



ORDINARY MEETING OF COUNCIL

Minutes of the Ordinary Meeting of Council to be held at
Council Chamber, 15 Stead Street, Ballan on
Wednesday 03 July 2019, at 6:00 p.m.

Members:

Cr. Paul Tatchell (Mayor)	Central Moorabool Ward
Cr. John Keogh (Deputy Mayor)	East Moorabool Ward
Cr. David Edwards	East Moorabool Ward
Cr. Tonia Dudzik	East Moorabool Ward
Cr. Jarrod Bingham	East Moorabool Ward
Cr. Tom Sullivan	West Moorabool Ward
Cr. Pat Toohey	Woodlands Ward

Officers:

Mr. Derek Madden	Chief Executive Officer
Mr. Ewen Nevett	Acting General Manager Community Assets and Infrastructure
Mr. Satwinder Sandhu	General Manager Community Planning
Ms. Sally Jones	General Manager Community Development

Derek Madden
Chief Executive Officer

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1. OPENING OF MEETING AND PRAYER

The Mayor, Cr Tatchell opened the meeting with the Council Prayer at 6.00pm.

2. ACKNOWLEDGEMENT TO COUNTRY

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

3. RECORDING OF MEETING

In accordance with Moorabool Shire Council's Meeting Procedure Local Law, the Council will be recorded this meeting.

4. PRESENT

<i>Cr. Paul Tatchell (Mayor)</i>	<i>Central Moorabool Ward</i>
<i>Cr. John Keogh (Deputy Mayor)</i>	<i>East Moorabool Ward</i>
<i>Cr. Jarrod Bingham</i>	<i>East Moorabool Ward</i>
<i>Cr. Tonia Dudzik</i>	<i>East Moorabool Ward</i>
<i>Cr. Tom Sullivan</i>	<i>West Moorabool Ward</i>

Officers:

<i>Mr. Derek Madden</i>	<i>Chief Executive Officer</i>
<i>Ms. Sally Jones</i>	<i>General Manager Community Development</i>
<i>Mr. John Miller</i>	<i>Acting General Manager Community Assets and Infrastructure</i>
<i>Mr. Satwinder Sandhu</i>	<i>General Manager Community Planning</i>
<i>Mr. Steve Ivelja</i>	<i>Chief Financial Officer</i>
<i>Ms. Yvonne Hansen</i>	<i>Manager Governance, Risk and Corporate Planning</i>
<i>Mr. Ian Waugh</i>	<i>Manager Community & Recreation Development</i>
<i>Ms. Emma Szymanski</i>	<i>Minute Taker</i>

5. APOLOGIES

<i>Cr. David Edwards</i>	<i>East Moorabool Ward</i>
<i>Cr. Pat Toohey</i>	<i>Woodlands Ward</i>

6. CONFIRMATION OF MINUTES

6.1 Ordinary Meeting of Council – Wednesday 05 June 2019

Resolution:

Crs. Keogh/Dudzik

That Council confirms the Minutes of the Ordinary Meeting of Council held on Wednesday 05 June 2019.

CARRIED.

6.2 Special Meeting of Council – Wednesday 26 June 2019

Resolution:

Crs. Dudzik/Keogh

That Council confirms the Minutes of the Special Meeting of Council held on Wednesday 26 June 2019.

CARRIED.

7. 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.

8. 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.

Ms. Nicole Finn submitted the following question:

Question :

Property Owners in Connor Court table for your information documents and photographs demonstrating significant flooding in our street.

We refer to the IDM Guidelines, section 5.2.1 and we ask: What is Council doing to ensure the safe passage of vehicles in and out of Connor Court is maintained at all times?

Response:

The IDM guidelines are a guide for local government supported by technical requirements on specific issues such as drainage systems, pavement construction, etc. Drainage systems in subdivisions are generally designed for 1 in 5 year events, while overland flows will generally be designed for 1 in 100 year events.

Connor Court was developed prior to the developments of the IDM guidelines and as such the objectives and design requirements of the IDM were not applicable at that time.

Council officers are aware of the issue with water inundation around the area of Connor Court and are investigating how the issue may be alleviated. Any solution is likely to involve extensive drainage works and this would need to be referred to a future Capital Works program

Mr. Stephen Kelly submitted the following questions:

Question 1:

I hereby request, that a public meeting be called by the Moorabool Shire Council to explain to interested rate payers the proposed changes to the above legislation (Local Law No1 – 2019) with the regard to implications, including flexibilities, and liabilities in the changes for rate payers – at a date which allows adequate time thereafter for submissions to be prepared and presented before the closing date.

Response:

The draft Local Law No.1 – 2019 has been publicly advertised to the community through its website on two previous occasions. The Community Impact Statement which is available on Council's website identifies all the proposed changes from the previous local law. There will be an opportunity for the public to comment on the local law when it is presented to Council for adoption.

Question 2:

It is my understanding that the Shire Officer responsible, Mr Andy Gaze, is on leave and will not return to work until 8th July. In my opinion, this does not allow concerned residents/ratepayers sufficient time to confer with him and then prepare a submission regarding the changes.

I therefore request that the closing date for the above proposal be extended to allow discussions with Mr Gaze to take place so that submissions may be prepared and presented prior to the closing date (Please refer to my accompanying question regarding the same issue)

Response:

While Mr Gaze has been on leave, there have been other staff members who have been responding to all enquiries relating to the local law. Council officers have been in discussion with Mr Kelly during the advertising period.

9. PETITIONS

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

10. PRESENTATIONS / DEPUTATIONS

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

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

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

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

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

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

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

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

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

Item No	Description	Name	Position
11.2.2	<i>Request for Authorisation Planning Scheme Amendment C87 135 Ballanee Road, Ballan</i>	<i>Chris Marshall</i>	<i>Supporter</i>
11.2.2	<i>Request for Authorisation Planning Scheme Amendment C87 135 Ballanee Road, Ballan</i>	<i>Joe McFall</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.

11. OFFICER'S REPORTS

11.1 CHIEF EXECUTIVE OFFICER

11.1.1 Consideration of the Proposed 2019/20 Annual Budget

Introduction

Author: Steven Ivelja
CEO: Derek Madden

In accordance with Section 130 of the Local Government Act 1989 (the Act) Council is required to formally adopt the 2019/20 Annual Budget by 30 June 2018.

As resolved by Council on 15 May 2019, the proposed Budget was placed on public exhibition from Tuesday 21 May 2019 to Tuesday 18 June 2019 inclusive, calling for submissions as required under Section 223 of the Act. This was advertised in The Moorabool News on 21 May 2019 and the Ballarat Courier on 18 May 2019.

Section 223 of the Act requires Council to follow a process of enabling submissions to be received. There were 24 written submissions received by 18 June 2019. Council considered submissions at the Special Meeting of Council on 26 June 2019 and resolved as follows:

1. *That the 24 submissions be received;*
2. *That Council takes into consideration the matters raised within the submissions in consideration of the 2019/20 Annual Budget at the Special Meeting of Council on 26 June 2019; and*
3. *That following the adoption of the 2019/20 Annual Budget, responses are provided to each Submitter.*

Having completed all statutory requirements, the 2019/20 Annual Budget can now be considered for adoption.

Background

The Proposed 2019/20 Annual 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 financial plan that aims to secure a viable and sustainable path to achieve the Shire's objectives.

The budget includes a rate increase of 2.50%, which is in line with the Fair Go Rates System (FGRS) which has capped rates increases by Victorian Councils. Despite the cap on rates, Council has been able to minimise the rate burden on residents through the use of stringent budget and fiscal controls.

Policy Implications

The Council Plan 2017-2021 provides as follows:

Strategic Objective 1: Providing Good Governance and Leadership

Context 1C: Our Business and Systems

The proposal Consideration of the Proposed 2019/20 Annual Budget is consistent with the Council Plan 2017 – 2021.

Budget Submissions

Council commenced statutory procedures for the 2019/20 Annual Budget at the Special Meeting of Council held on Wednesday, 15th May 2019. At that meeting Council resolved to put on public display the Proposed 2019/20 Annual Budget that was considered at the meeting.

A public notice was published in The Moorabool News on Tuesday 21st May, 2019 and also in The Courier in Ballarat on Saturday 18th May, 2019. These public notices called for submissions to the proposed budget.

As a result of this advertising process, a total of 24 written submissions were received by the stated cut-off date of 18th June 2019. Of the 24 submissions made, 10 related to supporting the proposed Arts and Culture Officer, and 9 were in support of the proposed pavilion works at Masons Lane Recreation Reserve.

The table below shows the Council responses and recommendations for the submissions received.

Table 1.1 - Council Responses to Budget Submissions

No	SUBMISSION	RECEIVED FROM	COUNCIL RESPONSE
1	Proposed Masons Lane Pavilion Upgrade	Maria Downes, Karen Stewart, Paul Miesen, Samantha Goodman, Kate Simmins, Victor Banigo, Jennifer Banigo, Leanne Fergusson, and Alli Grant	<i>Council funding of \$350,000 has been included in the proposed Budget for 2019/20 for the Western Pavilion Extension.</i>
2	Proposed Arts and Culture Officer	John Spain, Ri Van Veen, Georgia Vlassopoulos, Adrian & Jenifer Rowell, Kylie Burton, David Leach, Kenneth Angelo, Bruce Carboon, Kimberly Shea, and Alan Morton	<i>An Arts & Culture Officer is currently included as part of the proposed 2019/20 budget. The position is initially proposed to be employed for only part of the 2019/20 year, with the option of moving to full time after that.</i>
3	Maddingley Park Netball Court Proposal	Russ Hendry – Maddingley Park Committee of Management	<i>Council does not support the proposal at this stage. No detailed cost estimates or quotations have been provided for the project. Also, matching funding (or other sources of funding) and club contributions have not been confirmed.</i>

			<p><i>The submission does not request a specific allocation from Council.</i></p> <p><i>The concept of a joint use facility does have merit, however advice from Netball Victoria shows that they do not support the use of synthetic grass as a suitable surface for competition netball. Finding a compatible surface type for cricket and netball will be problematic.</i></p> <p><i>The 2019/20 draft budget includes an allocation to undertake a Master Plan at Maddingley Park. The Master Plan will provide the strategic justification for capital improvement projects at the reserve over the next 5 – 10 years. It is suggested that the project be considered during the development of the Master Plan for further scoping and investigation for consideration in the 2020-21 financial year.</i></p>
4	Parks and Outdoor Recreation Areas - Darley	Matthew Taylor	<p><i>Council acknowledges the importance and benefits of the provision of both active and passive open spaces for its growing community and the proposed 2019/20 Capital Improvement Program seeks to commit significant funding towards the development of recreation and open space within the Shire.</i></p> <p><i>Within the Darley area specifically an allocation has been made in the proposed 2019/20 budget for the replacement of the existing play equipment at Beresford Crescent Recreation Reserve, in addition to a further allocation of \$75,000 to implement other improvements at the reserve as part of that project. The development of a masterplan of the Darley Recreation Reserve and design of a pavilion has also been included as part of the proposed 2019/20 program, which would consider items such as play spaces.</i></p> <p><i>New subdivisions require developers to provide open space for the enjoyment of residents. The Grantleigh Estate in Darley has provision for a new playground, shelter, seats and passive recreation on the land to the east adjoining the Lerderderg River. These works are expected to be completed in the Spring of 2019.</i></p>

			<p><i>Other projects proposed throughout the Shire includes design and/or construction of a range of indoor and outdoor, active and passive open space improvements and in addition to this, an ongoing Forward Design Program has been proposed to provide the capacity to continue open space improvements across the Shire in future years.</i></p>
5	Special Use Zone	Robert & Christine Levy	<p><i>After review and consideration of your budget submission, Council would like to confirm that after consultation with our contract valuers, we can confirm that the zoning and its limitations have been taken into consideration when setting the valuations assigned to the properties within this area and zoning. It is noted that the reduction is to the site value, whilst the Capital Improved Value does not significantly differ from other lower density residential properties due to the existing use rights for the dwelling at the property.</i></p> <p><i>As rates are calculated based on each properties valuation, as the valuation has had appropriate adjustment for the zoning associated with your property, Council do not believe an alternative differential rate needs to be further considered.</i></p> <p><i>From a land use planning perspective, the Bacchus Marsh Urban Growth Framework (UGF) acknowledges that the Maddingley Brown Coal site is operating as a State-significant Waste and Resource Recovery Hub, in addition to its role as a coal mine.</i></p> <p><i>The UGF identifies the need for a Maddingley Planning Study to:</i></p> <ul style="list-style-type: none"> <i>• Determine appropriate zone and overlay controls for the Maddingley Waste and Resource Recovery (WRR) Hub site (i.e. the Maddingley Brown Coal site) and surrounds (including your property); and</i> <i>• Investigate options for new land uses, compatible with existing buffers and site locational attributes.</i> <p><i>The Maddingley Planning Study project has commenced, and the community will be consulted at various stages. It is anticipated there will be:</i></p>

