Fleet is also a larger total cost than these other energy use sectors, representing 57% of Council's energy costs. Therefore any action that Council can take to reduce its fuel consumption for fleet will save it significant operating costs and greenhouse emissions.

Ironbark has estimated that actions to improve the efficiency of vehicles, largely by using more fuel-efficient vehicles, could save 2% of these costs and emissions (based on best practice comparisons). However if more behaviour change was achieved to reduce and avoid staff usage of fleet vehicles or to drive more efficiently, greater gains could be achieved.

Council's Fleet Policy was updated in 2015 with the aim of progress towards a more fuel efficient fleet by 2021. In addition, options to improve the existing fleet booking system are being considered.

Another related transport impact is staff travel to work. Although the greenhouse emissions associated with this are not considered the direct ownership of Council, this is an area that Council can have an influence. As an employer, it is also the responsibility of Council to assist its staff to travel in the most cost effective, healthy and sustainable method possible.

## Strategic objectives for sustainable transport in Council

1. Reduce greenhouse emissions from vehicle usage for Council operations.
2. Reduce greenhouse emissions from staff travel to and from work through supporting a reduction in car trips.

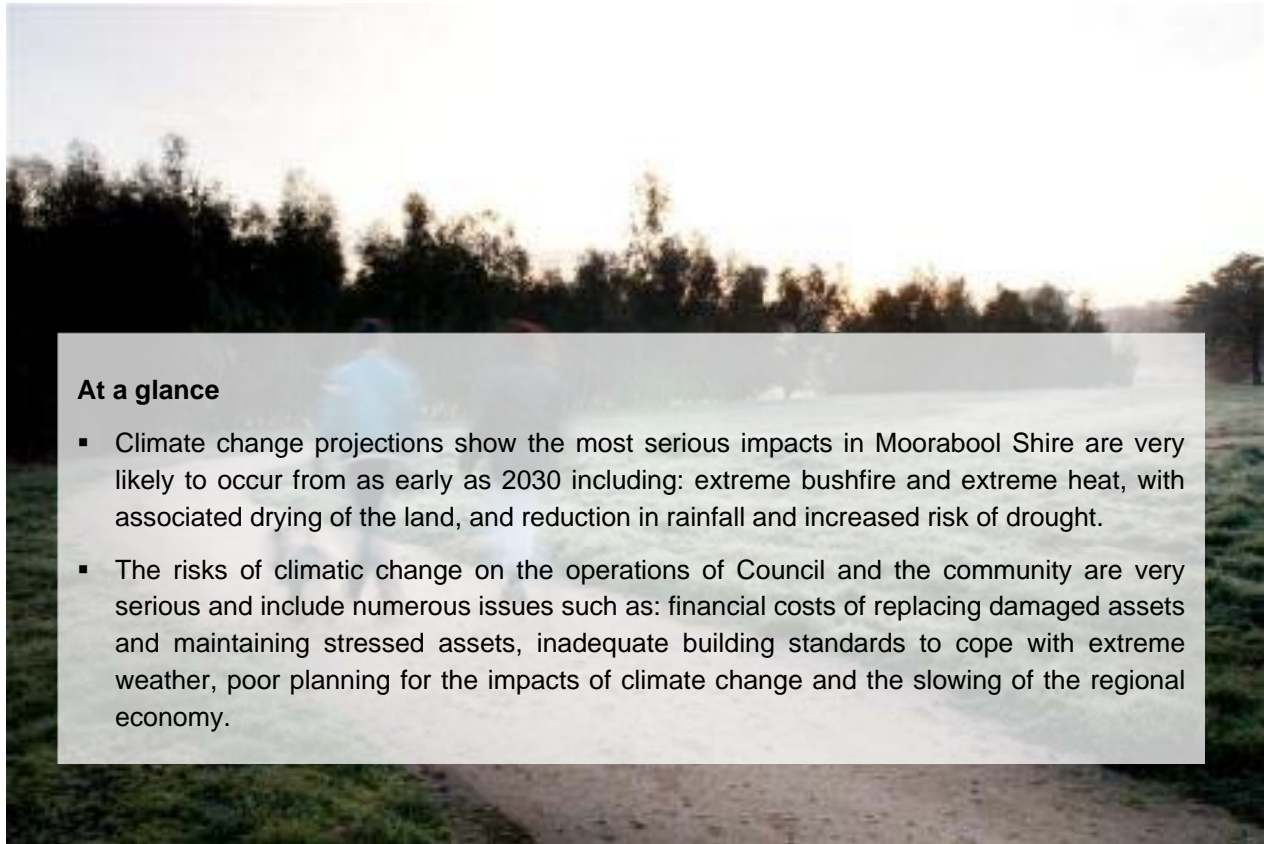
## 4.3 SUSTAINABLE PLACES



*Residential development, Photo: Suzie Brown*



### 4.3.1 Climate Adaptation



#### At a glance

- Climate change projections show the most serious impacts in Moorabool Shire are very likely to occur from as early as 2030 including: extreme bushfire and extreme heat, with associated drying of the land, and reduction in rainfall and increased risk of drought.
- The risks of climatic change on the operations of Council and the community are very serious and include numerous issues such as: financial costs of replacing damaged assets and maintaining stressed assets, inadequate building standards to cope with extreme weather, poor planning for the impacts of climate change and the slowing of the regional economy.

Photo: Sustainability.com

#### Climate Adaptation vision

*We will support and deliver activities to reduce the impact of and vulnerability to future climate change on the Moorabool Shire community.*

## Context

As part of current operations, significant work has been undertaken to ensure that Council is ready to respond to natural events, such as flood and fire, through the Community Emergency Risk Assessment (CERA) process.

With the forecast increase in average temperatures and fire and flood events resulting from climate change over the next 40 years, it is important that Council considers actions to manage for this eventuality.

The Western Alliance for Greenhouse Action (WAGA) developed the *Climate Change Adaptation Strategy 2013-2020* and *Action Plan 2013-30* which set out the key risks and a plan of action for its member councils to respond to the priority climate change risks for the region (as described in the *WAGA Climate Change Risk Assessment 2011*).

These documents show that the greatest risks to Moorabool Shire from climate change are extreme bushfire and extreme heat risks, with associated drying of the land and reduction in rainfall and increased risk of drought.

A summary of the climate impacts and risks for Melbourne's west as outlined in the WAGA reports is as follows:

### 1. Higher average temperatures and solar radiation

- Increasing average temperatures over time with a high degree of certainty.
- By 2030, average daily maximum temperatures are likely to rise by 0.5 to 1.5°C over most of Victoria; by 2070, they are likely to rise by 0.7 to 5.0°C compared to 1990. There will be more hot days and fewer cold days. Widespread decreases in atmospheric moisture are likely.

### 2. Reduced rainfall, but heavier rainfall during rain events

- Although average annual and seasonal total rainfall is expected to decline, the intensity of heavy daily rainfall is likely to rise in most seasons. However, fewer rain days are anticipated, along with more droughts. These heavy rains could contribute to soil erosion and movement.
- Reductions in the total average annual rainfall of around four per cent are expected, with the greatest percentage reductions occurring in spring (7%) compared with 1990 figures. In Melbourne, the average long-term stream flow into water supply catchments could be reduced by up to 11 per cent by 2020, and as much as 35 per cent by 2050. Projections suggest that annual runoff to the Maribyrnong and Werribee Rivers could reduce by five to 30 per cent by 2030.

### 3. Increasing intensity and frequency of extreme weather events

- Without global action to reduce emissions, by 2070 Melbourne's average number of days above 35°C are likely to increase from 9 to 26. An increase in the frequency, intensity and duration of heat waves may also amplify the risk of heat-related health problems, particularly in urban areas. Higher temperatures may also shift energy use from winter heating to summer cooling.
- "Extreme" fire danger days are expected to increase by 12 to 38 per cent by 2020, and by 20 to 135 per cent by 2050. Between 2000 and 2007, Victoria experienced a 62 per cent increase in fire weather warnings. By 2020, they may occur twice as often, and by 2050 four to five times as often. This means the Melbourne region would experience catastrophic fire days once every 2.4 years on average, instead of the current average of once every 33 years.

The WAGA climate adaptation work also involved identifying major risks or threats to the region that each council needs to plan for and mitigate the impact of. It is important to note that WAGA only included risks that were applicable to entire WAGA region or multiple councils. There are likely to be other risks unique to

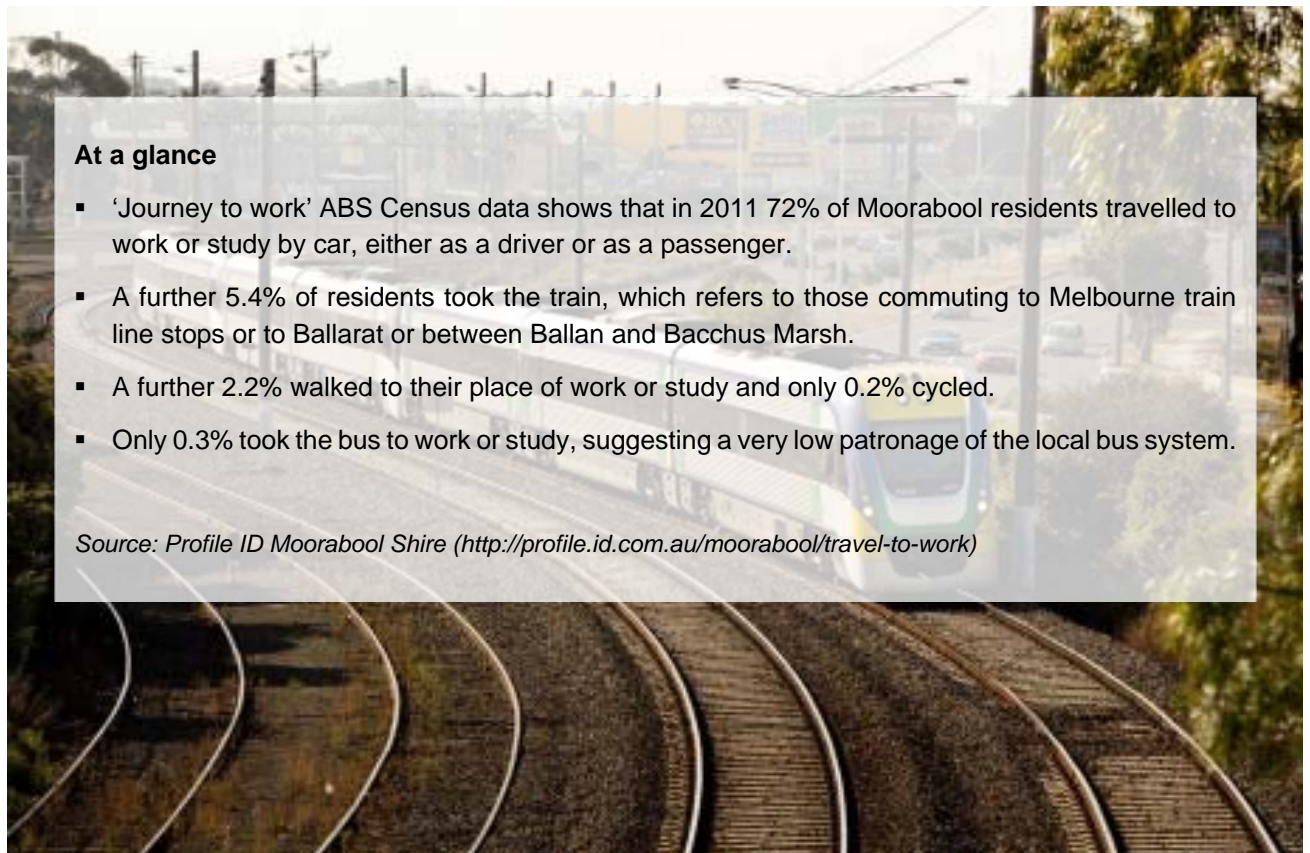
Moorabool and not shared by other councils in the WAGA region. Therefore Council needs to consider additional possible risks when doing its climate adaptation planning.

### **Strategic objectives for climate adaptation**

1. To ensure that Moorabool Shire has understood the risks of climate change on Council operations and takes actions to prepare for and mitigate these risks.
2. To ensure that Council has understood the risks of climate change to the community and is working with the community to help prepare for and mitigate the risks.

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## 4.3.2 Sustainable Community Transport



### At a glance

- 'Journey to work' ABS Census data shows that in 2011 72% of Moorabool residents travelled to work or study by car, either as a driver or as a passenger.
- A further 5.4% of residents took the train, which refers to those commuting to Melbourne train line stops or to Ballarat or between Ballan and Bacchus Marsh.
- A further 2.2% walked to their place of work or study and only 0.2% cycled.
- Only 0.3% took the bus to work or study, suggesting a very low patronage of the local bus system.

Source: Profile ID Moorabool Shire (<http://profile.id.com.au/moorabool/travel-to-work>)

Photo: G21

### Sustainable Transport Infrastructure & Engagement vision

*There is a reduction in vehicle trips in the Shire as a result of Council's provision, promotion and advocacy for community transport infrastructure and programs to support cycling, walking and public transport.*

## Context

Transport behaviour in Moorabool Shire is heavily car dependent, which is not unusual for a peri-urban shire. ABS Census data on residents' mode of traveling to work (Journey to Work data) shows that in 2011 72% of Moorabool residents travelled to work or study by car, either as a driver or a passenger. A further 5.4% took the train, which refers to those commuting to Melbourne train line stops or to Ballarat or between Ballan and Bacchus Marsh. A further 2.2% walked to their place of work or study and only 0.2% cycled. Only 0.3% took the bus to work or study, suggesting a very low patronage of the local bus system<sup>7</sup>.

In Moorabool Shire there are affordable and direct connections by train from Ballan and Bacchus Marsh to Melbourne and Ballarat, however community feedback suggests more frequent services would be desired. The bus network is quite limited with services mainly in Bacchus Marsh. Community feedback also suggests better coordination between bus and train services would assist increased uptake of public transport use.

Cycling and walking are well-utilised within townships and Council continues to work to improve cycling and walking access particularly in Bacchus Marsh.

In 2014 and 2015 Council completed the Moorabool Hike & Bike Strategy and Bacchus Marsh Integrated Transport Strategies which aim to improve the connectivity of existing road networks and promote greater cycling and walking, by constructing interconnected cycling and walking paths to link key destinations.

## Strategic objectives for Sustainable Transport infrastructure and engagement

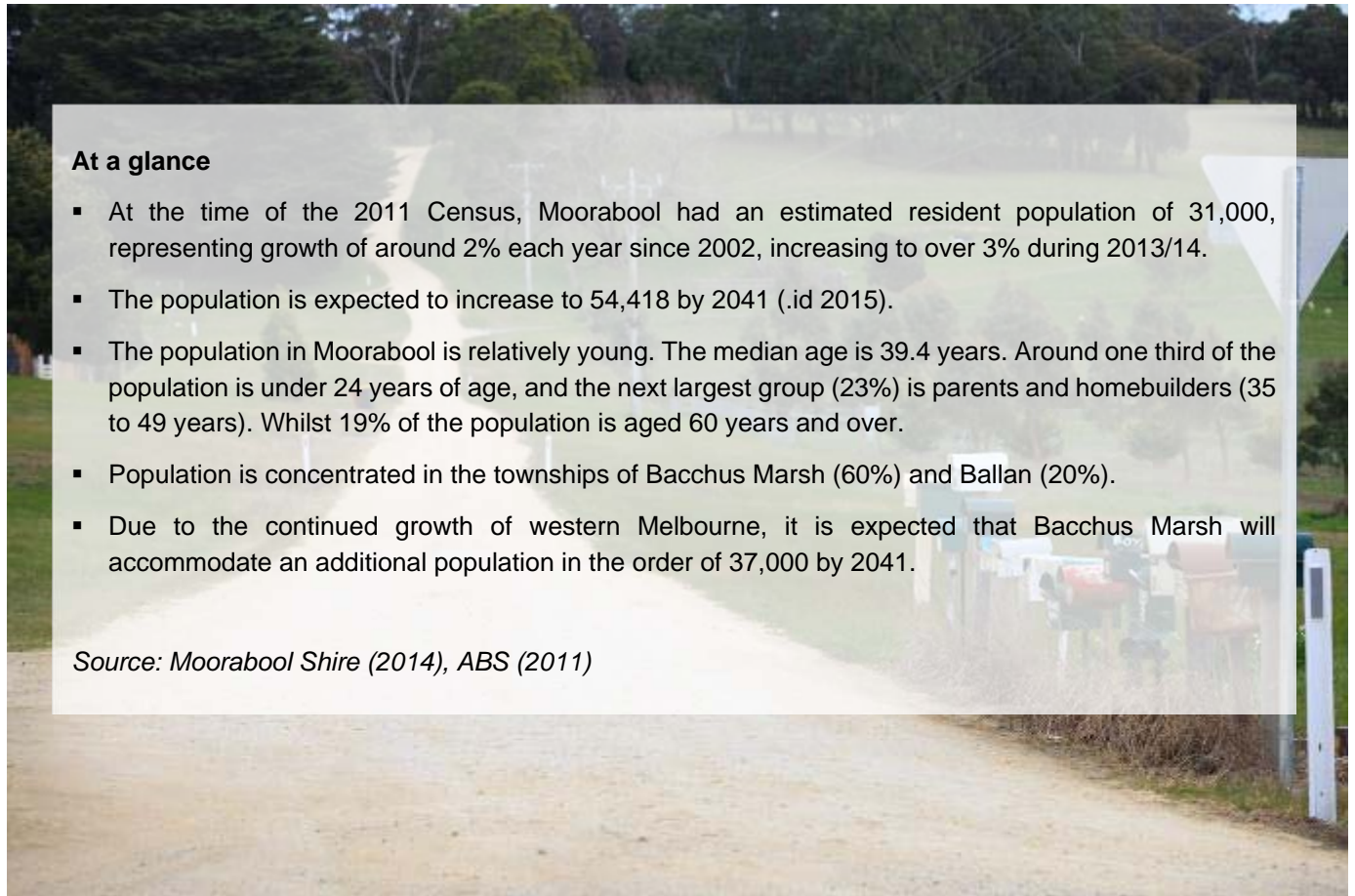
1. Ensure transport infrastructure in Bacchus Marsh and Ballan is integrated to support greater linked use between modes and better planning for active transport modes.
2. Provide cycling and walking infrastructure to support increased use of these modes instead of driving.
3. Support the increased use of public transport in the Shire in place of car travel.

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<sup>7</sup> Source: Profile ID Moorabool Shire <http://profile.id.com.au/moorabool/travel-to-work>



### 4.3.3 Urban development and planning



#### At a glance

- At the time of the 2011 Census, Moorabool had an estimated resident population of 31,000, representing growth of around 2% each year since 2002, increasing to over 3% during 2013/14.
- The population is expected to increase to 54,418 by 2041 (.id 2015).
- The population in Moorabool is relatively young. The median age is 39.4 years. Around one third of the population is under 24 years of age, and the next largest group (23%) is parents and homebuilders (35 to 49 years). Whilst 19% of the population is aged 60 years and over.
- Population is concentrated in the townships of Bacchus Marsh (60%) and Ballan (20%).
- Due to the continued growth of western Melbourne, it is expected that Bacchus Marsh will accommodate an additional population in the order of 37,000 by 2041.

Source: Moorabool Shire (2014), ABS (2011)

Mt Egerton, Photo: Allen Moore

#### Urban development and planning vision

*We will support development that respects and conserves Moorabool Shire's natural environment and reduces future environmental impacts from increased population growth and new development.*

## Context

Moorabool Shire is centrally located between Melbourne and Ballarat with easy access to Geelong and Bendigo via highways and transport, making it an attractive destination for those seeking affordable housing, a rural lifestyle and access to employment and services in major cities.

Population growth since 2002 has been at about the state average and is projected to be considerably higher than average to 2022 (Department of Health 2013). This is reflected in the most recent population data, showing that during the 2013/14 year the growth rate was 3.3% (a 36% increase on the average annual growth rate of 2.1%). The population is expected to grow from the current population of 31,000 to approximately 49,000 by 2036 however given the recent increased rate of growth this projected figure may be reached sooner (Moorabool Shire 2014).

Moorabool is a young community with approximately one third of the population aged 24 years or younger. The next highest group are those in the 'parent and homebuilder' demographic, aged 35 – 49 years (accounting for approximately 23% of the total population). Approximately 19% of the population is aged 60 years and over (ABS 2011).

Most of the growth in the Shire is concentrated in the east, around Bacchus Marsh. Currently, more than half the Shire's population lives in Bacchus Marsh and surrounds (approximately 19,032), followed by Ballan (6,534). The remaining population is distributed across a number of small towns, hamlets and farming areas within the Shire. Council has identified Bacchus Marsh and Ballan as the main locations for future growth, as they already have established infrastructure to accommodate new growth (Moorabool Shire 2014).

Moorabool Shire is currently developing an Urban Growth Strategy and a Rural Growth Strategy in response to population growth pressures and other land use issues such as the preservation of significant natural environments and agricultural land. Central to these strategies is the *Moorabool 2041 Strategy*, which will guide planning and future decision making in the Shire over the coming decades to 2041. Moorabool Shire is also a member of the Peri-Urban Group of Rural Councils, which aims to promote a comprehensive vision for the peri-urban region of the Melbourne metropolitan fringe.

The increasing population means that now more than ever, it is imperative that a balance is struck between accommodating this present growth and protecting the natural environmental values and the needs of future generations. Council is well placed to demonstrate leadership in environmentally sensitive and sustainable development. This can be achieved through land use planning decisions that protect natural resources, productive agricultural land and landscape aesthetics. Council can also influence new residential and commercial development to ensure higher environmental standards for new buildings as well as water, renewable energy and biodiversity-sensitive urban streetscapes.

There will be challenges for Council in achieving sustainable development. These include, but are not limited to:

- Managing and restricting development pressure in areas of high biodiversity and landscape values (particularly in areas that have high conservation significance, but are not well understood by the community such as grasslands).
- Early identification of biolink and connectivity opportunities and protecting these areas from development.
- Protecting productive agricultural land from development.
- Advocating for and engaging the community in more sustainable, environmentally sensitive urban developments and settlements.

### **Strategic objectives for urban development and planning**

1. To ensure that attention to natural values are embedded within structure planning processes to allow for protection of natural assets.
2. Access and collate the most up-to-date data sets to support strengthened environmental policies within Moorabool's planning scheme aimed at protecting natural assets.
3. Improve access to and connectivity between residents and open space and natural reserve areas.
4. Use the planning process to improve the standard of new residential or commercial buildings or renovations in the Shire.
5. New residential or mixed use precincts are designed with sustainability at the core of their structure plan including support for cycling/walking/public transport, abundant recreation space, greenspaces and biodiversity, shops or services within walking distance, water sensitive urban design, stormwater reuse and design for passive solar or solar panels.

DRAFT



## 4.4 LIVE & WORK SUSTAINABLY

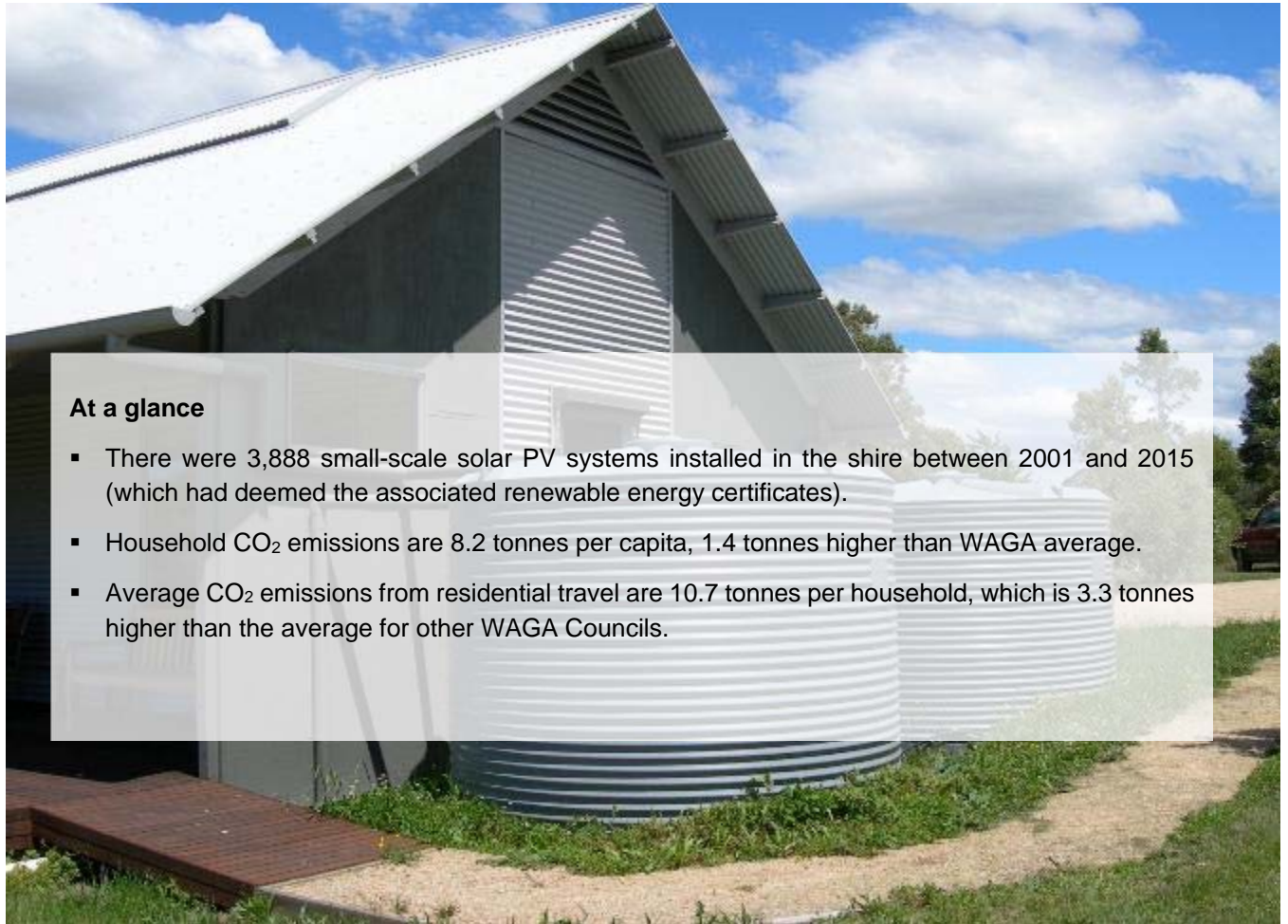


Blackwood, Photo: Allen Moore



Bacchus Marsh, Photo: Moorabool Visitor Information

#### 4.4.1 Clean Energy and Energy & Water Efficient Community



##### At a glance

- There were 3,888 small-scale solar PV systems installed in the shire between 2001 and 2015 (which had deemed the associated renewable energy certificates).
- Household CO<sub>2</sub> emissions are 8.2 tonnes per capita, 1.4 tonnes higher than WAGA average.
- Average CO<sub>2</sub> emissions from residential travel are 10.7 tonnes per household, which is 3.3 tonnes higher than the average for other WAGA Councils.

Green home, Photo: Suzie Brown

##### Clean Energy & Energy & Water Efficient Community vision

*There is a measurable decrease in greenhouse emissions and potable water use in the Moorabool business and residential community.*

## Context

As outlined in the Climate Adaptation section, the impacts of climate change are likely to be severe, and have already been felt in the last two decades in the form of heatwaves, drought and extreme bushfire. It is crucial that the whole community be informed about climate change and be engaged to play their role in reducing its impacts. One of the main actions households and businesses can take is to reduce their greenhouse emissions from their home energy, transport or business energy needs.

In 2006 a SGS Economic and Planning report found that, when compared to the 7 Councils in the Western Alliance for Greenhouse Action (WAGA) CO<sub>2</sub> emissions per capita from Moorabool residents were 1.4 tonnes above the average for all WAGA Councils. The report found that this was largely as a result of higher than average emissions resulting from residential travel.<sup>8</sup>

In addition, to handle the increased incidence of heatwaves it benefits residents' health and safety if their homes are retrofitted to keep them cooler in summer (and warmer in winter) – vulnerable groups such as the elderly and families with infants need priority for this assistance.

These actions often also cut household energy bills, and many energy efficiency actions have a very short payback period (see Figure 1 in the Energy Efficient Council section). In addition solar PV has become a very good investment as panel prices have come down whilst energy bills have risen. Therefore the payback period is now quite short for installing panels.

Due to limited resources, Council currently does very little work in the energy efficiency and clean energy engagement area, other than provide information on its website. In 2009 Council ran a well-received bulk buy program of solar photovoltaic (PV) systems, which allowed residents to buy a discounted rooftop solar system which was pre-arranged with a reputable supplier.

Between 2001 and May 2015 there were 3,888 small-scale solar systems installed in the Shire<sup>9</sup> – these were the systems for which the renewable energy certificates were deemed via the Federal Clean Energy Regulator, so it is possible there were more systems than this, as well as the systems that were installed prior to 2001.

Currently there are very few Victorian Government programs for the community on energy efficiency or renewable energy as a result of the recent change of government. Previous government programs have mostly ceased and were very few anyway. The new government has stated that climate action is a priority therefore it is likely that funding and programs for councils and communities will arise in the 2015-19 period. Council needs to maintain close communications with Sustainability Victoria and the Department of Environment, Land, Water and Planning (DELWP) to seek out opportunities to offer its community.

As outlined in the sections on Water Efficient Council and Climate Adaptation, Victoria experienced regular droughts and these are becoming more severe as a result of climate change. The 1995-2009 drought was probably Australia's worst ever drought and resulted in water supply reservoirs reaching dangerously low levels and some drying up completely. The community were put on high-level water restrictions to reduce consumption, whilst water saving measures such as rainwater tanks and efficient showerheads and toilets were well implemented.

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<sup>8</sup> Source: <https://www.acfonline.org.au/sites/default/files/resources/Werribee-Plains-ACF-WAGA-Energy-Research-Study.pdf>

<sup>9</sup> Source: <http://ret.cleanenergyregulator.gov.au/REC-Registry/Data-reports#Latest-data>



As the likelihood of future drought is high, continued action to increase household water efficiency and increase the use of rainwater collection is needed to 'future-proof' our water supplies. This is more difficult during the current period of higher water levels and few water restrictions, but Council and water authorities can continue to play a key role in supporting action.

### **Strategic objectives for Clean Energy and Water & Energy Efficient Community**

1. Council to advocate to other levels of government to reduce the cost burden on residents of energy through funded energy and water efficiency and renewable energy programs.
2. Council to work with water authorities and energy retailers to gather data about community water and energy usage and opportunities for greater efficiency.
3. Council to develop a Water & Energy Efficient Communities engagement strategy to promote existing State Government programs that assist the community to:
  - a) Reduce greenhouse emissions from electricity and gas use.
  - b) Increase the proportion of energy coming from renewable energy sources for community power needs.
  - c) Improve water efficiency of businesses and residences in Moorabool.
  - d) Increase the use of greywater, rainwater tanks and stormwater harvesting methods to replace the use of potable mains water in businesses and residences.

## 4.4.2 Local Food

### At a glance

- There are 3 community gardens in the Shire.
- Moorabool is blessed with a higher level of local produce produced in the Shire at market gardens and on farms, enabling greater opportunity for the community to buy locally.
- It is unknown what proportion of the community grows its own backyard produce, but the larger average block sizes in the Shire suggest it is likely a higher proportion of residents grow their own than in higher density municipalities in Melbourne.



Orchard in blossom Photo: Allen Moore

### Local Food vision

*There is a measurable increase in the community growing their own food and buying more of their food from local food producers.*

## Context

As the impacts of climate change are felt, there are a number of climate impacts which threaten our food supply including:

- Water shortages due to drought reducing rainfall and water storages
- Heatwaves causing the loss or drop in quality of produce
- Bushfire causing the loss of crops, livestock and grazing land
- Unpredictable impacts of pests such as insects damaging food production.

Peak oil (where the cost of oil becomes more and more expensive as extraction becomes more difficult) could result in the cost of food increasing dramatically since many inputs to large-scale food production rely on oil (transport, fertilizer, machinery etc.).

Moorabool Shire has a large supply of local food, with the presence of market gardens as well as small to large-scale agricultural production on farms. Supporting this local food production, connecting it to local residents, and also supporting local residents to grow some of their own food are all important actions.

Council has put some energy into supporting the development of community gardens in the Shire in recent times and there are now at least three community gardens: Darley Community Art Garden, Hospital Garden Ballan, Friendship Garden at Ballan.

Moorabool Environment Group does a range of activities to support people growing their own food, buying locally and growing in the community gardens. The Bacchus Marsh Produce Swap is one example, where residents are invited once a month to meet to exchange or offer excess produce.

## Strategic objectives for Local Food

Moorabool Shire to promote activities that:

1. Increase local production of food by residents and businesses in Moorabool Shire.
2. Increase local sales and consumption of locally produced food in Moorabool Shire.
3. Increase participation in community food production activities including community gardens, food swaps and local farmers markets.

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## Appendix 1: Strategic and legislative framework

### National

Legislation	Policy Strategy and Agreements
<ul style="list-style-type: none"> <li>▪ Aboriginal and Torres Strait Islander Heritage Act 1984</li> <li>▪ Australian Heritage Commission Act 1975 (Register of the National Estate)</li> <li>▪ Environment Protection and Biodiversity Conservation Act 1999</li> <li>▪ Native Title Act 1993</li> <li>▪ Water Act 2007</li> </ul>	<ul style="list-style-type: none"> <li>▪ A Directory of Important Wetlands in Australia (EA 2001)</li> <li>▪ Australia's Biodiversity Conservation Strategy 2010–2030</li> <li>▪ Australian Pest Animal Strategy 2007</li> <li>▪ National Framework for the Management and Monitoring of Australia's Native Vegetation (2001)</li> <li>▪ National Indigenous Reform Agreement (Closing the Gap)</li> <li>▪ National Water Quality Management Strategy (1992)</li> <li>▪ Strategy for Australia's National Reserve System 2009–2030</li> <li>▪ The Australian Weeds Strategy (revised 2007)</li> <li>▪ Wetlands Policy of the Commonwealth Government of Australia 1997</li> </ul>

### State

Legislation	Policy Strategy and Agreements
<ul style="list-style-type: none"> <li>▪ Aboriginal Heritage Act 2006</li> <li>▪ Catchment and Land Protection Act 1994</li> <li>▪ Climate Change Act 2010</li> <li>▪ Conservation, Forests and Lands Act 1987</li> <li>▪ Cooperative Management Agreement 2004</li> <li>▪ Crown Land (Reserves) Act 1978</li> <li>▪ Environment Protection Act 1970</li> <li>▪ Fisheries Act 1995</li> <li>▪ Flora and Fauna Guarantee Act 1988</li> <li>▪ Forests Act 1958</li> <li>▪ Heritage Rivers Act 1992</li> <li>▪ Land Act 1958</li> <li>▪ National Parks Act 1975</li> <li>▪ Parks Victoria Act 1998</li> <li>▪ Planning and Environment Act</li> <li>▪ Reference Areas Act 1978</li> <li>▪ State Environment Protection Policy (Waters of Victoria) 2003</li> <li>▪ Sustainable Forests (Timber) Act 2004</li> <li>▪ Traditional Owner Settlement Act 2010</li> <li>▪ Assessment Council Act 2001</li> <li>▪ Victorian Conservation Trust Act 1972</li> <li>▪ Water Act 1989</li> <li>▪ Wildlife Act 1975</li> </ul>	<ul style="list-style-type: none"> <li>▪ Biosecurity Strategy for Victoria 2009</li> <li>▪ Indigenous Partnership Framework 2007-10 (reviewed 2010)</li> <li>▪ Invasive Plants and Animal Policy Framework 2010</li> <li>▪ Our Water Our Future (DSE 2004)</li> <li>▪ Native Vegetation Management – A Framework for Action (Revised 2005)</li> <li>▪ Policy for Sustainable Recreation and Tourism on Victoria's Public Land 2002</li> <li>▪ State Environment Protection Policy (Waters of Victoria 1988)</li> <li>▪ State Environment Protection Policy (Groundwaters of Victoria) 1997</li> <li>▪ Sustainability Charter for Victoria's State Forests 2006</li> <li>▪ 2009 Victorian Bushfires Royal Commission</li> <li>▪ Victorian Bushfire Strategy 2008</li> <li>▪ Victorian Landcare Program Strategic Plan 2012</li> <li>▪ Victorian Flood Management Strategy 1998</li> <li>▪ Victorian Planning Provisions 1998-1999</li> <li>▪ Victorian Waterway Management Strategy 2013</li> <li>▪ Victorian Floodplain Management Strategy 2016</li> <li>▪ Victoria's Nature based Tourism Strategy 2008–2012</li> <li>▪ Victoria's Salinity Management Framework 2000</li> <li>▪ Water for Victoria (discussion paper) 2016</li> </ul>

Regional

Legislation	Policy Strategy and Agreements
<ul style="list-style-type: none"> <li>▪ N/A</li> </ul>	<ul style="list-style-type: none"> <li>▪ Central Highlands Regional Growth Plan 2014</li> <li>▪ South West Landscape Assessment Study 2012</li> <li>▪ Grow West Implementation Plan 2013</li> <li>▪ Corangamite Regional Catchment Strategy 2013</li> <li>▪ Corangamite Waterway Strategy 2014 – 2022</li> <li>▪ Corangamite Landcare Support Plan 2013</li> <li>▪ Corangamite Invasive Plant and Animal Management Strategy</li> <li>▪ Corangamite Soil Health Strategy 2006 – 2012</li> <li>▪ Corangamite Native Vegetation Plan 2003 – 2008</li> <li>▪ Corangamite Salinity Action Plan 2005 – 2008</li> <li>▪ Corangamite Wetland Strategy 2006 - 2011</li> <li>▪ Port Phillip and Westernport Regional Catchment Strategy</li> <li>▪ Port Phillip and Westernport Healthy Waterways Strategy 2013</li> <li>▪ Port Phillip and Westernport Native Vegetation Plan 2006</li> <li>▪ Port Phillip and Westernport Rabbit Action Plan 2003</li> <li>▪ Port Phillip and Westernport Weed Action Plan 2003</li> <li>▪ Melbourne Water Port Phillip and Westernport Region Flood Management and Drainage Strategy 2007</li> <li>▪ Western Alliance for Greenhouse Action (WAGA) (2012), <i>Climate Change Adaptation Strategy 2013-2020 Full Report</i></li> <li>▪ Western Alliance for Greenhouse Action (WAGA) (2012) <i>Climate Change Adaptation Action Plan 2013-30</i></li> <li>▪ Western Alliance for Greenhouse Action (WAGA) (2011) <i>Climate Change Risk Assessment</i></li> <li>▪ Western Alliance for Greenhouse Action (WAGA) (2014) <i>Low Carbon West: A Strategy for a Transition to a Low Carbon Economy in the WAGA Region</i></li> </ul>

## Appendix 2: Bioregions and ecological communities of Moorabool Shire

### Bioregions of the Moorabool Shire

Bioregions are a landscape-scale approach to classifying the environment using a range of attributes such as climate, geomorphology, geology, soils and vegetation. Bioregions capture the patterns and ecological characteristics in the landscape. There are 28 bioregions identified across Victoria (DEPI 2014).

Within Moorabool Shire there are two bioregions that characterise the landscape. An overview of these bioregions is provided in Table 4.

**Table 4. Bioregions of Moorabool Shire**

Bioregion	Characteristic
Central Victorian Uplands	<p>Dominated by Lower Palaeozoic deposits giving rise to dissected uplands at higher elevations, amongst granite and sedimentary terrain metamorphic and old volcanic rocks, which have formed steeply sloped peaks and ridges. Supports grassy woodlands and forests (DEPI 2014).</p> <p>Extends across the north of the Shire.</p>
Victorian Volcanic Plains	<p>Vast open areas of grasslands and small patches of open woodland. Dominated by Cainozoic volcanic deposits that formed extensive flat to undulating basaltic plain with stony rises, old lava flows, numerous volcanic cones and old eruptions points and is dotted with shallow lakes both salt and freshwater. Numerous volcanic cones (scoria and basalt) dot the landscape (DEPI 2014).</p> <p>South of the Shire.</p> <p>Supports productive agricultural land.</p>

### Ecological communities

The large areas of protected reserves within Moorabool Shire provide good examples of intact remnants of original ecosystems. These areas are important habitat and refuge for threatened flora and fauna that are known to occur in the Shire. Council reserves and many of the roadsides across the Shire also provide important habitat values for threatened flora and fauna.

The natural environment of Moorabool Shire also provides important ecosystem services for humanity like clean water, fresh air, food, fuel and energy. Subsequently, the use of natural resources to provide these services has resulted in significant change to the natural, or ecological, function of the landscape in Moorabool Shire.

Steps are being taken to restore the ecological function of the landscape, with landholders, Landcare, programs such as Grow West and Council undertaking activities to rehabilitate the natural environment and restore some of its former ecological function. These activities and proposed actions such as increasing the connectivity between reserves and patches of remnant habitat, will contribute to the protection and restoration of ecological communities within the Shire.

There are five ecological communities in the Shire that are listed under the *Environment Protection and Biodiversity Conservation (EPBC) Act 1999*. These are identified in Table 5.

**Table 5. Endangered ecological communities in Moorabool Shire (DoE 2014)**

Ecological community	Status
Grassy Eucalypt Woodland of the Victorian Volcanic Plain	Critically endangered
Natural Temperate Grassland of the Victorian Volcanic Plain	Critically endangered
Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains	Critically endangered
White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland	Critically endangered
Grey Box ( <i>Eucalyptus microcarpa</i> ) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia	Endangered

In addition, there are 32 threatened species (17 fauna species and 15 flora species) that are listed under the *EPBC Act*, as well as 11 migratory species. Two of these species are critically endangered:

- Golden Sun Moth (*Synemon plana*)
- Plains Rice-flower (*Pimelea spinescens subsp. spinescens*) (DoE 2014).

# Attachment - Item 10.2.6(b)





**Moorabool Shire Sustainable Environment Strategy**  
Implementation Plan 2016 - 2021

*Moorabool Shire Council*

## Contents

<b>1</b>	<b>About the Implementation Plan</b>	<b>2</b>
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# 1 About the Implementation Plan

This Implementation Plan outlines the activities over the next 5 years that Moorabool Shire Council will undertake to help achieve the objectives and visions, identified in the Moorabool Shire Sustainable Environment Strategy, that aim to see improvements to the natural environment by 2041.

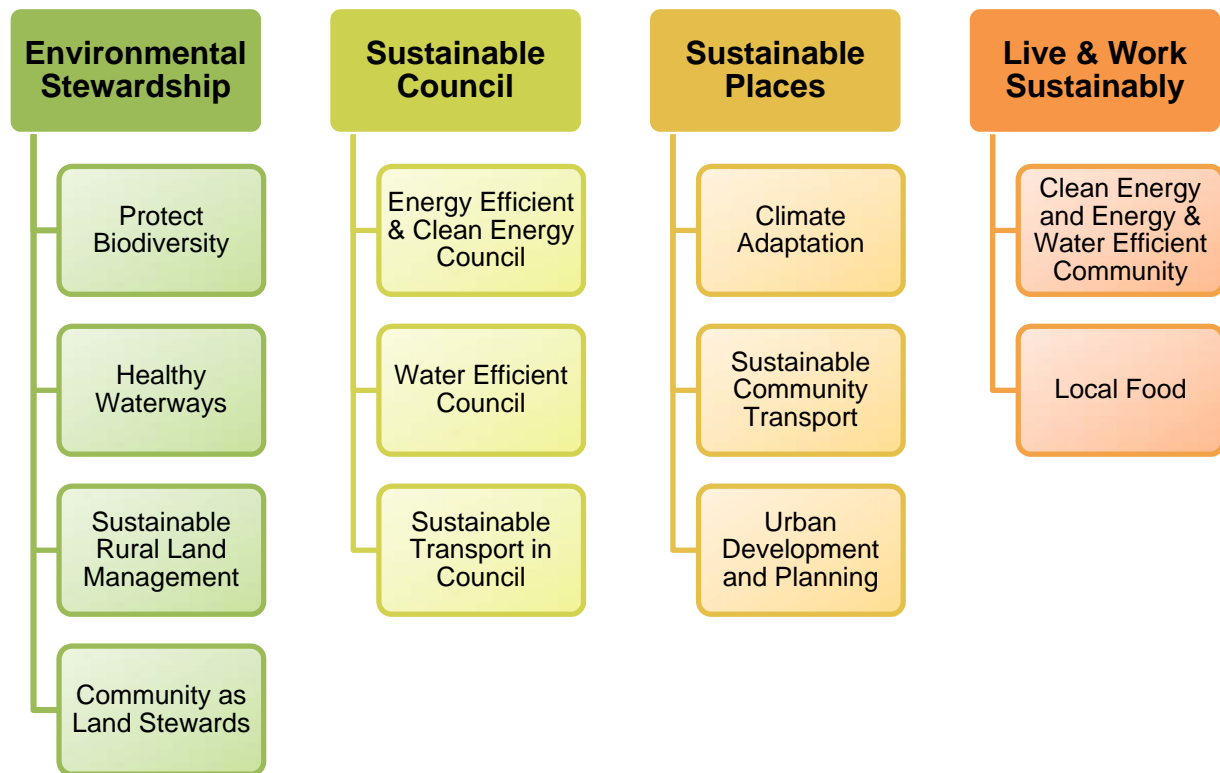
The Implementation Plan should be read in conjunction with the Sustainable Environment Strategy.

Four strategic directions are identified in the Sustainable Environment Strategy. These include:

- ENVIRONMENTAL STEWARDSHIP
- SUSTAINABLE COUNCIL
- SUSTAINABLE PLACES
- LIVE AND WORK SUSTAINABLY

A number of priority areas have been identified within each strategic direction. There are twelve priority areas in total.

**Figure 1. Strategic directions and priority areas for the Moorabool Shire Sustainable Environment Strategy**



Within this Implementation Plan, actions have been assigned to each priority area.

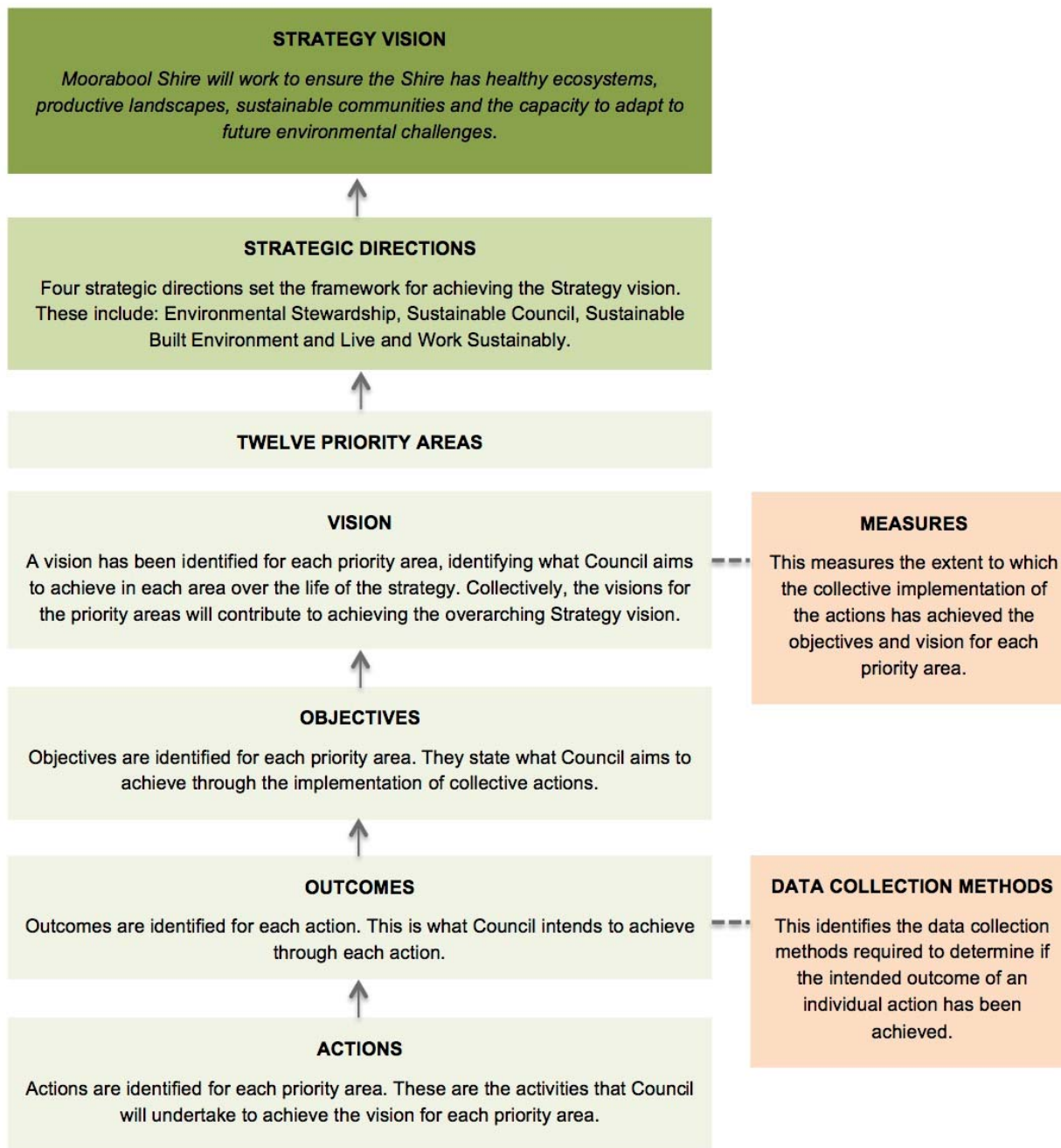
The Sustainable Environment Strategy is a ten-year document. The actions identified in this Implementation Plan are for the next five years to 2021. A mid-term review of the Strategy and the actions that have been implemented will be conducted after five years, after which a revised Implementation Plan will be developed for the period 2021-26. The Implementation Plan will guide the development of annual action plans that will outline designated tasks, responsibilities, timeframes, resources and budgets. Action plans will be prepared, reported on and reviewed each financial year.

The Strategy acknowledges that Council can only have direct control over some issues, for example its own resource efficiency. It can indirectly influence other issues where its partners share or have greater responsibility and there are some issues it cannot influence and so can only take an advocacy role. As such, the actions in this document are identified as Control, Influence, or Advocacy actions. The Environment Unit at Moorabool Shire will oversee implementation of this Strategy (refer to the Implementation Plan 2016-26) but many of the actions will be the responsibility of other areas of Council. This includes responsibility for the delivery of the actions identified within this Strategy, as well as monitoring and evaluating the implementation of the Strategy over its lifespan. Indeed, the success of the Strategy will depend on the contribution of all areas of Council as part of a whole-Council approach to sustainability.



