

## ORDINARY MEETING OF COUNCIL

**Minutes** of the Ordinary Meeting of Council  
held at the James Young Room, Lerderderg Library,  
215 Main Street, Bacchus Marsh on  
Wednesday 3 August 2016 at 5:00 p.m.

### Members:

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

### Officers:

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

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

## AGENDA

<b>1.</b>	<b>OPENING OF MEETING AND PRAYER .....</b>	<b>4</b>
<b>2.</b>	<b>ACKNOWLEDGEMENT TO COUNTRY.....</b>	<b>4</b>
<b>3.</b>	<b>PRESENT .....</b>	<b>4</b>
<b>4.</b>	<b>APOLOGIES.....</b>	<b>4</b>
<b>5.</b>	<b>CONFIRMATION OF MINUTES .....</b>	<b>5</b>
5.1	<i>Ordinary Meeting of Council – Wednesday 6 July 2016 .....</i>	<i>5</i>
<b>6.</b>	<b>DISCLOSURE OF CONFLICT OF INTEREST .....</b>	<b>6</b>
<b>7.</b>	<b>PUBLIC QUESTION TIME.....</b>	<b>8</b>
<b>8.</b>	<b>PETITIONS .....</b>	<b>9</b>
8.1	<i>Manning Boulevard, Darley – request for the installation of speed limiting devices.....</i>	<i>9</i>
<b>9.</b>	<b>PRESENTATIONS / DEPUTATIONS .....</b>	<b>10</b>
<b>10.</b>	<b>OFFICER'S REPORTS.....</b>	<b>11</b>
<b>10.1</b>	<b>CHIEF EXECUTIVE OFFICER.....</b>	<b>11</b>
<b>10.2</b>	<b>GROWTH AND DEVELOPMENT .....</b>	<b>12</b>
10.2.1	<i>Housing Bacchus Marsh to 2041 .....</i>	<i>12</i>
10.2.2	<i>Proposed Discontinuation of a Portion of Government Road (deviation of Halletts Way, Darley) .....</i>	<i>29</i>
10.2.3	<i>Policy Review – Rescinding Policies.....</i>	<i>34</i>
10.2.4	<i>2013-2017 Council Plan Actions Progress Report for 2015/16 Financial Year.....</i>	<i>37</i>
10.2.5	<i>Bungaree Water Supply Protection Area .....</i>	<i>41</i>
<b>10.3</b>	<b>SOCIAL &amp; ORGANISATIONAL DEVELOPMENT.....</b>	<b>45</b>
10.3.1	<i>Recreation Reserve Management Framework.....</i>	<i>45</i>
10.3.2	<i>Community Facilities Funding Policy .....</i>	<i>52</i>
10.3.3	<i>Revised Appointments and Delegations Policy.....</i>	<i>59</i>
10.3.4	<i>Recreation Reserve Capital Works Contributions Policy .....</i>	<i>66</i>
10.3.5	<i>Recreation Reserve User Fees and Charges Policy.....</i>	<i>73</i>
10.3.6	<i>Recreation Reserve Leases and Licence Occupancy Policy.....</i>	<i>83</i>
<b>10.4</b>	<b>INFRASTRUCTURE SERVICES .....</b>	<b>89</b>
10.4.1	<i>Capital Improvement Program Quarterly Report – June 2016.....</i>	<i>89</i>
<b>11.</b>	<b>OTHER REPORTS .....</b>	<b>97</b>
11.1	<i>Assembly of Councillors.....</i>	<i>97</i>
11.2	<i>Section 86 - Delegated Committees of Council - Reports.....</i>	<i>98</i>
11.3	<i>Advisory Committees of Council - Reports.....</i>	<i>99</i>
<b>12.</b>	<b>NOTICES OF MOTION .....</b>	<b>100</b>
12.1	<i>Cr. Dudzik: N.O.M. No. 257 - Maddingley Park Clubrooms Extension Project.....</i>	<i>100</i>
<b>13.</b>	<b>MAYOR'S REPORT.....</b>	<b>101</b>
<b>14.</b>	<b>COUNCILLORS' REPORTS.....</b>	<b>102</b>

**15. URGENT BUSINESS..... 103**  
**16. CLOSED SESSION OF THE MEETING TO THE PUBLIC ..... 108**  
16.1 *Confidential Report* ..... 108  
**17. MEETING CLOSURE ..... 113**

**1. OPENING OF MEETING AND PRAYER**

*The Mayor, Cr. Comrie, opened the meeting at 5.00pm with the Council Prayer.*

**2. ACKNOWLEDGEMENT TO COUNTRY**

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

**3. PRESENT**

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

**Officers:**

<i>Mr. Rob Croxford</i>	<i>Chief Executive Officer</i>
<i>Mr. Phil Jeffrey</i>	<i>General Manager Infrastructure</i>
<i>Mr. Satwinder Sandhu</i>	<i>General Manager Growth and Development</i>
<i>Mr. Danny Colgan</i>	<i>General Manager Social and Organisational Development</i>
<i>Mr. Andrew Goodsell</i>	<i>Manager Strategic and Sustainable Development</i>
<i>Mr. Troy Scoble</i>	<i>Manager Recreation and Youth Development</i>
<i>Ms. Sam Romaszko</i>	<i>Manager Engineering Services</i>
<i>Mr. John Whitfield</i>	<i>Governance Coordinator</i>
<i>Ms. Michelle Morrow</i>	<i>Minute Taker</i>

**4. APOLOGIES**

*Nil.*

**5. CONFIRMATION OF MINUTES**

**5.1 Ordinary Meeting of Council – Wednesday 6 July 2016**

**Crs. Dudzik /Edwards.**

***That Council confirms the Minutes of the Ordinary Meeting of Council held on Wednesday 6 July 2016.***

**CARRIED.**

## 6. DISCLOSURE OF CONFLICT OF INTEREST

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

Definitions of the class of the interest are:

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

### Time for Disclosure of Conflicts of Interest

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

Section 79(6) of the Act states:

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

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

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

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

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

***Nil.***

## 7. PUBLIC QUESTION TIME

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

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

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

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

A Councillor or Council officer may:

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

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

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

***Nil.***



## 8. PETITIONS

### 8.1 Manning Boulevard, Darley – request for the installation of speed limiting devices

Council has received a petition containing 45 names of residents, (representing 32 residential addresses) of Manning Boulevard, Darley, pertaining to a request for Council to install speed limiting devices in the 50kph zone in Manning Boulevard, to address the issue of noise at night from speeding cars.

It should be noted that Council's Meeting Procedures Local Law No. 9 in Clause 6.7 requires a petition to contain at least ten signatures. In this case the hand-written names and addresses of 45 residents of Manning Boulevard have been provided but not the signatures of these residents.

Never-the-less, it is recommended that the petition be received by the Council and a report prepared by Council officers.

#### *Consideration of Deputation*

*Mr. Barry Whelan addressed Council in relation to Manning Boulevard, Darley – request for the installation of speed limiting devices.*

*The business of the meeting then returned to the agenda.*

#### **Recommendation:**

**That the petition containing 45 names requesting that speed limiting devices be installed in Manning Boulevard, Darley be received by Council and that a report be prepared by officers for Council's consideration.**

#### **Resolution:**

**Crs. Dudzik/Spain**

*That the petition containing 45 names requesting that speed limiting devices be installed in Manning Boulevard, Darley be received by Council and that a report be prepared by officers for the next Council meeting to be held in Bacchus Marsh.*

**CARRIED.**

## 9. PRESENTATIONS / DEPUTATIONS

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

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

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

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

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

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

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

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

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

Item No	Description	Name	Position
8	<i>Petitions – Maddingley Boulevard, Bacchus Marsh</i>	<i>Mr Barry Whelan</i>	<i>Supporter</i>
10.3.4	<i>Recreation Reserve Capital Works Contributions Policy</i>	<i>Mr Pat Griffin</i>	<i>Objector</i>
10.3.5	<i>Recreation Reserve User Fees and Charges Policy</i>	<i>Mr Pat Griffin</i>	<i>Objector</i>

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

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

***Nil.***

**10. OFFICER'S REPORTS**

**10.1 CHIEF EXECUTIVE OFFICER**

*No reports for this meeting.*

## 10.2 GROWTH AND DEVELOPMENT

### 10.2.1 Housing Bacchus Marsh to 2041

File No.: 13/01/014  
Author: Andrew Goodsell  
General Manager: Satwinder Sandhu

#### Executive Summary

At the Ordinary Council meeting held on 25 May 2016 it was resolved to place on public consultation the document *Housing Bacchus Marsh to 2041* (the Housing Strategy) for a period of 4 weeks.

During the public consultation process three (3) submissions were received from agencies (Western Water, the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) and Wyndham City Council. All were supportive of the Housing Strategy, with some suggested improvements made by DEDJTR concerning where increased housing density should be delivered. For reasons outlined in this report, those precincts are proposed to remain as either natural increase or minimal residential growth zones (17, 19, 20, 21, 30, 31). Precinct 32 comprises part Mixed Use Zone and part General Residential Zone, and is proposed to remain a natural residential growth precinct.

Three (3) public submissions were received, two brief statements on Have your Say and a more detailed submission by a local resident. All three are supportive of the Housing Strategy, but make some important statements on the role of heritage planning to protect important buildings and streetscapes, and the need for holistic planning to ensure areas of increased density benefit from appropriate public infrastructure.

Council has now completed the consultation process and has a final strategy for consideration and adoption. No substantive changes were made to the Housing Strategy as a result of the exhibition process.

Subject to adoption of the Strategy implementation of the recommendations will form the next phase of work.

#### The objectives of the Housing Strategy

The objectives of the Housing Strategy are set out on page 7 of the Strategy. These include to: -

- Provide an integrated body of work which captures the key aspects of housing supply and demand for Bacchus Marsh.
- Identify housing stock diversity targets and how these targets can be achieved.
- Provide a clear direction and policy guidance to enable orderly growth, managed change and retention of key elements of character including neighbourhood character mapping and character precinct brochures.
- Develop a strategy for residential growth that considers the specific pressures for housing in Bacchus Marsh and the desire to support investment and access to key activity centres throughout the settlement.
- Provide a basis for Council to develop a clear vision on housing issues across Bacchus Marsh and thus:

- Update the planning scheme as appropriate to reflect that vision and strategic directions – zones, schedules, overlays.
- Have a clear perspective on the likely issues of affordability and emergency care needs and establish key directions for future assessments and strategy development in these areas.

The Strategy addresses the above objectives, but also identifies the complexity of housing policy, including identifying that Local Government has limited control in managing housing diversity. Thus, the primary focus must be on what Council can reasonably control via regulation (the planning scheme) and advocacy and partnership development with key stakeholders.

### **Scope of the Housing Strategy**

The Housing Strategy makes the following key recommendations:

- Prepare an action plan based on a series of recommended actions as set out in the Strategy concerning housing diversity, affordability and accessibility (see Chapter 8).
- Update the Municipal Strategic Statement within the planning scheme, to build on the vision, objectives, strategies and actions for Bacchus Marsh as set out in the Housing Strategy.
- Update residential zones and schedules based on the strategic application of the General Residential Zone with schedules that encourage infill development in some precincts but not others, with Neighbourhood Residential Zone applied to areas where growth is to be minimised.
- Add '*Housing Bacchus Marsh to 2041*' (including existing and preferred character statements) to the list of Reference Documents in the planning scheme.
- Prepare guidelines/policy for urban design, landscaping and environmentally sustainable design. These guidelines could also be included as Reference Documents in the planning scheme.

It is evident from the community engagement that there is considerable support for a housing strategy in the form proposed. But equally it needs to be acknowledged that there are other tools or mechanisms also required to be implemented in Bacchus Marsh.

For instance, heritage conservation is best addressed via an adopted heritage strategy and amendment to the planning scheme. The work from 1995 has not been implemented and needs a likely gaps analysis to update with resourcing to complete an amendment. In turn this would upgrade the list of heritage places and what precincts, if any, are needed.

