

ORDINARY MEETING OF COUNCIL

Minutes of the Ordinary Meeting of Council
held at the Council Chamber, 15 Stead Street, Ballan
on Wednesday 3 May 2017 at 5:00 p.m.

Members:

Cr. David Edwards (Mayor)	East Moorabool Ward
Cr. Tonia Dudzik (Deputy Mayor)	East Moorabool Ward
Cr. Paul Tatchell	Central Moorabool Ward
Cr. Jarrod Bingham	East Moorabool Ward
Cr. John Keogh	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

The Mayor informed those in attendance at the Meeting that an audio recording was being taken by The Moorabool News (permission granted for this Meeting only), The Star Weekly (permission granted for Meetings held in 2017) and by the Council as a trial for a recording device.

The Mayor, Cr. Edwards, opened the meeting with the Council Prayer at 5.05 pm.

2. ACKNOWLEDGEMENT TO COUNTRY

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

3. PRESENT

<i>Cr. David Edwards (Mayor)</i>	<i>East Moorabool Ward</i>
<i>Cr. Jarrod Bingham</i>	<i>East Moorabool Ward</i>
<i>Cr. John Keogh</i>	<i>East Moorabool Ward</i>
<i>Cr. Tom Sullivan</i>	<i>West Moorabool Ward</i>
<i>Cr. Paul Tatchell</i>	<i>Central Moorabool Ward</i>
<i>Cr. Pat Toohey</i>	<i>Woodlands Ward</i>

Officers:

<i>Mr. Rob Croxford</i>	<i>Chief Executive Officer</i>
<i>Mr. Danny Colgan</i>	<i>General Manager Social and Organisational Development</i>
<i>Mr. Phil Jeffrey</i>	<i>General Manager Infrastructure</i>
<i>Mr. Satwinder Sandhu</i>	<i>General Manager Growth and Development</i>
<i>Mr. Steve Ivelja</i>	<i>Chief Financial Officer</i>
<i>Mr. John Miller</i>	<i>Manager Asset Management</i>
<i>Ms. Sam Romaszko</i>	<i>Manager Engineering Services</i>
<i>Ms. Cherie Graham</i>	<i>Chief Emergency Officer</i>
<i>Mr. John Whitfield</i>	<i>Governance Coordinator</i>
<i>Ms. Genevieve Clark</i>	<i>Media and Marketing Officer</i>
<i>Ms. Kirsty Doncon</i>	<i>Community Development Officer</i>
<i>Ms. Melissa Hollitt</i>	<i>Minute Taker</i>

4. APOLOGIES

<i>Cr. Tonia Dudzik</i>	<i>East Moorabool Ward</i>
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5. CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council – Wednesday 5 April 2017

Recommendation:

Crs. Keogh/Sullivan

That Council confirms the Minutes of the Ordinary Meeting of Council held on Wednesday 5 April 2017.

CARRIED.

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.

Nil – however, refer to late disclosure at:

Item 15.1 - Supply Legal Representation for VCAT Hearing on Friday 12 May 2017.

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.

Mr. Geoff McKay submitted the following question.

The question was responded to at the Meeting:

Question:

Can the Council update us on the outcome of the expression of interest process for the Gym?

Response:

At the Ordinary meeting of the Council held on the 1 February 2017, the Council resolved to lease the Gym to an external provider of Gym and/or fitness services. If an external operator cannot be found Council will, after formal consultation with the community, provide a further report to Council on other options for this space.

An expression of Interest process has been conducted and as at the closing date on the 28 April, no expressions of interest were received. Given this, we are proceeding to undertake community engagement and provide a further report to the Council on other options for the space at the June Ordinary Meeting of Council.

We convened a meeting with interested fitness club members yesterday evening that had addressed the Council at its February meeting. We will contact other members of the Leisure Centre seeking their views on the future use/s of the gym and fitness areas, place information on the Council website and social media sites inviting feedback.

We would welcome an opportunity to meet with Mr Kay and other members/users of the facility to seek his and their input into the report to be prepared for the June Council Meeting.

Mr. Mark Frackowski submitted the following question. Although Mr. Frackowski was not present at the meeting, his question was read out.

The question was responded to at the Meeting.

Question:

Why is Farrow Place considered safe by the Shire representative going forward with the proposed through road/shared zone?

(General Manager for Infrastructure – as per the plan/current design), bearing in mind that safety is everyone's responsibility when previous data supplied by myself, TAC Aust Roads, VicRoads and Vic Walks etc. would indicate it should not be a through road and various other strong recommendations indicate changes are required, can they all be wrong?

Response:

As previously advised to Mr Frackowski, Farrow Place is an Access Place, defined as 'a minor street providing local residential access with shared traffic, pedestrian and recreation use but with pedestrian priority'.

In this instance, low traffic volumes are projected given the small number of properties that front Farrow Place. The low speed environment is conducive to a shared zone being appropriate in this location. It is the responsibility of all road users, including pedestrians, to ensure they act in a safe manner and obey the rules set out in the Road Safety Act.

Ms. Chris Kiss submitted the following questions.

The questions were responded to at the Meeting:

Question:

In the event there are no external operators, what is the Council doing in order to continue to provide access to quality health and fitness services, bearing in mind the facility currently accommodates some of the more marginalised members of our community?

Response:

At the Ordinary meeting of the Council held on 1 February 2017, the Council resolved to lease the Gym to an external provider of Gym and/or fitness services. If an external operator cannot be found, after formal consultation with the community, a further report will be provided to Council on other options for this space.

An expression of Interest process has been conducted and as at the closing date on the 28 April, no expressions of interest were received. Given this, we are proceeding to undertake community engagement and provide a further report to the Council on other options for the space at the June Ordinary Meeting of Council.

Council is aware that the facility does provide for some of the more marginalised members of our community and this will be prominent in thinking about other options for the use of the gym and/or fitness area space and in the report to the Council on the 7 June.

We convened a meeting with interested fitness club member's yesterday evening including Ms Kiss and other residents that had addressed the Council at its February meeting. We will continue to engage with Ms Kiss, other members and users of the Leisure in seeking their views on the future use/s of the gym and fitness areas ahead of the report to the June meeting of Council.

Question:

Now that the closing date has passed, how many expressions of interest were received and from whom?

Response:

No expressions of interest were received. Given this, we are proceeding to undertake community engagement and provide a further report to the Council on other options for the space at the June Ordinary Meeting of Council.

Question:

What is the status of any applications received?

Response:

No expressions of interest were received. Given this, we are proceeding to undertake community engagement and provide a further report to the Council on other options for the space at the June Ordinary Meeting of Council.

8. PETITIONS

Nil.

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
10.3.2	<i>Rental of Darley Civic and Community Hub – Apple FM</i>	<i>Bill Mansell</i>	<i>Supporter</i>
10.3.3	<i>Appointment of Members to Recreation Committees of Management</i>	<i>Dotty Hazell</i>	<i>Supporter</i>

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

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

Nil.

10. OFFICER'S REPORTS

10.1 CHIEF EXECUTIVE OFFICER

10.1.1 Draft Council Plan 2017-2021

Introduction

File No.: 02/02/002
Author: John Whitfield
Chief Executive Officer: Rob Croxford

The following report is presented for Council's consideration of the draft Council Plan 2017-2021, including the Strategic Resource Plan, and to resolve to place the document on public exhibition inviting public inspection and submissions for consideration prior to adoption.

Background

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

Following elections held in October 2016 the Council began preparing its Council Plan. Following input from Councillors, staff and the community the attached draft Council Plan 2017-2021 was produced. This Council Plan will be in operation for this term of Council; from 2017 until 2021.

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

Strategic Resource Plan

Council must also develop a Strategic Resource Plan as per Part 6 Section 126 of the Local Government Act 1989. The attached Strategic Resource Plan details the resources required to achieve the objectives and strategies outlined in the 2017-2021 Council Plan. It includes the following information for the next 4 financial years:

- the standard statements describing the required financial resources in the form and containing the information required by the regulations; and
- statements describing the required non-financial resources, including human resources.

Proposal

That Council, in accordance with section 223 of the Local Government Act 1989, place the draft Council Plan 2017-2021 including the Strategic Resource Plan on exhibition, inviting public submissions during the prescribed period of 28 days as required under the Act.

Policy Implications

The 2013–2017 Council Plan provides as follows:

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

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

Financial Implications

In accordance with Section 126 of the Local Government Act 1989, Council has prepared a draft 2017-2021 Strategic Resource Plan that details the resources required to achieve the 4 strategic objectives outlined in the draft Council Plan 2017-2021 being:

1. Providing Good Governance and Leadership
2. Minimising Environmental Impact
3. Stimulating Economic Development
4. Improving Social Outcomes

The Strategic Resource Plan includes the standard statements describing the required financial resources in the form and containing the information mandated by the regulations for the next 4 financial years - commencing on 1 July 2017 and concluding 30 June 2021.

The standard statements section of the Strategic Resource Plan show the:

- Comprehensive Income Statement
- Balance Sheet
- Cash Flow Statement; and
- Capital Works

In order to enable the attached Council Plan 2017-2021 to be updated by the printer in time for this report, the figures in the standard statements reflect the budget position as at 21 April 2017. They differ slightly from the budget figures in the *Consideration of the Proposed 2017/18 Annual Budget* Agenda item as figures in this report were updated after this date.

The draft Council Plan 2017-2021 to be placed on exhibition will be updated to reflect the Council's resolution in relation to the 2017/18 Annual Budget (refer Agenda Item 10.4.4).

Over the 4 year life of the Council Plan 2017-2021, the Strategic Resource Plan will be updated as part of Council's Annual Budget Process.

Risk & Occupational Health & Safety Issues

There are no risk implications in relation to this report.

Communications Strategy

Under section 125(3) of the Local Government Act 1989, a person has a right to make a submission under section 223 on the proposed Council Plan.

A communications plan has been developed to advise the community via Council's website, media release, social media, Council's community consultation website: haveyoursay.com.au and with hard copies available at all Council offices.

Advertisements are being placed in regional and local papers and members of the community will have not less than 28 days to make a submission.

In preparing the draft Council Plan 2017-2021 the community was consulted with on numerous occasions when the Council developed strategies, plans and studies. (See page 7 of the attached Plan for examples). Additionally, Councillors and Council staff were also afforded the opportunity during a number of sessions to provide their input and comments.

In accordance with the Local Government Act 1989, the draft Council Plan 2017-2021 and Strategic Resource Plan will progress through the following consultation and adoption process:

Timetable for the Consultation and Adoption of the Council Plan 2017-2021 including the Strategic Resource Plan	
OMC - Draft Council Plan 2017-2021 presented to Council	Wednesday 3 May
Advertise draft Council Plan 2017-2021, inviting public inspection and submissions according to Section 223 of the Local Government Act 1989, in both regional and local newspapers. Ballarat Courier – Saturday 6 May 2017 Moorabool News – Tuesday 9 May 2017	Advertising cut-off Thursday 4 May
Have your Say Moorabool website update.	From Friday 5 May to Tuesday 6 June
Statutory advertisement period ends (allows for no less than a 28 day consultation period).	Tuesday 6 June
Special CORM Meeting – (for SMC 21 June 2017) to review submission report	Thursday 15 June

SMC - Consideration of Submissions on draft Council Plan 2017-2021	Wednesday 21 June
OMC - Adoption Council Plan 2017-2021	Wednesday, 5 July
<p>Checklist Post-Adoption:</p> <ul style="list-style-type: none"> • Notice of Adoption of Council Plan Ballarat Courier – Saturday 8 July Moorabool News – Tuesday 11 July • Copies for Public Inspection at Council Offices • Submit Council Plan 2017-2021 to Minister for Local Government 	<p>Advertising cut-off Thursday 6 July</p> <p>Monday 10 July</p> <p>Thursday 6 July</p>

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

Chief Executive Officer – Rob Croxford

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

Author – John Whitfield

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

Conclusion

The draft Council Plan 2017-2021 and Strategic Resource Plan is presented for Council's consideration, in accordance with section 223 of the Local Government Act 1989, to place on public exhibition inviting public submissions during the prescribed period of not less than 28 days as required under the Act.

Recommendation:

1. **That, having considered the details of the draft Council Plan 2017-2021 attached to this report, Council, in accordance with the requirements of Part 6 Section 125 and 126 of Local Government Act 1989**

- 1.1 **authorises the Chief Executive officer to give public notice that the draft Council Plan 2017-2021 has been prepared and is available for public inspection; and**
- 1.2 **gives public notice and have ready for public inspection all prescribed information to be available from 6 May 2017 until 6 June 2017.**
2. **That Council resolves to allow 28 days for submissions to be made by members of the public and that all submissions are to be made in the prescribed manner. Council will hear submissions on Wednesday 21 June 2017 at a Special Meeting of Council to be held in the James Young Room, Lerderderg Library, Bacchus Marsh commencing at 5.00 pm.**
3. **That in accordance with Section 125 of the Local Government Act 1989, Council resolves to notify and place on public notice its intention to adopt the Council Plan 2017-2021 on Wednesday 5 July 2017 at the Ordinary Meeting of Council to be held in the James Young Room, Lerderderg Library, Bacchus Marsh commencing at 5.00 pm.**

Resolution:

Cr. Sullivan/Keogh

1. ***That, having considered the details of the draft Council Plan 2017-2021 attached to this report, makes the following amendments to that Plan;***
 - 1.1 ***in Strategic Objective 4 – Context 4A include the Action; “Develop a plan to improve, update and beautify our neighbourhood passive recreation and other open spaces”.***
 - 1.2 ***in Strategic Objective 4 – Context 4A include the Action; “Prepare a masterplan for the Ballan Recreation Reserve in 2017-2018”.***
 - 1.3 ***in Strategic Objective 4 – Context 4A add to the Action for Review feasibility of the timing of proposed Bacchus Marsh Indoor Aquatic Centre the words; “and include a feasibility study on the construction and location of splash parks” and change the timeframe from 2020-2021 to 2017-2018.***
 - 1.4 ***in Strategic Objective 4 – Context 4A change the timeframe for the Action for Undertake a feasibility study to inform the future provision of library services in Ballan from 2018-2019 to 2017-2018.***

2. **Council, in accordance with the requirements of Part 6 Section 125 and 126 of Local Government Act 1989;**
 - 2.1 **authorises the Chief Executive officer to give public notice that the draft Council Plan 2017-2021, as amended above, has been prepared and is available for public inspection; and**
 - 2.2 **gives public notice and have ready for public inspection all prescribed information to be available from 6 May 2017 until 6 June 2017.**
3. **That Council resolves to allow 28 days for submissions to be made by members of the public and that all submissions are to be made in the prescribed manner. Council will hear submissions on Wednesday 21 June 2017 at a Special Meeting of Council to be held in the James Young Room, Lerderderg Library, Bacchus Marsh commencing at 5.00 pm.**
4. **That in accordance with Section 125 of the Local Government Act 1989, Council resolves to notify and place on public notice its intention to adopt the Council Plan 2017-2021 on Wednesday 5 July 2017 at the Ordinary Meeting of Council to be held in the James Young Room, Lerderderg Library, Bacchus Marsh commencing at 5.00 pm.**

CARRIED.

Report Authorisation

Authorised by:



Name: Rob Croxford
Title: Chief Executive Officer
Date: Monday 24 April 2017

10.2 GROWTH AND DEVELOPMENT

10.2.1 Moorabool Shire Council - Municipal Emergency Management Plan 2017-2020

Introduction

File No.: 12/13/006
Author: Cherie Graham
Manager: Satwinder Sandhu

Background

The Emergency Management Act 1986 Part 4 Section 20 and 21 requires Municipal Councils to prepare and maintain a Municipal Emergency Management Plan. This plan must contain provisions for identifying municipal resources and other resources available to the Municipal Council for emergency prevention, response, and recovery.

Council must appoint a Municipal Emergency Management Planning Committee constituted by persons appointed by the Council. Councillor Keogh is the current Council representative on the Municipal Emergency Management Planning Committee, a full list of representatives is detailed below for endorsement by Council.

This Committee has the function to prepare a Municipal Emergency Management Plan for consideration by Council. Section 21 (a) of the Act states that the Municipal Emergency Management Plan must be audited every 3 years to be assessed for compliance with guidelines (refer attachments 10.2.1(a) and 10.2.1 (b)).

Purpose

Moorabool Shire Council pursuant to the Emergency Management Act 2013 and Emergency Management Act 1986 undertakes to prepare and maintain a Municipal Emergency Management Plan (MEMP) for the Council. This plan has a requirement that it be audited every 3 years.

As part of the audit process the MEMP needs to be assessed by guidelines and a criteria specified in the Audit Tool and Evidence Guide which has been provided by the Victorian State Emergency Service.

The purpose of this report is to present the revised Moorabool Shire Council Municipal Emergency Management Plan (MEMP) for consideration and adoption by Council.

Issues

The audit process was introduced in 2010 to establish an approach in auditing Municipal Emergency Management Plans which is based on the collection of evidence and meeting legislative requirements.

The Moorabool Shire Council MEMP is due for audit in June 2017 and the date has been set for 27 June 2017 so an endorsed reviewed plan is required.