## 2 Reading the Implementation Plan

Figure 2. Outline to interpreting the Implementation Plan



### 3 Implementation Plan 2016 - 2021

#### STRATEGIC DIRECTION 1: Environmental Stewardship

Priority Area: PROTECT BIODIVERSITY										
<i>There is a measurable improvement in the condition of the natural environment in the Shire over the next ten years</i>										
MEASURES										
<ul style="list-style-type: none"> <li>There is an increase in the connectivity of remnant vegetation across the Shire by 2021.</li> <li>There is an increase in the condition of native vegetation on Council managed reserves and roadsides by 2021.</li> <li>There is a decrease in priority weed species on Council managed reserves and roadsides by 2021 (measured by decrease in density).</li> </ul> <p>There is a decrease in rabbit activity on Council managed reserves and roadsides by 2021 (measured by number of mapped warren entrances).</p>										
ACTIONS	OUTCOMES	DATA COLLECTION METHODS	RESPONSIBILITY	SPHERE of INFLUENCE	TIMING	PRIORITY	RESOURCING	ADDITIONAL FUNDING	CONTRIBUTION	
<b>OBJECTIVE 1: To increase landscape scale connectivity of remnant and other native vegetation.</b>										
1.1	Review and consolidate existing Biolinks and Open Space Plans for Moorabool Shire, to help guide future land use planning.	Existing Biolinks Plans are reviewed and consolidated and are referred to for future land use planning.	Review Biolinks Plans. Update native vegetation and corridors mapping	LEAD: Environment PARTNER: Parks and Gardens, Strategic Planning, DELWP, CMAs, Grow West, Moorabool Landcare Network, Melbourne Water, MLAC, community	Control & Influence	2016/17	Medium	Existing departmental budget	Not required	Moorabool - 100%
1.2	Implement the Biolinks Plan for Moorabool Shire.	At least one landscape scale biolink project is implemented with stakeholders and the community.	Review Council environmental works projects.	LEAD: Environment PARTNER: Strategic Planning, Parks and Gardens, DELWP, CMAs, Melbourne Water, Moorabool Landcare Network community	Control & Influence	2017–2021	Medium	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>External Grants</li> </ul>	State/Federal Government Grants	TBD
<b>OBJECTIVE 2: Increased knowledge of natural assets including understanding and monitoring of changes in condition on Council managed reserves and roadsides.</b>										
1.3	Work in partnership with the relevant stakeholders to collate existing biodiversity records and expand databases with new data, utilising citizen science	All significant biodiversity assets are identified and mapped.	Review native vegetation mapping, and existing databases including non-government (e.g. Nature Share, Eremaea Birdlines)	LEAD: Environment PARTNER: DELWP, CMAs, Melbourne Water, Grow West, Community Groups	Control & Influence	2016-2021	Low	Existing departmental budget	Not required	Moorabool – 75% Community – 25%
1.4	Undertake ecological assessments of the condition and extent of remnant native vegetation on Council managed reserves and roadsides.	Ecological condition assessments completed on 20 Council managed reserves and 70 roadsides. Baseline data collected and annual monitoring undertaken against baseline data.	Ecological condition assessment of Council reserves and roadsides.	LEAD: Environment PARTNER: Community groups	Control	2016/18: collect baseline data 2019–2021: Annual monitoring	High	Existing departmental budget	Not required	Moorabool – 100%

OBJECTIVE 3: Strengthen local planning policy to recognise and protect existing natural values.										
1.5	Review and update appropriate mechanisms to protect high value biodiversity areas.	Appropriate mechanisms protect all identified high value biodiversity areas within the Shire.	Spatial review of planning zones, overlays and conservation covenants.	LEAD: Strategic Planning, Environment PARTNER: DELWP	Control	Ongoing	Medium	Existing departmental budget	Not required	Moorabool – 100%
OBJECTIVE 4: Increased monitoring and control of the impacts of pest plants and animals on native vegetation										
1.6	Undertake ecological assessments on Council managed reserves and roadsides to determine current extent of weed and pest infestation, and monitor change over time.	Ecological assessments are complete. A monitoring framework is developed and implemented annually.	Ecological condition assessment of Council reserves and roadsides.	LEAD: Environment PARTNER: Melbourne Water, CMAs, DELWP and DEDJTR	Control	2016/18: collect baseline data 2018–2021: Annual monitoring	High	Existing departmental budget	Not required	Moorabool – 100%
1.7	Develop a Pest Plant and Animal Strategy for the Shire.	A Pest Plant and Animal Strategy is developed in conjunction with stakeholders and the community.	Review of Council environmental plans.	LEAD: Environment, Landcare PARTNER: DELWP, CMAs, Melbourne Water, community, DEDJTR	Control & Influence	2017/18	Low	Existing departmental budget	Not required	Moorabool – 100%
1.8	Complete the draft Operational Plan for Council conservation reserves and roadsides and implement pest plant and animal control works as identified in the Plan.	Operational Plan is completed. Weed and pest control works are implemented on Council managed reserves and roadsides, as identified in the Plan.	Review of Council Operational Plan for conservation reserves and roadsides.	LEAD: Environment	Control	Ongoing	Low	Existing departmental budget	Not required	Moorabool – 100%
1.9	Prepare 'Landscape Guidelines' that include consideration of: - Waterways - Open space - Streetscapes	Landscape Guidelines are developed.	Review of local planning provisions.	LEAD: Strategic Planning, Environment PARTNER: CMAs & Melbourne Water	Control	2016/17	Medium	Existing departmental budget	Not required	Moorabool – 100%

**Priority Area: HEALTHY WATERWAYS**

*There is a measurable improvement in the condition of waterways and the quality of water across Moorabool Shire over the next ten years.*

**MEASURES**

- There is an increase in the connectivity of riparian vegetation across the Shire by 2021.
- There is an increase in the condition of remnant and native riparian vegetation on Council managed reserves by 2021.

The quality of urban stormwater is maintained (or improved) by 2021.

ACTIONS	OUTCOMES	DATA COLLECTION METHODS	RESPONSIBILITY	SPHERE of INFLUENCE	TIMING	PRIORITY	RESOURCING	FUNDING	CONTRIBUTION	
<b>OBJECTIVE 1: Better protected and healthier riparian vegetation within the Shire.</b>										
2.1	Review and update appropriate mechanisms to protect high value riparian vegetation	All identified high value riparian vegetation is protected by appropriate mechanisms.	Review of planning zones, overlays and conservation covenants.	LEAD: Environment, Strategic Planning PARTNER: Statutory Planning, DELWP, CMAs, Melbourne Water	Control & Influence	Ongoing	Medium	Existing departmental budget	Not required	Moorabool – 100%
2.2	Undertake ecological assessments of the condition and extent of remnant and native riparian vegetation on Council managed land.	Ecological condition assessments completed on 20 Council managed riparian reserves. Baseline data collected and annual monitoring undertaken against baseline data.	Ecological condition assessment of riparian vegetation on Council managed reserves.	LEAD: Environment PARTNER: Community Groups	Control	2016/18: collect baseline data 2018–2021: Annual monitoring	High	Existing departmental budget	Not required	Moorabool – 100%
<b>OBJECTIVE 2: Increased connectivity of riparian vegetation across the shire.</b>										
2.3	Identify and map remnant riparian vegetation across the Shire.	Remnant riparian vegetation is identified and mapped.	Review riparian vegetation mapping.	LEAD: Environment PARTNER: DELWP, CMAs & Melbourne Water	Control	2016-2019	Low	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>External Grants</li> </ul>	State/Federal Government Grants	Moorabool - 25% CMAs/MW – 50% Community – 25%
2.4	Identify opportunities for the connectivity of riparian vegetation within the Biolinks Plan for Moorabool Shire (refer to Action 1.1).	At least one riparian biolink project is implemented with stakeholders and the community by 2021.	Review Council environmental works projects.	LEAD: Environment PARTNER: DELWP, CMAs, Melbourne Water, community	Control & Influence	2017–2021	Medium	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>External Grants</li> </ul>	State/Federal Government Grants	TBD
<b>OBJECTIVE 3: Improved quality of stormwater runoff.</b>										
2.5	Explore opportunities for small scale, localised Water Sensitive Urban Design projects.	Small scale Water Sensitive Urban Design projects are identified and implemented.	Review infrastructure projects.	LEAD: Planning, Environment, Infrastructure PARTNER: Melbourne Water, Parks & Gardens, Corangamite CMA	Control	Ongoing	Low	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>External Grants</li> </ul>	State/Federal Government Grants	TBD
<b>OBJECTIVE 4: Potable water supply catchments are protected.</b>										
2.7	Support the delivery of actions by the relevant water authorities to improve waterway health.	Actions by the water authorities to improve waterway health are supported by Council.	Review waterway activities.	LEAD: Environment PARTNER: Melbourne Water, CMAs, Community	Advocate	2016-2021	Low	Existing departmental budget	Not required	Moorabool – 10% CMAs – 90%

**Priority Area: SUSTAINABLE RURAL LAND MANAGEMENT**

*We will develop agricultural land for agricultural production and preserve rural landscape values and amenity.*

**MEASURES**

- Development of a Small Town Strategy by 2017.
- There is an increase in the gross value of agricultural production within the shire by 2018.

All areas of landscape significance and high amenity are identified and recognised in the planning scheme by 2018.

ACTIONS	OUTCOMES	DATA COLLECTION METHODS	RESPONSIBILITY	SPHERE of INFLUENCE	TIMING	PRIORITY	RESOURCING	FUNDING	CONTRIBUTION
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**OBJECTIVE 1: Adopt planning policies that support increased agricultural development of productive farmland**

3.1	Review of existing productive agricultural land and agricultural uses.	Most important agricultural areas are mapped and integrated into the planning scheme.	Review of land capability, planning zones and overlays.	LEAD: Strategic Planning, Environment PARTNER: DELWP, CMAs, Melbourne Water	Control	Ongoing	Medium	Existing departmental budget	Not required	Moorabool – 100%
3.2	Develop land use polices that support agriculture and integrate these into planning scheme.	Agricultural output is maximised in areas of highest land quality and protected from residential encroachment.	Interpretation of land capability assessments and revise planning zones and overlays.	LEAD: Strategic Planning, Environment	Control & Influence	2018/19	Medium	Existing departmental budget	Not required	Moorabool – 100%
3.3	Promote the region as a “food bowl” for Melbourne and encourage residents to source local produce.	Increased agricultural development and local food production and consumption (especially in urban/rural interface areas).	ABS Agricultural Census & community survey data.	LEAD: Strategic Planning, Economic Development PARTNER: DELWP, RDV, DEDJTR	Influence and Advocate	2017 - 2021	Medium	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>External Grants</li> </ul>	State/Federal Government Grants	Moorabool – 75% DELWP/RDV/ DEDJTR – 25%

**OBJECTIVE 2: Plan for land use that is respectful of rural landscape values and amenity**

3.4	Develop policies that preserve landscape significance and integrate these into planning scheme, that align with the South West Landscape Assessment Study.	Areas of landscape significance and high amenity are identified and recognised in planning scheme.	Review of local planning provisions.	LEAD: Planning, Environment PARTNER: DELWP	Control & Influence	2017/18	Medium	Existing departmental budget	Not required	Moorabool – 100%
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**Priority Area: COMMUNITY AS LAND STEWARDS**

*There is a measurable increase in community awareness of the natural environment and participation in Natural Resource Management based activities in the Shire.*

**MEASURES**

- There is an increase in the level of community awareness of local natural values by 2021.
- Participation in community based NRM activities has increased by 2021.

There is an increase in engagement activities with new rural and semi-rural landholders on best practice Natural Resource Management (NRM) activities by 2021.

ACTIONS	OUTCOMES	DATA COLLECTION METHODS	RESPONSIBILITY	SPHERE of INFLUENCE	TIMING	PRIORITY	RESOURCING	FUNDING	CONTRIBUTION	
<b>OBJECTIVE 1: Increased community awareness of the local natural values in Moorabool Shire</b>										
4.1	Update the Council website to provide current information on the local environment e.g. access to bushwalks, existing community groups, private land management practices and ecological information.	The Council website is maintained with up-to-date information.	Review of the Council website.	LEAD: Environment, PARTNER: Marketing and Communications	Influence & Advocate	Ongoing	Medium	Existing departmental budget	Not required	Moorabool – 100%
4.2	Provide new residents with information packs about the natural local environment and how to access to NRM groups and organisations.	Information packs are developed and distributed to all new residents in the Shire.	Audit of the number of information packs distributed.	LEAD: Environment,	Influence & Advocate	2016/17 - 2021	Low	Existing departmental budget	Not required	Moorabool – 100%
4.3	Conduct a community survey to identify and monitor community awareness of the local natural environment and involvement with on ground activities.	Initial resident survey completed and baseline data collected. Second survey completed by 2020 to monitor change in awareness. Three surveys to be completed between 2016 and 2025.	Community survey.	LEAD: Environment PARTNER: Customer Service, Marketing and Communications	Influence & Advocate	2018/2019: collect baseline data 2020/21: monitor against baseline data	Low	Existing departmental budget	Not required	Moorabool – 100%

<b>OBJECTIVE 2: Participation in community-based NRM groups and activities is encouraged and supported by Council</b>										
4.4	Support existing Landcare and other community-based environment groups e.g. through the provision of resources, information and funding.	Council provides more equitable support (in the form of resources, information and/or funding) to at least 5 Landcare and or community-based NRM groups by 2021.	Review of the number of community groups Council has supported and the scale of support provided (resource, information, funding).	LEAD: Environment PARTNER: Landcare and other community based groups	Advocate	Ongoing	High	Existing departmental budget	Not required	Moorabool – 100%
4.5	Promote, support and encourage existing NRM activities and programs delivered by other agencies e.g. CMAs & Melbourne Water.	Council has promoted and supported 10 programs delivered by other agencies.	Review of the number of programs that Council has supported.	LEAD: Environment PARTNER: CMAs, Melbourne Water, DELWP	Advocate	Ongoing	Medium	Existing departmental budget	Not required	Moorabool – 100%
<b>OBJECTIVE 3: Increased engagement with new rural and semi-rural landholders on best practice NRM activities</b>										
4.6	Provide and / or support activities for rural and semi-rural landholders e.g. walking tours & workshops.	Council has delivered and / or supported at least 40 community environment activities or events for rural and semi-rural landholders by 2021.	Review of the number of activities Council has conducted.	LEAD: Environment PARTNER: Landcare, DELWP, CMAs, Melbourne Water	Influence & Advocate	2016-2021	Medium	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>External Grants</li> </ul>	State/Federal Government Grants	TBD (dependant on who is delivering)
4.7	Work with Landcare to deliver incentives and training to rural and semi-rural landholders to undertake best practice NRM activities.	Council has supported the application of 10 grant programs for residents. Council has partnered with Landcare to deliver 20 training programs.	Review of the incentives delivered by Council and Landcare and the rate of uptake from landholders.	LEAD: Environment PARTNER: Landcare	Influence & Advocate	2016-2021	Medium	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>External Grants</li> </ul>	State/Federal Government Grants	Landcare – 75% Moorabool – 25%



**STRATEGIC DIRECTION 2: Sustainable Council**

<b>Priority area: ENERGY EFFICIENT &amp; CLEAN ENERGY COUNCIL</b>										
<i>There is a measurable improvement in energy efficiency of Council operations and an increase in clean energy use in order to achieve a carbon neutral council by 2025.</i>										
<b>MEASURES</b>										
<ul style="list-style-type: none"> <li>▪ There is a 15% decrease in the amount of energy (electricity and gas) used for Council operations per dollar spent by 2021.</li> <li>▪ There is an 10% increase in the total renewable energy used for Council operations by 2021.</li> </ul> <p>There is a 30% decrease in the greenhouse emissions generated by Council operations by 2021.</p>										
<b>ACTIONS</b>	<b>OUTCOMES</b>	<b>DATA COLLECTION METHODS</b>	<b>RESPONSIBILITY</b>	<b>SPHERE of INFLUENCE</b>	<b>TIMING</b>	<b>PRIORITY</b>	<b>RESOURCING</b>	<b>FUNDING</b>	<b>CONTRIBUTION</b>	
<b>OVERARCHING ENERGY ACTIONS</b>										
5.1	Re-institute the Shire staff Green Team consisting of staff from across Council who are engaged and empowered to run behaviour change and educational initiatives for staff in order to reduce the environmental impacts of Council operations. NB: the Green Team would look at reducing council energy, water and resource consumption and reducing waste.	Moorabool Shire staff are engaged by the Green Team and are actively reducing their impacts at work including reducing energy, water & resource consumption (e.g. paper), transport emissions, and waste.	Green Team to track each of their initiatives and report back to Council Executive about project outcomes quarterly.	LEAD: Environment PARTNER: Corporate Services	Control	Ongoing	Medium	Existing departmental budget	Not required	Moorabool – 100%
5.2	Endorse the Western Alliance for Greenhouse Action (WAGA) <i>Low Carbon Strategy 2014</i> .	Public support for this united approach to reducing greenhouse emissions in the region. Support for Council greenhouse action through partnering with the WAGA alliance.	Endorsement by Council.	LEAD: Environment PARTNER: Executive	Control	2016/17	Medium	Existing departmental budget	Not required	Moorabool – 100%



**OBJECTIVE 1: To reduce the amount of electricity and gas used, and the associated greenhouse emissions, for Council operations per dollar spent by Council.**

5.3	<p>Review and evaluate <i>Greenhouse Local Action Plan 2007</i> actions and targets.</p> <p>Determine whether a new Greenhouse Action Plan is the next step or whether an alternative plan would be the most suitable e.g. a Buildings and Open Space Energy &amp; Water Action Plan.</p>	<p>Clarity is achieved on Council's best internal process or mechanism for acting on the recommended actions to cut greenhouse emissions.</p>	<p>Review of Greenhouse Local Action Plan 2007 complete. Decision on forward pathway for greenhouse action.</p>	<p>LEAD: Environment PARTNER: Executive</p>	<p>Control</p>	<p>2016/17</p>	<p>Medium</p>	<p>Existing departmental budget</p>	<p>Not required</p>	<p>Moorabool – 100%</p>
5.4	<p>Energy use of Council managed buildings</p> <ul style="list-style-type: none"> <li>• Audit Shire's owned and managed, facilities<sup>1</sup> in terms of energy use (e.g. Darley Civic Hub &amp; Bacchus Marsh Library) in order to prioritise energy saving actions.</li> <li>• Consider combining this with water audits and creating a Building Energy &amp; Water Plan.</li> <li>• Implement the actions prioritised by energy and cost savings and payback periods.</li> <li>• Investigate most cost effective way to fund the retrofits – e.g. investigate leasing of installed equipment.</li> </ul> <p>NB: see Ironbark Sustainability report for list of actions<sup>2</sup></p>	<p>Major Council buildings are retrofitted to reduce energy consumption.</p> <p>Policy developed requiring that new Council buildings meet Environmental Sustainable Design (ESD) principles.</p>	<p>Electricity and gas bills of the major facilities are tracked for savings (compared to 2014 benchmark in Ironbark report).</p>	<p>LEAD: Assets, Environment PARTNER: Finance, Recreation and Community Development</p>	<p>Control</p>	<p>2016-2021</p>	<p>High</p>	<ul style="list-style-type: none"> <li>• Existing departmental budget</li> <li>• External Grants</li> </ul>	<p>State/Federal Government Grants</p>	<p>Moorabool – 100%</p>

<sup>1</sup> Going Solar audited Bachhus Marsh and Ballan service centres in 2011.

<sup>2</sup> Ironbark Sustainability Energy & Water Inventory of Moorabool Shire Environment Strategy, January 2015.

5.5	<p>Open Space Energy Retrofits</p> <ul style="list-style-type: none"> <li>Audit the Shire's major open space areas for energy use in order to prioritise energy saving actions.</li> <li>Implement the actions prioritised by energy and cost savings and payback periods.</li> <li>Investigate most cost effective way to fund the retrofits – e.g. investigate leasing of installed equipment.</li> </ul> <p>NB see Ironbark Sustainability report for list of actions<sup>3</sup></p>	Major open space areas are retrofitted to reduce energy consumption.	Electricity and gas bills of the open space areas are tracked for savings (compared to 2014 benchmark in Ironbark report).	<p>LEAD: Assets</p> <p>PARTNER: Finance, Parks &amp; Gardens, Recreation and Community Development</p>	Control	2016-2021	High	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>External Grants</li> </ul>	State/Federal Government Grants	Moorabool – 100%
5.6	<p>Implement the recommendations of the Street lighting business case<sup>4</sup> to switch over streetlights to low energy LED globes.</p>	Streetlights in the Shire are progressively all switched to low energy globes saving an estimated \$124,000 <sup>5</sup> off Council energy bills (after changeover costs).	<p>Street lighting managers to keep data on globe switching and report to Council.</p> <p>Electricity bills for street lighting to be tracked by Finance over time (against 2014 benchmark in Ironbark Business case).</p>	<p>LEAD: Assets</p> <p>PARTNER: Finance</p>	Control	2017-2019	High	<ul style="list-style-type: none"> <li>Council Capital Improvement Program</li> <li>External Grants</li> </ul>	State/Federal Government Grants	Moorabool – 100%

<sup>3</sup> Ironbark Sustainability *Energy & Water Inventory of Moorabool Shire Environment Strategy*, January 2015.

<sup>4</sup> Ironbark Sustainability *Streetlighting Business Case for Moorabool Shire*, 2014.

<sup>5</sup> Ironbark Sustainability *Streetlighting Business Case for Moorabool Shire*, 2014.

**OBJECTIVE 2: To increase the proportion of renewable energy used in Council's operations.**

5.7	<p>Solar Photo Voltaic (PV) on Council buildings</p> <ul style="list-style-type: none"> <li>Secure a business case from a reputable solar retailer for installing solar PV panels on a number of Council facilities.</li> <li>Identify the best locations and installations in terms of payback period.</li> <li>Identify the best financial model, secure funding and install.</li> </ul>	<p>Solar PV panels are installed on a number of Council buildings to reduce long term energy costs and reduce greenhouse emissions from Shire operations.</p>	<p>Electricity bills of the facilities with solar panels installed are tracked for energy &amp; cost savings (compared to 2014 benchmark in Ironbark report).</p>	<p>LEAD: Assets PARTNER: Finance, Recreation and Community Development</p>	<p>Control</p>	<p>2018-2021</p>	<p>High</p>	<ul style="list-style-type: none"> <li>Council Capital Improvement Program</li> <li>External Grants</li> </ul>	<p>State/Federal Government Grants</p>	<p>Moorabool – 100%</p>
5.8	<p>Support for renewable energy in the Shire</p> <ul style="list-style-type: none"> <li>Identify opportunities for alternative energy production projects in the Shire</li> <li>Investigate the Shire partnering with other WAGA Councils to purchase a long term (e.g. 20 years) supply of renewable energy from local renewable energy projects to provide some investment security.</li> <li>Look to purchase 10-20 years of Council's electricity supply from the alternative energy sources to enable Council operations to be carbon neutral.</li> </ul>	<p>Potential alternative energy production opportunities are identified and promoted for economic development and job creation. Council's energy is provided by clean energy, enabling the Shire to be carbon neutral. Rates income is brought to the Shire from alternative energy production projects.</p>	<p>Report on investment options for the wind projects.</p>	<p>LEAD: Environment, Finance and Economic Development PARTNER: WAGA and DEDJTR</p>	<p>Control &amp; Influence</p>	<p>2017-18</p>	<p>High</p>	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>External Grants</li> </ul>	<p>State/Federal Government Grants</p>	<p>DEDJTR – 50% Moorabool -25% WAGA – 25%</p>

5.9	<p>Investigate and purchase Greenpower or carbon offsets in the form of renewable energy to offset Council's remaining carbon emissions after energy efficiency projects have been delivered and local solar and wind has been sourced, as above. Partner with WAGA Councils to seek bulk purchase of Greenpower to reduce cost.</p> <p>Create a plan and work towards Council being certified as a carbon neutral council under the National Carbon Offset Standard by 2026.</p>	Council's total carbon emissions have been offset to make Moorabool a carbon neutral council.	Council's carbon emissions, renewable energy generation and carbon offsets tracked.	<p>LEAD: Finance</p> <p>PARTNER: Environment, Assets, Recreation and Community Development</p>	Control	2021	Low	Existing departmental budget	Not required	Moorabool -100%
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**OBJECTIVE 3: To shift Council's procurement towards low emissions products and services.**

5.10	<p>Revise Council's Procurement Policy to embed sustainability requirements into all purchasing decisions.</p> <p>Investigate re-joining ECOBuy program to support implementation.</p> <p>Specify action areas where low embodied energy, energy efficient, water efficient, recycled and low waste products and services are sought including:</p> <ul style="list-style-type: none"> <li>Roads and maintenance (e.g. low emissions concrete, recycled fill, low energy globes or fittings etc.)</li> <li>Council buildings (e.g. energy and water efficient fittings and products as standard)</li> <li>Stationery and supplies (e.g. recycled, recyclable, non-toxic products)</li> <li>Food and catering (e.g. local, organic, fair trade food)</li> <li>Fleet and machinery (i.e. most fuel efficient available)</li> </ul> <p>Green Team to support education of staff to ensure the policy is enacted.</p>	Council's environmental impacts (greenhouse emissions, water use, and waste generation) will be reduced by sustainable procurement. Energy, fuel and water bills will be reduced through use of more efficient equipment.	Participation in ECOBuy program provides a tracking system for procurement.	<p>LEAD: Finance, Environment</p> <p>PARTNER: Infrastructure, Recreation and Community Services Green Team</p>	Control	2018 - ongoing	Low	Existing departmental budget	Not required	Moorabool -100%
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**Priority area: WATER EFFICIENT COUNCIL**  
*There is less water used in the operations of Council with a transition away from potable mains water use to rainwater, stormwater and recycled water.*

- MEASURES**
- There is a 10% decrease in the amount of water (potable and non-potable) used for Council operations and facilities by 2021.
  - There is a 20% increase in the amount of recycled water used in Council operations and facilities by 2021.
  - There is a 10% increase in the proportion of water coming from non-potable sources used for Council operations and facilities by 2021.

ACTIONS	OUTCOMES	DATA COLLECTION METHODS	RESPONSIBILITY	SPHERE of INFLUENCE	TIMING	PRIORITY	RESOURCING	FUNDING	CONTRIBUTION
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**OBJECTIVE 1: Improve water efficiency of Council buildings and operations.**

6.1	<p>Audit all Council facilities for opportunities to improve water efficiency and install water efficient fittings (tap aerators, toilet regulators, and efficient showerheads).</p> <ul style="list-style-type: none"> <li>Install simple fittings during the audit</li> <li>Fix leaks during the audits</li> <li>Audit to identify larger retrofit actions for later installation (including rainwater tanks – see Action 6.3 below)</li> <li>Identify any important education or behavioural changes that could save water in high use facilities (e.g. signage, staff policies etc.).</li> <li>Develop Water Asset Strategy.</li> </ul>	<p>Council buildings and facilities are retrofitted for greater water efficiency into the long term. Leaks are repaired. Water consumption in these buildings is reduced. Council water bills are reduced.</p>	<p>Auditors to provide data on retrofitted items, leaks repaired etc. Water bills tracked by finance to show changes in consumption and costs (against 2014 benchmark in Ironbark report).</p>	<p>LEAD: Assets PARTNER: Finance, Private auditor such as Green Plumber</p>	Control	2017-2018	High	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>External Grants</li> </ul>	State/Federal Government Grants	Moorabool -100%
6.2	<p>Investigate other uses of water in the Shire, such as irrigation, road maintenance etc., for opportunities to reduce water consumption and switch to non-potable water.</p> <ul style="list-style-type: none"> <li>Identify main users of water in Council and set up a working group of these users to develop and implement opportunities.</li> </ul>	<p>Water use (potable &amp; non potable) by the Shire is reduced thereby reducing pressure on local water supplies and reducing Shire water bills.</p>	<p>Working group to report on actions. Water bills tracked by finance to show changes in consumption and costs (against 2014 benchmark in Ironbark report).</p>	<p>LEAD: Infrastructure, Recreation and Community Development PARTNER: Environment, Finance</p>	Control	2018–2021	Medium	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>External Grants</li> </ul>	State/Federal Government Grants	Moorabool -100%

OBJECTIVE 2: Transition from using potable water to using recycled water or stormwater for Council operations and facilities.										
6.3	<p>Install rainwater tanks in all small and large Council facilities.</p> <ul style="list-style-type: none"> <li>Audit all Council managed facilities for rainwater tank opportunities (as part of water efficiency audit above).</li> <li>Investigate funding opportunities to implement a program of installing rainwater tanks in any facilities that do not have them, for connection to toilets, laundries, garden taps etc.</li> </ul>	Rainwater tanks are installed in all Council facilities that have the capacity to replace potable mains water with rainwater for some or all usage.	Facilities management to report on the audit of facilities and the numbers of rainwater tanks installed.	<p>LEAD: Assets</p> <p>PARTNER: Recreation and Community Development, Environment, Water Authorities, Finance</p>	Control	2017-2021	Medium	<ul style="list-style-type: none"> <li>Council Capital Improvement Program</li> <li>External Grants</li> </ul>	State/Federal Government Grants	Moorabool - 100%
6.4	Work with water authorities to investigate opportunities for recycled water provision from sewage treatment or other sources that could provide fit-for-use water to Council, businesses and industry in Moorabool.	Recycled water opportunities have been investigated and plans developed to provide available recycled water for fit-for-use industrial or Council activities.	Water authorities to report on opportunities and amounts of recycled water provided.	<p>LEAD: Infrastructure, Strategic Planning, Economic Development</p> <p>PARTNER: Water Authorities, MPA</p>	Influence & Advocate	2016-2021	Medium	Existing departmental budget	State/Federal Government Grants	Water Authorities – 75% Moorabool – 25%

**Priority area: SUSTAINABLE TRANSPORT IN COUNCIL**

*We will reduce the greenhouse emissions from the transport used for Council operations.*

**PROGRESS INDICATORS & TARGETS**

- There is a 15% decrease in the greenhouse emissions from transport used in Council operations by 2021.
- There is a reduction in car usage for staff travelling to and from work.

ACTIONS	OUTCOMES	DATA COLLECTION METHODS	RESPONSIBILITY	SPHERE of INFLUENCE	TIMING	PRIORITY	RESOURCING	FUNDING	CONTRIBUTION
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**OBJECTIVE 1: Reduce greenhouse emissions from vehicle usage for Council operations.**

7.1	<p>Green Team or working group to identify and promote current opportunities, and set a clear pathway to reduce fleet usage and emissions, and improve sustainable transport options to work, including:</p> <ul style="list-style-type: none"> <li>▪ Vehicle fleet to continue shift to more greenhouse efficient vehicles using the Australian Government's Green Vehicle Guide.</li> <li>▪ Promote alternative transport support for staff including staff bike facilities and public transport options, and use of electronic meeting technology such as video conferencing and Skype.</li> </ul> <p>Implement agreed actions.</p>	<p>Council fleet reduced in number and improved in efficiency. Greenhouse emissions from staff travel to/from and for work are reduced.</p>	<p>Fleet managers to track fleet numbers, fuel efficiency and total usage in greenhouse emissions.</p>	<p>LEAD: Fleet management PARTNER: Green Team/Staff working group</p>	<p>Control</p>	<p>2017-2021 - Implementation</p>	<p>Medium</p>	<p>Existing departmental budget</p>	<p>Not required</p>	<p>Moorabool – 100%</p>
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OBJECTIVE 2: Reduce greenhouse emissions from staff travel to and from work through supporting a reduction in car trips.

7.2	<p>Work with Staff Green Team and/or other staff committee to identify actions that will support Council staff to reduce car trips involved in travel to and from work. Actions would include:</p> <ul style="list-style-type: none"> <li>• Ensuring cycling is supported by workplace showers, bike and gear storage space.</li> <li>• Facilitating carpooling between staff.</li> <li>• Provide incentives for public transport, cycling or walking use instead of car use to travel to/from work.</li> </ul>	<p>There are fewer car trips for staff to travel to and from work. Staff have gained health benefits from switching to active transport modes.</p>	<p>Survey of staff about travel modes to/from work.</p>	<p>LEAD:, Environment, Green Team</p>	<p>Control &amp; Influence</p>	<p>2017-2021</p>	<p>Medium</p>	<p>Existing departmental budget</p>	<p>Not required</p>	<p>Moorabool – 100%</p>
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**STRATEGIC DIRECTION 3: Sustainable Places**

Priority area: CLIMATE ADAPTATION										
<i>We will support and deliver activities to reduce the impact of and vulnerability to future climate change on the Moorabool Shire community.</i>										
MEASURES										
<ul style="list-style-type: none"> <li>Climate change Adaptation Action Plan for Moorabool is developed by 2017 and actions are implemented fully by 2026.</li> </ul> Number of trees planted in urban areas in the Shire is increased year on year to 2021.										
ACTIONS	OUTCOMES	DATA COLLECTION METHODS	RESPONSIBILITY	SPHERE of INFLUENCE	TIMING	PRIORITY	RESOURCING	FUNDING	CONTRIBUTION	
<b>OBJECTIVE 1: To ensure that Moorabool Shire has understood the risks of climate change on Council operations and taken actions to prepare for and mitigate these risks.</b>										
8.1	Formally endorse the Western Greenhouse Alliance (WAGA) Climate Adaptation Strategy and Action Plan.	WAGA Climate Adaptation Strategy and Action plan is endorsed and helps to create opportunities for climate resilience activities in the Shire.	Endorsement of WAGA Climate Adaptation Strategy passed at a Council meeting.	LEAD: Strategic Planning, Environment	Control	2016/17	Medium	Existing departmental budget	Not required	Moorabool – 100%
8.2	Understand the climate change risks to Moorabool Shire and develop an Action Plan to mitigate these risks (informed by the WAGA Climate Adaptation Strategy and Action plan). <ul style="list-style-type: none"> <li>Seek funding through government programs to fund the implementation.</li> <li>Implement the Shire Action Plan.</li> </ul>	A climate adaptation action plan is developed specific to Moorabool and the actions are implemented.	Development of Action Plan. Delivery of the actions is monitored and reviewed.	LEAD: Infrastructure, Strategic Planning, Risk PARTNER: Environment, Assets	Control & Influence	2016/17 Develop Action Plan 2017-2021 Implement actions	Medium	Existing departmental budget	Not required	Moorabool – 100%

**OBJECTIVE 2: To ensure that council has understood the risks of climate change to the community and is working with the community to help them prepare for and mitigate the risks.**

8.3	<p>Educate the community about the risks of climate change related extreme weather and other climate impacts to assist people to prepare and manage future impacts, including:</p> <ul style="list-style-type: none"> <li>• Heatwave response education</li> <li>• Helping vulnerable groups improve their homes to deal with extreme heat</li> <li>• Drought preparation</li> <li>• Bushfire management and emergency response</li> <li>• Rainfall intensity and storm water</li> </ul>	<p>Information and engagement is delivered to the community including:</p> <ul style="list-style-type: none"> <li>• Information on Council web site</li> <li>• Public meetings and workshops</li> <li>• Specific outreach on key issues to vulnerable groups</li> <li>• Emergency Management Plans are prepared by council for extreme events including bushfires or storms.</li> </ul>	<p>Assessment of information and engagement needs as outlined in Climate Change Adaptation Action Plan.</p>	<p>LEAD: Emergency Management PARTNER: CFA, Communications, Dept. of Health &amp; Human Services, Community Services, DELWP</p>	<p>Control &amp; influence</p>	<p>2016/17 Ongoing</p>	<p>Medium</p>	<ul style="list-style-type: none"> <li>• Existing departmental budget</li> <li>• External Grants</li> </ul>	<p>State/Federal Government Grants</p>	<p>DELWP – 50% DHHS – 25% Moorabool – 25%</p>
8.4	<p>Develop a Tree Strategy that identifies actions to increase tree canopy coverage in urban areas, with a focus on new urban areas that are lacking in tree coverage.</p>	<p>An increase in tree planting in urban areas is achieved year on year.</p>	<p>Tree planting program is tracked by Council to report on numbers of trees planted.</p>	<p>LEAD: Strategic and Statutory Planning, Infrastructure PARTNER: Developers (for new developments)</p>	<p>Control</p>	<p>2016-2021</p>	<p>Low</p>	<p>Existing departmental budget</p>	<p>Not required</p>	<p>Moorabool – 100%</p>

**Priority area: SUSTAINABLE COMMUNITY TRANSPORT**  
*There is a reduction in vehicle trips in the Shire as a result of Council's provision of community transport infrastructure and programs to support cycling, walking and public transport.*

- MEASURES**
- There is a 5% increase in the number of residents travelling to work by non-car-based modes by 2021 (as measured by the ABS Census).
  - Public transport patronage has increased to 7.5% of total trips within and connecting to the Shire by 2021 (reported by public transport operators).
- A 5% increase in cycle trips in the Shire by 2021 (as measured by Bicycle Victoria Super Tuesday)

ACTIONS	OUTCOMES	DATA COLLECTION METHODS	RESPONSIBILITY	SPHERE of INFLUENCE	TIMING	PRIORITY	RESOURCING	FUNDING	CONTRIBUTION
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**OBJECTIVE 1: Ensure transport infrastructure in Bacchus Marsh and Ballan is integrated to support greater linked use between modes and better planning for active transport modes.**

9.1	Support actions that assist in the delivery of the Bacchus Marsh Integrated Transport Study for Bacchus Marsh that provide improvements in walking and cycling paths, public transport routes and connections and the supporting facilities alongside planned road improvements.	Integrated Transport Study has identified best ways to improve transport infrastructure and services in Bacchus Marsh.	Delivery of Integrated Transport Study.	LEAD: Recreation Services, Engineering Services PARTNER: VicRoads, PTV, Strategic Planning	Control, Influence & Advocate	ongoing	High	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>Council Capital Improvement Program</li> <li>External Grants</li> </ul>	State/Federal Grants	Moorabool – 60% VicRoads- 30% PTV – 10%
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**OBJECTIVE 2: Provide cycling and walking infrastructure to support increased use of these modes instead of driving.**

9.2	Continue to deliver the Moorabool Hike & Bike Strategy (2014) to construct interconnected cycling and walking paths to link key destinations. In addition: <ul style="list-style-type: none"> <li>Provide secure bike parking at train stations, shops, services areas.</li> <li>Ensure safe lighting and security around train stations and on walking paths at night.</li> <li>Sheltered rest stops.</li> </ul>	Safe, accessible and enjoyable cycling and walking routes are provided for more residents to cycle or walk.	Pre and post-construction counts of walkers and cyclists along key routes. Bicycle Victoria Super Tuesday bike count.	LEAD: Infrastructure PARTNER: Strategic Planning, Recreation Services, V/Line/ Vic Track, Moorabool Environment Group, Schools, Traders etc.	Control & Influence	2016/17 - 2021	Medium	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>Council Capital Improvement Program</li> <li>External Grants</li> </ul>	State/Federal Grants	Moorabool – 80% VicRoads- 20%
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9.3	Deliver a behaviour change and community awareness campaign to promote cycling and walking in the Shire as part of promoting the new cycle/walk paths as part of Hike & Bike Strategy.	More residents are aware of the new safe and accessible cycling and walking paths and the connection to train stations and shops etc. Residents are incentivised to switch from driving to walking or cycling to these destinations.	Mode of travel to work survey (ABS Census). Cycle and walk counts along key routes (pre and post construction).	LEAD: Strategic Planning, Environment PARTNER: GIS, Bicycle Victoria, Communications, Infrastructure, Recreation and Community Development, Public Transport Victoria, Moorabool Environment Group, Schools, Traders etc.	Influence & Advocate	2016/17: collect baseline travel data 2020/21: monitor against baseline data after paths have been constructed	Low	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>External Grants</li> </ul>	State/Federal Grants	Moorabool – 100%
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OBJECTIVE 3: Support the increased use of public transport in the Shire in place of car travel.

9.4	<p>Work with bus companies and V/Line to ensure bus and train timetables are optimally connecting to allow more residents to take the bus to/from the station for onward travel.</p> <p>Advocate to V/Line and state government to increase train services on the Ballarat line stopping at Bacchus March and Ballan.</p> <p>Promote existing public transport options</p>	<p>More residents are taking the bus to the stations and fewer cars are being parked at the stations.</p>	<p>Bus company patronage data. Parking counts at stations.</p>	<p>LEAD: Infrastructure PARTNER: Strategic Development, Marketing &amp; Communications, Bus companies, V/Line, PTV, Allied Health Professional, MPA</p>	<p>Influence &amp; Advocate</p>	<p>2017/18</p>	<p>Low</p>	<p>Existing departmental budget</p>	<p>Not required</p>	<p>Moorabool 100%      -</p>
9.5	<p>Work with PTV and bus companies to better understand the community's travel needs in order to provide more useful bus services bringing people to destinations at the times they need to travel.</p> <ul style="list-style-type: none"> <li>Support community travel surveys to be undertaken</li> <li>A working group of bus companies, State government Transport department, Moorabool Environment Group and Council to devise a more extensive and effective bus routes and timetables.</li> <li>A joint promotions campaign to be delivered to promote the use of buses (and trains) in the Shire.</li> </ul>	<p>Bus services are better meeting the travel needs of residents and patronage of buses has increased with a corresponding decrease in car trips.</p>	<p>Bus patronage data.</p>	<p>LEAD: Infrastructure PARTNER: Recreation and Community Development, Bus companies, Public Transport Victoria, Allied Health, Merrimu Services,</p>	<p>Advocate</p>	<p>2017/18</p>	<p>Medium</p>	<p>Existing departmental budget</p>	<p>Not required</p>	<p>Moorabool 100%      -</p>

**Priority Area: URBAN DEVELOPMENT & PLANNING**

*We will support development that respects and conserves Moorabool Shire's natural environment and reduces potential adverse impacts from increased population growth.*

**MEASURES**

- Council's environmental data sets are up-to-date by 2018.
- There is a 15% increase in the average star rating of new buildings in the Shire by 2021.

All new residential or mixed use developments are designed and built with sustainable design including support for cycling/walking/public transport, abundant recreation space, greenspaces and biodiversity, shops or services within walking distance, water sensitive urban design, stormwater reuse and design for passive solar or solar panels.

ACTIONS	OUTCOMES	DATA COLLECTION METHODS	RESPONSIBILITY	SPHERE of INFLUENCE	TIMING	PRIORITY	RESOURCING	FUNDING	CONTRIBUTION	
<b>OBJECTIVE 1: Continue to ensure attention to natural values are embedded within planning decision making processes to allow for protection of natural assets.</b>										
10.1	<ul style="list-style-type: none"> <li>• Ensure Local Planning Policy Framework (LPPF) amplifies State Planning Policy Framework (SPPF) and apply appropriate tools.</li> <li>• Ensure decision makers are aware of State Planning Policy Framework and Local Planning Policy Framework environmental information and tools</li> </ul>	Natural environmental assets are considered where appropriate in planning decisions	Planning Scheme review table Planning permit report audit	LEAD: Strategic Planning, Environment PARTNER: Statutory Planning, DELWP, MPA	Control	2017/18	Medium	Existing departmental budget	Not required	Moorabool – 100%
<b>OBJECTIVE 2: Access and collate the most up-to-date data sets to support strengthened environmental issues within Council decision making processes.</b>										
10.2	Partner with agencies with data on natural assets to integrate information into Council data sets	User-friendly Council environmental data sets are up-to-date and are reflected in planning scheme (as appropriate) to assist planning decision making process and Council operations (e.g. best practice)	Review of data sources within partner agencies Ecological assessments	LEAD: Environment, Assets PARTNER: DELWP, CMAs, Melbourne Water, Strategic Planning	Control and Influence	2019/20	Medium	Existing departmental budget	Not required	DELWP – 50% CMAs/MW – 25% Moorabool – 25%
<b>OBJECTIVE 3: Improve access to and connectivity between residents and open space and natural reserve areas.</b>										
10.3	Investigate opportunities to expand the Ballan Nectar Project and other similar projects e.g. Knox Garden for Wildlife program	The Ballan Nectar Project, or other similar projects, are implemented	Review environmental activities	LEAD: Environment, Landcare PARTNER: Grow West	Control and Influence	Ongoing	Low	<ul style="list-style-type: none"> <li>• Existing departmental budget</li> <li>• External Grants</li> </ul>	State/Federal Grants	Moorabool – 50% Landcare – 50%

**OBJECTIVE 4: New residential or mixed use precincts are designed with sustainability at the core of their structure plan including support for cycling/walking/public transport, abundant recreation space, greenspaces and biodiversity, shops or services within walking distance, water sensitive urban design, stormwater reuse and design for passive solar or solar panels.**

10.4	Work with MAV to advocate for improved Ecological Sustainable Design principles in the Victorian Planning Provisions	<p>Strengthen environmental controls in clauses 54 and 56 of the Victorian Planning Provisions to improve:</p> <ul style="list-style-type: none"> <li>• Connectivity to public transport, walking and cycling (active transport) infrastructure</li> <li>• Walking/cycling distance to services and recreation space</li> <li>• Abundant green spaces and protected biodiversity</li> <li>• Water sensitive urban design</li> <li>• Water efficiency including use of recycled water, rainwater and stormwater where possible</li> </ul> <p>Solar access to all buildings for passive solar and solar PV</p>	Gazetted change to Victorian Planning Provisions as a result of advocacy	LEAD: Strategic planning PARTNER: Statutory planning, Environment, Infrastructure, MAV	Advocate	Ongoing	Low	Existing departmental budget	Not required	Moorabool – 100%
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**STRATEGIC DIRECTION 4: Live and Work Sustainably**

**Priority area: ENERGY EFFICIENT & CLEAN ENERGY COMMUNITY**  
*There is a measurable decrease in greenhouse emissions and potable water use in the Moorabool business and residential community.*

**MEASURES**

1. Council to advocate to other levels of government to improve energy and water efficiency and renewable energy programs while reducing the cost burden of residents.
2. Council to work with water authorities and energy retailers to gather data about community water and energy usage and opportunities for greater efficiency.
3. Council to develop a Water & Energy Efficient Communities Engagement Strategy to assist the community to:
  - a. Reduce greenhouse emissions from electricity and gas use.
  - b. Increase the proportion of energy coming from renewable energy sources for community power needs.
  - c. Improve water efficiency of businesses and residences in Moorabool.

Increase the use of greywater, rainwater tanks and stormwater harvesting methods to replace the use of potable mains water in businesses and residences.

ACTIONS	OUTCOMES	DATA COLLECTION METHODS	RESPONSIBILITY	SPHERE of INFLUENCE	TIMING	PRIORITY	RESOURCING	FUNDING	CONTRIBUTION
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**OBJECTIVE 1: Council to advocate to other levels of government to reduce the cost burden on residents of energy through funded energy and water efficiency and renewable energy programs.**

11.1	<p>Council to work with the Western Alliance for Greenhouse Action (WAGA) to advocate to state and federal governments to:</p> <ul style="list-style-type: none"> <li>• Expand roll out of energy and water efficiency programs to houses and small businesses</li> <li>• Improve policy to support households and businesses to take up renewable energy, for example a stronger feed-in tariff</li> <li>• Provide small grants to support water and energy efficiency, especially for low income households</li> </ul> <p>Work with Sustainability Victoria to roll out community resource efficiency programs to the Moorabool Shire.</p>	State and Federal Government add influences and support to expand energy and water efficiency programs.	Council and WAGA to monitor progress of government programs.	LEAD: Environment, WAGA PARTNER: Sustainability Victoria, DHHS	Advocate	2017-19	Low	Existing departmental budgets	Not required	WAGA – 80% Moorabool – 20%
11.2	<p>Improve the content and functionality of Council's web site to promote greater community uptake of sustainable living, including energy efficiency, renewable energy, water saving, local food growing and waste reduction.</p> <ul style="list-style-type: none"> <li>• Include links and programs for taking action.</li> <li>• Include case studies of council achievements to reduce energy, water &amp; waste to show leadership.</li> </ul>	The community is provided with better information to take action to reduce their environmental impacts.	Web site manager to track and report on traffic to the environment pages of the web site. Environment unit to monitor web site to ensure most up to date information is there.	LEAD: Environment, PARTNER: Marketing and Communications	Control	Ongoing	Low	Existing departmental budgets	Not required	Moorabool – 100%

OBJECTIVE 2: Council to work with water authorities and energy retailers to gather data about community water and energy usage and opportunities for greater efficiency.										
11.3	WAGA and Council staff to work with water and energy retailers to collate data on Shire residential and business water and energy consumption and renewable energy take up, with a view to developing an efficiency program in partnership.	WAGA and Council and retailers have gathered data on water and energy consumption in the Shire to guide outreach activities.	Water & energy retailers to use bill information to collate data.	LEAD: WAGA, Environment PARTNER: Energy and water retailers	Influence	2019-20	Low	<ul style="list-style-type: none"> <li>Existing departmental budgets</li> <li>External Grants</li> </ul>	Not required	WAGA – 75% Moorabool – 25% Energy and water retailers – 25%
<p>OBJECTIVE 3: Council to develop a Water &amp; Energy Efficient Communities Engagement Strategy to assist the community to:</p> <ul style="list-style-type: none"> <li>Reduce greenhouse emissions from electricity and gas use.</li> <li>Increase the proportion of energy coming from renewable energy sources for community power needs.</li> <li>Improve water efficiency of businesses and residences in Moorabool.</li> </ul> <p>Increase the use of greywater, rainwater tanks and stormwater harvesting methods to replace the use of potable mains water in businesses and residences.</p>										
11.4	<p>Council to develop and implement a strategy to assist and engage residents and businesses to improve their water and energy efficiency.</p> <ul style="list-style-type: none"> <li>Use data gathered in 11.3 to guide plans.</li> <li>Work with water and energy retailers.</li> </ul>	A strategy has been developed.	Data collected with retailers above to guide the strategy.	LEAD: Environment SUPPORT: Community development, Moorabool Environment Group, WAGA	Influence	2020-2021	Low	<ul style="list-style-type: none"> <li>Existing departmental budgets</li> <li>External Grants</li> </ul>	State/Federal Grants	Moorabool –100%



Priority area: LOCAL FOOD										
There is a measurable increase in the community growing their own food and buying more of their food from local food producers.										
MEASURES										
<ul style="list-style-type: none"> <li>There is a 10% increase in the number of residents or businesses producing some of their own food by 2021.</li> <li>Increase in participation in community food production activities including community gardens, food swaps and local farmers markets.</li> </ul>										
ACTIONS	OUTCOMES	DATA COLLECTION METHODS	RESPONSIBILITY	SPHERE of INFLUENCE	TIMING	PRIORITY	RESOURCING	FUNDING	CONTRIBUTION	
<b>OBJECTIVE 1: Increased local production of food by residents and businesses in Moorabool Shire</b>										
12.1	Support residents and businesses to commence producing their own food in their gardens. Run food gardening workshops	More residents are producing and consuming more food in their own gardens.	Community survey	LEAD: Community Services PARTNERS: Environment, Moorabool Environment Group, Landcare	Influence	2018-2020	Low	<ul style="list-style-type: none"> <li>Existing departmental budgets</li> <li>External Grants</li> </ul>	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>State/Federal Grants</li> </ul>	Moorabool –75% Community groups – 25%
<b>OBJECTIVE 2: Increased local sales and consumption of locally produced food in Moorabool Shire</b>										
12.2	Support increased market opportunities for local food producers to sell to local buyers <ul style="list-style-type: none"> <li>Bring local food producers and local retailers or food buyers (eg cafes, caterers, fruit shops)</li> <li>Support increased use of local farmers markets</li> <li>Promote Cultivate local food producers website to connect producers to suppliers/caterers etc.</li> </ul>	More of the food produced in Moorabool is being consumed in the Shire.	Survey of local food producers and retailers	LEAD: Economic Development, Cultivate PARTNERS: Environment, Moorabool Environment Group, Farmers markets, Moorabool Landcare Network	Influence	2017-2020	Low	<ul style="list-style-type: none"> <li>Existing departmental budgets</li> <li>External Grants</li> </ul>	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>State/Federal Grants</li> </ul>	Moorabool –75% Community– 25%
12.3	Council to review its catering and food purchasing and seek to increase the use of local suppliers or use of caterers sourcing local food.	Council is sourcing a greater proportion of its food from local producers.	Assessment of Council food purchasing.	LEAD: Finance PARTNERS: Environment unit, Economic Development	Control	2017-2018	Low	Existing departmental budgets	Not required	Moorabool –100%
<b>OBJECTIVE 3: Participation in community food production activities including community gardens, food swaps and local farmers markets.</b>										
12.4	Support the development of community gardens or other local food growing projects in the Shire <ul style="list-style-type: none"> <li>Provide community grants</li> <li>Provide land</li> </ul>	2 community gardens or food growing projects have been set up and are used by local residents to grow their own food.	Number of community gardens. Number of residents using these gardens (committees to report).	LEAD: Community Development, Environment PARTNER: Community groups, Moorabool Environment Group	Control/Influence	2017-2020	Low	<ul style="list-style-type: none"> <li>Existing departmental budgets</li> <li>External Grants</li> </ul>	<ul style="list-style-type: none"> <li>Existing departmental budget</li> <li>State/Federal Grants</li> </ul>	Moorabool –50% Community – 50%
12.5	Promote community food activities and local food businesses to residents and businesses through Moorabool Shire newsletters, web site, events, noticeboards etc.	Local food activities and businesses are well promoted and supported by the Moorabool community.	Number of food-related initiatives promoted by Council.	LEAD: Marketing & communications and Tourism PARTNER: Community food projects and groups	Advocate	Ongoing	Low	Existing departmental budgets	Not required	Moorabool –100%

## 10.3 SOCIAL AND ORGANISATIONAL DEVELOPMENT

### 10.3.1 Bacchus Marsh Harness Racing Club Lease Agreement

#### Introduction

File No.: 471850  
Author: Troy Scoble  
General Manager: Danny Colgan

The purpose of this report is to recommend that the Council enter into a lease with the Bacchus Marsh Harness Racing Club situated at the Bacchus Marsh Racecourse and Recreation Reserve.