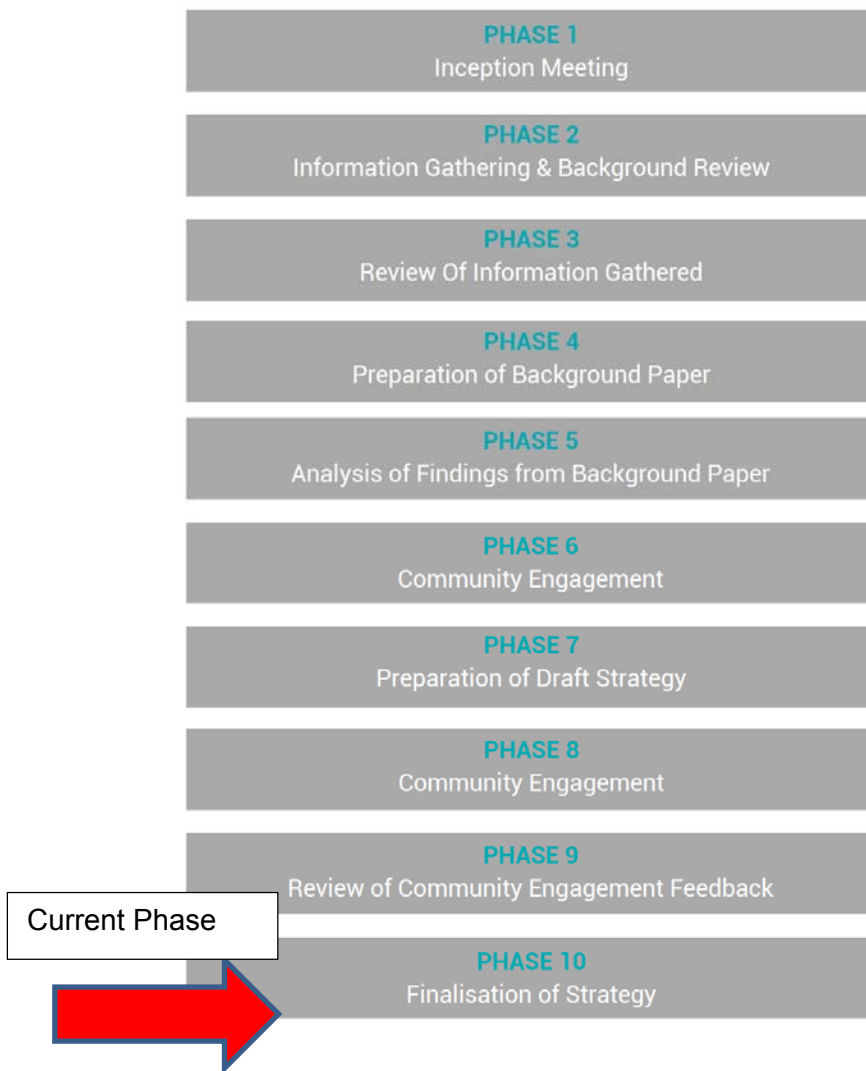
Issues such as community infrastructure planning and more integrated delivery of cycleways, footpaths and public transport accessibility are optimally delivered via the adopted Bacchus Marsh Integrated Transport Strategy. The Hike and Bike Strategy also provides guidance on priorities.

These initiatives, together with the housing strategy and a renewed focus on the service role of neighbourhood hubs in Darley, Bacchus Marsh and Maddingley as part of the Community Infrastructure Framework (and future funding capture programmes) are critical if targeted investment to enhance sustainability is to occur.

The Housing Strategy cannot deliver all of these outcomes by itself. The challenge is therefore to communicate to the community, engage on priorities and integrate the now extensive set of strategies into a coherent implementation plan for Bacchus Marsh.

**Housing Strategy Methodology**

The Housing Strategy was developed via a 10 phase process, as per Figure 1.



**Figure 1** Housing Strategy Methodology (source: Mesh)

### Progress to Date

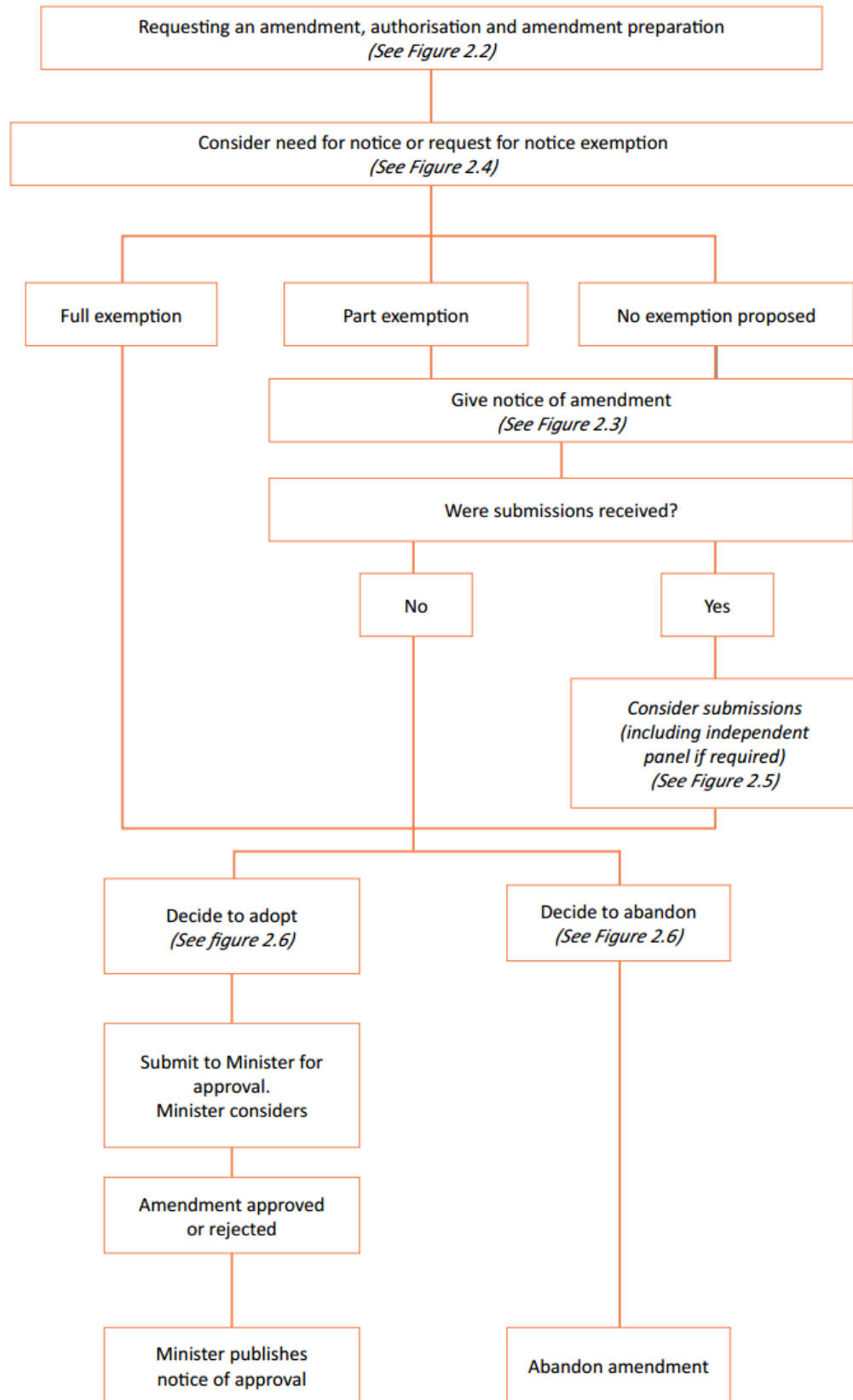
**Table 1** identifies progress to date and expected timelines to complete the Housing Strategy.

Key Dates	Task	Status
24 February 2016	Section 86 Committee – Mesh present findings of work to date.	Completed
March 2016	2 week consultation period to follow Section 86 meeting. Consultation to be completed by mid March.	Completed
Mid March – Mid April	Mesh to prepare draft Housing Strategy Report.	Completed
27 April 2016	Draft Housing Strategy Report tabled at Section 86 Urban Growth Committee.	Completed
25 May 2016	Special Meeting of Council to endorse public exhibition of the draft Housing Strategy.	Completed
31 May-1 July 2016	Exhibition period	Completed
1 July-8 July 2016	Final amendments to Housing Strategy completed	Completed
3 August 2016	Housing Strategy tabled at Council OMC for adoption.	Tabled

**Table 1** Timetable

### Future Steps

Subject to Council adopting the housing strategy the next steps will involve preparing the necessary planning scheme amendments. As per Figure 2 the amendment will also be required to undertake a public consultation process and likely a referral to Planning Panels Victoria, both steps which entail an opportunity to further engage on proposed zones and controls.



**Figure 2** Planning Scheme amendment process (source: DTPLI – Using Victoria’s Planning System, 2015)



## Engagement Feedback

Agency Response (copies of submissions at Attachment 10.2.1(b)).

### Western Water Submission

Feedback/Issue	Response
Note that the growth predicted, within existing town boundaries will generate additional drinking water and sewage treatment demands than is the case presently. Capacity to meet these demands exist via new infrastructure planned in the form of pumps, tanks, pipeline easements, sewer mining plants and buffer zones.	Noted.
It is requested by Western Water that appropriate zoning be provided to set these areas required by Western Water for infrastructure in Housing Strategy.	Issues such as zoning of Western Water infrastructure are outside the scope of the Housing Strategy but can be addressed in further discussions, possibly as part of the Urban Growth Strategy (in preparation) or via Western Water initiated amendments.
The submission also notes Western Water is assessing the opportunity to divert sewer flows from the centre of Bacchus Marsh and redirecting to the Grant Street SPS, which in turn will enable future infill housing in the centre of Bacchus Marsh.	Noted. These types of initiatives will be important as under-utilised land in Bacchus Marsh near Main Street is ultimately developed.
All other sewage flows are collected and transferred from the Avenue of Honour SPS to the Parwan treatment plant. Investigation of options to use these flows for other purposes is being considered including use within the irrigation district.	Council staff have been discussing these issues with Western Water as part of the Urban Growth Framework and other projects being driven by Western Water.
Western Water is keen to work with Moorabool Shire on these and other issues including promoting the reduction in drinking water usage into the future.	Council have been working with Western Water staff increasingly in the last 12 months examining a range of water cycle issues attached to the disposal and economic use of stormwater and treated effluent. It will also work on efficient use of drinking water within the district.

**Table 2**

Summary: The submission raises a number of issues but appears to broadly support the Housing Strategy in its present form. At the time of writing a meeting with the author of the submission has been requested to ensure the issues raised are effectively addressed in the Urban Growth Framework.

### **DEDJTR Submission (whole of transport submission)**

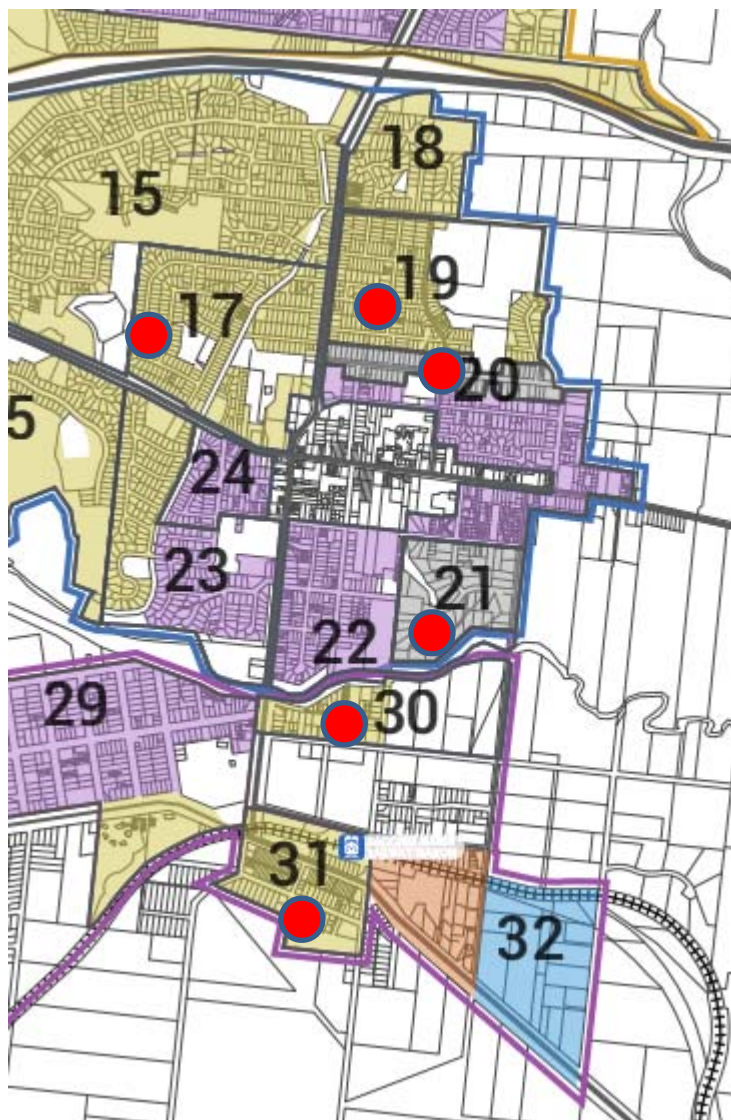
Feedback/Issue	Response
The encouragement of sustainable neighbourhoods near services is strongly supported.	Neighbourhood service hubs is a core component of the housing strategy, linked to the outcomes in the adopted Retail Strategy.
Increasing densities of housing near public transport is also advocated.	Increasing residential densities within close proximity to services is a key outcome of the strategy, consistent with State Policy.
Make reference to the Bacchus Marsh Integrated Transport Strategy where appropriate.	Now addressed.
Altered stabling arrangements for the train network are foreshadowed for 2018-19 reducing noise attenuation, noise vibration and light pollution close to the existing train station. A second platform, car park upgrade and provision of a pedestrian link between platforms is also explained. These changes are in DEDJTR's view a solid basis for more targeted growth in Precincts 17, 19, 20, 21, 30, 31 and 32.	Refer to response below.
Some errors have been noted of a generally typographic nature.	These issues have now been addressed.