			<ul style="list-style-type: none"> • <i>An initial engagement with stakeholders (including landowners within the study area) on the background report in late August/September 2019; and</i> • <i>Public consultation of the draft study which will commence in 2020.</i>
6	Unsealed Road Network Funding and Asset Management Processes for Resheeting	Robin Gregson	<p><i>The proposed 2019/20 unsealed roads program comprises a total \$807K of gravel road projects, including a minor allocation (approx. \$35K) for sealing to provide an improved safety outcome, support heavy vehicle movements and reduce ongoing maintenance requirements on some road segments. The allocation represents approx. 8.7% of the total road renewal program. To help accurately inform future funding requirements for renewal of transport assets, a number of scenarios have been developed as part of Council's updated Transport Asset Management Plan and will be presented to Councillors in late 2019 for consideration, including the proposed split of funding across all transport related assets for the next ten-year period.</i></p> <p><i>Council manages an ongoing program of condition audits for its assets, with roads being assessed on average every three years. In relation to unsealed roads, the audit process provides a high-level assessment of the road material, ride quality and presence of defects for each road segment and applies a condition score to assist in the planning of future capital works programs.</i></p> <p><i>Acknowledging that the condition of gravel roads is dynamic and can change with altered traffic or environmental conditions, and that cyclical maintenance activities occur across the Shire throughout the year, a number of other factors are taken into consideration in the development of the capital program. These include traffic volume, heavy vehicle movements, transport connections, maintenance impact and safety considerations, and the proposed projects included in the draft 2019/20 unsealed roads program have been recommended on this basis.</i></p>

			<p><i>Council manages and maintains its road network in accordance with the Road Management Plan (RMP), which outlines inspection frequencies, defect intervention levels and maximum rectification timeframes.</i></p> <p><i>To assist in improving the condition and rideability of Morrisons Lane, the road was ripped and graded in April 2019, earlier than would have been completed under the annual maintenance grading program and with additional works completed. A recent follow up inspection has identified minor corrugations, however these are not outside the intervention levels outlined in Council's RMP. Morrisons Lane has been listed on Council's Long-Term Capital Improvement Program for future consideration, along with other priority projects within the Shire.</i></p> <p><i>In the interim, the culvert identified will be inspected and works undertaken as required, and the road will continue to be inspected and maintained in accordance with Council's RMP.</i></p>
7	Darley Park Lighting Project	Ray Newton – Darley Football Netball Club	<p><i>Council Officers recommend including an additional \$89,000 towards the Darley Park Lighting Upgrade in the 2019/20 Budget.</i></p>

Budget Amendments and related matters

Since the Proposed Budget was presented to Council there are some suggested amendments to the Operating budget. New or updated information has become available and these amendments are highlighted below.

Indicative Financial Assistance Grant Allocations for 2019/20

On 22 May 2019, Council was advised by the Victorian Grants Commission of its indicative Financial Assistance Grants for 2019/20. As a result of this preliminary advice, it is likely that Council will receive \$118,750 more than the level estimated in the 2019/20 Proposed Budget. The increase is made up of;

Table 1.2 - Changes to Grants Commission Funding

	Proposed Budget	Indicative	
	2019/20	2019/20	Change
General Purpose Grant	4,590,695	4,695,904	105,209
Local Roads Grant	2,006,553	2,020,094	13,541
Total	6,597,248	6,715,998	118,750

Other Financial Adjustments

Other adjustments include the following;

- Insurance Premiums – At the June OMC, Council resolved to enter into a new contract for the provision of Insurance Broking and Risk Management Services. The impact of the new contract is an increase of \$129,080.
- Employee Costs – A few minor changes have been made since the proposed budget was presented to Council, which has slightly increased employee costs overall by \$24,769.
- Fees and Charges and Other Income – A recent review of some line items has resulted in a few minor increases to; User Fees (\$15,500), Statutory Fees & Fines (\$5,000), and Other Income (\$4,657).
- Maternal and Child Health – Officers have been informed of estimated increases to grant funding, the total amount of the increase being \$21,287.

Summary of Adjustments

Overall the changes will impact the Comprehensive Income Statement by \$11,000. The table below shows these amendments and the impact on the overall surplus for the 2019/20 Budget.

Table 1.3 - Changes to Comprehensive Income Statement

Comprehensive Income Statement			
	Proposed Budget	Adjusted Budget	Variance
	2019/20 \$'000	2019/20 \$'000	2019/20 \$'000
Income			
Rates and charges	36,170	36,170	0
Statutory fees and fines	1,269	1,274	5
User fees	3,103	3,118	16
Grants - Operating (recurrent)	9,674	9,814	140
Grants - Operating (non-recurrent)	205	205	0
Grants - Capital (recurrent)	1,282	1,282	0
Grants - Capital (non-recurrent)	2,667	2,667	0
Contributions - monetary	1,053	1,053	0
Contributions - non-monetary assets	4,858	4,858	0
Other income	1,013	1,018	5
Interest received	623	623	0
Total income	61,917	62,082	165
Expenses			
Employee costs	21,838	21,863	(25)
Materials and services	16,974	17,103	(129)
Depreciation and amortisation	10,326	10,326	0
Finance costs	657	657	0
Other expenses	550	550	0
Loss on disposal of property, infrastructure, plant and equipment	1,484	1,484	0
Total expenses	51,830	51,983	(154)
Surplus (deficit) for the year	10,087	10,098	11

Loan Borrowings

The proposed budget document that was presented to Council on 15 May 2019 included borrowings of \$10,736,014 for 2019/20. It also included borrowings in the 2018/19 forecast of \$2,500,000. The borrowings in the forecast for 2018/19 were originally intended to be refinanced in the 2019/20 year, and this increased the amount of debt being redeemed in 2019/20. This is shown below in Table 1.3.

Table 1.4 – Statement of borrowings from the proposed budget document.

	2018/19	2019/20
	\$	\$
Amount borrowed as at 30 June of the prior year	12,247,382	13,626,838
Amount proposed to be borrowed	2,500,000	10,736,014
Amount projected to be redeemed	(1,120,544)	(4,145,779)
Amount of borrowings as at 30 June	13,626,838	20,217,073

Since the Proposed Budget was approved for public consultation, it is now known that the borrowings of \$2,500,000 will no longer be taken up in the 2018/19 financial year. This will not impact the total amount being borrowed in 2019/20, however, it will decrease the amount of debt being redeemed in 2019/20. Also, the overall total amount of borrowing debt at 30 June 2020 will remain the same at \$20,217,073.

Table 1.5 below shows the new statement of borrowings that will be presented in the Adopted Budget document.

Table 1.5 - Statement of borrowings proposed for the Adopted Budget.

	2018/19	2019/20
	\$	\$
Amount borrowed as at 30 June of the prior year	12,247,382	11,126,838
Amount proposed to be borrowed	0	10,736,014
Amount projected to be redeemed	(1,120,544)	(1,645,779)
Amount of borrowings as at 30 June	11,126,838	20,217,073

Capital Improvement Program

Since the 2019/20 Proposed Budget was released for public consultation, there has been one change proposed as a result of a budget submission. The budget submissions were heard at the Special Meeting of Council on 26 June 2019, and it is recommended that a further \$89,426 be added to the Darley Park Lighting Upgrade Project. The table below shows the impact on the Statement of Capital Works for 2019/20 and how it will be presented in the Adopted Budget.

Table 1.6 – Changes to Statement of Capital Works

Statement of Capital Works			
	Proposed Budget 2019/20 \$'000	Adjusted Budget 2019/20 \$'000	Variance 2019/20 \$'000
Property			
Land	1,270	1,270	0
Buildings	2,086	2,086	0
Building improvements	0	0	0
Total property	3,356	3,356	0
Plant and equipment			
Plant, machinery and equipment	1,805	1,805	0
Computers and telecommunications	874	874	0
Library books	105	105	0
Total plant and equipment	2,783	2,783	0
Infrastructure			
Roads	10,410	10,410	0
Bridges	666	666	0
Footpaths	1,059	1,059	0
Drainage	0	0	0
Recreational, leisure and community facilities	8,314	8,403	89
Parks, open space and streetscapes	250	250	0
Other infrastructure	20	20	0
Total infrastructure	20,719	20,809	89
Total capital works expenditure	26,858	26,948	89
Represented by:			
Asset renewal expenditure	13,143	13,143	0
New asset expenditure	8,802	8,802	0
Asset upgrade expenditure	4,913	5,002	89
Total capital works expenditure	26,858	26,948	89

In addition to the above change, Council also has updated information on the Capital Improvement Program for the Strategic Resource Plan (SRP), out to 2022/23. The Proposed Budget Document contained an estimate of where capital funds would be spent in the SRP, and we now have updated the information contained in those future years. The total capital spend in each year will not change. Amendments have been made to the allocation of Renewal, New and Upgrade spend, and also Roads, Buildings, Footpaths etc. The Strategic Resource Plan Projections will now be shown in the Adopted Budget document as follows;

Table 1.7 – Changes to Statement of Capital Works – SRP Projections

Statement of Capital Works
For the four years ending 30 June 2023

	Forecast	Budget	Strategic Resource Plan		
	Actual		Projections		
	2018/19	2019/20	2020/21	2021/22	2022/23
	\$'000	\$'000	\$'000	\$'000	\$'000
Property					
Land	0	1,270	0	0	0
Buildings	862	2,086	2,322	4,283	2,538
Total property	862	3,356	2,322	4,283	2,538
Plant and equipment					
Plant, machinery and equipment	2,366	1,805	1,768	1,819	1,872
Computers and telecommunications	529	874	877	131	135
Library books	105	105	108	111	115
Total plant and equipment	3,000	2,783	2,753	2,061	2,122
Infrastructure					
Roads	9,297	10,410	9,561	10,677	10,895
Bridges	326	666	349	594	604
Footpaths	1,410	1,059	349	594	545
Drainage	0	0	72	119	121
Recreational, leisure and community facilities	3,529	8,403	6,529	7,562	2,966
Parks, open space and streetscapes	0	250	217	357	362
Other infrastructure	262	20	0	0	0
Total infrastructure	14,824	20,809	17,078	19,903	15,493
Total capital works expenditure	18,685	26,948	22,153	26,247	20,153
Represented by:					
Asset renewal expenditure	13,206	13,143	11,903	13,947	14,203
New asset expenditure	3,622	8,802	4,850	11,350	5,000
Asset upgrade expenditure	1,858	5,002	5,400	950	950
Total capital works expenditure	18,685	26,948	22,153	26,247	20,153

Financial Implications

The 2019/20 Annual Budget has been prepared within the adopted five-year Strategic Financial Plan. This will allow Council to improve its financial sustainability and balance the building of new infrastructure with maintaining our existing infrastructure.

Communications and Consultation Strategy

In accordance with Section 223 of the Act, Council considered submissions on 26 June 2019. Council received 24 written submissions, with the following people requesting to speak to their submission:

- John Spain
- Russ Hendry
- Matthew Taylor
- Robert and Christine Levy
- Robin Gregson

The following outlines the timetable for the communication and adoption of the 2019/20 Annual Budget:

Timetable for the Proposal and Adoption of the 2019/20 Annual Budget	
Proposed 2019/20 Annual Budget presented for Council adoption and Public Notification	15 May 2019
Advertise Proposed 2019/20 Annual Budget, inviting public inspection and submissions according to Section 223 of the Local Government Act 1989, in Council's nominated newspapers	21 May to 18 June 2019
Consider public submissions per Section 223(1)(b) of the Local Government Act 1989 for the Proposed 2019/20 Annual Budget	26 June 2019
Formally adopt 2019/20 Annual Budget	03 July 2019
Submit 2019/20 Budget to the Minister for Local Government	04 July 2019
Public Notice – Adoption of 2019/20 Annual Budget	09 July 2019

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 – Derek Madden

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

Author – Steven Ivelja

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

Conclusion

The budget presents Council's immediate and longer-term financial strategy and links the actions set out in the Council Plan. It also identifies the capital works and services the community can expect from Council during the 2019/20 financial year and beyond.

Resolution:

Crs. Dudzik/Keogh

- 1.1 That Council adopts the responses and recommendations in Table 1.1. Specifically;

No	SUBMISSION	RECEIVED FROM	COUNCIL RESPONSE
1	<i>Proposed Masons Lane Pavilion Upgrade</i>	<i>Maria Downes, Karen Stewart, Paul Miesen, Samantha Goodman, Kate Simmins, Victor Banigo, Jennifer Banigo, Leanne Fergusson, and Alli Grant</i>	<i>Council funding of \$350,000 has been included in the proposed Budget for 2019/20 for the Western Pavilion Extension.</i>
2	<i>Proposed Arts and Culture Officer</i>	<i>John Spain, Ri Van Veen, Georgia Vlassopoulos, Adrian & Jenifer Rowell, Kylie Burton, David Leach, Kenneth Angelo, Bruce Carboon, Kimberly Shea, and Alan Morton</i>	<i>An Arts & Culture Officer is currently included as part of the proposed 2019/20 budget. The position is initially proposed to be employed for only part of the 2019/20 year, with the option of moving to full time after that.</i>
3	<i>Maddingley Park Netball Court Proposal</i>	<i>Russ Hendry – Maddingley Park Committee of Management</i>	<p><i>Council does not support the proposal at this stage. No detailed cost estimates or quotations have been provided for the project. Also, matching funding (or other sources of funding) and club contributions have not been confirmed. The submission does not request a specific allocation from Council.</i></p> <p><i>The concept of a joint use facility does have merit, however advice from Netball Victoria shows that they do not support the use of synthetic grass as a suitable surface for competition netball. Finding a compatible surface type for cricket and netball will be problematic.</i></p> <p><i>The 2019/20 draft budget includes an allocation to undertake a Master Plan at Maddingley Park. The Master Plan will provide the strategic justification for capital improvement projects at the reserve over the next 5 – 10 years. It is</i></p>