#### Background

The Bacchus Marsh Harness Racing Club has operated at the Bacchus Marsh Racecourse and Recreation Reserve for many years prior to Council being granted land management of the reserve by the Victorian Government. Prior to the Council becoming land manager, the Harness Club managed the facilities they occupy under a Crown Land (Reserves) Act 1978 licence agreement.

Discussions have been held with the Harness Club to establish a lease agreement that provide exclusive rights to the clubs for the management, maintenance and operation of the Club Facilities at the Bacchus Marsh Racecourse and Recreation Reserve.

At the Ordinary Meeting of Council held on 6 July 2016, the Council resolved:

1. *That Council resolves to enter into a lease with the Bacchus Marsh Harness Racing Club for the lease of the Bacchus Marsh Racecourse and Recreation Reserve Harness Racing Club Facilities under the following conditions:*
  - a) *An initial term of seven years plus two further seven year options.*
  - b) *An annual lease fee of \$3,434 GST Inc. per annum (increased annually by CPI) for the first seven-year term of the lease with the fee to be reviewed at the conclusion of the seven period.*
  - c) *Council will maintain the areas of the roadway entrance into the reserve that provides access to the Harness Club Facilities as outlined in attached map in Attachment 10.3.1.*
  - d) *The Council reserves the right to undertake any future development works at the site (minor or major capital works projects). Any works will be planned and undertaken in consultation and agreement with the Bacchus Marsh Harness Racing Club.*
  - e) *The leased area is to be reviewed annually on the 1st of July each year to reflect and facilitate future development or usage consistent with the Bacchus Marsh Racecourse and Recreation Reserve Master Plan.*

2. *That Council, in accordance with section 190 of the Local Government Act 1989, gives four weeks public notice of its intention to enter into a lease for a term of seven years with two seven year options with the Bacchus Marsh Harness Racing Club for the lease of the Bacchus Marsh Racecourse and Recreation Reserve Harness Club Facilities and seek and consider public submissions under section 223 of the Act.*
3. *Following the completion of the public submission process, a further report be presented to Council considering all public submissions received.*

The public notice advising of Council's intention to enter into the lease was advertised on 26 July 2016 with submissions closing on the 1 September 2016. No submissions were received.

### **Proposed Terms of the Lease Agreement**

#### Tenure

It is proposed that the term of the lease be seven years with two additional seven year options. The proposed term of the lease is suitable given the significant investment that the Harness Racing Club has already made to the facilities and the future plans the Club has to improve the facilities with support of their sporting association. It is proposed that the draft lease contain a provision that provides Council with the rights to undertake any further developments at the reserve in consultation with the Club to ensure there is no disadvantage to the club. This provides Council with opportunities to consider outcomes from the master planning of the reserve in consultation with the Club in the future.

#### Maintenance/Management

The lease agreement provides the Harness Club with exclusive management and usage rights of all existing 'Infrastructure' and areas used by the club within the reserve in return for the Club undertaking the majority of maintenance required at the facilities.

It is proposed that as land manager the Council be responsible for the following:

- The initial entrance roadway into the reserve that provides access to the facilities
- Any future service infrastructure costs including sewer and power installations.

The Harness Club currently pay user fees to the value of \$3,434 GST Inc. annually for the tenancy and use of the facilities. The club has proposed to continue to pay fees at this level increased annually in accordance with the Consumer Price Index to continue to contribute toward the management and maintenance of the common areas around the facilities that provide access to their facilities. It is recommended that the fees be reviewed at the end of the first 7 years of the agreement.

**Proposal**

It is proposed that Council enter into a lease agreement with the Bacchus Marsh Harness Racing Club situated at the Bacchus Marsh Racecourse and Recreation Reserve.

**Policy Implications**

The 2013–2017 Council Plan provides as follows:

<b>Key Result Area</b>	Community Well Being
<b>Objective</b>	Increase and encourage participation in a range of sport, recreation and leisure activities.
<b>Strategy</b>	Promote community health and wellbeing through the provision of recreation facilities, open space, programs and activities.

The proposed lease with the Bacchus Marsh Harness Racing Club is consistent with the 2013-2017 Council Plan.

**Financial Implications**

The Bacchus Marsh Harness Racing Club Draft Lease Agreement outlines conditions of responsibility for Council to be implemented over the course of the agreement. Officers will continue to source funding and resource opportunities both internally and externally to implement these actions.

The club has proposed to continue to pay an annual user fee to contribute toward the common (shared use) areas on the reserve that provide access to the Harness Club facilities

**Risk & Occupational Health & Safety Issues**

<b>Risk Identifier</b>	<b>Detail of Risk</b>	<b>Risk Rating</b>	<b>Control/s</b>
Governance	Suitable agreement required to outline roles and responsibilities of Council and the user groups in the management of the Harness Club Facilities	Medium	Ensure suitable agreement is put in place to protect both parties to the agreement.

## **Communications and Consultation Strategy**

To comply with Section 190 of the Local Government Act 1989, the Council was required to give four weeks public notice of its intention to enter into a lease of 10 years or more for the lease of land which includes a building. The public then have the right to make public submissions in accordance with Section 223 of the Act.

Public notice was provided and no submissions were received.

## **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 Bacchus Marsh Harness Club has operated and developed the Harness Club facilities at the Bacchus Marsh Racecourse and Recreation Reserve for many years. Council Officers have been in discussions with all the Clubs at the Reserve to establish a lease agreement that provides exclusive rights to the Clubs existing infrastructure for the management, maintenance and operation of the facilities at the Bacchus Marsh Racecourse and Recreation Reserve.

## **Recommendation:**

- 1. That Council resolves to enter into a lease with the Bacchus Marsh Harness Racing Club for the lease of the Bacchus Marsh Racecourse and Recreation Reserve Harness Racing Club Facilities under the following conditions:**
  - a) An initial term of seven years plus two further seven year options.**
  - b) An annual lease fee of \$3,434 GST Inc. per annum (increased annually by CPI) for the first seven year term of the lease with the fee to be reviewed at the conclusion of the seven period.**

- c) Council will maintain the areas of the roadway entrance into the reserve that provides access to the Harness Club Facilities as outlined in the site plan contained in Attachment 10.3.1.
- d) The Council reserves the right to undertake any future development works at the site (minor or major capital works projects). Any works will be planned and undertaken in consultation and agreement with the Bacchus Marsh Harness Racing Club.
- e) The leased area is to be reviewed annually on the 1 July each year to reflect and facilitate future development or usage consistent with the Bacchus Marsh Racecourse and Recreation Reserve Master Plan.

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### Report Authorisation

Authorised by:



**Name:** Danny Colgan

**Title:** General Manager Social & Organisational Development

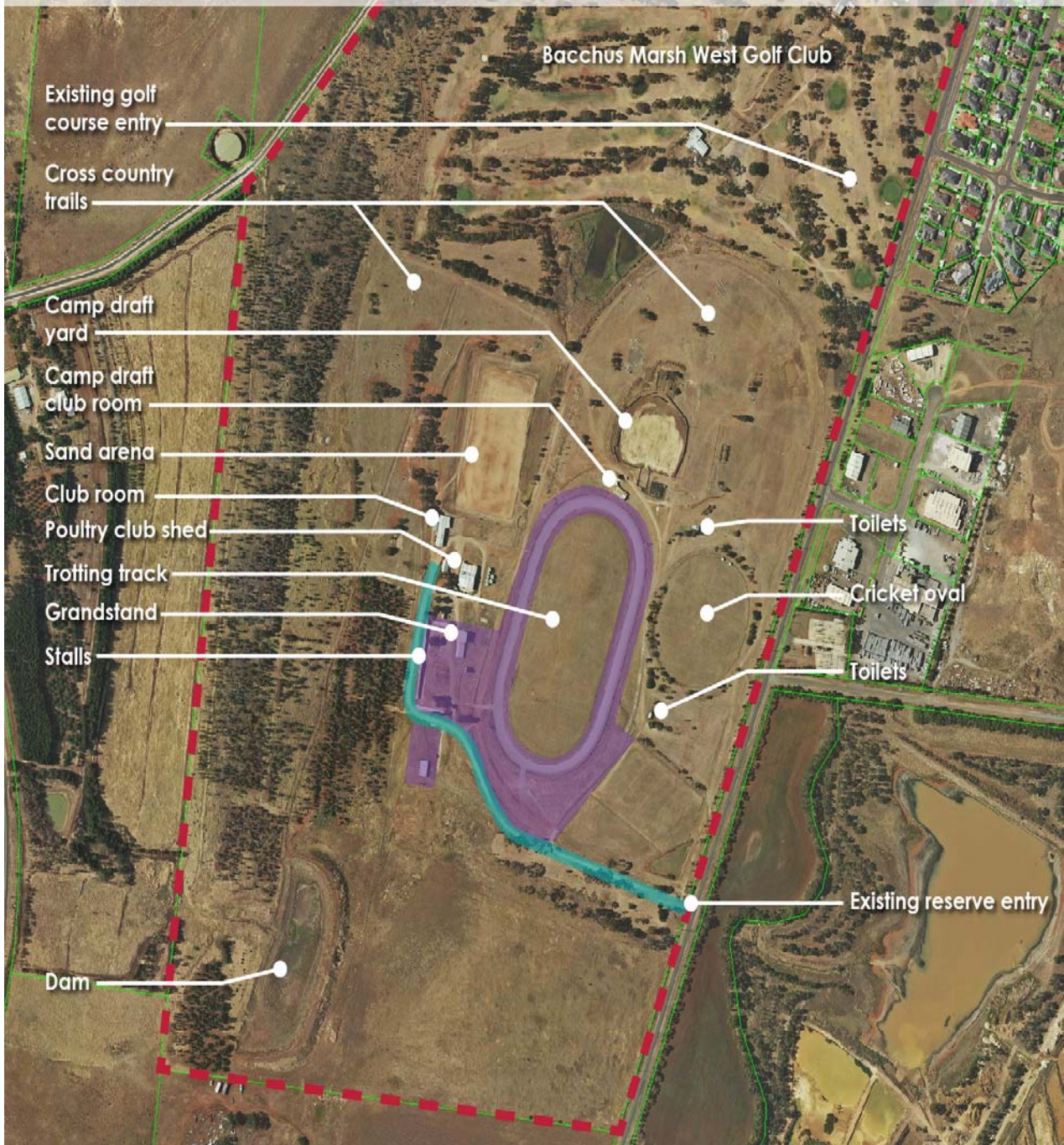
**Date:** Wednesday, 31 August 2016

# Attachment - Item 10.3.1



# Bacchus Marsh Harness Racing Club Lease Map

- BMHRC Lease Area
- MSC Access Road





### 10.3.2 Community Grants Program Winter 2016

#### Introduction

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

#### Background

The purpose of this report is to present the Council with an assessment of applications received under the "Winter 2016" round of Community Grants.

Community grants totalling \$140,000 per annum are available in two separate funding rounds of \$70,000 each. The Winter round of the Community Grants Program opened on the 1 July and closed on the 31 July 2016.

At the Ordinary meeting of Council held on 4 September 2013, the Council adopted the revised Community Grants Policy and Guidelines. The policy will be reviewed again in 2017. The Winter 2016 Community Grant Program represents the seventh round under the revised Community Grant Policy.

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

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

Community groups and organisations can apply for up to \$5,000 for Community Strengthening Grants and up to \$3,000 for Arts and Events Grants. Groups also need to demonstrate a cash or in-kind contribution toward the cost of their project on a ratio of \$1 for \$1 (Council \$1: Group \$1). Small Community Strengthening Projects under \$1,000 are not required to demonstrate a contribution.

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

The Community Grants Program Policy Guidelines state that applicant groups must demonstrate the support of the committee responsible for management of the proposed facility/service. This includes demonstrating that proposed projects are consistent with the service or facilities' Master Plan, Strategic Plan or Business Plan.

The total amount available for this round of Community Development Grants is \$77,000. This includes an additional \$7,000 carry forward from unallocated Summer 2016 Events Grants funding.

#### **Policy Assessment Criteria:**

- a. Project Description and why the applicant wants to do the project – 10%
- b. What will this project achieve? – 20%
- c. Why is this project needed in your community? – 20%
- d. Who will be involved in the project? 15%
- e. How will you carry out your project? (including risk management) – 15%
- f. Project budget and explanation of how the group arrived at the costs? 20%

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

#### **Application Support**

The Community Grants Program Policy specifies that applicant groups are encouraged to meet with a Community Development Officer prior to lodging an application. The majority of applicant groups for the Winter 2016 round of Community Grants received support and advice from Community Development Officers.

#### **Number of applications and amount requested**

In total, 51 applications were received across the three program categories: Community Strengthening (35), Events (9) and Arts (7). A total of \$196,607 was requested with \$77,000 available (\$50,000 for Community Strengthening, \$17,000 for Events, \$10,000 for Arts).

<b>Category</b>	<b>Applications Received</b>	<b>Amount Requested</b>	<b>Amount recommended</b>	<b>Amount Available</b>
Community Strengthening	35	<b>\$152,808</b>	<b>\$51,095</b>	\$50,000
Events	9	<b>\$24,800</b>	<b>\$17,000</b>	\$17,000
Arts	7	<b>\$18,000</b>	<b>\$10,000</b>	\$10,000
<b>Total</b>	<b>51</b>	<b>\$195,608</b>	<b>\$78,095</b>	<b>\$77,000</b>

#### **Assessment**

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

#### **Proposal**

Based on the above process and funding criteria, it is proposed that the Council allocate the grants for the "Winter 2016" round of Community Grants as follows:

**Community Strengthening Grants:**

Groups demonstrating Council Policy criteria of, or better than, a score of 75.7 may be provided with funding if Council so determine.

Name of Organisation	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Gordon Football and Netball Club	Reserve Power Upgrade	Upgrade power supply to the Gordon Recreational Reserve from single phase to three phase	\$5,000	\$14,744.40	\$5,000	91.3	Summer 2015
Elaine Rec Reserve	Fire Emergency Water Storage	Water tank to capture runoff from the Cricket Club facility to provide Elaine and neighbouring townships with a water source in times of emergency	\$5,000	\$10,700	\$10,000	90	No

Name of Organisation	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Bacchus Marsh BMX Club	Electronic Scoring and Timing System	Installation of electronic scoring and timing system for competitions	\$5,000	\$10,541	\$15,000	88.5	Winter 2014
Bacchus Marsh Family Drug Support Group Auspiced by Bacchus Marsh Community Unlimited	Education and Awareness Raising	Education and awareness raising initiatives including; promotional activities, facilitated workshops and the purchase of learning resources	\$1,000	\$1,000	\$16,000	86.8	No
Gordon Primary School	Gordon Soccer Pitch	Establishment of a Soccer Pitch for use by the community	\$5,000	\$11,000	\$21,000	86.7	No

Name of Organisation	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Coimadai Avenue of Honour Restoration Association	Avenue of Honour Name Plaques	Manufacturing and installing 129 plaques on the Coimadai Avenue of Honour trees	\$5,000	\$40,012	\$26,000	85.4	No
Bacchus Marsh West Golf Club	Electrical Solar Panel Installation	Installation of electrical solar panels to offset energy costs	\$4,995	\$9,995	\$30,995	84.6	No
Bacchus Marsh Golf Club	Easy Start Golf Program	Low or no cost initiatives and infrastructure to remove barriers to school aged residents getting started in the game of golf	\$4,500	\$11,038	\$35,495	84.3	Winter 2015

Name of Organisation	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Myrniong Recreation Reserve	Exercise Stations Installation	Installation of outdoor exercise equipment for the community circuit track	\$5,000	\$23,188.00	\$40,495	80.75	No
Monday Lunch St Andrews Uniting Church Bacchus Marsh	Chair Renewal	Replacement of unsafe, dilapidated chairs for use by Monday Lunch participants (Seniors) as well as other hall user groups	\$4,600	\$9,600	\$45,095	79.55	No
Rowsley Hall and Recreation Reserve	New Boiling Water Unit	Purchase of over sink boiling water unit for use by all hall user groups	\$1,000	\$1,150	\$46,095	78.45	No

Name of Organisation	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
St Andrews Playgroup	Playgroup Hall Flooring and Storage Upgrade	Increase storage and upgrade floor covering to improve health and safety at the hall	\$5,000	\$11,044.00	\$51,095	75.7	Summer 2015
Bacchus Marsh Community Radio Group	New Broadcast Transmitter	Purchase of new broadcast transmitter	\$2,200	\$4,400	\$53,295	74.35	Winter 2015
Greendale Reserves Management Committee	Fitness Circuit, Sensory Garden Enhancement	New equipment for Fitness Circuit, enhancing sensory garden and improving signage	\$4,000	\$8,000	\$57,295	72.6	Summer 2014

Name of Organisation	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Darley Neighbourhood House	Safe as Houses	Improving security and street aesthetics to encourage community pride and increase usage at the site	\$5,000	\$10,000	\$62,295	71.35	No
Blackwood Outdoor Special School	Voyage of Discovery Rescue Boat	Purchase of rescue boat to support the Environmental Discovery Canoeing Program	\$5,000	\$20,688	\$67,295	70.45	Winter 2013
Friends of the Werribee River through Bacchus Marsh	Werribee River Furniture	Installation of benches for Werribee River Walking Track	\$5,000	\$10,000	\$72,295	69.5	No
Elaine Tennis Club	Ball Machine	Purchase of ball machine to support tennis club activities	\$2,559	\$5,118	\$74,854	68.41	Winter 2015



Name of Organisation	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Mt Wallace Hall and Recreation Reserve	Upgrading Visitor Facilities	Upgrading the visitor facilities with shade sail, BBQ and seating	\$5,000	\$5,000.00	\$79,854	67.45	No
Ballan Community House incorporating the Mechanics Institute Ballan	Facility Enhancement	Painting the interior and exterior of the Community House, purchasing new furniture including tables and planter boxes	\$4,996.94	\$17,389.44	\$84,851	67.13	No
Balliang Public Hall	Outdoor Beautification	Balliang Hall outdoor development involving landscaping and relocation of playground	\$5,000	\$35,950	\$89,851	65.91	Winter 2014

Name of Organisation	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Hopetoun Cemetery Preservations Group	Erection of Memorial Stones and Dedication Ceremony	Memorial Granite Stones listing 257 Early Settlers and residents	\$5,000	\$10,000	\$94,851	65.3	No
Dunnstown Recreation Reserve and Community Centre	New Lawn Mower	Purchase of new lawn mower	\$5,000	\$12,500	\$99,851	65.1	No
Moorabool Catchment Landcare Group	Moorabool Landsafe Program	Farm safe training courses for farmers	\$5,000	\$10,067	\$104,851	63.7	Winter 2014
Ballan Golf Club	Tee Box Development	Increasing golf course from par 62 to par 64	\$5,000	\$10,000	\$109,851	61.91	Summer 2015
Steven Tandy Films	Short educational film on Drugs and Alcohol	Educational Short Film on Effects of Drugs and Alcohol. Written and Directed by Steven Tandy	\$5,000	\$15,000	\$114,851	58.3	No

Name of Organisation	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Darley Cricket Club	Darley Park Cricket Net Extension	Extending net facilities for club growth	\$5,000	\$71,150.00	\$119,851	57.3	Winter 2015
Ballan Arboretum Group	Community Within the Trees	A significant tree information package	\$5,000	\$10,000	\$124,851	57.15	No
Rotary Club of Bacchus Marsh (Auspice)	Tag-Less Bacchus Marsh	Seed funding for the start-up of a graffiti removal group	\$5,000	\$10,000	\$129,851	57	No
Wallace Rec Reserve	Netball Viewing Area Pavement	Paving and pathways between viewing area and courts to keep courts clean and safe for players	\$4,604	\$9,207	\$134,455	56.95	Winter 3014 Summer 2015
Australian Gliding Museum Incorporated	Toilet block/ equipment store	Establishment of toilet block and increasing equipment storage	\$5,000	\$19,810	\$139,455	56.85	No

Name of Organisation	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Bacchus Marsh Scorpions Soccer Club	Club Room Coffee Machine	Purchase of club room coffee machine for use by Mason's Lane user groups for fundraising purchases	\$1,600	\$2,090	\$141,055	56.3	No
Bacchus Marsh Soccer Club	Light Tower Tow Vehicle	Purchase of Automatic tow vehicle for light tower	\$5,000	\$7,800	\$146,055	51.8	Summer 2011
Garibaldi Landcare	Community Education and Engagement	Educational Signage at Garibaldi Bridge Reserve	\$1,753	\$3,722	\$147,808	50.9	No
Acrofun	Tumble Tracks	Purchase and install Tumble Tracks	\$5,000	\$10,000	\$152,808		Summer 2015 and 2016 Strengthening Ineligible
		<b>Total:</b>	<b>\$152,808</b>	<b>\$471,903</b>			

**Events Grants:**

Groups demonstrating Council Policy criteria of, or better than, a score of 70.00 may be provided with funding if Council so determine.

<b>Name of Organisation</b>	<b>Project Name</b>	<b>Brief Description of Project</b>	<b>Requested Amount</b>	<b>Project Total Value</b>	<b>Progressive Total</b>	<b>Policy Score</b>	<b>Previous Community Grant awarded</b>
Wombat Arts	'Black Nite Black Lite' Ballan Winter Solstice Festival	A community event in Ballan showcasing UV lighting and fluorescent displays	\$3,000	\$6,300	\$3,000	85.63	Summer 2015
Lal Lal Anzac Commemorations Committee	Lal Lal Anzac Memorial Park Official Opening	Official Opening of the Lal Lal Anzac Memorial Park	\$3,000	\$6,418	\$6,000	82.00	No
Moorabool Laughter Yoga	Moorabool Laughter Yoga Event	A facilitated event by locals trained to teach laughter yoga to the Moorabool Community	\$3,000	\$6,000	\$9,000	78.25	No

<b>Name of Organisation</b>	<b>Project Name</b>	<b>Brief Description of Project</b>	<b>Requested Amount</b>	<b>Project Total Value</b>	<b>Progressive Total</b>	<b>Policy Score</b>	<b>Previous Community Grant awarded</b>
Bacchus Marsh Easter Fest	Bacchus Marsh Easter Fest	Family Easter Festival that includes a Children's Easter Egg Hunt	\$3,000	\$6,001	\$12,000	76.75	No
Moorabool Relay for Life	New Venue	Venue and equipment hire associated with venue change to Darley Civic Hub Oval	\$3,000	\$7,400	\$15,000	74.75	Summer 2014 and 2015
Blackwood Academy and Review	Toilets and showers for the Blackwood Festival of Music and Culture	Toilets and showers for the Blackwood Festival of Music and Culture	\$2,000	\$25,000	\$17,000	70.00	Winter 2013

Name of Organisation	Project Name	Brief Description of Project	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Refugee Realities	Connecting with our local Islamic Community.	Community lunch promoting tolerance for the Islamic Community	\$1,800	\$3,600	\$18,800	65.63	No
Djerriwarrh Health Services	Djerriwarrh Health Services Longest Lunch	Longest Lunch event in Myrniong showcasing Moorabool Produce	\$3,000	\$17,800	\$21,800	64.98	Winter 2011
Bacchus Marsh Tourism Association	2016 Strawberry and Cherry Weekend	Strawberries and Cherries Weekend Festival	\$3,000	\$49,500	\$24,800	59.75	Summer 2012
<b>Total:</b>			<b>\$24,800</b>	<b>\$128,019</b>			

**Arts Grants:**

Groups demonstrating Council Policy criteria of, or better than a score of 71.50 may be provided with funding if Council so determine.

Name of Organisation/ Artist	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Moorabool Book Group	Establishing a Moorabool Film Club	Establishing a Moorabool Film Club at the Ballan Mechanics Hall to screen films and visual media	\$2,638	\$5,276	\$2,638	77.55	No
Art Show Group of the Rotary Club Bacchus Marsh	Refurbishment of display stands	Refurbishment of display stands used in the Bacchus Marsh Rotary Art Show to prevent damage to the flooring at the Bacchus Marsh Public Hall.	\$3,000	\$6,415	\$5,638	73.34	Strengthening Summer 2015
Bacchus Marsh U3A Quilting for Others	Community Quilting	Materials to create 20 Quilts that will be donated to the Bacchus Marsh Hospital and Moorabool families in need	\$2,000	\$4,000	\$7,638	73.20	No



Name of Organisation/ Artist	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Lego Club	Moorabool Lego Club	Establishing a Lego club at the Ballan Community House to bring people of all ages together and encourage young people to develop creative and innovative skills	\$2,362	\$7,022	\$10,000	71.50	No
Moorabool Writers Craft	Moorabool Writers Craft Self-Publishing Workshops	Facilitated workshops run by a professional tutor to upskill Moorabool Residents in self-publishing	\$3,000	\$12,000	\$13,000	68.30	No

Name of Organisation/Artist	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Thrifty Minx	Thrifty Art Studio	Developing a community arts studio in Ballan to create a shared space for artists, musicians and community members to come together for creative endeavours	\$3,000	\$6,000	\$16,000	64.20	No
Tripwire Theatre	<i>'Travels with My Black Dog'</i> Moorabool Performances	Outdoor theatre performance in Bacchus Marsh and Ballan educating the public on living with depression	\$2,000	\$4,432	\$18,000	64.15	No
<b>TOTAL</b>			<b>\$18,000</b>	<b>\$45,145</b>			

**Policy Implications**

The 2013 - 2017 Council Plan provides as follows:

<b>Key Result Area</b>	Community Wellbeing
<b>Objective</b>	Community Self Reliance
<b>Strategy</b>	Provide community development support and partnership projects

The proposed allocation of grants under the Community Grants Winter 2016 Program is consistent with the 2013-2017 Council Plan.

**Financial Implications**

Consistent with the Community Grants Policy and 2016/17 budget allocation, a total of \$77,000 is available for allocation in the Winter 2016 round:

- \$50,000 for Community Strengthening
- \$17,000 for Events (including \$7,000 carry over from unallocated funding from the Summer 2016 round)
- \$10,000 for Arts

It is proposed that Council resolve to fund an additional \$1,095 in the Strengthening Category to enable St Andrews Playgroup to deliver their project in full. Alternatively, Council could resolve to fund this project in part or not at all and carry forward the remaining funding for the Summer 2017 round of Community Strengthening Grants.

The total of grants being recommended for allocation in this round is therefore \$78,095.

**Risk & Occupational Health & Safety Issues**

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

## Community Engagement Strategy

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community Groups	Meetings with applicant groups	Various	July 2016	Applicants groups supported to submit applications

## Communications and Consultation Strategy

Applicants for the Winter 2016 round of the Community Grants Program will be advised in writing that they will be notified of the outcomes of their grant applications in September 2016.

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

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

## Victorian Charter of Human Rights and Responsibilities Act 2006

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

## Officer's Declaration of Conflict of Interests

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

*General Manager – Danny Colgan*

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

*Author – Dawn Tschujasehenko*

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

## Conclusion

Applications received under the “Winter 2016” round of Community Grants are reflective of the diverse range of activities that community groups are engaged in and the areas in need of financial support from Council. In total, 51 applications were received across the three program categories: Community Strengthening (35), Events (9) and Arts (7).

This is the seventh round of Community Grants under the revised Community Grants Policy and Guidelines, adopted by the Council on 4 September 2013. This round has resulted in a higher than average number of applications received, all of which were of a consistently high standard. This demonstrates not only the community awareness of the program, but the growth in the number of groups and organisations across the municipality seeking support for community activities. These results indicate an ongoing need to support community groups and organisations, through the Community Grants Program, to implement a variety of projects that strengthen and meet the needs of the community.

## Recommendation:

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

Name of Organisation	Project Name	Recommended Amount
Gordon Football and Netball Club	Reserve Power Upgrade	\$5,000
Elaine Rec Reserve	Fire Emergency Water Storage	\$5,000
Bacchus Marsh BMX Club	Electronic Scoring and Timing System	\$5,000
Bacchus Marsh Family Drug Support Group	Education and Awareness Raising	\$1,000
Gordon Primary School	Gordon Soccer Pitch	\$5,000
Coimadai Avenue of Honour Restoration Association	Avenue of Honour Name Plaques	\$5,000
Bacchus Marsh West Golf Club	Electrical Solar Panel Installation	\$4,995
Bacchus Marsh Golf Club	Easy Start Golf Program	\$4,500
Myrniong Recreation Reserve	Exercise Stations Installation	\$5,000
Monday Lunch St Andrews Uniting Church Bacchus Marsh	Chair Renewal	\$4,600
Rowsley Hall and Recreation Reserve	New Boiling Water Unit	\$1,000
St Andrews Playgroup	Playgroup Hall Flooring and Storage Upgrade	\$5,000
<b>Total</b>		<b>\$51,095</b>

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

Name of Organisation	Project Name	Recommended Amount
Wombat Arts	'Black Nite Black Lite' Ballan Winter Solstice Festival	\$3,000
Lal Lal Anzac Commemorations Committee	Lal Lal Anzac Memorial Park Official Opening	\$3,000
Moorabool Laughter Yoga	Moorabool Laughter Yoga Event	\$3,000
Bacchus Marsh Easter Fest	Bacchus Marsh Easter Fest	\$3,000
Moorabool Relay for Life	Change of Venue	\$3,000
Blackwood Academy and Review	Toilets and showers for the Blackwood Festival of Music and Culture	\$2,000
<b>Total</b>		<b>\$17,000</b>

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

Name of Organisation/Artist	Project Name	Recommended Amount
Moorabool Book Group	Establishing a Moorabool Film Club	\$2,638
Art Show Group of the Rotary Club Bacchus Marsh	Refurbishment of display stands	\$3,000
Bacchus Marsh U3A Quilting for Others	Community Quilting	\$2,000
Lego Club	Moorabool Lego Club	\$2,362
<b>Total</b>		<b>\$10,000</b>

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

**Report Authorisation**

Authorised by:

Name: Danny Colgan

Title: General Manager, Social and Organisational Development

Date: Wednesday, 17 August 2016



### **10.3.3 Provision of Aged Care and Disability Services within the National Disability Insurance Scheme (NDIS) Environment.**

#### **Introduction**

File No.: 12/10/003  
Author: Robyn Salt  
General Manager: Danny Colgan

The purpose of the report is to recommend that the Council: (i) continue to provide aged care services to people over 65 through the Commonwealth Home Support Program; (ii) continue to provide services to people under 65 through the Victorian HACC Program for Younger People; (iii) continue to strengthen its role in making Moorabool a more inclusive and accessible community and advocating for the needs of people with disabilities; (iv) not register as a provider under the NDIS and (v) work with Latrobe Community Health Services as the Local Area Coordination Service in the Central Highlands Region to support clients to transition to the National Disability Insurance Scheme and mainstream support services.

#### **Background**

At the Special Meeting of Council held on the 10 February, the Council resolved to: (i) write to the Victorian Minister for Housing, Disability and Ageing seeking clarification on the future funding arrangements for the Council's Disability Respite Service; and (ii) receive a further report on the roll-out of the National Disability Insurance Scheme in the Central Highlands Region.

A meeting was held with representatives of the Department of Health and Human Services (DHHS) on the 8 February 2016 to discuss the funding for the Disability Respite Service. At the meeting the CEO was advised that the Department will send a letter confirming the funding will continue post 30 June 2016. A letter dated 3 May 2016 was received from the Department of Health and Human Services (DHHS). The letter states that the Council can continue to provide the Disability Respite Program given Council has obtained re-accreditation as a Disability Service Provider and while it considers a decision in relation to its role in the National Disability Insurance Scheme.

#### **Proposal**

On the 16 September 2015, the Victorian and Australian Governments signed a bilateral agreement to rollout the National Disability Insurance Scheme (NDIS) across Victoria over a three year period.

As part of the bilateral agreement, the Victorian and Australian Governments agreed that management of the former Home and Community Care (HACC) Program will be split.

- Services for older people (people aged 65 and over and 50 and over for Aboriginal people) will be directly funded and managed by the Commonwealth Government under the Commonwealth Home Support Program.

- Services for younger people (people aged under 65 and under 50 for Aboriginal people) will be funded and managed by the Victorian Government under the HACC Program for Younger People.

The NDIS is administered by the National Disability Insurance Agency (NDIA) and is a national approach based on insurance principles that will provide individualised support and services for people with a disability and to a lesser extent their families and carers.

The NDIS takes a flexible, whole-of-life approach to working with participants, their families and carers, to identify the **reasonable and necessary** supports each participant will need to enable them to achieve their goals and develop individualised plans. The NDIS provides participants with more choice and control over how, when and where their supports are provided. It also provides certainty that they will receive the support they need over their lifetime. The NDIS also works to connect participants with community and mainstream supports.

The NDIS funds the additional reasonable and necessary supports to help participants pursue their goals and aspirations, and participate in daily life. Helping people to build their social and economic participation requires the NDIS to work closely with community organisations to identify opportunities for people with disability.

The introduction of the NDIS will see a shift away from generic disability block funded programs to individualised funding responses. For example, group block funded respite funded programs will move to a personalised service that is tailored to what an individual wants and needs. Disability services will move to an open market, where any organisation can offer services as long as they are registered as an NDIS service provider.

### **NDIS Model**

The NDIS has three levels, or tiers, of activity as follows: (i) direct service provision; information, linkages and capacity building; and (iii) general community support, advocacy, and inclusion activities (similar to Council's work through the Age Well Live Well & Access and Inclusion Plan (2015-2021)).

In March, the NDIA contracted the Latrobe Community Health Service as the Local Area Coordinator (LAC) for the Central Highlands Region including Moorabool. Latrobe Community Health Service is one of Australia's fastest growing health services and provides community-based health promotion programs, daily living and rehabilitation assistance, health checks and healthcare plans, medical care and nursing.

The Latrobe Community Health Service as the Local Area Coordinator for Moorabool will work with NDIS participants to:

- Provide assistance to connect to and build informal and natural supports;
- Provide assistance with the planning process and effective implementation;
- Work with non-participants as part of Information, Linkages and Capacity building functions of the NDIS; and



- Work with community, providers and mainstream to build inclusion and awareness of the needs of people with disability

The information, linkages and capacity building and general community support, advocacy, and inclusion tiers are consistent with what the Council currently working within the communities of Moorabool to make the municipality more accessible and inclusive and advocating to other levels of government consistent with Council's Access and Inclusion Plan (2015 - 2021).

### **NDIS in Moorabool**

The NDIS is scheduled to commence in the Central Highlands Region including Moorabool from the 1 January 2017 and be fully operational by 30 June 2017. Clients with complex needs are being moved onto the NDIS from the 1 July 2016.

Three months in advance of the scheduled roll out, the NDIA will make contact with people receiving existing services or those on a waitlist to receive supports, to help them to enter the NDIS.

Participants that have been on the Victoria Disability Services Register (DSR) and/or complex care clients currently held within HACC services will move over as soon as possible from this date. At the request of the DHHS on behalf of NDIA, a list of Moorabool clients that access the programs in question and HACC funded services, who we believe should be moved to NDIS packages in the first 6 months has been provided to DHHS.

### **Service Provision in Moorabool**

There are already six disability specific service providers that operate within the Shire of Moorabool: Merrimu Adult Services; Pinarc Disability Services; E.W.Tipping; Karden Support; Mambourin and the Department of Health and Human Services.

The NDIS is expected to bring about new and expanded service organisations and great range of choice and control over where people with a disability can access the supports they required. It is understood that a private health insurer is also intending to provide participants with full services.

The Council is receiving funding from the Australian Government through the Commonwealth Home Support Program to continue to provide services to people aged 65 years and over. The Council provides a wide range of services to people aged 65 years and over. Currently 967 clients are receiving services across the municipality.

The Council is also receiving funding from the Victoria Government through the Victorian Government HACC Program for Younger People for people aged 65 years and over. Currently 109 clients are receiving services across the municipality.

The services being provided to the clients are: Domestic Support; Respite; Personal Care; Social Support Groups; Individual Meals on Wheels; Senior Citizens; Vulnerable Persons; Coffee and Conversation; and Dementia Respite.

The Council has also for the past eight years through an agreement with the DHHS via Hepburn Health Services, engaged a Rural Access Worker. The funding for the Rural Access Worker is now directly paid to Council. Council plays an important part in the provision of Maternal and Child Health and other early childhood services. These mainstream services are provided through a mixture of Council and State and Federal Government funding along with user fees and charges. These services engage children with a disability as part of their universal service

The Council has a critical role in continuing to make Moorabool a more inclusive and accessible community and advocating for the needs of people with disabilities.

The Council adopted its Age Well Live Well & Access and Inclusion Plan (2015-2021) in November 2015. The Strategy represents an integrated approach in that:

- it is a 'whole of Council' strategy whereby all areas of Council have a shared responsibility to support healthy active ageing and access and inclusion for people with disabilities; and
- it is a platform for partnerships and collaboration with government departments, regional and local health and community service providers and community groups, in terms of resourcing, service planning, coordination and advocacy.

The Strategy outlines the Council has a range of roles and functions with respect to supporting healthy active ageing and access and inclusion for people with a disability. These include the following:

**Council is a provider of services**, in particular Home and Community Care (HACC) for frail aged and people with a disability, as well as other services and programs including disability, family and children, youth and recreation.

**Council is a strategic planner**, in terms of land use and the provision of physical infrastructure (e.g. roads) and social infrastructure (e.g. community facilities).

**Council develops policies, strategies and plans** to determine priorities and guide allocation of resources for services and infrastructure.

**Council is an asset manager** of a range of buildings and facilities from which it provides services directly (e.g. libraries) or in which community groups manage on behalf of Council (e.g. community halls and recreation reserves).

**Council plays an important community capacity building role**, through programs and activities that support social inclusion and health and wellbeing.

As the level of government closest to the community, **Council has an important leadership and coordination role**, whereby it partners with other levels of government and not for profit sectors to mobilise resources and deliver programs and services.

Finally, **Council plays an important role in advocating** to other levels of government on community needs and aspirations.

Local governments have a statutory obligation to plan for disability access and inclusion. As highlighted above, under the *Disability Act 2006*, local governments as public sector organisations are required to prepare an action plan that reduces barriers to accessing goods, services and facilities.

In addition, under the *Victorian Local Government Act 1989*, local governments have a responsibility to improve the overall quality of life of people in the local community and to ensure that services and facilities provided by the council are accessible and equitable.

While the NDIS represents an increase in the support available for people with the most significant disabilities, the Council plays an important role in supporting the whole population of people with a disability through meetings its commitment to increasing community inclusion, accessibility and advocacy.

The role Council plays in supporting people with a disability through advocacy, community development and community planning work has been complemented through the Rural Access Program, a partnership between the DHHS, Council and Hepburn Shire designed to make local communities more inclusive of people with a disability.

The HACC Program for Younger People funding will reduce over time as eligible clients transition to NDIS, however not all current clients are expected to be eligible for NDIS services and therefore will remain clients of Council serviced through the balance of funding that Council will retain.

It is proposed that the Council continue to provide services to people aged 65 years and over through the Commonwealth Home Support Program; services to be people aged 65 years and under; continue to strengthen its role in making Moorabool a more inclusive and accessible community and advocating for the needs of people with disabilities; not register as a provider under the NDIS and; work with Latrobe Community Health Services as the Local Area Coordination Service in the Central Highlands Region to support clients to transition to the National Disability Insurance Scheme and mainstream support services.

### **Policy Implications**

The 2013 - 2017 Council Plan provides as follows:

<b>Key Result Area</b>	Community Wellbeing
<b>Objective</b>	Inclusive, responsive and accessible community services
<b>Strategy</b>	Advocate, support and provide aged and disability services

## Financial Implications

The Council's current direct disability services are either fully or partially funding by the State and/or Australian Government. The Victorian Department of Health and Human Services (DHHS) currently provides a total grant of \$174,000 for the Disability Respite Service. As eligible clients of the Disability Respite Service are transitioned to the NDIS, the Disability Respite funding will reduce and be discontinued after the full rollout of the NDIS in the region. Under the revised funding agreement, the Council is expected to receive \$217,000 in 2016/2017 for HACC services for people under 65 years. The funding is expected to gradually be reduced as eligible clients transfer to the NDIS.

## Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Community	Reduction in services	Moderate	Continue to provide services and advocate for funding
Political and Reputation	Concerns about Council reducing services	Moderate	Continue to provide services and advocate for funding

## Community Engagement Strategy

Information has been provided to carers, families, clients; disability support services about the roll out of the National Disability Insurance Scheme including a community information forum held on 1 March in Bacchus Marsh. Further forums are scheduled to be held in Bacchus Marsh and Ballan. Information will continue to be provided on the roll out of the National Disability Insurance Scheme.

Each client and their carers have been made aware of the impending changes, each service provider and DHHS has sent out flyers to information sessions, newsletters and updates about the impending changes. The NDIA has a web site that explains these changes and how to access their services and we have placed articles in the local newspapers.

## 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.

If the funding for the program cease and alternative services aren't provided to the clients, it could be said that the Human Rights of the program clients have been limited, restricted or interfered with.

### **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 – Robyn Salt*

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

### **Conclusion**

The National Disability Insurance Scheme is a major social reform that will improve the services and support to people with disability. The Council is involved in supporting people with a disability in a variety of ways including the delivery of direct services and working within the communities of Moorabool to make the municipality more accessible and inclusive consistent with Council's Access and Inclusion Plan (2015 -2021).

### **Recommendation:**

#### **That the Council:**

- 1. Continue to provide aged care services to people over 65 through the Commonwealth Home Support Program;**
- 2. Continue to provide services to people under 65 through the Victorian HACC Younger People;**
- 3. Continue to strengthen its role in making Moorabool a more inclusive and accessible community and advocating for the needs of people with disabilities;**
- 4. Not register as a provider under the National Disability Insurance Scheme and;**
- 5. Work with Latrobe Community Health Services as the Local Area Coordination Service in the Central Highlands Region to support clients to transition to the National Disability Insurance Scheme and mainstream support services.**

---

### **Report Authorisation:**

**Authorised by:**

**Name:**

Danny Colgan

**Title:**

General Manager Community Services

**Date:**

Wednesday, 31 August 2016



### 10.3.4 Youth Spaces Feasibility Study

#### Introduction

File No.: 12/12/015  
Author: Troy Scoble  
General Manager: Danny Colgan

#### Background

The purpose of this report is to recommend that the Council endorse the Youth Space/s Feasibility Study and refer the preparation of a master plan for the Andy Arnold/Rotary Park Precinct to the 2017/2018 budget process.

At the Ordinary Meeting of Council on 6 July 2016, the Council resolved to: (i) endorse the Draft Youth Space/s Feasibility Study for the purpose of community exhibition for a period of four weeks; and (ii) receive a further report at the conclusion of the community exhibition period, including the next steps and timeline to progress the planning and development process.

#### Proposal

The Moorabool Youth Strategy 2013-2016 was adopted by Council at the Ordinary Meeting held in December 2013. The strategy outlines there is currently no purpose built or dedicated youth space/s within the Shire. A key recommendation of the Youth Strategy was to investigate opportunities to access existing space to provide additional youth space/s for the community. This would enable Council to provide a flexible service model, reduce costs of transport, equipment handling, venue hire and significantly enhance the youth engagement effort. It was also recommended that a report be prepared to identify the key components of a youth space/s including the size and type of space required, governance and management arrangements, capital costs, operating costs, location and potential funding sources for the consideration of the Council.

The objectives of the Youth Space/s Feasibility Study are:

- Provide a clear analysis of present and future youth space/s needs;
- Develop a report which compares costs, benefits and operational model associated with the development of a Youth Space/s across the municipality;
- Analyse opportunities for sourcing of potential external funding;
- Recommend how Council will best provide and facilitate access to Youth spaces in the future to engage young people in the Shire; and
- Prepare if possible a concept design and cost plan for development of a Youth space precinct.

The study contained in Attachment 10.3.4 examined siting/location opportunities within the Shire; accessibility; possible use of existing sites; management, governance and funding models. The study also identified the financial costs associated with any implementation and the need to examine staging options and the engagement of other youth and community groups to work collaboratively in any potential development of Youth Space(s) in Moorabool.

A significant amount of community engagement was undertaken to inform the development of the study including a public exhibition process. More than 500 young people, parents, carers and agencies have been involved in the development of the study. Council also received 40 submissions as part of the public exhibition process. The engagement contributed to the development of the vision and principles to inform future decision making in relation to any development of youth space/s across the Shire.

### **Key Issues raised during the engagement period**

The key issues/feedback raised during the engagement period were:

- Support for a staged approach to provide future space across the municipality;
- Space could support needs such as education training and employment connections, health and wellbeing initiatives and family support;
- Space to attract services that currently do not enter the municipality is much needed and overdue;
- With a current lack of access to support services for young people, a centralised space as a one stop referral point is vital and the Andy Arnold Centre in Bacchus Marsh is perfectly located with Rotary park next door;
- So many young people use rotary park so service, programs and events provided in that area is a great opportunity;
- A centralised space for youth programs and services would provide a more efficient and effective approach to working with young people in the Shire;
- 5 years is too long to be planning for additional space that is required now;
- Council's role should be to provide the space to facilitate the services;
- The study is very well prepared, considers the key points to progress future development and services for young people;
- The Andy Arnold Centre is central, accessible via public transport and a smart location for future development;
- With suicide levels, drug and alcohol abuse and domestic violence issues increasing, professional services are vital in Moorabool to support those in need, additional space could provide that;
- Access to required services are currently outside the Shire, causing many barriers to access for young people, future identifiable space would provide a significant boost to support services and structures required to meet young people need;
- An opportunity exists to have young people support any future development and make any future space more habitable;
- Refurbished space at the Andy Arnold centre would support all generations in the community.

A summary of the submissions received from the public exhibition process is contained within Appendix 5 of the study report.

Given the feedback is consistent with the draft feasibility study report, no changes have been made to the feasibility study report following the community exhibition period.

## **Key findings outlined in the study**

### Vision and Principles

The study outlined key principles to guide future decision making regarding increased provision of youth space/s are inclusive, accessible, contemporary, safe, a place to empower and connect young people

### Community Need / Predicted Utilisation

The study highlighted a number of youth related issues and trends in the community that additional space to attract service providers into the municipality would help to address. A significant amount of the community engaged in the study indicated likely or highly likelihood to gaining access to space providing youth related service and programs. It was identified that space would support addressing youth disengagement with school, education, employment and training opportunities, mental health and wellbeing issues, drug alcohol and substance abuse referral connections, domestic violence along with other targeted issues that young people are facing.

### Youth Spaces Management Model Governance and Funding

Of the two management models mainly used for these type of spaces, the Study recommends that any future space developed/made available should be utilised to attract service providers into the municipality to facilitate the direct service to the community.

Funding or development of additional space is an issue as there is very limited government funding made available for these type of facilities. The study provides cost estimates for any new standalone facility along with cost estimates for refurbishing an existing facility.

### Future Location Opportunities for Youth Space/s

The study outlined criteria for evaluating existing and developing new space for youth and community related services in the future. The study found that existing spaces/facilities across the West of the Shire would provide increased opportunities for targeted programs and services for those young people in the West, however in the East of the Shire additional space will be required to meet the ongoing needs of the growing population of young people in the future.

Given the type of usage at Rotary Park and existing usage at the Andy Arnold Centre, the study recommends that these facilities be further investigated as a multi-purpose integrated community hub. The study recommends that in the future Council considers refurbishing and developing additional space to attract and provide services for young people, older adults and broader community at this location and look to master plan a community hub.

### Future Provision and Staging

The Youth Spaces Feasibility Study provides a number of options for future consideration and outlines the key components that govern how Council might develop and manage the development of any Youth spaces in the future.



The study investigated current and predicted future needs to provide a staging plan for consideration. The following staged approach to providing increased provision of youth spaces/s is considered the most viable:

- 1-3 years: Continued use of existing spaces that may be available, or become available through current developments whilst master planning for the refurbishment of the Andy Arnold Centre and Rotary Park.
- 3-5 years: Refurbishment of the Andy Arnold Centre to increase the provision of youth space/s for the community, and integrate with Rotary Park.
- 10 years+: As the population grows, further investigate the development of space for the growing needs of youth in the Shire.

**Policy Implications**

The 2013 - 2017 Council Plan provides as follows:

<b>Key Result Area</b>	Community Well Being
<b>Objective</b>	Inclusive, responsive and accessible community services
<b>Strategy</b>	Advocate, support and deliver youth programs and services in partnership with other agencies.

The Youth Spaces Feasibility Study is consistent with the 2013-2017 Council Plan and the Moorabool Youth Strategy 2013 -2016.

**Financial Implications**

There is currently no commitment toward the development of Youth Space/s in Council's Strategic Financial Plan. Future budget implications will be referred to Council's budget process for consideration including the preparation of a master plan for Rotary Park for an estimated cost of \$30,000.

**Risk & Occupational Health & Safety Issues**

<b>Risk Identifier</b>	<b>Detail of Risk</b>	<b>Risk Rating</b>	<b>Control/s</b>
Community Needs	Potential service and further youth engagement gaps if outcomes of the feasibility study are not considered	Medium	Council to review outcomes of Feasibility study implementation in partnership with a range of potential funding and development options – including the upgrade of existing sites for multiple community use
Financial	Funding required to progress actions outlined in the Feasibility Study	Medium	Business cases prepared for consideration in future Council budgets.  External funding sources sought and a staged development approach

**Community Engagement Strategy**

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

<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Date</b>	<b>Outcome</b>
Consult	Young people, Parents and carers, Service providers	Three focus groups with Young people in Bacchus Marsh and Ballan. Two focus groups with Service providers, parents and carers including Council, agency and school staff	August 2015  August 2015	Youth, community and service provider feedback



Level of Engagement	Stakeholder	Activities	Outcome
Consult	Internal Staff	Provided to Management Group and requests for feedback.	Multiple staff provided feedback via email and meetings.

**Communications Strategy**

Officers will inform everyone that has contributed toward the development of feasibility of the outcome of the report and next steps. It is also proposed that Officers refer any recommendations or outcomes to future Council budget processes.

**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 Youth Space/s Feasibility Study provides a vision and options for consideration for the future development of Youth Space/s in Moorabool Shire. Based on significant community engagement with a range of young people, service providers, carers and families, the study includes information regarding predicted usage, possible siting, and accessibility, possible use of existing sites, staging options, management, governance and funding models.

It is recommended that future provision of additional space for youth related services and programs be considered in the context of broader community hub opportunities in accordance with the staging plan contained in the Study report.