**Table 3**

The precincts where DEDJTR wishes to promote increased density are identified in **Figure 3**.

Precinct 17 is identified as a natural growth area (zoning to remain General Residential) meaning applications for infill development will be assessed on merit. It does not target the area for growth but neither does it limit good development from obtaining a permit. No minimum lot sizes apply in the zone. A key consideration in this precinct is its landscape characteristics and a number of potential heritage buildings present (in the eastern portion of the precinct), St Bernard's Primary School being a key heritage site. Average lot size is 628 sq.m with site coverage at 29%. Front setback average is 7m. No change is recommended.

Precinct 19 is difficult to support as an increased residential growth area because it lies to the north of Lerderberg Street precinct (Precinct 20) which has a strong local streetscape and number of heritage significant buildings. Average lot size is 707sq.m and site coverage is 34%. Front setback average is 6m. Natural growth is the optimal outcome.



**Figure 3** Extract from precinct map (source: Mesh)

Precinct 20 comprises Lederderg Street which is widely considered within Bacchus Marsh to be one of the more intact and coherent residential streetscapes in the town. St Bernard's Church is a key heritage building within Lederderg Street. Typical lot size is 840 sq.m and site coverage is 39%. Front setbacks average 8m and dwellings are modest and typically single storey.

Whilst Precinct 20 is within walking distance of the commercial centre of Main Street the overarching view is that the streetscape character lends itself to protection and conservation. Neighbourhood Residential Zone Schedule 2 will therefore apply in this area with a minimum lot size of 500 sq.m.

Precinct 21 is centred on McGrath Street and Lord Street. Average lot size is 2333 sq.m and site coverage is 20%. Front setback averages are 27m. Houses are located often in the centre of lots with large side and rear setbacks. Landscaping is a significant feature, often exotic. This area was established as a garden estate and remains largely intact. Scope for infill is feasible but it would detract significantly from the clear neighbourhood character apparent. If the strategy is to retain the idea of different housing offers and opportunities areas such as Precinct 21 should be retained.

Precinct 30 is flood prone according to Melbourne Water maps. Areas to the west around Boyce Close are substantially developed. Average lot size is

1141 sq.m and site coverage is 40%. Front setback average is 6m. Natural growth is the optimal outcome.

Precinct 31 is situated south of the railway line. Average lot size is 914 sq.m and site coverage is 30%. Average front setback is 9m. The train line and location of the station substantially sever this area from land north of the railway corridor. Buildings in many cases comprise former workers cottages. Rear lanes are found in some streets which is rare. A sense of space within the landscaped setting suggests a natural growth as opposed to increased residential growth outcome is preferable. At this stage, there is no strategic direction to expand/intensify development south of the railway line, and no services are proposed in this area.

Precinct 32 comprises part Mixed Use Zone and part General Residential Zone, and is proposed to remain a natural residential growth precinct. This precinct is also situated south of the railway line where there is currently no strategic direction to expand/intensify development.

Summary: The DEDJTR submission supports the Strategy and identifies the importance of integrated land use and transport planning. BMITS is referenced in the Strategy and the opportunities that may arise strategically from new infrastructure at the Bacchus Marsh Train Station will be monitored and further considered.

The changes proposed with respect to greater housing density in precincts 17, 19, 20, 21, 30, 31 and 32 have merit from a transport perspective but are not supported for the grounds stated above.

#### **Wyndham City Submission**

<b>Feedback/Issue</b>	<b>Response</b>
Wrote in support of the strategy, specifically the use of neighbourhood character mapping and delivering housing diversity to meet community needs.	Noted. The issues identified by Wyndham are key concerns for Council and are key drivers behind the Strategy prepared.

**Table 4** Summary: No change to the Strategy is required.

#### *Public Submissions (copies of submissions at Attachment 10.2.1(c))*

In total there were three (3) submissions received, two (2) from Have your Say and one (1) more detailed submission received via email.

#### **Respondent 1 - Have Your Say**

<b>Feedback/Issue</b>	<b>Response</b>
The table on page 78 is incorrect.	Agreed. Error now corrected.
Council could take a role in incentivising greater housing choice in the building industry to encourage home construction more suitable to the rapidly growing single person households demographic.	The point concerning what Council's role should be in encouraging housing diversity is a policy question that will become more pressing over time. Education and advocacy are likely key opportunities discussed in the Actions section of the Strategy (section 6.2).

**Table 5**

Summary: Beyond the changes required to page 78 of the Strategy no further changes are required.

**Respondent 2 – Have Your Say**

<b>Feedback/Issue</b>	<b>Response</b>
Agreed with the guiding principles stated and the goal of maintaining the character that draws residents to Bacchus Marsh.	The support for the guiding principles within the Strategy is acknowledged. The submission matches a pattern observed during the public drop in sessions where there was overwhelming support for the directions being suggested.
Specific examples of development that may have eroded neighbourhood character mentioned, being east of Fiskin Street within the irrigation district.	The examples mentioned of inappropriate development appear to be upon land within the Farming (FZ) Zone. The Strategy is limited only to existing residential zoned land. The point is noted however.
The submission supports the need for greenfield and infill to retain a country feel but seeks to avoid small block sizes typical of Caroline Springs.	Questions of lot size are noted. The Strategy seeks to direct where infill development is appropriate, linked to accessibility to key services and public transport. It is agreed that small lot sizes remote from services should be discouraged and the Strategy will be effective in this respect through its use of more defined zone boundaries and tailored minimum lot sizes. Lot sizes in the more remote areas of Darley for instance will be increased significantly (to 700 sq.m from no standard).
Roads in the area are identified as too narrow and there is concern about new guttering.	Road design is being carefully addressed in new major land releases such as Underbank and will receive renewed attention if other major land releases come 'on line' in future. There is a clear link between road reserve widths and landscape character in regional settings, the balance being between excessive width and too narrow to function.  Issues concerning drainage and civil works have been forwarded to appropriate staff for response but fall outside of this Strategy.

Support is provided to the use of overlays to address neighbourhood character. The protection afforded precincts 17, 19 and 20 is also supported.	Noted.
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**Table 6**

**Summary: No changes are required to the Strategy.**

**Respondent 3**

<b>Feedback/Issue</b>	<b>Response</b>
Strategy involves a great deal of research and is a timely initiative.	The project has been a significant undertaking and is strategically a high priority.
Objectives are discussed in the submission. 5 are identified of note.	
1. Address limits to growth of housing in Bacchus Marsh.	1. Bacchus Marsh has scope to meet 20 years demand within existing zones. The Urban Growth Framework will address infrastructure requirements (draft due end of 2016/early 2017).
2. Examine the nexus between infrastructure and housing supply and the role of developers.	2. A complex issue. All development plans involve significant developer contributions. It's the infill development and smaller land releases that have not paid for local infrastructure. Future funding models are being examined to address all scenarios.
3. Provide tactics to retain architectural diversity and building quality.	3. Likely best addressed by design guidelines – one of the next phases of work in implementation phase.
4. Housing affordability.	4. Bacchus Marsh is part of the metro housing market. Issues are less significant proportionately to metro average.
5. Makes note of conflict between clauses in current MSS and Strategy eg cl. 21.02, 21.06, 21.07	5. The MSS will be updated both as part of housing strategy implementation and urban growth framework. No identified conflicts exist with the clauses mentioned. Ultimately Bacchus Marsh is evolving and the MSS will need to be upgraded to reflect the future directions

	<p>taken. The housing strategy needs to be read along with the adopted retail strategy, industrial strategy, the integrated transport strategy and a host of other strategic documents – all of which will drive an entirely new MSS (likely through the Urban Growth Framework implementation)</p>
<p>Chapter 2 should consider passive housing design principles with sustainable neighbourhood objectives.</p>	<p>The comment will require further consideration as part of the design guidelines for Bacchus Marsh – the next phase of work.</p>
<p>Characteristics of Bacchus Marsh include heritage buildings, listed and otherwise should be protected.</p>	<p>There are two ways of examining this issue – zone controls with design guidelines; and heritage controls. The Strategy is focusing on zone and design controls but heritage gaps analysis is also relevant to resolve over time (resource dependent).</p>
<p>Chapter 4 would benefit from guidance on the form of future housing development.</p>	<p>It is not clear such guidance fits into Chapter 4. The first step is mapping preferred neighbourhood character (completed). The second step is to prepare statutory controls via zones and schedules (designed, yet to be implemented). The third step is design guidelines – to be funded separately.</p> <p>It is agreed however that clearer guidance on design for new development, much of which will remain single detached homes, is needed.</p>
<p>Strategies and actions in 4.7 of Strategy. The strategies are supported but do not go far enough. Key issues include:</p> <p>Walking and bicycle tracks in all growth areas.</p> <p>Specify the provision of public infrastructure such as schools and open space as well as planning to sustain biodiversity.</p>	<p>Walking and cycling routes are embedded in all endorsed development plans. Council is working closely on this for the Underbank DP now.</p> <p>Schools, open space and other infrastructure are key components in new masterplanned greenfield estates. The issue is that in many areas of Bacchus Marsh no development plans have been required and development has been less structured in terms of public infrastructure (legacies of the</p>

<p>Seems a contradiction to target increased density around activity centres and not targeted new greenfield releases for higher densities.</p>	<p>past which are difficult to resolve beyond remedial action eg compulsory acquisition for open space – costly. No contradiction in new major land releases which are subject to development plans (West Maddingley, Underbank). They are required to achieve minimum densities of 15 dw/ha gross which is well above the average in Bacchus Marsh. To achieve this some smaller lots and unit sites are required.</p>
<p>Under 8.1 implementation options Council should apply heritage overlay to protect key sites and precincts to avoid loss as new infill occurs.</p>	<p>The 1995 heritage assessment carried out by Council was not implemented through the planning scheme amendment process. It would be appropriate to consider a gaps analysis on heritage in Bacchus Marsh to update that work and implement necessary amendments. That would be consistent with the work now completed with this Housing Strategy. Council support via the budget would be required to complete this task.</p>
<p>Under 8.2 changes to the MSS should include regard to provision of community facilities in and around identified activity centres. Increased housing density should include strong protection of neighbourhood and heritage character.</p>	<p>Any investment in new housing will see change occur in neighbourhood character. The aim of the Housing Strategy is to map the existing character and key elements worth retaining as places evolve. Identified activity centres are nominated as these already benefit from better access (relative to other areas) in terms of public transport, open space and other facilities. This is not however to suggest further improvements should not be made. Thus, it is intended that activity centres such as Main Street Bacchus Marsh and Darley for instance be subject to further urban design framework assessment and meaningful on ground investment in public infrastructure. As these frameworks are developed funding for improvements will need to be further considered consistent with the visions developed.</p>
<p>Character Precinct 24 statement is incomplete.</p>	<p>The final version statement on Precinct 24 does reference heritage values. As indicated above, specific regard to heritage overlays</p>



	would need to be considered in an updated heritage study for Bacchus Marsh, implemented into the planning scheme via amendment. Such an initiative needs to be costed as part of the annual budgetary cycle of priorities.
Preserving the neighbourhood character of Precinct 22.	Specific heritage protections are delivered via heritage listings and precincts incorporated into the planning scheme. A housing strategy cannot deliver that type of protection beyond referencing heritage as a significant consideration.