			<i>suggested that the project be considered during the development of the Master Plan for further scoping and investigation for consideration in the 2020-21 financial year.</i>
4	<i>Parks and Outdoor Recreation Areas - Darley</i>	<i>Matthew Taylor</i>	<p><i>Council acknowledges the importance and benefits of the provision of both active and passive open spaces for its growing community and the proposed 2019/20 Capital Improvement Program seeks to commit significant funding towards the development of recreation and open space within the Shire.</i></p> <p><i>Within the Darley area specifically an allocation has been made in the proposed 2019/20 budget for the replacement of the existing play equipment at Beresford Crescent Recreation Reserve, in addition to a further allocation of \$75,000 to implement other improvements at the reserve as part of that project. The development of a masterplan of the Darley Recreation Reserve and design of a pavilion has also been included as part of the proposed 2019/20 program, which would consider items such as play spaces.</i></p> <p><i>New subdivisions require developers to provide open space for the enjoyment of residents. The Grange Estate in Darley has provision for a new playground, shelter, seats and passive recreation on the land to the east adjoining the Lerderberg River. These works are expected to be completed in the Spring of 2019.</i></p> <p><i>Other projects proposed throughout the Shire includes design and/or construction of a range of indoor and outdoor, active and passive open space improvements and in addition to this, an ongoing Forward Design Program has been proposed to provide the capacity to continue open space improvements across the Shire in future years.</i></p>
5	<i>Special Use Zone</i>	<i>Robert & Christine Levy</i>	<i>After review and consideration of your budget submission, Council would like to confirm that after consultation with our contract valuers, we can confirm</i>

			<p>that the zoning and its limitations have been taken into consideration when setting the valuations assigned to the properties within this area and zoning. It is noted that the reduction is to the site value, whilst the Capital Improved Value does not significantly differ from other lower density residential properties due to the existing use rights for the dwelling at the property.</p> <p>As rates are calculated based on each properties valuation, as the valuation has had appropriate adjustment for the zoning associated with your property, Council do not believe an alternative differential rate needs to be further considered.</p> <p>From a land use planning perspective, the Bacchus Marsh Urban Growth Framework (UGF) acknowledges that the Maddingley Brown Coal site is operating as a State-significant Waste and Resource Recovery Hub, in addition to its role as a coal mine.</p> <p>The UGF identifies the need for a Maddingley Planning Study to:</p> <ul style="list-style-type: none"> • Determine appropriate zone and overlay controls for the Maddingley Waste and Resource Recovery (WRR) Hub site (i.e. the Maddingley Brown Coal site) and surrounds (including your property); and • Investigate options for new land uses, compatible with existing buffers and site locational attributes. <p>The Maddingley Planning Study project has commenced, and the community will be consulted at various stages. It is anticipated there will be:</p> <ul style="list-style-type: none"> • An initial engagement with stakeholders (including landowners within the study area) on the background report in late August/September 2019; and • Public consultation of the draft study which will commence in 2020.
6	Unsealed Road Network	Robin Gregson	The proposed 2019/20 unsealed roads program comprises a total \$807K of

	<p>Funding and Asset Management Processes for Resheeting</p>		<p><i>gravel road projects, including a minor allocation (approx. \$35K) for sealing to provide an improved safety outcome, support heavy vehicle movements and reduce ongoing maintenance requirements on some road segments. The allocation represents approx. 8.7% of the total road renewal program. To help accurately inform future funding requirements for renewal of transport assets, a number of scenarios have been developed as part of Council's updated Transport Asset Management Plan and will be presented to Councillors in late 2019 for consideration, including the proposed split of funding across all transport related assets for the next ten-year period.</i></p> <p><i>Council manages an ongoing program of condition audits for its assets, with roads being assessed on average every three years. In relation to unsealed roads, the audit process provides a high-level assessment of the road material, ride quality and presence of defects for each road segment and applies a condition score to assist in the planning of future capital works programs.</i></p> <p><i>Acknowledging that the condition of gravel roads is dynamic and can change with altered traffic or environmental conditions, and that cyclical maintenance activities occur across the Shire throughout the year, a number of other factors are taken into consideration in the development of the capital program. These include traffic volume, heavy vehicle movements, transport connections, maintenance impact and safety considerations, and the proposed projects included in the draft 2019/20 unsealed roads program have been recommended on this basis.</i></p> <p><i>Council manages and maintains its road network in accordance with the Road Management Plan (RMP), which outlines inspection frequencies, defect intervention levels and maximum rectification timeframes.</i></p>
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			<p>To assist in improving the condition and rideability of Morrisons Lane, the road was ripped and graded in April 2019, earlier than would have been completed under the annual maintenance grading program and with additional works completed. A recent follow up inspection has identified minor corrugations, however these are not outside the intervention levels outlined in Council's RMP. Morrisons Lane has been listed on Council's Long-Term Capital Improvement Program for future consideration, along with other priority projects within the Shire.</p> <p>In the interim, the culvert identified will be inspected and works undertaken as required, and the road will continue to be inspected and maintained in accordance with Council's RMP.</p>
7	Darley Park Lighting Project	Ray Newton – Darley Football Netball Club	Council Officers recommend including an additional \$89,000 towards the Darley Park Lighting Upgrade in the 2019/20 Budget.

- 1.2 That following the adoption of the 2019/20 Annual Budget, responses are provided to each Submitter.**
- 1.3 That Council adopts the amendments to the budget related to Financial Assistance Grants based on preliminary advice received from the Victorian Grants Commission as appended in Table 1.2**
- 1.4 That Council adopts all other proposed amendments discussed that comprise the net movement in Councils surplus as appended in Table 1.3.**
- 1.5 That Council adopts the proposed amendments to loan borrowings in Table 1.5.**
- 1.6 That Council adopts the proposed amendments to the Statement of Capital Works as seen in Table 1.6 and Table 1.7.**
- 1.7 That having considered the details of the 2019/20 recurrent and capital budget appended to this report, which includes:**
- 1.7.1 – Link to the Council Plan**
 - 1.7.2 – Services and Service Performance Indicators**
 - 1.7.3 – Financial Statements**
 - 1.7.4 – Notes to the Financial Statements**
 - 1.7.5 – Financial Performance Indicators**
 - 1.7.6 – Appendix A – Fees and Charges Schedule**

the proposed operating and capital budget 2019/20 be the budget prepared for the purposes of section 127 of Act.

1.8 That in accordance with Regulation 8 of the Regulations, Council declares its intention to borrow \$10.736m. Loan redemption for 2019/20 will be \$1.646m.

1.9 General Rates

1.9.1 That in accordance with Section 158 of the Local Government Act 1989, Council declares a General Rate for the rating period commencing 1 July 2019 and ending 30 June 2020.

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

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

Category	Cents/\$CIV
Commercial & Industrial Rate	0.005307
Commercial & Industrial Vacant Land	0.007876
Extractive Industry Rate	0.010683
Farm Rate	0.002671
General Rate	0.003424
Vacant Land General	0.007191
Vacant Land FZ and RCZ	0.003424
Vacant Land GRZ	0.007876
Residential Retirement Villages	0.003082

1.9.4 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.

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

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

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

1.9.5.3 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

1.9.5.4 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.**

1.10 Municipal Charge

1.10.1 *It be confirmed that no municipal charge is declared in respect of the 2019/20 Financial Year.*

1.11 Annual Service Charge

1.11.1 *An annual service charge be declared in respect of the 2019/20 Financial Year.*

1.11.1.1 *The annual service charge be declared in respect of the period 1 July 2019 to 30 June 2020.*

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

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

- (i) \$187 per annum for each property that is within the defined urban service area to which a domestic waste collection service is available;*
- (ii) \$187 per annum for each property that is within the defined rural service area to which a domestic waste collection service is available;*
- (iii) \$187 per annum for each property that is not within a defined service area, to which a domestic waste collection service is provided;*
- (iv) \$85 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) \$36 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) **\$77 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.

1.12 Rebates & Concessions

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

1.13 Payment

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

- 1.13.2 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 2020.**

1.14 Consequential

- 1.14.1 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:**

1.14.1.1 that person is liable to pay;

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

- 1.15 That it is proposed that an amount of \$36,170,000 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 2019 to 30 June 2020.**

- 1.16 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.**

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

- 1.17.1 Sections 127 and 129 of the Act and Regulation 9 of the Regulations – that the proposed 2019/20 budget was made available for public inspection.**

- 1.17.2 Section 129 of the Act and Regulation 9 of the Regulations – that the Chief Executive Officer be authorised to give public notice that the Proposed 2019/20 Annual Budget has been prepared and was available for public inspection.**
- 1.17.3 Sections 158 to 162 of the Act and Regulation 9 of Regulations - that Council gave public notice and provided for public inspection all prescribed information to be available from 21 May 2019 until 18 June 2019.**
- 1.18 That Council resolved to allow 28 days for submissions to be made by members of the public and that all submissions are to be made in the prescribed manner. Council heard submissions on Wednesday 26 June 2019 at the Council Chambers, Ballan.**
- 1.19 That in accordance with Section 130 of the Act, Council resolved to notify and place on public notice its intention to adopt the 2019/20 Annual Budget on 3 July 2019 at the Ordinary Meeting of Council to be held at the Ballan Council Chamber, Ballan.**

SCHEDULE

Differential Rating Categories

General Land

Definition:

General Land is 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 Farming Zone or Rural Conservation Zone; and**
 - **General Residential Zone Land within the Moorabool Planning**

Scheme.

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.**

Use and Level of Differential Rate:

The differential rate will be used to fund 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 lawfully erected on the land.

Residential Retirement Villages

Definition:

Residential Retirement Land is any land within the meaning of 'retirement village land' under section 3 of the Retirement Villages Act 1986.

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.***

To ensure that the Residential Retirement Land rate is lower than the General Land rate in recognition of the services and infrastructure undertaken by the retirement village sector.

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.

Commercial/Industrial Land

Definition:

Commercial/Industrial Land is 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.**

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.**

To ensure that such rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, having regard to the capacity of such land to be used to yield income and the demands such land make on Council's infrastructure. The differential rate also recognises that Council rates and charges may be claimed as a tax deduction.

Types and Classes:

Rateable land having the relevant characteristics described in the above 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 rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

Types of Buildings:

All buildings which are lawfully erected on the land.

Vacant Commercial/Industrial Land

Definition:

Vacant Commercial/Industrial land is 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 Vacant General Land, Vacant Farming Zone or Rural Conservation Zone Land or General Residential Zone 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.***

To encourage the development of land for commercial and industrial purposes.

To discourage land banking and ensure an adequate supply of Commercial and Industrial zoned land to meet market demand.

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:

Any buildings that are not lawfully erected on the land.

Extractive Industry Land

Definition:

Extractive Industry Land is any land:

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

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.***

To ensure that such rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, having regard to the capacity of such land to be used to yield income and the demands such land make on Council's infrastructure. The differential rate also recognises that Council rates and charges may be claimed as a tax deduction.

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.

Farm Land**Definition:**

Farm Land is any rateable land within the meaning of 'farm land' as defined by section 2(1) of the Valuation of Land Act 1960.

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.***

To provide economic support and relief to farmers.

To encourage further development and appropriate use of Farm Land, as defined under the Valuation of Land Act 1960.

To encourage persons engaged in farming activities (as referred to in the definition of 'farm land' in the Act) to further develop farm land and value-add to their products in the local community to create more employment opportunities in the industry.

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.

Vacant General Land**Definition:**

Vacant General Land is any land;

- on which no building is lawfully erected; and***
- which does not have the characteristics of:***
 - Vacant Commercial/Industrial Land; or***
 - Vacant Farming Zone, Rural Conservation Zone; or***
 - Vacant General Residential Zone Land in the Moorabool Planning Scheme.***

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.***

To encourage development of Vacant General Land.

To discourage land banking and ensure an adequate supply of appropriately zoned land to meet market demand.

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:

Any buildings that are not lawfully erected on the land.

Vacant Farming Zone or Rural Conservation Zone Land**Definition:**

Vacant Farming Zone or Rural Conservation Zone land within the Moorabool Planning Scheme is any land;

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

Specifically, the objective of the vacant Farming Zone or Rural Conservation Zone rate category is to recognize the lower likelihood of development on this type of land as a result of planning and development restrictions or other encumbrances which limit the development opportunities and use of the land.

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 set at 1.00 and 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:

Any buildings that are not lawfully erected on the land.

Vacant General Residential Zone Land**Definition:**

Vacant General Residential Zone Land is any land:

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

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.***

To encourage the development of land for residential purposes.

To discourage land banking, and ensure an adequate supply of residential zoned land to meet the market demand.

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:

Any buildings that are not lawfully erected on the land.

CARRIED.

11.1.2 Adoption of the 2017-2021 Council Plan (2019 Revision) inclusive of Strategic Resource Plan

Introduction

Author: Yvonne Hansen
General Manager: Sally Jones

The following report is presented to Council for consideration to adopt the 2017-2021 Council Plan (2019 Revision) inclusive of the Strategic Resource Plan.

Background

On Wednesday 15 May 2019, Council resolved to place the draft 2017-2021 Council Plan (2019 Revision) on public exhibition to seek submissions in accordance with section 223 of the *Local Government Act 1989* (the Act).

A communications plan was developed to advise the community via Council's website, local and regional newspapers, Council's community consultation website: haveyoursay.com.au and with hard copies available at all Council offices. The public submission period commenced on Friday 17 May 2019 and closed on Tuesday 18 June 2019.

At a Special Meeting of Council held on Wednesday 26 June 2019, Council was presented with a summary of the two submissions received by Council and resolved to receive a further report to consider any amendments to the Strategic Resource Plan as a result of any changes to the 2019/20 Annual Budget.

Proposal

In view of the responses provided to the submissions as presented to Council at the Special Council Meeting of Wednesday 26 June 2019, there are no further recommended amendments to the 2017-2021 Council Plan (2019 Revision).