**Recommendation:**

**That the Council:**

1. **Endorse the Youth Space/s Feasibility Study Report.**
2. **Refer the preparation of a master plan for the Andy Arnold/Rotary Park Precinct to the 2017/2018 budget process.**

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**Report Authorisation**

**Authorised by**

**Name:**

**Title:**

**Date:**



Danny Colgan

General Manager Social & Organisational Development

Wednesday, 31 August 2016

# Attachment - Item 10.3.4

**MOORABOOL  
SHIRE COUNCIL**

**YOUTH SPACE/S  
FEASIBILITY STUDY**



**Semann & Slattery**

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***“As a young mum I would still like to get a kick start in life with the support and help of a local community in Bacchus Marsh surrounded by lovely people that are simply not there to judge or question why but rather just listen, get to know each other and try their best to help out, I really do hope this [youth] centre gets built and hopefully not much of a far distance, so young people like myself without a license can still get there. [I] look forward to any updates on this and best of luck! It's what the community needs at this point to help the young have the best and brightest future”.***

Online survey - young person

DISCLAIMER: Sections of this report, which was originally prepared by Semann & Slattery, have been reworked and/or included by Moorabool Shire Council. Semann & Slattery bear no responsibility for any loss or inconvenience arising to the client organisation and/or any third party, which may arise through use of the data and/or recommendations from this study. If you have any question regarding this report, please contact the Directors at [info@semannslattery.com](mailto:info@semannslattery.com).



## EXECUTIVE SUMMARY

Moorabool Shire Council is committed to ensuring the best possible outcomes for all its constituents, including young people aged 12-25 years. This commitment is reflected in numerous Council initiatives, including but not limited to *Moorabool 2041*, the *Moorabool Shire Council Plan (2013-2017)* and the *Moorabool Shire Youth Strategy (2013-2016)*, which tabled the following recommendations:

1. that Council investigate opportunities to access existing space to provide a youth space/s for the community. This space would enable Council to provide a flexible service model, reduce costs of transport, equipment handling and venue hire, and significantly enhance the youth engagement effort.
2. that a report be prepared to identify the key components of a youth space/s including the size and type of space required, governance and management arrangements, capital costs, operating costs, location and potential funding sources for the consideration of the Council.

Currently, there is no purpose built youth space/s within the Moorabool Shire, despite having been identified as a need for many years. Accordingly, a feasibility study was undertaken in response to the above recommendations. A critical component of the approach used in the study was consultation with stakeholders via focus groups, online surveys and a public exhibition and submission process. Stakeholders included: young people, their parents/carers, and youth service providers. All were extremely positive about the feasibility of a youth space/s in Moorabool Shire and the benefits and connections that will result for young people.

### **Vision and principles of youth space/s**

The following key principles will guide the vision for any future development of a youth space/s in the Moorabool Shire:

- Inclusivity
- Accessibility
- Contemporary design
- Safety
- Empowering young people, and
- Promoting a sense of belonging within the community.

These principles have been informed by feedback received through the community engagement process, and the vision of the Moorabool Health and Wellbeing Youth subcommittee.

### **Community benefits**

A number of community benefits were highlighted during the engagement process. This included benefits relating directly to young people such as providing an inclusive, welcoming and safe space, a soft entry point to access specialist services, and creating a sense of

engagement and belonging. It also included benefits arising by addressing broader community issues such as disengagement from school, increasing youth engagement and opportunities to work collaboratively, and supporting vulnerable communities.

### **Predicted utilisation**

In addition to identifying the benefits of a youth space/s, stakeholders also identified a number of factors impacting on the potential use and effectiveness of such space/s. Key considerations included community attitudes towards young people; the model of operation/delivery; the aesthetics of the space/s; location and access issues; and the activities and services that were provided.

What was seen as important was that services and programs remained responsive to new and emerging needs and priorities of the youth of Moorabool. Almost half of young people consulted said they would be 'likely' or 'highly likely' to use a youth space/s and 81% of parents / carers consulted indicated that the young person(s) in their care were either 'likely' or 'highly likely' to use a youth space/s. Service providers were also positive about the feasibility and benefits of a youth space/s in Moorabool Shire.

### **Youth space/s model**

Both young people, community members and service providers endorsed the concept of a youth space within a community hub, incorporating co-location and integration. An integrated approach acknowledges the commitment of youth service providers and agencies, including Council, to work together to offer a range of universal and targeted programs, services and facilities for young people in a timely and flexible manner.

### **Management / Governance / Funding**

The feasibility study highlighted other considerations including management, governance and funding models, with two management options investigated throughout the study. Of the two, it is recommended that Council maintains management of any future provision of space within a facility, providing / sharing space to other key agencies and community groups, with a usage agreement to off-set operational costs.

Funding for a youth space/s was also a key consideration noted. Current Government funding is not available for the establishment and operational costs associated with the development and on-going delivery of the youth space/s. Building costs will vary according to the site chosen and whether the space/s is a new building or the refurbishment of an existing building. Ongoing maintenance and running costs also need to be considered. Research indicates that new building costs on a greenfield site are estimated to be in the range of \$3 to \$3.5 million dollars. This study recommends that consideration is given to the refurbishment of an existing building at an estimated cost in the range of \$750,000 to \$1.5 million dollars.

## Potential location

Location was another critical consideration, impacting on the accessibility and utilisation of the space/s. Specific criteria developed for the purpose of assessing a suitable location and/or site for a youth space/s in Moorabool included location, image/compatibility, size and accessibility. A number of sites within the Shire were considered against this criteria, with the Andy Arnold Centre in Bacchus Marsh warranting consideration as the site with the most potential for further development of space for provision of youth services.

In considering the feasibility of the Andy Arnold Centre providing additional youth space/s in Moorabool, the following factors should be considered:

1. Use of the Andy Arnold Centre is consistent with a key principle of Council's Community Infrastructure Framework that wherever possible Council makes the best use of existing assets rather than building new facilities
2. The facility is accessible and ideally located, however, there are current issues relating to image / compatibility and available space that warrant further consideration
3. The facility currently has a high usage rate by senior citizens
4. The facility is currently being used to provide vital services to the community including drug and alcohol and general counselling for young people
5. Council may wish to consider:
  - a) Extending and upgrading the Andy Arnold Centre to accommodate youth, senior citizens and community, or
  - b) Rebuilding a community hub, which would provide space for youth services on the site.

The feasibility study recommends option (a) as the most appropriate. In considering a potential extension and upgrade, a draft concept plan showing key elements of a facility was prepared for this study. It is understood, however, that should Council progress the development of a youth space/s a detailed design process would be undertaken.

The development of a youth space/s requires thoughtful planning and a staged approach. The following staged approach to providing increased provision of youth spaces/s is considered the most viable:

1-3 years: Continued use of existing spaces that may be available or become available through current developments whilst planning for the refurbishment of the Andy Arnold Centre. This would include undertaking a masterplan for the Andy Arnold Centre incorporating Rotary Park

3-5 years: Refurbishment of the Andy Arnold Centre to increase the provision of youth space/s for the community, and integrate with Rotary Park.

10 years+: As the population grows, further develop the space for the growing needs of youth in the Shire.

It should be noted that Moorabool Shire Council is not the sole provider of youth services within the Shire. Council's role is to support the provision of space to attract and facilitate other service providers to meet the existing and future needs of young people and the community.

The report that follows highlights in detail, the costs and benefits of the development of a youth space/s in Moorabool. Importantly, it includes views and perspectives of key stakeholders, including young people, their parents / carers, and youth service providers.

## INTRODUCTION

The aim of feasibility study was to investigate the costs, benefits, issues and opportunities in relation to the development of a youth space/s in Moorabool with reference to the following scope of works:

- Vision and principles to inform future decision making and provision of youth space/s
- Social and economic benefits of a youth space/s
- Predicted usage of proposed youth space
- Investigation of an appropriate model for a youth space
- Investigation of possible management and funding model
- Investigation of a suitable location and concept plan, and
- Potential staging options and resource implications.

## ABOUT THE FEASIBILITY STUDY

There is currently no purpose built youth space/s within the Moorabool Shire to support the delivery of programs and services for young people aged 12-25 years such as dedicated youth spaces provided in neighbouring municipalities such as Melton. In addition, all existing multi-use spaces used or identified as potentially suitable for youth related service are compromised in nature by way of location, access, serviceability and/or functionality.

The provision of a youth space/s in Moorabool Shire has been identified as a need by young people, their parents/carers, and service providers for many years. This is reflected in Council's *Youth Strategy (2013-2016)*, which recommends that:

1. Council investigate opportunities to access existing space to provide a youth space/s for the community. This space would enable Council to provide a flexible service model, reduce costs of transport, equipment handling, venue hire and significantly enhance the youth engagement effort.
2. A report be prepared to identify the key components of a youth space/s including the size and type of space required, governance and management arrangements, capital costs, operating costs, location and potential funding sources for the consideration of the Council (2013a, p. 17).

This project is timely for a number of reasons:

1. It validates Council's support to investigate further recommendations in the *Youth Strategy (2013-2016)*, including those relating to a youth space/s
2. It builds on key achievements of Council's Youth Services, including the establishment of the Youth Action Group (YAG) in 2014, and the development of a Youth Charter, adopted by Council in February 2015, and
3. It demonstrates Council's commitment to ensuring the best possible outcomes for all its constituents as reflected in numerous Council initiatives, including *Moorabool 2041*,

*the Council Plan (2013-2017), the Recreation and Leisure Strategy (2013- 2016), the Health and Wellbeing Plan (2013-2016) and the Youth Strategy (2013-2016).*

## PROFILE OF YOUNG PEOPLE IN MOORABOOL

According to 2011 Census data, the total population of Moorabool Shire in 2011 was 28,680. The population is expected to grow to 40,351 by 2026 and 53,270 by 2041. Of this total number, there were 5,388 people aged 12-25 years of age in Moorabool in 2011 representing 18.8% of the total population. This number is expected to increase to 6,762 by 2026 and to 8,610 by 2041 (forecast.id, n.d.).

A demographic profile for Moorabool Shire is captured on the following pages as infographics. This draws on data from a range of sources, including: 2011 Census data and population forecasts; Victorian Child and Adolescent Monitoring System (VCAMS); Community Indicators Victoria (CIV); Victorian Department of Education and Early Childhood Development (DEECD); Statistical Data for Victorian Communities; Department of Planning and Community Development; and Women's Health Grampians.

Census data specific to Moorabool Shire was used for this purpose. Where data sources did not provide this level of detail, data for the Grampians Central Highlands was used. The Grampians Central Highlands is a larger geographical area in Western Victoria, incorporating six municipalities in central western Victoria, including Moorabool Shire.

### Summary

Demographic data highlights a number of issues facing young people in Moorabool that are impacting on their optimal growth and development. In some instances, these issues are common to young people across Victoria. In others they are more specific to young people in Moorabool.

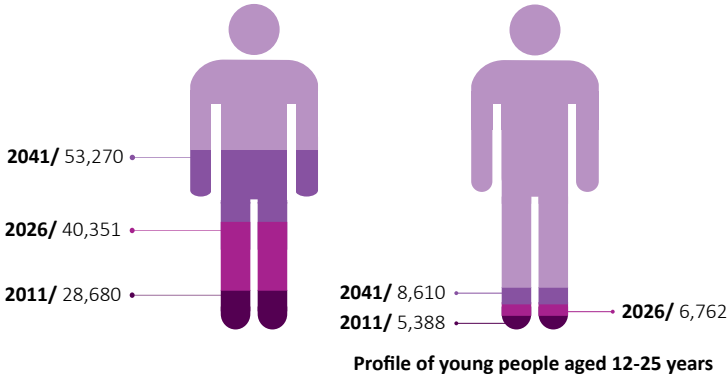
Specific issues impacting young people include the use of drugs and alcohol, maintaining emotional well-being, reduced levels of physically active and high levels of Internet use, feeling unsafe, being bullied, experiencing family violence, and challenges in pursuing education and training. For some young people, accessing supportive adults and appropriate physical and mental health services is also problematic. Additional issues pertinent for young people in Moorabool include disengagement with and disconnection in schools, and youth unemployment compared with state averages.

The period of 12-25 years is critical in a young person's growth and development. It is vital, therefore, that young people can access the full range of programs and services to address current and emerging issues and needs, and to support and enhance strengths and interests.

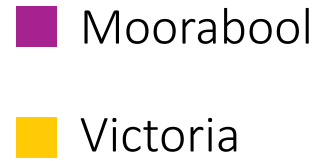
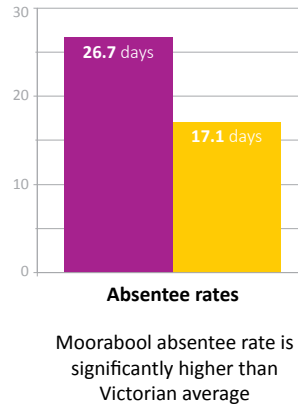
Young people in Moorabool are hopeful for their future. They aspire to be respected and valued as resourceful, capable and active community citizens. They also seek to experience a sense of belonging and connectedness within their local community, and to be supported to achieve their goals and aspirations.

# MOORABOOL YOUTH DEMOGRAPHIC PROFILE

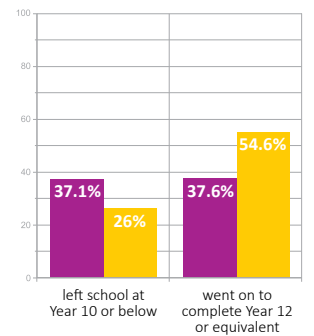
## TOTAL POPULATION OF MOORABOOL SHIRE



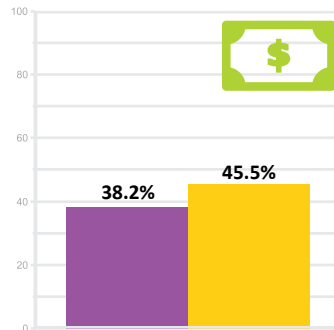
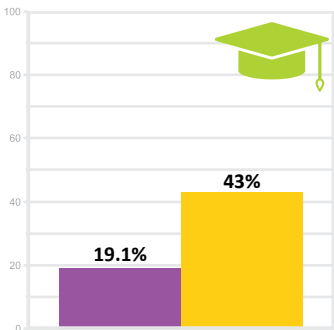
## EDUCATION



## Highest level of attainment

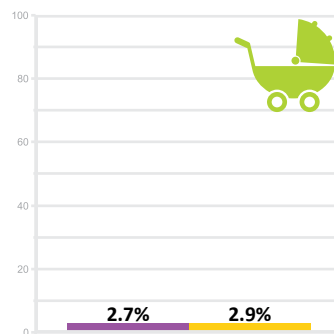
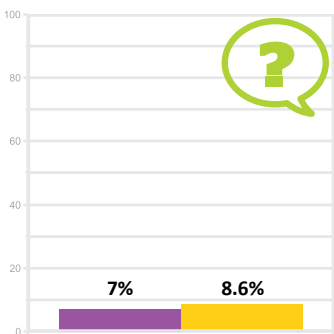


## FUTHER EDUCATION AND EMPLOYMENT



Young people aged 20-24 years in Moorabool studying in an educational institution (University, TAFE of other educational institution)

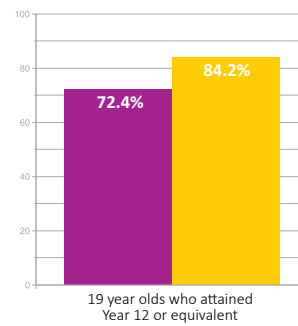
Young people aged 20-24 years in Moorabool employed but not in education



Young people aged 20-24 years in Moorabool not in employment or education

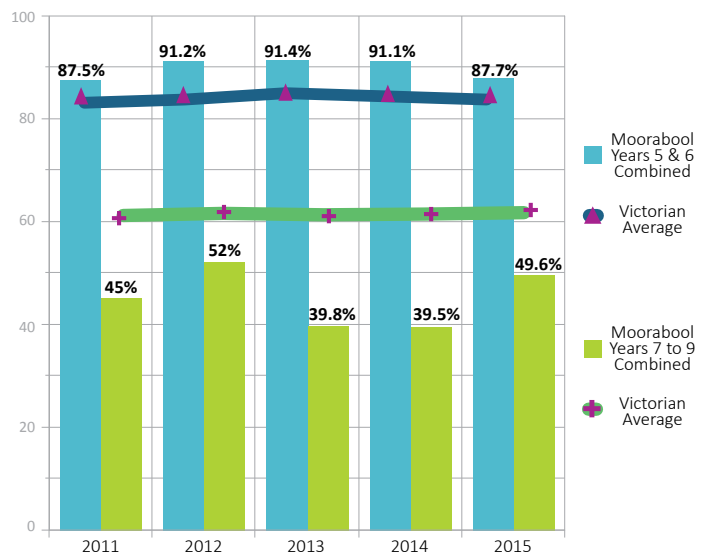
Women aged 20-24 years in Moorabool caring for children and not employed or in education

## Year 12 attainment rates



Number of Moorabool young people leaving school at Year 10 or below is significantly higher than Victorian average. Number of Moorabool young people completing Year 12 is significantly lower than Victorian average.

## Level of connection with schools

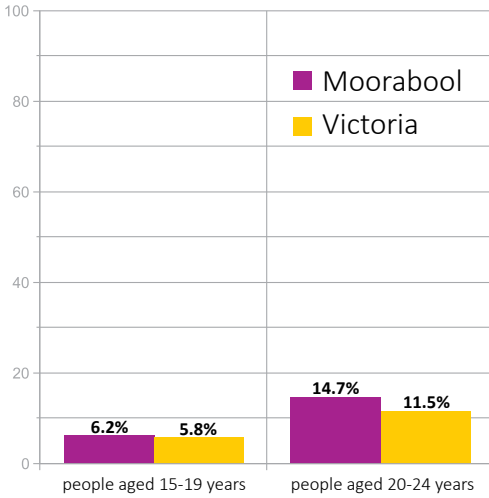


Connection for Moorabool young people in Years 5 & 6 is higher than the state average. However, as Moorabool young people move to Years 7-9 their connection is significantly below the state average - a trend that has been consistent since 2011.



## YOUTH DISENGAGEMENT

Disengagement rate for young people not in work or education



16.6%

\*12.8% across Victoria



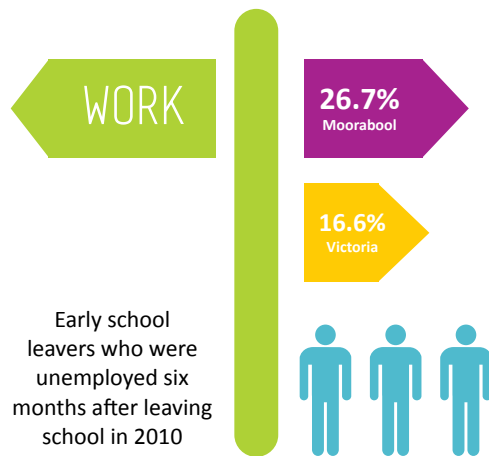
12.9%

\*10.2% across Victoria

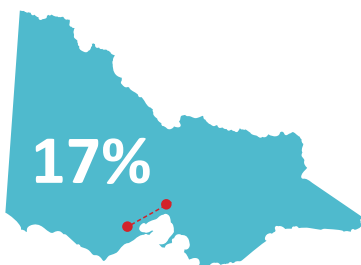
Disengagement rate is highest for young women aged 20-24 years

Followed by young men aged 20-24 years

## LOOKING FOR WORK



## LEAVING MOORABOOL SHIRE



17% of young people aged 20-24 years of age moved from Moorabool to metropolitan Melbourne between 2006 and 2011

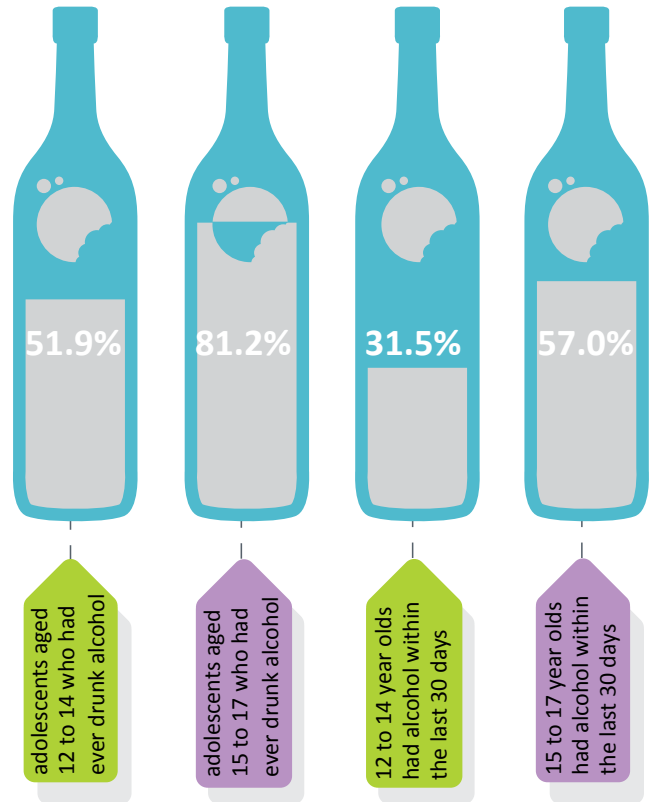
\*23% across rural Victoria

## HEALTH & WELLBEING

POSITIVE EMOTIONAL WELLBEING reported by adolescents

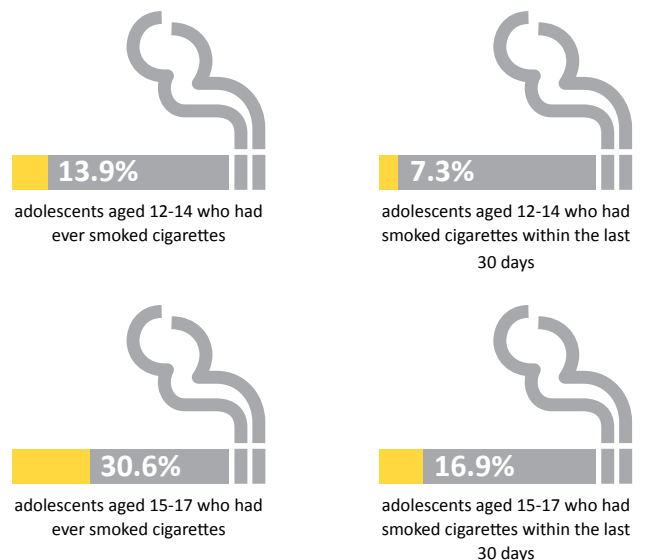


## ALCOHOL



All statistics are higher than the Victorian average, but not significantly so.

## SMOKING



All 12-14 years were higher than the state average but not significantly so. All 15-17 years were lower than the state average but not significantly so.

## DRUGS

Adolescents aged 12 to 14 years



**2.5%**  
Had used marijuana



**9.3%**  
Had sniffed glue or chromed



**2.5%**  
Had used other illegal drugs

Adolescents aged 15 to 17 years



**7.7%**  
Had used marijuana



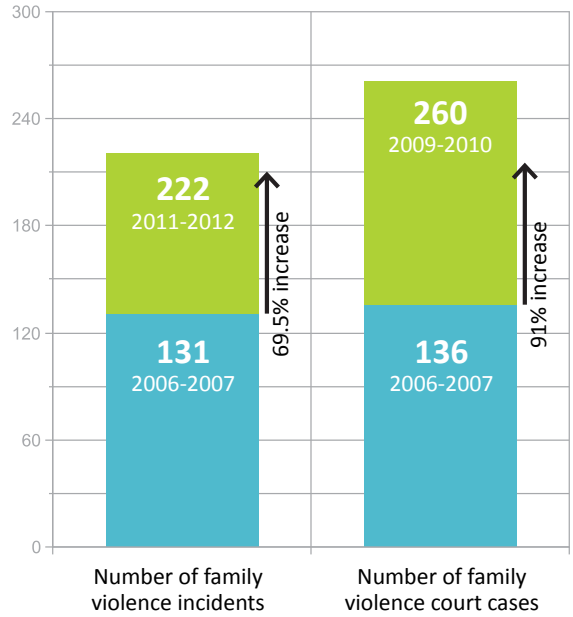
**4.9%**  
Had sniffed glue or chromed



**4.9%**  
Had used other illegal drugs

The proportion of drug use by young people aged 12 to 14 years and 15 to 17 years is not significantly different to the proportion of people in the same age groups surveyed in Victoria.

## FAMILY VIOLENCE



% of children and young people involved as other parties in family violence incidents in Moorabool

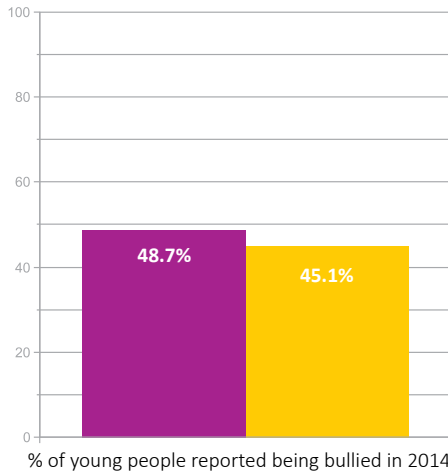


% of children and young people involved as other parties in family violence incidents in Victoria

The proportion of family violence in Moorabool has been at least 9.4% (or higher) than the Victorian average for at least the past five years.

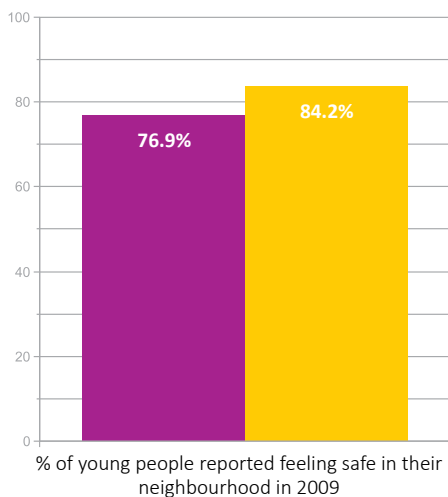
## SAFETY

### BULLYING

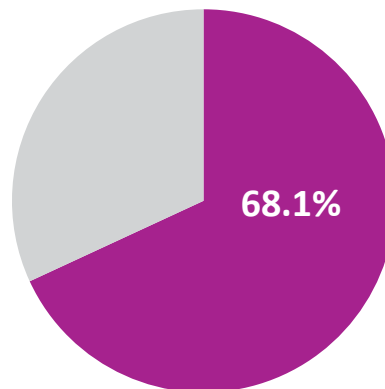


■ Moorabool  
■ Victoria

### FEELING SAFE

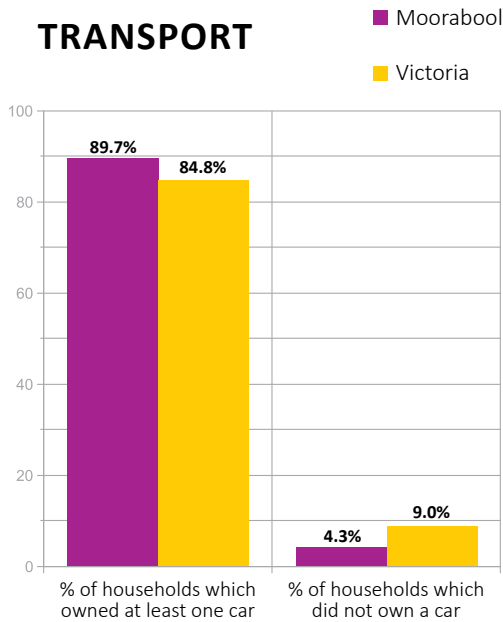


## ACCESS TO SUPPORT

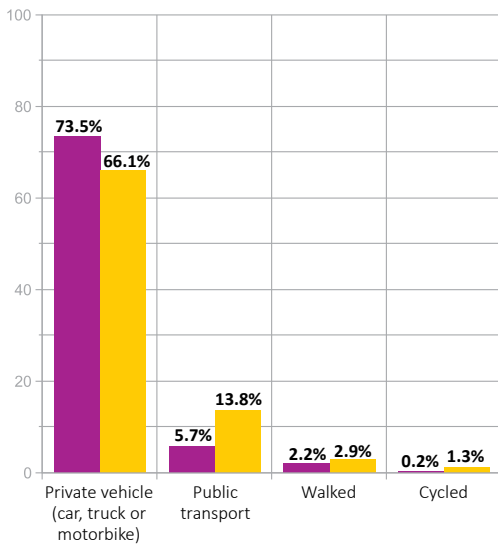


In 2009, the proportion of adolescents who reported **having a trusted adult in their life** was slightly lower than for for **Victoria (70.8%)**, but not significantly so.

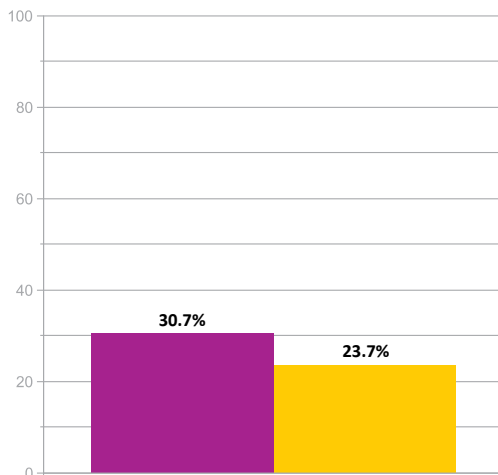
## TRANSPORT



### Transportation used to get to work



### Experienced transport limitations



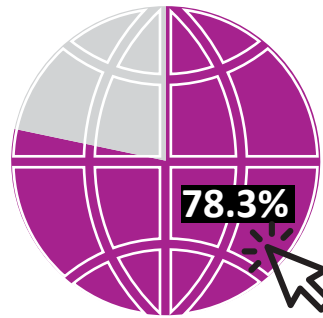
% of adolescents felt that lack of access to transport impacted on their ability to get to people and/or services

8.3%

9.3%

## LEISURE AND SPORT

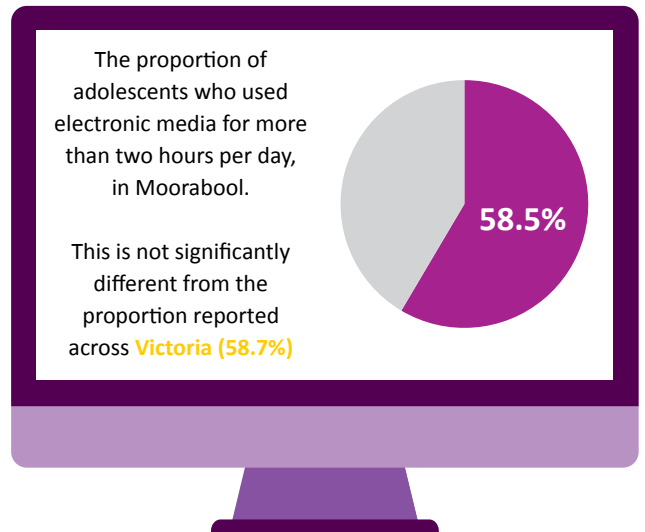
### INTERNET ACCESS



% of persons living in households that **had Internet access**, of any form, in Moorabool

This is not significantly different from the **Victorian State average of 79.6%**.

### ELECTRONIC MEDIA



### PHYSICAL ACTIVITY



% of adolescents that did the recommended amount of physical activity (at least 60 minutes) every day

9.0%

12.3%

Moorabool Shire has the highest percentage of people per capita engaged in active recreation across the Grampians Region. (Moorabool Shire Council, 2013b)

## OUR APPROACH

### Recruitment strategies

Promotional materials including flyer and posters were developed to provide stakeholders with information on how they could become involved in the community consultations, most particularly the online survey. Three flyers were developed, targeting young people, parents / carers and youth service providers. These were placed in key locations across the whole of the Shire, and also distributed to key stakeholders across the Shire. Consultations were also promoted via Moorabool Shire Council Youth Services networks and communication strategies, e.g. Council's website and the Moorabool Youth Services Facebook page.

### Data gathering processes

A critical component of this feasibility study was consultation with key stakeholders via focus groups and an online survey, in accordance with Council's *Community Engagement Framework (2012)*. Three focus groups were held with young people and two with service providers, including Council staff. Young people, their parents / carers and service providers also completed online surveys. A total 532 people took part in the community consultations, including 271 young people, 232 parents / carers and 29 service providers.

### Focus groups

A total of 53 people took part in the focus groups. This included 40 young people and 13 service providers.

Three focus groups were conducted with young people. This included students from Bacchus Marsh Secondary College (n=32), young people from the Youth Advisory Group (YAG) and FReeZA (n=7) and young people living in Ballan (n=1).

Two focus groups were conducted with service providers. This included one with the Moorabool Agencies and Schools Together (MAST) group (n=8) and one with Moorabool Shire Council staff and Councillors (n=5).

### Online survey

479 people responded to an online survey. This included 231 young people, 232 parents / carers and 16 service providers.

Of the young people who responded to the question asking where they lived (n=193), 77.7% (n=150) resided in Bacchus Marsh. An additional 7.8% (n=15) indicated they lived outside of the Shire.

The remainder of respondents were from the following areas: Myrniong (n=7); Ballan (n= 6), Mt Egerton (n=5), Blackwood, Coimadai and Hopetoun Park (n=2 respectively), Balliang, Gordon, Lal Lal and Wallace / Millbrook (n=1 respectively). Due to the small number of

respondents in areas other than Bacchus Marsh, further analysis by suburb is not possible or appropriate.

The study also included a review of relevant policy trends and initiatives, demographic data, service mapping of youth services within Moorabool Shire, and benchmarking against the provision of youth spaces and services in neighbouring local government areas (LGAs).

### **Communication**

Promotional material included a newsletter targeting young people, parents / carers and service providers, to acknowledge their contribution to the community consultations, communicate key findings, and describe subsequent stages of the project. This is included as Appendix 1.

### **Stakeholder feedback**

A draft Issues and Options report was circulated to key stakeholders, including Moorabool Agencies and Schools Together (MAST) and the Moorabool Health and Wellbeing Youth Subcommittee for comment. Feedback received is included as Appendix 2. The Issues and Options report informed the development of the Draft Youth Space/s Feasibility Study report.

### **Public exhibition process**

At the Ordinary Meeting of Council held on the 6th of July 2016 Council endorsed the Draft Youth Space/s Feasibility Study for the purpose of community exhibition for a period of four weeks. More than 40 submissions to the study were received. Responses received during the public exhibition and submission process are included as Appendix 3.

## WHAT WE LEARNT FROM THE COMMUNITY CONSULTATIONS

### From young people

Young people in the online survey were positive about the feasibility of a youth space/s in Moorabool Shire:

- Of the young people aged 12 to 25 years who responded to a question about the benefits of a youth space/s (n=171), 75% (n=129) believed Moorabool would benefit from a youth space/s
- This sentiment was consistent across the age groups. Of the 115 young people aged 12-17 years, 72% (n=83) believed Moorabool would benefit from a youth space/s. Of the 56 young people aged 18-25 years, 82% (n=46) believed Moorabool would benefit from a youth space/s
- Of the young people aged 12-25 years in Bacchus Marsh (n=131), 77% (n=101) believed Moorabool would benefit from a youth space/s
- Of this number, 71% of young people aged 12-17 years in Bacchus Marsh (n=65) believed Moorabool would benefit from a youth space/s and 90% of young people aged 18-25 years in Bacchus Marsh (n=36) believed Moorabool would benefit from a youth space/s
- There was stronger support for a youth space/s from parents / carers in the online survey. Of the parents / carers who answered this question (n=111), 96% (n=106) parents / carers believed Moorabool would benefit from a youth space/s.

Young people highlighted a number of reasons they believed Moorabool Shire would benefit from a youth space/s. This included how a youth space/s could address the unmet needs of young people in Moorabool, as follows:

- *Providing an inclusive, welcoming space and a sense of belonging for all young people* - young people highlighted the need for a youth space/s that accommodated all young people and acknowledged their diverse range of need and interests. While Council provides quality sporting facilities as part of its strategic priorities, for a number of young people this does not meet their needs as evidenced in the comment below:

***“If you’re not with [the] footy club or netball you’ve got nothing to do”.***

***“I think it would be a space everyone is happy to share and feel welcomed”.***

- *Creating a safe and central place to meet with friends* - which offers young people a sense of purpose and direction. Young people noted a need for a dedicated space/s to engage in relevant and meaningful activities at suitable times, including weekends and after school.

***“Sometimes you’re just sitting there [at McDonalds] eating a 50 cent cone, waiting for something to happen”.***

***“[It should be] open weekends and after school. At the moment there is nowhere to go”.***

- *Gaining information about the full range of available youth services* - currently young people are unsure of where or who to go to for support. This means they tend to rely on family members and friends for information rather than obtaining professional advice. Accessing information via face-to-face communication is a preferred option for some young people, and builds on existing communication strategies, such as websites and Facebook.

***“Services may exist but are not promoted enough for people to be aware of them”.***

***“Not knowing who to talk to and especially if you are hesitant to share your problem. The youth centre is a way to get that information out”.***

- *Accessing activities and programs relating to priorities and interests* - this included opportunities to make social connections, and to increase skills and knowledge to support education and employment. It also included opportunities to participate in a range of recreational and leisure activities, including hobbies, interests, entertainment and sport.

***“It would be great if it had practical and recreation activities”.***

***“[It could have] information that could help with [our] futures. (This would also increase jobs in the Ballan community)”.***

- *Providing a soft entry point to access specialist services* without a stigma attached. Young people were keen to access appropriate support but reluctant to seek it out for fear of how they might be perceived by others.

***“There could be opportunities for counselling and psychologists but it can’t look like they are going for help because a range of things happen there”.***

- *Creating a sense of identity / Increasing youth engagement* - by being respected by and valued within the community and having opportunities to contribute to the community. YAG members especially were committed to the idea that they could be the ‘voice’ of young people, ensuring a youth space/s was relevant and responsive to their priorities, interests and needs.

***“[The] YAG group would get better known as a group for young people in [Bacchus] Marsh and we could really show the potential of what we can achieve”.***

***“YAG should have constant input as it is progressing. We are not just talking about it; we actually want an input and assist with it. We want to make something for the community”.***

Young people were equally candid about what would make young people more or less likely to use a youth space/s. Their criteria in this regard were both pragmatic and aspirational, particularly in relation to the look and feel of a potential youth space/s. For young people, it was important a youth space/s was clean, homely, fresh, comfortable and well maintained. Other critical considerations related to the following:

- *The aesthetics of the space/s* - It was important that the physical space/s had a vibrant and contemporary look and feel. Examples of local buildings that fitted with young people's image of an ideal youth space/s were the Lerderderg Library and Baby Black Café.

***“It would have to look nice and be a modern facility”.***

***“It shouldn't look second class, not an old brick building”.***

- *Community attitudes towards young people* - it was important a youth space/s demonstrated to young people that they were valued in and by the community. If the space/s was unclean, perpetuated negative stereotypes of young people, and did not look or feel welcoming, young people would not come.

***“There are a lot of things that are “not cool”, but [...] if looks old and daggy, if it feels immature”.***

- *Activities and services available* - it was important that a youth space/s offered a range of services and programs. It was also important that these services and programs remained responsive to new and emerging needs and priorities.

***“If it was to be a youth centre as a place that has only one focus then it will lose momentum, but if it offers a range of experiences, activities, then it was more open as a place to meet”.***

***“The programs and courses would need to change all the time so that people will continue to use it”.***

### **From service providers**

Service providers were also positive about the feasibility of a youth space/s in Moorabool Shire.

- Of the service providers that responded to the question in the online survey (n=10), 80% (n=8) believed Moorabool Shire would benefit from a dedicated youth space/s.

Service providers highlighted a number of reasons they believed Moorabool Shire would benefit from a youth space/s. This included how a youth space/s could address the needs and priorities of young people in Moorabool as follows:

- *Responding to unmet needs* - Just under half of the service providers in the online survey reported having a waiting list. Some collaborative programming within a youth space/s could assist in addressing some of the common presenting issues associated with service waiting lists.

***“You have to have partnerships and spread the load. You'd be silly to try and stand alone because you are just going to fall”.***



- *Extending hours of service delivery* - Just over half of the service providers in the online survey said there was demand for service provision at different times than those currently available. By providing services outside traditional business hours, young people and families who cannot use services during business hours will gain benefit.

***“It has to be something interesting for young people: it has to be a fluid and flexible program, responsive to needs and interests”.***

- *Responding to needs locally* - A number of youth services based in Ballarat have Moorabool included in their funding and service agreements. However, they rarely actually operate in the Shire due to a lack of available operational space. A youth space/s would provide an effective option when no other existing space was available. It would also provide a more accessible option, given the transport limitations associated with getting to services and support within and outside of the Shire.

***“Centrelink and family services are in Melton and inaccessible”.***

- *Addressing critical issues impacting on young people* - Mental health issues were identified as the top issue affecting young people, according to responses of young people, parents / carers and services providers in the online survey.

This is supported by research, which found 14% of children and adolescents in Australia have mental health problems, and of this percentage, only 25% of young people with mental health problems receive professional help (Sawyer, et al., 2000). A youth space/s would provide a soft entry point to access specialist services, including mental health, without a stigma attached.

***“There are highly motivated and energetic people working in youth services in the community that want an opportunity to deliver these services”.***

- *Supporting vulnerable communities* - the incidence of family violence in Moorabool increased by 69.5% from 2006-2007 to 2011-2012. The effect of family violence is far reaching, and impacts not only on the victim, but also their family, friends, colleagues and the broader community. It was noted that in some instances young people in Moorabool are required to care for parents who may have drug and alcohol problems and/or depression.

Djerriwarrh Health Services have expressed concerns with respect to the predicted population growth for Moorabool sitting alongside concerning data trends of increasing rates of family violence and child protection notifications. A youth space/s in Moorabool would provide a means to ensure appropriate services and facilities are accommodated in response to this trend.

***“It’s the basic needs that are not being met. There are children that do not have enough food or are couch surfing”.***

- *Responding to youth disengagement in school* - service providers noted demographic data relating to youth disengagement in school as an area of concern, especially when compared to state averages. The provision of a youth space/s would create an opportunity to offer alternative educational experiences to help re-establish connections with school, which in turn can result in higher retention rates or at least better education outcomes for young people.

***“We have a high rate of dropout from high schools”.***

- *Increasing youth engagement* - Youth Services report having achieved genuine engagement through YAG and FReeZA, However, most service delivery is targeted at schools and is provided in business hours, impacting on the level of engagement possible. If Youth Services is to achieve engagement on a broader level they will require a space to operate from that is known to the community and open outside of business hours.
- *Working collaboratively* - most service providers said they were working well together and even more aspired to work even better together. A youth space/s would provide an opportunity for service providers to work together to respond to the needs of young people in Moorabool and address service delivery gaps.

***“We (MAST) have great ideas but we can’t kick it off. A youth space would provide a platform to deliver services. We can extend so much on what we do”.***

***“There are opportunities for partnerships with schools to deliver skills based and interest programs, such as horticulture and car mechanics. TAFE have showed an interest in forming partnerships. We need to think laterally so that these partnerships lead to lifelong skills”.***

## Summary

Young people, their parent / carers and youth service providers were all positive about the feasibility of a youth space/s in Moorabool Shire. They also highlighted a number of benefits in the provision of a youth space/s, including its potential to address the unmet needs of young people in Moorabool.

Young people were enthusiastic about the provision of a safe and central space that was contemporary and vibrant, inclusive and welcoming, and that affirmed they were valued in and by the community. They aspired for a youth space/s that offered a range of programs and services linked to identified priorities, interests and needs. This included a soft entry point to access specialist services without a stigma attached. Young people were also eager to play an active and ongoing role in the planning and development of a youth space/s.

Service providers were also enthusiastic about the provision of a youth space/s in Moorabool. This was particularly so with regard to its potential in addressing critical issues impacting on

young people. This includes mental health issues and family violence. Service providers were also keen to work together to better address needs and gaps in service delivery. This included providing a greater range of services within Moorabool rather than requiring young people and their families to travel outside of the municipality.

## VISION AND PRINCIPLES TO INFORM FUTURE DECISION MAKING AND PROVISION OF YOUTH SPACE/S

A significant amount of engagement was undertaken to develop the vision and principles to inform the future decision making and provision of youth space/s in the Shire.

The Moorabool Health and Wellbeing Youth Sub-committee's vision of a youth space is for:

*"A dedicated space providing a point of first contact, referral and information for young people and their families, which incorporates, space for programmed activities, a range of youth services including but not limited to health and mental health, counselling and support.*

*A youth space encourages youth engagement with family, support services and the community and can be a dedicated youth environment within a larger community space".*

### Young people's vision for a youth space/s

Young people had a clear vision for and commitment to a youth space/s in Moorabool Shire. According to the young people who took part in the community consultations, a youth space/s would be:

- Inclusive
- Welcoming
- Respectful
- Contemporary
- Safe, and
- Homely.

Furthermore, young people in Moorabool aspired for an active space/s, which engaged them through the relaxed and social nature of the space/s itself and the relevance of the programs and services on offer.

This aligns with Moorabool Shire Council's vision:

*"Vibrant and resilient communities with unique identities"*

It also supports Council's commitment of:

*"Working with our people to deliver valued outcomes that improve community wellbeing and are economically responsible".*

It was also important to young people that there was community awareness of the purpose of the space/s so it **"doesn't have a stigma attached"** and **"[doesn't] have someone who will sit and judge"**.

## Service provider's vision for a youth space/s

Service providers envisaged a youth space/s that was first and foremost recognised for its potential in building the capacity of the community: ***"It is not just about youth it is about the community"***. They imagined a youth space/s that had a clear purpose, rather than being a drop-in centre.

Service providers also stated that a youth space/s should:

- Empower young people with a positive outlook and sense of belonging to the community, and
- Orientate young people towards being socially engaged, educated and employed.

## Summary

Young people, their parents / carers and service providers all believe there is a need for a youth space/s in Moorabool Shire. They also believe these space/s have benefits to the community, providing a source of information to the community and a centralised point of contact. This would enable the provision of an integrated and flexible range of services and programs that can respond to the priorities and needs of young people, and promote young people as valuable, resourceful and deserving of respect.

The following key principles will guide the vision for any future development of a youth space/s in the Moorabool Shire:

- Inclusivity
- Accessibility
- Contemporary design
- Safety
- Empowering young people, and
- Promoting a sense of belonging within the community.

These principles have been informed by feedback received through the community engagement process, and the vision of the Moorabool Health and Wellbeing Youth subcommittee.

The vision and principles to inform future decision-making and the provision of youth space/s in Moorabool aligns with Council's broader vision and mission. It also reflects Council's commitment to young people and an image of young people as capable, competent and resourceful civic citizens. Importantly, it is informed by the aspirations of key stakeholders, including young people and youth service providers.

## SOCIAL AND ECONOMIC BENEFITS OF A YOUTH SPACE/S

### Social benefits

Youth spaces contribute to positive social benefits through the provisioning of services and programs that support the learning, development and wellbeing of young people. This has the capacity to broaden their understandings and outlook beyond their immediate environment, and supports their sense of belonging and connectedness to their community.

Youth spaces also have the capacity to change the way young people are viewed within the community through the provisioning of a space and programs that focus on young people's strengths and potential, rather than their weaknesses and deficits.

The *Moorabool Shire Youth Strategy (2013-2016)* recognises that the establishment of a youth space/s would have clear health and wellbeing benefits for young people, stating that:

*“The provision of infrastructure and open space is an important role of Council. The provision of appropriate infrastructure including youth spaces, open space public reserves and youth meeting places promotes the wellbeing and health of young people and our communities”* (p. 14).

Service providers identified a number of issues that young people of Moorabool deal with in their day-to-day life. These issues pose significant challenges to young people in reaching their potential and ensuring they have opportunities to enrich their lives and contribute to the broader community. They include:

- Mental health issues, including anxiety, stress and depression
- Substance abuse, such as drugs and alcohol addiction
- Social issues relating to family and peer relationships, and
- Basic needs (e.g. food, housing) not being met.

Critically, a youth space/s provides a soft entry point and a coordinated, holistic approach to addressing young people's *“problems and troubles”*, while also providing for their strengths and interests. Clearly, young people saw potential in a youth space/s connecting them with people and organisations to help them lead flourishing lives, as reflected in the following comments:

***“If you were to go to a youth hub then people don't know if you are going for support or to play Xbox”.***

***“Not knowing who to talk to and especially if you are hesitant to share your problem. The youth centre is a way to get that information out”.***

## Economic benefits

A youth space/s that adopts an integrated model of service delivery has been shown to reduce the costs of service provision by overcoming service delivery fragmentation and duplication (Keast, Brown & Mandell, 2007).

Significantly, a youth space/s aligns with the core objectives of Council's economic vision in 2021 and beyond, to create "vibrant and resilient communities with unique identities" (*Moorabool Shire Economic Development Strategy*, 2015a, p. 6). The opportunities afforded by service provision within a youth space/s would create capacity for economic development through education and training programs as follows:

1. New local jobs, for local people
2. A diverse and entrepreneurial local industry base, and
3. Facilitate the capacity and diversity of the local workforce.

The development of a youth space/s also sits within economic forecasting and the avenues to enhance livability in Moorabool. This includes the benefits of prioritising infrastructure investment as highlighted in the *Moorabool Shire Economic Development Strategy*, (2015a, p. 23):

*"Infrastructure investment will help maintain our quality of life, and help unlock some of the barriers currently limiting sector growth in the Shire".*

Service providers highlighted that as current provisioning stands, there is little opportunity for young people in the Shire to participate in paid employment and to develop skills that would support future career opportunities both within the community and beyond. They said:

***"There is currently a pool of unemployment amongst an unskilled group of young people... 16-25 year olds".***

The development of a youth space/s also aligns with Council's plan to boost human capital in the area. The youth space/s specifically relates to the opportunities it would facilitate through the provisioning of education and training that support pathways to local employment.

Young people were pragmatic in their thinking around the capacity of a youth space/s to support their participation in education and training, career development, future employment and opportunities to make an active contribution to the community. This included practical strategies, such as a notice board for local business to advertise jobs for young people.

## Summary

A youth space/s has social and economic benefits for the Moorabool community, supporting a number of Council initiatives, including the *Moorabool Shire Youth Strategy (2013-2016)*, the *Health and Wellbeing Plan (2013-2016)*, and the *Moorabool Shire Economic Development Strategy*. Providing an assets-based approach to youth service provision, a youth space/s provides greater engagement with young people, strengthening opportunities to support their

learning and development, and increase their connection with and contribution to the Moorabool community. It would also reduce service fragmentation and duplication, particularly if an integrated approach is adopted, providing a more efficient and effective approach to service delivery.



# PREDICTED USAGE OF A PROPOSED YOUTH SPACE/S

The predicted usage of a proposed youth space/s is impacted by a number of factors, and most notably by the views of stakeholders about the benefits of a potential youth space/s in the Shire, and what would make young people more or less likely to use the space/s. The needs and priorities of young people and service providers in relation to a youth space/s have been highlighted previously in lessons learnt from the community consultations. The potential of a youth space/s in addressing these needs and priorities is also critical to the predicted usage.

## Perceived use of a youth space/s

As stated previously, most young people, their parents / carers and service providers believed that Moorabool Shire would benefit from a youth space/s. Young people and their parents/carers were also asked to comment on the likelihood that they would use a youth space/s.

- Almost half (47%) of young people in the online survey said they would be 'likely' or 'highly likely' to use a youth space/s
- There was stronger support from parents / carers, with 81% believing the young person(s) in their care were either 'likely' or 'highly likely' to use a youth space/s.

Young people's responses to this question are shown in Figure 1 below. The overall response is positive. However, it should be noted here that young people's lack of prior knowledge and experience of a youth space/s might impact on their response. This includes those who were uncertain or said they were unlikely to use a youth space/s.