**Table 7**

**Summary: No substantive changes are required to the Strategy.** There are a number of solid strategic arguments within the submission which warrant further consideration. In many cases these relate to heritage studies and planning scheme amendments – which require separate funding and Council commitment.

The issues concerning integrated neighbourhood planning are all entirely valid and present a challenge in the non-master planned areas of Bacchus Marsh (which comprise large sections of Darley and Bacchus Marsh – but not West Maddingley or Underbank). Council is modelling needs as part of the Community Infrastructure Framework, examining gaps and ultimately Council will examine how to remedy these issues. Much of this concern relates to legacy development and the Community Infrastructure Framework, paired to improved cycleways and footpaths (BMITS, Hike and Bike Strategy) and other initiatives will over time see improvement in how places function and therefore the liveability of neighbourhoods.

### Policy Implications

The 2013 - 2017 Council Plan provides as follows:

<b>Key Result Area</b>	Enhanced Infrastructure and Natural and Built Environment.
<b>Objective</b>	Effective and integrated strategic planning in place to create sustainable communities.
<b>Strategy</b>	Adoption of Moorabool 2041 Framework and vision. Development of Urban Growth Strategy in conjunction with other related plans. The Housing Strategy is a key input into the Urban Growth Strategy.

Undertake integrated infrastructure and land use planning to guide future growth and development of our towns and settlements. The preparation of the Bacchus Marsh Housing Strategy is consistent with the 2013-2017 Council Plan.

### Financial Implications

There are no financial implications associated with adopting the Housing Strategy.

Future costs will be generated when amendments to the planning scheme are progressed and implemented and these will be subject to separate budget processes. This may include Panel hearing costs. However these costs are budgeted in the financial year 2016/17.

Other tasks set out in the Housing Strategy may involve costs to Council but this will need to be further considered with priorities linked to capacity to complete over forthcoming budgets.

### Risk & Occupational Health & Safety Issues

There are no O H & S issues or risks associated with this Report.

### Communications and Consultation Strategy

Subsequent to the Council resolution to undertake a consultation process on the Housing Strategy the following activities took place:

- Advert in the Moorabool News on 31 May 2016.
- 3 drop in sessions attended by Council staff and personnel from Mesh.

Date	Location	Conversations
6/6/16	Bacchus Marsh Village Shopping Centre	25
20/6/16	Bacchus Marsh Village Shopping Centre	24
27/6/16	Bacchus Marsh Village Shopping Centre	22
	Subtotal	71

**Table 8** Drop in activity - summary

- Website engagement via Have your Say. In total there were 68 visits to the Housing Strategy listing on the website. 13 downloaded the document. Two responses were received - see 'engagement feedback' (report at Attachment 10.2.1(d)).
- Mail out to agencies, of which Western Water and the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) responded – see 'engagement feedback'.

## **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 – Andrew Goodsell*

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

### **Conclusion**

The Housing Bacchus Marsh Housing Strategy to 2041 presents Council with an opportunity to develop a consolidated and coordinated vision for how it will regulate and manage growth pressures in the town of Bacchus Marsh. Such a Strategy is an important step forward and the first such strategy for a settlement recognised in Plan Melbourne as a regional growth centre.

The Housing Strategy will provide the basis for updates to the planning scheme and give clear direction and input into the Bacchus Marsh Growth Framework, currently in preparation.

The next phase of work in Bacchus Marsh will involve preparing the necessary planning scheme amendments to implement the Housing Strategy.

### **Resolution:**

**Crs. Tatchell/Edwards**

***That Council resolves to:***

- 1. Receive the submissions in relation to the Housing Bacchus Marsh to 2041, as tabled in Attachments 10.2.1(b) and (c).***
- 2. Adopt the strategy Housing Bacchus Marsh to 2041, as tabled in Attachment 10.2.1(a) and authorises its publication on the Moorabool Shire Council web site.***

3. **Seek authorisation from the Minister for Planning to prepare a planning scheme amendment to implement the recommendations of the Housing Bacchus Marsh to 2041 Strategy by:**
- **modifying the Local Planning Policy Framework of the Moorabool Planning Scheme;**
  - **updating the relevant Residential Zones and Schedules; and**
  - **including the Strategy as a Reference Document in the Moorabool Planning Scheme;**
- pursuant to Section 8A(2) of the Planning and Environment Act 1987.**
4. **Following receipt of Ministerial authorisation, exhibit the amendment in accordance with the requirements of the Planning and Environment Act 1987.**

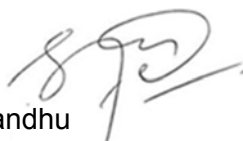
**CARRIED.**

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**Report Authorisation:**

**Authorised by:**

**Name:** Satwinder Sandhu  
**Title:** General Manager Growth and Development  
**Date:** Wednesday, 27 July 2016



### 10.2.2 Proposed Discontinuation of a Portion of Government Road (deviation of Halletts Way, Darley)

#### Introduction

File No.: 10/02/C17-14/15  
 Author: John Whitfield  
 Chief Executive Officer: Satwinder Sandhu

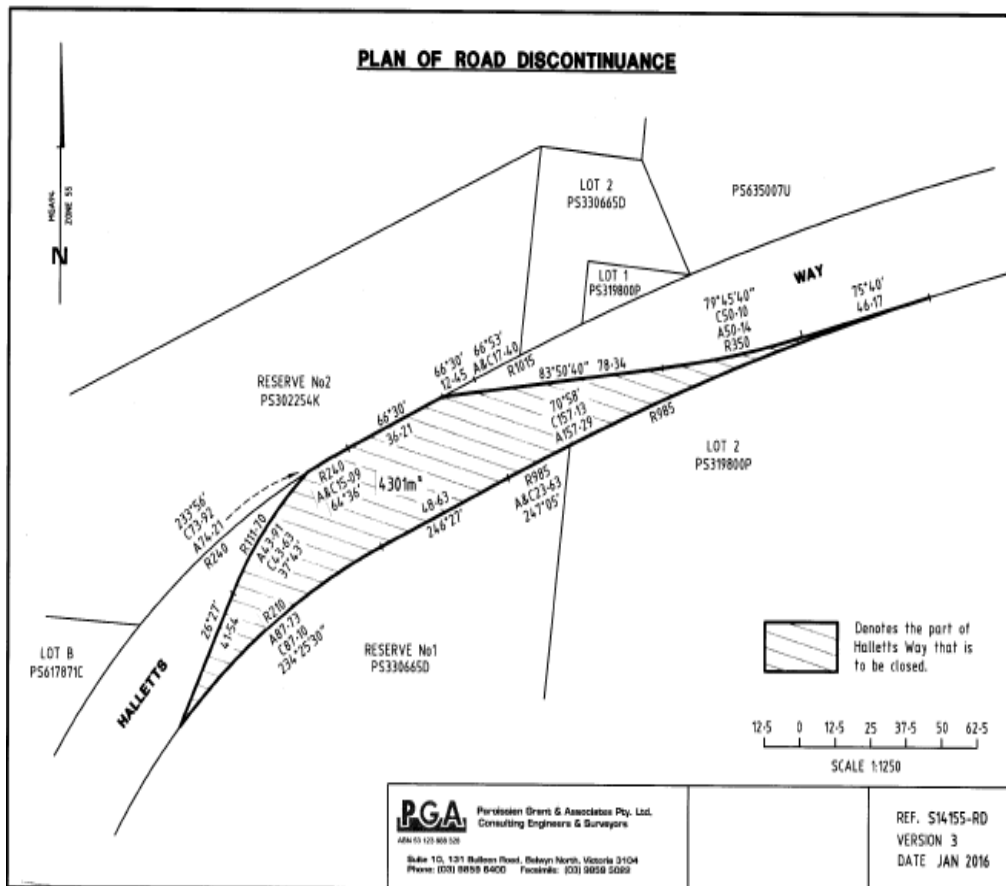
#### Background

The Halletts Way Northern Extension Project has been recently completed. Part of this extension involved an deviation of Halletts Way. This deviation requires an administrative process to discontinue part of the existing alignment of Halletts Way and create a new alignment just to the North.

Paroissien Grant & Associates Pty Ltd have forwarded plans they have prepared to facilitate the formal creation of this new alignment of Halletts Way, Darley. These include the final copies of the Plan of Road Discontinuance, Plan of Subdivision PS738000L, Plan of Subdivision PS738001J and Plan of Consolidation PC373473K.

The advice from the surveyor is that the discontinuation of the road needs to be completed prior to the other applications being lodged. Then the surveyor would lodge the subdivision applications to reflect the alignment of the 'as constructed' Halletts Way.

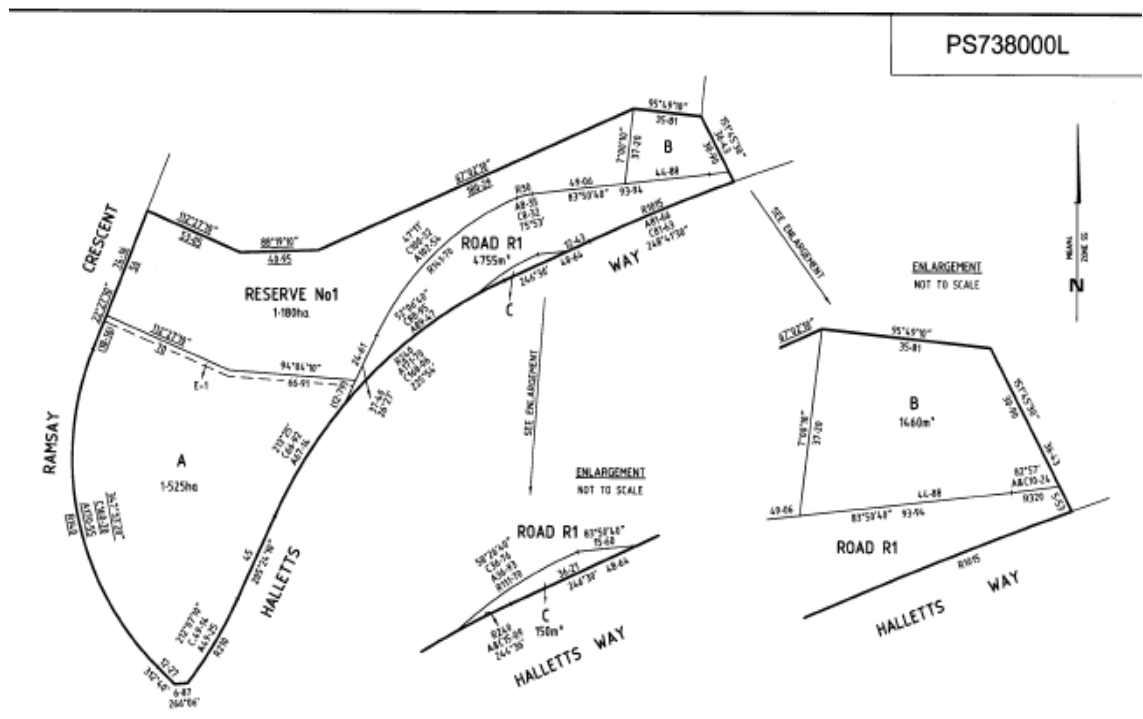
This report is to propose the discontinuance of the portion of Halletts Way shown in the shaded section below.



The following aerial photo is included in this report to provide another representation of the section of Halletts Way proposed to be discontinued. The current road reserve is below the constructed portion of the road.



Finally, the alignment of Halletts Way 'as constructed' is shown as ROAD R1 in the diagram below. This subdivision will be the subject of an application to the Council once the discontinuance is finalised.



## Proposal

Council, in accordance with Section 206 and Schedule 10 Clause 3 of *Local Government Act 1989* (the Act) has the power to discontinue a road, or part of a road, by a notice published in the Government Gazette.

Prior to making a decision to discontinue a road or part of a road, section 207A of the Act provides that a person may make a submission under section 223 on the proposed portion of road discontinuance being considered under schedule 10 clause 3 of the Act.

This report proposes that Council formally authorise officers to give public notice in accordance with section 297A of the Act of the intention to discontinue the portion of road under section 206 and Schedule 10 clause 3 of the *Local Government Act 1989*.