Further, Council is to consider the adoption of the Annual Budget in Agenda Item 11.1.1. Any changes to the Budget as resolved by the Council at this meeting will be incorporated into the Strategic Resource Plan section of the adopted Council Plan.

With the incorporation of the adopted Strategic Resource Plan and having completed all statutory requirements, it is now recommended that Council adopts the 2017-2021 Council Plan (2019 Revision) and gives public notice as required under the Act that the Council Plan 2017-2021 (2019 Revision) has been adopted.

Policy Implications

The 2017-2021 Council Plan provides as follows:

Strategic Objective 1: Providing good governance and leadership

Context 1C: Our business and systems

The proposal to consider submissions in relation to the draft 2017-2021 Council Plan (2019 Revision) is consistent with the 2017-2021 Council Plan.

Financial Implications

In accordance with Section 126 of the *Local Government Act* 1989, Council has prepared the Strategic Resource Plan that details the resources required to achieve the objectives and strategies outlined in the 2017-2021 Council Plan (2019 Revision).

The Strategic Resource Plan includes the following information in respect of the four year period of the Council Plan that concludes 30 June 2021.

- the standard statements describing the required financial resources in the form and containing the information required by the regulations as amended by the adoption of the 2019/20 Annual Budget; and
- statements describing the required non-financial resources, including human resources, in the form and containing the information required by the regulations.

The figures will be amended to reflect any budget changes resolved by the Council in the adoption of the 2019/20 Annual Budget report presented prior to this report in the Agenda.

Communications Strategy

In accordance with the Act the 2017-2021 Council Plan (2019 Revision) will progress through the final adoption process.

Timetable for the Adoption of the 2017-2021 Council Plan (2019 Revision) inclusive of the Strategic Resource Plan	
Formally adopt the Council Plan 2017-2021(2019 Revision) and Strategic Resource Plan	Wednesday 3 July 2019
Submit 2017-2021 Council Plan (2019 Revision) and Strategic Resource Plan to the Minister for Local Government	Friday 5 July 2019
Copies for public inspection at Council offices	Friday 5 July 2019
Public Notice of Adoption of Council Plan and Strategic Resource Plan	Saturday 6 July 2019 (Courier) Tuesday 8 July 2019 (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 limit, restrict or interfere with 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 – Sally Jones

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

Author – Yvonne Hansen

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

Conclusion

Having completed all statutory requirements in accordance with Part 6 Section 125 and Section 223 of the Act, the 2017-2021 Council Plan (2019 Revision) inclusive of the Strategic Resource Plan, as amended at this meeting as required, is now presented to Council for adoption and for its placement on public notice as required under the Act.

Resolution:

Crs. Bingham/Dudzik

That Council, having advertised the proposed Council Plan 2017-2021 (2019 Revision) inclusive of the Strategic Resource Plan and having considered the submissions received, resolves to:

- 1. Adopt the 2017-2021 Council Plan (2019 Revision) inclusive of the Strategic Resource Plan ensuring it is in accordance with the adopted 2019/20 Annual Budget.***
- 2. Place on public notice its decision to adopt the 2017-2021 Council Plan (2019 Revision) inclusive of the Strategic Resource Plan in accordance with Section 125 of the Act.***
- 3. Submit a copy of the Council Plan 2017-2021 (2019 Revision) inclusive of the Strategic Resource Plan to the Minister for Local Government in accordance with Section 125 of the Act.***

CARRIED.

11.2 COMMUNITY PLANNING

11.2.1 Bacchus Marsh and Ballan Open Space Framework

Introduction

Author: Justin Horne
General Manager: Satwinder Sandhu

Background

Presentations to the S86 Moorabool Growth Management Committee have been provided in September 2018, April 2019 and June 2019. These presentations provided an outline of the intention of the Bacchus Marsh and Ballan Open Space Framework, community feedback and an opportunity to provide feedback on the preliminary draft to assist officers with progressing the development of a draft for public consultation.

The objective of this report is for Council to approve the exhibition of the Consultation Draft of the Bacchus Marsh & Ballan Open Space Framework 2041 to assist in the development of a final document for consideration for adoption by Council.



Key items for consideration include:

- Vision Statement;
- Six guiding principles to assist deliver improved open space; and
- Five Key Actions.

It is proposed that the Bacchus Marsh & Ballan Open Space Open Space Framework (The Framework) will comprise of three sections:

Section 1: Vision, Principles and Key Actions.

Section 2: Background report that supports the identified vision, principles and key actions.

Section 3: Appendices.

Bacchus Marsh & Ballan Open Space Framework

The Bacchus Marsh & Ballan Open Space Open Space Framework (The Framework) will be a high level document that will:

1. **Define** open space typologies – regardless of primary use.
2. Establish a **vision** for the role of open space within local communities into the future.
3. **Review** the quality, extent of existing open spaces provided and degree of connectivity within key settlements.
4. Provide **guidance** for future open space provision (e.g. connectivity, typology etc) and the role of Council including high level strategies that achieve the agreed vision.

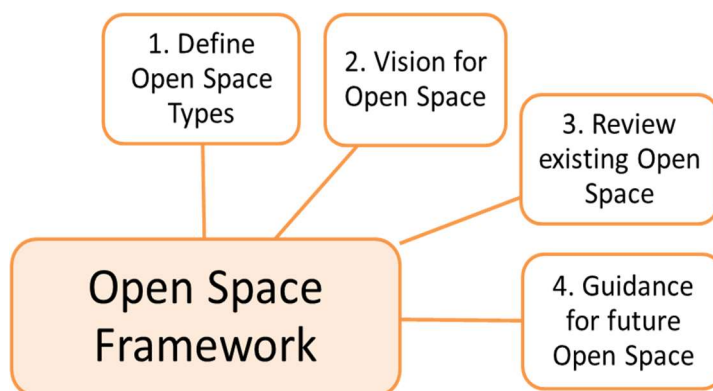


Figure 1: Objectives of The Framework

It is expected that the MOSF will provide the background and direction (figure 1) for the Moorabool Open Space Strategy (MOSS) that will follow (figure 2). The Strategy will incorporate the key findings and recommendations of the draft Community Infrastructure Framework and review the objectives of the Framework.

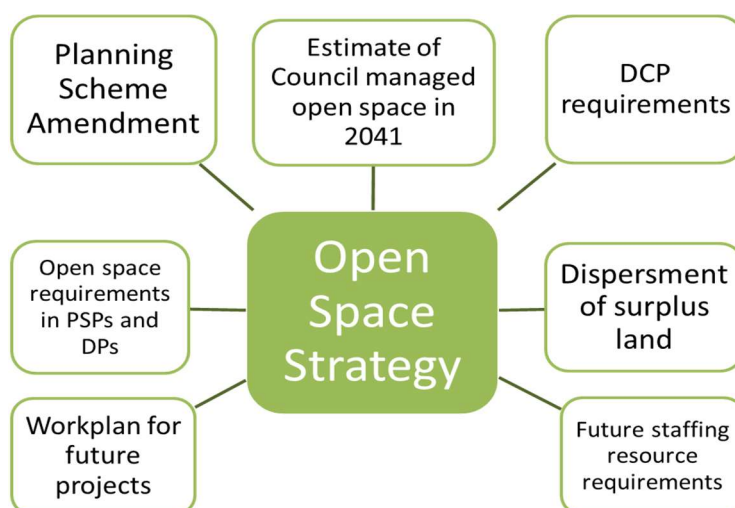


Figure 2: Indicative outputs of the Open Space Strategy.

Key Items for Consideration

Vision Statement

Based on the feedback received from the community consultation and existing local and state strategies the following vision statement has been developed:

'Open space in Bacchus Marsh & Ballan will:

1. *Be planned and managed to provide for a range of activities through a connected network.*
2. *Allow residents and visitors increased opportunities to connect with nature, rest, play, exercise and socialise'.*

Guiding Principles

To ensure that this vision is achieved the following objectives must be considered in the design and management of all new and existing open space in Bacchus Marsh & Ballan:

- To be designed for maximum community benefit and consider all potential opportunities and activities to facilitate the development of the site (e.g. funding, community involvement and social engagement).
- To provide quality and accessible open space for all residents.
- To be connected, safe and allow access for all of the community.
- All residents:
 - In existing areas of Bacchus Marsh & Ballan must be within 400 metres of an area of open space.
 - in new greenfield developments must be within a 400m walkable catchment of public open space.
- To reflect the landscape and Indigenous and European cultural heritage of Moorabool.
- To identify and budget for future maintenance and staff resourcing requirements.

It is proposed that these principles will be reviewed when the shire wide Open Space Strategy is developed to ensure that they reflect the needs and requirements of all of the local communities across the municipality.

Defining Open Space Requirements

The framework proposes to define open space two ways:

- **Area.** This determines the potential options that the space could serve.
- **Use.** This is classified seven ways (organised sport, active recreation, passive destination, activated bushland, civic space, linear link and drainage).

It is important to note that an area of public open space can have more than one use occurring at the site. For example, Maddingley Park contains areas for organised sport, active recreation and as a passive destination.

Definitions of open space by area (in existing):

- <0.2ha = very small (example: Edols St, Ballan);
- 0.2ha to 1ha = small (Clarinda Street Reserve, Bacchus Marsh);
- 1ha to 5ha = medium (Darley Park, Ballan Recreation Reserve);
- 5ha to 15ha = large (Caledonian Park, Ballan, Maddingley Park, Maddingley, Masons Lane, Bacchus Marsh); and
- 15ha+ = very large (Bacchus Marsh Racecourse and Recreation Reserve).

Definitions of open space by use:

- Organised sport:
 - Game day, training, formalised team sports.
- Active recreation:
 - Walking/cycling paths, playgrounds, fitness trails.
- Passive destination:
 - Places to sit, picnic areas.

- Activated Bushland:
 - Connect with nature via walking/cycling paths.
- Civic Space:
 - Civic events, café/restaurant spill out, gathering points.
- Linear Link:
 - Contains walking/cycling infrastructure to allow connection to other open space.
- Drainage:
 - Reserve facilitates the movement of water during flood events.

Accessibility to Open Space Areas

In the existing urban areas of Bacchus Marsh and Ballan, all residents should be within 400m of any area of open space, however, for new greenfield developments the following accessibility requirements to open space will be required.

Description	Area	200m	400m	1200m	5000m+
Neighbourhood	0.75ha	✓	✓	✓	✓
Destination	1ha – 5ha		✓	✓	✓
District	5ha – 15ha			✓	✓
Regional	15ha+				✓

Adapted from VPA Open Space Types and Categories (<https://vpa.vic.gov.au/wp-content/uploads/2017/06/Metropolitan-Open-Space-Strategy-Open-Space-Category-Definitions.pdf>).

Minimum requirement for greenfield development is one open space parcel of 1ha in size with a walkable catchment of 400m.

Where more than one open space parcel is required, the minimum area should be 0.75ha with a walkable catchment of 200m.

No minimum distance has been outlined for linear links for greenfield developments, as these should be utilised to allow for a connection to areas of public open space.

Key Actions

The framework recommends five key actions to assist in the planning and delivery of improved open space for local residents and visitors:

Action	Description	Lead	Partner	Engage	When	Funding
Open Space Strategy	Development of Shire wide strategy that identifies key goals and objectives for open space access and use, including development contributions for open space in greenfield and infill areas	Strategic & Sustainable Development	Recreation & Community Development	<ul style="list-style-type: none"> • Community • Statutory Planning & Community Safety • Active Ageing & Community Access • Child, Youth & Family • External Agencies • Statutory Planning & Community Safety • Active Ageing & Community Access • Child, Youth & Family • External Agencies 	2019 - 2021	<p>Estimated cost \$60,000</p> <p>Existing budgets or budget bid in 2020/21</p>
Open Space Activation Program	Identify, design and construct development opportunities that improve open space in areas that are currently deficient in useable open space	Strategic & Sustainable Development	Recreation & Community Development Engineering Operations Assets	<ul style="list-style-type: none"> • Community • Statutory Planning & Community Safety • Active Ageing & Community Access • Child, Youth & Family • External Agencies 	2019 - 2020	<p>Staff resources</p> <p>Seek external funding for detailed design and construction</p>

Action	Description	Lead	Partner	Engage	When	Funding
Aqualink/Two Rivers Trail	Design, consult & construct improvements of open space adjoining the SRW Channel Continue to advocate for the SRW Channel to be converted to an off-road pedestrian and cycling trail	Strategic & Sustainable Development	Recreation & Community Development Engineering Operations	<ul style="list-style-type: none"> • Community • Statutory Planning & Community Safety • Active Ageing & Community Access • Child, Youth & Family • External Agencies 	2019 – 2020	Staff resources Seek external funding for detailed design and construction
Open space enhancement program	Continue to implement renewal of ageing assets and parks, and look for opportunities for design improvements to increase use and visitation	Assets	Strategic & Sustainable Development	<ul style="list-style-type: none"> • Community • Active Ageing & Community Access • Child, Youth & Family • External Agencies 	On-going	Existing recurrent budget and staffing resources
Improve existing key open spaces	Continue to deliver improvements to key existing open space areas in Bacchus Marsh & Ballan	Strategic & Sustainable Development	Recreation & Community Development Operations Engineering	<ul style="list-style-type: none"> • Community • Assets • Active Ageing & Community Access • Child, Youth & Family • External Agencies 	On-going	Existing recurrent budget and staffing resources

Policy Implications

The Council Plan 2017-2021 provides as follows:

Strategic Objective 4: Improved Social Outcomes

Context 4A: Health & Wellbeing

Recreation and Leisure Strategy: Develop a plan to improve, update and beautify our neighbourhood, passive, recreation and other open spaces.