For the Council's MEMP to remain current it has been continually reviewed and updated by the Municipal Emergency Management Planning Committee (MEMPC) and is a standard agenda item for discussion.

The Plan has been reviewed and revised in line with the EMMV (Emergency Management Manual Victoria) being used as the guide and to ensure that it meets all audit requirements.

Consultation

Development of the revised Plan has involved a wide range of people working in Emergency Management including the MEM (Municipal Emergency Manager), MERO (Municipal Emergency Resource Officer), MRM (Municipal Recovery Manager), SES (State Emergency Services) and all members of the MEMP Committee. The Municipal Emergency Management plan is not required to be presented for consultation, as it is a result of the co-operative efforts of the MEMPC in consultation with the relevant agencies and organisations and is now presented to Council for endorsement.

The Plan was developed in accordance with the requirements of the Emergency Management Act 2013 and Emergency Management Act 1986 and will be presented to the Municipal Emergency Management Planning Committee (MEMPC) at their meeting on Tuesday 16 May as the final endorsed plan which will be presented for audit.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Community Wellbeing
Objective	A safe community
Strategy	Support the community in emergency management planning, response, recovery and in the prevention and mitigation of all hazards and works towards community resilience.

Risk Management

Failure to provide an adopted Municipal Emergency Management Plan may mean that Council does not meet legislation and audit requirements.

Financial Implications

Nil.

Communications Strategy

Once endorsed by Council the MEMP will be included on Council's website as the Plan will be reviewed annually by the Municipal Emergency Management Planning Committee (MEMPC). Community comments are always welcome.

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 Growth and Development, I have no interests to disclose in this report.

Authors – Cherie Graham

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

Resolution:

Cr. Tatchell/Keogh

- 1. That the Council endorses the Municipal Emergency Management Plan 2017-2020 and endorses the appointment of the MEMP Committee for Moorabool Shire Council comprising of the following representatives:***

- Municipal Emergency Manager (MEM) Chairperson***
- Municipal Emergency Resource Officer (MERO)***
- Municipal Fire Prevention Officer (MFPO)***
- Deputy MEROs (2)***
- Municipal Recovery Manager (MRM)***
- Deputy MRMs (2)***
- MEMPC EM Administration Officer***
- Councillor (as appointed at the Statutory Meeting)***
- MERC / Police Representative***
- Deputy MERC***
- VICSES Representative - Regional,***
- VICSES Representative - Bacchus Marsh Unit***
- CFA***
- Chief Executive Officer***

- **Department of Environment, Land Water and Planning**
- **Department of Economic Development, Jobs, Transport and Resources**
- **Ambulance Victoria**
- **Health Services**
- **Australian Red Cross Representative**
- **VCC Emergency Ministries**
- **Department of Health and Human Services**
- **Water Authorities**
- **WICEN**
- **VicRoads**
- **Others as required**

2. ***That the Municipal Emergency Management Plan be signed and sealed by Council.***

CARRIED.

Report Authorisation

Authorised by:



Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Wednesday 26 April 2017

10.3 SOCIAL AND ORGANISATIONAL DEVELOPMENT

10.3.1 Community Grants Program Summer 2017

Introduction

File No.: 06/03/004
Author: Kirsty Doncon
General Manager: Danny Colgan

Background

The purpose of this report is to present the Council with an assessment of applications received under the "Summer 2017" round of Community Grants.

Community grants totalling \$140,000 per annum are available in two separate funding rounds of \$70,000 each. The Summer round of the Community Grants Program opened on the 1 February and closed on the 28 February 2017.

At the Ordinary Meeting of Council on Wednesday 4 September 2013, the Council adopted the revised Community Grants Policy and Guidelines. The policy will be reviewed again in 2017. The Summer 2017 Community Grant Program represents the eighth round under the revised Community Grant Policy.

The Summer 2017 Community Grants Round was the first round where community groups were able to submit their applications online. The response from community members in using the online grant application was very positive with an 88 per cent uptake of community groups submitting online grants.

This round 9 applications were received from applicants that were unsuccessful in the Winter 2016 round. Each of the 9 applications had been revised based on assistance and advice provided by Community Development staff. The improvement in the applications was reflected with each of the applications receiving a higher score compared to their score in the previous round.

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 \$70,000.

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 Summer 2017 round of Community Grants received support and advice from Community Development Officers.

Number of applications and amount requested

In total, 33 applications were received across the three program categories: Community Strengthening (27), Events (4) and Arts (2). A total of \$112,813 was requested with \$70,000 available (\$50,000 for Community Strengthening, \$10,000 for Events, \$10,000 for Arts).

Category	Applications Received	Amount Requested	Amount recommended	Amount Available
Community Strengthening	27	\$97,963	\$55,913	\$50,000
Events	4	\$11,350	\$11,350	\$10,000
Arts	2	\$3,550	\$3,550	\$10,000
Total	33	\$112,863	\$70,813	\$70,000

Council received a relatively low number of Arts applications due to a number of factors. Six arts applications were started in the Summer 2017 round but due to time constraints and other factors the applicants decided to hold back their applications until the Winter 2017 round. It is therefore expected that there will be more Arts applications in the Winter 2017 round. It is recommended that the unallocated money from the Arts round be split between the Events grants (\$1,350) and Strengthening grants (\$5,100). It is proposed that Council resolve to fund an additional \$813 in the Strengthening Category to enable Elaine Tennis Club to complete their project in full.

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 "Summer 2017" round of Community Grants as follows:

Community Strengthening Grants:

Groups demonstrating Council Policy criteria of, or better than, a score of 70.9 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
Darley Cricket Club	DCC Net Extension	New practice cricket nets	\$5,000	\$71,150	\$5,000	92.7	Winter 2015
Bacchus Marsh Basketball Association	Laptop	Purchase of laptop for basketball team administration	\$998	\$998	\$5,998	90.2	No
Bacchus Marsh RSL Auxiliary	New BBQ and Fire Blanket	Purchase of BBQ and fire blanket	\$832	\$832	\$6,830	90	No
Mt Egerton Recreation Reserve Committee of Management	Toilet Block Upgrade	Redevelopment of toilet block	\$5,000	\$11,737	\$11,830	88.9	No

Name of Organisation/ Artist	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Upper Williamson's Creek Landcare Group Inc.	Upskilling the Scotsburn Community	Educational property maintenance workshops for landholders	\$1,878	\$3,968	\$13,708	87.6	No
Bacchus Marsh Community College Inc.	Protecting your Community Facility	New Security system	\$3,000	\$6,017	\$16,708	85	No
Friends of the Werribee River through Bacchus Marsh	Werribee River Community Seating	Installation of seating along Peppertree Park walking track	\$5,000	\$10,000	\$21,708	83.9	No

Name of Organisation/ Artist	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Mt Egerton Mechanics Hall	Safety Improvements Hall Roof	Safety improvements to hall roof	\$3,250	\$6,500	\$24,958	82.6	No
Blacksmiths Cottage and Forge Special Committee	Front Porch Renewal	Construction of heritage porch	\$5,000	\$10,000	\$29,958	80.6	Summer 14
Navigators History Group	Electronic management of history of Navigators	Purchase of computer equipment to electronically record the history of Navigators	\$3,327.45	\$6,927	\$33,285	79.2	No

Name of Organisation/ Artist	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Mount Wallace Hall and Reserve	Upgrade to Playground and Visitor Facilities	Upgrade of playground and visitor facilities	\$5,000	\$10,000	\$38,285	78.3	No
Ballan District Vintage Machinery and Vehicle Club Inc.	Let's Cut the Grass	Purchase of new slasher	\$1,215.50	\$2,431	\$39,501	77.4	No
Bacchus Marsh Men's Shed	Internet Usability	Purchase of new computer	\$1,000	\$1,450	\$40,501	76.7	No
Darley Neighbourhood House and Learning Centre	Safe as Houses	New fencing and landscaping	\$4,250	\$8,590	\$44,751	75.1	No

Name of Organisation/ Artist	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Greendale Reserves Management Committee	Fitness circuit, sensory garden enhancement and main signage	Fitness circuit, sensory garden enhancement and main signage	\$4,000	\$8,000	\$48,751	74.2	No
Wallace Rec Reserve	Netball viewing area pavement	Paving and pathways between viewing area and courts to keep courts clean and safe	\$4,603.50	\$9,207	\$53,354	72.6	Summer 15
Elaine Tennis Club	Ball machine	Purchase of new ball machine	\$2,559	\$5,118	\$55,913	70.9	Winter 15
Rotary Club of Bacchus Marsh	TagLess	Community graffiti removal program	\$2,200.00	\$6,041	\$58,113	68.4	Summer 2015 Strengthening, Winter 2016 Arts

Name of Organisation/ Artist	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Elaine Mechanics Institute Hall Committee of Management	Building Elaine Community through Information and Events	New Website and hall upgrades for events	\$5,000	\$10,000	\$63,113	67.1	No
Acrofun	Tumble Track	New tumble track gymnastic equipment	\$5,000	\$10,000	\$68,113	63	Winter 14, Summer 16
Ballan Cemetery Trust	Lawn Section Number 4	Creating new grave sites	\$4,850	\$9,750	\$72,963	62.2	No
Mt Egerton Pilates	Pilates exercise program	Community Pilates exercise group	\$4,000	\$8,035	\$76,963	61.5	No

Name of Organisation/ Artist	Project Name	Brief Project Description	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Elaine Cricket Club Inc	Tennis club water project	Water harvesting of Elaine Tennis Courts	\$5,000	\$10,000	\$81,963	61.5	Summer 15, Summer 16
Greendale Wombat Landcare Group	Group Connectivity and Weed Control	Chemical users course for Landcare and farmers	\$3,000	\$6,000	\$84,963	60.5	No
Morrison's Cemetery	Morrison's Cemetery Community Enhancement	Improvements to Morrison's Cemetery	\$5,000	\$15,508.90	\$89,963	60.5	No
Ballan District Health & Care	Activity Courtyard	Redeveloping dementia courtyard	\$5,000	\$14,233	\$94,963	57.6	Winter 15 strengthening Summer 2016 Arts
Scotsburn Recovery Committee	Community Share Trailer	Purchase of trailer that will be made available for the whole community	\$3,000	\$6,118	\$97,963	56.7	No
		Total:	\$97,963	\$268,611			

Events Grants:

Groups demonstrating Council Policy criteria of, or better than, a score of 71.10 may be provided with funding if Council so determine.

Name of Organisation	Project Name	Brief Description of Project	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Pentland Hills Landcare Group	Myrniong Landowners Community Connection Event	Networking event for isolated farmers	\$2,650	\$5,300	\$2,650	79.20	Summer 2012
Refugee Realities Ballan	Refugee Realities	Community event celebrating diversity and promoting understanding of refugees	\$3,000	\$6,000	\$5,650	74.10	No
Mt Egerton Mechanics Hall Committee of Management	Mt Egerton Community Barn Dance	Community Social Dance event	\$2,700	\$7,300	\$8,350	72.00	No

Name of Organisation	Project Name	Brief Description of Project	Requested Amount	Project Total Value	Progressive Total	Policy Score	Previous Community Grant awarded
Gordon Community Fair	Gordon Community Fair	Annual Community Fair in Gordon	\$3,000	\$38,000	\$11,350	71.10	No
Total:			\$11,350	\$56,600			

Arts Grants:

Groups demonstrating Council Policy criteria of, or better than a score of 70.10 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
Friends of Maddingley Park	Maddingley Park Arts in the Park Workshops	Community Engagement Art Workshops	\$2,550	\$5,498	\$2,550	80.60	No
Gordon News	Photographic Competition	Photographic Completion for Spring Edition of Gordon News	\$1,000	\$1,800	\$3,550	70.10	No
TOTAL			\$3,550	\$7,298			

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Community Wellbeing
Objective	Community Self Reliance
Strategy	Provide community development support and partnership projects

The proposed allocation of grants under the Community Grants Summer 2017 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 \$70,000 is available for allocation in the Summer 2017 round:

- \$55,100 for Community Strengthening (including \$5,100 carried over from unallocated Arts grant funding from the Summer 2017 round)
- \$11,350 for Events(including \$1,350 carried over from unallocated Arts grant funding from the Summer 2017 round)
- \$3,550 for Arts

It is proposed that Council resolve to fund an additional \$813 in the Strengthening Category to enable Elaine Tennis Club to complete their project in full.

The total of grants being recommended for allocation in this round is therefore \$70,813.

Risk & Occupational Health & Safety Issues

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

Community Engagement Strategy

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community Groups	Meetings with applicant groups	Various	February 2017	Applicants groups supported to submit applications

Communications and Consultation Strategy

Applicants for the Summer 2017 round of the Community Grants Program will be advised that they will be notified of the outcomes of their grant applications in May 2017.

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 – Kirsty Doncon

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

Conclusion

Applications received under the “Summer 2017” 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, 33 applications were received across the three program categories: Community Strengthening (27), Events (4) and Arts (2).

This is the eighth round of Community Grants under the revised Community Grants Policy and Guidelines, adopted by the Council on 4 September 2013. This round was the first round where applicants were able to submit their applications online. The community response to the online application process was positive with 88% of applicants completing their application on line.

Resolution:

Cr. Toohey/Keogh

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

Name of Organisation	Project Name	Grant Amount
Darley Cricket Club	DCC Net Extension	\$5000
Bacchus Marsh Basketball Association	Laptop	\$998
Bacchus Marsh RSL Auxiliary	New BBQ and Fire Blanket	\$832
Mt Egerton Recreation Reserve Committee of Management	Toilet Block Upgrade	\$5000
Upper Williamson’s Creek Landcare Group Inc.	Upskilling the Scotsburn Community	\$1878
Bacchus Marsh Community College Inc.	Protecting your Community Facility	\$3000
Friends of the Werribee River through Bacchus Marsh	Werribee River Community Seating	\$5000
Mt Egerton Mechanics Hall	Safety Improvements Hall Roof	\$3250
Blacksmiths Cottage and Forge Special Committee	Front Porch Renewal	\$5000

Name of Organisation	Project Name	Grant Amount
Navigators History Group	Electronic management of history of Navigators	\$3327.45
Mount Wallace Hall and Reserve	Upgrade to Playground and Visitor Facilities	\$5000
Ballan District Vintage Machinery and Vehicle Club Inc.	Let's Cut the Grass	\$1215.50
Bacchus Marsh Men's Shed	Internet Usability	\$1000
Darley Neighbourhood House and Learning Centre	Safe as Houses	\$4250
Greendale Reserves Management Committee	Fitness Circuit, Sensory Garden Enhancement and main signage	\$4000
Wallace Rec Reserve	Netball viewing area pavement	\$4603.50
Elaine Tennis Club	Ball machine	\$2559

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

Name of Organisation	Project Name	Grant Amount
Pentland Hills Landcare Group	Myrning Landowners Community Connection Event	\$2650
Refugee Realities Ballan	Refugee Realities	\$3000
Mt Egerton Mechanics Hall Committee of Management	Mt Egerton Community Barn Dance	\$2700
Gordon Community Fair	Gordon Community Fair	\$3000

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

Name of Organisation/Artist	Project Name	Grant Amount
Friends of Maddingley Park	Maddingley Park Arts in the Park Workshops	\$2550
Gordon News	Photographic Competition	\$1000

4. ***That all applicants be notified in writing of the outcome of their application.***

5. ***That Council staff provide feedback to unsuccessful groups and provide suggestions for alternative funding, or how the group may choose to improve and re-develop their application for submission to the next appropriate round of the Community Grants Program.***

CARRIED.

Report Authorisation

Authorised by: 

Name: Danny Colgan
Title: General Manager, Social & Organisational Development
Date: Monday 10 April 2017

Consideration of Presentation –Rental of Darley Civic and Community Hub – Apple FM

Mr. Bill Mansell addressed Council in relation to the Rental of Darley Civic and Community Hub – Apple FM.

The business of the meeting then returned to the agenda.

10.3.2 Rental of Darley Civic and Community Hub – Apple FM**Introduction**

File No.: 412600
Author: Danny Colgan
General Manager: Danny Colgan

The purpose of this report is to recommend that the Council approve the rental of space at the Darley Civic and Community Hub by Bacchus Marsh Community Radio (Apple FM).

Background

At the Ordinary Meeting of Council on the 1 March 2017, the Council resolved to “enter into a licence agreement with Apple FM for an initial period of three years with a further option of two years at full commercial rent.” An offer in writing was subsequently sent to the Bacchus Marsh Community Radio (Apple FM).

On the 17 March 2017, Apple FM wrote to the Council advising that it “would very much like to occupy the premise however, unfortunately, must decline your offer. The rent amount involved equates to almost our entire annual revenue. Were we to accept, our door would close that day”. The fee payable would have been \$17,304 per annum plus outgoings of \$1,760.

At the Ordinary Meeting of Council held on the 5 April 2017, the Council resolved “that a report come back to Council with possible alternative recommendations in regards to the opportunity for Apple FM to rent unused space at Darley hub”.

Proposal

Apple FM proposes to use space at the Darley Civic and Community Hub for office accommodation and the operation of the community radio station. The station provides a voice for a broad range of individuals and community groups to be involved in broadcasting and governance of the organisations. The station operates in Moorabool and provides for local content.