The area of the road to be discontinued (4301m<sup>2</sup>) adds to the Council reserve that it currently abuts. The area of the new road reserve (4755m<sup>2</sup>) is removed from the existing Council reserve. There is little change in the area of reserve involved in this process.

## Policy Implications

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

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

The proposal for Council to discontinue a portion of Government Road (deviation of Halletts Way, Darley) is consistent with the 2013-2017 Council Plan (Revised 2016).

## Financial Implications

The cost in seeking public submissions at this stage of the process will be met by Council from the 2016-17 operational budget.

## Risk & Occupational Health & Safety Issues

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

## Communications Strategy

Under section 207(A) of the Act, a person has the right to make a submission under section 223 of the Act in respect of Council proposing to discontinue a road within its municipality.

Section 223 of the Act allows Council to advertise its intentions in a newspaper circulating generally within the Municipality inviting public submissions for a

period of no less than 28 days after the date of the publication of the public notice in the newspaper and on Council's website.

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

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

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

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

*General Manager – Satwinder Sandhu*

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

*Author – John Whitfield*

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

### **Conclusion**

It is recommended that Council consider formally authorising officers to give public notice in accordance with section 207A of the Act of its intention to discontinue the portion of road (deviation of Halletts Way, Darley) under section 206 and Schedule 10 clause 3 of the Act 1989, seek public submissions and to complete the remainder of the formal process of discontinuation.

### **Resolution:**

**Crs. Edwards/Dudzik**

### ***That Council:***

- 1. under Schedule 10 clause 3(a) of the Local Government Act 1989, authorises officers to give public notice in local and regional newspapers circulating generally throughout the municipality, of its intention to discontinue the deviated portion of the Halletts Way road reserve seeking public submissions under section 207A of the Local Government Act 1989 on the proposal of road discontinuance.***
- 2. delegate to the CEO the authority to complete the formal process of discontinuation of this portion of Halletts Way, after the completion of the notification period.***

**CARRIED.**

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**Report Authorisation**





**Authorised by:**

**Name:** Satwinder Sandhu

**Title:** General Manager Growth & Development

**Date:** Tuesday, 12 July 2016

### 10.2.3 Policy Review – Rescinding Policies

#### Introduction

File No.: 02/06/007  
Author: John Whitfield  
General Manager: Satwinder Sandhu

This report recommends that Council rescind two policies that are now out-of-date and/or have been superseded by other policies or Council resolutions.

#### Background

A Council wide review of external policies is underway. For some policies it is pertinent to review, update or rescind prior to the general election in October this year and for some the review is best to take place after the general election. As part of that process this report deals with two policies that are out-of-date and need to be formally rescinded.

#### Proposal

This report seeks a Council resolution to rescind two policies:

- G004 -Councillor Reports; and
- G005 - Notices of Motion.

Both of these policies have been replaced by sections of the Council's Meeting Procedure Local Law No. 9.

#### Policy Implications

The 2013 - 2017 Council Plan provides as follows:

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

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

#### Financial Implications

There are no financial implications associated with the production and implementation of this Policy.

## Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Good governance	Miscommunicating the Council's policies to the organisation and to the community.	Low	Council to rescind the two policies listed in this report.

## Communications Strategy

Each policy will be removed from the Council's corporate website. Council staff will be notified of the decision to rescind these policies if the Council so resolves.

## Victorian Charter of Human Rights and Responsibilities Act 2006

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

## Officer's Declaration of Conflict of Interests

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

*General Manager – Satwinder Sandhu*

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

*Author – John Whitfield*

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

## Conclusion

The Council policies as listed below are now recommended to Council for rescission:

- G004 - Councillor Reports
- G005 - Notices of Motion

## Resolution

**Crs. Toohey / Edwards**

***That Council formally rescinds the following policies as they are out-of-date and no longer relevant:***

- ***G004 - Councillor Reports***
- ***G005 - Notices of Motion***

**CARRIED.**

## **Report Authorisation**

### **Authorised by:**

**Name:** Satwinder Sandhu  
**Title:** General Manager Growth & Development  
**Date:** Thursday 14 July 2016

## 10.2.4 2013-2017 Council Plan Actions Progress Report for 2015/16 Financial Year

### Introduction

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

### Background

The 2013-2017 Council Plan was revised and adopted by Council in July 2015 in accordance with section 125 of the *Local Government Act* 1989. As part of the development of the framework of the Council Plan, Council determines appropriate actions which will support the framework, delivering agreed outcomes for the Community.

The Council Plan outlines three key result areas (KRA) or main themes that guide new initiatives and continuing services these being:

- Representation and leadership of our community;
- Community Wellbeing; and
- Enhanced infrastructure and Natural and Built Environment.

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

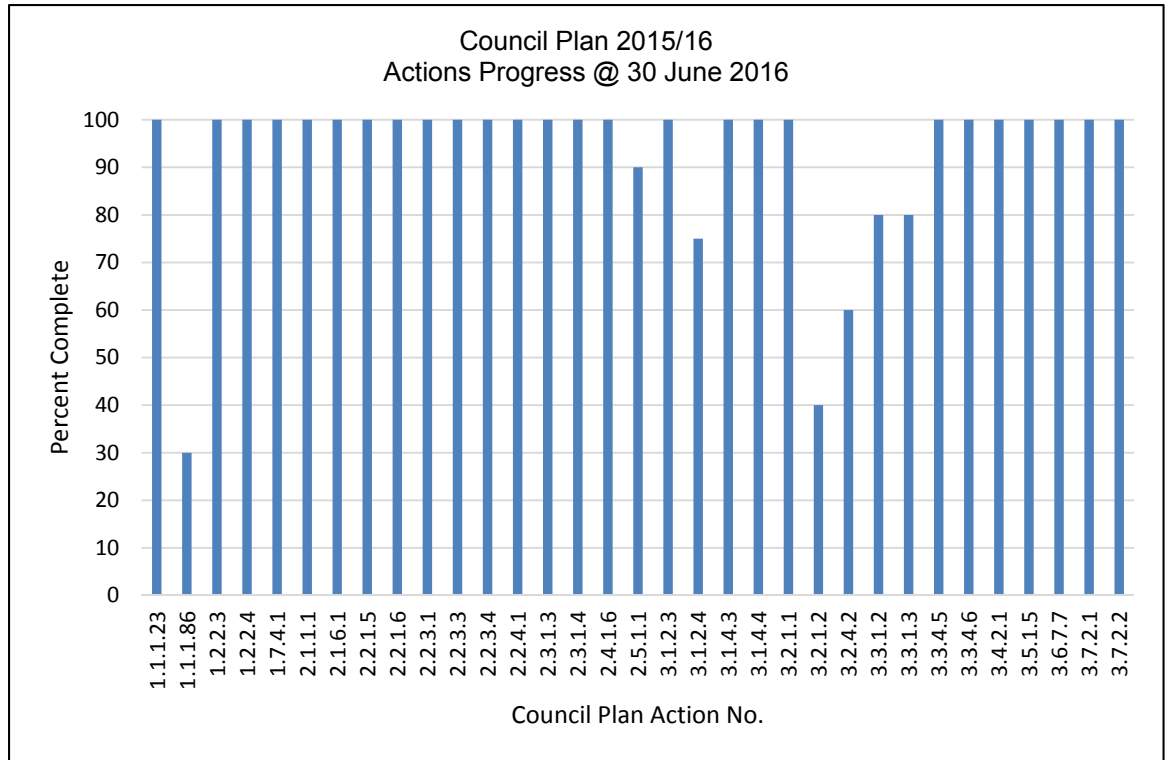
All Council actions aligned with the strategies are linked back to the Council Plan. The Council Plan is reviewed annually.

### Discussion

The attached 2015/16 Council Plan Actions Progress Report for the Fourth Quarter indicates the status of thirty-three (33) actions overall and the progress comments for the 2015/16 Financial Year.

Throughout the 2015/16 period, twenty six (26) actions were successfully completed with the remaining seven (7) actions currently still in progress. Of the seven actions in progress, one is near completion, four are progressing well, with two actions running at 60% or less than their projected target.

The graph on the following page shows the status of the thirty-three 2015/16 Council Plan actions as at 30 June 2016.



The seven actions still in progress are outlined below:

Action	Progress	Comments
1.1.1.86 Finalise General Local Laws	30%	Due to staff vacancies and other strategic work this project will be finalised by the end of the 2016/17 financial year.
2.5.1.1 Finalise the Digital Strategy and implement key actions including the corporate website and information management officer to improve communications and customer service outcomes.	90%	The Digital Strategy has been finalised, and the corporate website is near completion, and it is expected to go live by the end of July 2016. Council has engaged an Information Management Officer and is currently consolidating the position.
3.1.2.4 Undertake Bacchus Marsh Urban Zone review based on the Housing and Retail Strategies	75%	Retail Strategy - Adopted. Housing Strategy scheduled for adoption at OMC August 2016. Implementation to commence pending adoption.
3.2.1.2 Prepare a Water Asset Strategy including allocations for sports grounds and irrigation.	40%	A working group has been established to progress this action. The working group is currently finalising the project scope and plan to commence the project. Further Water Management initiatives including purchasing additional water rights has commenced along with auditing of existing irrigation requirements at reserves. This project is ongoing and will be completed in the 2016/17 financial year.
3.2.4.2 Investigate frameworks for cost recovery in	60%	Options have been investigated in reference to cost recovery, however in order to implement any changes this work

terms of ongoing monitoring of Domestic Wastewater Management Plan		has been undertaken in conjunction with the finalising of 'General Local Laws' which will be undertaken in 2016/2017.
3.3.1.2 Complete a Moorabool 2041 framework based on Council adopted work program	80%	Council has made significant progress with the M2401 framework. This includes completion of the housing strategy. Small towns has been prepared to go on exhibition on July 2016. Staff are working with the MPA on the Urban framework. The retail strategy was adopted on April 2016 and the activity amendment C51 was approved by the Minister for Planning in June 2016.
3.3.1.3 Complete the Community Infrastructure Plan	80%	The council are to be briefed on the methodology and progress of the Community Infrastructure Framework. There has been significant development of the framework including development of a partnership and financial support from the MPA and a number of Metropolitan Councils. A report will presented to Ordinary Meeting of Council in late 2016.

### Proposal

This report is to inform Council and the community on the progress of key Council Plan actions for the fourth quarter of the 2015/16 Financial Year.

### Policy Implications

The 2013–2017 Council Plan provides as follows:

<b>Key Result Area</b>	Representation and Leadership of our community
<b>Objective</b>	Effective strategic and business planning for a growing community
<b>Strategy</b>	Development of service plans that link service delivery, asset management and business excellence.

### Financial Implications

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

### Risk & Occupational Health & Safety Issues

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

## Communications and Consultation Strategy

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

## Victorian Charter of Human Rights and Responsibilities Act 2006

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

## Officer's Declaration of Conflict of Interests

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

*General Manager – Satwinder Sandhu*

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

*Author – John Whitfield*

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

## Conclusion

The 2015/16 period has seen twenty six (26) actions out of thirty three (33) completed at this fourth and final quarter. The remaining seven (7) actions are at various stages of progress with all planned for completion by the end of the next financial year.

### Resolution:

**Crs. Spain/Edwards**

***That Council receives the 2013-2017 Council Plan Actions Progress Report for the fourth quarter of the 2015/16 Financial Year.***

**CARRIED.**

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### Report Authorisation

Authorised by:



**Name:** Satwinder Sandhu  
**Title:** General Manager Growth & Development  
**Date:** Thursday 14 July 2016



## 10.2.5 Bungaree Water Supply Protection Area

### Introduction

File No.: 20/01/005  
Author: Justin Horne  
General Manager: Satwinder Sandhu

### Background

Southern Rural Water (SRW) has sought approval from the Minister for Environment, Climate Change and Water to remove three Water Supply Protection Areas (WSPA), to be replaced by local management plans.

### Proposal

The Department of Environment, Land, Water and Planning (DELWP) has contacted Council seeking comment of SRW's request. It is assumed that other users in the broader community have also been contacted by DELWP.

Correspondence has subsequently been received in response to questions on the impacts of the removal of the WSPA, copies of the correspondence from DELWP are attached. (Attachment 10.2.5(a))

The Bungaree WSPA is one of the three identified (Attachment 10.2.5(b)).

WSPA are declared under the Water Act 1989 to protect the groundwater resources through the development of a statutory management plan.