The proposal for the development of an Open Space Framework is consistent with the Council Plan 2017 – 2021.

Financial Implications

There are no immediate financial implications associated with the consideration of this report.

Subject to the outcomes of the Bacchus Marsh and Ballan Open Space Framework, additional financial implications may arise for the development of further strategic documents including an Open Space Strategy or the delivery of on-ground actions.

These costs would need to be considered by Council as part of future budget proposals, capital improvement programs or through external funding (e.g. state or federal government grants).

Risk & Occupational Health & Safety Issues

There are no direct risk or occupational health and safety issues associated with the recommendation within this report.

Community Engagement Strategy

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community	Survey on 'Have your Say' and Facebook	Various	September 2018	To gather information from the community about their current use, access, and barriers of open space in Moorabool.
Consult	Internal departments (Aged & Disability Services, Maternal & Child Health, Parks & Gardens, Community Development & Recreation)	Presentation to staff	Darley	December 2018	To inform internal departments on the project and seeking guidance on areas of expertise.

Inform	Bacchus Marsh Tracks and Trails Committee	Presentation to committee	Bacchus Marsh	February 2019	Provide information on the results of the survey and work completed to date.
Inform	Senior Council staff	Presentation to Council staff	Darley	18 April 2019	Provide information on the work completed to date
Consult	Internal departments (Operations, Community Development and Recreation, Engineering, Strategic Planning)	Feedback on consultation draft	Darley	6 May 2019	Feedback received from Council departments to inform draft document for consultation
Inform	Bacchus Marsh Tracks and Trails Committee	Presentation to committee	Bacchus Marsh	7 May 2019	Provide information on the work completed to date and next steps

Communications and Consultation Strategy

A Communications and Consultation Strategy will be developed as a component of the Bacchus Marsh & Ballan Open Space Framework.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Satwinder Sandhu

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

Author – Justin Horne

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

Conclusion

The development of the Consultation Draft of the Bacchus Marsh & Ballan Framework 2041 has incorporated feedback received by the community via a survey undertaken in November 2018. It is proposed that the draft be exhibited for community feedback to assist in the development of a final Bacchus Marsh & Ballan Framework 2041.

It is considered of high importance that the framework is completed for Bacchus Marsh and Ballan to ensure that Councils objectives for open space planning are considered by the VPA and developers as these areas are planned for and developed. In addition, the framework will guide open space planning for infill development in these areas as well.

The Framework comprises of three sections:

Section 1: Vision, Principles and Key Actions.

Section 2: Background report that supports the identified vision, principles and key actions.

Section 3: Appendices.

With the expected residential growth of Bacchus Marsh and Ballan to 2041 the framework provides specific directions for these areas, as well as providing guidance for future residential investigation areas.

Following the completion of the consultation period, a subsequent report will be presented to Council summarising the feedback received and how it has been incorporated into the final Framework.

A whole of Shire open space strategy should be considered to be undertaken on completion of the framework, to incorporate the findings of the Community Infrastructure Framework, review the objectives of the Framework as it applies to the whole of the Shire and to ensure that the required work is completed to facilitate a planning scheme amendment to enable financial contributions in infill development areas.

Resolution:

Crs. Dudzik/Keogh

That Council:

- 1. Endorses the draft Bacchus Marsh & Ballan Open Space Framework 2041 for the purpose of public exhibition for a period of four weeks.***
- 2. Receives a further report at the conclusion of the exhibition period for consideration of feedback and finalisation of the Bacchus Marsh & Ballan Open Space Framework 2041.***

CARRIED.

The Mayor, Cr. Tatchell informed the meeting of his intention to move a motion relating to Item No. 11.2.2 on the agenda. The Mayor vacated the Chair.

Cr. Keogh assumed the Acting Chair at 6.24pm for consideration of Item 11.2.2- Request for Authorisation Planning Scheme Amendment C87 135 Ballanee Road, Ballan.

Mr. Chris Marshall addressed Council as a supporter of the recommendation to Item 11.2.2 - Request for Authorisation Planning Scheme Amendment C87 135 Ballanee Road, Ballan

Mr. Joe McFall addressed Council as a supporter of the recommendation to Item 11.2.2 - Request for Authorisation Planning Scheme Amendment C87 135 Ballanee Road, Ballan

11.2.2 Request for Authorisation Planning Scheme Amendment C87 135 Ballanee Road, Ballan

Introduction

Author: Ana Mitrov
 General Manager: Satwinder Sandhu

Background

A request was received from TGM Planning on behalf of Forte Land Pty on 24 November 2015 for a combined planning scheme amendment and multi lot subdivision (96A amendment) for a portion of the land at 135 Ballanee Road, Ballan (Figure 1).

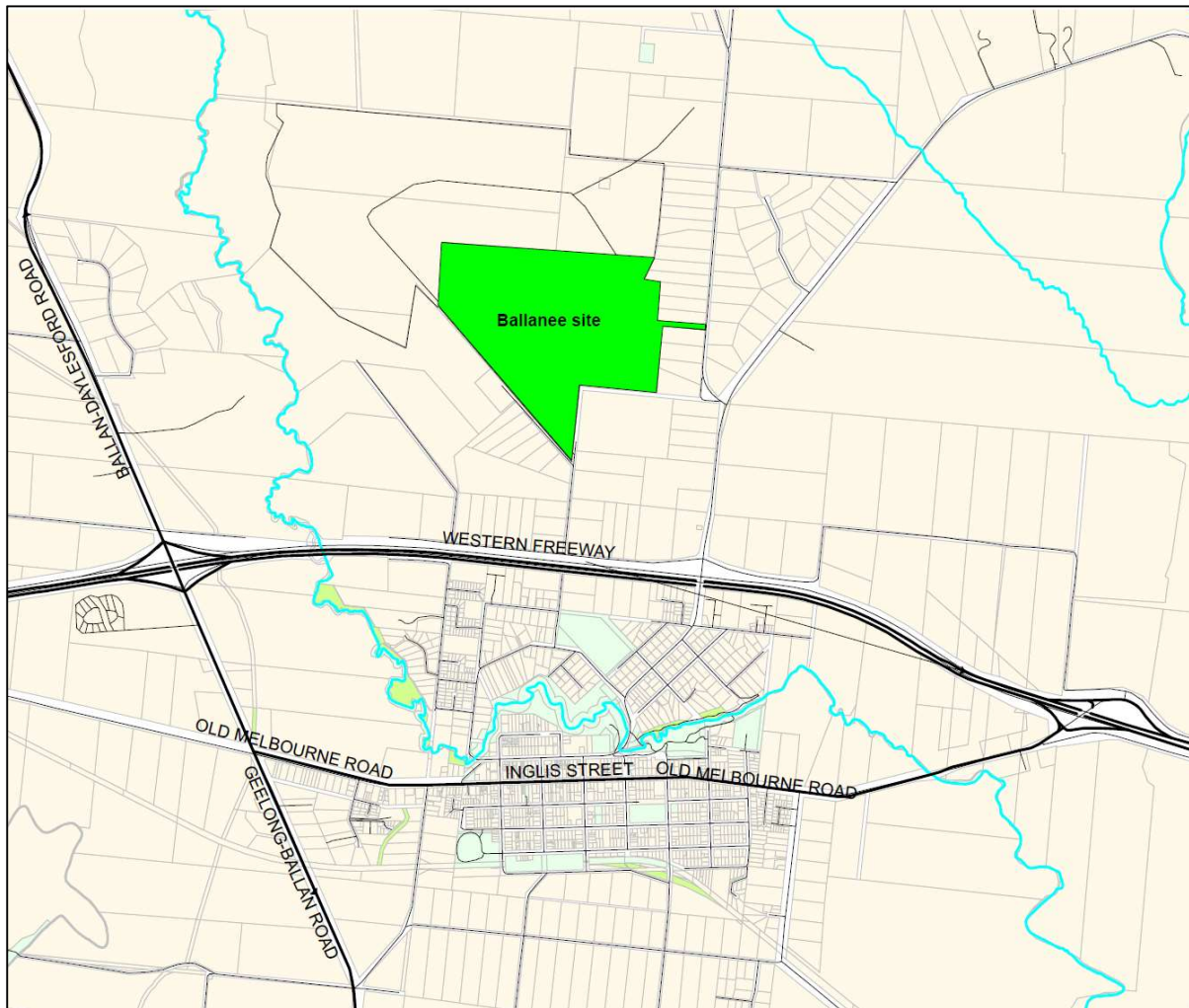


Figure 1: Locality map

The amendment has a long history with Council due to incomplete supportive documentation, which led Strategic Planning to request more information from the proponent. The latest response from the proponent was received on 13 December, 2018 with a significant number of additional reports that were previously requested.

Key dates from the timeline of this amendment are listed below:

23 November 2015	Combined amendment application first submitted to Council.
28 April 2016	Application referred to external agencies, authorities and Government departments for comment.
26 August 2016	Council advised applicant in writing that the amendment request lacked strategic justification and could not be supported.
June 2017 - November 2017	Additional information provided by the applicant, including a residential land supply analysis and soil suitability report.
15 December 2017	Council advised applicant in writing further additional information was required in order to consider application.
13 December 2018	Applicant resubmits application, including a number of additional reports including servicing bushfire, traffic and heritage assessments.
15 February 2019	DELWP Planning advise Council officers that the application lacks strategic justification.

Site Description

The majority of subject site is zoned FZ, with the exception of a small portion on the corner of Hicks Lane and Ballanee Road which is already zoned RLZ. The site is located approximately 1.7km north of Ballan Town Centre, on the northern side of the Western Freeway. The site abuts RLZ to the south east and north east, and FZ to all other directions. The site is vacant land mainly used for grazing with the exception of several stands of blue gum plantation. The Ballanee Homestead is located on the site and is subject to heritage overlay HO25.

Proposal

The proposal is for a combined planning scheme amendment to rezone a portion of the site (approximately 95 ha) from Farming Zone (FZ) to Rural Living Zone (RLZ), amend the existing schedule to allow for a 2ha minimum subdivision size and reduce the extent of the Heritage Overlay (**Attachment 11.2.2a**). It is noted that a small portion of the site is already zoned RLZ. The amendment also seeks to subdivide the property to 42 lots. All lots are proposed to be 2ha in size, except for five lots that vary between 2.1 and 2.5ha (**Attachment 11.2.2b**).

Key Issues

Notwithstanding, the original advice from Council Officers that the amendment lacked strategic justification, and several requests for further information, Officers are of the position that the amendment still lacks strategic justification. It is considered that despite additional information being provided by the applicant, there remains a number of unresolved matters regarding this amendment request. These matters are outlined below:

Lack of Strategic Justification

Ministerial Direction No. 11 Strategic Assessment of Amendments requires a planning authority in preparing an amendment to evaluate and include in the explanatory report a discussion about how the amendment addresses a number of strategic considerations, including how the amendment supports or implements adopted State and Local policy (**Attachment 11.2.2c**).

In assessing the amendment request, Officers have taken into consideration a number of State and Local policy documents, including *Plan Melbourne*, the *Central Highlands Regional Growth Plan (CHRGP)*, and the *Ballan Strategic Directions (BSD)*.

The CHRGP notes that further residential land supply should be met to the west or south of Ballan, stating *'Although there is sufficient residential land available to meet demand for the short to medium-term including infill opportunities, further residential land supply should be considered to the west or south of the town.'*

The Ballan Strategic Directions (BSD) is the guiding document for land use and development in Ballan and was adopted by Council on 14 June 2018. Amendment C88 which seeks to implement the BSD was exhibited from 30 August 2018 to 11 October 2018. Submissions to Amendment C88 were heard at a Panel Hearing from 28 to 30 May 2019. The Panel's report is due in mid-July. The BSD defines a long-term settlement boundary for Ballan which is contained south of the Western Freeway. Land north of the freeway, including areas of existing RLZ land, and the site subject of this amendment, falls outside this settlement boundary. It should be noted that the Ballan Structure Plan, which predates the BSD contained a similar settlement boundary, and similarly did not identify future development of land north of the freeway. Land north of the freeway is dislocated from Ballan township by the Western Freeway and contains no community infrastructure or open space. The site has access to Ballan across the Freeway via Ballan Greendale Road.

It is noted that Council does not have a rural living or rural land use strategy that directs where future rural living growth should occur. The Moorabool Rural Strategy (2009) does not identify new areas for future rural living growth at Ballan. The Strategy focussed largely on the application of the existing rural zones, noting where existing areas should be retained, and when the supply and demand for rural living should be reviewed. In regard to Ballan, it recommended that the existing rural living areas be retained, and once the rezoning of Area 4 (Frasers Land) for residential purposes has been completed, Council review the supply and demand of rural living and residential lots for Ballan.

An assessment of the application against the broader strategic planning provisions of relevant State, Regional and Local planning instruments and policy directions shows that there is a lack of strategic justification for the proposal. None of the relevant strategic documents identify either a need for additional RLZ land in Ballan, or further growth of Ballan north of the Western Freeway.

In addition to the review undertaken by Council officers, the Department of Environment, Land, Water and Planning (DELWP) have reviewed the amendment and similarly note that *"the subject land is not supported by any existing urban or rural-residential settlement strategy"*, concluding that *"our preliminary assessment finds that it is difficult to reconcile how the proposal can be supported at this stage"*.