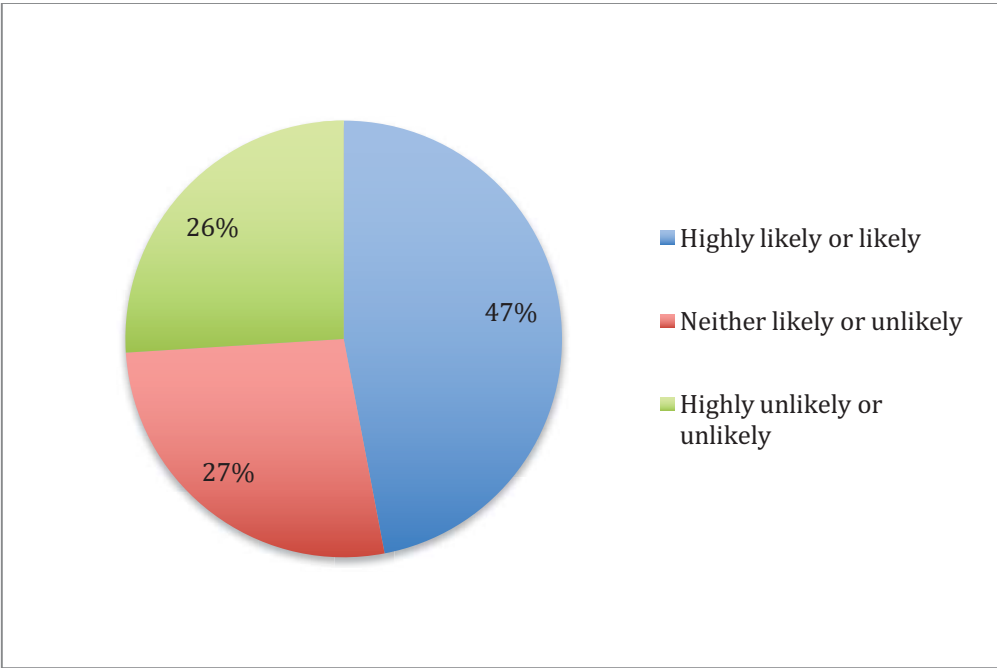


Figure 1: Young people stated likelihood that they would use a youth space/s

Young people had strong views about what would make young people more likely and less likely to use youth space/s. These have been discussed previously and include:

- The aesthetics of the space/s
- Community attitudes towards young people
- Activities and services available, and
- Youth involvement and engagement.

Factors impacting on the potential use of a youth space/s raised predominately by parents / carers and service providers were:

- Age considerations, and
- Access by public transport.

Geographical location was also noted as a factor impacting on usage. This will be discussed in further detail in the section on the investigation of a suitable location and concept plan.

### **Age considerations**

Both parents / carers and service providers commented on the target group of 12-25 years for a youth space/s and the significant developmental range associated with young people across this age range. Accordingly, youth space/s must be flexible in their function and programming, for example, a 14 year old would require quite different support and services to a 24 year old.

Interestingly, while young people also commented on the diverse needs of young people across the 12-25 year age range, the issue of safety was not noted as a concern. One young person noted that young people of different ages could potentially use the space/s at different times and for different purposes. This young person suggested that the space/s could be used by **“single mothers and fathers between about 10am-12pm [...], who would like a space to meet when young people are at school”**.

### **Access by public transport**

The issue of how to access a potential space/s, including the use of public transport, was noted by all stakeholders. In describing the challenges of getting around Moorabool by public transport, one young person made the following observation:

**“Public transport is not always ideal, especially for young kids. Mums and dads can’t always drive you. If you miss a train and miss a bus you’re stranded. Sometimes you look and have to decide if you really want to do something because of the hassle of public transport”**.

Young people’s capacity to get around in their community is of course dependent on their age and where they live. Responses to an online survey question about modes of transport when not going to school, study or work revealed the following:

- 62% of young people are driven by a parent / carer
- 46% walk
- 32% catch a bus, and

- 25% catch a train.

It should be noted that in answering this question that respondents could nominate more than one response.

An analysis of these responses according to age highlights the differences in service age groups, as shown in Table 1 below.

Table 1: Comparisons of young people's mode of transport when not going to school, study or work by service age group

Service age group	Highest response	Second highest response
12-17 years	Driven by a parent / carer (75.65%)	Walking (51.30%)
18-25 years	Walking (46.43%)	Drive myself (42.86%)

The ease of getting around when not going to school, study or work was similar across these age groups, with 42% of all young people reporting it was either easy and/or very easy to get around and 21% stating it was hard and/or very hard (21%). In contrast, 23% of families believed it was easy and/or very easy for young people to get around, compared with nearly 50% who said it was hard and/or very hard.

An analysis of where young people lived highlighted greater variation in relation to how young people in Moorabool get around and the ease with which they did so. Table 2 differentiates the responses of young people in Bacchus Marsh and Ballan who responded to this question. The combined responses of young people from the smaller townships are also included below.

Table 2: Comparisons of young people's mode of transport when not going to school, study or work by place of residence

Place of residence	Highest response	Second highest response
Bacchus Marsh (n=150)	Driven by a parent/carer (60.67%)	Walking (50.67%)
Ballan (n=6)	Walking (83.33%)	Driven by a parent / carer (66.67%) Train (66.67%)

In a collective analysis of responses from young people in smaller townships, i.e. Balliang, Blackwood, Coimadai, Gordon, Greendale, Hopetoun Park, Lal Lal, Mt. Egerton, Myrniong, Wallace / Millbrook (n=22), most young people relied on their parents / carers to get around (72.73%) followed by the train (40.91%) and the bus (31.82%).

Young people's response to the ease of getting around revealed the following:

- More young people in Bacchus Marsh said it was easy or very easy to get around (41.33%), compared with those who said it was hard or very hard (16%)
- More young people in Ballan said it was easy or very easy to get around (83.34%), compared with those who said it was hard or very hard (16.67%)

- More young people in smaller townships said it was hard or very hard to get around (45.45%), compared with those who said it was easy or very easy (36.36%).

## **Summary**

Almost half of the young people surveyed (47%) said they would be likely or highly likely to use a youth space/s situated within Moorabool. There was even stronger support from parents / carers, with 81% believing the young person(s) in their care were either 'likely' or 'highly likely' to use a youth space/s. Factors such as appearance, a non-judgmental atmosphere, accessibility and youth engagement were all noted as important. Also important was the provision of a range of programs and services responsive to diverse needs and developmental range of young people aged between 12 and 25 years, as well as access to a potential youth space/s by public transport.

## INVESTIGATION OF AN APPROPRIATE MODEL FOR A YOUTH SPACE/S

An investigation of an appropriate model for a youth space/s is consistent with the aspirations of agencies and schools that do and potentially could operate in Moorabool, that a youth space/s should facilitate the active, purposeful and sustained engagement of young people, which would:

- Enable Council to provide a *flexible* service model
- Provide operational space/s for external services
- Reduce costs of transport, equipment handling and venue hire, and
- Significantly enhance the youth engagement effort (*Moorabool Shire Youth Strategy 2013-2016*, p. 16)

This is consistent with the predominant theme emerging from community consultations, that an ideal youth space/s would be an integrated hub service model or **“a one stop shop”**, generating opportunities for youth, Council and the wider community. Service providers in the community consultations highlighted possibilities for innovation and collaboration in a youth space/s and the benefits of doing so:

***“We cannot survive in this economic area without partnerships and sharing the load. [...]. To do it properly we need to concentrate on partnerships”.***

***“A youth space is part of a bigger picture story, with economic, cultural, educational and social benefits”.***

### A community hub

The vision for Moorabool’s youth was reflected in one service provider’s statement in relation to their assessment of what was missing in youth service provision in the Shire - **“a youth central hub, a centralised familiar place to access face-to-face support”**. The notion of a centralised place within the community, featuring a dedicated space/s for youth, fits well with a community hub model.

A **community hub** is defined as:

***“A conveniently located public place that is recognised and valued in the local community as a gathering place for people and an access point for a wide range of community activities, programs, services and events”*** (Rossiter, 2007, p. 2).

Typically, a community hub is a place / space for local groups and organisations to meet and offer a range of programs, services and activities to address the identified needs and priorities of the community. An example of a community hub incorporating both a youth space and multi-purpose facilities is the Taylors Hill Youth and Community Centre, situated in the City of Melton. As described on the City of Melton website, the youth space *“provides a central location for*

*young people to meet and connect with others and also provides youth specific resources and services” (City of Melton, 2015).*

## **Co-location and integration – models of service delivery**

The concept of a community hub highlights two aspects of service delivery:

- Co-location, and
- Integration.

### **Co-location**

Co-location refers to the location of a number of services within the same building or site, creating what is sometimes referred to as a “one stop shop”. Physically locating services together addresses some of the issues impacting on young people and their families, most notably the challenges of getting to services, impacted by poor public transport. While co-location does not guarantee a more collaborative approach to services working together, there is evidence that it can support greater linkages between them (Moore, 2008).

The co-location of youth services within a community hub has potential in Moorabool. 35.7% of the service providers (n=5) in the online survey reported they did not have a building or permanent operational space in Moorabool Shire. In addition, 70% of service providers (n=7) expressed some interest to utilise shared space at a location managed by Council. Of this percentage, 20% were extremely interested, 20% were interested and 30% were slightly interested.

### **Integration**

While co-location is important, critical to the success of a community hub is integration. An integrated approach to service delivery refers to the way in which services work together rather than where they are located. 40% of service providers in the online survey described their current approach to working together as collaboration while 20% said they were working in an integrated way. When asked how they would ideally like to work together, the same percentage (i.e. 40%) expressed a desire to work in collaboration, while a slightly greater percentage (30%) sought to work in a more integrated way.

There is considerable evidence highlighting the benefits of integrated service delivery. However, this way of working together requires sustained effort on a number of levels. Critical components of successful integration include:

- Strong leadership
- A shared vision, philosophy and/or goals
- A strong commitment to the process of integrated practices
- Open communication
- Sufficient timeframes aligned to goal attainment and building relationships, and
- Adequate resources and sharing of resources (See Maslin-Prothero & Bennion, 2010; Siraj-Blatchford & Siraj-Blatchford, 2009; Moore, 2008; Keast, Brown & Mandell, 2007).

Council's commitment to an integrated approach to service delivery is supported a key principles underpinning the Community Infrastructure Framework, which states:

*“Council's investment in community infrastructure will seek to develop multipurpose and inter-generational facilities that meet the needs of a broad range of users and services. The Framework will identify opportunities to co-locate or integrate services and involve multiple stakeholders in the planning, design and operation of facilities”.*

## **A youth space/s**

A youth space/s situated within an integrated service delivery model can address the needs of young people in a community setting, working in partnership with schools, training providers, employers and community organisations. It provides a fresh venue away from schools in which all young people can access social, recreational and educational activities as well as broad support services as part of a prevention strategy.

A youth space/s can deliver a range of universal and/or targeted programs and services:

- **Universal service provision** includes careers advice, health services, sport, recreation and leisure activities, and community volunteering; and
- **Targeted service provision** seeks out young people deemed at 'at-risk' on the basis of a range of factors including disadvantage, disengagement, family conflict, homelessness, mental health issues and substance abuse. Targeted service provision may include early intervention or require a more intensive approach, including case management (Bond, 2010).

This model aligns with the Health and Wellbeing Youth Sub-Committee's current vision and with local service providers' views of what a youth space/s might offer. In thinking about how a youth space/s could operate, most service providers (87.5% or more) endorsed the following:

- Visiting services could use this space/s
- Programmed activities for young people
- Co-location of Council and non-Council youth services
- A space/s for youth focused events, and
- Facilitating networks and collaboration.

## **Service provision incorporating universal and targeted programs**

Feedback obtained through community consultations suggests this mixed model of providing universal and targeted services aligns with what young people and their parents / carers want in a youth space/s. This is reflected in Table 3 below. Responses in bold were proposed by both young people and parents / carers. It is noted that in answering this question that respondents could nominate more than one response.



Table 3: Responses of young people and parents / carers to an online survey question asking what would like to see provided in a youth space/s

Young people	Parents / carers
<b>Recreation and leisure (61%)</b>	<b>Recreation and leisure (82%)</b>
<b>Drug and alcohol support (60%)</b>	Counselling / personal support (73%)
<b>Health / mental health (56%)</b>	<b>Youth drop in space (69%)</b>
School holiday programs (56%)	Youth events (68%)
Employment / education and training (52%)	<b>Health / mental health (60%)</b>
Support services (e.g. young mums group) (50%)	<b>Drug and alcohol support (60%)</b>
<b>Youth drop-in space (50%)</b>	Arts and culture (59%)

Young people also expressed interest in youth events and programs being offered in a youth space/s. The most frequently requested event was FReeZA by 34% of respondents. Other events and programs nominated by more than one quarter of respondents included: Blue Light (31%); Youthfest (26%); Young Mums program (25%); Youth Week (25%); Active8 program (25%); and the Youth Action Group (25%).

Current issues impacting young people in Moorabool that may be targeted through the provision of more specialist and/or targeted services are detailed below in Table 4. Issues common across two or more stakeholder groups are highlighted in bold. It should be noted that in answering this question that respondents could nominate more than one response.

Table 4: Top three issues affecting young people, according to responses of young people, parents / carers and services providers in the online survey

Young people	Parents / carers	Service providers
<b>Anxiety / stress (32%)</b>	<b>Anxiety / stress (54%)</b>	Depression (71%)
<b>Drugs (26%)</b>	School / work stress (50%)	Family conflict (71%)
<b>Bullying (25%)</b>	<b>Bullying (46%)</b>	<b>Illegal drugs (71%)</b>

A community hub model, offering a range of services and programs also provides a soft entry for young people who may be reluctant to seek support and/or be unsure of the referral pathways to access it. Both young people and service providers supported this concept, as evident in the following comment of a young person:

***“There could be opportunities for counselling and psychologists but it can’t look like they are going for help because a range of things that happen there”.***

### Responsive service provision

A key component to the provision of services, programs and activities within a youth space/s is keeping abreast of and being responsive to young people’s interests, priorities and needs, and recognising that these will change over time. This requires a flexible and responsive approach as acknowledged in the *Youth Strategy (2013-2016)*:



*“It is recommended that Council implement a flexible approach to service delivery, so that youth services can run a number of one off, short term programs which better respond to changing, transient and or unexpected youth needs” (Resourcing Council’s Youth Services, Recommendation 10, p. 18).*

This sentiment was endorsed in the community consultations as evidenced in the comments below:

***“If it was to be a youth centre with only one focus then it will lose momentum but if it offered a range of experiences and activities, then it would be more open as a place to meet and young people would use it”. (Young person)***

***“The programs and courses would need to change all the time so that people will continue to use it”. (Service provider)***

Together, Council and its community partners is more able to offer the full suite of universal and targeted programs and services for young people than can be provided by one organisation alone. There is also genuine interest and enthusiasm across the youth service sector to make this work, as evidenced in the comment below:

***“A youth space would provide a platform to deliver services. We can extend so much on what we do”.***

## **Summary**

Both young people and service providers endorsed the concept of a youth space/s within a community hub, incorporating both co-location and integration. This would provide a soft entry for young people who may be reluctant to seek support for fear of how they may be perceived, and/or who are unsure of the referral pathways to access support.

An integrated approach also aligns with Councils’ Community Infrastructure Framework and is consistent with service provision across other Council departments, e.g. early years services. It also acknowledges and builds on the commitment of youth service providers, including Council, to work together to offer a full suite of universal and targeted programs, services and facilities for young people in a timely, flexible and responsive approach.

## INVESTIGATION OF POSSIBLE MANAGEMENT AND FUNDING MODEL

Effective service management and governance is critical to the success of any organisation. Governance influences how the objectives are set and achieved, how risk is monitored and assessed, and how performance is optimised. While there are a number of management and governance models available regarding the operations of a youth space/s, the following are considered the two main options available to Council:

**OPTION ONE:** Council maintains management and delivery of the activities within the facility, with Council sharing the space with other key agencies and community groups, and by agreement leasing / licensing space to these agencies and community groups to off-set operational costs.

**OPTION TWO:** Council outsource components of the management and delivery of the youth space/s and maintain a service agreement with clearly defined outcomes to be achieved.

In reviewing existing models of youth space/s across a range of local government authorities in Victoria, the most favoured management and governance model is option one, to retain the delivery of youth space/s within Council and to align the service delivery model to other activities and priorities within Council's youth services. This includes the employment of staff within the youth space/s.

Development of a localised service delivery model in the early stages of the youth space/s, managed and delivered by Moorabool Council, can provide Council with the necessary mechanisms to ensure the ongoing delivery of services and programs connects to a range of Council strategies, including the *Moorabool Shire Youth Strategy (2013-2016)*, as well as ensuring a seamless approach to integrated service provision.

Funding provided by State and Federal Government agencies will not be sufficient to cover the costs of a youth space/s. Funding models associated with youth programs typically cover aspects of program delivery but not the entire costs associated with staffing and infrastructure maintenance. Moorabool Council would therefore be required to make a decision regarding the ongoing operational costs to cover:

- The physical space/s - this could be a new building or the extension and/or refurbishment of an existing building
- Staffing of the youth space/s
- Program planning, development and delivery, and
- Ongoing infrastructure maintenance.

In doing so they can ensure a long-term commitment to funding through Council's yearly operational budget.

Consistent with Council's developing Community Infrastructure Framework, which promotes the development of multipurpose and inter-generational facilities, one option for consideration

regarding funding may be to investigate joint funding opportunities across various Council Departments, for example Youth Services, Aged and Disability Services, Early Years etc.

**Financial implications of constructing or establishing a youth space/s and ongoing management**

The costs set out in Table 5 below are intended to be indicative. More detailed costing will require additional research that would be undertaken during a concept / design phase and the development of a business case.

Item	Cost	Comments
<b>Phase 1</b>		
<b>Feasibility study</b>		
Consultants	\$20,000.00	Committed
<b>Phase 2</b>		
<b>Design and concept planning</b>	<b>Estimates</b>	
Design and concept plans (Based on refurbishment of an existing facility)	\$ 50,000.00	
<b>Next steps</b>		
<b>Building</b>		
New building on a greenfield site	\$1.5 - \$3 million	
Refurbishment of an existing building	\$750,000 - \$1.5 million	
<b>Operational costs</b>	<b>Estimates</b>	
Cyclic maintenance (Annual)	\$5,000.00	
Utilities (Power and lighting / Gas / Water) (Annual)	\$7,200.00	Estimate is based on current use at the Andy Arnold Centre. With the exception of power, which may see a minor increase, other utilities are unlikely to increase
<b>Staffing</b>	<b>Estimates</b>	
No additional staffing costs		The facility would be managed with existing staff – therefore there would be no additional costs associated with the development of a youth space
<b>Incomes</b>	<b>Estimates</b>	
Rental of space by external service providers	3 services @ \$7.00 p/hr X 5hrs each X 42 weeks \$4,410.00	
One-off and short event / workshop rental	3 x 1 day sessions @ \$8.00 p/hr X 7hrs \$168.00 and 3 x 2 day sessions at \$7.00 p/hr X 14hrs \$588.00 Total for space rental = \$5,166.00 (Annually)	

Table 5: Cost estimates for constructing or establishing a youth space/s and ongoing management

Notes:

- The above figures, with the exception of the feasibility study, are estimates only. More detailed costings would be developed during Phase 2 - Design and concept planning, should Council move to Phase 2
- The building costs shown above compare:
  - New building on a greenfield site
  - Refurbishment of an existing building
- Provision of a new building on a green field site - using the Lerderderg Library as a comparison, such an option is likely to be in the vicinity of three million dollars, depending on the overall floor space required, standard of fit out and what technologies are incorporated into the building
- The refurbishment of an existing building is considered a more cost effective approach. Costs will vary depending on floor plan, fit out and technologies incorporated but would be likely to range from one million to 1.5 million dollars
- It is unlikely that utility cost will be as high as estimated – as these costs were based on current usage at the Andy Arnold Centre. As such, utility costs will be in addition to current costs and are unlikely to be of the same magnitude
- In addition, new building codes would mean that new spaces would be more energy efficient and if the additional space enveloped the existing site then additional thermal protection would reduce heating and cooling costs
- There will be greater efficiencies in staffing and engagement with the community.

## Summary

Management and funding models need to be clearly defined from the outset. Two options for consideration regarding management are: 1) Council maintains management and delivery of the activities within the facility, with Council sharing the space with other key agencies and community groups, and by agreement, leasing space to these agencies and community groups to off-set operational costs; or 2) Council outsource components of the management and delivery of the youth space/s and maintain a service agreement with clearly defined outcomes to be achieved.

Funding provided by State and Federal Government will not be sufficient to cover the costs of a youth space/s. Council is therefore required to seek alternative solutions to funding the ongoing operational costs associated with a youth space/s, which is in addition to current funding for staffing and service provision. This includes the building of the youth space/s or the extension and/or refurbishment of an existing building, in addition to ongoing infrastructure maintenance.

## INVESTIGATION OF SUITABLE LOCATION/S AND POTENTIAL CONCEPT PLAN

The assessment of a suitable location for a youth space/s in Moorabool is a critical consideration and warrants careful deliberation against specific criteria. The criteria used for the purpose of this study were:

- **Location** – Are the site(s) centrally located within the Shire and suitable for the catchment population?
- **Image / compatibility** - Does the site image complement the proposed development? (i.e. visual / aesthetics)
- **Size / available space** - Is there sufficient space to accommodate the requirements of a youth space/s, such as multi-purpose use, group work, office space for specialist services, and open space for recreational purposes?
- **Accessibility** - Is the site easily accessible using a range of transport options?

### East Moorabool

A number of existing facilities and potential spaces were identified for investigation during this study. While some possibilities were noted as part of this feasibility study, they were discounted as being unlikely to be realised in the immediate future, if at all. This includes the land behind / adjacent to the Lerederg Library, and the Bacchus Marsh Leisure Centre.

The land behind / adjacent to the library is currently occupied and the development of a youth space/s, especially in the short term as a new building, would incur the high costs associated with the establishment of a new building. The only likely site at the Leisure Centre is up-stairs. This space is relatively small and was not deemed to be suitable as a youth space/s given existing activities undertaken in that space.

Other sites such as sporting pavilions were also considered. However, at times of high need (4pm - 8pm) all sporting pavilions are fully utilised. In addition, all existing spaces used for youth related service are compromised in nature by way of location and access, functionality and serviceability. This includes Room 22 at the Bacchus Marsh Civic Community Hub, a multi-purpose space utilised for youth programming, which has been deemed to be unsuitable for this purpose.

It is anticipated that some limited space may be available for youth related services in future West Maddingley community facilities and the Darley Early Years Hub outside programmed hours.

In light of the lack of any other realistic options, one site that does warrant consideration as a realistic option, with consideration to the above criteria, is the Andy Arnold Centre in Bennett St, Bacchus Marsh. The centre currently has a high usage rate, most predominately by senior citizens as evident in Appendix 4. However, a staged approach to the development of the centre could provide the best option for a youth space/s within a community space in the future as population continues to grow.

## **West Moorabool**

It is noted that youth services will continue to be provided to young people in the west of the Shire where there is identified demand and need on a local level. This can and is currently being achieved through the use of existing community facilities / pavilions / halls at times of vacancy. It is anticipated that space will continue to be available to meet this need.

Should a space/s be further developed in the east of the Shire, accessibility will be a key consideration to ensure accessibility to those young people in the west of the Shire.

## **The Andy Arnold Centre**

### **Location:**

Centrally located within the Bacchus Marsh township, the Andy Arnold Centre (senior citizens building) adjoins Rotary Park and the skate facility, already a popular destination for young people in the Shire. Rotary Park is also the known venue for a number of youth events, including Youth Week and Youthfest.

The location of the building next to Rotary Park also supports the integration of a facility with open space, a need that was highlighted in the community engagement process. The Andy Arnold Centre is also accessible to young people after school, being located 1.6km away from Bacchus Marsh College and 2.4km from Bacchus Marsh Grammar School.

### **Image / compatibility:**

Currently, the Andy Arnold Centre does not fit well with the image of a youth space/s articulated by young people in the community consultations. Young people aspired to have a youth space/s that has a vibrant and contemporary look and feel, and is welcoming, clean, homely and well maintained. There is scope, however, to use this as an engagement mechanism that would enable young people to be directly involved in the refurbishment of the space over time.

Potential strategies to address this issue are:

- **Rebuilding, extending, upgrading and/or refurbishing the building** to ensure the look and feel of the building aligns with best practice models identified in the literature, and the aspirations of young people in Moorabool, and
- **Working with young people, including the YAG**, to determine solutions to this issue that are palatable for young people, to ensure a youth space/s is an appealing prospect and one that will be used optimally.

### **Size:**

Counselling services are currently being provided for young people at the Andy Arnold facility. However, the current schedule of activities and programs offered at the Andy Arnold Centre (see Appendix 4) means there is very limited room / space available across the week at an appropriate time for young people. Half of the young people in the online survey stated they would be most likely to use a youth space/s afternoons and evenings during the week (51%) and on the weekend (50%).

Moving young people around to fit in with this schedule does not demonstrate the respect young people are seeking, nor does it generate a sense of belonging, which is important to them. A youth worker from a neighboring LGA also commented on the drawbacks of not having a dedicated space/s for young people saying: *“The problem of using a community house is that you have to pack up everything afterwards, and make sure you do not clash with other groups or activities”*.

Potential strategies to address this issue are:

- **Rebuilding or extending the building** to create additional spaces for young people, senior citizens and the community. This will ensure there are dedicated space/s for young people and senior citizens, as well as multipurpose spaces that can be used by other community groups. It also provides an opportunity to address current gaps or unmet needs of senior citizens in the current site
- **Working with young people, including the YAG** in all stages of the planning, development and decision-making of the youth space/s
- **Liaising with Council’s Aged and Disability Services** to explore options for sharing the space in order to ensure the best possible outcomes for all stakeholders.

**Accessibility:**

The Andy Arnold Centre is located next to Rotary Park and the skate facility. Rotary Park is the venue for a number of youth events, which are well attended. This is testimony to the fact that people will find ways of getting somewhere if they like what is on offer. Access to the site is also possible by foot, skateboard, scooter and bike, car and public transport.

**By own means:** Young people in Bacchus Marsh can readily access the site on foot, skateboard, scooter and bike.

The centre is situated less than 2.5km from both secondary schools and other key locations within Bacchus Marsh. Travel times (walking and driving) to the centre from a range of locations are included in Table 6 below.

Table 6: Distance to site and estimated travel time from various locations

Location	Address	Distance	Time walking	Time driving
Bacchus Marsh College	Grant St, Bacchus Marsh	1.6km	19 minutes	3 minutes
Bacchus Marsh Grammar School	South Maddingley Rd, Bacchus Marsh	2.4km	29 minutes	5 minutes
Bacchus Marsh Outdoor Pool	55 Grant St, Bacchus Marsh	1.2km	15 minutes	2 minutes
Bacchus Marsh Leisure Centre	5 Labilliere St, Maddingley	1.5km	19 minutes	3 minutes
Bacchus Marsh Train Station	Station St, Maddingley	2.1km	20 minutes	4 minutes



Lederberg Library *	215 Main St, Bacchus Marsh	500m	5 minutes	1 minute
McDonalds *	15 Gisborne Rd, Bacchus Marsh	595m	7 minutes	1 minute
Baby Black Café *	10 Church St, Bacchus Marsh	341m	4 minutes	45 seconds

[Locations marked with an asterisk were noted as places young people liked and/or frequented]

For young people who reside outside Bacchus Marsh, travel times need to be considered when planning programs and events to ensure accessibility. Other options such as the replication of program elements in halls / recreation reserves, etc. in the smaller towns in the western part of the Shire must be considered. Unfortunately, however, access to halls / recreation reserves at peak times is limited. Accordingly, other options such as the use of bus services to transport young people also need to be considered.

### By car

Driving is a key mode of transport for young people in Moorabool, whether they are driven by parents / carers or drive themselves. There are car parking spaces at the centre (18 spaces, including 2 accessible spaces). There are also spaces around Rotary Park, with a time limit on some spaces. Car parking is also available in the shopping centre across the road from the Andy Arnold Centre. It is noted that in the event that the current building is extended, Council requires three additional car parking spaces for every 100 square metre of net additional floor space.

### By public transport

Currently, there are 3 bus routes operating in Bacchus Marsh. They are:

- Hillview Estate (Route 433)
- Telford Park (Route 434), and
- Darley (Route 435).

Figure 2 represents the three bus routes, with all three passing by the site (roughly at the multi-coloured circle on the map). The bus stop is located 50 metres from the centre. Access to the site is also possible from the train station, either by walking from the station (an estimated 10-15 minute walk) or catching any of the three buses from the station to the site. This is important with regard to the feasibility of the site, especially for those young people who are travelling from outside of Bacchus Marsh.

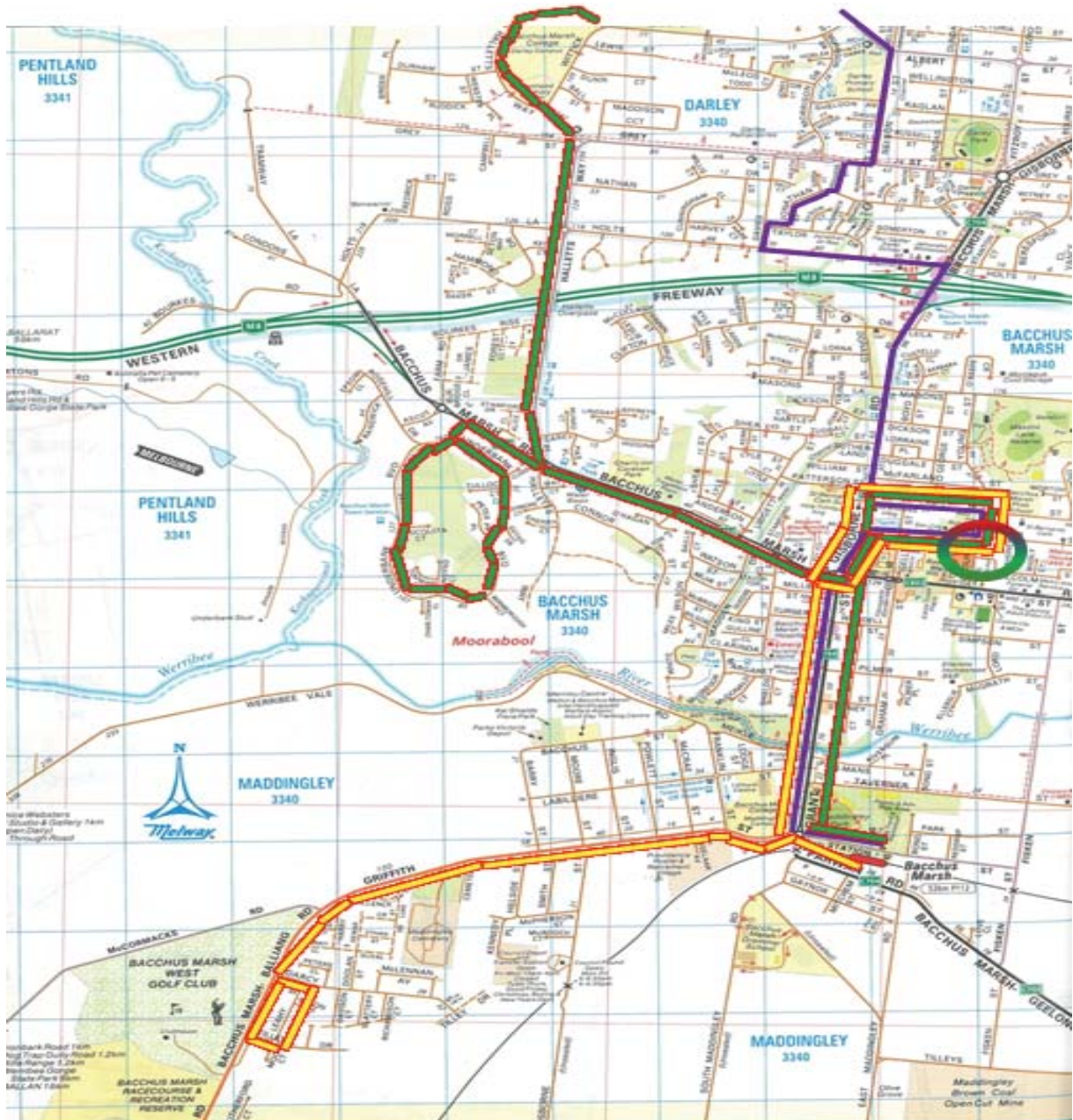


Figure 2: Bus routes in Bacchus Marsh in relation to the Andy Arnold Centre

## OPTIONS FOR THE ANDY ARNOLD CENTRE

In considering the feasibility of the Andy Arnold Centre as the site with the most potential for provision of additional youth space/s, two options are worthy of further consideration. They are:

### **OPTION ONE: To extend and upgrade the Andy Arnold Centre**

This option provides a solution to meeting the needs of young people, senior citizens currently using the Andy Arnold Centre, and other potential users. This includes: ensuring there is sufficient space/s for young people; accommodating any unmet needs of Aged and Disability Services who currently oversee the schedule of events offered to senior citizens in the building;

and providing multipurpose spaces that can be used by other community groups and visiting practitioners. It also ensures the redesigning of the space aligns with young people's aspirations for a modern and vibrant youth space/s.

This option is also consistent with one of the key principles of the Community Infrastructure Framework, that wherever possible Council makes best use of existing assets rather than build new facilities. To ensure optimal usage of the space/s, it is imperative that young people are included in all aspects of the planning, development and decision-making regarding a potential youth space/s, as articulated in the literature and by young people themselves. Ongoing collaboration with Ageing and Disability Services is also critical, given they currently manage the building.

### **OPTION TWO: To rebuild a community hub, including a youth space/s, on the site**

This option also has potential to overcome previously identified barriers in meeting the needs of all key stakeholders, as described in Option One. However, it does not align with the principles of the Community Infrastructure Framework, that wherever possible Council makes best use of existing assets rather than build new facilities. This option also requires a greater investment of funds, which may rule it out as a viable consideration at this time.

NB: Feedback received throughout the study indicates that the Community Infrastructure Framework, which is currently being developed, supports the proposal of a youth facility, and in particular the creation of multifunctional hub on such a central accessible location.

### **CONCEPT PLAN**

Regardless of the site for additional youth space/s, it is imperative that a youth space/s and the accompanying facilities, is appealing and of a high quality if it is to send the message that young people are valued and respected. Research shows that the appearance and quality of the space has the capacity to increase youth patronage (The National Youth Agency 2008, cited in Bond, 2010, p. 25). Beyond initial construction, regular refurbishment must be budgeted for to ensure facilities remain fresh and vibrant.

Young people who participated in the community consultations were very clear about what they believed a youth space/s should include. Specific features requested included:

- Café and garden
- Chill spaces: lounge rooms, bean bags and couches
- A kitchen with provisioning to heat up own food
- Internet (free Wi-Fi): including a computer space with (low cost) printer (art folio) and support
- A space for special events, organised and run by young people: movie nights, 'Open mike' nights for poetry, singing and comedy, karaoke, games nights
- A sound proof (music) area
- Subsidised gym classes: boxing, yoga and a running club; sports equipment
- An art space with an exhibition area and space for classes (legal graffiti wall)
- Console games.

A concept has been developed based on Option One - to extend and upgrade the Andy Arnold Centre, given this was perceived as the most realistic option for future Council consideration. The plan captures the features identified by young people who participated in the community consultations. It is also consistent with the literature (see Bond, 2010) and supported by findings from the Sorrell Foundation (2010), which identified a number of themes pertaining to the design and provisioning of youth spaces.

The concept plan:

- Addresses potential barriers to use by ensuring there are sufficient permanent space/s for young people, and that the redesigning of the building aligns with young people's aspirations for a modern and vibrant youth space/s
- Addresses some of the needs and aspirations of Council's Aged and Disability Services for the current building, including: upgrading the kitchen; providing a shared computer space; increasing the number of flexible spaces; and creating more opportunities to interact with outdoors spaces
- Provides multipurpose spaces that can be used by other community groups
- Includes two entrances - the existing entrance of the Andy Arnold Centre and a new entrance looking out on to Rotary Park and the skate park.

The concept plan /floor based on Option One, i.e. an extension and upgrade of the Andy Arnold Centre, is provided on the following page.



Rev	Description	By	Date
C	Issued for Construction	CI	09/04/2016
B	Construction	CI	26/11/2015
A	Construction	CI	19/11/2015

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**YOUTH SPACE**  
**MOORABOOL SHIRE**

Project No: **2515**  
 Revision: **C**

Date: 01/11/2016  
 Drawn: GAN/7/2015  
 Checked: GAN/7/2015  
 Design: GJ  
 Scale: 1:100



NOTES:  
 EXISTING BUILDING AREA SHOWN IN ORANGE  
 NEW BUILDING AREA SHOWN IN GREEN

**LEGEND:**

- EXISTING BUILDING (Orange square)
- NEW BUILDING (Green square)

## Summary

The assessment of a suitable location for a youth space/s in Moorabool warrants careful deliberation against specific criteria. The criteria in this study related to: location, image / compatibility, size and accessibility. Using these criteria, a number of possibilities were considered and discounted, including those in the east of the Shire. This included the land behind / adjacent to the Lerederg Library, the Bacchus Marsh Leisure Centre, and local sporting pavilions.

One site that does warrant consideration with regard to these criteria is the Andy Arnold Centre in Bennett St, Bacchus Marsh. Centrally located within the Bacchus Marsh township, the Andy Arnold Centre adjoins Rotary Park and the skate facility, already a popular destination for young people in the Shire.

While its location and accessibility is ideal, issues relating to image / compatibility and size / available space warrant further consideration.

In considering the feasibility of the Andy Arnold Centre two options worthy of further investigation are:

1. To extend and upgrade the Andy Arnold Centre, or
2. To rebuild a community hub, including a youth space/s, on the site.

## POTENTIAL STAGING OPTIONS AND RESOURCE IMPLICATIONS

### Planning and development

The development of a youth space/s and a model of service delivery requires thoughtful planning and implementation. Clearly, young people, service providers and parents / carers support the notion of a youth space/s in Moorabool. However, it is imperative that a youth space/s and associated service delivery model takes place in stages, over time, and with consideration to the resources available to Council and its community partners. This sentiment was endorsed by youth services in neighbouring LGAs, as evidenced below:

*“The provision of youth spaces and services has grown over time, in response to the numbers [and needs] of youth in the community, and [alongside] Council’s commitment to young people within the municipality. Youth services began from a small house in the 1980’s and has grown from there”.*

*“We have been working on the model for ten years and it has been developed over that time”.*

### Infrastructure costs

The cost of the youth space/s infrastructure is dependent on a range of variables. This includes the space dedicated to the building, the number of office spaces, the dedicated open space outside of the building, and the resourcing of the building, including office desks, technology and community spaces.

Approximate estimates for option one and two are described below, based on costs estimates provided in Table 5 on page 38.

#### **OPTION ONE: To extend and upgrade the Andy Arnold Centre**

Costs will vary depending on floor plan, fit out and technologies incorporated but would be likely to range from one million to 1.5 million dollars.

#### **OPTION TWO: To rebuild a community hub, including a youth space, on the site**

Provision of a new building on a green field site, using the Lerderderg Library as a comparison, is estimated to be in the vicinity of three million dollars, depending on the overall floor space required, standard of fit out and what technologies are incorporated into the building.

### Staging considerations

Initially the provision of a youth space/s within a community hub in Moorabool could house existing services, programs and activities. However, over time consideration may be given to building on this level of service provision and directing attention to addressing current and anticipated demand and gaps in service provision. Just under half of the service providers in the online survey indicated there was a waitlist for youth services, while more than half indicated that there was demand for service provision at different times than those currently

available. Three services indicated the demand was considerable. Some coordinated and collaborative programming within a youth space/s could assist in addressing some of the current presenting issues associated with services waiting lists.

The biggest gaps in youth service provision identified by service providers were: health / mental health, and counseling / personal support, with both receiving a 70% response. Other gaps noted by service providers included arts and culture; employment / education and training; drug and alcohol support; and youth participation activities / events, each receiving a 60% response. Funding (e.g. community grants programs) was also noted as a gap in the service system by 60% of service providers.

Staging the roll out of the youth space/s requires first and foremost a financial commitment by Council. This commitment should extend beyond that of the establishment of the youth space/s to include the ongoing delivery of programs and services. Young people and the community expressed a range of aspirations for a youth space/s, including an integrated model. Integration requires strong leadership that is strategic and delivers against the goals of Council and the community.

A youth space/s also requires a dedicated coordinator/manager of the space to ensure the smooth operation of programs and activities and that the space/s takes a holistic approach to delivering to the identified priorities and needs of young people. This approach draws on the strengths and expertise of a range of service providers as part of a shared approach, ensuring the responsibility for youth service provision does not rest solely with Moorabool Council.

### **Staging options**

Council will need to consider staging options in line with their available resources, including cost, and other factors impacting on the development of a youth space/s in Moorabool. The following is offered as a suggestion only, and warrants further discussion by Council who are best placed to determine what is realistic and achievable.

1-3 years: Continued use of existing space/s that may be available or become available through current planned developments whilst planning for the refurbishment of the Andy Arnold Centre.

3-5 years: Refurbishment of the Andy Arnold Centre to increase the provision of youth space/s for the community, and integrate with Rotary Park.

10 years+: As the population grows, further develop the space for the growing needs of youth in the Shire.

Ongoing communication with the community, and most particularly with young people and youth service providers, is critical throughout the staging process. This includes involvement in discussions and decision-making regarding the refurbishment, where it is warranted.



## Summary

The development and implementation of a youth space/s from planning and inception through to program delivery requires thoughtful planning and a staged approach, with consideration given to the ongoing resource implications to ensure its success and longevity. The cost to establish a youth space/s is critical to the decision-making process yet also dependent on a range of variables. This includes Council's preference to extend and refurbish an existing building, or to build a new one.

Staging the roll out of the youth space/s therefore, requires first and foremost a financial commitment by Council. This commitment should extend beyond that of the establishment of the youth space/s to the ongoing delivery of services and programs provided within it. This commitment will also require strong leadership that is strategic and delivers against the goals of Moorabool Shire Council and the community.

## COUNCIL'S ROLE IN THE PROVISION OF A YOUTH SPACE/S

The feasibility of a youth space/s in Moorabool Shire must be considered within the context of the role of local government in Victoria. This includes the critical role of responding to community needs through the planning and provisioning of infrastructure, services and facilities. In Moorabool, this is reflected in the *Integrated Planning and Delivery Framework*, the basis for improving strategic planning. Importantly, the feasibility of a youth space/s in Moorabool Shire must also be considered within the vision and mission of Moorabool Shire Council, and the aspirations of key stakeholders.

The *Council Plan (2013-2017)* articulates the role of Council in relation to its young people, to ensure their specific needs are met now and into the future. Key to this is engaging with youth to inform decision-making and planning, and enhance community connectedness, inclusion and a sense of belonging for all. This is also reflected in Council's *Community Engagement Framework*, and the recently adopted *Youth Charter for Moorabool Shire (2015)*, developed to ensure the ideas and perspectives of all community members, including young people, are heard, considered and acted upon.

Moorabool Shire Council's provision of youth services dates back to 1995. Over the years, there has been an increase in youth workers and services. A contributing factor to the success of these programs is active engagement with young people to ensure they are involved in the development and facilitation of youth programs. This is reflected in the *Moorabool Shire Youth Strategy (2013-2016)*, which articulates Council's commitment to "providing innovative service provision and encouraging young people and service providers to be actively involved in the development of programs and services that meet the identified needs of youth of the Shire" (2013a, p. 3).

Moorabool Shire Council is not the sole provider of youth services and programs within the Shire. Rather, it works in partnership with schools, agencies and organisations providing a range of services for young people in the Shire. The *Moorabool Shire Youth Strategy (2013-2016)* describes Council's work with young people as being "at the primary / prevention / early intervention / community connection stages" (p.13), with tertiary treatment provided through external agencies. In some instances, the provision of tertiary treatment includes outreach services from Melton and Ballarat. An overview of youth service provision in the Shire, including those provide by Council, is included as Appendix 5.

Council's role in youth service provision, however, extends beyond service provision, coordination and management. Additional roles, as detailed in the *Moorabool Shire Youth Strategy (2013-2016)* include:

- Strategy and policy development
- Advice and support
- Facilitating networks and partnerships
- Youth engagement, and
- Advocacy and leadership.

Council's leadership role is evident in its coordination and management of the youth network known as Moorabool Agencies and Schools Together (MAST), and more recently in the establishment of the Youth Action Group (YAG). The YAG aims to ensure young people in Moorabool have genuine opportunities to participate in Council decision-making processes. The provision of a youth space/s in Moorabool aligns with Council's vision and mission for all of its constituents and provides Council with an opportunity to play a leadership role within the youth service sector and the wider community, as articulated in the Council Plan 2013-2017.

The Council Plan states that in representing and leading our community, Council will continue to advocate to federal and state governments and non-government organisations for greater investment in services and facilities in the Shire to meet the current and future needs of its communities.

The Plan also states that Council will plan, lead and facilitate high quality services to families and children, young people, the aged, people with disabilities and the disadvantaged. Furthermore, Council will work with the community to plan and deliver services and facilities that are appropriate and affordable, reflecting the size, location and diversity of our communities.

## **Summary**

Local Government in Victoria is responsive to local community needs through the planning and provisioning of infrastructure, services and facilities for all its constituents. In Moorabool, this is reflected in the *Integrated Planning and Delivery Framework*, the basis for improving strategic planning. It is also supported in key planning documents such as the *Council Plan (2013-2017)*. In relation to youth service provision, the *Moorabool Shire Youth Strategy (2013-2016)* highlights Council's role beyond service provision, coordination and management. Additional roles include: strategy and policy development; advice and support; facilitating networks and partnerships; youth engagement; and advocacy and leadership. The provision of a youth space/s in Moorabool provides Council with a unique opportunity to demonstrate leadership within the youth service sector and the wider community.

## CONCLUSION

There is currently no purpose built youth space/s within the Moorabool Shire to support the delivery of programs and services for young people aged 12-25 years. In addition, all existing spaces used for youth related service are compromised in nature by way of location and access, and functionality and serviceability.

A critical component of the Youth Space/s Feasibility Study was consultation with key stakeholders. A total 532 people took part in the community consultations, including focus groups and online surveys. Of this number more than half (n=271) were young people. An additional 40 submissions were received as part of the four week public exhibition and submission process.

Most young people, their parent / carers and service providers believe Moorabool Shire would benefit from a dedicated youth space/s. This included the opportunities a space/s could provide in responding to the needs and issues impacting on young people, promoting greater youth engagement and leadership within the community, and assisting young people to reach their full potential.

The vision for a youth space/s identified in this study aligns with a community hub model, which includes dedicated space/s for young people. This allows for the co-location and integration of youth services and programs to ensure the best possible outcomes for all involved. It also has scope to provide universal and targeted programs offered by a range of service providers, including Moorabool Shire Council.

Management and funding models for a potential youth space/s need to be considered and defined from the outset. Two potential options are:

- 1) Council maintains management and delivery of the activities within the facility, with Council sharing the space with other key agencies and community groups, and by agreement, leasing space to these agencies and community groups to off-set operational costs, or
- 2) Council outsource components of the management and delivery of the youth space/s and maintain a service agreement with clearly defined outcomes to be achieved.

The assessment of a suitable location for a youth space/s in Moorabool warrants careful deliberation against specific criteria. The criteria used in this study relates to location, image / compatibility, size and accessibility.

One site that was identified as having potential against these criteria is the Andy Arnold Centre in Bennett St, Bacchus Marsh. The building is centrally located and adjoins Rotary Park and the skate facility, already a known destination for young people in the Shire. This location is also feasible for young people travelling from outside Bacchus Marsh given its accessibility by public transport. It is recommended that existing spaces (halls, pavilions, etc.) in the west of the Shire continue to be used for localised events and programs wherever possible.

In considering the feasibility of this site as a potential youth space/s, two options are worthy of further investigation:

- 1) To extend and upgrade the Andy Arnold Centre, or
- 2) To rebuild a community hub, including a youth space, on the site.

Key issues to be considered with regard to this site are image / compatibility and size / available space. Engaging with young people, including the YAG, is recommended across all stages of planning, development and decision-making processes, as defined in the Moorabool Shire Youth Charter and articulated by young people in the community consultations. Collaboration with Aged and Disability Services is also required given they currently oversee programs offered to senior citizens in the building.

Youth service provision in Moorabool dates back to 1995 and has grown over time. The *Moorabool Shire Youth Strategy (2013-2106)* highlights Council's role beyond youth service provision, coordination and management, to policy development, networking, youth engagement and advocacy and leadership. The provision of a youth space/s in Moorabool provides Council with a unique opportunity to demonstrate these various roles within the youth service sector and the wider community.

This report has highlighted the costs and benefits of a youth space/s in Moorabool, including the perspectives of stakeholders, most notably young people. It demonstrates support for a youth space/s in Moorabool, which is consistent with previous findings as documented in the *Moorabool Shire Youth Strategy (2013-2016)*. The report provides a mechanism to promote further discussion by Council to determine how the provision of a youth space/s in Moorabool aligns with Council's vision and mission, and what is realistic and achievable in the provision of a youth space/s in Moorabool now and into the future.

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# Appendix 1

Youth newsletter



# MOORABOOL YOUTH SPACES FEASIBILITY PROJECT

YOUTH NEWSLETTER

EDITION ONE – November 2015

## WHAT THIS IS ABOUT

Moorabool Shire Council is investigating the need for youth spaces for young people aged 12 to 25 years to participate in a range of activities and programs, and to access information and services offered in this space.

Council wanted to hear from young people who live, work, study or have other significant links to Moorabool. They wanted to know what young people think about the need for youth spaces and what they would like to have there. They asked Semann & Slattery, a research company, to help them find this out.

## WHAT WE DID

We asked young people aged 12 to 25 years to share their ideas about the need for youth spaces in Moorabool by completing an on-line survey or participating in a focus group. A total of 271 young people contributed. This included 231 young people who completed the survey and 40 young people who attended a focus group.

## WHAT HAPPENS NOW

We also asked adults what they thought about the need for youth spaces in Moorabool. This included parents of young people aged 12 to 25 years, people from Council, and other people who provide services and programs for young people in Moorabool.

Thank you for your help so far. Your ideas and opinions are important! Stay tuned for more information via the Moorabool Youth Services Facebook page. You can also contact John Perham, the Moorabool Shire Council Youth Services Coordinator on (03) 5366 7100.

Our next step is to look at everyone's ideas and consider all the issues and opportunities for providing youth spaces in the Moorabool Shire. This will help us to put together a report to assist Council to consider the need for and feasibility of providing youth spaces in Moorabool. The report will also be put up for public consultation, so you have an opportunity to read and comment on the ideas included in the report.

## WHAT YOU SAID

- The three main issues you believed young people in Moorabool were concerned about were anxiety and stress, drugs, and bullying.
- Most of you believed that having youth spaces in Moorabool Shire would be a good thing for young people in the community.
- Most of you told us you would be most interested in using youth spaces weekdays between 5pm - 10pm and on the weekend from 12pm - 5pm.
- You had clear ideas about what youth spaces should look and feel like, and what it should provide.
- It was important that youth spaces was attractive, clean, comfortable, well maintained, welcoming, safe and inclusive.
- You want the staff that worked there to be passionate about what they do, approachable and non-judgmental.
- It was important that youth spaces provided opportunities for you to connect with other young people, and to engage in programs and activities linked to the things you like to do.
- It was also important that youth spaces helped you get information and support with any issues you might be facing.
- Knowing what programs and services are available was important to assist you to get the help and support you needed.