In the case of the three WSPAs identified to be removed by SRW, no statutory management plans have been created. However, local management plans have been developed by SRW to address matters such as:

- allocation and trading rules;
- metering provisions; and
- monitoring programs.

The Hopkins-Corangamite Groundwater Catchment Statement (Southern Rural Water, 2016) identifies that there are 107 groundwater licences in the Bungaree WSPA authorising access to 5,263ML of groundwater.

90% of the groundwater licenced within the Bungaree WSPA is for irrigation purposes. The remaining 10% is licenced for urban and industrial uses.

The WSPA only allow for the temporary transfer of water.

The proposal to abolish the Bungaree WSPA does not change the current boundary of the WSPA or increase the water already allocated. The Bungaree WSPA is already fully allocated, so no new groundwater licences can be issued.

However, by formally establishing the local management plan, SRW is proposing that temporary and permanent transfer of entitlements within the Bungaree WSPA.

## **Policy Implications**

The 2013 – 2017 Council Plan provides as follows:

<b>Key Result Area</b>	Representation and leadership of our community.
<b>Objective</b>	Advocate for services and infrastructure that meets the Shire's existing and future needs.
<b>Strategy</b>	Advocate on behalf of the community to improve services and infrastructure within the Shire.

The proposal to write to Southern Rural Water in support of the removal of the Water Supply Protection Area, is consistent with the 2013 – 2017 Council Plan.

## **Financial Implications**

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

However, any future changes to water allocations may require staff and financial resources to assess the impacts on Council and the local community.

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

There are no direct Risk or Occupational Health and Safety issues associated with the recommendation within this report.

However, any future changes to water allocations may require staff and financial resources to assess the impacts on Council and the local community.

## **Communications and Consultation Strategy**

No communication or consultation strategy has been developed in response to this matter.

## **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**

As a statutory management plan under the Bungaree WSPA has not been established, SRW have been managing the groundwater through local management plans for several years.

As such the abolishment of the WSPA, will formalise the existing processes.

It is expected that the introduction of permanent transfers will be a positive outcome for the area and local producers as it may allow primary producers to increase their access to groundwater for growth or to increase their water security during dry periods.

By establishing more secure access to water, it is expected that there will be a flow on benefit to the wider community as producers may be more confident to invest in new irrigation infrastructure and use of other inputs needed for agriculture and horticulture.

### **Recommendation:**

**That Council requests that the CEO writes to Southern Rural Water indicating Council has no objections for the abolishment of the Bungaree Water Supply Protection Area (WSPA) under the following conditions:**

- **that there are no detrimental economic, social and environmental impacts to:**
  - **the existing rights of the community; and**
  - **the Moorabool River.**
- **the Bungaree Water Supply Protection Area is managed within the existing provisions of the Water Act 1989 and Ministerial Policies for Managing Take and Use Licences; and**
- **Council is kept informed of any future changes to the local management plan.**

**Resolution:****Crs. Toohey/Edwards**

***That Council requests that the CEO writes to Southern Rural Water indicating Council has no objections for the abolishment of the Bungaree Water Supply Protection Area (WSPA) subject to the following conditions:***

- ***that there are no further detrimental economic, social and environmental impacts to the existing rights of the community.***
- ***that the State Government pursue improvements to the environment and flows of the Moorabool River.***
- ***the Bungaree Water Supply Protection Area is managed within the existing provisions of the Water Act 1989 and Ministerial Policies for Managing Take and Use Licences; and***
- ***Council is kept informed of any future changes to the local management plan.***

***Councillor Dudzik called for a Division.***

***Councillors voting for the resolution:***

***Cr. Allan Comrie  
Cr. David Edwards  
Cr. John Spain  
Cr. Pat Toohey***


***Councillors voting against the resolution;***

***Cr. Tom Sullivan  
Cr. Tonia Dudzik  
Cr. Paul Tatchell***

***The resolution was determined to be CARRIED.***

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**Report Authorisation****Authorised by:**

**Name:** Satwinder Sandhu   
**Title:** General Manager Growth and Development  
**Date:** Wednesday, 27 July 2016

# Attachment - Item 10.2.5

## Ceo Support

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**Sent:** Thursday, 30 June 2016 9:19 AM  
**To:** Rob Croxford  
**Cc:** Helen.Harbison  
**Subject:** Response to your letter of 7 June 2016 re Bungaree Water Supply Protection Area

Dear Rob,

Thank you for taking my call on Wednesday to discuss your letter to Dr Sharon Davis, Executive Director, Water Resources, DELWP dated 7 June 2016.

You asked for clarification of the implications of the proposal to abolish the Bungaree WSPA.

Bungaree WSPA was declared in 2001. The declaration was intended to trigger the development of a statutory management plan to manage licensed groundwater use in the area.

A statutory management plan has not been prepared. Southern Rural Water, the responsible authority, has managed groundwater licences in accordance with the local management plan.

Groundwater licences are capped by the permissible consumptive volume of 5,263 megalitres.

In 2013/14 3094 megalitres was used. Use varies annually according to seasonal conditions.

If the WSPA is abolished, permanent trade of licences will be permitted. This may result in increased use as currently unused licences are traded.

Victoria use adaptive management for the management of groundwater resources. Regular monitoring, assessment and reporting inform reviews of management plans in response to changes in resource condition. Local management plans are more flexible and support adaptive management more than statutory management plans.

I am seeking further information to answer your questions about future plans affecting the Moorabool River.

In the meantime, I trust the information provided will be of assistance to your Council's deliberations on the proposal to abolish the Bungaree WSPA.

Kind regards,

**Patrick O'Halloran | Manager - Licensing - Groundwater and Unregulated Systems | Water Resources  
Water and Catchments | Department of Environment, Land, Water & Planning  
Level 10/8 Nicholson St, Melbourne, Victoria, 3000**

[www.delwp.vic.gov.au](http://www.delwp.vic.gov.au)



## Ceo Support

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**Sent:** Tuesday, 5 July 2016 12:10 PM  
**To:** Rob Croxford  
**Cc:** Helen.Harbison  
**Subject:** Fw: Response to your letter of 7 June 2016 re Bungaree Water Supply Protection Area

Dear Rob,

I am pleased to provide some further information about future plans pertaining to the Moorabool River as per the request in your letter dated 7 June 2016.

The Victorian Government is committed to improving the health of the Moorabool River. In 2010 an environmental water entitlement was established for the river, which provides the environment with a share of the storage capacity and inflows at Lal Lal Reservoir, and aims to provide environmental benefits downstream of the storage. More recently, the Water for Victoria discussion paper has reconfirmed the Government's commitment to environmental water recovery targets in the [Central Region Sustainable Water Strategy](#), and commits to work with communities and stakeholders to identify options to meet existing environmental water shortfalls in the Moorabool River.

The Water for Victoria discussion paper also highlights the Moorabool River as one of 36 priority waterways that will be the focus of large-scale projects to achieve targeted outcomes over the next 30 years. These projects will be informed by the activities identified for the Moorabool River through [Corangamite Catchment Management Authority's Waterway Strategy 2014-2022](#). Key management activities for waterways in the Moorabool catchment in the Strategy include continued delivery of environmental flows for the river downstream of Lal Lal Reservoir, long-term planning for environmental water management in the Moorabool River (Environmental Water Management Plan), and investigating impacts to environmental flows across the Moorabool catchment to secure and better manage environmental water where required. For further information about environmental water in the Moorabool River catchment, please contact Saul Vermeeren, Coordinator Environmental Water, Corangamite CMA on (03) 5232 9130.

The existing provisions contained in the Water Act 1989 (the Act), the Ministerial Policies for Managing Take and Use Licences and the relevant Local Management Plans will help to ensure the abolishment of the Bungaree WSPA above Lal Lal Reservoir does not negatively affect the Moorabool River Environmental Entitlement, and will ensure that catchment values are supported, and groundwater and surface water interactions in the area are properly managed.

We will be able to consider further submissions from your Council up until about mid August after which we will be finalising advice to the Minister on this matter.

Please feel free to contact me again if you have any more questions.

Kind regards,

**Patrick O'Halloran | Manager - Licensing - Groundwater and Unregulated Systems | Water Resources  
Water and Catchments | Department of Environment, Land, Water & Planning  
Level 10/8 Nicholson St, Melbourne, Victoria, 3000**

[www.delwp.vic.gov.au](http://www.delwp.vic.gov.au)



----- Forwarded by Patrick O'Halloran on 05/07/2016 11:57 AM -----

**From:** Patrick O'Halloran  
**To:** rcroxford  
**Cc:** Helen Harbison  
**Date:** 30/06/2016 09:19 AM  
**Subject:** Response to your letter of 7 June 2016 re Bungaree Water Supply Protection Area

## **10.3 SOCIAL & ORGANISATIONAL DEVELOPMENT**

### **10.3.1 Recreation Reserve Management Framework**

#### **Introduction**

File No.: 12/09/021  
Author: Troy Scoble  
General Manager: Danny Colgan

#### **Background**

The purpose of this report is to recommend that the Council adopt the Recreation Reserve Management Framework, following the public exhibition and engagement period.

At the Ordinary Meeting of Council on 1 April 2016, the Council resolved to: (i) endorse the Draft Recreation Reserve Management Framework for the purpose of community exhibition for a period of eight weeks; and (ii) receive a further report at the conclusion of the community exhibition period seeking adoption of the Recreation Reserve Management Framework.

#### **Proposal**

The Recreation and Leisure Strategy 2015-2021 was adopted by the Council at Ordinary Meeting held on the 2 September 2015. A key recommendation of the strategy was the development of a Reserve Management Framework ("Framework") to ensure there is a coordinated, integrated, consistent approach to the management and operation of recreation reserves and facilities across Moorabool Shire.

The following principles consistent with those outlined in the Recreation and Leisure Strategy 2015 – 2021 underpin the development of the framework and its associated policies:

- Partnerships
- Accessibility
- Participation
- Equity and Fairness
- Financial Responsibility

The Framework outlines the key components that govern how Council will manage facilities in the future. The key components of the Framework are governance, management of use, financial management and accountability. Each of these components has a number of sub policies and procedures to support and ensure a consistent, efficient management process outlined as outlined in the framework.



The associated Framework policies are: draft Community Facilities Funding Policy; draft Recreation Reserve User Fees & Charges Policy; draft Recreation Reserve Leases & Licenses Occupancy Policy; draft Recreation Reserves Capital Works Contribution Policy and Revised draft Appointments and Delegations Policy.

The Framework contained in Attachment 10.3.1(a) has been developed to establish fair and equitable management framework for the provision of sporting, recreation and leisure facilities within the Shire.

The following activities were undertaken to seek community feedback on the draft Framework during the public exhibition period:

- A discussion forum and submissions through the Have Your Say website, the Council's online engagement portal;
- Copies were available at Council's Customer Service locations including the Lerderderg Library;
- Community Group and Committees of Management were provided with the draft Framework and Associated Policies and asked to provide feedback or a submission;
- The Recreation and Leisure Strategic Advisory Committee held two workshops to discuss key elements and recommendations of the strategy. These were held during the engagement period to workshop a range of scenarios and at the conclusion of the engagement period to workshop feedback received to inform the final Framework;
- The public exhibition period and submission process was also advertised in the local newspaper, on Council's Facebook Page, Youth Page and on Council's website;
- Individual meetings and discussions were held with The Chairperson Maddingley Park Committee of Management, the Masons Lane Recreation Reserve User Group Advisory Committee, Darley Park User Group Advisory Committee, President of the Bacchus Marsh Cricket Club, Chairperson of the Ballan Recreation Reserve Committee of Management, representative of the Elaine Recreation Reserve Committee of Management and AFL Victoria Goldfields Region representatives.
- A number of telephone calls were also conducted with members of community sporting groups to provide clarification on key elements of the draft Framework.

Sixty people visited the Have Your Say engagement portal to view the Framework and associated policies with 35 people downloading the document/s with more than 92 views/downloads undertaken. The feedback received is contained in Attachment 10.3.1(b).