Supply of the RLZ Land

The amendment request seeks to rely on a reduction of RLZ land with the existing BSD settlement boundary as a result of Amendment C88 (Implementation of Ballan Strategic Directions), as justification for the need for additional RLZ land. To support this the applicant provided Council with a residential land supply analysis in June 2017.

In regard to the argument that there is a diminishing supply of RLZ land in Ballan as a result of the BSD. There is currently approximately 118ha of RLZ land within the BSD settlement boundary. If Amendment C88 is approved, taking into account the changes that have been proposed post exhibition, this would reduce to 48ha RLZ land. Whilst it is acknowledged that there is a proposed reduction of 70ha of RLZ land within the BSD settlement boundary, calculating the supply of RLZ land by land area is a simplistic means of assessing supply. It does not take into account that the BSD proposes to reduce the minimum lot size for RLZ land within the BSD settlement boundary to either 10,000m² (1ha) or 4000m² (0.4ha) dependant on location. This is significantly less than the current minimum subdivision size of 6ha and will result in additional supply by enabling existing RLZ land to be subdivided. An analysis of potential lot yield post approval of Amendment C88 indicates a future supply of up to 41 RLZ lots within the BSD based on the minimum lot sizes above.

It should also be noted that there remains approximately 551ha of RLZ outside of the BSD area (north of the Western Freeway and west of Geelong Ballan Road). An assessment of this 551ha of RLZ outside of the BSD area shows that there are approximately 22 vacant RLZ lots that could accommodate a dwelling, and an additional 14 lots could be created by subdividing within the existing RLZ (6ha minimum). This is a total capacity of 36 additional dwellings currently available (subject to a planning permit) in the RLZ outside of the BSD area.

Sewer

At the time of the first lodgement of the amendment request (November 2015), the applicant did not propose to sewer the site.

On 28 April 2016, Council referred the amendment to external agencies, authorities and Government departments to receive their comments regarding the proposal. Southern Rural Water and Western Water in June 2016 objected to the amendment in a joint response due to subject site being in a proclaimed water catchment. Referring to the *'Water Catchment Protection Policy 2012, Protecting Water Quality in Moorabool Shire'*, both agencies raised a concern that the proposed development might have a *'detrimental impact on the quality of its own water supplies.'* Another issue raised was that the proposal does not comply with the minimum lot size of 40ha that is recommended by Guideline 1 of the *'Guidelines for Planning Permit applications in Open, Portable Water Supply catchment areas November 2012.'* The joint referral response stated that they were prepared to review their response if the development proposed reticulated sewer and stormwater.

The applicant has since amended their request to formally propose sewerage of site. This amended request was received on 13 December 2018 and contained a servicing report which states that the site can be serviced by reticulated sewer. As stated in the report, Central Highlands Water have not yet completed a detailed analysis of the area, but preliminary discussions indicate they would be supportive of a pressurised sewer system with each lot feeding into the main via a pumping system. The report states that the sewer would need to be connected from the existing gravity sewer network in Flack Street, bored under the Western Freeway to the site.

Heritage

The Ballanee Homestead is located on the site and is subject to heritage Overlay HO25 within the Moorabool Planning Scheme. The amendment proposes to reduce the extent of the heritage overlay, including the removal of the overlay from a portion of the driveway. This driveway is approximately 1.7km long and is planted as an avenue of pine trees. Under the proposed subdivision plan the avenue trees would form the rear of seven of the proposed new lots (**Attachment 11.2.2b**).

A referral response from Heritage Victoria raised concerns that heritage hadn't been adequately addressed, citing the absence of a heritage report supporting the reduction of the heritage overlay, and an updated statement of significance reflecting the reduced overlay extent.

Heritage Victoria also noted that the Victorian Heritage Database indicates that the Ballanee Homestead is classified by the National Trust as being of regional significance, and that the views of the National Trust should be sought.

The applicant provided a heritage impact statement on 13 December 2018. The report states that *"the subdividing of the original access drive and the loss of the avenue of trees is a loss of a heritage feature on the property that still interprets the original isolation of such places"*, the report then goes on to say the *"loss of the original line of the access driveway and the tree avenue will have a minor impact on the heritage of the place"*. No revised heritage statement of significance has been provided, nor has comment been sought from the National Trust.

Bushfire

A referral response from CFA in May 2016 states that the subject site is not in a Bushfire Management Overlay (BMO) and without identified bushfire hazard to the site. However, the site is in a bushfire prone area (BPA) and would be subject to potential grassfire attack, therefore the future development needs to meet the requirements for the BPA.

The State Government applied the Bushfire Management Overlay to a portion of the site on 3 October 2017 as part of Amendment GC13. It is also noted that State bushfire policy significantly changed on 17 December 2017, and now states that development must be directed away from areas of bushfire risk. The applicant provided a bushfire management report as part of the suite of additional information provided on 13 December 2018. The amendment has not been re-referred to the CFA.

Flora and Fauna

A referral response from DELWP Environment in June 2016 raised concerns that amendment doesn't address Native Vegetation consistent with Clause 52.17 of the Moorabool Planning Scheme. A 15 December 2017 request for further information requested a Flora and Fauna assessment be provided. It is standard practice for such a report to be provided with a rezoning request. This report has yet to be provided.

Drainage and Stormwater

A referral response from Melbourne Water in June 2016 requested that the applicant submit a detailed Drainage and Stormwater Management Strategy, which calculates flow levels, and flood levels for the 100-year ARI flood event and demonstrates how stormwater runoff from the subdivision will achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater. This is yet to be provided.

Soil Suitability

The Soil Suitability report prepared by the applicant states neither the existing site or the reduced area would be considered viable standalone farming operations, noting that the soils on the site are not suitable for intensive agricultural use and would not be suitable for broad acre cropping without extensive drainage works. The report then goes on to state that there is no reason why the remaining balance of site cannot be used for grazing at a reasonable level of intensity. This report appears to be conflicting, as to the extent to which the existing Farming Zoned land is viable farming land.

Policy Implications

The Council Plan 2017-2021 provides as follows:

Strategic Objective 3: Stimulating Economic Development

Context 3A: Land Use Planning

The proposed amendment is not listed as an action within Council Plan 2017 – 2021.

Financial Implications

If the amendment is progressed, the applicant will be required to pay the costs associated with processing the amendment, including statutory fees, mail out and advertising costs, supporting documentation and specialist reports, and planning panel hearing fees. There will be a cost to Council in terms staff time, with similar amendments taking 1-2 years to process to an approval stage.

Risk & Occupational Health & Safety Issues

Due to the matters outlined above, in particular the lack of strategic justification for the amendment, there is a risk that the Department of Environment, Land, Water and Planning may refuse to authorise the amendment.

Community Engagement Strategy

If the amendment was to proceed, the community would be engaged in accordance with the requirements of the *Planning and Environment Act 1987*. This includes notice to neighbouring land owners and advertising in the Moorabool News, Melton and Moorabool Star Weekly and the Victorian Government Gazette. The community will have the opportunity to make a submission to the amendment, and if a planning panel is appointed, will also have the opportunity to make a submission to the planning panel.

Communications and Consultation Strategy

If the amendment was to proceed, the community would be notified in accordance with the requirements of the *Planning and Environment Act 1987*.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Satwinder Sandhu

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

Author – Ana Mitrov

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

Conclusion

Despite a number of key issues regarding the amendment request that remain outstanding, the lack of strategic justification for the proposal remains the main concern.

A thorough examination of the application against the broader strategic planning provisions of relevant State, Regional and Local planning instruments and policy directions shows that there is a lack of strategic justification for the proposal. None of the relevant strategic documents identify either a need for additional RLZ land in Ballan, or further growth of Ballan north of the Western Freeway. Furthermore, it is noted that the DELWP have undertaken a preliminary assessment of the amendment request and note that *“the subject land is not supported by any existing urban or rural-residential settlement strategy”, concluding that “our preliminary assessment finds that it is difficult to reconcile how the proposal can be supported at this stage”*.

Despite initial advice that the amendment lacked strategic justification, the applicant has undertaken additional work to support the amendment, including demonstrating that the site can be sewered. There however remains a number of documents have not been provided, including a revised statement of significance for the Ballanee Homestead, Drainage and Stormwater Management Strategy and a Flora and Fauna Report.

Included in the draft 2019/20 Council Budget is a new initiative to undertake a Rural Land Use Strategy. This strategy will provide a framework for rural land, including the protection of agricultural land, and direction for rural residential development across the municipality.

The direction for rural residential development, will be provided through a holistic municipality wide assessment of the demand and supply of RLZ land, and if additional RLZ land is needed, the best location(s), taking into account factors such as bushfire, environmental values and constraints, water catchments, proximity to services and road network.

Given the lack of strategic justification for this amendment, it is considered that any decision on this amendment should be deferred until the Rural Land Use Strategy is complete, noting that the outcomes of this Strategy may provide strategic justification for the amendment.

Recommendation:

That Council defer the consideration of the amendment until the completion of the Rural Land Use Strategy.

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

- 1. Authorise the General Manager Community Planning to finalise the Planning Scheme Amendment documents, in consultation with the proponent and relevant agencies as required.***
- 2. Request authorisation from the Minister for Planning, to prepare and exhibit Moorabool Planning Scheme Amendment C87 in accordance with Section 8A (2) of the Planning and Environment Act 1987.***
- 3. Furthermore, subject to receiving authorisation from the Minister for Planning, publicly exhibit Amendment C87 in accordance with the Planning and Environment Act 1987, and a report be presented to Council following the completion of the exhibition phase.***

CARRIED.

The Mayor resumed the Chair at 7.05pm

Cr Bingham left the meeting at 7.05pm.

11.3 COMMUNITY DEVELOPMENT

11.3.1 Instrument of Appointment and Authorisation of Council Officers under Section 147(4) of the *Planning and Environment Act 1987*

Introduction

Author: Yvonne Hansen
General Manager: Sally Jones

Under section 147(4) of the *Planning and Environment Act 1987* (the Act), Council must appoint authorised officers for the purposes and regulations made under the Act.

Background

Section 232 of the *Local Government Act 1989* authorises the relevant officers generally to institute proceedings for offences against the Acts and Regulations described within the proposed instrument of appointment and authorisation.

Proposal

In order to comply with the *Planning and Environment Act 1987* and the *Local Government Act 1989*, an Instrument of Appointment and Authorisation is now presented to the Council, as **Attachment 11.3.1**, requesting that the officers named in that Instrument be hereby appointed for the purposes of section 147(4) of the *Planning and Environment Act 1987* and the regulations made under that Act and section 232 of the *Local Government Act 1989* for the purpose generally to institute proceedings for offences against the Acts and regulations described in the instrument.

The change to this Instrument reflects the commencement of Henry Bezuidenhout, Manager Strategic Planning & Economic Development.

Policy Implications

The Council Plan 2017 – 2021 provides as follows:

Strategic Objective 1: Providing good governance and leadership

Context 1C: Our business and systems

The preparation of this Instrument of Appointment and Authorisation of Council Officers under section 147(4) of the *Planning and Environment Act 1987* is consistent with the 2017 - 2021 Council Plan.

Financial Implications

No financial implications to Council.

Risk & Occupational Health & Safety Issues

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

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 – Sally Jones

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

Author – Yvonne Hansen

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

Conclusion

Council is obliged to comply with section 147(4) of the *Planning and Environment Act 1987*, therefore the attached Instrument of Appointment and Authorisation is required to be approved under the Seal of Council.

Resolution:

Crs. Sullivan/Dudzik

That Council approves, under the common seal of Council, the attached Instrument of Appointment and Authorisation of Council officers under section 147(4) of the Planning and Environment Act 1987.

CARRIED.

Cr Bingham returned to the meeting at 7.07pm.

11.3.2 Community Grants Program Round 1 (March), 2019

Introduction

Author: Ian Waugh
General Manager: Sally Jones

Background

The purpose of this report is to present Council with an assessment of applications received for the *2019 Round 1* Community Grants, which total \$270,400 per annum. *Round 1* of the Community Grants Program opened on March 1 and closed on March 31 2019.

At the Ordinary Meeting of Council held on 4 October 2017, the Council adopted a revised Community Grants Policy incorporating the Community Development Fund, introducing a Sustainability and Environmental Engagement funding stream, a funding round change from February to March and funding round title changes. This is the third round of community grants under the new adopted policy. This round was the fifth round where community groups were able to submit their applications online. The number of applications being submitted online is now 100%.

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

- ***Arts and Culture Grants:*** Supporting local artists and organisations to use a creative approach to the development of community projects and initiatives (\$10,000 available this round).
- ***Community Strengthening Grants:*** Community projects, programs and initiatives with a specific focus on connecting communities and building community capacity (\$60,000 available this round).
- ***Events Grants:*** Non-recurrent, seed funding designed to encourage and promote the development of sustainable local events (\$10,000 available this round).
- ***Community Development Fund Grants:*** Supporting community infrastructure projects which significantly impact on community development. One or more projects may be funded up to \$100,000 in this round, with any remaining funding allocated to a second round opening the following March during Round 1 (\$175,144 available in this round).
- ***Sustainability and Environment Engagement Grants:*** Supporting the community in reducing expenditure of gas and electricity, investing in sustainability measures and providing opportunities to raise awareness of environmental issues to the broader community (\$7,400 in this round).

Community groups and organisations can apply for up to \$5,000 for Community Strengthening Grants and up to \$3,000 for Arts, Events and Sustainability 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.