# Appendix 2

Feedback received from the community, other key stakeholders and the Health and Wellbeing Youth Sub-Committee on the draft report

## **APPENDIX 2: Feedback received from the Health and Wellbeing Youth Sub-Committee on the draft report from key stakeholders**

The Community Infrastructure Framework supports the proposal of a youth facility. I have attached an assessment of the proposal if it were to be located at the Andy Arnold Centre. In particular, the framework supports the creation of multifunctional hub on such a central accessible location. Consider an integrated facility but with 2 'personalities'; a separate personalised entrances for youth and a more formal entrance for other community users.

### **OTHER COMPATIBLE USES ARISING FROM NEEDS IDENTIFIED THROUGH COMMUNITY INFRASTRUCTURE FRAMEWORK:**

#### Community venue - municipal

Bacchus Marsh and surrounds needs a modern municipal-scale community venue. Such a facility would provide at least:

- Equipped multifunctional indoor space to seat up to 200 people around table(s)
- Secondary indoor space to seat up to 50 people around table(s)
- Fit out suitable for a broad range of uses: playgroups, youth and seniors groups, community arts and performances
- Registered kitchen to cater for 250 people
- Chairs and tables to seat 250 people
- Storage for chairs and tables
- Male, female and accessible toilets

(Source: MSC Community Infrastructure Framework)

Such a facility might be too big for the Andy Arnold site however.

#### Community venue – local / district

Lerderderg Library provides the only modern publicly accessible meeting rooms in Bacchus Marsh. Within the next five years Bacchus Marsh should be provided with a new community venue, ideally integrated with other uses and providing more than just one room. This could be through the municipal scale venue described above or through a smaller facility.

#### Maternal Child Health and other clinical or non-clinical consulting

The new Early Years Hub at Darley will provide Maternal Child Health (MCH) capacity in the long term but is located away from central Bacchus Marsh and Maddingley. Therefore, additional clinical consulting space in central Bacchus Marsh would be advantageous. Such rooms could be shared by other visiting medical/health practitioners.

Re the 'operational space/s for external services' (pg 24 of issues report): example of GTV9 community facility (City of Yarra) that has consulting rooms that can be set up for clinical uses (MCH nurse, allied health, GP) and non-clinical (family support, youth services, use as private office/meeting rooms for community members) simply by opening up or closing off one end of the room.

## Assessment of draft project proposal

### Project details

A new youth space incorporated into or built in place of the Andy Arnold Centre, Rotary Park

### Assessment against Community Infrastructure Framework key objectives:

Objective	Impact of proposal
The Framework will prioritise the use of community facilities for the delivery of community services.	
The Framework will embody a collaborative and integrated cross-organisational approach to the planning and delivery of community infrastructure.	N/A
The Framework will support the co-location, integration, and/or clustering of community services and facilities.	
Community services and facilities will be located within reasonable travel time/distance of the communities they service.	
Community services will operate through a network of complementary local, district and regional facilities.	
Community facilities will be fit for their intended purpose.	
Community facilities will have sufficient capacity to meet communities' and services' identified priority needs.	
Community services and facilities will be designed and managed to meet their full capacity, making best use of existing facilities where appropriate.	
New facilities will only be planned and delivered where they meet identified priority shortfalls in existing or future infrastructure provision.	
Community services and facilities will be flexible and multifunctional, enabling use by multiple services and user groups for a range of activities.	
Community services and facilities will be physically accessible and usable by users of all ages and abilities.	
The Framework will recognise the social significance of community facilities and their role in local communities.	
Community infrastructure projects will meet priority community needs, service objectives and/or corporately agreed levels of service.	Not yet adopted
Where nexus between new development and the need for new or improved infrastructure is demonstrated, contributions towards community infrastructure projects will be sought.	N/A
Where council is not the direct service provider, the Framework will provide a basis for funding, or advocating to, other service providers.	
Community infrastructure projects will help to establish a sense of place and community.	
Community infrastructure projects will deliver net community benefit.	
Community infrastructure projects will be delivered in a timely manner in step with population growth and demographic change.	

The proposal has a positive or neutral impact on the objective

The proposal has a negative impact on the objective



**Assessment against Community Infrastructure Framework planning standards**

**POPULATION STANDARD: population demand for proposed project**

The youth population of Bacchus Marsh (12-25 year olds) is sufficient to support a facility delivering services and providing space for formal and informal activities for young people. The youth population is forecast to grow at a moderate rate to 2041, which, though well below the rate of growth in over 50s, is significant enough to justify youth provision.

Recommendation: The proposal is supported

**ACCESSIBILITY STANDARD: location and travel accessibility of proposed project**

Accessibility by a range of transport methods is absolutely critical to a youth facility. Rotary Park is in an excellent location to serve the wider Bacchus Marsh area. As users from outside of Bacchus Marsh will likely travel into the town by train, a better location could be to build a facility close to Bacchus Marsh train station. However, buses do run from the station to Rotary Park.

Due to its distance from towns outside of Bacchus Marsh, in particular towns in the west of Moorabool, the proposal will only partially satisfy demand. Youth services should also be provided in locations closer to small towns, potentially as outreach services.

Recommendation: The proposal is supported

**CAPACITY AND UTILISATION STANDARD: current capacity and rate of use of facility**

Feedback from service providers indicates that existing youth services are well used but lack an ideal location for their coordinated delivery. The Andy Arnold Centre is very well used for the existing services that operate through it and may not have sufficient capacity to accommodate increased use by youth services.

The consultation conducted by MSC Youth Services suggests that existing demand is sufficient to support a youth facility. In alignment with the Community Infrastructure Framework, the design of youth spaces should be sufficiently flexible to allow for use by other community users during periods of availability.

Recommendation: The proposal is supported. Use by other community users should be factored into the design of youth spaces to optimise utilisation by the community.

**CONDITION AND FITNESS FOR PURPOSE STANDARD: condition and functionality of facility**

The Fitness for Purpose Assessment rated Andy Arnold Centre a 3.4 'attention required' and is forecast to be 3.7 'failed' in 5 years time. Further internal refurbishments are required to create a suitable environment for delivery of seniors and youth services. The new roof fitted in 2015 has many years of use remaining and will ideally not be removed as a result of this proposal.

This proposal could bring the whole building up to an acceptable standard.

Recommendation: The proposal is supported

# Appendix 3

Community Responses to the Draft Youth  
Space/s Feasibility Study

**APPENDIX 3:  
Community Responses to the Draft Youth Space/s Feasibility Study**

<b>Resident</b>
Any service available to young people will help stimulate their minds and assist with them being off our streets will be a favourable thing, huge part of the problem is youths get drink and drugs into them and are fearless and look for dangerous and stupid things to do. If there was another outlet to occupy and educate them this would only be a positive.
<b>Officers Comment</b>
Noted, no change to the study
<b>Resident</b>
I believe it is definitely essential for Bacchus Marsh to have a youth space. There is a huge rise in mental health issues, unemployment, school truancy and generally, teenage boredom. The youth population would benefit hugely from having a space for their social, emotional and occupational needs. I do not think the Andy Arnold building is a suitable space due to its high usage by senior citizens and other groups. In my opinion, the youth space should be purpose built or an existing building purchased as I would imagine this space would be in use daily for many hours.
<b>Officers Comment</b>
Noted, no change to the study. Issues addressed under: Social and Economic Benefits of a Youth Space/s Investigation of Suitable Location/s and Potential Concept Plan
<b>Resident</b>
An essential hub for all communities, we need to nurture our youth and provide easy to access services to assist them. If not we can expect higher rates of crime, drug addiction, binge drinking, teen pregnancy, school truancy and drop outs.
<b>Officers Comment</b>
Noted, no change to the study. Issues addressed under: Investigation of an Appropriate Model for a Youth Space/s
<b>Resident</b>
As manager of a community service, I wholeheartedly endorse the need for a youth space in Bacchus Marsh.  Our centre hosts a group of young people who for various reasons, are not suited to a traditional school setting. These students, aged 13-17 years, commonly experience academic, psychological, social and emotional difficulties, and require support in many aspects of their lives.  A youth centre that provided support and advice in areas such as education, job opportunities and health, plus friendship and compatibility, would be invaluable to these young people and potentially could change their lives.  Our staff constantly observe cross sections of young people who are prone to school absenteeism and a culture of unemployment and community disengagement. A youth centre staffed by positive role models is vital for these adolescents. Funds needed to provide a suitable youth space/centre obviously are substantial, but the cost to the community of large numbers of young people deprived of support in their teenage years can be far greater.

I also see a youth centre being of great value to those students who do not necessarily experience social or financial disadvantage, but would enjoy benefit from a space where they could connect with others, share ideas and interests, and socialise. I sincerely hope efforts to achieve a space/centre in the short term are successful and I look forward to our service supporting such a venture whenever possible. On a personal level, having raised three children in Darley who are now adults, I endorse the need for a centre for all youth in the area. Every young person needs to access information, support and peers at various times in their life and schools/families are not always able to fill these needs. My best wishes for the success of this proposal.

Sincerely, Resident

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Social and Economic Benefits of a Youth Space/s  
Investigation of Possible Management and Funding Model  
Investigation of an Appropriate Model for a Youth Space/s

**Resident**

I support the need for a youth centre to be established in Bacchus Marsh and the site recommended appears logical. Teenagers may experience many difficulties and there needs to be one central place young people can go to access assistance. Drugs, alcohol, bullying, violence and abuse these can impact young people. They do not always feel comfortable talking about these problems with family members and sometimes need to seek professional help. We want the best future possible for our children. The fact that many support services are not available to young people in Moorabool creates a disadvantage for them. A youth centre is needed now and we can't wait 5 years to improve support services to young people. Make improving support services a priority. Get the services here now.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
What We Learnt from the Community  
Visions and Principles to Inform Future Decision Making and Provision of Youth Space/s  
Investigation of Suitable Location/s and Potential Concept Plan

**Resident**

I am the Bacchus Marsh TITLE and ORGANISATION working with youth aged 7.5 - 11 years. I have been a volunteer in this organisation for approximately 7 years, throughout this time assisting and running programs for youth from ages 5 - 25 years. I am also a mum of a 14 year old. During this time I have had many conversations with families within the SPECIFIC community, as well as friends with children of a similar age to mine and we all agree there is a lack of access to youth services in Moorabool.

I support the proposal for a Youth Space in Moorabool, it's clear Moorabool have a lack of support services for young people and many could benefit from having a safe, inviting youth space and additional services in our local area. Having a central location such as the Andy Arnold Centre redeveloped to become a youth space is a great start. Young people already hang out near there at the skate park and playground, there is a bus stop close by also, so to add a youth space there would make it accessible to many. The opportunities for a youth space will provide and respond to the needs and issues impacting on young people as well as their families. External youth support services can also use the meeting rooms and provide many other needed services for young people today, this will also allow the young person privacy to speak and seek help when they



need it. Moorabool is a rapidly growing community, like any other area our youth are vulnerable to falling into unsociable behaviours.

The area is already known for having a drug problem and it's this type of service that could potentially intercept young people or offer support to them if drugs are affecting their family. There are so many benefit to the community to offer support and engage our young people before it's too late, a youth space can offer so much if we can all get behind it.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
What We Learnt from the Community  
Visions and Principles to Inform Future Decision Making and Provision of Youth Space/s  
Social and Economic Benefits of a Youth Space/s  
Investigation of Suitable Location/s and Potential Concept Plan

**Resident**

Thank you for the opportunity to comment on the draft Youth Feasibility Study. I congratulate MSC for a thorough study. My comments are as follows: 1. The study identified that there is currently no purpose built youth space/s within the Moorabool Shire. Melton Council has long had such a facility but youth in Moorabool Shire are not eligible to use it because they don't live in Melton Shire (a fact I confirmed with staff at the Melton Centre). In the meantime, our shire doesn't have a youth centre for young vulnerable resident, which seems a bit discriminatory. 2. The Youth Study is timely for more reasons than those listed (p6). It is essential if our Shire is to address the increasing incidence of school dropout rates, rising crime in the Shire, rising unemployment, increasing drug use and its devastating consequences. A Youth Summit held in Melbourne last week reported a 79.1% increase in incidences by youth aged between 15-17 (The Herald Sun Newspaper 22/7/2016, p13 "It's time for action: Youth crime issues aired ... next move is up to the government"). A Youth Centre would give young people who are disconnected from the community school and support services the chance to turn their lives around and see that there are better alternatives to drug dealing, violence and crime generally. Without interception young people will continue to spiral downwards to long term poverty, prison and possibly premature death. 3. A youth space/s has potential to provide much more than social and economic benefits for the Moorabool community. It also has the potential to turn the lives of young people around from one heading nowhere to one where they contribute to society; they can be mentally and physically well and can hold down a job, and escape the cycle of poverty. I am not sure what "an assets-based approach to youth service provision" means but it sounds like economic rationalism rather than an approach that aims to give troubled youth a second chance at life. 4. The study identified a need for a youth space/s in Moorabool Shire by consulting parents/carers, and service providers. It is noted with disappointment that the consultation strategy didn't include the broader community. I am a parent and am lucky that my two sons 'dodged' the drug culture which now dominates. I am a rate payer and believe it to be a reasonable decision that Council allocate funds to a new Youth Centre, a place where troubled young people can go to for information, referral and support, providing an awareness that there are options available for them to turn their lives around, to achieve and reach their potential. 5. A Youth Centre could provide a central coordinating role, providing "a more efficient and effective approach to service delivery". 6. General comments - The Youth Study has been a long time coming but is a great start. I congratulate Council staff, service providers and key groups, and especially Councillor Dudzik who has demonstrated a commitment to youth in our shire by working tirelessly on the study during her time on Council. I am concerned it will take too long to implement and in the meantime too many youth will be adversely affected. The centre needs to be now, even if in the form of a "pop up shop" and

not in 3 years as forecast by the study. Council could 'test the need' for a Youth Space with a 'pop-up centre as an interim measure. I am also concerned that the study focuses too much on justifying Council's proposal for a Youth Centre by citing Council's policies and strategies instead of just referring to these in footnotes. The study would have carried more weight if it had focused on the problems young people are facing today, and how a youth centre could help turn problems into positive outcomes for youth, their families and for the community generally. The Shire of Moorabool is not immune to the rise in "a surge in more serious and violent youth offending" (Ref as above, p.12) The statistics of incidence including Crime against the person being up by 13.9%, public order and security up 14.9% are equally relevant to Moorabool Shire Council where we have the same challenges as anywhere else in the State, i.e. increasing school dropout rates and high unemployment. Please Moorabool Shire Council, seize this opportunity to approve the recommendation for a Youth Information, Referral and Support Centre, which is quite different to the common and reviled understanding of a drop in centre. Thank you again for the opportunity to comment on the Study.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
 What We Learnt from the Community  
 Profile of Young People in Moorabool  
 Visions and Principles to Inform Future Decision Making and Provision of Youth Space/s  
 Social and Economic Benefits of a Youth Space/s  
 Investigation of Suitable Location/s and Potential Concept Plan

**Resident**

As the mother of three children who are likely to use this facility I strongly support the proposal for a dedicated Youth Space in Moorabool, and particularly the extension of the Andy Arnold Centre. The location is perfect and I also think the community hub aspect of the site would leave the opportunity for inter-generational activities to break down barriers within our community. I understand that we are in a constrictive fiscal environment, however a well-planned and delivered youth centre will be an asset to this town.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
 Investigation of Suitable Location/s and Potential Concept Plan

**Resident**

This is a very important piece of infrastructure for Moorabool Shire young people. It will allow a sense of place and a resource for young people to go to for help and guidance.

**Officers Comment**

Noted, no change to the study

**Resident**

The feasibility study has been well prepared; a lot of good information and positive towards improving services for our youth. Over the years I have thought about possible spaces suitable for a youth space, but never considered the senior citizen building. The idea of refurbishing it and extending is really appealing. The location in Bacchus Marsh is easily accessible with bus services already in the street having access from all parts of Moorabool with all buses from the station going to Bennett St and also covering all parts of Bacchus Marsh. This is a really important project and should be undertaken as soon as possible. We are growing rapidly and our youth are increasingly getting restless having not many options locally. The youth space can and will be profitable in helping our youth

better their options, seek assistance more readily, teach them new skills, help with confidence, and give them a space to call their own.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Investigation of Suitable Location/s and Potential Concept Plan

**Resident**

As the parent of a nine year old, I fully support the plans for a "youth space" in the Shire. The creation of new facilities at the Arnold Centre offers an achievable way of doing this. The value of its central location should not be underestimated. The lead funder (both capital and ongoing expenditure) should be Council. External providers come and go - only Council can provide the long term guarantees for stability and continuity of service. I have heard suggestions that Council should not engage in the provision of youth services as they are "non-core". This notion perplexes me. The happiness and well-being of a young is central to our whole community's well-being, especially at a time when the town of Bacchus Marsh is growing so quickly and the community bonds of older days can no longer be relied on. There is no better investment for the future. I encourage Council to think and act positively and give this project the high priority it deserves.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Investigation of Suitable Location/s and Potential Concept Plan  
Investigation of Possible Management and Funding Model

**Resident**

The ideas that the shire have in mind are brilliant ideas because any possible way of helping out the youth is good enough because without somewhere to go a lot of the kids are getting into drugs and in to trouble. Even if it's not the best due to funding it is still better than nothing, trying to helping the community is better than watching it crumble.

**Officers Comment**

Noted, no change to the study

**Resident**

Having read the study and looking at and being an 18 year old living in the area I believe a youth centre would help with the younger kids and the kids in a worse situation while not being a centre I would use myself.

**Officers Comment**

Noted, no change to the study

**Resident**

As a 15 year old male in Bacchus Marsh, there is a lot to do but I don't do much as I work every weekend. On my days off I got down to the skate park but I think the skate park is too small for the amount of kids at the skate park us elders have to wait for the little kid to hurt themselves or their parents tell them it's home time. It would be great if you could extend the skate park. Thanks.

**Officers Comment**

Noted, no change to the study

**Resident**

Looks like you put a lot of work and thought into this and I think it's great. It is good for the community.

**Officers Comment**

Noted, no change to the study

**Resident**

It would be good for the community and good use for all students. Would benefit many people in this area and not only be good use but benefit young students.

**Officers Comment**

Noted, no change to the study

**Resident**

To whom it may concern,

As an 18 year old female, I have strong thoughts on a youth centre being put in the town of Bacchus Marsh. There are no resources here to help young people in trouble. We see suicide levels getting higher and in this town it takes waiting for a train and then a bus to get professional counselling and help. We need somewhere for our young adults to go to. Somewhere they can put their trust into and hopefully would stop troubles that arise in this town.

Regards,  
Resident

**Officers Comment**

Noted, no change to the study

**Resident**

Another fine example of unnecessarily spending money. Why are we even having a feasibility study on a topic that is a 100% no-brainer, meanwhile we are having youth take their lives, take drugs and committing crime. Of course we need youth spaces, the idea of a feasibility study is ludicrous, planning and grant applications should already be underway.

**Officers Comment**

Noted, no change to the study

**Resident**

A space for youth is very much needed. More organised, resources and supervision with support and continuing care.

**Officers Comment**

Noted, no change to the study

**Resident**

The Youth Space, in my opinion, would be a fantastic facility for the young citizens living within the Moorabool Shire. Currently, the access to similar services such as these are hard to reach and require significant travel outside of the shire for young people and to have something such as this available to them within their own community would be of huge benefit. It is a sizable barrier for youths requiring support to have to travel an hour either way by train to access a service that could be provided for them within an environment in which they feel safe. The young citizens within the shire would directly

experience a significant boost in the support services and structures made available to them and as a result they would undergo much less angst when considering whether or not to 'take the step' of contacting an organisation or agency should they require their services. This project would be a significant step forward in the betterment of the creation of a supportive environment we hope to create for the current group of young people within the Moorabool shire and the generations to follow them.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Investigation of Suitable Location/s and Potential Concept Plan

**Resident**

Is good

**Officers Comment**

Noted, no change to the study

**Resident**

The youth centre should be fully supported by the locals and council. Young people need a space for themselves.

**Officers Comment**

Noted, no change to the study

**Resident**

The Youth Centre is definitely a good idea. It will provide somewhere for youth facing issues regarding drugs and alcohol, family problems and abuse to talk about their issues and meet with professionals to discuss solutions. Our council is behind on services like these, and our youth desperately need these services.

**Officers Comment**

Noted, no change to the study

**Resident**

Hello my name is Resident

I'm 15. I believe it would be a great idea to have a youth space for teenagers around my age. It will be very useful to people who don't have much to do at home and want to get out the house to have fun or meet up, it will also be useful to go to this place to hang out, get away from family if you're having problems.

**Officers Comment**

Noted, no change to the study

**Resident**

Providing youth facilities in this Shire is a definite must. The way our Shire is vastly expanding, we are only going to run into even more problems because there will be more youth to hang around doing nothing, with no skills to speak of. The teenagers in this town need to go to other towns to receive further education i.e. TAFE, so being able to outsource classes required would be profitable for all. Currently the youth are allowed to stay at home, be antisocial and are asking earlier and earlier to quit school. If there were further services available attached to youth services this would benefit them, as they could interact with further education right here close to home. We are at a critical point here in this town. The drugs, theft, teenagers wandering the streets etc. is escalating. This will become worse. This Shire has been aware of the need for these services for many years.

This is the critical time now to change teenagers' perceptions of this town, of right and wrong, and to give them something to enjoy socially rather than walk the street and cause trouble. A variety of shared services is needed, and constantly changing facilities would be best.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Visions and Principles to Inform Future Decision Making and Provision of Youth Space/s

**Resident**

To provide a place for the youth to come together and learning in an inviting way would be really terrific for this town. Firstly, why not get the kids of Bacchus Marsh involved in helping to fix the centre up to make it more habitable. It would of course need to be supervised by someone who could teach them. It would make the kids feel as if they could take ownership of the hall and have a pride in their work. This should not just be handed to them on a plate. I have an 11 year old and can't wait until he can start volunteering somewhere. This would probably be ideal for him. Children and young people need to be nurtured, but also take ownership of their actions. They could learn a skill or do a pre-requisite for TAFE. It is time for our youth to become involved and not just relying on handouts from their parents and others.

**Officers Comment**

Noted, no change to the study

**Resident**

Yes, we need a space for young people, the Andy Arnold centre is a good site, but I am worried about displacement of the seniors, the fit for young people, what happens if they don't use it? Council has to be prepared to staff it for extended hours. A multiservice model is good, but has to be staffed.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Investigation of Suitable Location/s and Potential Concept Plan  
Investigation of Possible Management and Funding Model

**Resident**

Bacchus Marsh requires a youth space to engage the youth in our community and to also aid those who are both struggling in school and/or for those who have other personal reasons (i.e. drug and alcohol problems). We need a space in our community where the youth can go and get aid in their education and sit down with other students in study groups. This space might also have a Councillors office where the youth can come and speak about their personal problems. I personally believe that the idea of extending the current Andy Arnold Centre is a great idea. This centre is in a prime location, having the four major bus routes located at its door and it is in an area where the youth usually 'hang out'. To conclude, I believe we must have a youth centre to help improve the Moorabool's education statistics and also for a place where the youth can just come and relax to speak about their current problems and issues.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Investigation of Suitable Location/s and Potential Concept Plan

**Resident**



As a parent I find the lack of an appropriate youth space for our children, and the battle to obtain one, quite frustrating. 'Keep the youth off the streets' we hear all too often, give them something to do, give them a place to go, give them a sense of belonging and ownership, okay, well let's do that! Let's hear what they want, let's hear what they have to say and let's get the ball rolling on a safe, supervised, fun place for them to go. The Andy Arnold centre is an ideal location, central to all that is Bacchus Marsh and accessible by public transport, even for those in our shire outside of town. Start this centre off in a vibrant, positive way and build upwards from that. Too much time is wasted on 'studies' and 'consultations' and our youth are becoming more and more disengaged and unruly. Having somewhere for them to go is important, somewhere they feel they belong, somewhere they feel safe, somewhere where someone cares. Our shire covers a diverse range of people, we need to bring our kids together so the fabric that is Moorabool stays tightly knitted and united into the future.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Investigation of Suitable Location/s and Potential Concept Plan

**Resident**

I am a support person in Bacchus Marsh for a number of females aged between 17 and 24. I have just completed my certificate IV in AOD and mental health. I know that a youth space is essential for the youth within the Moorabool Shire. I have worked with youth with substance abuse and I help them get to where they need to be. After helping several youths over the past 4 years, I'm known amongst many to be a contact person for support and guidance. My support has included taking young females to a local GP, getting referrals for further consultation, taking them to Melbourne for assessment for entry into various rehab facilities, to assisting with teenage pregnancy and abortion when they can't tell their parents. The youth space would assist so many within our community, including running a Big Sister/Brother program where kids have an adult who they can trust, and ensure their mental health and wellbeing are being attended to. I believe this space will be highly attended and helpful for those who live with parents who substance abuse, witness domestic violence and who need a place where confidentiality is provided.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Predicted Usage of a Proposed Youth Space/s

**Resident**

Just putting out an expression of interest for school holiday program for years 7-9... As all us parents know there are provisions in place for prep to year 6 and then at high school it all stops. I have had many conversations with YMCA in Essendon while I was living there and they were interested in setting one up but needed a certain number of students to make it happen... Do we think this is a possibility in Bacchus Marsh? Do we think the YMCA would come on board and other external organisations as well? Benefits: \*Reduce stress on parents who have to work & not home till 5 or 6 Pm \*Kids have access to great resources and role models to support them in what can be essentially 2-3 hours of supervised support. High Schools that have programs for years 7 - 9:  
<http://www.zojoz.com.au/product/safe-play-fitness-track-outdoor-gym-equipment-outdoor-gym-projects/outdoor-gym-equipment-at-healesville-high-school.aspx>  
<http://www.parentsvictoria.asn.au/about-us/regional-networks> writing group (my son has published 2 novels and continues to inspire other teens) Healthy eating and food preparation and cooking groups. Teens could provide meals/snacks for participants/stakeholders and be provided with a certificate of food handling... Use Edmodo or Tiqbiz to link all participants to the "community youth hub" activities/

announcements/ achievements to ensure engagement with youth. Enhance the internal and external environment of the "hub" so the youth could take pride in participating too? ..... Murals, mosaic paths, veggie garden (produce used in food prep/ cooking area Environmentally friendly zone with pond and recycled water, tree planting, carpentry work.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Predicted Usage of a Proposed Youth Space/s

**Resident**

I believe that Bacchus Marsh should have a youth centre, because it would highly improve the youth services, and could decrease the amount of bullying problems, drug problems and ultimately help to prevent suicide attempts through-out Bacchus Marsh.

**Officers Comment**

Noted, no change to the study

**Resident**

To whom this may concern,

The idea of a purpose-built youth facility in Bacchus Marsh has been long considered, without any action taken. The results of this have been an increasing awareness of the need to engage our young people, but little to no opportunity for this to happen within the Moorabool Shire.

Bacchus Marsh ORGANISATION has existed to serve the wider Bacchus Marsh community for over twenty-two years. Meeting each Sunday, many young people have been able to connect to the organisation through its familiar location and proximity to the station.

Through its philosophy of serving the community, ORGANISATION has undertaken a number of projects to enhance the community connectedness. Last Christmas, hampers were delivered to nearly one hundred households in the area, with a view to expand that this year. ORGANISATION runs several recovery groups for drug, alcohol and trauma affected individuals, and has the scope to increase this, given the right location to meet within the week.

The Quamby Room is unfortunately over-utilised, in that it is not available on weeknights for any additional community activities. An expansion of the existing site would see more spaces become available for these and other community programs. ORGANISATION is also connecting with Young Mothers within the Shire, and a Youth Space would allow a program to meet in a more neutral location than a private dwelling.

ORGANISATION supports the conclusion of the Draft Youth Space Feasibility Study, in extending the Andy Arnold Centre to accommodate the needs of our young people. ORGANISATION would look to support Council in getting a Youth Space operational, and seek to utilise the space to enhance already existing programs and services. ORGANISATION would consider moving existing and new programs into a facility such as this in a sub-leased or other arrangement.

It is high time our community has a Youth Space to support our own youth. An investment into our youth's lives is an investment in the long-term health of the township of Bacchus Marsh.

Regards,



Resident
<b>Officers Comment</b>
Noted, no change to the study. Issues addressed under: Investigation of Suitable Location/s and Potential Concept Plan Predicted Usage of a Proposed Youth Space/s Investigation of Possible Management and Funding Model
<b>Resident</b>
Some more basketball courts would be greatly appreciated. Outside courts would benefit greatly with sturdy chain nets. Only 2 courts for the BMBA is not very sustainable. Also the double up of having senior men's basketball on Thursday night, running along with Melton who already had the Thursday night scheduled in, is hurting the potential of our basketball players. The senior competition has to go back to where it belongs on Tuesday nights.
<b>Officers Comment</b>
Noted, no change to the study
<b>Resident</b>
The idea of developing a youth space in Moorabool is documented well in this statement. In particular, is the proposed focus of the space as a connection point for young people and services and not as a 'hang out' centre, the possibility of engaging students who are not engaged in education and having a place to connect with them, and the utilisation of a relatively underused facility already in the shire. With all of these coming together in one space it will paint a clear picture of the youth situation in Bacchus Marsh and inform future development and services in the youth sector. The feasibility statement outlines some concerning numbers when comparing Bacchus Marsh to Victorian averages. In response to the numbers presented something needs to be done to help young people access services and opportunities. The youth space is the opportunity to address these issues in a manner that is young people friendly and centralised.
<b>Officers Comment</b>
Noted, no change to the study. Issues addressed under: Social and Economic Benefits of a Youth Space/s Investigation of an Appropriate Model for a Youth Space/s
<b>Resident</b>
Bacchus Marsh is growing rapidly. Population is increasing which includes youth of a variety of ages and socio-economic status. A youth space which caters to this variety would be a wonderful addition to the Bacchus Marsh community. One which I would readily volunteer time too.
<b>Officers Comment</b>
Noted, no change to the study
<b>Resident</b>
I believe it is about time Moorabool Shire had a Youth Space! There is undeniably a growing population of youth in the Shire and no official place to hang out. Teens end up spending numerous hours at the Bacchus Marsh McDonalds or the Skate Park because there is nothing else to do. Alternatively, youth are dragged into hanging with the wrong crowds, looking to pass time and that's when they start to experiment with alcohol and drugs. Surely the community sees the need for a youth space! The youth space would benefit Moorabool Youth immensely because it would not only be a cool spot to hang out (with friends/meet friends), it would also keep them out of trouble and help the community come together. The youth centre could have a number of different facilities from

entertainment to educational, to events that help teens engage and participate in community related events. It's high time Moorabool Shire put the kids first. Creating a safe, welcoming environment for the youth of Moorabool would be a huge step in the right direction. Come on, let's make the youth feel like the 'grown ups' actually care about them!

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Social and Economic Benefits of a Youth Space/s  
Investigation of an Appropriate Model for a Youth Space/s

**Resident**

I think this would be a very good idea, we need an area in Moorabool for our youth to spend time in instead of on the streets. This space could be used for multiple purposes and it would give various youth the opportunity to do particular things.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Investigation of an Appropriate Model for a Youth Space/s

**Resident**

I believe we need a youth centre for kids and teens to go to meet new friends and socialise in a safe place. There could be events run there and activities for young people to go to if they can't do stuff like it at home. It will provide a safe place for kids and teens to go to if they want to relax or get out of their house. It will also be good for kids that need to get away from home and talk to someone if they want and it is in a safe environment. Thank you for taking your time to read this.

**Officers Comment**

Noted, no change to the study

**Resident**

As a senior citizen living in Bacchus Marsh I congratulate the Council for its planning to engage young people in positive ways. It is worthwhile to encourage seniors and youth to co-operate at times, so long as safety is ensured. As a responsible community we need to look after young people as well as elders and be seen to do so. This proposed facility shows everyone they are valued. Thank you.

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Investigation of an Appropriate Model for a Youth Space/s  
Investigation of Suitable Location/s and Potential Concept Plan

**Resident**

To whom it may concern

My name is Resident,

I would like you to consider my letter of support for a youth centre in Bacchus Marsh to be included at the Andy Arnold Centre.

But what you may not know is NAME would capture your heart with her joy and humor. Her athletic ability and her creative musical and theatrical performances. Her artwork, inspirational writing and poems were always a delight and still amazes me today. Even in sickness, these attributes were what formed her life.

At a very young age NAME's talent, skill and determination amazed us all.

In prep her drawings were beyond her years with three dimensional chairs and animal characters brought to life in colour.

Academically she cruised through her primary years. NAME auditioned for the Australian Youth Choir and sang on stage at the Melbourne Concert Hall with the Vienna Boys Choir when they toured Melbourne in 1999. She learnt to play the piano and many tunes were created and played along with our voices, which created a stir, or should I say noisy disturbance amongst our neighbours.

Name had an abundance of energy so we joined the Dolphins at BM Littles Athletics Club. Every Saturday morning for 10 years we dragged ourselves out of bed and always arrived just in time for the first event. Her passion was running and high jump. She had a wonderful quirky style when it came to high jump – a little footwork dance, a twist here and there before she would run to take her leap over the bar.

But after a painful fall she decided high jump was not for her so instead she would stick with running.

With the 100, 200, 400 and 800 meters in her sight she soared and represented BM Little Athletics and the BM Grammar at State level in her secondary school years at Melbourne Park. At age 16 she decided she wanted to run at the Stawell Gift. So armed with her spikes and determination. no coach, mind you, off we went. She ran so well in her heats that her handicap was set high. She was so disappointed she didn't win, but gee she gave it a hell of a shot.

Secondary School started off extremely well.

NAME struggled with Asthma throughout her whole life. But it wasn't until at age 15 when she had an attack in front of the doctors at the Sunshine Emergency Department that her Asthma was diagnosed as Sever Acute Bronchial Spasms. Prior to diagnosis her Asthma attacks disrupted her life with many ambulance visits and spending hours at the emergency departments here in BM and in Sunshine Hospitals. We thought that now we know what we are dealing with we would be able to keep her Asthma under control. But unfortunately after many specialists' appointments, allergy tests, breathing techniques, natural therapies including counselling and nebulizers we couldn't keep the Asthma under control. This all took a toll on NAME. The illness impacted on her school life, her personal life and her working life.

NAME began drinking alcohol and smoking marijuana. Both of which she thought helped to ease her stress levels that triggered her asthma attacks. This began her dependency on drugs.

The last two years of NAME's life she was having more and more severe Asthma attacks which was really disrupting her life in general. She became very frustrated with the whole process of Ambulance trips, Emergency departments and the usual prescription drugs she had to take.

NAME was introduced to the drug Ice in 2012. This took over her life. At first she felt good but it wasn't long before it took its hold over her. She sought help and was admitted to a detox bed here at the hospital in late July 2012.

I'll never forget how appreciative NAME was towards the staff and Doctor, who helped her when she was released from the Detox ward. She had so much zest for life. She was radiant and full of energy again. She was going to change the world and help her friends and others that were still using ICE to get off the drug.

After a relapse NAME had booked herself back into detox on the 13<sup>th</sup> November 2012. She never made it as her life was taken from her 3 days before.

I'm not trying to justify how or why Name started to take drugs but as a young adult that struggles with an illness, stress or other social issues this is when life can become a huge struggle for them. So it is important for all of us to understand that we shouldn't be so judgmental on the choices that were made but to be supportive, with the right resources and education, towards our youth and young adults.

I want adolescents and young adults to know that there is somewhere they can get the right support, information and help with whatever hurdles they come across. I want them to feel comfortable and supported in.

Thank you for your time and consideration.

Yours sincerely  
Resident

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Investigation of an Appropriate Model for a Youth Space/s

I am the POSITION for ORGANISATION. I have worked in this position for the last 10 years. In this time, I have attended many youth network meetings and all but four MAST meetings. During this time, I have had many conversations and opportunities to discuss with other youth services and key stakeholders; the lack of space and more importantly the need for a youth space in Moorabool Shire.

Over the past, approximate 10 years we have seen various youth service organisations attend youth network meetings, offering various skilled based training and other relevant educational, leadership and welfare opportunities for youth in our area.

Our community is in desperate need for such organisations, such as Headspace; that will provide their valued services for our youth.

Moorabool Shire has no purpose built youth space within the shire to support the delivery of programs and services for young people.

Unfortunately, as a direct result of the lack of youth space; our community has missed many opportunities and benefits for our youth and the broader community.

I concur with the conclusion of the Youth Spaces Feasibility Study. The vision for a youth space identified in the study aligns with a community hub model, which includes dedicated space for young people. I believe the potential and best location for a youth space is to extend and upgrade the Andy Arnold Centre. The development of the venue will allow for the co-location and integration of youth services and programs to ensure the best possible outcomes for our youth and our community.

The development of such a project will further enhance the area as the skate park is located adjacent to the Andy Arnold Centre and will provide the best exposure for a worthy and much needed facility.

Youth workers, Department of Justice representatives, police, drug and alcohol workers and family services meet with youth for counselling, restorative practice and rehabilitation consultation. I am aware that due to the lack of an appropriate and non-confronting space, these workers are meeting with youth at places such as McDonalds, KFC or cafes. This does not provide both the worker and the youth the opportunity for confidentiality and continuity for a safe and professional environment.

The opportunity for such a space will provide and respond to the needs and issues impacting on young people and their families whilst promoting greater youth engagement and leadership within the community. The youth space will ensure the benefits and the readiness to further build on youth service capacity, stakeholders partnerships and improved opportunities for youth in our community.

Name  
Title

**Officers Comment**

Noted, no change to the study. Issues addressed under:  
Investigation of Suitable Location/s and Potential Concept Plan  
Investigation of an Appropriate Model for a Youth Space/s  
Predicted Usage of a Proposed Youth Space/s

# Appendix 4

Current schedule of events and activities at the  
Andy Arnold Centre

APPENDIX 3: Current Schedule of Events and Activities at the Andy Arnold Centre

Space	Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Office 1	AM		Aged & Disability Services		Aged & Disability Services			
	PM		Aged & Disability Services		Aged & Disability Services			
	Evening			Youth: Drug & Alcohol	AA			
Office 2	AM		Aged & Disability Services		Aged & Disability Services	Aged & Disability Services		
	PM		Aged & Disability Services		Aged & Disability Services	Aged & Disability Services		
	Evening			Youth: Drug & Alcohol				
Senior Citizens Main Hall	AM		Senior Citizens: Exercise	Combined pensioners	Senior Citizens: Exercise	PAG	The United Church of God	
	PM	Make a move	Senior Citizens: Exercise	Combined pensioners		PAG	The United Church of God	Senior Citizens: Bowls
	Evening		Senior Citizens: Bowls	Combined pensioners	Senior Citizens: Bowls		The United Church of God	
Card room	AM							
	PM		Card Group		Card Group			
	Evening							
Senior Citizens Kitchen	AM		Senior Citizens: Exercise	Combined pensioners		Better Health		
	PM		Senior Citizens: Exercise	Combined pensioners	Senior Citizens: Exercise	Better Health		
	Evening							
Store 2	Used by	Church	Church	Church	Church	Church	Church	Church
Store 3	Used by	Senior Citizens	Senior Citizens	Senior Citizens	Senior Citizens	Senior Citizens	Senior Citizens	Senior Citizens
Stage	AM		Senior Citizens				Church	
	PM		Senior Citizens				Church	
	Evening						Church	

# Appendix 5

Local youth service provision



## Appendix 4 - Local Youth Service Provision

This information is an updated version of pages 40-45 of the Moorabool Shire Youth Strategy 2013-2016

### Youth Services as the Primary Partner

Program	Theme	Agencies Involved	Comment
1. ACTIVE8 • School	<ul style="list-style-type: none"> <li>• Mental Health</li> </ul>	<p>Moorabool Shire - Youth Services Bacchus Marsh College Child and Family Services</p> <ul style="list-style-type: none"> <li>• Reconnect</li> <li>• Djerriwarrh Community Health - Alcohol &amp; other Drug unit, Bacchus Marsh Police</li> </ul>	Moorabool Shire Council - Youth Services Program
• Community	<ul style="list-style-type: none"> <li>• Various football / netball clubs in the western part of the Shire</li> </ul>		
2. Young Mums	<ul style="list-style-type: none"> <li>• Peer Support</li> </ul>	Moorabool Shire - Youth Services Maternal & Child Health	Moorabool Shire Council - Maternal & Child Health Program  <i>[This program is currently being redeveloped]</i>
3. Youth Week	<ul style="list-style-type: none"> <li>• Youth Event</li> </ul>	<p>Since 2006, Moorabool Shire has partnered with most agencies operating within the Shire. This includes but is not limited to:</p> <ul style="list-style-type: none"> <li>• Bacchus Marsh Rotary Ballan Lions</li> <li>• Bacchus Marsh Anglican Church</li> <li>• Bacchus Marsh Baptist Church</li> <li>• Bacchus Marsh College VCAL</li> <li>• Bacchus Marsh Police</li> <li>• Highlands LLEN (<b>Limited Capacity</b>)</li> <li>• Centacare</li> <li>• Child &amp; Family Services</li> </ul>	Moorabool Shire Council - Youth Services Program

	<ul style="list-style-type: none"> <li>o Reconnect</li> <li>o Family Services</li> <li>o Centacare</li> <li>• Djerrivarrh Health Services</li> <li>• Darley Neighbourhood House</li> <li>• The Laurels</li> </ul>		<ul style="list-style-type: none"> <li>o Moorabool Shire Council - Youth Services Program</li> </ul>
4. FReeZA	<ul style="list-style-type: none"> <li>• Youth Events</li> </ul>	<p>No permanent partners, however, Youth Services can gain support from agencies when necessary</p>	Moorabool Shire Council - Youth Services Program
5. L2P	<ul style="list-style-type: none"> <li>• Road Safety Mentoring</li> </ul>	<p>Moorabool Shire Council - Youth Services Melton Council Djerrivarrh Education and Employment Services</p>	<p>Moorabool Shire Council made the initial application and was the banker for this program.</p> <p>Moorabool Shire Council has now joined forces with Melton Shire Council. Djerrivarrh Education and Community Services manage the program for both Councils</p> <p>Moorabool Council sits on the steering committee and provides a meeting site for every second meeting.</p>
6. Gettin' Dirty	<ul style="list-style-type: none"> <li>• Mentoring</li> <li>• Peer Mentoring</li> <li>• Community Engagement</li> </ul>	<p>Bacchus Marsh Police Moorabool Shire Council</p> <ul style="list-style-type: none"> <li>o Youth Services</li> <li>o Parks and Gardens</li> </ul> <p>Department of Education and Early Childhood Development</p>	<p><b>This program is not operating currently, however, sustainable funding is being sought.</b></p>
7. Blue Light	<p>Youth Events</p>	<p>Bacchus Marsh Police Bacchus Marsh Scouts Bacchus Marsh Junior Fire Brigade Moorabool Shire Council - Youth Services Belgravia Leisure Management - Bacchus Marsh Leisure Centre</p>	<p>Moorabool Shire Council is a secondary partner only.</p> <p>Council is represented on the steering committee</p> <p>Council provides no funding.</p>

## Summary of services provided by other agencies

Service Type	Provider
<ul style="list-style-type: none"> <li>Health / Mental Health</li> </ul>	<p>Ballan and District Health and Care Ballarat Community Health Djerriwarrh Health Services Caroline Chisholm Centre</p>
<ul style="list-style-type: none"> <li>Employment/Education and Training</li> </ul>	<p>Bacchus Marsh Secondary College (The Avenue) Djerriwarrh Employment and Education Services Highlands Local Learning and Employment Network (REDUCED CAPACITY) Matchworks The Laurels (REDUCED CAPACITY) Federation University (VCAL)</p>
<ul style="list-style-type: none"> <li>Counselling/Personal Support</li> </ul>	<p>Ballan and District Health and Care Ballarat Community Health Child &amp; Family Services Djerriwarrh Health Services</p>
<ul style="list-style-type: none"> <li>Drug and Alcohol Services</li> </ul>	<p>Ballarat Community Health Djerriwarrh Health Services Uniting Care</p>
<ul style="list-style-type: none"> <li>Housing</li> </ul>	<p>Child &amp; Family Services Moorabool (Limited Youth Housing Options) Young people experiencing homelessness effectively need to contact Ballarat or Footscray (Melbourne Metro). However, options are still limited.</p>
<ul style="list-style-type: none"> <li>Family Services</li> </ul>	<p>Centacare Child and Family Services Relationships Australia Family Violence Intervention Program</p>
<ul style="list-style-type: none"> <li>Financial Security</li> </ul>	<p>Child and Family Services</p>

## Service Provision Matrix

Agency	Service Category	Services Provided	Youth Specific	Local / Outreached from another municipality
1. Bacchus Marsh College	<ul style="list-style-type: none"> <li>Education and Training</li> </ul>	<ul style="list-style-type: none"> <li>The Avenue Program - an alternative education program</li> <li>Student Representative Councils and Student Leadership Programs</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> <li>Yes - Year 12 students</li> </ul>	<ul style="list-style-type: none"> <li>Local</li> <li>Local</li> </ul>
2. Ballan and District Health and Care	<ul style="list-style-type: none"> <li>Health and Wellbeing</li> </ul>	<ul style="list-style-type: none"> <li>Community Health</li> <li>Welfare Worker</li> <li>Psychologist</li> </ul>	<ul style="list-style-type: none"> <li>No</li> <li>No</li> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>Local</li> <li>Local</li> <li>Local</li> </ul>
3. Ballan GP Super Clinic	<ul style="list-style-type: none"> <li>Health and Well Being</li> </ul>	Preventative Programs <ul style="list-style-type: none"> <li>Healthy Eating Group, Well for Life, Grow your Way, Make a Move, Walking Groups</li> <li>Spoonful of Sugar</li> </ul>	<ul style="list-style-type: none"> <li>No</li> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Local</li> <li>Local</li> </ul>
4. Ballarat Community Health	<ul style="list-style-type: none"> <li>Health and Wellbeing</li> </ul>	<ul style="list-style-type: none"> <li>Child Health Program</li> <li>Alcohol and Drug Youth Outreach Service</li> <li>Drink Driver Education Program</li> <li>Home Based Withdrawal Nurse</li> <li>Needle Exchange Program</li> </ul>	<ul style="list-style-type: none"> <li>No (birth - 12 years)</li> <li>Yes</li> <li>No</li> <li>No</li> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>Ballarat</li> <li>Outreach to Moorabool</li> <li>Ballarat</li> <li>Ballarat</li> <li>Ballarat</li> </ul>
5. Berry Street	<ul style="list-style-type: none"> <li>Youth Services</li> </ul>	<ul style="list-style-type: none"> <li>Young Persons Housing Programs</li> </ul>	<ul style="list-style-type: none"> <li>Yes - under 21 years</li> </ul>	<ul style="list-style-type: none"> <li>Ballarat</li> </ul>
6. Caroline Chisholm Centre	<ul style="list-style-type: none"> <li>Health and Well Being</li> </ul>	<ul style="list-style-type: none"> <li>Family Services Program</li> </ul>	<ul style="list-style-type: none"> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>Moonee Ponds - Moorabool youth eligible</li> </ul>

<p><b>7. Central Highlands Community Legal Centre Inc.</b></p>	<ul style="list-style-type: none"> <li>• Legal Services</li> </ul>	<ul style="list-style-type: none"> <li>• Legal advice and information</li> </ul>	<ul style="list-style-type: none"> <li>• No</li> </ul>	<ul style="list-style-type: none"> <li>• Ballarat offices - Moorabool youth eligible</li> </ul>
<p><b>8. Centacare</b></p>	<ul style="list-style-type: none"> <li>• Counselling / Personal Support</li> <li>• Youth Legal Services</li> </ul>	<ul style="list-style-type: none"> <li>• Child First</li> <li>• Parenting support Integrated Family Services</li> <li>• Youth Justice Community Support Services</li> </ul>	<ul style="list-style-type: none"> <li>• No</li> <li>• No</li> <li>• Yes</li> </ul>	<ul style="list-style-type: none"> <li>• Local - A referral source 'central intake'</li> <li>• Local - by referral through Child First (Ballarat)</li> <li>• Ballarat - Moorabool Youth Eligible</li> </ul>
<p><b>9. Centrelink</b></p>	<ul style="list-style-type: none"> <li>• Financial Support</li> </ul>	<ul style="list-style-type: none"> <li>• Youth Allowance and Austudy information</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<ul style="list-style-type: none"> <li>• Melton office, with visiting services to The Laurels in Bacchus Marsh on Tuesdays</li> </ul>
<p><b>10. Child and Family Services</b></p>	<ul style="list-style-type: none"> <li>• Counselling / Personal Support</li> <li>• Housing</li> </ul>	<ul style="list-style-type: none"> <li>• Men and Family Relationships</li> <li>• Financial Counselling Program</li> <li>• Gamblers Help</li> <li>• Family Support Program</li> <li>• Parenting Program</li> <li>• Housing &amp; Homelessness Support Services</li> <li>• Creating Connections – This program includes: Youth Focused Housing Placement, Life and Living Skills, Private Rental Access Program, Education, Employment and Training, Intensive Case Management</li> </ul>	<ul style="list-style-type: none"> <li>• No</li> <li>• No</li> <li>• No</li> <li>• No</li> <li>• No</li> <li>• No</li> <li>• No</li> <li>• Yes - 16-25 years</li> </ul>	<ul style="list-style-type: none"> <li>• Local</li> <li>• Local by appointment (Fri)</li> <li>• Local by appointment (Fri)</li> <li>• Local via Child FIRST</li> <li>• Local</li> <li>• Local</li> <li>• Local</li> </ul>

	<ul style="list-style-type: none"> <li>• Reconnect Program - pathways to independent living</li> <li>• Step Up Program - Adolescent family violence</li> <li>• HEAL - Healing equine Assisted Learning Program</li> </ul>	<ul style="list-style-type: none"> <li>• Yes - 12-18 years</li> <li>• Yes - 12-18 years</li> <li>• Yes - 7-17 years</li> </ul>	<ul style="list-style-type: none"> <li>• Local</li> <li>• Local</li> <li>• Local</li> </ul>	
<b>11. Department of Health and Human Services (DHHS)</b>	<ul style="list-style-type: none"> <li>• Engage! Program</li> <li>• Funds range of projects around: <ul style="list-style-type: none"> <li>• Volunteering</li> <li>• Mentoring</li> <li>• Peer support groups</li> <li>• Community education</li> <li>• Youth advisory groups</li> <li>• Education and skills development</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<ul style="list-style-type: none"> <li>• Grants provided to local government and community organisations</li> </ul>	
<b>12. Djeeriwarrh Community &amp; Education Services</b>	<ul style="list-style-type: none"> <li>• Education and Training</li> </ul>	<ul style="list-style-type: none"> <li>• Accredited and Non-accredited Training Courses</li> <li>• L2P Learner Driver Program</li> </ul>	<ul style="list-style-type: none"> <li>• No</li> <li>• Yes - 16-20 years</li> </ul>	<ul style="list-style-type: none"> <li>• Melton</li> <li>• Melton based - Moorabool Youth eligible</li> </ul>
<b>13. Djeeriwarrh Health Services (Bacchus Marsh Community Health)</b>	<ul style="list-style-type: none"> <li>• Health and Well Being</li> </ul>	<ul style="list-style-type: none"> <li>• Backdoor Health Services</li> <li>• Community Health Nurse, Women's health, general health promotion, Sexual and reproductive health education - School sex education program and Pap smears</li> </ul>	<ul style="list-style-type: none"> <li>• Yes - 12-24 years</li> <li>• No</li> </ul>	<ul style="list-style-type: none"> <li>• Melton based - Moorabool Youth Eligible</li> <li>• Local - run out of Senior Citizens Building in Bacchus Marsh</li> </ul>

Centre	Melton Youth Health Clinic	Yes - 12-24 years	Drop in Thursdays 4-7pm Melton City Youth Services Complex Local
<ul style="list-style-type: none"> <li>Counselling / Personal Support</li> </ul>	<ul style="list-style-type: none"> <li>Needle and Syringe program</li> <li>Youth and Adolescent Counselling Service</li> </ul>	<ul style="list-style-type: none"> <li>No</li> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Local - Bacchus Marsh Wednesday 4pm – 9pm at Senior Citizens. Self referral</li> </ul>
<ul style="list-style-type: none"> <li>Moorabool Alcohol &amp; Other Drug Counselling – 16 years and older</li> <li>Individual counselling</li> <li>Group counselling (family violence)</li> <li>Healthy Mothers Healthy Babies</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> <li>No</li> <li>No</li> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>Bacchus Marsh - 5 days a week and 1 evening Wednesday - Rotary Park in Bacchus Marsh</li> <li>Local - Mondays at Bacchus Marsh Community Health</li> <li>Local - Bacchus Marsh Community Health</li> <li>Local - Bacchus Marsh and outreach - self referral and central intake</li> </ul>	
<b>14. Headspace</b>	<ul style="list-style-type: none"> <li>Mental Health</li> <li>Drug and alcohol</li> <li>Health and Wellbeing</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> <li>Yes</li> <li>Yes</li> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Ballarat based and 24 hour phone line</li> <li>Ballarat - Thursday mornings by referral</li> <li>Ballarat by appointment</li> <li>Ballarat - Mondays 2-5 pm Walk-ins welcome</li> </ul>
<b>15. Highlands Local</b>	<ul style="list-style-type: none"> <li>Education and Training</li> </ul>	<ul style="list-style-type: none"> <li>Yes - 15-19 years</li> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Ballarat Based - Available in Bacchus Marsh</li> <li>Ballarat Based - Available</li> </ul>

<b>Learning and Employment Network</b>		<ul style="list-style-type: none"> <li>Youth Transition Coordinator</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>in Bacchus Marsh College</li> <li>Schools based initiative</li> </ul>
<b>16. Matchworks</b>	<ul style="list-style-type: none"> <li>Education and Training</li> </ul>	<ul style="list-style-type: none"> <li>Training courses, job readiness, Interview and resume preparation</li> </ul>	<ul style="list-style-type: none"> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>Local</li> </ul>
<b>17. The Laurels</b>	<ul style="list-style-type: none"> <li>Education and Training</li> </ul>	<ul style="list-style-type: none"> <li>Training courses</li> </ul>	<ul style="list-style-type: none"> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>Local</li> </ul>
<b>18. Life Line</b>	<ul style="list-style-type: none"> <li>Mental Health</li> </ul>	<ul style="list-style-type: none"> <li>Counselling</li> </ul>	<ul style="list-style-type: none"> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>Outreached</li> </ul>
<b>19. School Focused Youth Service</b>	<ul style="list-style-type: none"> <li>Education and Training</li> </ul>	<ul style="list-style-type: none"> <li>Supporting engagement and re-engagement of at risk youth</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>School based initiative</li> </ul>
<b>20. Uniting Care</b>	<ul style="list-style-type: none"> <li>Counselling</li> <li>Outreach</li> </ul>	<ul style="list-style-type: none"> <li>Family Counselling – Alcohol and Drug Program</li> <li>Youth Outreach</li> </ul>	<ul style="list-style-type: none"> <li>No</li> <li>Yes - 12-25 years</li> </ul>	<ul style="list-style-type: none"> <li>Ballarat based Moorabool youth eligible</li> <li>Outreached</li> </ul>
<b>21. Victorian Legal Aid</b>	<ul style="list-style-type: none"> <li>Legal Services</li> </ul>	<ul style="list-style-type: none"> <li>Legal advice and assistance</li> </ul>	<ul style="list-style-type: none"> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>Ballarat based - Moorabool youth eligible</li> </ul>
<b>22. Youthlaw</b>	<ul style="list-style-type: none"> <li>Legal Services</li> </ul>	<ul style="list-style-type: none"> <li>Legal advice, information and preventative education programs</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Melbourne based - Moorabool youth eligible</li> </ul>
<b>23. Youth Beyond Blue</b>	<ul style="list-style-type: none"> <li>Mental Health</li> </ul>	<ul style="list-style-type: none"> <li>Counselling</li> <li>Prevention and treatment programs</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>24 hour phone line and online chat 3pm-12am</li> <li>Online program</li> </ul>



## 10.4 INFRASTRUCTURE SERVICES

### 10.4.1 Review of Council's Procurement Policy

#### Introduction

File No.: 03/01/007  
Author: Jacinta Erdody  
General Manager: Phil Jeffrey

#### Background

In accordance with section 186A(7) of the Local Government Act:

*“at least once in a financial year, a Council must review the current procurement policy and may, in accordance with this section, amend the procurement policy.”*

Council's existing Procurement Policy was first adopted 18 November 2009 and in accordance with legislative requirements has continued to be reviewed on an annual basis. The last formal review and adoption of the policy was 3 June 2015.