Apple FM have requested that they pay a peppercorn rental. The Guidelines for the rental of space at the Darley Civic and Community Hub adopted by the Council at its meeting on the 6 August 2014, includes three rental categories – peppercorn; discounted market rent; and market rent. The guidelines also include the payment of outgoings by groups and organisations.

In summary, the key criteria for assessment of eligibility for a peppercorn, discounted market rental and full market rental is as follows:

Peppercorn rental – approved use and meets all relevant eligibility criteria; provides significant community benefit; and has limited revenue-raising capacity. A peppercorn rental is \$1 per annum payable on request.

Discounted market rental – approved use; meets all compulsory criteria and at least six of the ten eligible service organisation criteria; or has revenue raising capacity or receives external funding assistance e.g. receives some State Government funding. The guidelines provide for discounts from between 30 per cent to 70 per cent. Based on a full market rental of \$140 per square metres and the total floor space that Apple FM are seeking; the full rental would be \$17,304. If a discount of 30 per cent was applied the discounted rental would be \$12,112 per annum; 50% discount (\$8,652) and a 70 per cent discount (\$5,191).

Full market rental – approved use; does not meet the compulsory organisation criteria and compulsory facility management and development criteria; provides services that are not targeted to the Moorabool community; is substantially funded by other agencies or governments; or is a Government department or agency. Based on the total floor space being sought by Apple FM and the full market square metre rate of \$140, the annual rent would be \$17,304.

Apple FM meets the criteria for rental of the space on a peppercorn basis in that the group is a not for profit community based and governed organisation run by volunteers; providing community benefit by providing opportunities for people to gain experience and learn technical and broadcasting skills; and has limited revenue raising capacity.

It is proposed that the Council enter into a licence agreement with the Bacchus Marsh Community Radio (Apple FM) for use of space at the Hub as contained in Attachment 10.3.2 on the basis of a peppercorn rental plus outgoings. The total floor space is 123.6 square metres.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

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

The proposal use of space at the Darley Civic and Community Hub is consistent with the 2013-2017 Council Plan.

Financial Implications

The licence with Apple FM will be at a peppercorn rental plus a share of the outgoings. The share of outgoings is calculated at approximately \$1,760.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Limited space for community groups and organisations	There is currently limited space for community groups in the Shire.	Medium	Complete expression of interest process.

Communications Strategy

The outcomes of this report will be communicated to Apple FM via a letter and in a formal licence agreement.

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 – Danny Colgan

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

Conclusion

Apple FM have submitted an expression of interest to rent space at the Darley Civic and Community Hub. Apple FM proposes to use the facility for office accommodation and the operation of the community radio station. The station provides a voice for a broad range of individuals and community groups to be involved in broadcasting and governance of the organisations. The station operates in Moorabool and provides for local content.

Apple FM have requested that they pay a peppercorn rental plus outgoings. It is proposed that the council enter into peppercorn rental plus outgoings with Bacchus Marsh Community Radio (Apple FM).

Recommendation:

That the Council enters in a licence agreement with Bacchus Marsh Community Radio (Apple FM) for an initial period of three years with a further option of two years under a peppercorn rental plus outgoings.

Resolution:

Cr. Toohey/Sullivan

That Council:

- 1. enters in a licence agreement with Bacchus Marsh Community Radio (Apple FM) for an initial period of three years with a further option of two years under a discounted (80%) market rental of \$3,460 per annum plus outgoings.***
- 2. direct \$3,000 towards a youth support funding initiative aimed at training young people that live in Moorabool Shire in media and radio.***

CARRIED.

Report Authorisation:

Authorised by:



Name: Danny Colgan
Title: General Manager Social & Organisational Development
Date: Wednesday, 26 April 2017

Consideration of Presentation – Appointment of Members to Recreation Committees of Management.

Ms. Dotty Hazell addressed Council in relation to the Appointment of Members to Recreation Committees of Management.

The business of the meeting then returned to the agenda.

10.3.3 Appointment of Members to Recreation Committees of Management

File No.: 17/02/007
Author: Ian Waugh
General Manager: Danny Colgan

Background

The purpose of the report is to recommend that the Council appoint community members to the Bacchus Marsh District Trails Advisory Committee; Maddingley Park Committee of Management; Bacchus Marsh Racecourse and Recreation Reserve Committee of Management; Greendale Recreation Reserves Committee of Management and suspend the operation of the Moorabool Recreation and Leisure Strategic Advisory Committee for review at the next Statutory meeting of the Council.

Nominations for the committees have been sought through public advertisement and directly to user groups in accordance with Council's Appointments and Delegations Policy (Section 86 Delegated Committees of Council for Public Halls, Heritage Facilities and Recreation Reserves).

Bacchus Marsh District Trails Advisory Committee

The purpose of the Bacchus Marsh Districts Trails Advisory Committee is to advise Council on the development and integration of community trails in the Bacchus Marsh district in order to promote community capacity, a healthy lifestyle and well-being, and the discovery of the district's environmental and historic assets.

Membership of the Advisory Committee comprises of:

- Appointed Council Representative
- Community Members:
- Council Officers - (non-voting)

At the Statutory meeting of the Council held on the 7 November 2016, the Council appointed Cr Bingham to the Bacchus Marsh District Trails Advisory Committee.

Maddingley Park Committee of Management

Maddingley Park Committee of Management has delegated responsibility for the management, usage and maintenance of the reserve under Council's

Appointment and Delegations Policy (Section 86 Delegated Committees of Council for Public Halls, Heritage Facilities and Recreation Reserves).

The term of the appointed members concludes on the 5 May 2017 and a new nomination process has been completed.

The Maddingley Park Committee of Management consists of:

- Bacchus Marsh Tennis Club (1 representative)
- Bacchus Marsh Football Netball Club (1 representative)
- Bacchus Marsh Junior Football Netball Club (1 representative)
- Bacchus Marsh Cricket Club (1 representative)
- Community Representatives (3 representatives)
- Appointed Councillor Representative

The two year term of the Council appointed Committee Chairperson, Mr Russ Hendry expired on the 2 December 2016.

Under the terms of the Council's Appointments and Delegations Policy(Section 86 Delegated Committees of Council for Public Halls, Heritage Facilities and Recreation Reserves), the Committee can appoint the Chairperson and other office bearers from its own members at its biennial general meeting. It is proposed that the Committee elect the Chairperson from the members of the Committee.

Bacchus Marsh Racecourse and Recreation Reserve Committee of Management

The Bacchus Marsh Racecourse and Recreation Reserve Committee of Management has delegated responsibility for the management, usage and maintenance of the reserve under Council's Appointment and Delegations Policy (Section 86 Delegated Committees of Council for Public Halls, Heritage Facilities and Recreation Reserves).

The term of the appointed members concluded on the 3 March 2017 and a new nomination process has been completed.

The Committee of Management consists of:

- Bacchus Marsh Pony Club (1 representative)
- Bacchus Marsh Camp Drafters Club (1 representative)
- Bacchus Marsh West Golf Club (1 representative)
- Bacchus Marsh and Melton Poultry Club (1 representative)
- Footscray Poultry Club (1 representative)
- Bacchus Marsh BMX Club (1 representative)
- Community Representatives (3 representatives)
- Appointed Councillor Representative

At the Statutory meeting of the Council held on the 7 November 2016, the Council appointed Cr Bingham to the Bacchus Marsh Racecourse & Recreation Reserve Committee of Management.

Under the terms of the Council's Appointments and Delegations Policy(Section 86 Delegated Committees of Council for Public Halls, Heritage Facilities and Recreation Reserves) , the Committee can appoint the Chairperson and other

office bearers from its own members at its biennial general meeting. The Council can also appoint a Chairperson if it chooses.

The Council at its meeting held on the 4 March 2015 resolved to “appoint Mr. Patrick Griffin as Chairperson of the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management which comes into force immediately and remains in force until Council determines to vary or revoke it”.

Greendale Recreation Reserves Committee of Management

The Greendale Recreation Reserves Committee of Management has delegated responsibility for the management, usage and maintenance of the reserve under Council's Appointment and Delegations Policy (Section 86 Delegated Committees of Council for Public Halls, Heritage Facilities and Recreation Reserves).

Membership of this Committee comprises of:

- Community Representatives (5 representatives)
- Appointed Councillor Representative

At the Statutory meeting of the Council held on the 7 November 2016, the Council appointed Cr Toohey to the Greendale Recreation Reserves Committee of Management.

Instrument of Delegation

The Maddingley Park Committee of Management; Bacchus Marsh Racecourse & Recreation Reserve Committee of Management; and Greendale Recreation Reserves Committee of Management operate under an instrument of delegation authorised by the Council as required under Section 86 of the Local Government Act 1989.

The Instrument of Delegation contains the members of the Committee appointed by the Council; powers and functions; and exceptions, conditions and limitations.

Moorabool Recreation and Leisure Strategic Advisory Committee

The Moorabool Recreation and Leisure Strategic Advisory Committee provides strategic advice into the planning and provision of recreation and leisure services and facilities across the municipality.

Membership of the Advisory Committee comprises of:

- Three Councillors appointed by resolution of Council with one of those Councillors appointed as Chairperson; these appointments to be reviewed annually at the Statutory and Annual Appointments special meeting of Council.
- Six community representatives
- The General Manager Social & Organisational Development, the General Manager Growth & Development, the General Manager Infrastructure and the Manager Recreation and Youth or their delegates; appointed on an ex-officio basis.

At the Statutory meeting of the Council held on the 7 November 2016, the Council appointed Cr Dudzik; Cr Edwards; and Cr Toohey to the Recreation and Leisure Strategic Advisory Committee.

Proposal

It is proposed that Council makes appointments to the Bacchus Marsh District Trails Advisory Committee; Maddingley Park Committee of Management; Bacchus Marsh Racecourse and Recreation Reserve Committee of Management; and Greendale Recreation Reserves Committee of Management and suspend the operation of the Moorabool Recreation and Leisure Strategy Advisory for review at the next Statutory Meeting of the Council.

Bacchus Marsh District Trails Advisory Committee

It is proposed the following community members be appointed to the Committee for a 2 year term:

- Mark Peterson
- Theo Parks
- Stuart Deagan
- Verity McLucas
- Paul Barrett
- Colin Evans
- Greg Ley
- Leon Newton
- Heidi Mikulic
- Belinda Delios

Maddingley Park Committee of Management

It is proposed the following members be appointed to the Committee for a two year term.

User Group Representatives

- | | |
|--------------------|-----------------------------------------|
| • Peter Sutherland | Bacchus Marsh Football and Netball Club |
| • Darren Smith | Bacchus Junior Football Netball Club |
| • Peter Wakefield | Bacchus Marsh Cricket Club |
| • Michael Love | Bacchus Marsh Tennis Club |

Community Representatives

- Russell Hendry
- Pamela Pinney
- Heather Chambers
- Dotty Hazell

It is proposed that the Committee elect the Chairperson from the members of the Committee.

An Instrument of Delegation for the Maddingley Park Committee of Management is contained in Attachment 10.3.3(a).

Bacchus Marsh Racecourse and Recreation Reserve Committee of Management

It is proposed that Council appoints the following members to the committee for a two year term.

User Group Representatives

- Dean Cowan Bacchus Marsh West Golf Club
- Robert Young Bacchus Marsh Harness Club
- Deidre Davey Bacchus Marsh Pony Club
- Mike Fitzpatrick Bacchus Marsh Camp Drafters
- George Rogers Bacchus Marsh & Melton Poultry Club
- Jan Motherwell Footscray Poultry Club
- Les Stewart Bacchus Marsh BMX Club

Community Representatives

- Pat Griffin Community Representative
- Stuart Deagan Community Representative
- Allan Comrie Community Representative
- Noel Stanley Bacchus Marsh Soccer Club
- Darren Fowlie Bacchus Marsh Cricket Club

It is proposed that the Council seek nominations for the Chairperson of the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management through public advertisement and a further report be presented to the Council proposing appointment to the position of Chairperson. The rationale being that the reserve is large in scale, has a variety of uses and is set to undergo a significant redevelopment over the next few years.

An Instrument of Delegation for the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management is contained in Attachment 10.3.3(b).

Greendale Recreation Reserves Committee of Management

It is proposed that Council appoints the following members to the committee for a two year term.

- Paul Hilder Community Representative
- Nick Myrianthis Community Representative (Treasurer)
- Philip O'Keefe Community Representative (Chairperson)
- Eddie Salwe Community Representative
- John Speed Community Representative (Secretary)

An Instrument of Delegation for the Greendale Reserve Committee of Management is contained in Attachment 10.3.3(c).

Moorabool Recreation and Leisure Strategic Advisory Committee

During the last 2 years, the Committee provided extensive input into the development of the Council's Recreation and Leisure Strategy, Recreation Reserve Management Framework and Associated Policies and the master plan for the Bacchus Marsh Racecourse & Recreation Reserve. Given the volume of strategic planning work undertaken in the past 2 years, there is not expected to be any further work undertaken in this year that would be presented to the Committee for input. Given this, it is proposed that the Council suspend the operation of the Moorabool Recreation and Leisure Strategy Advisory for review at the next Statutory Meeting of the Council and thank in writing the three nominees who lodged nominations for membership of the Committee.

Policy Implications

The appointment of members to the delegated committees is in accordance with Council's Appointments and Delegations Policy (Section 86 Delegated Committees of Council for Public Halls, heritage facilities and Recreation Reserves). The appointments to the Bacchus Marsh District Trails Advisory Committee is consistent with Section 86 of the Local Government Act 1989.

The Moorabool Shire 2013-17 Council Plan provides also includes reference to the need to provide for appropriate representation and leadership of our community as follows:

Key Result Area	Representation and Leadership of our Community
Objective	Leadership through best practice community engagement
Strategy	Pursue strategic alliances, stakeholder forums and advisory committees that assist Council in policy development and service planning.

The appointment of members to the committees is consistent with the 2013-2017 Council Plan.

Financial Implications

The support and resourcing of the Committees will be undertaken within existing budget resources.

From time to time the committees may make recommendations to Council that have financial implications or require additional resources.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Advisory Committee Governance Requirements	Inefficient operation of the Advisory Committee	Low	Implement Advisory Committee terms of reference

Communications and Engagement Strategy

Nominations for membership of the Moorabool Recreation and Leisure Strategic Advisory Committee; Bacchus Marsh District Tracks and Trails Advisory Committee; Maddingley Park Committee of Management; Bacchus Marsh Racecourse Committee of Management, and Greendale Recreation Reserves Committee of Management, were sought through a public advertisement processes and invitation to where relevant each user group to nominate a representative.

Successful nominees will be notified in writing upon appointment by the Council.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Danny Colgan

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

Author – Ian Waugh

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

Conclusion

The nomination process for the following committees has been completed:

- Moorabool Recreation and Leisure Strategic Advisory Committee
- Bacchus Marsh District Trails Advisory Committee
- Maddingley Park Committee of Management
- Bacchus Marsh Racecourse Reserve Committee of Management
- Greendale Recreation Reserves Committee of Management

Resolution:**Cr. Bingham/Keogh*****That Council:***

1. ***Appoint the following community representatives to the Bacchus Marsh District Trails Advisory Committee for a period of two years.***

- ***Mark Peterson***
- ***Theo Parks***
- ***Stuart Deagan***
- ***Verity McLucas***
- ***Paul Barrett***
- ***Colin Evans***
- ***Greg Ley***
- ***Leon Newton***
- ***Heidi Mikulic***
- ***Belinda Delios***

2. ***Appoint the following members to the Maddingley Park Committee of Management for a period of two years and authorises the Instrument of Delegation.***

User Group Representatives

- ***Peter Sutherland*** ***Bacchus Marsh Football and Netball Club***
- ***Darren Smith Bacchus*** ***Junior Football Netball Club***
- ***Peter Wakefield*** ***Bacchus Marsh Cricket Club***
- ***Michael Love*** ***Bacchus Marsh Tennis Club***

Community Representatives

- ***Russell Hendry***
- ***Pamela Pinney***
- ***Heather Chambers***
- ***Dotty Hazell***

3. ***Thank in writing the outgoing Chairperson of the Maddingley Park Committee of Management, Mr Russ Hendry for his service to the committee and community.***

4. ***Appoint the following members to the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management for a period up to two years and authorises the Instrument of Delegation.***

User Group Representatives

- ***Dean Cowan*** ***Bacchus Marsh West Golf Club***
- ***Robert Young*** ***Bacchus Marsh Harness Club***

- **Deidre Davey** **Bacchus Marsh Pony Club**
- **Mike Fitzpatrick** **Bacchus Marsh Camp Drafters**
- **George Rogers** **Bacchus Marsh & Melton Poultry Club**
- **Jan Motherwell** **Footscray Poultry Club**
- **Les Stewart** **Bacchus Marsh BMX Club**

Community Representatives

- **Pat Griffin** **Community Representative**
- **Stuart Deagan** **Community Representative**
- **Allan Comrie** **Community Representative**
- **Noel Stanley** **Bacchus Marsh Soccer Club**
- **Darren Fowlie** **Bacchus Marsh Cricket Club**

5. **Seek nominations for the Chairperson of the Bacchus Marsh Racecourse and Recreation Reserve Committee of Management through public advertisement and a further report be presented to the Council proposing appointment to the position of Chairperson.**
6. **Appoint the following members to the Greendale Reserve Committee of Management for a period of two years and authorises the Instrument of Delegation.**
 - **Paul Hilder** **Community Representative**
 - **Nick Myrianthis** **Community Representative**
 - **Philip O'Keefe** **Community Representative**
 - **Eddie Salwe** **Community Representative**
 - **John Speed** **Community Representative**
7. **Suspend the operation of the Moorabool Recreation and Leisure Strategic Advisory Committee for review at the next Statutory Meeting of the Council and thank in writing the three nominees who lodged nominations for membership of the Committee.**

CARRIED.