### **Key Issues raised during the engagement period**

The key issues/feedback raised during the engagement period were:

- Support for the implementation of the new Framework;
- The Framework provides a fair, equitable, more efficient management model for the management of Recreation Facilities;
- The Framework provides suitable flexibility for a range of management models to operate within;
- The Framework should support further volunteer management of facilities in the West of the Shire;

- Support for standard usage agreement policies to be implemented across reserves
- Council needs to reconsider the funding provided for Recreation Reserves. The feedback was that not enough funding is provided toward these valuable assets and there needs a mechanism to advocate for increased funds.
- Should the Leisure Facilities be included in the User Fees and Charges model or should they be considered separately?
- Support provided for the acquittal processes for Reserve Operational Funding in the Community Facilities Funding Policy. The feedback was that all groups whether volunteers or not should be accountable for receiving public monies;
- Concern raised by one Committee of Management over the election of the executive for Committees of Management.

The majority of the feedback on specific policies within the Framework was regarding the fee level recommended to be recouped within the Reserve User Fee and Charges Policy. Whilst recouping a fee to create equity amongst users was supported in the range of 5 per cent to 10 per cent for open space assets there was feedback for Council to reconsider a 10% recoup.

There was also feedback provided as to whether Council should recoup anything at all on Buildings, and if so that the 0.5 of a percent is too high to commence with especially in some cases where the community had contributed significantly to the development of buildings. This feedback was addressed as part of finalising the Recreation Reserve User Fees and Charges Policy that will be presented to the August Ordinary Meeting of Council.

The feedback on the draft Framework and associated policies was presented to the Recreation and Leisure Strategic Advisory Committee at meetings held on the 20 June and 18 July 2016. The Committee discussed the framework including all associated policies which is now being presented to Council for adoption.

The feedback, recommendations, actions and changes to the Reserve Management Framework is contained in Attachment 10.3.1(b).

The Framework communicates to all stakeholders a model for the management and use of facilities, the procedures and management processes that will apply to their use, including how they will be supported by Council.

Council recognises that there is a mix of Recreation Reserve ownership and management arrangements currently in place across the Shire. Community user groups, sports clubs and organisations, Reserve Committees of Management, schools and other community not for profit groups play an important role in the management of facilities and the delivery of physical activity, sport and recreation activities and programs for the community.

The Framework will be implemented over the next three years. This will include Officer and Committee members training in the implementation of the Framework and associated policies.

### **Policy Implications**

The 2013 - 2017 Council Plan provides as follows:

<b>Key Result Area</b>	Community Well Being
<b>Objective</b>	Increase and encourage participation in a range of sport, recreation and leisure activities
<b>Strategy</b>	Promote community health and well-being through the provision of recreation facilities, open space, programs and activities

The Framework is consistent with the 2013-2017 Council Plan and the Recreation and Leisure Strategy 2015 -2021.

#### **Financial Implications**

The development of the Framework has been undertaken within existing resources. Any future budget implications will be referred to Council's budget process for consideration.

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

<b>Risk Identifier</b>	<b>Detail of Risk</b>	<b>Risk Rating</b>	<b>Control/s</b>
Community Needs	Service gaps if the framework is not consistently implemented across the Shire	High	Council to review outcomes of Framework implementation in partnership with Reserve Managers
Financial	Funding required to progress actions outlined in the Framework and associated policies	Medium	Business cases prepared for consideration in future Council budgets



Level of Engagement	Stakeholder	Activities	Outcome
		and asked to provide feedback.	
Consult	Internal Staff	Provided to Management Group and requests for feedback.	Multiple staff provided feedback via email and meetings.
Collaborate	Moorabool Shire Recreation and Leisure Strategic Advisory Committee	Draft presented and all members provided with a copy and asked to provide feedback.  Further meeting held to workshop feedback at conclusion of the exhibition period	Two Committee workshops – attendees from external organisations, internal staff, Councillors and community representatives

### Communications Strategy

It is proposed that upon adoption of the Framework, Officers work collaboratively with the various management models/agencies to implement the framework over the next 12 months. This will include training for officers and committees of management involved the management of reserves in the implementation of the Framework and associated policies and processes.

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

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

### Officer's Declaration of Conflict of Interests

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

*General Manager – Danny Colgan*

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

*Author – Troy Scoble*

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

### **Conclusion**

The Recreation and Leisure Strategy 2015-2021 recommended that a Reserve Management Framework be developed to ensure that there is a coordinated, integrated, consistent approach to the management and operation of recreation reserves and facilities across Moorabool Shire.

The Framework outlines the key components that govern how Council will manage facilities in the future. The key components of the framework are governance, management of use, financial management and accountability. Each of these components has a number of sub policies and procedures to support and ensure a consistent, efficient management process outlined as outlined in the framework.

Council staff will support all models of management in the implementation of the Framework to promote a consistent equitable approach to Reserve Management is undertaken across the Shire.

### **Resolution:**

**Cr. Dudzik/Edwards**

***That the Council adopts the Recreation Reserve Management Framework (August 2016).***

***Councillor Sullivan called for a Division.***

### ***Councillors voting for the resolution:***

***Cr. Allan Comrie  
Cr. David Edwards  
Cr. Tonia Dudzik  
Cr. John Spain***

### ***Councillors voting against the resolution;***

***Cr. Tom Sullivan  
Cr. Paul Tatchell  
Cr. Pat Toohey***

***The resolution was determined to be CARRIED.***

---

### **Report Authorisation:**

#### **Authorised by:**

**Name:** Danny Colgan  
**Title:** General Manager Social & Organisational Development  
**Date:** Tuesday, 26 July 2016



## 10.3.2 Community Facilities Funding Policy

### Introduction

File No.: 12/09/021  
Author: Troy Scoble  
General Manager: Danny Colgan

### Background

The purpose of this report is to recommend that the Council adopt the Community Facilities Funding Policy ("Policy"), following the public exhibition and engagement period.

At the Ordinary Meeting of Council on 1 April 2016, the Council resolved to: (i) endorse the Draft Community Facilities Funding Policy for the purpose of community exhibition for a period of eight weeks; and (ii) receive a further report at the conclusion of the community exhibition period seeking adoption of the Community Facilities Funding Policy.

### Proposal

The preparation of a Community Facilities Funding Policy was a 2015/2016 Council Plan Action.

The Recreation and Leisure Strategy 2015-2021 was adopted by the Council at Ordinary Meeting held on the 2 September 2015. A key recommendation of the strategy was the development of a Reserve Management Framework to ensure there is a coordinated, integrated, consistent approach to the management and operation of recreation reserves and facilities across Moorabool Shire.

The following principles consistent with those outlined in the Recreation and Leisure Strategy 2015 – 2021 underpin the development of the framework and its associated policies:

- Partnerships
- Accessibility
- Participation
- Equity and Fairness
- Financial Responsibility

The associated policies are: draft Community Facilities Funding Policy; draft Recreation Reserve User Fees & Charges Policy; draft Recreation Reserve Leases & Licenses Occupancy Policy; draft Recreation Reserves Capital Works Contribution Policy and Revised draft Appointments and Delegations Policy.

The Policy contained in Attachment 10.3.2(a) provides guidelines regarding Council's role in supporting the management of community facilities (Reserves and Halls) through the provision of annual operational funding.

The Policy provides the foundation for facilities to be managed and maintained appropriately to meet community needs (demand for use) and transparency in the allocation of operational funding to support the achievement of the required service level for activities.

It is important to note that the Policy outlines that the service level for maintenance works is informed by the reserve classification (hierarchy) and demand/level of use outlined in Council's Recreation and Leisure Strategy, and specific to each Recreation Reserve. The Management model/ ownership does not impact service level requirements.

Council's role in the implementation of the policy as part of the Recreation Reserve Management Framework is to work collaboratively with various management models/agencies to establish fair and equitable management and use arrangements at all reserves to ensure consistency and equity regardless of the type of governance structure/s in place.

The Policy will be implemented over the next three years. This will include Officer and Reserve Manager training in the implementation of the associated policies using updated systems and processes.

A significant amount of engagement has been undertaken in the development of this policy. An initial community engagement process was undertaken with existing Committees of Management as a part of the review of the policy. The Community Engagement Activities included:

- Meetings with Committees of Management
- Emails to existing Committees of Management with a questionnaire
- Draft Policy provided to Committees of Management for feedback.

During the public exhibition period the following activities were undertaken to seek community feedback on the draft Policy.

- A discussion forum and submissions through the Have Your Say website, the Council's online engagement portal;
- Copies were available at Council's Customer Service locations including the Lerderderg Library;
- Community Groups and Committees of Management were provided with the draft Policy and asked to provide feedback or a submission;
- The Recreation and Leisure Strategic Advisory Committee held two workshops to discuss the draft Policy and at the conclusion of the engagement period to workshop feedback received to inform the final Policy;
- The public exhibition period and submission process was also advertised in the local newspaper, on Council's Facebook Page, Youth Page and on Council's website;
- At the request of the Committees, individual meetings and discussions were held with The Chairperson Maddingley Park Committee of Management, the Masons Lane Recreation Reserve User Group Advisory Committee, Darley Park User Group Advisory Committee, President of the Bacchus Marsh Cricket Club, Chairperson of the Ballan Recreation Reserve Committee of Management and representative of the Elaine Recreation Reserve Committee of Management.

Sixty people visited the Have Your Say engagement portal to view the Framework and associated policies with 10 views/downloads specific to the draft Policy.



### Key Issues raised during the engagement period

The feedback raised during the engagement period specific to the Policy contained in Attachment 10.3.2(b) were:

- Support for the Framework and how this policy integrates with the other policies
- Community members require a process to actively advocate for increased funding toward the management and maintenance of facilities through this policy. Examples cited were for increasing power costs and increased maintenance demands with growth of usage across the Shire
- Confidence that this framework and policy will continue to support volunteer committees of management and provide efficiencies and support for volunteers to manage reserves

The feedback on the draft Policy was presented to the Recreation and Leisure Strategic Advisory Committee at its meeting held on the 20 June 2016. The draft policy was further considered at the Recreation and Leisure Strategic Advisory Committee meeting on 18 July 2016. The Committee discussed the framework including all associated policies which are now being presented to Council for consideration.

The policy outlines:

- How Council will determine funding levels for each facility in the future
- The service level for each facility to ensure it meets its demand for use/ community need
- How the policy integrates with the Reserve Management Framework
- What activities/maintenance is funded
- The amount of funds to be allocated to the Reserve Manager for the management of facilities
- The process for the management and acquittal of the funds by the Reserve Manager
- Governance processes to be implemented to ensure ongoing funding.

The Policy will be implemented over the next three years. This will include Officer and Committee members training in the implementation of the Policy.

### Policy Implications

The 2013 - 2017 Council Plan provides as follows:

<b>Key Result Area</b>	Community Well Being
<b>Objective</b>	Increase and encourage participation in a range of sport, recreation and leisure activities

**Strategy**

Promote community health and well-being through the provision of recreation facilities, open space, programs and activities

The Policy is consistent with the 2013-2017 Council Plan and principles outline in the Recreation and Leisure Strategy 2015 -2021.

**Financial Implications**

The development and implementation of the Policy was and will be undertaken within existing resources. Any future budget implications will be referred to Council's budget process for consideration.

**Risk & Occupational Health & Safety Issues**

<b>Risk Identifier</b>	<b>Detail of Risk</b>	<b>Risk Rating</b>	<b>Control/s</b>
Community Needs	Service gaps if the policy is not consistently implemented across the Shire	High	Council to review outcomes of policy implementation in partnership with Reserve Managers
Financial	Funding required to progress actions outlined in the policy and associated policies	Medium	Business cases prepared for consideration in future Council budgets

**Community Engagement Strategy**

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

<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Date</b>	<b>Outcome</b>
Consult	Committees of Management	Email questionnaire to Committees of Management (recreation)	2015	Feedback from five Committees
Involve	Committees of Management	Meetings with Committees of Management (Halls and Heritage)	2015	Meetings with nine Committees
Consult	Committees of Management	Email draft Policy to Committees for feedback.	2015	Feedback provided to finalise the Draft Policy
Consult	Moorabool Shire Recreation and Leisure Strategic Advisory Committee	Presentation and workshop on the draft policy	February 2016	Feedback provided to finalise the Draft Policy
Consult	Councillors	Presentation and workshop to the s.86 Social Development	16th March 2016	Feedback provided to finalise the Draft



## **Communications Strategy**

It is proposed that upon adoption of the Policy as part of the Recreation Reserve Management Framework, Officers will work collaboratively with various management models/agencies to implement over the next 12 months. This will include training for officers and committees of management involved the management of reserves in the implementation of the Framework and associated policies and processes.

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

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

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

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

*General Manager – Danny Colgan*

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

*Author – Troy Scoble*

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

## **Conclusion**

The preparation of the Policy was a 2015/2016 Council Plan Action.