A review of the existing policy has been undertaken by the internal Procurement Steering Group (a cross functional committee that has been established to oversee all procurement related matters).

#### Proposal

As a result of the review, there are some adjustments proposed. These amendments do not affect the overall intent of the policy. The revised policy is presented as an attachment to this report.

The key changes being proposed to the policy are:

- The alteration of the procurement threshold requirements to enable Council Officers to more efficiently undertake their duties; and
- The recognition of compliance requirements to Council Fraud Management Plan.

The key change to the proposed procurement thresholds relate to purchases between \$2,501 and \$50,000. In the current procurement policy, it is a requirement for at least 2 written quotes for all purchases between \$2,501 and \$50,000. Under the proposed changes, it is recommended that for purchases between \$2,501 and \$15,000 a requirement that only 1 written quote be received. For purchases between \$15,001 and \$50,000, 2 written quotations will be required before a purchase is made.

The recommendation to alter procurement spend thresholds came about as a result of benchmarking with other Councils and a desire to improve efficiencies in day to day activities whilst maintaining accountable and responsible spending of ratepayer funds.

This policy will continue to be reviewed on an annual basis.

### **Policy Implications**

The 2013–2017 Council Plan provides as follows:

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

### **Financial Implications**

The adoption of the revised Procurement Policy has no additional known financial implications to Council. It is not anticipated that the changes proposed will have a material financial impact on Council.

### **Risk & Occupational Health & Safety Issues**

As the annual review of this policy is legislated, there is a risk of non-compliance with the Local Government Act if this policy is not reviewed annually.

### **Communications Strategy**

Once Council has adopted the revised Procurement Policy, the updated document will be communicated to all staff and will be placed on 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 Infrastructure – Phil Jeffrey*

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

*Author – Jacinta Erdody*

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

**Conclusion**

After considering the revised Procurement Policy, it is recommended that Council adopt the updated document.

**Recommendation:**

**That Council adopts the revised Procurement Policy (IS014 / Version 007).**

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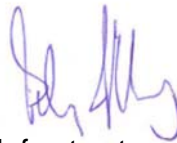
**Report Authorisation**

**Authorised by:**

**Name:** Phil Jeffrey

**Title:** General Manager Infrastructure

**Date:** Wednesday, 17 August 2016



# Attachment - Item 10.4.1

<b>Policy No.:</b>	IS014	<b>IS014 – Procurement Policy</b>
<b>Review Date:</b>	Annually	
<b>Revision No.:</b>	007	
<b>Policy Manual Version No.:</b>	006	
<b>Adopted by:</b>	Moorabool Shire Council	<i>3 June 2015</i>

## 1. PRINCIPLES

### 1.1 Background

Moorabool Shire Council:

- Recognises that:
  - Developing a procurement policy and adopting appropriate best practice contracting and procurement principles, policies, processes and procedures for all goods, services and works by Council, will enhance achievement of Council objectives such as sustainable and socially responsible procurement; bottom-line cost savings; supporting local economies; achieving innovation; and better services for communities.
  - The elements of best practice applicable to Local Government procurement incorporate:
    - Broad principles covering ethics, value for money responsibilities and accountabilities;
    - Guidelines giving effect to those principles;
    - A system of delegations;
    - Procurement processes, with appropriate procedures covering minor, simple procurement to high value, more complex procurement; and
    - A professional approach.
- Requires that Council's contracting, purchasing and contract management activities:
  - Support Council's corporate strategies, aims and objectives including, but not limited to those related to sustainability, protection of the environment, and corporate social responsibility;
  - Span the whole life cycle of an acquisition from initial concept to the end of the useful life of an asset, including its disposal, or the end of a service contract;
  - Provide a robust and transparent audit trail which ensures that procurement projects are delivered on time, within cost constraints and that the needs of end users are fully met;
  - Achieve value for money and quality in the acquisition of goods, services and works by Council;
  - Can demonstrate that public money has been well spent;
  - Are conducted, and are seen to be conducted, in an impartial, fair and ethical manner;
  - Seek continual improvement including the embrace of innovative and technological initiatives such as electronic tendering processes to reduce activity cost;
  - Generate and support business in the local community; and

- Comply with legislation, corporate policies or other requirements, ensuring that all staff responsible for procurement and contract management are aware of and adhere to the legislative requirements, Council standards and best practice.

### 1.2 Scope

This procurement Policy is made under Section 186a of the Local Government Act 1989.

This section of the Act requires Council to prepare, approve and comply with a Procurement policy encompassing the principles, processes and procedures applied to all purchases of goods, services and works by the Council.

This policy applies to all contracting and procurement activities at Council.

### 1.3 Purpose

The purpose of this Policy is to:

- Provide policy and guidance to Council to allow consistency and control over Procurement activities;
- To develop sound and ethical procurement practices and systems;
- To manage risk associated with each stage of the procurement process;
- Demonstrate accountability to ratepayers; and
- Demonstrate the application of elements of best practice in procurement.

### 1.4 Treatment of GST

All monetary values stated in this policy include GST, except where specifically stated otherwise.

### 1.5 Definitions and Abbreviations

Term	Definition
Australian Business Number (ABN)	A unique 11 digit identifier for businesses. An enterprise must have an ABN to register for GST.
Act	<i>Local Government Act 1989.</i>
Commercial in Confidence	Information that, if released, may prejudice the business dealings of a party e.g., prices, discounts, rebates, profits, methodologies and process information, etc.
Contract Management	The process that ensures both parties to a contract that fully meet their respective obligations as efficiently and effectively as possible, in order to deliver the business and operational objectives required from the contract and in particular, to provide value for money.
Council Staff/Officer	Includes full-time and part-time Council officers, and temporary employees, contractors and consultants while engaged by Council.
Financial Delegation	The authority to purchase goods and services on behalf of Council.
Goods and Services Tax (GST)	A 10% consumption tax on most goods and services. An enterprise must have an ABN and be registered for GST before GST can be applied.

Local Content	Includes the purchases of works, goods and/or services and/or labour from a business that is based within the boundaries of MSC.
Local Supplier	A supplier whose business is within the boundaries of MSC. For large organisations, this definition of local supplier is limited to the section or unit of the organisation that is submitting the tender.
MSC	Moorabool Shire Council
Probity	The dictionary definition of probity refers to uprightness, honesty, proper and ethical conduct and propriety in dealings. Within government, the word "probity" is often used in a general sense to mean "good process." A Procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with Council's policies and legislation are established, understood and followed from the outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.
Standing Offer Arrangements (SOA)	A contract that sets out rates for goods and services which are available for the term of the agreement. However, no commitment is made under the agreement to purchase a specified value or quantity of goods or services.
Sustainability	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs.
Procurement	Procurement is the whole process of acquisition of external goods, services and works. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.
Quotation	A written and/or verbal offer to Council to carry out works, provide services or supply goods at a stated price.
Tender Process	The process of inviting parties to submit a quotation by tender using public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.
Superintendent	The person appointed by Council to exercise powers and duties defined in a particular contract and to administer the contract.
Value for Money	Value for Money in Procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including: <ul style="list-style-type: none"> <li>▪ contribution to the advancement of Council's priorities;</li> <li>▪ non-cost factors such as fitness for purpose, quality, service and support; and</li> <li>▪ cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.</li> </ul>

## 2. EFFECTIVE LEGISLATIVE AND POLICY COMPLIANCE AND CONTROL

### 2.1 Ethics and Probity

#### 2.1.1 Requirement

Council's procurement activities will be performed with integrity and in a manner able to withstand the closest possible audit scrutiny.

#### 2.1.2 Conduct of Councillors and Council Staff

##### 2.1.2.1 General

Councillors and Council staff shall at all times conduct themselves in ways that are, and are seen to be, ethical and of the highest integrity and will:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of Commercial in Confidence information such as contract prices and other sensitive information;
- present the highest standards of professionalism and probity;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- provide all suppliers and tenderers with the same information and equal opportunity; and
- be able to account for all decisions and provide feedback on them.

Council staff who are responsible for managing or supervising contracts are prohibited from performing any works under the contract they are supervising.

##### 2.1.2.2 Members of Professional Bodies

Councillors and Council staff belonging to professional organisations shall, in addition to the obligations detailed in this policy, ensure that they adhere to any code of ethics or professional standards required by that body.

#### 2.1.3 Tender Processes

All tender processes shall be conducted in accordance with the requirements of this policy and any associated procedures, relevant legislation, relevant Australian Standards and the Act.

#### 2.1.4 Conflict of Interest

Councillors and Council staff shall at all times avoid situations in which private interests conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties.

The Local Government Act defines and provides examples of conflicts of interest in sections 77A to 78E.

Councillors and Council staff shall not participate in any action or matter associated with the arrangement of a contract (i.e. evaluation, negotiation, recommendation, or



approval), where that person or any member of their immediate family has a significant interest, or holds a position of influence or power in a business undertaking tendering for the work.

The onus is on the Councillor and the Council officer involved being alert to and promptly declaring an actual or potential conflict of interest to Council.

### 2.1.5 Fair and Honest Dealing

All prospective contractors and suppliers must be afforded an equal opportunity to tender or quote.

Impartiality must be maintained throughout the procurement process so it can withstand public scrutiny.

The commercial interests of existing and potential suppliers must be protected.

Confidentiality of information provided by existing and prospective suppliers must be maintained at all times, particularly commercially sensitive material such as, but not limited to prices, discounts, rebates, profit, manufacturing and product information.

### 2.1.6 Accountability and Transparency

Accountability in procurement means being able to explain and provide evidence on the process followed. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

Therefore the processes by which all procurement activities are conducted will be in accordance with Council's procurement policies and procedures as set out in this policy and other related, relevant Council policies and procedures.

Additionally:

- all Council staff must be able to account for all procurement decisions made over the lifecycle of all goods, services and works purchased by Council and provide feedback on them; and
- all procurement activities are to provide for an audit trail for monitoring and reporting purposes.

### 2.1.7 Disclosure of Information

Commercial in Confidence information received by Council must not be disclosed and is to be stored in a secure location.

Councillors and Council officers are to protect, by refusing to release or discuss the following:

- Allocated Council budgets for proposed tenders;
- information disclosed by organisations in tenders, quotation or during tender negotiations;
- all information that is Commercial in Confidence information; and
- pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-contract negotiations.

Councillors and Council officers are to avoid references to current or proposed contracts in discussion with acquaintances or outside interests.

Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier.

At no stage should any discussion be entered into which could have potential contractual implications prior to the contract approval process being finalised other than authorised pre-contract negotiations.

## 2.2 Governance

### 2.2.1 Responsible Financial Management

The principle of responsible financial management shall be applied to all procurement activities.

Accordingly, to give effect to this principle, the availability of existing funds within an approved budget, or external source of funds, shall be established prior to the commencement of any procurement action for the supply of goods, services or works.

Council officers must not authorise the expenditure of funds in excess of their financial delegations.

Council funds must be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this Policy.

All Council Officers have a responsibility to ensure that this Procurement Policy and associated procedures are adhered to.

## 2.3 Achieving Value for Money

### 2.3.1 Requirement

Council's procurement activities will be carried out on the basis of obtaining Value for Money.

This means minimising the total cost of ownership over the lifetime of the requirement consistent with acceptable quality, reliability, accessibility and delivery considerations. Lowest price is not the sole determinate of value for money, and Council is not required to accept the lowest tender.

Achieving best value also requires challenging the need for the procurement and the way in which the service may be reconfigured to achieve improvements in service delivery, comparing service provision options against all those available, consulting with key stakeholders and ensuring competition in the open market.

Achieving best value for money must be the basis of all procurement decisions within Council.

### 2.3.2 Approach

This will be facilitated by:

- developing, implementing and managing procurement strategies that support the co-ordination and streamlining of activities throughout the lifecycle;
- effective use of competition;
- using aggregated contracts and SOAs where appropriate;
- identifying and rectifying inefficiencies in procurement processes;
- developing cost efficient tender processes including appropriate use of e-solutions;
- Council staff responsible for providing procurement services or assistance within Council providing competent advice in terms of available approaches and agreements; and
- working with suppliers to create relationships that are professional and productive, and are appropriate to the value and importance of the goods, services and works being acquired.

### 2.3.3 Support of Local Business

Council is committed to generating, supporting and buying:

- from local businesses;
- from businesses outside the boundaries of MSC, who purchase goods and/or services from local suppliers and/or who use local labour;
- has a preference for Australian made products and goods.

Support to Local Business and Australian made products and goods will be achieved through local price preferencing of 5% to obviate additional fees and charges (E.g.: cartage, transport, postage and handling). Every reasonable effort will be given to seek local quotations and to ensure that local suppliers are aware of current and upcoming tenders.

## 2.4 Internal Controls

Council have a framework of internal controls over procurement processes that ensure:

- more than one person is involved in and responsible for a transaction end to end;
- transparency in the procurement process;
- a clearly documented audit trail exists for procurement activities;
- appropriate authorisations are obtained and documented; and
- systems are in place for appropriate monitoring and performance measurement.

### 2.5 Procurement methods according to amount

Threshold Amount (Inc. GST)	Available Methods
1. \$0 - \$100	<ul style="list-style-type: none"> <li>▪ **MSC Purchase Card</li> <li>▪ Petty Cash (Employee Reimbursement Form)</li> <li>▪ Purchase Order (electronic)</li> <li>▪ Request for Payment</li> </ul>
2. \$101 - \$2,500	<ul style="list-style-type: none"> <li>▪ **MSC Purchase Card</li> <li>▪ Purchase Order (electronic)</li> <li>▪ Request For Payment</li> </ul>
3. \$2,501 - \$15,000	<ul style="list-style-type: none"> <li>▪ **Purchase Order (electronic) (in conjunction with a request for a minimum of 1 Written Quotations)</li> <li>▪ Request for Payment</li> </ul>
4. \$15,001 - \$50,000	<ul style="list-style-type: none"> <li>▪ **Purchase Order (electronic) (in conjunction with a request for a minimum of 2 Written Quotations)</li> <li>▪ Request for Payment</li> </ul>
5. \$50,001 - \$150,000 (Goods and Services) or \$200,000 (Carrying out of works)	<ul style="list-style-type: none"> <li>▪ **Purchase Order (electronic) (in conjunction with an approved project brief and a request for a minimum of 3 Written Quotations)</li> <li>▪ Request for Payment</li> <li>▪ Tender (electronic) (Optional)</li> </ul>
6. \$150,000 + (for Goods and Services) or \$200,000 + (Carrying out of works)	<ul style="list-style-type: none"> <li>▪ **Tender (electronic) (Compulsory – in accordance with LGA 1989 S186)</li> </ul>

\*\* Denotes Council's preferred method of procurement

Tenders can be one-stage, multi-stage, and/or one-part or multi-part.

An Expression of Interest (EOI) may be appropriate prior to issuing a tender.

#### 2.5.1 Other Procurement Methods

Council may also use aggregated purchasing arrangements with:

- other Councils;
- Municipal Association Victoria Procurement (MAV);
- Procurement Australia (PA – formerly known as MAPS Group and Strategic Purchasing); or
- Victorian State Purchasing Board (whole of Government Contracts).

The Minister may, from time to time, grant Section 186 exemptions to Local Government for the provision of goods or services.

Section 186(5) provides for circumstances where Section 186(1) does not apply. For Example: In the event of an emergency Council can resolve that a contract must be entered into without first undertaking a public tender process.

#### 2.5.2 Exceptions To Requirement To Obtain Quotations

It is recognised and understood that in some circumstances quotations will be impractical to seek and obtain. Some of these circumstances include:

- Emergency works and circumstances;
- Existing IT hardware and software;
- Exempt payments (insurance premiums, workcover etc); and
- Other extraordinary circumstances.

In such circumstances, the employee responsible must obtain approval from the relevant General Manager. This clause doesn't apply to the requirement to tender under the Local Government Act unless exempt.

### 2.6 Payment Terms

Council's standard payment terms are 28 days from the date of the invoice and 14 days for local suppliers. Alternative arrangements may be made within contract documents.

Council's preferred method of payment is Electronic Funds Transfer.

### 2.7 Delegation of Authority

#### 2.7.1 Requirement

Delegations define the limitations within which Council Officers are permitted to work. Delegation of procurement authority allows specified Council Officers to approve certain purchases, and quotation, tender and contractual processes without prior referral to Council. This enables the Council to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

Procurement delegations ensure accountability and provide confidence to Council and the public that procurement activities are dealt with at the appropriate level.

As such, Council has delegated responsibilities as detailed below relating to the expenditure of funds for the purchase of goods, services and works, the acceptance of quotes and tenders and for Contract Management activities.

#### 2.7.2 Delegations - Council Officers

Council shall maintain a documented scheme of procurement delegations, identifying Council Officers authorised to make such procurement commitments in respect of goods, services and works on behalf of Council and their respective delegations contained in Financial Delegations policies for:

- acceptance of tenders
- acceptance of quotes
- contract term extensions (within authorised delegation limit)
- contract amendment (non-financial)
- contract amendment (financial)
- appointment to register of pre-qualified suppliers
- credit card purchases
- procedural exceptions

#### 2.7.3 Delegations - Reserved for Council

Commitments and processes which exceed the CEOs delegation and which must be approved by Council are:

- signing and sealing of contract documents (unless provided for in a Council resolution);
- tender recommendations and contract approval for all expenditure in excess of the CEOs Financial Delegation; and
- contract term extensions in excess of the CEOs Financial Delegation.

### 3 CODE OF CONDUCT

This policy is to be read in conjunction with the “Employee, Volunteer & Contractor Code of Conduct” and the “Councillors Code of Conduct”.

Any breach of this policy will be addressed in accordance with the “Counselling & Disciplinary Action Policy”.

### 4 RELATED LEGISLATION/POLICIES/GUIDELINES INCLUDE BUT ARE NOT LIMITED TO:

Australian Competition and Consumer Commission (ACCC)  
A New Tax System (Goods and Services Tax) Act 1999  
Local Government Act 1989  
MSC Councillors Code of Conduct  
MSC Fraud Prevention Plan  
MSC Counselling & Disciplinary Action Policy  
MSC Employee, Volunteer & Contractor Code of Conduct  
MSC Finance 1 Procedures  
MSC OH&S Policy  
Municipal Association of Victoria (MAV) Model Procurement Policy (August 2011)  
Trade Practices Act 1974

### 5 CONTINUAL IMPROVEMENT/REVIEW

Council is committed to continuous improvement and will review the Procurement Policy to ensure that it continues to meet its wider strategic objectives as follows:

- on an annual basis in accordance with the LGA Section 186A(7), and
- when amendments that affect the scope and effect of this policy are made to the Legislative Power / Requirements.

### 6 COMPLAINTS

Any complaints in relation to procurement activities at Moorabool Shire Council are to be directed to the General Manager Infrastructure as follows:

Phone: (03) 5366 7100  
Fax: (03) 5368 1757  
Email: [info@moorabool.vic.gov.au](mailto:info@moorabool.vic.gov.au)

### 7 POLICY OWNER AND CONTACT DETAILS

Moorabool Shire Council’s Finance Manager is the designated owner of this Policy. For further information on the Policy, please contact Council via email [info@moorabool.vic.gov.au](mailto:info@moorabool.vic.gov.au) or phone (03) 5366 7100.

## 11. OTHER REPORTS

### 11.1 Assembly of Councillors

File No.: 02/01/002

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

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

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

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

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

Council also records each Assembly of Councillors on its website at [www.moorabool.vic.gov.au](http://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 3 August 2016 – Presentation on new MSC Website
- Assembly of Councillors – Wednesday 3 August 2016 – Masons Lane Recreation Reserve
- Assembly of Councillors – Wednesday 17 August 2016 – National Disability Insurance Scheme
- Assembly of Councillors – Wednesday 17 August 2016 – Confidential Matter

#### **Recommendation:**

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

- **Assembly of Councillors – Wednesday 3 August 2016 – Presentation on new MSC Website**
- **Assembly of Councillors – Wednesday 3 August 2016 – Masons Lane Recreation Reserve**
- **Assembly of Councillors – Wednesday 17 August 2016 – National Disability Insurance Scheme**
- **Assembly of Councillors – Wednesday 17 August 2016 – Confidential Matter**

# Attachment - Item 11.1



# Assembly of Councillors



Date:	3 August, 2016
Venue:	James Young Room, Lerderderg Library, Bacchus Marsh
Councillors:	Cr. Comrie (Mayor) Cr. Dudzik Cr. Edwards Cr. Spain
Officers:	Rob Croxford; Phil Jeffrey; Satwinder Sandhu; Nat Abbott; Chris Parkinson
Apologies:	Cr. Sullivan; Cr. Tatchell; Cr. Toohey

## 1. Assembly opened at: 2.37pm

## 2. Disclosure of Conflict of Interests – Nil

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. The type of indirect interest specified under Section 78, 78A, 78B, 78C or 78D of the Local Government Act 1989 (amended) set out the requirements of a Councillor or member of a Special Committee to disclose any interest (pecuniary or non-pecuniary) or 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.

## 3. Item Notes:

Presentation on new MSC website

Assembly closed at: 3.22pm

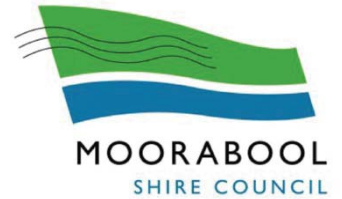
Signed:

A handwritten signature in blue ink, appearing to read "Rob Croxford".

.....  
**Rob Croxford**  
Chief Executive Officer

Date: 03.08.2016

# Assembly of Councillors



Date:	3 August, 2016
Venue:	James Young Room, Lerderderg Library, Bacchus Marsh
Councillors:	Cr. Comrie (Mayor) Cr. Dudzik Cr. Edwards Cr. Spain
Officers:	Rob Croxford; Phil Jeffrey; Satwinder Sandhu; Troy Scoble
Apologies:	Cr. Sullivan; Cr. Tatchell; Cr. Toohey

**1. Assembly opened at: 3.45pm**

**2. Disclosure of Conflict of Interests – Nil**

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. The type of indirect interest specified under Section 78, 78A, 78B, 78C or 78D of the Local Government Act 1989 (amended) set out the requirements of a Councillor or member of a Special Committee to disclose any interest (pecuniary or non-pecuniary) or 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.

**3. Item Notes:**

Masons Lane Recreation Reserve

**Assembly closed at:**

Signed: 4.17pm

A handwritten signature in blue ink, appearing to read "Rob Croxford".

.....  
**Rob Croxford**  
Chief Executive Officer

Date: 03.08.2016

# Assembly of Councillors



Date:	17 August, 2016
Venue:	Council Chambers, Ballan
Councillors:	Cr. Comrie (Mayor) Cr. Dudzik Cr. Edwards Cr. Spain Cr. Sullivan Cr. Toohey
Officers:	Rob Croxford; Danny Colgan; Robyn Salt
Apologies:	Cr. Tatchell

---

**1. Assembly opened at: 5.00pm**

**2. Disclosure of Conflict of Interests – Nil**

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. The type of indirect interest specified under Section 78, 78A, 78B, 78C or 78D of the Local Government Act 1989 (amended) set out the requirements of a Councillor or member of a Special Committee to disclose any interest (pecuniary or non-pecuniary) or 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.

**3. Item Notes:**

**National Disability Insurance Scheme**

**Assembly closed at: 5.45pm**

Signed:

A handwritten signature in blue ink, appearing to read "Rob Croxford".

.....  
**Rob Croxford**  
Chief Executive Officer

Date: 17.08.2016

## 11.2 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.

<b>Committee</b>	<b>Meeting Date</b>	<b>Council Representative</b>
Bacchus Marsh Racecourse and Recreation Reserve Committee of Management	14 June 2016	Cr. Comrie
Development Assessment Committee <i>To download a copy of the minutes, go to the MSC website: <a href="http://www.moorabool.vic.gov.au&gt;Your Council/Section86 Committees/S86 Development Assessment Committee">www.moorabool.vic.gov.au&gt;Your Council/Section86 Committees/S86 Development Assessment Committee</a></i>	13 July 2016 10 August 2016	Cr. Comrie Cr. Dudzik Cr. Edwards Cr. Tatchell

### Recommendation:

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

- **Bacchus Marsh Racecourse and Recreation Reserve Committee of Management meeting of Tuesday, 14 June 2016.**
- **Development Assessment Committee meeting of Wednesday 13 July 2016 and 10 August 2016.**

# Attachment - Item 11.2



## Meeting Minutes

June 14<sup>th</sup> 2016, 7:30 pm – 8:30 pm James Young Room Lerderderg Library

### Attendance

Position	Member	Present	Apology	Absent
Chairman	Pat Griffin	X		
BM West Golf Club	Dean Cowan	X		
BM Harness Club	Robert Young	X		
BM Pony Club	Deidre Davey	X		
BM Camp Drafters	Mike Fitzpatrick		X	
BM & Melton Poultry Club	George Rogers	X		
Footscray Poultry Club	Graham Pearce	X		
BM BMX Club	Les Stewart	X		
BM Soccer Club	Noel Stanley			X
BM Cricket Club	Darran Fowlie			X
Darley Cricket Club	Marcus Ingvorsen			X
Community	Anne Wilson	X		
Moorabool Shire Council	Cr Alan Comrie		X	
Visitors				
Simon Karp	BM Pony Club	X		
Peter Bailey	BM Pony Club	X		

### 1. Minutes of Last Meeting and Matters Arising

### 2. Correspondence

Invoice from LS & TE Manly \$811.58 Fuel  
Email from Troy Scoble re Leases for Pony and Harness Clubs

### 3. Finances Bank balance at June 14<sup>th</sup> 2016 **\$37,508.83**

### 4. User Group Leases update

- Poultry Clubs lease to have final approval at July Meeting of Council
- Harness Club lease to be present at July meeting of Council
- Pony club lease still under discussion between Club and Shire Officers.
- Campdrafters lease still to be finalised

### 5. BMX

Les Stewart did presentation on design plans for BMX track

### 6. Other business

**Meeting closed at 9 pm**

<b>Next meeting</b>	<b>August 9<sup>th</sup> 2016, 7:30 pm at James Young Room, Lerderderg Library Main Street Bacchus Marsh</b>
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### 11.3 Advisory Committees of Council - Reports

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.

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

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

<b>Committee</b>	<b>Meeting Date</b>	<b>Council Representative</b>
Audit and Risk Committee	11 May 2016	Cr. Dudzik Cr. Edwards
Lal Lal Falls Reserve Advisory Committee of Management	11 August 2016	Cr. Sullivan
Bacchus Marsh District Trails Advisory Committee	16 August 2016	Cr. Spain

#### **Recommendation:**

**That Council receives the reports of the following Advisory Committees of Council:**

- **Audit and Risk Committee meeting of Wednesday, 11 May 2016.**
- **Lal Lal Falls Reserve Advisory Committee of Management meeting of Thursday, 11 August 2016**
- **Bacchus Marsh District Trails Advisory Committee meeting of Tuesday 16 August 2016.**

# Attachment - Item 11.3(a)



## AUDIT and RISK COMMITTEE MEETING

### Summary of Minutes

of the Audit and Risk Committee Meeting (3<sup>rd</sup> Quarterly)  
held at the James Young Room, Lerderderg Library,  
215 Main Street, Bacchus Marsh on  
Wednesday 11 May 2016 at 9.00am

<b>Members:</b>	Mr. Mike Said Cr. Tonia Dudzik Cr. David Edwards Ms. Linda MacRae	Chairperson (External Representative) East Moorabool Ward Councillor East Moorabool Ward Councillor External Representative
<b>Auditor:</b>	Mr. Mark Holloway	HLB Mann Judd (VIC) Pty Ltd
<b>Officers:</b>	Mr. Rob Croxford Mr. Satwinder Sandhu	Chief Executive Officer General Manager Growth and Development

**Rob Croxford**  
**Chief Executive Officer**

## AGENDA

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<b>4.</b>	<b>CONFIRMATION OF MINUTES .....</b>	<b>3</b>
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<b>6.</b>	<b>DISCLOSURE OF INTERESTS OR CONFLICTS OF INTEREST .....</b>	<b>4</b>
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<b>8.</b>	<b>AUDIT AND RISK COMMITTEE WORKPLAN .....</b>	<b>5</b>
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9.1	<i>Asset Management Update – April 2016.....</i>	<i>6</i>
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9.3	<i>Risk Management Report (Operational).....</i>	<i>7</i>
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<b>10.</b>	<b>OTHER REPORTS .....</b>	<b>8</b>
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<b>11.</b>	<b>INTERNAL AUDIT .....</b>	<b>9</b>
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11.4	<i>Review of Succession Planning and Workforce Development – Internal Audit.....</i>	<i>10</i>
11.5	<i>Network Security and General Controls - Scope.....</i>	<i>11</i>
<b>12.</b>	<b>EXTERNAL AUDIT .....</b>	<b>11</b>
12.1	<i>Audit Strategy – Financial Year Ending 30 June 2016.....</i>	<i>11</i>
<b>13.</b>	<b>VAGO PERFORMANCE REPORTS .....</b>	<b>11</b>
<b>14.</b>	<b>CORRESPONDENCE.....</b>	<b>12</b>
14.1	<i>MAV.....</i>	<i>12</i>
14.2	<i>DELWP.....</i>	<i>12</i>
14.3	<i>VAGO .....</i>	<i>12</i>
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<b>16.</b>	<b>MEETING CLOSURE .....</b>	<b>13</b>

**1. OPENING OF MEETING**

*The Chairperson, Mr. Mike Said opened the meeting at 9.00am.*

**2. PRESENT**

*Mr. Mike Said  
Cr. David Edwards  
Cr. Tonia Dudzik  
Ms. Linda MacRae*

*Chairperson (External Representative)  
East Moorabool Ward Councillor  
East Moorabool Ward Councillor  
External Representative*

*In Attendance*

*Mr. Rob Croxford  
Mr. Phil Jeffrey  
Mr. Mark Holloway  
Mr. Vineet Danwar  
Mr. Martin Thompson  
Mr. Steve Ivelja  
Mr. John Miller  
Ms. Vanessa O'Toole  
Mr. John Whitfield*

*Chief Executive Officer  
General Manager Infrastructure Services  
HLB Mann Judd  
HLB Mann Judd  
Crowe Horwath  
Manager Finance  
Manager Assets  
Manager People and Performance  
Governance Coordinator / Minute Taker*

**3. APOLOGIES**

*Nil.*

**4. CONFIRMATION OF MINUTES**

*Resolution:*

*Moved: Cr. Tonia Dudzik  
Seconded: Ms. Linda MacRae*

- 1) That the Audit and Risk Committee confirms the Minutes of the Audit Committee Meeting held on Wednesday 18 November 2015.*
- 2) That the Audit and Risk Committee confirms the Minutes of the Audit Committee Meeting held on Wednesday, 10 February 2016.*

**CARRIED.**

**5. MATTERS ARISING FROM PREVIOUS MINUTES**

*Nil.*

**6. DISCLOSURE OF INTERESTS OR CONFLICTS OF INTEREST**

*Nil.*

**7. CLOSED SESSION OF MEETING TO THE PUBLIC**

*Resolution:*

*Moved: Cr. David Edwards*

*Seconded: Ms. Linda MacRae*

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

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

**CARRIED.**

## 8. AUDIT AND RISK COMMITTEE WORKPLAN

### 8.1 Audit and Risk Committee Charter

***Resolution:***

***Moved: Cr. Tonia Dudzik***

***Seconded: Cr. David Edwards***

***That the Audit and Risk Committee receives the updated Audit and Risk Committee Charter Matrix.***

**CARRIED.**

### 8.2 Outstanding Audit Committee Resolutions and Audit Report Recommendations - Second Quarter Ending March/April 2016

**Recommendation:**

**That the Audit and Risk Committee receives the updated status report on the Outstanding Audit Committee Resolutions and Audit Report Recommendations for the quarter ending March/April 2016.**

***Resolution:***

***Moved: Ms. Linda MacRae***

***Seconded: Cr. Tonia Dudzik***

- 1. That the Audit and Risk Committee receives the updated status report on the Outstanding Audit Committee Resolutions and Audit Report Recommendations for the quarter ending March/April 2016.***
- 2. That Council officers ensure that all actions are updated by the next Audit and Risk Committee meeting and that the summary page for Audit Committee Actions be amended to identify items that are overdue.***

**CARRIED.**

**9. OFFICER REPORTS****9.1 Asset Management Update – April 2016****Recommendation:**

**That the Audit and Risk Committee receives and notes the Asset Management Update report for April 2016.**

***Resolution:***

***Moved: Cr. David Edwards***

***Seconded: Ms. Linda MacRae***

- 1. That the Audit and Risk Committee receives and notes the Asset Management Update report for April 2016.***
- 2. That the Audit and Risk Committee notes the significant amount of work that has been undertaken by staff to raise the maturity level of the recording and reporting of the Council's assets.***

**CARRIED.**

**9.2 Quarterly Financial Report – March 2016*****Resolution:***

***Moved: Cr. Tonia Dudzik***

***Seconded: Cr. David Edwards***

***That the Audit and Risk Committee receives and notes the Quarterly Financial Report – March 2016.***

**CARRIED.**

***With the consent of the Committee, the Order of Business was changed to consider Officer Reports listed as Items 12.1, 11.3, 11.4, 11.5.***

### 9.3 Risk Management Report (Operational)

**Recommendation:**

**That the Audit and Risk Committee receives and notes the Risk Management Report (Operational) for the period January – March 2016.**

***Resolution:***

***Moved: Cr. David Edwards***

***Seconded: Ms. Linda MacRae***

- 1. That the Audit and Risk Committee receives and notes the Risk Management Report (Operational) for the period January – March 2016***
- 2. That a report on the Business Continuity Plan testing to be carried out on 24 May 2016 be provided to the next Audit and Risk Committee meeting.***
- 3. That the improvements made by Moorabool Shire Council in risk management be noted.***

**CARRIED.**

### 9.4 Minutes of the Business Continuity Management Steering Committee

***Resolution:***

***Moved: Cr. Tonia Dudzik***

***Seconded: Cr. David Edwards***

***That the Audit and Risk Committee notes the status of the Business Continuity Management Steering Committee.***

**CARRIED.**

**10. OTHER REPORTS****10.1 Compliance with Legislation and Policies*****Resolution:******Moved: Cr. David Edwards******Seconded: Ms. Linda MacRae******That the Audit and Risk Committee receives and notes the Compliance with Legislation and Policies register to April 2016.*****CARRIED.****10.2 Significant Legal Matters Update*****Resolution:******Moved: Cr. David Edwards******Seconded: Ms. Linda MacRae******That the Audit and Risk Committee receives and notes the update on Significant Legal Matters pertaining to Moorabool Shire Council.*****CARRIED.**



**11. INTERNAL AUDIT****11.1 Strategic Internal Audit Plan – 2016-2019 (2016-17 Focus)*****Resolution:******Moved: Ms. Linda MacRae******Seconded: Cr. Tonia Dudzik******That the Audit & Risk Committee receives and notes the Strategic Internal Audit Plan – 2016-2019 (2016-2017 Focus) report as presented.*****CARRIED.****11.2 Internal Audit Status Report – May 2016*****Resolution:******Moved: Ms. Linda MacRae******Seconded: Cr. Tonia Dudzik******That the Audit & Risk Committee receives and notes the Internal Audit Status Report – May 2016 as presented.*****CARRIED.****ADJOURNMENT OF MEETING – 10.28AM*****The Committee agreed that the meeting now stand adjourned for a period of 2 minutes.*****RESUMPTION OF MEETING – 10.30AM*****The Committee agreed that the meeting now be resumed.***

**11.3 Review of Building Maintenance Services – Internal Audit****Recommendation:****That the Audit and Risk Committee:**

1. receives and notes the Internal Audit Report – Review of Building Maintenance Services; and
2. requests officers to implement the recommended actions as stated in the Review of Building Maintenance Services report.

**Resolution:**

**Moved:** Cr. David Edwards

**Seconded:** Ms. Linda MacRae

***That the Audit and Risk Committee:***

1. *receives and notes the Internal Audit Report – Review of Building Maintenance Services;*
2. *requests officers to implement the recommended actions as stated in the Review of Building Maintenance Services report; and*
3. *requests management to provide updated comments, for each of the findings in this internal audit report, outlining their proposed actions including the implications of their actions in terms of risk to the Council. That information is to be within the quarterly reports on Internal Audits to Audit and Risk Committee.*

**CARRIED.**

**11.4 Review of Succession Planning and Workforce Development – Internal Audit****Recommendation:****That the Audit and Risk Committee:**

1. receives and notes the Internal Audit Report – Review of Succession Planning and Workforce Development; and
2. requests officers to implement the recommended actions as stated in the Review of Succession Planning and Workforce Development.

**Resolution:**

**Moved:** Cr. Tonia Dudzik

**Seconded:** Cr. David Edwards

***That the Audit and Risk Committee:***

- 1. receives and notes the Internal Audit Report – Review of Succession Planning and Workforce Development; and***
- 2. notes the proposed roadmap in Appendix B to the report and the timeline for the roadmap's implementation.***

**CARRIED.**

**11.5 Network Security and General Controls - Scope**

*The Committee noted that more discussions were taking place so the Internal Audit for Network Security and General Controls complemented the ICT Framework Review currently being undertaken by the Council.*

*The Committee agreed that the scope document for the Network Security and General Controls internal audit be received by members 'out of session' and that the audit report be received at the next Audit and Risk Committee meeting.*

**12. EXTERNAL AUDIT**

**12.1 Audit Strategy – Financial Year Ending 30 June 2016**

***Resolution:***

***Moved: Ms. Linda MacRae***

***Seconded: Cr. Tonia Dudzik***

***That the Audit and Risk Committee receives and notes the Audit Strategy for the financial year ending 30 June 2016.***

**CARRIED.**

**13. VAGO PERFORMANCE REPORTS**

***Nil.***

## 14. CORRESPONDENCE

*The Chair, with the consent of the Members, decided that Items 14.1 to 14.3 of the Agenda would be put to the vote as an aggregate.*

**Resolution:**

**Moved:** Ms. Linda MacRae

**Seconded:** Cr. Tonia Dudzik

1. *That the Audit & Risk Committee receives and notes the correspondence received from the following:*
  - *Municipal Association of Victoria (MAV)*
  - *Department of Environment, Land, Water and Planning (DELWP)*
  - *Victorian Auditor General's Office (VAGO)*
2. *That in relation Item 14.2 - DELWP Correspondence 'Commission of Enquiry into Greater Geelong City Council', the Council undertake a self evaluation against the key findings in this report.*

**CARRIED.**

14.1 MAV

14.2 DELWP

14.3 VAGO

## 15. GENERAL BUSINESS

*Ms. Linda MacRae sought information about the status of the Council's application to the Essential Services Commission (ESC) for a variation to the rate cap limit for 2016-17.*

*The CEO provided an outline of the community consultation work in preparing a submission to the ESC and the approach the Council has taken in preparing a Draft Budget for 2016-17.*

**RETURN TO OPEN SESSION – 11.55AM**

***Resolution:***

***Moved: Cr. Tonia Dudzik***

***Seconded: Cr. David Edwards***

***That the Meeting now return to Open Session.***

**CARRIED.**

**16. MEETING CLOSURE**

***The meeting closed at 11.56 am.***

***Confirmed: .....Chairperson***

***Date: .....***

# Attachment - Item 11.3(b)



- Engineer committed to forwarding results to Committee.
- Current practice ignores importance of providing data on recreational and tourist usage of parks in the Shire which has implications for budget prioritizing and promotion opportunities.

**Recommendation:** 1. The Committee recommends to Council that traffic counters be sited on Falls Rd, both sides of the Lal Lal Falls car park, to distinguish between local and tourist traffic when counting.

2. Chairperson to formally write to Council, with copies to Tom Sullivan and Community Development, outlining rationale for counters.

Moved: C. Henriksen seconded: S. McRae Carried

#### 2.4 Tourist signage

- Refer to Correspondence In, item 12
- Engineer recommendations agree with committee that the information board at the Fall's car park clearly informs visitors of the Harris Rd car park and walk to Moorabool Falls.
- Engineer recommends road signage to be installed 300 m approaching both sides of the Harris Rd car park and opposite its location as per Committee view.
- 29/7/16 D. Tschujasehenko advised that work order submitted and time line will be advised when works confirmation returned to Community Development

**Arising:** Chairperson to follow up issue of road signage related to Moorabool Falls Park at corner of Lal Lal Falls and Harris Rd

#### 2.5 Action Plan circulation

- Electronic copies forwarded to Shire, CHW and Wathaurung Corporation
- Copies of Action Plan for committee members tabled

### 3. Correspondence:

#### 3.1 In

- \*1. 25/4/16 P. Field, suggested date for on-site meeting
2. 27/4/16 A. Beggs-Sunter, reply for Rasmussen's 20/5
3. R. Knight, exploring options for traffic monitoring, etc
4. P. Kinghorn, reply for Rasmussen's 20/5
5. 28/4/16 C. Henriksen, reply for Rasmussen's 20/5
6. R. Grey, Lal Lal Landcare minutes, 4/4
7. 29/4/16 P. Field, afternoon meeting at Rasmussen's
8. 2/5/16 C. Henriksen, query re Rasmussen's
9. 15/5/16 C. Henriksen, Rasmussen's
10. 17/5/16 S. McRae, re agenda 14/4
11. 18/5/16 R. Grey, Lal Lal Landcare minutes, 2/5
- \*12. 16/6/16 R. Knight, tourist signage
13. 17/6/16 L. Grey, Landcare minutes, 6/6
- \*\*14. 1/8/16 T. McCullough (Planning Panels Victoria), Deferment of Directions Hearing
15. 2/8/16 L. Grey, Landcare minutes, 4/7
- \*\*16. 3/8/16 D. Tschujasehenko, Community Services Memorial Policy

#### 3.2 Out

1. 21/4/16 Committee & contacts, Minutes, 14/4/16
2. P. Field, request for Rasmussen's on-site meeting date
3. 27/4/16 Committee, canvassing on-site date
4. R. Knight, traffic monitoring and signage
5. A. Kitchingman, annual meeting feedback
6. T. Sullivan, annual meeting support
7. R. Grey, Minutes, 14/4/16
8. 29/4/16 P. Field, response to on-site meeting 20/5
9. Committee, meeting time/place 20/5
10. 13/5/16 C. Henriksen, reply to Rasmussen query



- 11.7/6/16 R. Knight, T. Sullivan, E. Leoncini, A & K. Kitchingman, annual meeting idea
- 12. 17/6/16 R. Knight, query re installation of tourist signage
- 13. 2/8/16 Committee, August agenda
- 14. 2/8/16 M. Pywell, requesting seedling list/reminding to contact R. Holton

**4. Business arising from the correspondence:**

**4.1 Rasmussen’s**

- See Business arising from the minutes

**4.2 Lal Lal Wind Farm**

- Outlined process to date re planning Permit PL-SP/05/0461- Application to amend permit
- Chairperson’s submission addressed process issues, visual amenity anomalies WestWind Energy’s original application and related implications arising from the changes sought in the amended application.

**Recommendation:** The Committee takes no further action until the Directions Hearing is reconvened or a replacement referral process is created following WestWind formally notifying the Dept. of Environment, Land, Water and Planning (DELWP) of the extent of its proposed changes.

**4.3 Alford Memorial**

- Checked re process (3/8): Community Services Memorials policy
- Application now required for proposed installation

**Recommendation:** Chairperson to inform Lal Lal Land Care and facilitate application to gain permission for memorial installation.

**4.4 Seedling list**

Refer to Reports, 5.6 Spring planting

**5. Reports:**

**5.1 Passing of Dave Downey**

- Died 26/6: Funeral Thursday30/6

**5.2 Public use of Reserve (John)**

1. Usage: April-July 2016

Month	Cars	Big Buses	Small Buses	Motorbikes	Pushbikes	BBQs cleaned	Harris Rd
April	188	2	16	23	20	30	45
May	76	1	11	21	3	12	33
June	167	1	11	6	10	15	36
July	507	0	28	37	53	27	177

- The Falls started flowing on 7 July but numbers increased in June in anticipation of that.
- Seventy-three cars were counted over the three days following the snow fall of 13/7,
- Previous best recorded car attendances for July were 102 (2012), 98 (2014) and 96 (2015)
- Current July total represents a 500% increase over 2012 and about 540% over 2014/15
- Car club (Holden Club), Walking clubs (Mt Waverley and Melbourne) and Photography groups (Shepparton and Mt. Waverley) account for a substantial part of this increase.
- Ballarat based group brings out photographic groups 4-5 times a year.
- August numbers to date reflect this increased patronage.
- It was noted that items on 3BA and an article in *The Ballarat Courier* probably both reflected and promoted interest in the Falls flow as a tourist attraction.

2. Half yearly Figures: 1/1/16-30/6/16

Cars	Big Buses	Small Buses	Motorbikes	Pushbikes	BBQs cleaned	Harris Rd
671	9	62	92	92	136	202

### 5.3 Land Care (Geoff & Phil)

- Meeting 4/7 noted Dave Downey's passing
- Dennis Alford memorial stone is being prepared
- Committee attendance and generational change issues discussed with support for amalgamating committees to rationalize membership overlap, communication and focus/activity overlap
- September meeting AGM
- Donation to Ballarat Tree Growers for a long handled pruner

### 5.4 Ballarat Tree Growers: ImLal (Phil)

- Bird survey ImLal site 15/5, 9-11am: 30 species sited with wood ducks and wattle birds predominant
- New survey organized for 25/9 from 9 am
- Proposed Expo to be deferred for inclusion in Community meeting planned for early 2017
- Temporary shelter constructed for visitor presentations
- 9/8 Information day for forty Gordon Institute Cert 4 students
- 16/10 Field Day: details to be determined

### 5.5 Lal Lal Soldier's Memorial Hall (Colleen, John & Geoff)

- Granted Community Development funding for ANZAC Memorial park
- Shire Engineer to coordinate project
- Wilsons memorials provided with updated information for memorial stone
- Formal unveiling ceremony planned for April 2017 with Community Development funding to support the event applied for
- C. Henriksen volunteered to replace B. Waud as Treasurer until AGM 2017

### 5.6 Spring planting (Geoff)

- Matt Pywell has 500 seedlings: approx 100 snow gums, 100 black wood wattles, poa etc
- They will be ready for planting at various times over Spring
- Will send a list to assist planning
- Suggests various sized irregular sites to retain views of Mt. Buninyong
- Jarrod Hannon (Shire arborist) has delivered one load of mulch to site. Requests a fortnight's notice for further deliveries.

**Recommendations:**

1. Ensure planting design does not inhibit views of Mt Buninyong or Mt. Warrenheip
2. Better to fence areas of clumped planting than individual specimens
3. Propose 50x50 plots for trees each requiring 1 roll 1.2 cyclone mesh and stakes for loose fencing.