Community group and organisation requirements for the Community Development Fund are tabled below:

Funding Thresholds	Requirements
\$5,001 - \$25,000	<ul style="list-style-type: none"> • 3 written quotes • Project plan • Minimum 1:1 matching funds
\$25,001 - \$50,000	<ul style="list-style-type: none"> • 3 quotes • In-kind ratio maximum 50% • 1 letter of support • Project plan • Minimum 1:1 matching funds • Other funding sources identified
\$50,001- \$75,000	<ul style="list-style-type: none"> • 3 written quotes • In-kind ratio maximum 30% • 2 letters of support • Masterplan • Design drawings • Project plan • Minimum 1:1 matching funds • Other funding sources identified
\$75,001, \$100,000	<ul style="list-style-type: none"> • 3 written quotes • In-kind ratio maximum 20% • 3 letters of support • Masterplan • Design drawings • Project plan • Risk management plan • Community consultation plan • Minimum 1:1 matching funds • Other funding sources identified

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.

Applicant Support

The Community Grants Guidelines specifies that applicant groups are required to liaise with a Community and Recreation Development officer prior to lodging an application to ensure applicants receive clear guidance on eligibility and how to best present their applications. All applicants received support and advice from Council Officers before lodging their application. Additional support was provided after the funding round closed to clarify any ambiguity in applications.

Policy Assessment Criteria:

- Project Description and why the applicant wants to do the project – 10%
- What will this project achieve? – 20%

- Why is this project needed in your community? – 20%
- Who will be involved in the project? 15%
- How will you carry out your project? (including risk management) – 15%
- Project budget and explanation of how the group arrived at the costs? 20%

Each criterion is assessed out of 10 and weighted according to the criteria percentage. The maximum possible score for any application is 100.

Scoring Guide	
Score each criteria out of 10	
0	Did not address criteria
1-2	Minimal
3-5	Satisfactory
6-8	Good
9-10	Excellent

Number of applications and amount requested

In total, 26 applications were received across the five program categories: Community Arts and Culture (2), Community Strengthening Grants (13), Community Events Grants (7), Community Development Fund (4) and Sustainability and Environmental Engagement Grant (0). A total of **\$238,787** was requested with **\$262,544** available.

Category	Applications Received	Amount Available	Amount Requested	Amount Recommended
Community Arts and Culture	2	\$10,000	\$4,313	\$4,313
Community Strengthening Grant	13	\$60,000	\$41,842	\$34,392
Community Events Grant	7	\$10,000	\$11,890	\$8,240
Community Development Fund	4	\$175,144	\$180,742	\$129,742
Sustainability and Environmental Engagement Grant	0	\$7,400	\$0	\$0
Total	26	\$262,544	\$238,787	\$176,687

Assessment

Applications were individually assessed by a diverse panel of officers from across Council units against the extent to which the application addressed the policy assessment criteria. Groups demonstrating a score of 70 or above may be provided with funding if Council so determine.

Proposal

Based on the application assessment process and funding criteria, it is proposed that the Council allocates funding for grants for the Moorabool Shire Community Grants Round 1 2019 as detailed in the tables below.

Recommended**Community Arts and Culture Grants:**

Groups demonstrating a score of 70 or above may be provided with funding if Council so determine.

Group Name	Group Project	Project Description	Community Grant Requested	Total Project Value	Policy Score
Ballan & District Community House & Adult Education Centre Inc	Framing Your Art for Exhibition	To purchase reusable frames for the Lesley Batchelor Gallery	\$2,700	\$5,400	78.33
Bacchus Marsh and District Photography Club	Basic Photography Workshop	The purchase of a projector, screen and resource material.	\$1,613	\$3,226	74.00
Totals			\$4,313	\$8,626	

Recommended**Community Strengthening Grants:**

Groups demonstrating a score of 70 or above may be provided with funding if Council so determine.

Group Name	Group Project	Project Description	Community Grant Requested	Total Project Value	Policy Score
Djerriwarrh Health Services	Welcoming Baby to Country in Moorabool Shire	To host a Welcome Baby to Country Ceremony to acknowledge and welcome Aboriginal and Torres Strait Islander children	\$4,977	\$9,954	83.93
BM Dementia Alliance - Djerriwarrh Health Services	Environmental Audits	The Bacchus Marsh Dementia Alliance has developed a Dementia Australia endorsed work plan which includes undertaking an environmental audit of public areas in Bacchus Marsh to identify actions to make these places Dementia Friendly.	\$5,000	\$11,500	83.86

Moorabool Landcare Network	Growth at the Landcare Nursery	This project aims to improve the structure and materials for the nursery using all volunteer labour to help it along the path to being a self-sustaining not for profit community venture.	\$4,500	\$10,000	83.33
Ballan RSL Sub-Branch Building Patriotic Fund	Ballan RSL Air-conditioning	To install reverse cycle air conditioners into the main hall and the administration office areas	\$2,830	\$5,660	82.67
Bacchus Marsh Bmx Club Inc.	Bacchus Marsh BMX Club Scorers Hut	To purchase and install a scorer's hut	\$4,840	\$10,340	75.16
Myrning Primary School	Flag Pole and Indigenous Garden	To erect 2 new flag poles which will fly the Aboriginal Flag and Torres Strait Islander flags and design and construct an Indigenous garden	\$1,000	\$2,803	73.36
Bacchus Marsh & Melton Districts Community Theatre Incorporated	Moonlite Theatre Portable Lighting system	To purchase portable lighting system for the theatre group	\$1,000	\$2,000	73.36
Ballan Shire Historical Society Incorporated	Air Conditioning of Ballan Old Courthouse.	To install reverse cycle air conditioners into the Ballan Courthouse.	\$1,795	\$6,590	73.07
The Lions Club of Bacchus Marsh Inc	Scout Hall Solar Panels	To install a solar panel system by the scouts/guides at the scout hall.	\$5,000	\$17,000	72.50
Ballan District Vintage Machinery and Vehicle club	Catch the Rain	To install rain tank and pump at the Ballan Racecourse Reserve	\$3,450	\$6,675	70.29
Totals			\$34,392	\$82,522	

Not Recommended

Community Strengthening Grants:

Group Name	Group Project	Project Description	Community Grant Requested	Total Project Value	Policy Score	Rationale
Ballan Football Netball Club	Ballan Netta	To purchase netball equipment	\$950	\$950	58.86	This is an ongoing program.
Ballan Football Netball Club	Football Netball Uniforms	Purchase new dresses for our netball and football teams	\$5,000	\$10,000	42.64	Uniforms are not eligible for community grant funding
Totals			\$7,450.00	\$10,950		

Recommended

Community Events Grants:

Groups demonstrating a score of 70 or above may be provided with funding if Council so determine.

Group Name	Group Project	Project Description	Community Grant Requested	Total Project Value	Policy Score
Darley Neighbourhood House and Learning Centre Inc.	Know Your Neighbour, Know Your Neighbourhood House	To host an event for 'Know Your Neighbour, Know Your Neighbourhood House'	\$1,340	\$2,690	84.71
Moorabool Catchment Landcare Group	Celebrating 30 years of Landcare -	To celebrate the groups 30 th anniversary	\$2,900	\$6,920	77.21
Moorabool Light Orchestra	Young People's Concert	To provide concert to involve youth	\$3,000	\$32,950	75.29
BM Running Club	Bacchus Marsh Recreational Running Events	To purchase timing equipment for events	\$1,000	\$6,710	72.67
Totals			\$8,240	\$49,270	

Not Recommended

Community Events Grants:

Group Name	Group Project	Project Description	Community Grant Requested	Total Project Value	Policy Score	Rationale
Ballaarat Astronomical Society Inc	Introduction to Astronomy Camp	To hold a dark sky astronomy camp	\$650	\$2,150	67.14	Community not clearly articulated.
Bacchus Marsh Aquatic Centre Community Consortium Inc	Bacchus Marsh Flower & Garden Show	Hosting the Bacchus Marsh Flower and Garden	\$3,000	\$10,000	64.93	This is an ongoing event with no new component. The budget also did not comply.
Totals			\$3,650	\$12,150		

Recommended

Community Development Fund:

Groups demonstrating a score of 70 or above may be provided with funding if Council so determine.

Group Name	Group Project	Project Description	Community Grant Requested	Total Project Value	Policy Score
Ballan Bowling Club Inc	Ballan Bowls Synthetic Green	To install a synthetic green	\$100,000	\$200,000	83.07
Clarendon Recreation Reserve Committee of Management	Stage 2 Management Plan Clarendon Recreation Reserve	To refurbish the tennis court at Clarendon Recreation Reserve	\$29,742	\$59,505	72.71
Totals			\$129,742	\$259,505	

Not Recommended

Community Development Fund:

Group Name	Group Project	Project Description	Community Grant Requested	Total Project Value	Policy Score	Rationale
BM Gliding Museum Inc	Public Gliding Museum Stage 1- Sketch Drawings.	To have sketch drawings for a gliding museum	\$11,000	\$22,000	50.71	Cannot meet 1:1 funding ratio. Have not provided three quotes. Policy currently requires all funding is matched by cash contribution only. Group only has \$4,130 to contribute, however confirmed an \$11,000 cash contribution.
Bungaree Football Netball Club	Bungaree Football Goal Nets	To install goal nets.	\$40,000	\$50,000	41.00	Cannot meet 1:1 funding ratio. Have not provided three quotes or project plan.
Totals			\$51,000	\$72,000		

Ineligible Grant Applications:

Group Name	Project Name	Stream	Project Description	Community Grant Requested	Total Project Value	Rationale
Gordon Community Fair Inc	Gordon Community Fair 2019	Community Events	Fair for the Gordon Community	\$3,000	\$38,000	Funded last round and is an ongoing event
Lal Lal History Group	Lal Lal History Group Field Excursions	Community Strengthening	Historical tour and events relating to the history of Lal Lal	\$1,500	\$2,888	This event has already taken place and therefore cannot be funded retrospectively. However, the application was assessed due to incorrect dates being supplied in the application. The score received was 67.86 .
Totals				\$4,500	\$40,888	

Policy Implications

The 2017 - 2021 Council Plan provides as follows:

Strategic objective 4 Improving social outcomes

Context 4b Community connectedness and capacity

The proposed allocation of grants under the 2019 Round 1 Community Grants Program is consistent with the 2017-2021 Council Plan.

Financial Implications

Consistent with the Community Grants Policy and 2018/19 budget allocation, a total of **\$262,544** is available for allocation in Round 1 *Community Grants Program*.

The following amounts are recommended:

- \$4,313 for Arts and Culture Grants
- \$34,392 for Community Strengthening Grants
- \$8,240 for Community Events Grants
- \$129,742 for Community Development Fund Grants

The total grant funding being recommended for allocation this round is **\$176,687**.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk rating	Control/s
Project timelines	Grant recipients exceeding prescribed timelines	Medium	<ul style="list-style-type: none"> • Terms and conditions agreements required to be signed by grant recipients • Scheduled monitoring of projects
Financial	Grant recipients misappropriate expenditure of Council funds	Medium	<ul style="list-style-type: none"> • 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	Outcome
Consult	Unsuccessful former applicants	<ul style="list-style-type: none"> • Direct phone calls • Direct emails 	N/A	MSC provided guidance and advice. Former applicants resubmitted improved grants
	Community Groups	<ul style="list-style-type: none"> • Direct email to Moorabool community/not for profit groups 	Various	MSC provided guidance and advice. Applicants supported to submit applications
	Moorabool residents	<ul style="list-style-type: none"> • Flyers displayed through the Moorabool libraries 	Various	Broader community reach and awareness of the Community Grants Program. Steer people to the website, which contains all required information to plan for as well as make their application.
		<ul style="list-style-type: none"> • Promotional Flyers displayed on all noticeboards throughout shire 	<ul style="list-style-type: none"> • Darley Early Years Hub • Community Noticeboards: <ul style="list-style-type: none"> ➢ Mt Egerton ➢ Gordon ➢ Lal Lal ➢ Bungaree ➢ Blackwood ➢ Greendale ➢ Dunnstown ➢ Wallace • Darley Neighbourhood House • Ballan & District Community House • BM Leisure Centre • Visitors Centre 	

Level of Engagement	Stakeholder	Activities	Location	Outcome
		<ul style="list-style-type: none"> • Promotional posts on MSC Facebook pages • Promotional and informative posts on MSC website • Community Facebook Page 	<ul style="list-style-type: none"> • Website events page • Website community page • Corporate Facebook page • Leisure Centre Facebook page • Youth Facebook Page 	<p>Broader community reach and awareness of the Community Grants Program. Steer people to the website, which contains all required information to plan for as well as make their application.</p>
		<ul style="list-style-type: none"> • Promotional articles published in the following MSC publications 	<ul style="list-style-type: none"> • Moorabool News - What's on Section • AACA Newsletter • Library Newsletter • Enews - Economic Development • Internal Newsletters 	<p>Broader community reach and awareness of the Community Grants Program. Steer people to the website, which contains all required information to plan for as well as make their application.</p>
Engage	Unsuccessful former applicants	<ul style="list-style-type: none"> • Face to face meetings 		<p>MSC provided guidance and advice. Former applicants resubmitted improved grants</p>
	Community Groups	<ul style="list-style-type: none"> • Meetings with applicant groups • Community Grant Writing Workshop 	Various	<p>MSC provided guidance and advice. Applicants supported to submit applications</p>

2019 Round 1 Community Grants program utilised SmartyGrants, an industry leading online grant platform, for the first time. Further to the significant benefits afforded to grant administrators, the platform introduces many improved and easier application functions, making the online submission even easier for community applicants. Applicant feedback has confirmed this.

Due to this round being the first utilisation of the SmartyGrants platform, we are unable to provide analytical comparison data.