Report Authorisation

Authorised by: 

Name: Danny Colgan
Title: General Manager Social & Organisational Development
Date: Wednesday, 26 April 2017

10.3.4 Library Policies – Library Policy; Public Access Technology – Conditions of Use; and Unattended Children in the Library

Introduction

File No.: 06/04/004
Author: Danny Colgan
General Manager: Danny Colgan

The purpose of this report is recommend that the Council adopt the Library Policy; Public Access Technology – Condition of Use Policy and Unattended Children in the Library Policy.

Background

The Council previously considered this item at the Ordinary Meeting of Council held on the 5 April 2017 where it was resolved to lay the Draft Library Policy; Draft Public Access Technology – Condition of Use Policy and Draft Unattended Children in the Library Policy on the table for further consideration at the next meeting of Council.

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

The Library previously had two existing policies – Conduct of Library Users and Conditions of Membership. The language and content of these was felt to be cumbersome and unnecessarily complicated, therefore they have been revised and combined into one “Library Policy” contained in Attachment 10.3.4 (a).

The “Unattended Children in the Library policy” contained in Attachment 10.3.4 (b) is also a revision of an existing policy.

The “Public Access Technology –Conditions of Use Policy” contained in Attachment 10.3.4(c) is a new policy in line with the Library becoming an eSmart Library. In light of a number of community issues raised in the media around such issues as cyberbullying and identity theft it was felt that the Library needs to have clear guidelines and standards around online safety and acceptable use of technologies.

The main purpose of the new and revised policies is to simplify the language and streamline processes. They aim to clarify Council’s expectations for the community regarding:

- use of, and behaviour in, the library
- membership requirements
- supervision and safety of young children in the library
- appropriate behaviour whilst in the library in order to maintain a safe, respectful environment
- patron safety when using the library’s internet facilities.

In addition the new policies will provide council staff working in the libraries with clear guidelines and support:

- when dealing with difficult situations
- to assist them in explaining procedures and policies to patrons who might question them.

Proposal

The policies provide the following information to support both staff and community access to the library:

Library Policy:

- Conditions for use and membership of the library
- Conditions for borrowing of library items
- Conduct by the community in the library

Public Access Technology –Conditions of Use Policy

- General guidelines around using technology in the library
- Information about prohibited and inappropriate use
- Limitations to the usage of technology
- Staying safe online
- Privacy considerations

Unattended Children in the Library Policy

- Information about the age restrictions regarding when a child can and cannot be left unsupervised by a parent in the library
- Procedures for staff to manage incidents when children are left unattended in the Library.

Feedback was sought on the draft policies through making them available on Have Your Say, Council's on line engagement portal; at the Bacchus Marsh and Ballan Libraries and Service Centres. At the closing date on the 24 April, the feedback received related to the Draft Library Policy, Section 6. Enforcement of this policy as follows:

Draft Library Policy

Section 6. Enforcement of this Policy

Any person who (whether wilfully or not) does not abide by the requirements of this Policy may be requested to give his/her name and address to an Authorised Staff Member and may be asked to immediately leave the library. If the person concerned refuses to leave the Library the police may be called to assist.

It was proposed that a second staff member be available to assist in these situations. It is proposed that the clause be amended to include the following "A second Authorised Staff Member will, at all times, be available to assist in decision making and to support a colleague in any action taken".

It is proposed that the Council adopt the Library Policy with a proposed change; with no changes to the Public Access Technology – Condition of Use Policy and Unattended Children in the Library Policy.

Policy Implications

The 2013 – 2017 Council Plan provides as follows:

Key Result Area	Community Wellbeing
Objective	Community self-reliance and resilience
Strategy	Pursue initiatives that promote lifelong learning, literacy and information needs of the community.

The proposed Library Policies are consistent with the 2013 – 2017 Council Plan.

Financial Implications

The draft policies were prepared within existing budgetary resources.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Unattended children in library	Children left unsupervised in the library	Medium	Policy adopted and applied
Use of public computers	Users using public access computers to access inappropriate websites	Medium	Policy adopted and applied

Communications and Consultation Strategy

Feedback was sought on the draft policies through making them available on Have Your Say, Council's on line engagement portal; at the Bacchus Marsh and Ballan Libraries and Service Centres. If adopted, all users of the library services will be advised of the policies.

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 – Danny Colgan

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

Conclusion

The Library Policies provide information and guidelines for the library staff to support the community to utilise the library in a safe and supportive environment.

Having resolved on the 5 April 2017 that the policies lay on the table for further consideration at the next Ordinary Meeting of Council, the Library Policy; Public Access Technology – Condition of Use Policy and Unattended Children in the Library Policy are now placed before the Council for adoption.

Resolution:

Crs. Sullivan/Bingham

That the Council in accordance with Moorabool Shire Council Policy Protocol, 'Consideration of items which Affect beyond the Current Year', now adopts the Library Policy; Public Access Technology – Condition of Use Policy and Unattended Children in the Library Policy with the following amendment to the Library Policy, Section 6. Enforcement of this policy to read:

“A second Authorised Staff Member will, at all times, be available to assist in decision making and to support a colleague in any action taken”.

CARRIED.

Report Authorisation

Authorised by:

Danny Colgan

Name: Danny Colgan

Title: General Manager Social & Organisational Development

Date: Wednesday, 26 April 2017

10.3.5 Moorabool Health and Wellbeing Plan 2013-2017 – Year Three Review

Introduction

File No.: 12/01/001
Author: Tania Barry
General Manager: Danny Colgan

The purpose of this report is to present the Council with the annual review of the Moorabool Health and Wellbeing Plan 2013-2017.

Background

The Victorian Public Health and Wellbeing Act 2008 requires that the Council conduct an annual review of the Municipal Public Health Plan, which is the Moorabool Health and Wellbeing Plan 2013-2017. The Department of Health has developed a guide for Councils in undertaking the annual review process. The guide specifies that conducting an annual review entails making sure that the actions identified in the plan are being implemented satisfactorily and that they remain the best way for council to invest in health and wellbeing over the life of the plan.

The Moorabool Health and Wellbeing Plan 2013-2017 is a four year plan for enhancing the health and wellbeing of our residents. The plan aims to capture the health and wellbeing status of our community and present a plan in partnership with local health providers and community organisations, to improve the health of the Moorabool community.

Under section 26 of the Public Health and Wellbeing Act 2008, the Council is required to develop a Health and Wellbeing Plan within 12 months of a Council Election. The Health and Wellbeing Plan must be consistent with the Council Plan and the Municipal Strategic Statement and be reviewed annually and evaluated at the end of the four year period. The Plan was adopted by the Council at the Ordinary Meeting of Council on the 6th November 2013.

The review and development of this report was undertaken through the following:

- a review of the Council's Health and Wellbeing Committee meetings for the past 12 months
- a review of the third year action plan
- a workshop with the Health and Wellbeing Committee members
- an analysis of the Department of Health Annual review guidelines
- benchmarking against other council review processes

The outcomes of the third year as shown in attachment 10.3.5 are as follows:

- Thirteen actions were completed in the twelve months being:
 - In partnership with external agencies and Council staff prepare a report for Council consideration, to identify the key components of a new and dedicated youth space including the size and type of space required, governance and management arrangements, capital costs, operating costs, location and potential funding sources.

- Continue to promote the positive health benefits of increased education and employment opportunities in the community.
 - Provide opportunities through youth service program and events to recognise the achievements of young people and help enhance community understanding of the contribution young people make to the community.
 - Increase access to school facilities and other buildings for community use.
 - Develop and build an Early Years Hub in Darley.
 - Consult with the community, particularly young families, young people, older people and children about making facilities user friendly and accessible.
 - Ensure there are adequate kindergarten places for all children living in Moorabool, including increasing the number of 3 and 4 year old kindergarten places.
 - Advocate to the Government to improve access to affordable childcare for Moorabool residents.
 - Advocate to the State and Federal Government for increased access to drug and alcohol counselling services.
 - Implement State Government Legislation relating to smoking in public places.
 - Provide opportunities for inclusion and participation in the community for people with disabilities.
 - Promote market gardener/locally grown food as a healthy choice for residents.
 - Improve the breastfeeding rates for the Shire by promoting breastfeeding friendly spaces and providing information /education on the importance of breastfeeding.
- Two year 2 actions are still in progress.
 - Adopt a leadership statement on the issue of violence against women to increase community awareness and demonstrate Council's commitment to the issue.
 - Promote existing transport options and links to current services and activities through the Moorabool website.
- Three year 3 actions are still in progress
 - Promote existing walking trails through an online guidebook or 'app'
 - Increase support available to residents by advocating for religious groups to continue to provide pastoral care to the community.
 - Build sustainable partnerships with community groups i.e. sports clubs to implement programs that promote health eating i.e. Breakfast Clubs.
- Three year 1-4 actions are long term and are in still in progress:
 - Continue to promote the Council as employer of young people through apprenticeships
 - Promote prevention of violence against women and gender equity to the community through local media and events

- Promote opportunities for families to access existing physical activity programs in the community i.e. community sporting clubs
- One action was not completed, however it emerged during the review process this was no longer necessary:
 - Produce a Strengthening Diversity Plan – it has been recommended that diversity, in all its forms, should be included in all Council strategies.

Health Profile

Overall the data included in the health profile is still considered relevant and current. Work is currently being undertaken to develop the 2017-2021 Moorabool Health and Wellbeing Plan; and as part of this process, a new health profile will be developed, incorporating information from the Victorian Population Health Survey, the VicHealth Indicators Survey, the Chief Health Officer's Report and other health information as related to the *Victorian Public Health and Wellbeing Plan 2015-2019*.

Proposal

Following the completion of the review of the third year of the Moorabool Health and Wellbeing Plan 2013-2017, there are no recommended changes to the Plan to be considered by the Council:

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Community Wellbeing
Objective	Inclusive, responsive and accessible community service
Strategy	Ensure Council's services and facilities are accessible

The proposed Moorabool Health and Wellbeing Plan 2013-2017 annual review is consistent with the 2013-2017 Council Plan.

Financial Implications

There are no financial implications from the recommendations proposed.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Health and Wellbeing Plan	Council is required to review the Health and Wellbeing Plan annually under the Public Health and Wellbeing Act 2008	Low	Council to review the Health and Wellbeing Plan annually.

Communications and Consultation Strategy

The following community engagement activities have been undertaken, in accordance with the Council's Community Engagement Policy and Framework:

Level of Engagement	Stakeholder	Activities	Outcome
Involve	Health and Wellbeing Committee	Review Workshop Submissions on draft report	Committee provided feedback and endorsed recommendations

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 – Tania Barry

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

Conclusion

The annual review determined of the Moorabool Health and Wellbeing Plan 2013-2017 demonstrates progress has been made on the implementation of the plan. The development of the new Health and Wellbeing Plan is currently under development.

Resolution:

Crs. Sullivan/Tatchell

That the Council receives the Moorabool Health and Wellbeing Plan 2013-2017 third year review report.

CARRIED.

Report Authorisation

Authorised by: 

Name: Danny Colgan
Title: General Manager Social & Organisational Development
Date: Wednesday, 12 April 2017

10.3.6 Third Quarter (January - March) Report – 2016/17 Council Plan Actions

Introduction

File No.: 02/02/002
Author: John Whitfield
General Manager: Danny Colgan

Background

The 2013-2017 Council Plan was revised and adopted by Council in June 2016. As part of the development of the framework of the Council Plan, Council determines appropriate actions which will support the framework, delivering agreed outcomes for the Community.

- The Council Plan outlines three key result areas (KRA) or main themes that guide new initiatives and continuing services these being: Representation and leadership of our community;
- Community Wellbeing; and
- Enhanced infrastructure and Natural and Built Environment.

Each KRA has a set of strategic objectives or desired outcomes with sets of strategies to be undertaken over the planned 4 years to achieve the objectives.

All Council actions aligned with the strategies are linked back to the Council Plan. The Council Plan is reviewed annually with its final review adopted by Council in June 2016

Discussion

The 2016/17 Council Plan Actions Third Quarter Progress Report contained in Attachment 10.3.6 shows each of the actions and their progress comments for the 2016/17 Financial Year. Overall there are 32 actions with 25 actions having reached 90% or greater of their target in the January-March period, with 4 actions having achieved between 60 and 90% of target.

Three actions remain at less than 60% of their target, with actions:

- 1.1.1.52 - Finalise General Local Laws;
- 1.3.1.1 - Investigate ways to increase TV and Radio availability; and
- 1.7.4.1 - Implement the Council endorsed level of service review for 2016/17 year - Aged & Disability Services

unlikely to be completed by the end of the financial year.

The following table summarises the status of the 2016/17 Council Plan Actions for this quarter:

Key Result Area	Not Started	In Progress	Deferred	Completed	Total
1 Representation and Leadership of our Community	1	6		2	9
2 Community Wellbeing		2		2	4
3 Enhanced Infrastructure and Natural Built Environment		15		4	19
Totals	1	23	0	8	32

Proposal

This report is to inform Council and the community on the progress of key Council Plan actions for the 2016/17 Financial Year.

Policy Implications

The 2013–2017 Council Plan provides as follows:

Key Result Area	Representation and Leadership of our community
Objective	Effective strategic and business planning for a growing community
Strategy	Develop service plans consistent with Business Excellence principles that reflect systems thinking and value for the community.

Financial Implications

There are no financial implications from this report.

Risk & Occupational Health & Safety Issues

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

Communications and Consultation Strategy

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

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Danny Colgan

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

Council is making good progress in all areas of the Council Plan for this Third quarter. Overall there are 32 actions with 25 actions having reached 90% of their action target for the January-March period, with 4 actions having achieved between 60 and 90% of target. All 3 remaining actions that sit below 60% of their respective targets are unlikely to be completed by the end of the financial year.

Resolution:

Crs. Bingham/Sullivan

That Council receives the Third Quarter (January-March) 2016/17 Council Plan Actions Progress Report.

CARRIED.

Report Authorisation

Authorised by: 

Name: Danny Colgan
Title: General Manager Social and Organisational Development
Date: Wednesday 12 April 2017

10.3.7 Discontinuance of a portion of Bradshaw Street, Ballan.

Introduction

File No.: 1027
Author: John Whitfield
General Manager: Danny Colgan

Background

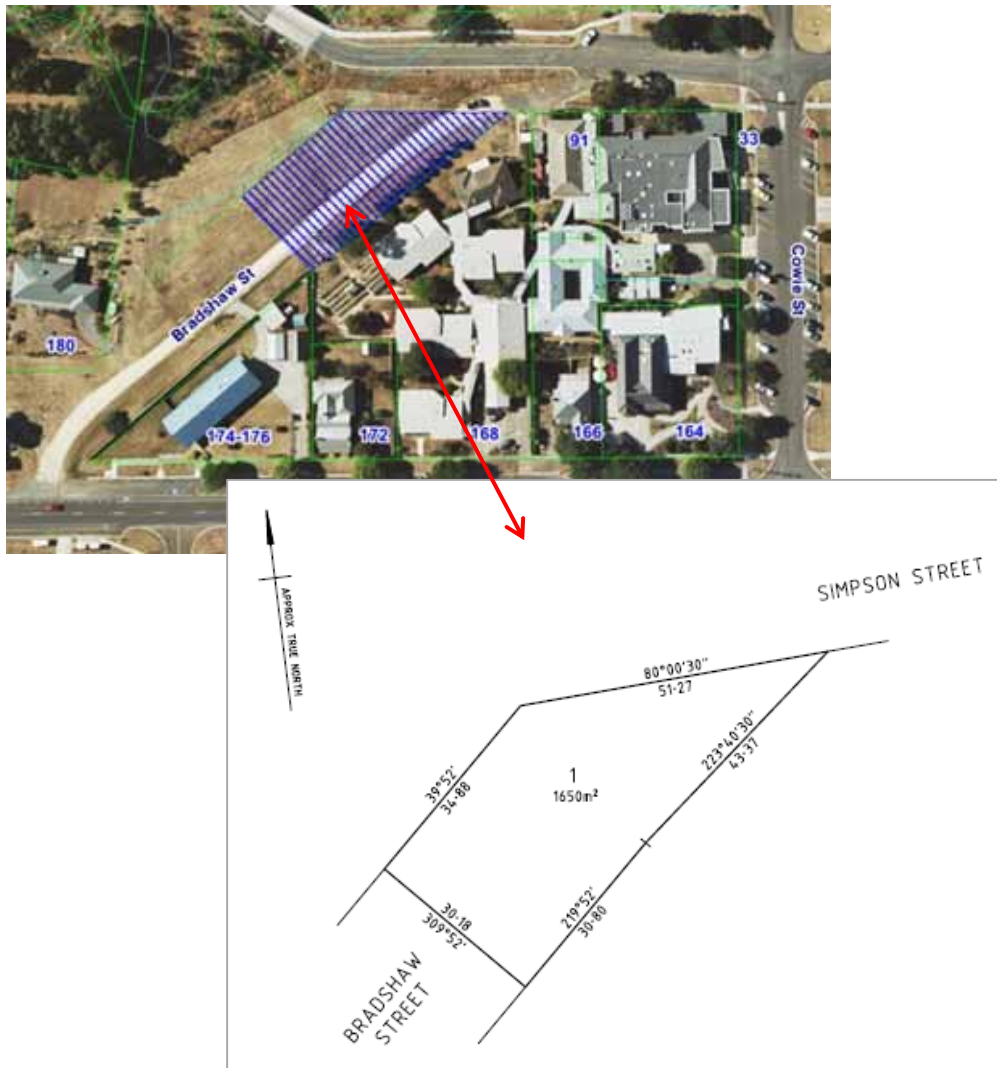
Ballan District Health and Care have a proposal to expand their aged care facilities. In order to facilitate this development, Ballan District Health and Care have requested Council discontinue a portion of government road reserve identified as Bradshaw Street, Ballan which abuts its land to the north.