**Actions:**

1. Contact R. Holton re possibility of providing fencing materials prior to requesting support from Lal Lal Land Care.
2. Plot planting areas on site, Saturday, 13/8 at 3 pm
3. Follow up with M. Pywell re seedlings list not yet received

### 5.7 Friends of Canadian Forest (Phil)

- 260 ha. Canadian Regional Park created to preserve area from suburban/other development
- \$2 m allocated for its maintenance
- Options for permanent park name are being considered
- Main issues: weeds and Recreation Rd
- Open Day 18/8 to discuss range of issues

## 6. Business arising from reports

### 6.1 Working bee schedule

- Will be dependent on availability of seedlings for planting
- Range of possible dates canvassed

## **6.2 Eastern zone: Recreation Reserve**

- Needs cutting or burning to reduce weed infestation and renew growth
- Issues with proximity to adjacent housing

**Action:** Request to R. Holton for gully area of eastern zone to be slashed

Moved: S. McRae      Seconded: P. Kinghorn      Carried

## **7. General business:**

None

## **8. Next meeting:**

**Date:**            **13 October 2016**  
**Venue:**        **Lal Lal Soldier's Memorial Hall**  
**Time:**         **7 pm**

# Attachment - Item 11.3(c)

# Bacchus Marsh & District Trails Advisory Committee

**Meeting** Tuesday 16<sup>th</sup> August 2016  
**Time** 7.30pm  
**Venue** Jean Oomes Room, Library, Bacchus Marsh

**Present** Cr John Spain, Greg Ley, Leon Newton, Kylie Burton, Heidi Mikulic, and Colin Evans

**Apologies** Nil

## MINUTES

### 2. Minutes of previous meeting 3rd May 2016

Proposed: Kylie Burton Seconded: Greg Ley

### 3. Outstanding Actions from 3rd May

**3.1 SRW Channel Route** It remains unclear as to what funding has been obtained for upgrade works but currently work is being undertaken to preserve water supply due to the Halletts Way extension work. CE advised that he had met with Rob Croxford, CEO MSC to reinforce BMDTAC's desire to see all levels of Government remain aware of the opportunity to convert defunct channel routes into walking/cycling tracks. SRW have made it very clear that whilst they would have an open mind to this they have no funding to support this as their stakeholders have no interest in this opportunity. Consequently it is vital that Council and other levels of government work with SRW to ensure that these opportunities are not lost. The cross-town channel between the Lerderderg and Werribee remains a route of great value and significance to the community. CE to chase Catherine King's office for a meeting on this. It was advised that The Moorabool news were keen to do an article on Tracks & Trails and GL undertook to speak with the paper and raise the profile and potential of the channel routes as a significant piece of local infrastructure.

**3.2 Maddingley Views Circuit** CE advised that he had met with BM Grammar's Principal, Andrew Neale, and that the Grammar still has an open mind about the possibility of a walking track along the perimeter of the scarp slope overlooking the town. AN advised that there was still some remedial work to do and that the issue of school's security would remain the primary concern (the need to be able to effectively "lock down" the school in emergency situations). AN advised that the Grammar would be in a better position to advise later next year when some of the necessary work should have been completed. Action: CE

**3.3 Snake Warning Signs** BMDTAC is still awaiting feedback from Council on this (no response since last meeting) in terms of any provision for signage. As previously advised, it was felt prudent that MSC at least consider this issue, particularly for tracks adjacent to water courses. **Action: TS**

**3.4 Update of Walking Maps** Agreed that this should be held in abeyance till the completion of the Halletts Way Extension. **Action: HM**

**3.5 Possibility of changing access to Public Toilets at Peppertree Park** See response from Troy Scoble, MSC. *These facilities are currently operated under contract by Belgravia Leisure and not listed as public toilets. Issues associated with opening up are that would the contractor (Belgravia leisure) then be expected to operate public toilets for the community as they are not currently funded to provide that service. IF they were opened up as public toilets, additional budget would be required to service them. Accessibility would have to be addressed also as all access into the toilet amenity is through the front gate of the pool which would open the pool right up and present a significant safety and*

risk issues. This requires further internal discussions in the context of Council's provision of public toilets across the Shire and also the risk management issues associated within the BM Outdoor Pool site.

It was agreed that this item be removed from the Outstanding Actions list.

**3.6 Dogs off Lead - Links Track.** Whilst no further update on this has been received from MSC, it was agreed that, due to issues with access along the river and stalled negotiations with the Golf Club, that this item be removed from the Outstanding Actions list.

**3.7 Plans for Pedestrian Access across Halletts Way Extension.** TS provided the Committee with the plans and the following feedback: The new bridge under construction will see pedestrian connections that will allow users to cross the river. There will also be a wider path network that links in with this, including a shared path along the length of Halletts Way (north) and O'Leary Way (south) into the West Maddingley Estate. Please refer to the plans attached. However, it was not clear how the path joins back in with the existing track on the south side of the river and the joining point appears outside the scope of the plans. Can TS provide the Committee with some detail as to how this will be affected? **Action: TS**

**3.8 Responsibility for Pedestrian Refuge Grant Street (adjacent to Public Pool)** This pedestrian refuge and associated fencing is VicRoads responsibility. Council's Assets Team will write to VicRoads detailing concerns with the current crossing and request installation of fencing at this location. **Action: TS**

**4. Reports** – Nil reports.

#### **5. Land of Honour Update (The ANZAC Way)**

CE advised the Committee that the Chief of Army had declined the invitation to act as a Project Patron due to work commitments but had offered a number of ways that the Army could support the Project. Progress had been made with Green Army funding on remedial/rectification work on the Blackwood to Daylesford section of the Lerderderg Track and as a result of the work done the GDTA has been able to officially re-open the Lerderderg Track for public access and to recommence selling maps to the public. However, when the current Green Army funding period is completed there will be no further funding for the Project. Consequently, if further funding sources cannot be identified, then progress with the project will stall. This situation has been exacerbated by the resignation of our Chair, John Cutler for personal reasons. CE advised that efforts would be made by Steering Committee members to see if "new blood" can be found to ensure that the Project can keep going.

**6. Communications** – Nil Communications.

#### **Any other business**

**7.1 Station Street** GL advised that the footpath on the south side closest to Grant Street (which is used as an overflow Car Park for the station is highly dangerous as cars drive straight across the footpath onto Station Street as there is no controlled entry and exit point. Since both drivers and pedestrians are leaving the area at the same time there is scope for an accident, particularly at night. The Committee request that MSC advise it of its plans for the urbanisation of Station Street, since both sides of the road are currently a mess. **Action: TS**

**7.2 Telford Park** LN enquired what plans the Council had for the development of Telford Park with particular reference to paths/tracks through this area to afford public access and amenity. **Action: TS**

**7.3 Hike & Bike Strategy – Priority Review** TS requested that BMDTAC conduct a review of the Hike & Bike Strategies (Table 5.2). All members were asked to look at this and then a survey will be conducted at the next meeting and a composite priority list produced for Council. **Action: All**

**8.** The meeting was closed at 8.50pm.

**Next meeting: Tuesday 8<sup>th</sup> November (Jean Oomes Room) - to avoid clash with Melbourne Cup**

<b>BMDTAC Outstanding Actions from last meeting: 16 August 2016</b>					
	<b>Action</b>	<b>By When</b>	<b>Status</b>	<b>By Whom</b>	<b>Comments</b>
1	Liaise with SRW on future use of channel route as possible walking/cycle track		On-going	CE	MSC to keep BMDTAC informed of developments. BMDTAC to contact office of C King
2	Investigate potential for public access to create "Maddingley Views" Circuit		On hold	CE	CE to maintain contact with BM Grammar on remedial work to The Terraces
3	Provision of Snake Warning signs along river channels by Shire		On-going	GL/LN	<b>Troy Scoble to chase Asset Department for update</b>
4	Start updating walking maps		On-going	HM	HM to await completion of Halletts Way extension before update
5	Pedestrian access across/over/under Halletts Way Ext. crossing of Werribee		On-going	CE	TS to provide BMDTAC with detail on how works will connect on south side of river
6	Ascertain responsibility for pedestrian refuge crossing Grant St. adjacent to Pool		On-going	TS	TS to chase Vic Roads for a response on re-insating the refuge

**12. NOTICES OF MOTION****12.1 Cr. Toohy - Notice Of Motion 258 – Lighting to the Tennis Court/Secondary Netball Court, Wallace Recreation Reserve****Motion**

That Council:

1. Make available \$17,780 contributed equally from the Woodlands Ward Recreation Reserve Fund and the West Moorabool Recreation Reserve Fund to complete the lighting of the tennis court and second netball court at the Wallace Recreation Reserve.
2. Notes that the total cost of the project is \$34,705, which includes a \$2,000 contribution from the Committee of Management and a \$14,925 contribution in sponsorship.
3. Confirms in writing that the Wallace Recreation Reserve Committee of Management will facilitate the project, will sign a Terms and Conditions document, and will comply with all relevant conditions and permits as required.
4. At the conclusion of the project provide Council with an acquittal of all funds spent on the project.

**Preamble**

The Wallace Recreation Reserve CoM made a submission to the budget that was considered at the Special Meeting of Council held on 22 June, 2016. As a result of this meeting, feedback from Officers was provided to committees and groups on their submissions.

The Wallace Recreation Reserve Committee of Management have taken on board the advice of Officers, and have worked with Council to enhance the lighting project they submitted. Further costings and quotations, along with donations from appropriately qualified and skilled business, and design drawings, have been prepared and are attached to this Notice of Motion for Council's consideration.

I wish to congratulate our community for working closely with Council and the community beneficiaries, to achieve an excellent funding mix for much needed community upgrades, particularly to ensure a safe environment for all members of our community to participate in sport, leisure and fitness activities.



# Attachment - Item 12.1

Mr Rob Croxford  
Chief Executive Officer  
Moorabool Shire Council  
PO Box 18  
BALLAN VIC 3342

22 August, 2016  
Ref: PT:de

Dear Rob,

**Notice Of Motion – Lighting to the Tennis Court/Secondary Netball Court, Wallace Recreation Reserve**

In accordance with the Council's Meeting Procedure Local Law No. 9-2016 – Notices of Motion, please accept this Notice of Motion for placement on the agenda of the Ordinary Meeting of Council to be held on Wednesday 7 September, 2016.

**Background**

The Wallace Recreation Reserve CoM made a submission to the budget that was considered at the Special Meeting of Council held on 22 June, 2016. As a result of this meeting, feedback from Officers was provided to committees and groups on their submissions.

The Wallace Recreation Reserve Committee of Management have taken on board the advice of Officers, and have worked with Council to enhance the lighting project they submitted. Further costings and quotations, along with donations from appropriately qualified and skilled business, and design drawings, have been prepared and are attached to this Notice of Motion for Council's consideration.

I wish to congratulate our community for working closely with Council and the community beneficiaries, to achieve an excellent funding mix for much needed community upgrades, particularly to ensure a safe environment for all members of our community to participate in sport, leisure and fitness activities.

**Motion**

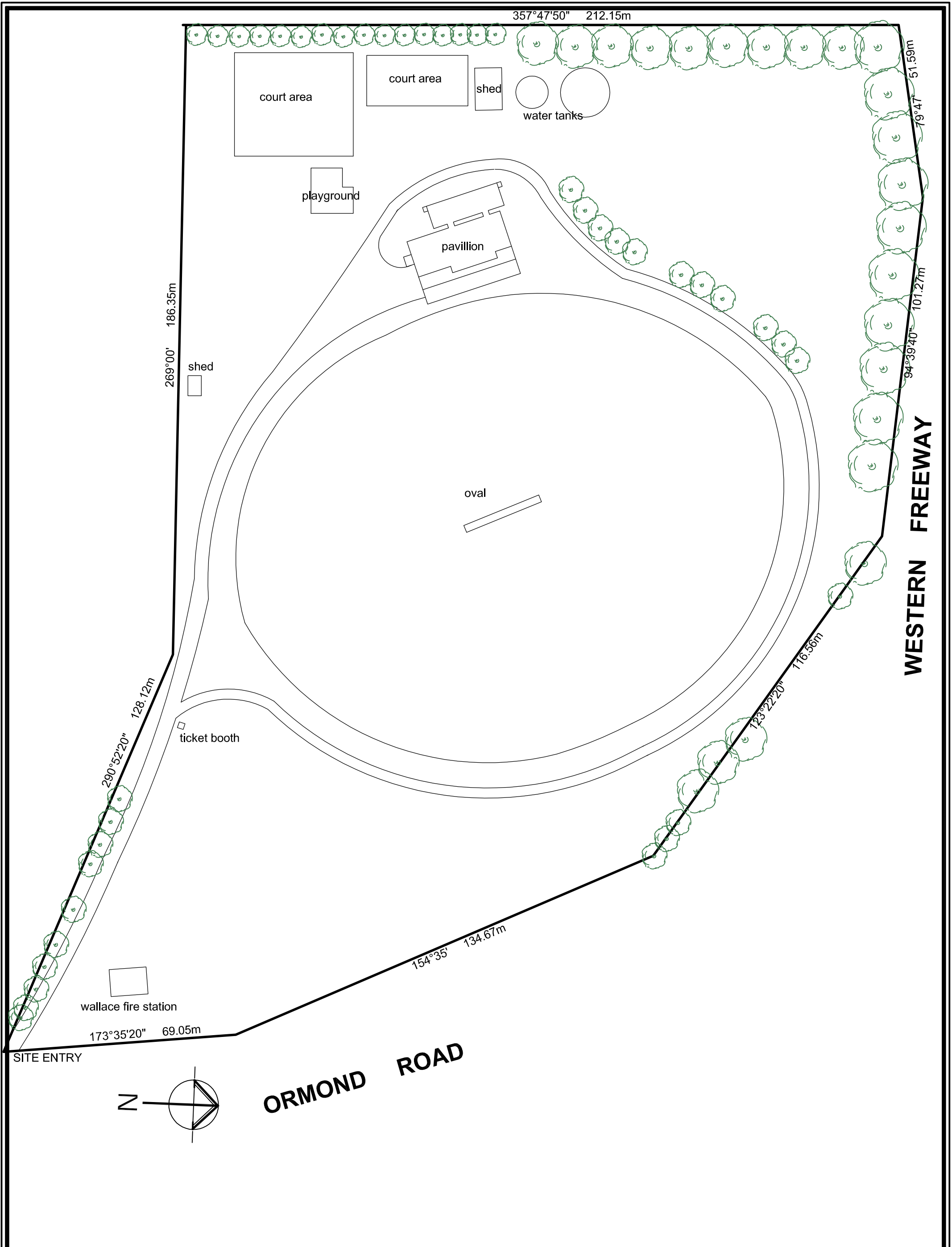
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2. Notes that the total cost of the project is \$34,705, which includes a \$2,000 contribution from the Committee of Management and a \$14,925 contribution in sponsorship.
3. Confirms in writing that the Wallace Recreation Reserve Committee of Management will facilitate the project, will sign a Terms and Conditions document, and will comply with all relevant conditions and permits as required.
4. At the conclusion of the project provide Council with an acquittal of all funds spent on the project.



---

**Cr Pat Toohey**  
**Woodlands Ward**



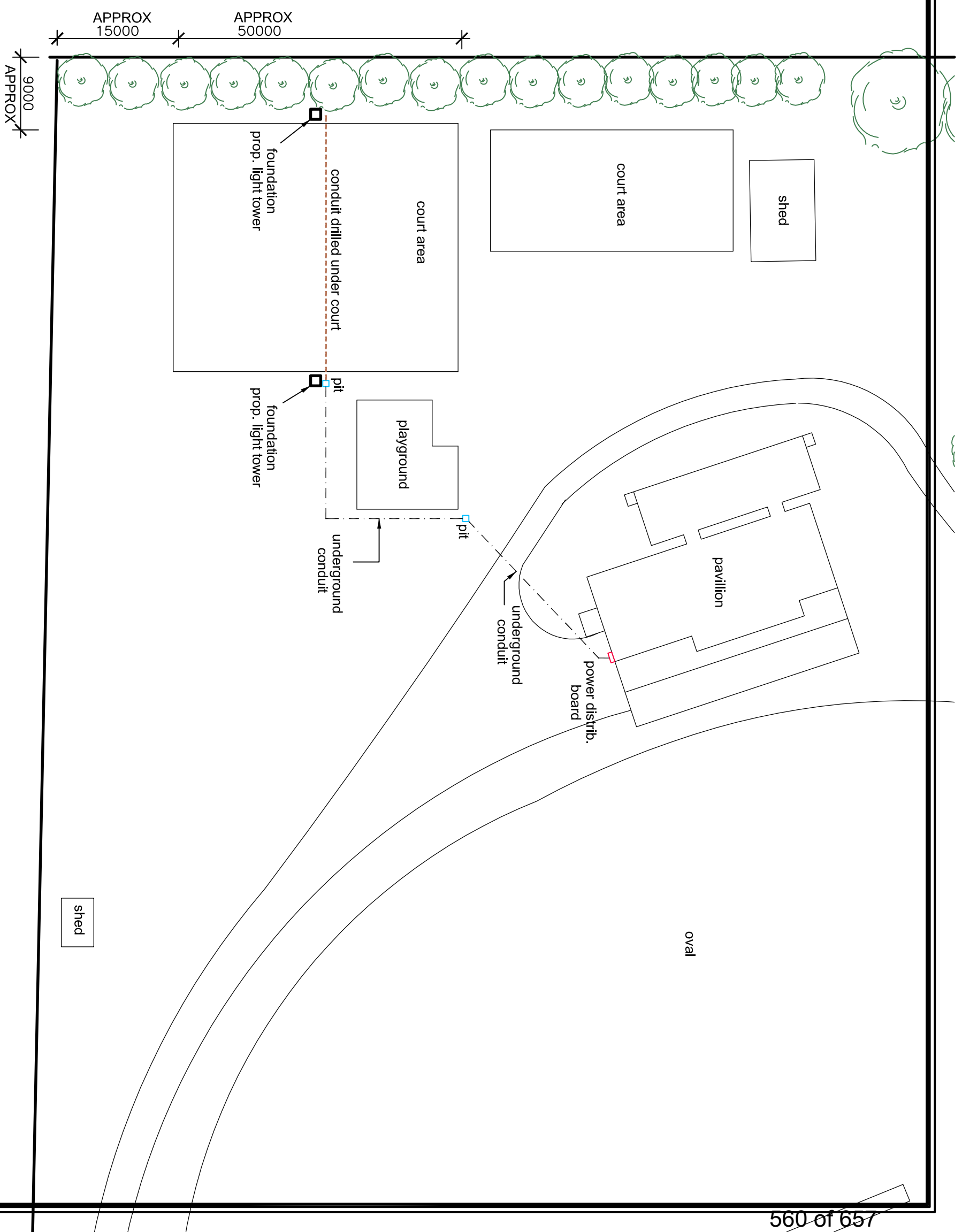
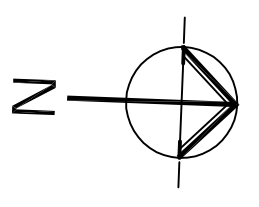
**Tony De Jong Drafting P/L**  
 D.P. AD 244  
 A.B.N: 38 233 853 783  
 Phones: 53 315279 / 0419 538 580  
 Email: dejongdrafting@ncable.net.au

project name: **PROPOSED SPORTS LIGHTING**  
 client: **SPRINGBANK FOOTBALL/NETBALL CLUB**  
 address: **ORMOND ROAD, WALLACE**

scale: 1:2000  
 print date:  
 sheet no: **01**  
 drg no: **16287**

**LIGHT TOWER DETAILS:**

No. OF POLES - 2  
 POLE HEIGHT - 10m  
 TYPE OF FLOODLIGHT - 1kw SYMMETRICAL BEAM  
 No. OF LAMPS - 4  
 AVERAGE LUX - 144



**Tony De Jong Drafting P/L**  
 D.P. AD 244  
 A.B.N: 38 233 853 783  
 Phones: 53 315279 / 0419 538 580  
 Email: dejongdrafting@ncable.net.au

project name: **PROPOSED SPORTS LIGHTING**  
 client: **SPRINGBANK FOOTBALL/NETBALL CLUB**  
 address: **ORMOND ROAD, WALLACE**

scale:	1:500
print date:	
sheet no:	<b>02</b>
drg no:	<b>16287</b>

# Wallace Recreation Reserve Budget Submission

August 2016

Netball Tennis Court Lighting Upgrade

Compiled by Committee of Management

Ormond Road Wallace 3352

# Budget Submission Form

Budget submissions must be received no later than the close of business on **Tuesday 7 June 2016**, addressed to:

**The Chief Executive**  
**Budget Submission**  
**Moorabool Shire Council**  
**P.O Box 18,**  
**Ballan Vic. 3342.**

**Note:** Submitters need to be aware that submissions are public documents and form part of the meeting agenda and minutes. Therefore, budget submissions cannot be suppressed and will become part of the public record.

Contact details of person / groups of persons making a written submission under S.223 of the Local Government Act.

**Name:** Paul Mahar (President)  
**Organisation / group**  
**(optional):** Wallace Recreation Reserve Committee of Management  
**Address:** Ormond Road, Wallace Victoria 3352  
**Contact number:** 0419 345 222

Any person / persons who have made a written submission to the Council are entitled to appear in person or by a person acting on his / her behalf before a meeting of the Council.

Do you wish to appear in person or by a person acting on your behalf before a Special Meeting of Council on Wednesday, 3 June 2015 from 5.00pm in support of your written submission?

**Please tick:** Yes   
No

If you have chosen yes, Council will provide notice of the time and place for the meeting to the presenter of the submission.

I / We under S.223 of The Local Government Act (Right to make submission) are hereby making a formal written submission in relation to the 2016/2017 proposed budget.

Please document your written submission within the space provided (if you require more space please attach additional pages to this form).

SUMMARY OF YOUR SUBMISSION
We request your consideration to provision of a grant to provide lighting to the tennis court/secondary netball court at the Wallace Recreation Reserve.
As you will see from the accompanying letters from the Springbank Football/Netball Club, the Wallace Tennis Club and Ange Simpson who runs fitness classes, lighting addition/improvement to the court will enable safe use of this area for our evergrowing user groups. We have serious safety concerns and have developed a plane with our community to

**PLEASE TURN PAGE OVER FOR MORE WRITING SPACE – DETAILS / COMMENTS**



**DETAILS OF SUBMISSION/ COMMENTS**

alleviate risk.

To alleviate the risk problem, we are proposing to illuminate the court to training standard lighting to make things safer for all concerned. All components to our lighting are to Australian Netball Training Standards. **We are seeking a one off grant from Council of \$17,780.00 combined with a sponsorship deal we have acquired to contribute the remaining cost of \$14,925.00 and Wallace Recreation Reserve COM to Donate \$2000.00 which will total the project cost of \$34,705.00**

We must show a duty of care to our user groups and community, and with close to 200 people (children and adults) all training on the same night, enhanced lighting will show the community that we are serious about their safety and want to provide a safe environment for all.

If Council can help, we are ready to commence and would have this great addition to our facility working in a timeframe of six weeks after permits were acquired.



# D.R.A.R.

## CONSTRUCTIONS

PTY. LTD.

### Netball Single Court Training 100 LUX.

#### Capital Costs.

<u>Description.</u>	<u>Cost (Exc GST).</u>
Geotech Soil Report	\$1,650.00
Floodlights Supply	\$4,140.00
Floodlight Install	\$900.00
Poles Supply	\$3,450.00
Poles Install	\$900.00
Foundations	\$1,700.00
Cranage	\$1,250.00
Power Supply	\$300.00
Distribution Boards	\$1,500.00
Lighting Controls	\$560.00
Cabling	\$950.00
Underground Works Pits/Conduit	\$8,650.00
Test Aim and Commission	\$1,500.00
Design and Project Management	\$4,100.00

**TOTAL (EXC):** \$31,550.00

**GST:** \$3,155.00

**TOTAL (INC):** \$34,705.00

P.O. Box 1427, Bakery Hill. 3354  
Phone (03) 5332 1767 Facsimile (03) 5332 1787  
email:des@desrixhomes.com.au

BPB DB - U2917 CB - U2484 A.B.N. 30 105 174 776



# JOHNSON earthmoving

(Trading as Wayband Pty. Ltd.)  
A B N 29 055 639 686

13 Belltower Avenue,  
Alfredton, 3350

☎ (03) 5334 3829

Fax (03) 5335 7977

Mobile 0418 508 742 0419 587 492

Email: johnsonearthmoving@bigpond.com

## Quotation No. 899

27<sup>th</sup> July 2016

Wallace Recreation Reserve

'Netball Court Lighting'

Attention.

Wallace Recreation Reserve Committee of Management

This quotation is for the supply of goods and services in relation for the directional drilling of underground power for the netball courts as discussed on site.

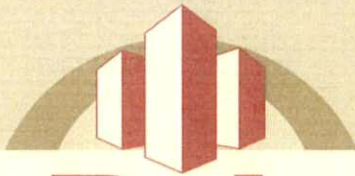
Total Price \$8725.50 plus GST.

I would also like to note that I will be donating this service to the above named committee.

Yours Sincerely,



Geoffrey Johnson  
Director.



# D.R.A.R.

## CONSTRUCTIONS

PTY. LTD.

3<sup>rd</sup> of June 2016

Dear Sirs,

As part of my support to the Wallace Recreation Reserve Netball Lighting Project my company is willing to supply materials and project management to the total of \$6,275.00 to facilitate the completion of this very worthwhile facility improvement.

As a local resident the value of catering for our young and old user groups will be seen for many years to come.

You're sincerely

Des Rix

P.O. Box 1427, Bakery Hill. 3354  
Phone (03) 5332 1767 Facsimile (03) 5332 1787  
email:des@desrixhomes.com.au

BPB DB - U2917 CB - U2484 A.B.N. 30 105 174 776

566 of 657

# SPRINGBANK FOOTBALL NETBALL CLUB Inc. EST 1925

Affiliated with the Central Highlands Football League

PO Box 2085, Ballarat Mail Centre 3354

[www.springbankfc.vcfl.com.au](http://www.springbankfc.vcfl.com.au)



10 May 2016

Moorabool Shire Council  
PO Box 18  
Ballan Vic 3342  
[info@moorabool.vic.gov.au](mailto:info@moorabool.vic.gov.au)

To Whom It May Concern

This letter is to support the Wallace Recreation Reserve Committee of Management in its request of a grant to provide lighting to the tennis court/secondary netball court at the Wallace Recreation Reserve.

As we now have seven netball teams, only having lighting on the main netball court creates mayhem and headaches on training night, when there are 70 plus people trying to train, and all teams like to have access to the court that has lights. Even staggering their training time is of little help, especially during the autumn and winter months when it is darker so much earlier.

To have the second netball court with lighting would enable the 'traffic flow' on the main court to be reduced, and make it a much safer training environment for all concerned.

It would also benefit our footballers, as on wet nights they would be able to use the tennis court for training, so as to protect the condition of the football oval.

The Springbank Football/Netball Club hopes that the Moorabool Shire Council will look favourably upon the request of the Wallace Recreation Reserve Committee of Management.

Yours sincerely

Leanne O'Neil  
Secretary  
Springbank Football/Netball Club Inc

1 June 2016

To Whom It May Concern

The Wallace Tennis Club is trying to get back on its feet after a recess of a few years.

One of the tennis related activities that we are trying to introduce to get more people interested in returning to tennis, is a 'Spring-Twilight Friday Night Social Competition', but this would not be able to take place unless there is adequate lighting on the tennis courts at the Wallace Recreation Reserve (currently there is no lighting at all on the tennis courts). Without lighting, a twilight tennis competition could not safely take place, and in this day and age of 'litigation', safety is paramount.

Therefore, the Wallace Tennis Club wholeheartedly supports the Wallace Recreation Reserve Committee of Management in its endeavours to secure a grant to provide lighting to the tennis courts at the Wallace Recreation Reserve.

Yours sincerely

Leane Birkett  
Secretary  
Wallace Tennis Club

31 MAY 2016

To Whom It May Concern

My name is Ange Simpson, and I currently run fitness classes for people (mainly ladies) at the Wallace Recreation Reserve on Monday and Wednesday mornings, as well as Wednesday evenings.

Most of these sessions are held outside, underneath the verandah of the pavilion at the recreation reserve, but I would love to be able to also utilise the tennis courts to give my participants more room, provided it was lit, as my classes are mostly held in the early mornings when it is still quite dark. Lighting on the tennis court would provide more room and added safety.

The Wallace Recreation Reserve Committee of Management have supported my fitness classes for the past five years, and now it is my turn to support them as they seek a grant for lighting for the courts.

Regards

Ange Simpson



19 August 2016

The Councillors  
Moorabool Shire Council  
Po Box  
Ballan Vic 3352

Dear Councillors

As a proactive integral part of our local community, the Wallace Recreation Reserve Committee of Management are very committed to reducing our energy consumption.

As part of our strategy we are always looking for any new advances in technology to minimise our carbon footprint. As part of this philosophy it has come to our attention in this request that a new type of lighting fixture has reduced energy consumption tenfold.

LED lighting is the forefront of this new advance and we as an entity will pursue these lighting fixtures as per Creswick Football/Netball Club in their new lighting upgrade to their facility. Late to hand information gives us the belief that in contrast to metal halide lighting fixtures, LED are similar purchase price but the power saving is incredible.

The template we would use from the Creswick model is to Australian standards.

We hope that you will consider our grant application favourably.

Yours faithfully

Paul Mahar  
President  
Wallace Recreation Reserve Committee of Management

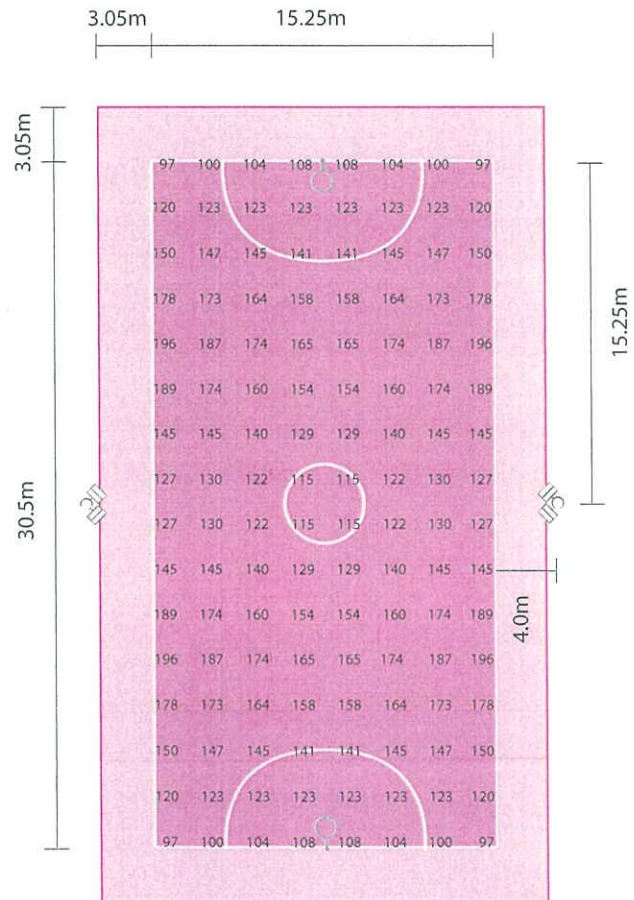


# Outdoor Netball Lighting

Netball Lighting Court lighting plan example 1

## Netball single court lighting guide

Training – 100 lux



### Design summary

Level of play	Training
Average lux	144
Number of lamps	4
Number of poles	2
Pole height	10m
Type of floodlight used	1kW symmetrical beam



# Outdoor Netball Lighting

## Types of Floodlights

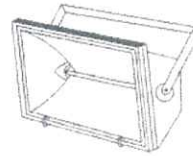
The 1000 watt Metal Halide Lamp is the preferred floodlight for netball court lighting. In comparison to a standard 1500 watt Tungsten Halogen Lamp the 1000 watt Metal Halide provides a more efficient light output and has a longer lamp life, lasting up to 6000 hours compared with 2000 hours of use.

The pictured floodlights are commonly used for outdoor courts.

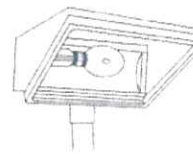
The floodlight proposed should consider the nature of play and take into consideration the current court numbers and the development of additional courts.

In the design of netball court lighting installations, careful consideration should be given to visual requirements to ensure the comfort of the participants and spectators. The selection of suitable floodlights should be the responsibility of the lighting designer who will have access to detailed information and the means to apply it.

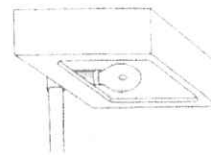
Be aware that all lights lose output from initial switch on over a period of time due to age and the accumulation of dirt and dust on the lamps. To allow for this, a 'light loss factor' should be factored into the design to compensate for the progressive deterioration.



Type A floodlight giving a fan-shaped beam



Type B floodlight giving a fan-shaped beam with asymmetric distribution in the vertical plane



Type C floodlight giving a fan-shaped beam with asymmetric distribution in the vertical plane

## Tips & Suggestions

- Consider use of high efficiency longer lasting Metal Halide Lamps particularly for larger installations of multiple courts and competition level.
- Do not rely on nominal designs without seeking advice from qualified persons concerning the site specific installation issues.
- Gain an understanding about the underlying assumptions. For example what 'light loss factor' allowance has been made for light depreciation relating to age and dirt accumulation on light fittings?
- Consider whether the lighting performance depends on use of special lamps with high light output and what restrictions this will impose.
- Use a consistent make and model of floodlight for ease of design, routine maintenance and re-aiming in future.

## Project Insight

- To enable training to take place on their two netball courts, North Shore FNC has two 1000 watt Metal Halide lamps on each of its two 12 metre poles.

(See page 59 for more details.)



**12.2 Cr. Comrie - Notice Of Motion 259 – Bacchus Marsh Tourism Association Inc – Strawberries and Cherries Event****Motion**

That Council:

1. Make available an amount of \$12,000 from the New Tourism Events Grant Program as a one off payment to the Bacchus Marsh Tourism Association Inc. to deliver the expanded 2016 Strawberries and Cherries Festival.

**Preamble**

The Bacchus Marsh Tourism Association's Strawberries and Cherries Event has grown exponentially over the past few years and traffic, toilet and seating availability has not kept pace with the success of the event.

The Association has raised significant funds from local traders and sponsors (refer Attachment 1) but has been unable to raise sufficient funds for the festival to proceed at the desired level.

An amount of \$12,000 has been requested as a one off payment to deliver this year's event and set the basis of delivering ongoing events. This amount could be funded from the New Tourism Events Grant Program, which currently shows a balance of \$16,786 for the 2016/17 financial year.

The Bacchus Marsh Tourism Association Inc. is the recipient of \$3,000 from the current round of the New Tourism Events Grant program and has lodged a further application under the Winter Grants Fund. Regardless, there are insufficient funds to deliver the event at this late stage of planning.

# Attachment - Item 12.2

Mr Rob Croxford  
Chief Executive Officer  
Moorabool Shire Council  
PO Box 18  
BALLAN VIC 3342

22 August, 2016  
Ref: AC:de

Dear Rob,

**Notice Of Motion – Bacchus Marsh Tourism Association Inc. – Strawberries & Cherries Event**

In accordance with the Council's Meeting Procedure Local Law No. 9-2016 – Notices of Motion, please accept this Notice of Motion for placement on the agenda of the Ordinary Meeting of Council to be held on Wednesday 7 September, 2016.

**Background**

The Bacchus Marsh Tourism Association's Strawberries and Cherries Event has grown exponentially over the past few years and traffic, toilet and seating availability has not kept pace with the success of the event.

The Association has raised significant funds from local traders and sponsors (refer Attachment 1) but has been unable to raise sufficient funds for the festival to proceed at the desired level.

An amount of \$12,000 has been requested as a one off payment to deliver this year's event and set the basis of delivering ongoing events. This amount could be funded from the New Tourism Events Grant Program, which currently shows a balance of \$16,786 for the 2016/17 financial year.

The Bacchus Marsh Tourism Association Inc. is the recipient of \$3,000 from the current round of the New Tourism Events Grant program and has lodged a further application under the Winter Grants Fund. Regardless, there are insufficient funds to deliver the event at this late stage of planning.

**Motion**

That Council:

1. Make available an amount of \$12,000 from the New Tourism Events Grant Program as a one off payment to the Bacchus Marsh Tourism Association Inc. to deliver the expanded 2016 Strawberries and Cherries Festival.



---

**Cr Allan Comrie**  
**East Moorabool Ward**

## Running Sheet for Cost Strawberry and Cherry Weekend 2016

Item	Cost	Quote	Sponsorship
Insurance renewal	Approx. \$3,500	Yes	
Traffic Management	\$6,000	Yes	
Public Toilet Hire	\$6,000	Yes	
Public seating hire	\$2,200 x 2 = \$4,400	Figures 2015	
Marquees Hire	\$500	Figures 2015	
Jumping castle hire	\$1,500 both days	Figures 2015	
Facepainter hire	\$700 x 6 = \$4,200	Figures 2015	
Live Music hire	Approx. \$1,700	Figures 2015	
Generator Hire	\$450 x 4 = \$1,800	Urban	
DJ Hire	\$1,000	YES	The Village Shopping Centre \$3,000
Cinema Hire	\$1,000	YES	JaJa's Collectables \$1,000
Cinema Licence	\$500	Waiting	JaJa's Collectables \$500
Cinema Music License APRIA	\$650	Waiting	
Entertainment Morris Dancers	\$900	Figures 2015	
Fireworks	\$2,500	YES Glenda	The Village Shopping Centre
Advertising Bike	\$250		Ballarat Trams \$250
Signage	20 x \$10 5 x \$50 5 x \$100 = \$950	Urban	Urban Markets \$500
Donation/Trail buckets	\$100		
Printing	Approx. \$5,000	David	
Advertising	Approx. \$4,000 include website and facebook ads	YES	
Prizes for trail	\$500		
Rubbish removal	Approx. \$250	Figures 2015	
			\$10,000 General Sponsorship
			\$5,000 Moorabool Council
<b>Total:</b>	<b>\$47,110</b>		<b>\$20,250 sponsorship</b>



Attn: Robert Croxford  
CEO Moorabool Shire Council  
Bacchus Marsh Victoria 3340  
19/08/16

Dear Mr Croxford

Additional funding application for Strawberries and Cherries  
Weekend 18<sup>th</sup> – 20<sup>th</sup> November 2016

As per our meeting and discussion on Monday 8<sup>th</sup> August at the Lederderg Library with Mayor Allan Comrie and committee members of Bacchus Marsh tourism association  
The Bacchus Marsh Tourism Association is applying for additional funding to be able to facilitate the 2016 Strawberries and Cherries weekend. As a not for profit volunteer organisation passionate about community engagement and community wellbeing, we are seeking this funding to be able to deliver the best and most highly regarded event in the shire.

We are at this time requesting additional funds from Moorabool Shire Council to the sum of \$12,000 to help us cover all of the costs associated with the facilitation of this all inclusive community event in 2016.

Through the hard work of passionate committee members, community consultation and stakeholder engagement, the Strawberries and Cherries Weekend has developed into one of the regions most celebrated tourism event.

As a promotional vehicle for the areas arts, culture, disadvantaged and special needs groups, sporting clubs and community organizations, the Strawberries and Cherries weekend also serves to act as a staging platform from which to promote and encourage community interaction, involvement and socioeconomic well being. Which of course relates directly to one of the main strategic objectives outlined in the Moorabool Shire Council plan 2013-2017 – that being COMMUNITY WELL BEING.

The recent and rapid upward trajectory of the events popularity has however bought with it a host of issues that all need to be considered and addressed prior to the 2016 event taking place. These issues include the provision of a number of additional toilets, additional parking opportunities along the Avenue of Honour and around the CBD and traffic management to insure against the closure of the 'festival' due to poor health and safety standards and sub standard stakeholder engagement.

The Strawberries and Cherries weekend;

- Provides for social, health and recreational planning that serves to increase our understanding of the needs of our communities, now and into the future.
- Empowers both groups and individuals towards community development activities and partnership projects.

- Provides platforms and opportunities for other community organizations to develop and increase their association with our community while safely under the umbrella and support of the Bacchus Marsh Tourism Association.
- Provides for community and social development and exposure.
- Plays a vital role towards the contribution of volunteers within our community.
- Supports all types of community and cultural events, with event management expertise, volunteering and community networking opportunities.
- Increases the exposure of Bacchus Marsh and the Moorabool shire on a whole within the region and state as a whole.

Our overall expenses have increased 3 fold due to demands of the public to deliver each and every year a bigger and better event.

This year we are having to make financial allowances for a great many things that we have not had to in the past. These include:

1. Public Toilets: unfortunately, Bacchus Marsh township is not in a position to supply enough public toilets to cater for the amount of people or cultural requirements of our visitors. Port-a-loos will need to be hired at a cost of \$5018, however this price doesn't include power, water connections or black waste removal. Please note that we have been able to secure in kind sponsorship from local business operator, the Turd Burglar, to cover the majority of the black water removal costs over the weekend. Please refer to attached quote which is for 1 block of toilets only, and note that we will require 2 blocks (in the street).
2. A road management cost of \$ 5924.09, is now required for visitor safety which it is also hoped will add to the inviting atmosphere. This is an expense that we have not had to incur before but due the increased visitor numbers and the safety of all it is paramount that this road closure goes ahead. Please see quote attached
3. Public seating also needs to be provided for the duration of the event, specifically in the following areas:
  - The music hub at the 'Village Green' where live music will be playing all day on both days.
  - The Eddie Toole reserve where we will be hosting the 'Doggies Chill Out Zone'. An area to let mans best friend play in the specially design playground for doggies while their owners can relax and enjoy a coffee.
  - The special needs tent referred to as "camp quiet time", a special zone for those with special needs to unwind and relax.
  - Mum's, bubs and small children campsite.
  - Public seating will also be required for the First Aid tent situated at Gell street.

We appreciate all of the financial support that Moorabool Shire Council has given us to date and now hope that the \$3000 grant made available through the winter 2016 community grants program, will also be granted to us to in the delivery of the biggest event in the Moorabool shire.

With increased sponsorship dollars urgently needed to facilitate this year's event we are also putting strategies into place to be more self-sufficient heading into the future, and in a better position to support and promote other community groups and organizations that also help to engender community health and well being.

From a strategic point of view we also aim to increase and encourage participation in a range of sport, recreation and leisure activities throughout the duration of the event. We will do this by;

- Promoting community health and wellbeing through the provision of recreation facilities, open space, programs and activities such as those listed below.
- Provide and promote walking and cycling trails for recreation and commuter use.

#### **Weekend Highlights**

- Pick your own strawberries – 3 strawberry farms along Avenue of Honour
- Pick your own cherries and stone fruit available – 4 orchards along Avenue of Honour
- The Strawberry & Cherry Trail linking all our participating financial and not for profit sponsors: - including orchards, bakeries, cafes & restaurants, heritage properties, art galleries & retailers and stall holders to name a few
- A Doggie Chillout Zone in the middle of the town for you and your best friend to relax and enjoy some canine activities and treats
- Free shuttle buses hop on hop off, on loop, both days
- Avenue of Honour – as well as the sponsor orchards, other orchards / fruit picking /farm gate sales
- Massive Raffle with a first prize to the value of \$2000, second prize \$500 and third prize \$250
- Strawberry & Cherry Menus for ticketed dinners at both the Courthouse and Royal Hotels
- Makers Market at the Public Hall, facilitated by Bacchus Marsh Arts Council
- Friday night open air cinema
- Seymour Heritage Train Enthusiasts to bring a heritage train from Seymour and into Southern Cross Station to bring visitors out to Bacchus Marsh for the Saturday of the event (unfortunately this has had to be postpone due to lack of funding for permits from their end)
- Petting Zoo in 2 separate locations
- 'Have a go' area between the Public Hall and RSL wherein guests and visitors can participate in a range of sports and recreational pursuits from fencing (swords), ballroom dancing and soccer, through to pilates, karate and belly dancing.
- Saturday night fireworks in the "Village Green"
- Saturday night DJ at the 'Village Green' prior to the fireworks spectacular



*Bacchus Marsh*  
TOURISM ASSOCIATION

- "Village Green" music hub with live music, seating and food available 9.00 to 5pm both days
- Best dressed window competition within the Village Bacchus Marsh Shopping Centre
- Fashion Parade within the Village Bacchus Marsh Shopping Centre
- Car display in conjunction with David Calleja Memorial Car Show in the Elms Car park next to the Village Bacchus Marsh Shopping Centre
- Market stalls in Main St – range of products and services from novelties, collectables, foods and homemade goodies
- Hot and Cold food vans
- CHIPA photographic exhibition and sales
- Carnival rides and entertainment at ticket prices
- Free activities in the special needs, mums and young kids "Camp quiet time" tent.
- Themed decorations linking the trail
- Free face painting for all ages
- Buskers competition for the "Best Busker in the West", run in conjunction with the Performing Arts Headquarters.
- Free entertainment, music and roving performers including the Brandragon Morris Dancers, who were a massive hit last year and back by popular demand

If you require further information or need clarification on this application, please do not hesitate to contact committee member Helenmary Burnside 0412 661 281 or email [helenmary1@live.com.au](mailto:helenmary1@live.com.au)

Thank you in anticipation  
Kind regards

Helenmary Burnside Main St Coordinator  
Bacchus Marsh Tourism Association

Brooke Ross Marketing, Communications and Stakeholder Engagement  
Bacchus Marsh Tourism Association





**Geoff's Mobile Showers & Toilets**  
**40 Austin Street Lara Vic 3212**  
**Phone: 03 52825061**

ABN 65 883 664914

**EVENT RENTAL AGREEMENT / TAX INVOICE**

Invoice No. 16115

<b>Customer/Company</b>	Bacchus March Tourism Association	<b>Date</b>	20/7/2016
<b>Address</b>	Bacchus marsh Main st		
<b>Contact</b>	Helenmary burnside	<b>Email</b>	<a href="mailto:Helenmary1@livemail.com.au">Helenmary1@livemail.com.au</a>
<b>Mobile Phone</b>		<b>Fax</b>	
<b>Event</b>		<b>Event Location</b>	Bacchus marsh
<b>Quantity</b>	<b>Description of Equipment</b>	<b>Event Rental</b>	
		<b>Each</b>	<b>Total</b>
1	Supply of one x 14 pan (9 Ladies 5 Gents 7 Mts Urinal) Mobile toilet For two Day From Friday afternoon to Sunday Evening	1000.0	\$2209.00
	Removal of black Waste if Needed		\$300.00
	Cost includes Transport and an attendee		

<b>Conditions of Sale</b>		<b>Total</b>	<b>\$2509.00</b>
<small><b>A = Indemnity</b>          The Hirer shall indemnify and keep indemnified and save harmless the Owner and the Owner's servants and agents from all damages, suits, actions, claims and demands of every description whatsoever arising directly or indirectly from the use, maintenance, transport, operation of the goods to otherwise and whether resulting from the negligence of the Owner, its servants or agents or otherwise.</small>		<b>10% GST Included</b>	\$200.90
		<b>Arrival Date</b>	18/9/2016
<small><b>B = Exclusion of Liability</b>          The Owner shall not be liable to the Hirer or the Hirer's servants or agents for any damages, suits, actions, claims and demands of every description whatsoever and howsoever arising either directly or indirectly from representations warranties, terms and conditions express or implied (expect in so far as statutory conditions and warranties cannot be excluded under Part V Division 2A of the Trade Practices Act (1974) or relevant State legislation), use, maintenance, transport, operation of the goods or otherwise and whether resulting from the negligence of the Owner, its servants or agents or otherwise</small>		<b>Departure Date</b>	20/9/2016

**Terms and Conditions**

1. **Geoff's Mobile Showers & Toilets** shall not be liable for any failure to perform caused by weather, lack of power/water connections, or other causes beyond its control.
2. If due to mechanical breakdown or any other operational condition, The Owner may arrange for similar type facilities from elsewhere to replace quoted equipment.
3. Hirer is responsible for cost of replacement and repairs due to fire, theft, carelessness, accidental damage, vandalism or riot. Ordinary use and wear accepted.
4. The Owner may close facility or require a Security Guard to be present at anytime if damage and vandalism is carried out by patrons of the event.
5. **10% deposit on signing acceptance and balance prior to facility being operational.**

**Customer Responsibility**

All toilet and shower facility rentals require the customer to provide the following items:

1. Electric supply and connection.
2. Water connection point.
- 3 Arrangements for waste removal and pumping.
- 4 Garbage Bins

**Additional Information**

The quotation becomes a binding agreement upon acceptance by the customer. The customer has read and accepts the Terms and Conditions. Quotation valid for fourteen (14) days. Terms and Conditions are agreed to even if quote is accepted by any means i.e. verbal, email, fax or this signed form. I agree that all charges for hire, loss, damage, cleaning, repairs will be paid, and that all collection fees, legal fees, court costs or any expense involved in the collection of these costs may be charged to me. I further agree that I shall be bound by the conditions of hire as above.

<b>Date:</b>	<b>Name:</b>	<b>Signature:</b>
--------------	--------------	-------------------

Event units experience a high seasonal demand; therefore it is advisable to secure your event order by accepting this quote as soon as possible.

**PAYMENT**

<b>Direct Credit our Bank</b>	<b>Cheque</b>
<p align="center">Account Name = Geoff's Mobile Showers Hire          Name = ANZ          BSB = 013 589          Account No = 2198-20193          Email confirmation to = <a href="mailto:gjmor@bigpond.com">gjmor@bigpond.com</a></p>	<p align="center">Make payable to:          Geoff's Mobile Showers Hire          Send to:          40 Austin Street Lara Vic 3212</p>



# QUOTE

Bacchus Marsh Tourism Association

**Date**  
27 Jul 2016

**Expiry**  
21 Nov 2016

**Quote Number**  
WTVIC-Q-000034

**ABN**  
82 165 419 581

West Traffic Pty. Ltd.  
Attention: Tim Roberts  
PO Box 1540  
MELTON WEST VIC 3337  
AUSTRALIA

Description	Quantity	Unit Price	GST	Amount AUD
Traffic Controller Weekend (Hourly) Saturday 19/11/2016 0430 - 1800	13.50	79.4756	10%	1,072.92
Traffic Controller Weekend (Hourly) Saturday 19/11/2016 0430 - 1800	13.50	79.4756	10%	1,072.92
Traffic Controller Weekend (Hourly) Sunday 20/11/2016 0430 - 1800	13.50	79.4756	10%	1,072.92
Traffic Controller Weekend (Hourly) Sunday 20/11/2016 0430 - 1800	13.50	79.4756	10%	1,072.92
Traffic Management Plan including Traffic Guidance Scheme	1.00	215.33	10%	215.33
Permit/Memorandum of Authorisation	1.00	62.43	10%	62.43
Crowd Control Barrier (Per Unit) Daily Minimum 25 Units For use in side streets.	25.00	17.05	10%	426.25
Trailer Mounted Variable Message Sign Weekly Hire (Per 7 Calendar Days) Each end of proposed road closure to advise of upcoming closure.	2.00	464.20	10%	928.40
			INCLUDES GST 10%	538.57
			<b>TOTAL AUD</b>	<b>5,924.09</b>

**13. MAYOR'S REPORT**

**To be presented at the meeting by the Mayor.**

**Recommendation:**

**That the Mayor's report be received.**

**14. COUNCILLORS' REPORTS**

**To be presented at the meeting by Councillors.**

**Recommendation:**

**That the Councillors' reports be received.**

**15. URGENT BUSINESS**

**16. CLOSED SESSION OF THE MEETING TO THE PUBLIC****16.1 Confidential Report****16.2 Confidential Report****16.3 Confidential Report****16.4 Confidential Report****Recommendation:**

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

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

**17. MEETING CLOSURE**