Applicants for the 2019 Round 1 of Community Grants program have been informed they will be notified of the outcomes of their grant applications in July 2019.

Communications and Consultation Strategy

Community Development and Recreation Officers will formally notify groups of the outcome of their applications and provide opportunity for feedback to unsuccessful applicant groups.

Feedback will include:

- Advice to applicant groups of the relative strengths and areas for improvement in their application.
- Options for alternative funding (if applicable).
- Supporting a group to amend and re-lodge their application in the next appropriate round of the 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 – Sally Jones

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

Applications received under the 2019 Round 1 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, 26 applications were received across the five program categories: Community Strengthening Grants (13), Community Events Grants (7), Arts and Culture Grants (2), Development Fund Grant (4) and Sustainability and Environmental Engagement Grant (0).

Motion:**Crs. Dudzik/Sullivan**

1. That Council allocates the following grants in the Community Arts and Culture Grant category:

Organisation Name	Project name	Amount
Ballan & District Community House & Adult Education Centre Inc	Framing Your Art for Exhibition	\$2,700
Bacchus Marsh and District Photography Club	Basic Photography Workshop	\$1,613
Total		\$4,313

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

Organisation Name	Project name	Amount
Djerriwarrh Health Services	Welcoming Baby to Country in Moorabool Shire	\$4,977
BM Dementia Alliance - Djerriwarrh Health Services	Environmental Audits	\$5,000
Moorabool Landcare Network	Growth at the Landcare Nursery	\$4,500
Ballan RSL Sub-Branch Building Patriotic Fund	Ballan RSL Air-conditioning	\$2,830
Bacchus Marsh Bmx Club Inc.	Bacchus Marsh BMX Club Scorers Hut	\$4,840
Myrniong Primary School	Flag Pole and Indigenous Garden	\$1,000
Bacchus Marsh & Melton Districts Community Theatre Incorporated	Moonlite Theatre Portable Lighting system	\$1,000
Ballan Shire Historical Society Incorporated	Air Conditioning of Ballan Old Courthouse.	\$1,795
The Lions Club of Bacchus Marsh Inc	Scout Hall Solar Panels	\$5,000
Ballan District Vintage Machinery and Vehicle club	Catch the Rain	\$3450
Total		\$34,392

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

Organisation Name	Project name	Amount
Darley Neighbourhood House and Learning Centre Inc.	Know Your Neighbour, Know Your Neighbourhood House	\$1,340
Moorabool Catchment Landcare Group	Celebrating 30 years of Landcare	\$2,900
Moorabool Light Orchestra	Young Peoples Concert	\$3,000
BM Running Club	Bacchus Marsh Recreational Running Events	\$1,000
	Total	\$8,240

4. That Council allocates the following grants in the Community Development Fund Grant category:

Organisation Name	Project name	Amount
Ballan Bowling Club Inc	Ballan Bowls Synthetic Green	\$100,000
Clarendon Recreation Reserve Committee of Management	Stage 2 Management Plan Clarendon Recreation Reserve	\$ 29,742
	Total	\$129,742

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

6. That Council Staff provide feedback to unsuccessful groups and provide suggestions for alternative funding (if applicable) 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.

**Amendment:
Crs Bingham/Keogh**

1. ***That Council allocates the following grants in the Community Arts and Culture Grant category:***

<i>Organisation Name</i>	<i>Project name</i>	<i>Amount</i>
<i>Ballan & District Community House & Adult Education Centre Inc</i>	<i>Framing Your Art for Exhibition</i>	<i>\$2,700</i>
<i>Bacchus Marsh and District Photography Club</i>	<i>Basic Photography Workshop</i>	<i>\$1,613</i>
	<i>Total</i>	<i>\$4,313</i>

2. ***That Council allocates the following grants in the Community Strengthening Grant category:***

<i>Organisation Name</i>	<i>Project name</i>	<i>Amount</i>
<i>Djerriwarrh Health Services</i>	<i>Welcoming Baby to Country in Moorabool Shire</i>	<i>\$4,977</i>
<i>BM Dementia Alliance - Djerriwarrh Health Services</i>	<i>Environmental Audits</i>	<i>\$5,000</i>
<i>Moorabool Landcare Network</i>	<i>Growth at the Landcare Nursery</i>	<i>\$4,500</i>
<i>Ballan RSL Sub-Branch Building Patriotic Fund</i>	<i>Ballan RSL Air-conditioning</i>	<i>\$2,830</i>
<i>Bacchus Marsh Bmx Club Inc.</i>	<i>Bacchus Marsh BMX Club Scorers Hut</i>	<i>\$4,840</i>
<i>Myrniong Primary School</i>	<i>Flag Pole and Indigenous Garden</i>	<i>\$1,000</i>
<i>Bacchus Marsh & Melton Districts Community Theatre Incorporated</i>	<i>Moonlite Theatre Portable Lighting system</i>	<i>\$1,000</i>
<i>Ballan Shire Historical Society Incorporated</i>	<i>Air Conditioning of Ballan Old Courthouse.</i>	<i>\$1,795</i>
<i>The Lions Club of Bacchus Marsh Inc</i>	<i>Scout Hall Solar Panels</i>	<i>\$5,000</i>
<i>Ballan District Vintage Machinery and Vehicle club</i>	<i>Catch the Rain</i>	<i>\$3450</i>
	<i>Total</i>	<i>\$34,392</i>

3. ***That Council allocates the following grants in the Community Events Grant category:***

<i>Organisation Name</i>	<i>Project name</i>	<i>Amount</i>
<i>Darley Neighbourhood House and Learning Centre Inc.</i>	<i>Know Your Neighbour, Know Your Neighbourhood House</i>	<i>\$1,340</i>
<i>Moorabool Catchment Landcare Group</i>	<i>Celebrating 30 years of Landcare</i>	<i>\$2,900</i>
<i>Moorabool Light Orchestra</i>	<i>Young Peoples Concert</i>	<i>\$3,000</i>
<i>BM Running Club</i>	<i>Bacchus Marsh Recreational Running Events</i>	<i>\$1,000</i>
<i>Bacchus Marsh Aquatic Centre Community Consortium Inc</i>	<i>Bacchus Marsh Flower & Garden Show</i>	<i>\$3,000</i>
	<i>Total</i>	<i>\$11,240</i>

4. ***That Council allocates the following grants in the Community Development Fund Grant category:***

<i>Organisation Name</i>	<i>Project name</i>	<i>Amount</i>
<i>Ballan Bowling Club Inc</i>	<i>Ballan Bowls Synthetic Green</i>	<i>\$100,000</i>
<i>Clarendon Recreation Reserve Committee of Management</i>	<i>Stage 2 Management Plan Clarendon Recreation Reserve</i>	<i>\$ 29,742</i>
	<i>Total</i>	<i>\$129,742</i>

5. ***That all applicants be notified in writing of the outcome of their application.***
6. ***That Council Staff provide feedback to unsuccessful groups and provide suggestions for alternative funding (if applicable) 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.***

Councillor Sullivan called for a Division.

Councillors voting for the Resolution:

Cr. Bingham

Cr. Dudzik

Cr. Keogh

Councillors voting against the Resolution:

Cr. Sullivan

Cr. Tatchell

The amendment was determined to be CARRIED.

11.4 ASSETS AND COMMUNITY INFRASTRUCTURE

No reports for this meeting.

12. OTHER REPORTS

12.1 Assembly of Councillors

File No.: 02/01/002

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

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

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

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

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

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

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

- Assembly of Councillors – Wednesday 26 June 2019 – Audit of closed landfills
- Assembly of Councillors – Wednesday 26 June 2019 – Urban Amenities review

Resolution:

Crs. Bingham/Dudzik

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

- ***Assembly of Councillors – Wednesday 26 June 2019 – Audit of closed landfills***
- ***Assembly of Councillors – Wednesday 26 June 2019 – Urban Amenities review***

CARRIED.

12.2 Section 86 – Delegated Committees of Council – Reports

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

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

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

Committee	Meeting Date	Council Representative	Attachment No.
Moorabool Growth Management Committee Minutes available online: https://www.moorabool.vic.gov.au/my-council/council-meetings/council-committees-2019	Wednesday 05 June 2019	Cr. Tatchell Cr. Keogh Cr. Dudzik Cr. Toohey Cr. Sullivan Cr. Edwards Cr. Bingham	n/a
Bacchus Marsh Racecourse and Reserve Committee of Management	Tuesday 14 May, 2019	Cr. Bingham	12.2a
Gordon Public Hall Committee of Management	Wednesday 03 April 2019		12.2b
Development Assessment Committee Minutes available online: https://www.moorabool.vic.gov.au/my-council/council-meetings/council-committees-2019	Wednesday 19 June 2019	Cr. Tatchell Cr. Keogh Cr. Dudzik Cr. Toohey Cr. Sullivan Cr. Edwards Cr. Bingham	n/a

Resolution:

Crs. Sullivan/Bingham

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

- ***Moorabool Growth Management Committee, Wednesday 05 June 2019***
- ***Bacchus Marsh Racecourse and Reserve Committee of Management, Tuesday 14 May 2019***
- ***Gordon Public Hall Committee of Management, Wednesday 03 April 2019***
- ***Development Assessment Committee, Wednesday 19 June 2019.***

CARRIED.

12.3 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	Attachment No.
Heritage Advisory Committee	Wednesday 17 April 2019	Cr. Keogh	12.3a

Resolution:

Crs. Dudzik/Keogh

That Council receives the report of the following Advisory Committees of Council:

- ***Heritage Advisory Committee, Wednesday 17 April 2019.***

CARRIED.

13. NOTICES OF MOTION

13.1 Cr. Bingham N.O.M: No. 283 – Council Managed Meeting Room Hire Rates

Resolution:

Crs. Bingham/Keogh

That Council:

- 1. Undertakes community consultation for the purposes of reviewing hire rates of Council managed buildings.***
- 2. Receive a report regarding Council managed building hire rates and the financial implication to Council to remove casual and regular ongoing hire costs for Moorabool community groups.***

CARRIED.

13.2 Cr. Bingham N.O.M: No. 284 – Fire Service Levy**Resolution:****Crs. Bingham/Sullivan*****That Council:***

- 1. *Writes to the Minister for Police and Emergency Services the Hon Lisa Neville MP seeking clarification of:***
 - a. *The future of the Fire Services Levy;***
 - b. *What impacts, if any, the Fire Service Reform may have for the ratepayers of Moorabool Shire Council;***
 - c. *How the Fire Services Levy, as collected through Moorabool rates and totalling \$14.871M over the last five years, has been allocated; and***
 - d. *What is the current and future % of levy raised to be returned to CFA infrastructure within Moorabool Shire.***

CARRIED.

14. MAYOR'S REPORT

Since the last Ordinary Meeting of Council, the Mayor has attended the following meetings and activities:

Cr Paul Tatchell – Mayor's Report	
Date: 3 July, 2019	
7 June	<ul style="list-style-type: none"> • Opening of the Bacchus Marsh 49th Rotary Art Show, Bacchus Marsh Public Hall
12 June	<ul style="list-style-type: none"> • Regional Tourism Review Meeting, Ballarat
18 June	<ul style="list-style-type: none"> • Ballan & District Chamber of Commerce Business Excellence Awards 2019
19 June	<ul style="list-style-type: none"> • Councillor Briefing – Community Infrastructure Framework • Councillor Briefing – Community Grants • Councillor Briefing – Review of the Draft OMC Agenda • S86 Development Assessment Committee Meeting
21 June	<ul style="list-style-type: none"> • Bacchus Marsh Transfer Station – Launch of E-Waste Infrastructure Project
26 June	<ul style="list-style-type: none"> • Councillor Briefing – Audit of Closed Landfills • Councillor Briefing – Urban Amenities • Special Meeting of Council
3 July	<ul style="list-style-type: none"> • Ordinary Meeting of Council

Resolution:

Crs. Sullivan/Keogh

That the Mayor's report be received.

CARRIED.

15. COUNCILLORS' REPORTS

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

Cr. Keogh	
June 2019	
2 June	<i>Celebration of the re-printing of the book "A Pictorial History of the Shire of Ballan"</i>
13 June	<i>Grow West Implementation Meeting</i>
18 June	<i>Ballan & District Chamber of Commerce Business Excellence Awards 2019</i>

Cr. Dudzik	
June 2019	
2 June	<i>State Budget Announcement BBQ hosted by Mr Stephen McGhie</i>

Resolution:

Crs. Sullivan/Keogh

That the Councillors' reports be received.

CARRIED.

16. URGENT BUSINESS

Nil.

ADJOURNMENT OF MEETING – 7.40pm

Crs. Sullivan / Bingham

That the meeting now stand adjourned for a period of 5 minutes.

CARRIED.

RESUMPTION OF MEETING – 7.49pm

Crs. Sullivan/Dudzik

That the meeting now be resumed.

CARRIED.

17. CLOSED SESSION OF THE MEETING TO THE PUBLIC

17.1 Financial Hardship Applications	
Directorate:	Chief Executive Office
CEO	Derek Madden
Author:	Jacinta Erdody
<i>Section 89(2) (b) the personal hardship of any resident or ratepayer;</i>	

Resolution:

Crs. Sullivan/Keogh

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

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

CARRIED.

Item 17.1 is a
confidential item and
therefore not included
as part of these minutes.

RETURN TO OPEN SESSION – 7.52 PM

Crs. Bingham/Sullivan

That the Meeting now return to Open Session.

CARRIED.

18. MEETING CLOSURE

The meeting closed at 7.53 PM.

Confirmed.....Mayor.