At the Ordinary Meeting of Council on Wednesday 5 November 2014, Council resolved to advertise its intention to discontinue a portion of government road reserve identified as Bradshaw Street, Ballan and seek public submissions under sections 207A and 223 of the *Local Government Act* 1989 (the Act). This portion of road abuts two land parcels being PC352995 and TP122251 to the north.

It is considered that with the bollards at the eastern end of Bradshaw Street having been in place for many years now that this portion of Bradshaw Street is no longer reasonably required for general public use or for the purpose it was originally set aside for and that the land be better utilised by the adjoining property owner the Ballan & District Soldiers Memorial Hospital (known as Ballan District Health and Care).

If discontinued, the land in a government road becomes unalienated Crown land. Council will liaise with the Department of Environment, Land, Water and Planning (DELWP) to commence transactions to on-sell the area to the abutting property owner for consolidation into their existing certificate of title with the purchaser to bear all costs associated with the sale.

The area as highlighted on the plan provided below extends from the eastern boundary of the Victoria Police facility though to the bollards at the intersection of Simpson Street and Bradshaw Street.



Following the November 2014 meeting resolution, the Council advertised its intentions in the local (Moorabool News) and regional (Ballarat Courier) newspapers in March 2015 and on Council's website inviting public submissions on the proposed portion of road discontinuance being considered under schedule 10 clause 3 of the Act.

Preliminary consultation with DELWP and abutting property owners prior to the formal exhibition period was undertaken seeking approval of the proposal to discontinue a portion of government road reserve identified as Bradshaw Street, Ballan.

At the close of the public submission period, no submissions were received.

The next step in this process, a report to formally discontinue this portion of Bradshaw Street, was delayed as the proposed purchaser did not provide to the Council a clear commitment to purchasing the land once it became available as unalienated Crown land. That commitment has now been received and this process has re-commenced.

Proposal

As there has been a two year delay in implementing this proposal, this report recommends that Council re-advertise the proposal to discontinue this portion of Bradshaw Street in the local (Moorabool News) and regional (Ballarat Courier) newspapers as it did in March 2015 in order to ensure there has been no change of opinion by any member of the community.

If there are no objections to the proposal, then a further report will be presented to Council to formally resolve to discontinue this portion of Bradshaw Street in accordance with schedule 10 clause 3 of the Act, and advertise this discontinuance in the next available edition of the Victorian Government Gazette.

The landowners on either side of Bradshaw Street have been contacted in recent weeks and they have no objection to the proposal to discontinue this portion of Bradshaw Street.

Policy Implications

The 2013-2017 Council Plan (Revised 2016) provides as follows:

Key Result Area	Representation and Leadership of our Community
Objective	Advocate for services and infrastructure that meet the Shire's existing and future needs
Strategy	Advocate on behalf of the community to improve services and infrastructure within the Shire

The proposal for Council to discontinue a portion of government road reserve identified as Bradshaw Street, Ballan is consistent with the 2013-2017 Council Plan (Revised 2016).

Financial Implications

Council's financial implications to date have been advertising costs and officer's time. The intended purchaser has agreed to meet the preliminary costs involved in discontinuing the road and to purchase the land once it becomes available to do so.

Risk & Occupational Health & Safety Issues

There are no perceived risks or occupational health and safety issues related to this proposal.

Communications Strategy

A report relating to the proposed discontinuance of a portion of government road reserve identified as Bradshaw Street, Ballan, was considered at an open Council Meeting in November 2014 and the public submission process was advertised in local and regional newspapers in March 2015.

The public submission process will be undertaken again due to the delay in proceeding to the next step. Under section 207(A) of the Act, a person has the right to make a submission under section 223 of the Act in respect of Council proposing to discontinue a road within its municipality.

Section 223 of the Act allows Council to advertise its intentions in a newspaper circulating generally within the Municipality inviting public submissions for a period of no less than 28 days after the date of the publication of the public notice in the newspaper and on Council's website. Council must then consider any submissions received in accordance with the Act.

Preliminary consultation with DELWP and abutting property owners prior to the formal exhibition period has been undertaken.

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 – John Whitfield

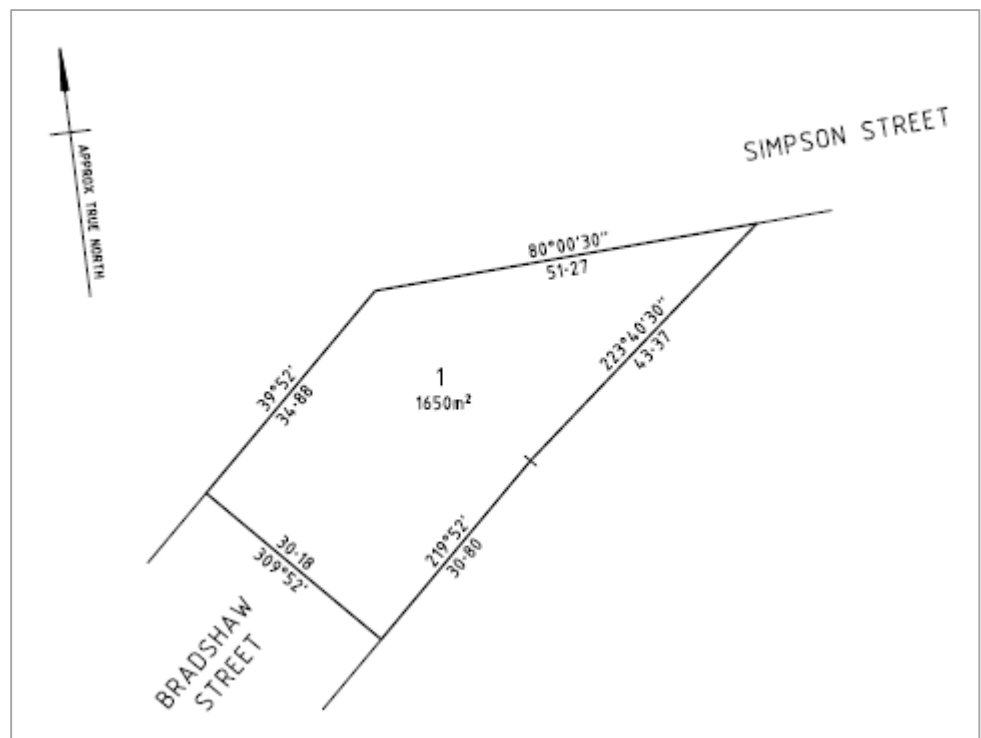
In providing this advice to Council as the Author, I have no interests to disclose in this report.

Conclusion

In view of the limited use of this portion of the Bradshaw Street road reserve and the benefit that extended open space will provide to Ballan District Health and Care, it is recommended that Council authorise officers to give public notice in accordance with section 207A of the Act of its intention to discontinue a portion of Bradshaw Street, Ballan under section 206 and Schedule 10 clause 3 of the Act 1989 and seek public submissions.

Resolution:**Cr. Tatchell/Bingham****That Council:**

1. ***under Schedule 10 clause 3(a) of the Local Government Act 1989, authorises officers to give public notice in local and regional newspapers circulating generally throughout the municipality, of its intention to discontinue a portion of road reserve known as Bradshaw Street, Ballan (as shown on the plan below) seeking public submissions under section 207A of the Local Government Act 1989 on the proposal of road discontinuance.***



2. **following the completion of the public submission process receives an officer's report to be presented to Council considering all public submissions received.**

CARRIED.**Report Authorisation****Authorised by:** *Danny Colgan***Name:** Danny Colgan**Title:** General Manager Social and Organisational Development**Date:** Wednesday 12 April 2017

10.4 INFRASTRUCTURE SERVICES

10.4.1 Capital Improvement Program Quarterly Report (March 2017)

Introduction

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

Background

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

Proposal

This quarterly report provides Council with an overview of the progress of Council's 2016/2017 Capital Improvement Program to 31 March 2017.

Implementation of the 2016/2017 Capital Improvement Program

The 2016/2017 Capital Improvement Program currently consists of 70 projects, of which there are 11 projects which will be delivered by others and 4 of are inactive and cannot commence. Therefore the table below reports on the 55 active projects in terms of percentage. This number will be adjusted throughout the year as other projects become active.

This list incorporates projects from various sources including but not limited to the following:

- Projects carried forward from 2015/2016 program
- 2016/2017 Council budgeted projects
- Grant funded projects

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

The Engineering Services Unit nominates 6 key stages of the project delivery process and will report with reference to these stages in regard to the overall program status. The table below summarises the overall program status as at 31 March 2017.

CIP Program Delivery Stage	Actual as of 31 December 2016	
	No. of Projects	%
Not Commenced (inactive)	4	-
Projects delivered by others	11	-
Not Commenced	0	0.0
Documentation/Design Preparation	4	7.3
Tender/Quote Stage	0	0.0
Project Awarded – Waiting Commencement	4	7.3
In Progress/Under Construction	15	27.3
Complete	32	58.2
TOTAL	55	100.00

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

Program Status

At this stage of the financial year the program is generally tracking well, with over 85% of the entire program either complete or currently under construction.

Project Updates

Butter Factory Road

The road rehabilitation and bridge replacement works were combined into one contract to achieve cost efficiencies. As part of the bridge replacement works, the contractor discovered unsuitable material to establish suitable bridge foundations that has resulted in delays due to re-design. The project will now be carried forward to next financial year to avoid inclement weather with construction now anticipated to commence in September 2017.

Navigators Tennis Club, Fencing Improvements

This project includes the construction of a retaining wall and replacement of tennis court fencing. This project was funded through the Community Development Fund with external funding bids unsuccessful. The budget shortfall has now been included into the draft 2017/2018 Capital Improvement Program for consideration.

Maddingley Park Pavilion

The Maddingley Park Pavilion project involves the construction of an outdoor pavilion area adjacent to the existing social space which also includes an alfresco area, an outdoor bar, male and female amenities and a storage room.

The Maddingley Park Committee of Management (CoM) has received quotations in excess of the available construction budget of \$140,000 and has now formally written to Council confirming they are now unable to deliver the project within this allocated budget.

Council officers in consultation with the CoM have agreed to refer the project to the draft 2017/2018 CIP to consider funding the budget shortfall.

The Maddingley Park Committee of Management (CoM) has also requested that Council deliver the project.

Additional Projects

Elaine - Footpath Construction

The construction of a 1.5m wide footpath linking the township of Elaine to the Elaine Recreation Reserve has been funded by VicRoads and will be delivered by Council. The project will include a combination of asphalt and granitic sand surfacing with a formalised crossing point across the Midland Highway and include kerb and channel and lighting installation. This project is scheduled for delivery by 30 June.

Policy Implications

The 2013-2017 Council Plan provides as follows:

Key Result Area	Enhanced Natural and Built Environment
Objective	Ensure current and future infrastructure meets the needs of the community.
Strategy	Construct physical infrastructure to appropriate standards.

The Capital Improvement Program reporting is consistent with the 2013-2017 Council Plan.

Financial Implications

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

Risk & Occupational Health & Safety Issues

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

Communications Strategy

Progress on the Capital Improvement Program will be reported in the following formats:

- Infrastructure update on active projects Weekly
- Update on major projects Monthly
- Moorabool Matters Quarterly
- Moorabool News As required
- Report to Council Quarterly

Specific projects are communicated to the community and affected residents as required through a range of methods including but not limited to advertisements, mail outs and letter drops.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Phil Jeffrey

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

Author – Sam Romaszko

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

Conclusion

This report provides a summary of the progress of the Capital Improvement Program for the third quarter of the 2016/2017 period for the information of Councillors.

Resolution:

Cr. Sullivan/Keogh

That Council receives the Capital Improvement Program quarterly report to 31 March 2017.

CARRIED.

Report Authorisation

Authorised by:

Name: Phil Jeffrey
Title: General Manager Infrastructure
Date: Wednesday 12 April 2017

10.4.2 Quarterly Financial Report (March 2017)

Introduction

File No.: 07/01/004
Author: Steve Ivelja
General Manager: Phil Jeffrey

This Quarterly Financial Report covers the period of 1 July 2016 to 31 March 2017. The report outlines the year to date financial position of Council and forecast projections for the full year results.

The forecast result at the end of the financial year is an increase in the surplus by \$0.307m. Please refer to the attached report for a detailed review of the financials.

Background

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

Proposal

That Council receives the Quarterly Financial Report – March 2017.

Policy Implications

The adoption of the Quarterly Financial Report – March 2017 meets Council's statutory obligations under section 138 – Quarterly Statements of the Local Government Act (1989).

The 2013-2017 Council Plan provides as follows:

Key Result Area	Representation and Leadership of our Community
Objective	Sound, long term financial management
Strategy	Develop and maintain a long term financial planning, management and reporting system, which ensures resources to deliver services and manage Council's assets.

Amended Budget

Generally, at the end of the financial year it is not uncommon for projects (both Capital projects and Operating projects) to be incomplete. This can happen for a number of reasons, such as delays in construction due to weather or other events, deferral of projects due to operational matters, late receipt of government funding for one off projects, lack of internal resources to complete one off new initiatives due to staff turnover etc.

Throughout this report Council will be reporting on the Amended Budget rather than the Adopted Budget. The Amended Budget contains carry forwards from the 2015/16 financial year. These include grant funded one off projects, Council approved New Initiatives from prior years that are not yet complete, and incomplete/deferred capital projects. The following schedule provides an overview at a high level of the items that have been added to the Adopted Budget to arrive at the Amended Budget.

Impact on Cash on hand

Based on the aggregate of both the Operating Budget and Capital Budget carry forward, plus other adjustments, a sum of \$5.826m in cash will be required to fully fund the requirements of the Amended Budget. These are made up of the following:

Net Operating Budget Carry forwards	\$1.135m
Net 2015/16 CIP Carry Forwards	\$5.588m
Sale of Council Land	(\$0.940m)
Other	<u>\$0.042m</u>
Total cash required	\$5.826m

As at the 30 June 2016, Council held \$12.452m in cash and cash equivalents. Cash holdings were high in part due to the impact of these uncompleted projects.

Operating Budget

The net effect on the Operating Budget is a favourable variance of \$2.842m.

Net Operating Surplus in the Adopted 2016/17 Budget	\$8.494m
Net New Initiatives / Grant Funded Projects	(\$1.135m)
2015/16 Carry Forward Capital Grants	\$4.090m
Net Result of Sale of Council Land	(\$0.051m)
New Grants Identified Since Adoption of Budget	\$0.016m
Other Minor Adjustments	<u>(\$0.078m)</u>
Amended Operating Budget Surplus	\$11.336m

Capital Budget

The effect on the capital budget is an increase in expenditure of \$9.657m.

2016/17 Adopted Budget for Capital Expenditure	\$17.414m
Add:	
2015/16 Carry Forward Capital Projects	\$9.677m
New Grants Identified Since Adoption of Budget	\$0.016m
Other Minor Adjustments	<u>(\$0.037m)</u>
Amended Capital Budget	\$27.071m

The attached Quarterly Financial Report, Attachment 10.4.2, provides an explanation of the Income Statement, Balance Sheet, Cash Flow Statement and Capital Works Statement with the year-to-date actuals compared to the year-to-date amended budget, and the amended annual budgets compared to the annual forecasts.

Income Statement

The main changes within the Income Statement are as follows:

- Increase in "Grants - Operating" (\$0.609m) mainly due to new grants received since the adoption of the budget. These include: Parwan Precinct Structure Plan, Rural Access Initiative, Scotsburn Recovery Coordinator, One Million Trees Project, and Roadside Weeds and Pest Management;
- Decrease in "Grants - Capital" (\$0.471m) which is primarily due to a reduction in the expected grant for Bacchus Marsh Racecourse Reserve (the original budget was \$0.500m, however the actual grant to be received will be \$0.200m, but not until 2017/18);
- Favourable in "Other Income" (\$1.853m) primarily due to reimbursements for the Flood/Storm event of September;
- Favourable in "Employee Costs" (\$0.752m) mainly due to a predicted saving in the cost of employee leave provisions (\$0.300m) and a saving in Council's Workcover Premium (\$0.160m);
- Increase in "Materials and Services" (\$2.557m). The bulk of the overspend directly relates to costs associated with the September Storms/Flood event, with the majority of costs to be reimbursed. There are also continuing costs relating to the Scotsburn Fires (also mostly reimbursed) and new funding received since adoption of the budget.

The net effect of these changes and other minor variances causes the total surplus for the year to increase by \$0.307m to \$11.643m.

Cash

The forecast cash balance at 30 June 2017 has increased by \$3.424m to \$10.121m in comparison to the amended budget.

Capital Improvement Program (CIP)

The total cash expenditure forecast for the CIP at this stage has decreased by \$3.116m to \$23.955m. This is mainly due to identifying a number of projects that will be carried forward to next financial year. The carry forward estimate at this stage is \$3.608m.

Risk & Occupational Health & Safety Issues

There are no identified risks associated with this process.

Communications Strategy

To Council, through the Ordinary Meeting of Council on 3 May 2017, and to the Audit Committee meeting on 10 May 2017.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Phil Jeffrey

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

Author – Steve Ivelja

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

Conclusion

The Quarterly Financial Report – March 2017 has been prepared in accordance with Section 138 – Quarterly Statements of the Local Government Act (1989) for review and receiving by Council.

Resolution:

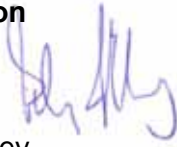
Crs. Sullivan/Keogh

That Council receives the Quarterly Financial Report – March 2017.

CARRIED.

Report Authorisation

Authorised by:



Name: Phil Jeffrey
Title: General Manager Infrastructure
Date: Wednesday 12 April 2017

10.4.3 Draft Municipal Rating Strategy 2017/18

Introduction

File No.: 09/02/2010
Author: Steven Ivelja
General Manager: Phil Jeffrey

Background

In May 2014, Council adopted the Municipal Rate Strategy after a number of workshops, community consultation and benchmarking against other like type councils. The Municipal Rate Strategy was the culmination of approximately 6 months of work by the Council.

The Council adopted the strategy for an initial period of two years. In May 2016, after review of the adopted strategy, the Council adopted the existing Strategy for a further 12 months, taking the current expiry of the strategy to May 2017.

In addition to the expiry of Moorabool Shire's current Rating Strategy in May 2017, the Local Government Act review is currently underway and may have an impact on future iterations of Moorabool Shires Rating Strategy.

A proposal to conduct a formal Rating Strategy review (at an estimated cost of \$100k) has been put forward as part of the 2017/18 Budget. The proposal is currently not funded within the 2017/18 budget and has not been recommended in light of other competing project priorities proposed for 2017/18 and beyond.

It is recommended that Council re-adopt the current Rating Strategy for a further 12 months.

Proposal

There are a number of issues for the council to consider prior to undertaking a formal review of the Rating Strategy. Some of these issues date back to previous Rating Strategy reviews and other issues (such as the imposition of rate capping) have come about in the last 12 months.

For example, one of the sticking points from the development of the 2014 Rating Strategy review was the number of true farming properties versus hobby or lifestyle farming properties and the impact this would have on the distribution of rates from farming to residential categories. As a result, two new initiatives were put forward to Council as part of the 2015/16 Budget, one of which was to conduct a formal review and re-application process of all properties receiving the farm rate. This project was put forward as an essential precursor to a future Rating Strategy review. Neither of the new initiatives were funded in the 2015/16 Adopted Budget due to the costs involved in undertaking such a review. Instead, Council has adopted a process of progressively reviewing eligibility for a farm rate exemption as properties change hands.

In undertaking a new Rating Strategy review in future years, Council needs to consider the background, the issues and the likely consequences for future reviews prior to undertaking a new process.

In addition to some of the administrative issues highlighted above, there are a number of other issues relating to the Rating Strategy that warrant close consideration;

- Is the purpose of the Rating Strategy review to provide lower rates for all categories? If so, does the rate capping framework now achieve this objective?
- Does Council believe there are inequities in the adopted differential system? The tables in the current strategy demonstrate the four times rule and possibly unintended consequence of changing one category.
- Are councillors keen to vary one or more differential rate categories higher or lower for e.g. lowering the differential for farm properties?
- Are councillors keen to introduce other differential categories e.g. lifestyle farmer, rural living, heavy industry?
- What has changed since the conversations of 2014 in relation to the Strategy?

Due to the complexity of the legislative framework and associated complexities of rating, a full and complete Rate Strategy including appropriate benchmarking and community consultation could take up to six months to come to fruition.

As mentioned above, an important development that has occurred since the previous Rating Strategy review is the imposition of rate capping. Going forward, if Council chooses to stay within the rate cap, average rate increases going forward will likely increase at a rate of CPI. On this basis, it is arguable whether Council will derive significant additional benefit from undertaking a further Rating Strategy review.

Community Consultation

Keeping the required timeframe in mind to undertake a full Rate Strategy review, below is an overview of the community consultation from 2014 and associated feedback from the community.

The community consultation from the development of the 2014 strategy included:

- a direct mail out to all residents;
- print media advertising;
- an online survey; and
- feedback was sought at a range of community events from Council representatives.

The extensive consultation resulted in:

- 293 Site Visits to 'Have Your Say'
- 180 people downloaded the survey information documents
- 57 people downloaded the Draft Rate Strategy Document
- 71 surveys were completed
- 43 online surveys at 'Have your say'
- 28 at Community Events

In relation to the community consultation results, a high level snapshot revealed the following conclusions from respondents:

- 78.3% of respondents felt that the current rate categories resulted in an appropriate apportioning of rates across the municipality;
- 79.7% of respondents felt that there were an appropriate number of categories;
- 72.3% of respondents felt that the level of each category was appropriate; and
- 81.6% of respondents supported the current rating strategy as their 1st preference.

Additional to the above feedback, there were seven comments from completed surveys asking Council to consider a Rural Residential/Hobby Farm rate to recognise that these properties do not get the same services as residential properties and the lack of infrastructure in our rural townships.

In summary, the results of the community consultation demonstrated community support for the current rating structure in comparison to the alternative proposals put forward as part of the Rating Strategy review.

Review of the Local Government Act 1989

The Local Government Act Review Directions Paper, "Act for the Future - Directions for a new Local Government Act" outlines a number of key reforms proposed to develop the legislative framework for Victorian local government for the future. The proposed directions aim to achieve greater consistency and transparency in rating policy and to embed the principles of sound financial management as the basis for all commercial and financial decisions that councils make. They include mandating a single land valuation system for rating to enable comparable assessment of rating effort. They also include review and modernisation of the exemptions framework to bring it into line with modern legislation and contemporary community standards.

For example, currently the Act allows a council to use site value (SV), net annual value (NAV) or capital improved value (CIV) for the purposes of raising general rates where:

- SV is the value of the land
- CIV is the value of the land and any improvements on the land
- NAV is 5% of the CIV or for commercial/industrial assessments it is the net annual rental value.

Under the proposed amendments to the Local Government Act, it is proposed that capital improved value (CIV) will be the single uniform valuation system for raising general rates. In addition to this, the proposed amendments seek to make changes to municipal charges and a number of other elements related to the rating provisions of the Local Government Act.

Similar to most Victorian Councils, Moorabool Shires uses CIV and differential rating categories as the basis for valuing land and distributing the rating burden across different classes of properties.

Under the changes proposed to the LGA, the capital improved method of valuation and the differential rating provisions will continue to be core elements of the new act once it comes into force. As a result, any future review of the Rating Strategy needs to carefully consider the legislative context.

Rate Capping

For 2017/18, the Minister for Local Government announced that the rate cap will be set at a rate of 2.0%. Furthermore, Moorabool Shire did not apply for a rate cap exemption for the 2017/18 year. As a result, Council has indicated that it will work within the Ministers Rate cap of 2.0% for the 2017/18 year.

In addition to this, 2017/18 is a non revaluation year. This means that general rates will increase by 2.0% for all ratepayers within Moorabool Shire for the 2017/18 year. This is on the proviso that Council does not make changes to its current Rating Strategy. For example, if Council decided to alter its differential rate categories for 2017/18, could result in a certain differential rating categories increasing by greater than 2.0% and others less than 2.0%.

Option for Council to consider

On the basis of the discussion above, there are a number of potential options that Council can consider in the context of the Rating Strategy going forward;

1. **Council adopts the current Rating Strategy for a further 1 year and conducts a full Rating Strategy review in 2017/18 at a cost of \$100k in 2017/18** - A proposal to conduct a formal Rating Strategy review (at an estimated cost of \$100k) has been tabled but is not currently recommended for funding within the 2017/18 Budget. If Council wishes to conduct a full Rating Strategy review, it will need to re-prioritize expenditure on other initiatives proposed for 2017/18.
2. **Council re-adopts the current Rating Strategy for a further 4 years** – If the Council believes that the current Rating Strategy results in a fair and equitable sharing of the rating burden and that the current strategy has broad community support, it could choose to adopt the current strategy for a further 4 years.
3. **Council adopts the current Rating Strategy for a further 1 year and undertakes an internal review of the Rating Strategy in 2017/18** – Under this option, the Council adopts the current Rating Strategy for a further 1 year and undertakes an internal desktop review of the Rating Strategy based on the current differential rating structure and with the rate modelling tools previously developed by staff. Under this option, a more simplified Rating Strategy review would be conducted based its existing differential rate categories and model the impact of altering the rate differential across different categories to achieve a more equitable sharing of the rating burden.

In choosing the option most suitable going forward, Council needs to consider the extent to which change is required. For example, past Councils have been apprehensive to make major changes to the current Rating Strategy in light of the complexity and difficult financial trade off that the Council is required to make.

For this reason, spending \$100k on conducting a Rating Strategy review may not be the best use of rate payer's funds in light of the rate cap and the financial challenges faced by Moorabool Shire. Equally, the Council may believe that adopting the Rating Strategy for a further 4 years may not be prudent in the first year of a new term until it has had the opportunity to further understand and reflect on the challenges faced by Moorabool Shire.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

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

The proposal to adopt Council's Rate Structure is consistent with the 2013-2017 Council Plan.

Financial Implications

2017/18 is a non revaluation year. As a result, this means that general rates will increase by about 2.0% for all ratepayers within Moorabool Shire for the 2017/18 year. This is on the proviso that Council does not make changes to its current Rating Strategy. For example, if Council decided to alter its differential rate categories for 2017/18, could result in a certain differential rating categories increasing by greater than 2.0% and others decreasing by less than 2.0%. It has not been common practice for past Councils to alter the differential rate categories on a year to year basis outside of a formal Rating Strategy review.

Risk & Occupational Health & Safety Issues

There are no identified risks or occupational health and safety issues identified with this initiative.

Community Engagement Strategy

The Draft 2017/18 Budget is scheduled for community consultation between the 9th May and the 6th June. During this time, ratepayers will have the opportunity to make a formal written submission on elements of the Draft 2017/18 Budget including the Rating Strategy. A Special Meeting of Council will be convened on the 21st June to hear and consider any budget submissions. The budget is scheduled to be adopted on the 5th July.

Communications Strategy

The Draft 2017/18 Budget will be supported by advertising in local newspapers in addition to links on council's website and Have your Say Moorabool. The Rating Strategy once adopted will be published 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 – Phil Jeffrey

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

Manager Finance – Steven Ivelja

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

Conclusion

Based on the current budget timelines, there is no scope for Council to conduct a full Rating Strategy review in preparation for the 2017/18 Budget.

It is recommended that council adopts its existing differential rating structure for a further period of 12 months and defers any formal review to a future financial year.

Resolution:

Cr. Bingham/Keogh

1. ***That Council adopts its existing Rating Strategy which incorporates the following rate structure and associated levels;***

Rate Category	Level of Rate
General	1.00
Residential Retirement	0.90
Commercial/Industrial	1.60
Commercial/Industrial Vacant Land	2.60
Extractive Industry	3.12
Farm	0.78
Vacant Land General	2.10
Vacant Land FZ or RCZ	1.00
Vacant Land GRZ	2.50

2. ***That Council resolve not to declare a municipal charge for the period that the strategy remains in place.***
3. ***That Council adopt the Rate Strategy document appended as an attachment to this report for a period of 1 year.***
4. ***That Council resolves to undertake an internal review of the Rating Strategy in the 2017/18 year as proposed by Option 3 in this report.***

Cr. Toohey called for a Division.

Councillors voting for the resolution:

Cr. Keogh, Cr. Bingham, Cr. Edwards


Councillors voting against the resolution:

Cr. Tatchell, Cr. Toohey, Cr. Sullivan

The resolution was determined to be CARRIED on a Casting Vote by the Mayor.

Report Authorisation

Authorised by:

Name: Phil Jeffrey 
Title: General Manager Infrastructure
Date: Wednesday 12 April 2017

10.4.4 Consideration of the Proposed 2017/18 Annual Budget

Introduction

File No: 07/01/012
Author: Steve Ivelja
General Manager: Phil Jeffrey

Background

This report relates to the commencement of the process for Council to adopt the 2017/18 Annual Budget, in accordance with Section 127 of the Local Government Act 1989 (as amended).

The process includes giving public notice to allow 28 days for submissions to be made by members of the public and such submissions will be heard prior to Council adopting the 2017/18 Annual Budget.

In accordance with Section 127 of the Local Government Act 1989 (the Act) and part 3 of the Local Government (Planning and Reporting) Regulations 2014 (the Regulations), Council is required to commence the statutory process to adopt the Proposed 2017/18 Annual Budget.

The proposed budget recognises the importance of setting a clear direction for the future, achieving measurable objectives, encouraging community input and consultation, and being financially responsible. It is part of a four year Strategic Financial Plan that aims to secure a viable and sustainable path to achieve the Shire's objectives.

The budget proposal is for a 2.0% rate increase for 2017/18. The rate increase is to fund the capital improvement program, new initiatives, service growth and Council operations. The budget document appended to this report (Appendix A) provides detailed information with regard to the major impacts for 2017/18. It also provides details with regard to Council's financial management principles to ensure a financially sustainable future.

Proposal

Key Influencing Trends:

Revenue

The proposed 2017/18 budget includes a 2.0% rate increase. For the 2017/18 financial year, it is proposed to keep rate increases contained within the 2.0% rate cap as set down by the Minister for Local Government. In addition to the proposed rate increase, the 2017/18 budget is premised on an acceleration of fees & charges under a 'user pays' model. As a result, a number of Fees & Charges will be escalated in 2017/18 towards full cost recovery.

These include;

1. Animal Registration fees to increase on average by up to 15% pa over a 2 year period;
2. Food Registrations are proposed to increase on average by 10% pa in 2017/18;
3. Septic Tank – New Installation fees are proposed to increase on average by 20% pa over a 2 year period;
4. It is proposed to progressively increase Transfer Station charges until recovery of the waste disposal and transport cost is achieved:
 - a. In 2017/18 it is proposed to increase Transfer Station Charges by 15% for residents
5. In 2017/18 it is proposed to increase Transfer Station Charges for non-residents so that they are higher than neighbouring councils, reducing the possibility of non-resident's receiving a Council subsidy on waste disposal.

The proposal to increase Fees & Charges for these areas until full cost recovery is achieved will be monitored and reviewed each year.

Please refer to Appendix A of the Proposed 2017/18 Budget for a full listing of Council proposed Fees & Charges.

Expenditure

Total operating expenditure is budgeted to decrease by 5.01% or \$2.455 million compared to the 2016/17 forecast actual. The major changes by expenditure category are shown below;

- Total employee costs are budgeted to increase by 7.8% compared to the 2016/17 forecast actual due to a number of factors including the EBA increase, an allowance for banding increments, and leave entitlements and provisions. In addition to this, New Initiatives amounting to \$0.388 million are proposed in the budget and an additional \$0.259 million increase as a result of the Leisure Services contract now being managed in house. The comparison between the 2016/17 forecast actual and the 2017/18 budget is also distorted due to position vacancies being factored into the 2016/17 forecast.
- Expenditure on Materials and Consumables is budgeted to decrease by 20.6% compared to the 2016/17 forecast. The decrease mainly relates to the forecast for 2016/17 containing \$1.806 million in emergency works and asset restoration costs for two natural disasters in December 2015 (Scotsburn Fires) and September 2016 (Floods/ Storms). The 2016/17 forecast actual also includes both grant funded and carried forward projects from previous years. These projects are excluded from the 2017/18 Budget.
- Depreciation charges are budgeted to decrease by 3.0% compared to the 2016/17 forecast actual.
- Borrowing costs are predicted to increase by 10.9% compared to the 2016/17 forecast actual which reflects \$1.806 million in new borrowings for 2017/18.

In addition to planned delivery of recurrent services, the 2017/18 Annual Budget is proposing to fund a number of new initiatives being:

- Ballan Recreation Reserve Masterplan (\$50,000), funded from the Central Recreation Reserve Ward Fund
- Moorabool Aquatic Strategy (\$50,000), funded 2/3 from the East Moorabool Recreation Reserve Fund (\$33,333) and 1/3 from the Central Recreation Reserve Ward Fund (\$16,667)
- Library Extended Opening Hours (\$34,170)
- Planning enforcements (\$20,000)
- Continuation of Contract Building Inspector (\$50,000)
- Buildings Maintenance Officer (\$Net Cost \$0)
- Buildings Technical Officer (\$Net Cost \$0)
- Local Area Traffic Management Study (\$25,000)
- Minor Capital Works Program (\$30,000)
- Cleaning of Public Toilets (\$20,000)
- Tree Planting (\$50,000)
- MSS Review and Amendment Implementation (\$80,000)
- Town Centre Revitalisation - BM Town Centre Alliance (\$40,000)
- Background Studies for PSP - Small Towns (\$20,000)
- Elaine Urban Design Framework (UDF) (\$5,000)
- West Moorabool Heritage Study Amendments (\$35,000)
- Annual Update of Housing Land Supply (\$8,000)
- OHS Strategy (\$30,000)
- Strategic Waste Projects (\$192,543)
- Intranet Design & Implementation (\$60,000)
- Coordinator Digital Futures (\$103,448)

In total, the Council will invest \$0.903 million in new service initiatives across service areas. The investment in new initiatives of has been delivered whilst at the same time achieving minimal growth in overall expenditures.

Capital projects

Council's Capital Works program maintains a mix between the need to maintain existing infrastructure and build new assets to meet community expectations. Included in the 2017/18 budget is \$14.922 million in funds set aside for the delivery of the Capital Improvement program. Of the total proposed Capital program, \$3.608m relates to projects carried from prior years and \$11.314m relates to new works for 2017/18. Some of the projects proposed as part of the 2017/18 Capital Program include;

- Commencement of Bacchus Marsh Racecourse Reserve Sporting Facilities \$1.450 million
- Commencement of the Ballan Depot \$1.500 million
- Plant Replacement Program (\$1.820 million)
- Old Melbourne Road, Gordon - Pavement Rehabilitation & Widening (\$0.549 million)
- Egerton-Ballark Road, Bungal - Pavement Rehabilitation (\$0.524 million)
- Berry Street, Ballan - Pavement Rehabilitation & Widening (\$0.500 million)
- Woolpack Road, Bacchus Marsh - Pavement Rehabilitation & Widening (\$0.465 million)

- Inglis Street, Ballan - Footpath (\$0.400 million)
- Old Melbourne Road, Ballan - Deck Overlay & Abutment Strengthening Works (\$0.300 million)
- Butter Factory Road, Wallace - Pavement Rehabilitation & Widening (\$0.250 million)
- Halletts Way, Darley - Pavement Rehabilitation (\$0.250 million)
- Carween Lane, Ballan - Pavement Rehabilitation (\$0.208 million)
- Triggs Road, Bungaree - Pavement Sealing (\$0.205 million)
- Ingliston Road, Ingliston - Gravel Road Resheet and sealing (\$0.150 million)
- Morrisons Lane, Korobeit - Gravel Road Resheet (\$0.133 million)
- Maddingley Park Pavilion Improvements (\$0.120 million)
- Wittick Street, Darley - Footpath (\$0.085 million)

Parameters

The original budget parameters used in formulating the 2017/18 budget were a 2.0% rate increase, a projected CPI increase of 2.0%, and population growth within the shire of 2.6%. Council has made significant savings in Operating budget expenses to accommodate the proposed 2.0% rate increase in the face of a difficult fiscal environment with major areas of Operating budget expenses increasing at a rate significantly lower than the original budget parameters.

Rates

Rates will increase by an average of 2.0% in the 2017/18 budget raising total rates and charges of \$32.107 million. This includes rates raised through supplementary valuations, the various waste management charges and any special rate schemes.

The Waste Management Service Charge will rise from \$90.00 to \$101.00 and the overall Waste Collection Charge will remain at \$144.00. The State Landfill Levy will reduce by \$10 from \$45.00 to \$35.00 and the optional Kerbside Green waste service will be \$80.00 for 2017/18.

Loan Funding

The 2017/18 budget includes new borrowings of \$1.806 million which will be used to fund the 2017/18 CIP Program.

The 2017/18 budget also includes loan principal repayments of \$1.364 million.

Cash Management

Overall, total cash and investments of \$15.427 million are forecast as at 30 June 2018. This assumes that 100% of the 2017/18 Capital Program will be completed at the 30th June 2018.

Policy Implications

The 2013 – 2017 Council Plan provides as follows:

Key Result Area	Continuous Improvement in Council Services
------------------------	--------------------------------------------

Objective	Sound, long term financial management
Strategy	Develop and maintain a long term financial planning, management and reporting system, which ensures resources to deliver services and manage Council's assets.

The proposal "Consideration of the Proposed 2017/18 Annual Budget" is consistent with the 2013-2017 Council Plan.

Financial Implications

The 2017/18 Budget contains details of the financial resources required to deliver the Council Plan.

Communications Strategy

After Council has accepted the Proposed 2017/18 Budget, an advertisement will be placed in local newspapers. The process includes giving public notice to allow 28 days for submissions to be made by members of the public and such submissions will be heard prior to Council adopting the 2017/18 Annual Budget.

Copies of the Proposed 2017/18 Annual Budget will be available for inspection on weekdays between 8.30am and 5.00pm from Tuesday 9 May 2017 up to and including Tuesday 6 June 2017 at Council offices at:

- 15 Stead Street, Ballan;
- 215 Main Street, Bacchus Marsh; and
- 182 Halletts Way, Darley

Copies of the Proposed 2017/18 Annual Budget can also be viewed on Council's website: www.moorabool.vic.gov.au

Residents are invited to make submissions in relation to the Proposed 2017/18 Annual Budget until 5.00pm on Tuesday 6 June 2017.

Feedback should be made in writing and be addressed to:

The Chief Executive Officer
Budget Submission
Moorabool Shire Council
PO Box 18
Ballan VIC 3342

Alternatively, submissions can be emailed to info@moorabool.vic.gov.au or submitted online at haveyoursaymoorabool.com.au

Any person requesting that he or she be heard in support of a submission is entitled to appear before the Special Meeting of Council either personally or by a person acting on his or her behalf. Any person who wishes to be heard in support of a submission should indicate this request in their written submission. A special meeting to hear submissions is scheduled to occur on Wednesday 21 June 2017 at 5.00pm at a destination to be confirmed.

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 General Manager, I have no interests to disclose in this report.

Author – Steve Ivelja

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

Conclusion

The proposed budget presents Council's immediate and longer-term financial strategy and links the actions set out in the Council Plan. It also identifies the capital works and services the community can expect from Council during the 2017/18 financial year and beyond.

Recommendation:

1.1 That having considered the details of the 2017/18 recurrent and capital budget appended to this report, which includes:

1.1.1 – Mayor's Introduction

1.1.2 – Chief Executive Officer's Summary

1.1.3 – Budget reports (contains all statutory requirements)

1.1.4 – Budget analysis (best practice)

1.1.5 – Long term strategies

1.1.6 – Appendix A – Fees and Charges schedule

1.1.7 – Appendix B – Budget process

that the proposed operating and capital budget 2017/18 be the budget prepared for the purposes of section 127 of Act.

1.2 That in accordance Part 3 of the Regulations, Council declares its intention to borrow \$1.806 million. Loan redemption for 2017/18 will be \$1.364m.

1.3. General Rates

1.3.1 That in accordance with Section 158 of the Local Government Act 1989, Council declares a General Rate for the rating period commencing 1 July 2017 and ending 30 June 2018.

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

1.3.3 A differential rate be respectively declared for rateable land having the respective characteristics specified in the Schedule to this resolution, which characteristics will form the criteria for each differential rate so declared:

Category	Cents/\$CIV
Commercial & Industrial Rate	0.006668
Commercial & Industrial Vacant Land	0.010835
Extractive Industry Rate	0.013002
Farm Rate	0.003250
General Rate	0.004167
Vacant Land General	0.008751
Vacant Land FZ and RCZ	0.004167
Vacant Land GRZ	0.010418
Residential Retirement Villages	0.003751

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

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

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

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

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

1.3.5.4 the relevant
(a) uses of;
(b) geographical locations of; and
(c) Planning Scheme zonings of; and
(d) types of buildings on the respective types or classes of land be those identified in the Schedule to this Resolution.

1.4. Municipal Charge

1.4.1 It be confirmed that no municipal charge is declared in respect of the 2017/18 Financial Year.

1.5. Annual Service Charge

1.5.1 An annual service charge be declared in respect of the 2017/18 Financial Year.

1.5.1.1 The annual service charge be declared in respect of the period 1 July 2017 to 30 June 2018.

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

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

- (i) \$144 per annum for each property that is within the defined urban service area to which a domestic waste collection service is available;**
- (ii) \$144 per annum for each property that is within the defined rural service area to which a domestic waste collection service is available;**
- (iii) \$144 per annum for each property that is not within a defined service area, to which a domestic waste collection service is provided;**
- (iv) \$101 per annum for all rateable properties in all Wards including:**
 - (a) each rateable land that is "farm land" within the meaning of section 2(1) of the Valuation of Land Act 1960 and is a 'single farm enterprise' within the meaning of Section 159(8) of the Local Government Act 1989; and**
 - (b) each other rateable land, from which there is capable of being generated waste which can be deposited by a ratepayer or resident at a landfill or waste transfer station or any other litter facility.**
- (v) \$35 per annum for all rateable properties in all Wards including:**
 - (a) each rateable land that is "farm land" within the meaning of section 2(1) of the Valuation of Land Act 1960 and is a 'single farm enterprise' within the meaning of Section 159(8) of the Local Government Act 1989; and**
 - (b) each other rateable land, from which there is capable of being generated waste which can be deposited by a ratepayer or resident at a landfill or waste transfer station or any other litter facility.**
- (vi) \$80 per annum non-compulsory and optional charge within the urban (residential and low density residential) areas of Bacchus Marsh and Ballan for kerbside greenwaste collection service.**

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

1.6. Rebates & Concessions

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

1.7. Payment

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

1.7.2 Unless Council resolves otherwise, a person may only pay rates and charges as a lump sum if payment is made on or before 15 February 2018.

1.8. Consequential

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

1.8.1.1 that person is liable to pay;

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

1.9 That it is proposed that an amount of \$32,107,500 be declared as the amount Council intends to raise from the general rates and charges (including Supplementary and Special Rates) for the period from 1 July 2017 to 30 June 2018.

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

1.11 That as part of the public presentation process for the proposed budget, the following actions will be undertaken in accordance with:

1.11.1 Sections 127 and 129 of the Act and Part 3 of the Regulations – that the proposed 2017/18 budget be made available for public inspection.

1.11.2 Section 129 of the Act and Part 3 of the Regulations – that the Chief Executive officer be authorised to give public notice that the Proposed 2017/18 Annual Budget has been prepared and is available for public inspection.

1.11.3 Sections 158 to 162 of the Act and Part 3 of the Regulations - that Council give public notice and have ready for public inspection all prescribed information to be available from 9 May until 6 June 2017.

- 1.12 That Council resolves to allow 28 days for submissions to be made by members of the public and that all submissions are to be made in the prescribed manner. Council will hear submissions on Wednesday 21 June 2017 at the Special Meeting of Council, at a destination to be confirmed.**
- 1.13 That in accordance with Section 130 of the Act, Council resolves to notify and place on public notice its intention to adopt the 2017/18 Annual Budget on Wednesday 5 July 2017 at the Ordinary Meeting of Council, at a destination to be confirmed.**

SCHEDULE

Differential Rating Categories

General Developed Land

Objective:

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

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

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Types of Buildings:

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

Definition:

Any land:

- on which a dwelling is lawfully erected and occupied for the principal purpose of physically accommodating persons; and
- which does not have the characteristics of:
 - o Commercial and Industrial Land;
 - o Vacant Commercial and Industrial Land;
 - o Extractive Industry Land;

- Farm Land
- Residential Retirement Villages Land;
- Vacant General Land;
- Vacant FZ and RCZ Land; or
- Vacant GRZ Land.

Commercial/Industrial Land

Objective:

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

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

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Types of Buildings:

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

Definition:

Any land which is lawfully used:

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

Vacant Commercial/Industrial Land

Objective:

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

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

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Definition:

Any land:

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

Extractive Industry Land

Objective:

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

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

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Types of Buildings:

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

Definition:

Any land:

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

Farm Land

Objective:

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

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

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Types of Buildings:

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

Definition:

Any land:

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

Vacant General Land

Objective:

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

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

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Definition:

Any land:

- on which no building is lawfully erected; and
- which does not have the characteristics of;
 - o Vacant Commercial and Industrial Land; or
 - o Vacant FZ and RCZ Land; or
 - o Vacant GRZ Land.

Vacant FZ or RCZ Land**Objective:**

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

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

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Definition:

Any land:

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

Vacant GRZ Land

Objective:

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

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

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Definition:

Any land:

- on which no building is lawfully erected; and
- which is located within the General Residential Zone (GRZ) under the Moorabool Planning Scheme.

Residential Retirement Villages

Objective:

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

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

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Types of Buildings:

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

Definition:

Any land:

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

Resolution:**Cr. Sullivan/Keogh**

1.1 That having considered the details of the 2017/18 recurrent and capital budget appended to this report, which includes:

1.1.1 – Mayor’s Introduction

1.1.2 – Chief Executive Officer’s Summary

1.1.3 – Budget reports (contains all statutory requirements)

1.1.4 – Budget analysis (best practice)

1.1.5 – Long term strategies

1.1.6 – Appendix A – Fees and Charges schedule

1.1.7 – Appendix B – Budget process

that the proposed operating and capital budget 2017/18, with the addition of \$50,000 to the budget item for the planting of new and replacement street and reserve trees, be the budget prepared for the purposes of section 127 of Act.

1.2 That in accordance Part 3 of the Regulations, Council declares its intention to borrow \$1.806 million. Loan redemption for 2017/18 will be \$1.364m.

1.3. General Rates

1.3.1 That in accordance with Section 158 of the Local Government Act 1989, Council declares a General Rate for the rating period commencing 1 July 2017 and ending 30 June 2018.

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

1.3.3 A differential rate be respectively declared for rateable land having the respective characteristics specified in the Schedule to this resolution, which characteristics will form the criteria for each differential rate so declared:

Category	Cents/\$CIV
Commercial & Industrial Rate	0.006668
Commercial & Industrial Vacant Land	0.010835
Extractive Industry Rate	0.013002
Farm Rate	0.003250
General Rate	0.004167
Vacant Land General	0.008751
Vacant Land FZ and RCZ	0.004167
Vacant Land GRZ	0.010418
Residential Retirement Villages	0.003751

1.3.4 Each differential rate will be determined by multiplying the Capital Improved Value (CIV) of each rateable land (categorised by the characteristics

described in the Schedule to this Resolution) by the relevant percentages.

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

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

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

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

1.3.5.4 the relevant
(a) uses of;
(b) geographical locations of; and
(c) Planning Scheme zonings of; and
(d) types of buildings on the respective types or classes of land be those identified in the Schedule to this Resolution.

1.4. Municipal Charge

1.4.1 It be confirmed that no municipal charge is declared in respect of the 2017/18 Financial Year.

1.5. Annual Service Charge

1.5.1 An annual service charge be declared in respect of the 2017/18 Financial Year.

1.5.1.1 The annual service charge be declared in respect of the period 1 July 2017 to 30 June 2018.

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

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

(i) \$144 per annum for each property that is within the defined urban service area to which a domestic waste collection service is available;

(ii) \$144 per annum for each property that is within the defined rural service area to which a domestic waste collection service is available;

(iii) \$144 per annum for each property that is not within a defined service area, to which

- a domestic waste collection service is provided;**
- (iv) \$101 per annum for all rateable properties in all Wards including:**
 - (a) each rateable land that is "farm land" within the meaning of section 2(1) of the Valuation of Land Act 1960 and is a 'single farm enterprise' within the meaning of Section 159(8) of the Local Government Act 1989; and**
 - (b) each other rateable land, from which there is capable of being generated waste which can be deposited by a ratepayer or resident at a landfill or waste transfer station or any other litter facility.**
 - (v) \$35 per annum for all rateable properties in all Wards including:**
 - (a) each rateable land that is "farm land" within the meaning of section 2(1) of the Valuation of Land Act 1960 and is a 'single farm enterprise' within the meaning of Section 159(8) of the Local Government Act 1989; and**
 - (b) each other rateable land, from which there is capable of being generated waste which can be deposited by a ratepayer or resident at a landfill or waste transfer station or any other litter facility.**
 - (vi) \$80 per annum non-compulsory and optional charge within the urban (residential and low density residential) areas of Bacchus Marsh and Ballan for kerbside greenwaste collection service.**

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

1.6. Rebates & Concessions

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

1.7. Payment

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

1.7.2 Unless Council resolves otherwise, a person may only pay rates and charges as a lump sum if payment is made on or before 15 February 2018.

1.8. Consequential

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

1.8.1.1 that person is liable to pay;

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

1.9 That it is proposed that an amount of \$32,107,500 be declared as the amount Council intends to raise from the general rates and charges (including Supplementary and Special Rates) for the period from 1 July 2017 to 30 June 2018.

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

1.11 That as part of the public presentation process for the proposed budget, the following actions will be undertaken in accordance with:

1.11.1 Sections 127 and 129 of the Act and Part 3 of the Regulations – that the proposed 2017/18 budget be made available for public inspection.

1.11.2 Section 129 of the Act and Part 3 of the Regulations – that the Chief Executive officer be authorised to give public notice that the Proposed 2017/18 Annual Budget has been prepared and is available for public inspection.

1.11.3 Sections 158 to 162 of the Act and Part 3 of the Regulations - that Council give public notice and have ready for public inspection all prescribed information to be available from 9 May until 6 June 2017.

1.12 That Council resolves to allow 28 days for submissions to be made by members of the public and that all submissions are to be made in the prescribed manner. Council will hear submissions on Wednesday 21 June 2017 at the Special Meeting of Council, at a destination to be confirmed.

1.13 That in accordance with Section 130 of the Act, Council resolves to notify and place on public notice its intention to adopt the 2017/18 Annual Budget on Wednesday 5 July 2017 at the Ordinary Meeting of Council, at a destination to be confirmed.

1.14 That an Assembly of Council be convened after the Special Meeting on 21 June 2017 and before the adoption of the budget at the Ordinary Meeting of Council on 5 July 2017.

SCHEDULE

Differential Rating Categories

General Developed Land

Objective:

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

- 4. Construction and maintenance of public infrastructure; and**
- 5. Development and provision of health and community services; and**
- 6. Provision of general support services.**

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Types of Buildings:

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

Definition:

Any land:

- on which a dwelling is lawfully erected and occupied for the principal purpose of physically accommodating persons; and**
- which does not have the characteristics of:**

- **Commercial and Industrial Land;**
- **Vacant Commercial and Industrial Land;**
- **Extractive Industry Land;**
- **Farm Land**
- **Residential Retirement Villages Land;**
- **Vacant General Land;**
- **Vacant FZ and RCZ Land; or**
- **Vacant GRZ Land.**

Commercial/Industrial Land

Objective:

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

- 4. Construction and maintenance of public infrastructure; and**
- 5. Development and provision of health and community services; and**
- 6. Provision of general support services.**

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Types of Buildings:

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

Definition:

Any land which is lawfully used:

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

Vacant Commercial/Industrial Land***Objective:***

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

- 4. Construction and maintenance of public infrastructure; and***
- 5. Development and provision of health and community services; and***
- 6. Provision of general support services.***

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Definition:***Any land:***

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

- ***which does not have the characteristics of General Developed Land.***

Extractive Industry Land

Objective:

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

- 4. Construction and maintenance of public infrastructure; and***
- 5. Development and provision of health and community services; and***
- 6. Provision of general support services.***

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Types of Buildings:

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

Definition:

Any land:

- ***which is used primarily for the extraction or removal of minerals, earth or stone including the treatment of minerals, earth or stone; or***

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

Farm Land

Objective:

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

- 4. Construction and maintenance of public infrastructure; and***
- 5. Development and provision of health and community services; and***
- 6. Provision of general support services.***

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Types of Buildings:

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

Definition:

Any land:

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

Vacant General Land

Objective:

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

- 4. Construction and maintenance of public infrastructure; and**
- 5. Development and provision of health and community services; and**
- 6. Provision of general support services.**

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Definition:

Any land:

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

Vacant FZ or RCZ Land**Objective:**

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

- 4. Construction and maintenance of public infrastructure; and**
- 5. Development and provision of health and community services; and**
- 6. Provision of general support services.**

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Definition:**Any land:**

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

Vacant GRZ Land**Objective:**

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

- 4. Construction and maintenance of public infrastructure; and*
- 5. Development and provision of health and community services; and*
- 6. Provision of general support services.*

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Definition:**Any land:**

- on which no building is lawfully erected; and*
- which is located within the General Residential Zone (GRZ) under the Moorabool Planning Scheme.*

Residential Retirement Villages**Objective:**

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

- 4. Construction and maintenance of public infrastructure; and**
- 5. Development and provision of health and community services; and**
- 6. Provision of general support services.**

Types and Classes:

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

Use and Level of Differential Rate:

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

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

Geographic Location:

Wherever located within the municipal district.

Use of Land:

Any use permitted under the Moorabool Planning Scheme.

Planning Scheme Zoning:

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

Types of Buildings:

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

Definition:

Any land:

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

Cr. Tatchell called for a Division.

**Councillors voting for the resolution:
Cr. Sullivan, Cr. Toohey, Cr. Edwards**

**Councillors voting against the resolution:
Cr. Bingham, Cr. Keogh, Cr. Tatchell**

**The resolution was determined to be CARRIED on a Casting Vote
by the Mayor.**

Report Authorisation

Authorised by:

Name: Phil Jeffrey
Title: General Manager Infrastructure
Date: Wednesday 12 April 2017



Cr. Toohey left the meeting at 7.13pm.

10.4.5 Removal of all Buildings and Assets – Lerderderg Children’s Centre – Corner Albert and Nelson Streets, Darley.

Introduction

Author: John Miller
General Manager: Phil Jeffrey

Background

The construction of the Darley Early Years Hub is now complete. The development of the Darley Early Years Hub involved the relocation of existing services/groups including Darley Kindergarten, Maternal and Child Health, Playgroups and the Occasional Care Service from the Lerderderg Children’s Centre; leaving the current site vacant.

The condition report on the former Lerderderg Children’s Centre undertaken in 2016 advises that without substantial investment, the buildings are unlikely to be fit for the services and community facilities that Darley and Bacchus Marsh most require.

At the Ordinary Meeting of Council on 5th April 2017 a report was considered on the future of the site and it was resolved to dispose of the Lerderderg Children’s Centre buildings and other assets (storage sheds and play equipment).

Proposal

Quotes were recently invited for the removal of all buildings and assets at the Lerderderg Children’s Centre on the corner of Albert and Nelson Streets, Darley. Four (4) companies were invited to quote, with three (3) companies declining to provide a submission. McGregor Portables being the only company to provide a quote to dismantle and remove all buildings and standing structures and return a clean site with no cost to Council.

The Bacchus Marsh Christian Church had previously expressed an interest in the site and following further enquiry, have withdrawn its interest due to the land not being available.

It is therefore recommended to accept the quote received from McGregor Portables.

Policy Implications

The 2013–2017 Council Plan provides as follows:

Key Result Area Enhanced Infrastructure Natural and Built Environment.

Objective Ensure current and future infrastructure meets the needs of the community.

Strategy Construct physical infrastructure to appropriate standards.
The proposal is consistent with the 2013-2017 Council Plan.

Financial Implications

There are no financial implications in relation to this project as the project is cost neutral.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Public Liability – Reconstruction	Risk of physical injury.	Medium-High	Site specific safety plans must be provided by the contractor before commencement of any works. Compliance with provisions of legislation and adherence to work practices in accordance with relevant codes is a requirement of the contract, is the duty of the contractor and is subject to audit by Moorabool Shire Council.

Communications and Consultation Strategy

Prior to the commencement of decommissioning works, advice of the proposed works will be published in the Moorabool News.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Phil Jeffrey

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

Author – John Miller

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

Conclusion

The quote from McGregor Portables was the only quote received and meets Councils requirements and have the capability to undertake the works.

Resolution:

Cr. Sullivan/ Tatchell

That Council resolves to accept the Quote from McGregor Portables to dismantle and remove all buildings and standing structures and return a clean site with no cost to Council.

CARRIED.

Report Authorisation

Authorised by:



Name: Phil Jeffrey
Title: General Manager Infrastructure
Date: Wednesday 12 April 2017

10.4.6 Maintenance of Unmade “Paper” Roads Policy

Introduction

Author: John Miller
General Manager: Phil Jeffrey

At the Ordinary Meeting of Council on Wednesday 5 April 2017, Council considered the draft Maintenance of Unmade ‘Paper’ Roads Policy and the following was resolved:

Crs. Tatchell/Sullivan

That, in accordance with Moorabool Shire Council Policy Protocol, Consideration of Items which affect beyond the Current Year, the Maintenance of Unmade “Paper” Roads Policy (IS017/ Version 1) as attached, now lay on the table for further consideration at the next Ordinary Meeting of Council.

CARRIED

Background

Moorabool Shire Council has several hundred kilometres of unused “Paper” Roads which are not maintained by Council throughout the Shire. “Paper Road” is a term commonly used for a road that is legally established and recorded in survey plans, but has not been formally constructed. They typically comprise dirt tracks cleared by local farm vehicles or access to property not constructed to any standard. Such a road exists only on paper. None of these roads are included in Council’s Register of Public Roads.

Approximately 44 kilometres of these Roads are classified as Fire Access Tracks and are only graded subject to advice from the Country Fire Authority and the list included in Council’s Municipal Fire Management Plan.

Under Section 19(1) of the Road Management Act 2004, “A road authority must keep a register of public roads specifying the public roads in respect of which it is the coordinating road authority”. For a road to be included in the register Council has to decide whether ‘... the road is reasonably required for general public use.....’ Section 17(3).

Council is not obliged to assume responsibility for any Unmade “Paper” Road until it has made a decision under the Act, that the road is reasonably required for general public use. This policy sets the criteria for when a road will be deemed required for general public use and subsequently added to Council’s Register of Public Roads and managed and maintained accordingly.

The request for maintenance of ‘paper roads’ has recently become a topical issue as there are a number of properties being sold which abut these “Paper” Roads that do not require a Planning Permit as the lots have individual titles and as a result, houses are being constructed without access to a public road.

Proposal

The draft Maintenance of Unmade “Paper” Roads Policy proposes a number of criteria that would be required to be satisfied in order for Council to assume the management and maintenance of a ‘paper’ road. These criteria address the financial, environmental, and social impacts of upgrading and maintaining such roads.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Enhanced infrastructure and natural and built environment
Objective	Management of assets and infrastructure
Strategy	Proactive maintenance of roads, bridges and footpaths at documented standards in the Road Management Plan

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

Financial Implications

There are no financial implications associated with the adoption of this policy.

Risk & Occupational Health & Safety Issues

There are no risk or occupational health and safety issues associated with the adoption of this policy.

Communications and Consultation Strategy

The Maintenance of Unmade “Paper” Roads Policy will be made available on Council’s web site.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Phil Jeffrey

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

Author – John Miller

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

Conclusion

Moorabool Shire Council has several hundred kilometres of “Paper” Roads which are not maintained by Council throughout the Shire. The draft ‘Maintenance of Unmade “Paper” Roads Policy sets the criteria for when a road will be deemed required for general public use and subsequently added to Council’s Register of Public Roads and managed and maintained accordingly.

Having resolved on the 5 April 2017 that the policy lay on the table for further consideration at the next Ordinary Meeting of Council, the Maintenance of Unmade “Paper” Roads Policy (IS017/ Version 1) is now placed before the Council for adoption.

Resolution:

Cr. Sullivan/Keogh

That Council adopts the Maintenance of Unmade “Paper” Roads Policy (IS017/ Version 1).

CARRIED.

Report Authorisation

Authorised by:



Name: Phil Jeffrey
Title: General Manager Infrastructure
Date: Wednesday 12 April 2017

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

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

- Assembly of Councillors – Wednesday 29 March 2017 – Review 2017-18 Budget and Council Plan
- Assembly of Councillors – Wednesday 5 April 2017 – Review 2017-18 Budget
- Assembly of Councillors – Wednesday 12 April 2017 - Briefing from Daylesford & Macedon Ranges Tourism
- Assembly of Councillors – Wednesday 19 April 2017 – Review Draft 2017/18 Budget and Council Plan
- Assembly of Councillors – Wednesday 19 April 2017 – Recreation Committees & Appointments
- Assembly of Councillors – Wednesday 19 April 2017 – Update on Moorabool Wind Farm.

Resolution:

Cr. Sullivan/Tatchell

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

- ***Assembly of Councillors – Wednesday 29 March 2017 – Review 2017-18 Budget and Council Plan***
- ***Assembly of Councillors – Wednesday 5 April 2017 – Review 2017-18 Budget***
- ***Assembly of Councillors – Wednesday 12 April 2017 - Briefing from Daylesford & Macedon Ranges Tourism***
- ***Assembly of Councillors – Wednesday 19 April 2017 – Review Draft 2017/18 Budget and Council Plan***
- ***Assembly of Councillors – Wednesday 19 April 2017 – Recreation Committees & Appointments***
- ***Assembly of Councillors – Wednesday 19 April 2017 – Update on Moorabool Wind Farm.***

CARRIED.

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.

Committee	Meeting Date	Council Representative
Maddingley Park Committee of Management	Tuesday 25 April 2017	Community representatives

Resolution:

Cr. Tatchell/Keogh

That Council receives the report of the Maddingley Park Committee of Management meeting of Tuesday 25 April 2017.

CARRIED.

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.

Committee	Meeting Date	Council Representative
Lal Lal Falls Reserve Advisory Committee of Management	Thursday 6 April 2017	Cr. Sullivan

Resolution:

Cr. Sullivan/Tatchell

That Council receives the report of the Lal Lal Falls Reserve Advisory Committee of Management meeting of Thursday 6 April 2017.

CARRIED.

12. NOTICES OF MOTION

Nil.

13. MAYOR'S REPORT

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

Cr. Edwards – Mayor's Report	
April – May 2017	
12 April	<ul style="list-style-type: none"> • Assembly of Councillors – Briefing by Daylesford & Macedon Ranges Tourism
18 April	<ul style="list-style-type: none"> • Blacksmith Cottage and Forge Committee Meeting
19 April	<ul style="list-style-type: none"> • Assembly of Councillors – Update on Moorabool Wind Farm • Assembly of Councillors – Recreation Committees & Appointments • Assembly of Councillors – Review Draft 2017/18 Budget and Council Plan
21 April	<ul style="list-style-type: none"> • Central Highlands Mayors & CEOs Forum
23 April	<ul style="list-style-type: none"> • Official Opening of the Lal Lal Anzac Memorial and Official Unveiling of the Anzac Roll of Honour 1914-1918, Lal Lal • Bacchus Marsh Classic Muscle Car Club Cars, Food & Wine Festival 2017 • Bacchus Marsh R&SL Anzac March
25 April	<ul style="list-style-type: none"> • Bacchus Marsh R&SL Anzac Day Dawn Service • Ballan R&SL Anzac Day March and Wreath Laying
26 April	<ul style="list-style-type: none"> • S86 Urban Growth Strategy Committee Meeting
27 April	<ul style="list-style-type: none"> • Official Opening of the Darley Early Years Hub by Mr Cesar Melhem MLC, Member for Western Metropolitan Region • MSC Youth Awards Presentations
3 May	<ul style="list-style-type: none"> • Ordinary Meeting of Council

Resolution:

Crs. Sullivan/Tatchell

That the Mayor's report be received.

CARRIED.

14. COUNCILLORS' REPORTS

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

Cr. Sullivan	
April 2017	
23 April	Official Unveiling Anzac Roll of Honour 1914-1918 – Lal Lal Soldier's Memorial Hall
27 April	MAV Rural and Regional Forum in Melbourne

Cr. Toohey returned to meeting 7.20pm.

Cr. Keogh	
April 2017	
18 April	Marching Band from Silicon Valley, California, Ballan

Cr. Bingham	
April 2017	
7 April	All Abilities AFL Clinic and Community Match, Darley
18 April	Marching Band from Silicon Valley, California, Ballan
27 April	Moorabool Shire Council Youth Awards

Resolution:

Crs. Sullivan/Toohey

That the Councillors' reports be received.

CARRIED.

15. URGENT BUSINESS

Cr. Sullivan declared an Indirect Conflict of Interest (Section 78A) in relation to Item 15.1 Supply Legal Representation for VCAT Hearing on Thursday 6 July 2017. The nature of the Conflict of Interest is due to Cr. Sullivan engaged as a Surveyor by a Client in relation to 40 Corbetts Road, Gordon.

Cr. Sullivan left the meeting at 7.25 pm and did not participate in voting on the Item.

15.1 Supply Legal Representation for VCAT Hearing on Thursday 6 July 2017

Resolution:

Crs. Tatchell/ Bingham

That Council arrange for legal counsel to represent it at the VCAT hearing on Thursday 6 July 2017 in regard to the development at Corbetts Road, Gordon.

CARRIED.

Cr. Sullivan returned to the meeting at 7.31pm.

Cr. Tatchell left the meeting at 7.31pm.

16. CLOSED SESSION OF THE MEETING TO THE PUBLIC

Nil.

17. MEETING CLOSURE

The meeting closed at 7.32 pm.

Confirmed.....Mayor.