The Policy provides guidelines regarding Council's role in supporting the management of community facilities (Reserves and Halls) through the provision of annual operational funding.

### **Resolution:**

**Crs. Dudzik/Edwards**

***That the Council adopts the Community Facility Funding Policy (August 2016).***

***Councillor Sullivan called for a Division.***

**Councillors voting for the resolution:**

**Cr. Allan Comrie**  
**Cr. David Edwards**  
**Cr. Tonia Dudzik**  
**Cr. Paul Tatchell**  
**Cr. John Spain**

**Councillors voting against the resolution;**

**Cr. Tom Sullivan**  
**Cr. Pat Toohey**

**The resolution was determined to be CARRIED.**

---

**Report Authorisation:**

**Authorised by:**   
**Name:** Danny Colgan  
**Title:** General Manager Social & Organisational Development  
**Date:** Tuesday 26 July 2016

### 10.3.3 Revised Appointments and Delegations Policy

#### Introduction

File No.: 12/09/021  
Author: Troy Scoble  
General Manager: Danny Colgan

#### Background

The purpose of this report is to recommend that the Council adopt the Revised Appointments and Delegations Policy ("revised Policy"), following the public exhibition and engagement period.

At the Ordinary Meeting of Council on 1 April 2016, the Council resolved to: (i) endorse the Draft Revised Appointment and Delegations Policy for the purpose of community exhibition for a period of eight weeks; and (ii) receive a further report at the conclusion of the community exhibition period seeking adoption of the Revised Appointment and Delegations Policy.

#### Proposal

The Recreation and Leisure Strategy 2015-2021 was adopted by the Council at Ordinary Meeting held on the 2 September 2015. A key recommendation of the strategy was the development of a Reserve Management Framework to ensure there is a coordinated, integrated, consistent approach to the management and operation of recreation reserves and facilities across Moorabool Shire.

The following principles consistent with those outlined in the Recreation and Leisure Strategy 2015 – 2021 underpin the development of the framework and its associated policies:

- Partnerships
- Accessibility
- Participation
- Equity and Fairness
- Financial Responsibility

The associated policies are: draft Community Facilities Funding Policy; draft Recreation Reserve User Fees & Charges Policy; draft Recreation Reserve Leases & Licenses Occupancy Policy; draft Recreation Reserves Capital Works Contribution Policy and Revised Appointments and Delegations Policy.

The revised Policy contained in Attachment 10.3.3(a) governs the Council's Committees of Management appointed under Section 86 of the *Local Government Act 1989*. The Act stipulates the roles and responsibilities required for Section 86 Committees of Management.

The Council currently delegates the management responsibilities of some Recreation Reserves, Halls and Heritage Facilities to Committees of Management pursuant to Section 86 of the *Local Government Act 1989*. These Committees, referred to as Section 86 Committees of Management are appointed by an Instrument of Delegation and Council resolution.

A significant amount of engagement has been undertaken in the development of the revised Policy. An initial community engagement process

was undertaken with existing Committees of Management as a part of the review of the policy. The Community Engagement Activities included:

- Meetings with Committees of Management
- Emails to existing Committees of Management with a questionnaire
- Draft Revised Policy provided to Committees of Management for feedback

During the public exhibition period the following activities were undertaken to seek community feedback on the Draft Framework.

- A discussion forum and submissions through the Have Your Say website, the Council's online engagement portal;
- Copies were available at Council's Customer Service locations including the Lerderderg Library;
- Community Groups and Committees of Management were provided with the Draft Revised Policy and asked to provide feedback or a submission;
- The Recreation and Leisure Strategic Advisory Committee held two workshops to discuss the draft revised policy and at the conclusion of the engagement period to workshop feedback received to inform the final Policy;
- The public exhibition period and submission process was also advertised in the local newspaper, on Council's Facebook Page, Youth Page and on Council's website;
- At the request of the Committees, individual meetings and discussions were held with The Chairperson Maddingley Park Committee of Management, the Masons Lane Recreation Reserve User Group Advisory Committee, Darley Park User Group Advisory Committee, President of the Bacchus Marsh Cricket Club, Chairperson of the Ballan Recreation Reserve Committee of Management and representative of the Elaine Recreation Reserve Committee of Management.

Sixty people visited the Have Your Say engagement portal to view the Framework and associated policies with 10 views/downloads specific to the Revised Appointment and Delegations Policy undertaken.

### **Key Issues raised during the engagement period**

The feedback raised during the engagement period specific to the revised draft Policy and contained in Attachment 10.3.3(b) were:

- This is a positive update on the existing policy to further support volunteer Committees of Management.
- Disagreement that Council should set fees annually as part of the budget process consistent with the Reserve Management Framework and associated Recreation Reserve User Fee and Charge Policy. The feedback was that user groups should have longer term tenancies tied to agreed standard increases annually.

- Concern over the proposed election of the executive positions for Committees of Management in the new policy. The new policy recommends consistency across the board however feedback that Council should still elect some Chairs at certain reserves.

The feedback on the draft Policy was presented to the Recreation and Leisure Strategic Advisory Committee at its meeting held on the 20 June 2016. The draft policy was further considered at the Recreation and Leisure Strategic Advisory Committee meeting on 18 July 2016.

The revised Policy outlines the:

- Purpose of the policy
- Policy conditions that apply to Committees
- Role of the Committee of Management
- Powers and Responsibilities
- Committee Processes
- Support for delegated Committees
- Council resolution and schedule
- Instrument of Delegation

The Revised Policy will be implemented over the next three years. This will include Officer and Committee members training in the implementation of the policy.

### **Policy Implications**

The 2013 - 2017 Council Plan provides as follows:

<b>Key Result Area</b>	Community Well Being
<b>Objective</b>	Community Self-reliance and resilience
<b>Strategy</b>	Actively support committees of management in the management of community assets

The revised Policy is consistent with the 2013-2017 Council Plan and principles outlined in the Recreation and Leisure Strategy 2015 -2021.

### **Financial Implications**

The revision of the Policy was undertaken within existing resources. Any future budget implications will be referred to Council's budget process for consideration.



### Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Community Needs	Service gaps if the policy is not consistently implemented across the Shire	High	Council to review outcomes of policy implementation in partnership with Reserve Managers
Council Plan Action to revise policy	Council Plan action not completed	Low	Council to revise and adopt the revised Appointments and Delegations Policy

### Community Engagement Strategy

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

Level of Engagement	Stakeholder	Activities	Date	Outcome
Consult	Committees of Management	Email questionnaire to Committees of Management (recreation)	2015	Feedback from five Committees
Involve	Committees of Management	Meetings with Committees of Management (Halls and Heritage)	2015	Meetings with nine Committees
Consult	Committees of Management	Email draft Policy to Committees for feedback.	2015	Feedback provided to finalise the Draft Policy
Consult	Moorabool Shire Recreation and Leisure Strategic Advisory Committee	Presentation and workshop on the draft policy	February 2016	Feedback provided to finalise the Draft Policy
Consult	Councillors	Presentation and workshop to the s.86 Social Development	16th March 2016	Feedback provided to finalise the Draft Framework

Level of Engagement	Stakeholder	Activities	Date	Outcome
		Committee of Council		and associated policies

### Public Exhibition Period

Level of Engagement	Stakeholder	Activities	Outcome
Consult	Community          Community groups and Committees of Management	<p>Pasted with dedicate page and submissions through the Have Your Say website</p> <p>Public submission process advertised in local newspaper and Council's website</p> <p>Copies were available at all Council's Customer Service locations Lerderderg Library.</p> <p>Strategy posted on Council's Facebook page/s</p> <p>Provided with the Draft Documents and asked to provide feedback.</p>	<p>10 Views/Downloads of the Revised Appointment and Delegations Policy</p> <p>Residents able to view the Framework</p> <p>Two submissions received specific to the Revised Appointment Delegations Policy</p> <p>Four meetings and 15 phone conversations held with specific groups</p>
Consult	Internal Staff	Provided to Management Group and requests for feedback.	Multiple staff provided feedback via email and meetings.

Collaborate	Moorabool Shire Recreation and Leisure Strategic Advisory Committee	Draft presented and all members provided with a copy and asked to provide feedback.  Further meetings held to workshop feedback at conclusion of the exhibition period	3 Committee workshops – attendees from external organisations, internal staff, Councillors and community representatives
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### **Communications Strategy**

It is proposed that upon adoption of the Revised Policy as part of the Recreation Reserve Management Framework, Officers will work collaboratively with various management models/agencies to implement over the next 12 months. This will include training for officers and committees of management involved the management of reserves in the implementation of the Framework and associated policies and processes.

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

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

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

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

*General Manager – Danny Colgan*

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

*Author – Troy Scoble*

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

**Conclusion**

The revised Policy governs the Council's Committees of Management appointed under Section 86 of the Local Government Act 1989. The Act stipulates the roles and responsibilities required for Section 86 Committees of Management

**Resolution:****Crs. Spain/Edwards**

***That the Council adopts the Revised Appointment and Delegations Policy (August 2016).***

**CARRIED.**

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**Report Authorisation:****Authorised by:**

**Name:** Danny Colgan  
**Title:** General Manager Social & Organisational Development  
**Date:** Tuesday 26 July 2016



### 10.3.4 Recreation Reserve Capital Works Contributions Policy

#### Introduction

File No.: 12/09/021  
Author: Troy Scoble  
General Manager: Danny Colgan

#### Background

The purpose of this report is to recommend that the Council adopt the Recreation Reserve Capital Works Contribution Policy, following the public exhibition and engagement period.

At the Ordinary Meeting of Council on 1 April 2016, the Council resolved to: (i) endorse the Draft Recreation Reserve Capital Works Contribution Policy for the purpose of community exhibition for a period of eight weeks; and (ii) receive a further report at the conclusion of the community exhibition period seeking adoption of the Recreation Reserve Capital Works Contribution Policy.

#### Proposal

The Recreation and Leisure Strategy 2015-2021 was adopted by the Council at Ordinary Meeting held on the 2 September 2015. A key recommendation of the strategy was the development of a Reserve Management Framework to ensure there is a coordinated, integrated, consistent approach to the management and operation of recreation reserves and facilities across Moorabool Shire.

The following principles consistent with those outlined in the Recreation and Leisure Strategy 2015 – 2021 underpin the development of the framework and its associated policies:

- Partnerships
- Accessibility
- Participation
- Equity and Fairness
- Financial Responsibility

The associated policies are: draft Community Facilities Funding Policy; draft Recreation Reserve User Fees & Charges Policy; draft Recreation Reserve Leases & Licenses Occupancy Policy; draft Recreation Reserves Capital Works Contribution Policy and Revised draft Appointments and Delegations Policy.

The Recreation Reserve Capital Works Contribution Policy contained in Attachment 10.3.4(a) provides the principles and objectives for Council's standard provision for recreation and leisure facilities and potential funding models to drive future development opportunities. The Policy applies to all reserves/facilities regardless of ownership and management model that are available for community access.

Key objectives of this Policy are:

- Future facility development is informed by the Recreation and Leisure Strategy Facility Hierarchy
- Council will provide and maintain quality infrastructure to meet the needs of sporting and community clubs.
- Council's role in encouraging active participation is in the provision of facilities to a standard level, which is suitable for training and/or active competition.
- In order to provide clarity to clubs on Council's standard infrastructure provision, the Provision Standards adopted by the Council in the Recreation and Leisure Strategy have been developed to guide this policy.

The Policy outlines key infrastructure provision and funding ratios to drive future development.

Council's role in the implementation of the Policy as part of the Recreation Reserve Management Framework is to work collaboratively with various management models/agencies to establish fair and equitable management and use arrangements at all reserves to ensure consistency and equity regardless of the type of governance structure/s in place.

The Policy will be implemented over the next three years. This will include Officer and Reserve Manager training in the implementation of the associated policies using updated systems and processes.

A significant amount of engagement has been undertaken in the development of this Policy. An initial community engagement process was undertaken with existing Committees of Management as a part of the development of the Policy. The Community Engagement Activities included:

- Meetings with Committees of Management
- Emails to existing Committees of Management with a questionnaire
- Draft Revised Policy provided to Committees of Management for feedback

During the public exhibition period the following activities were undertaken to seek community feedback on the draft Policy.

- A discussion forum and submissions through the Have Your Say website, the Council's online engagement portal;
- Copies were available at Council's Customer Service locations including the Lerderberg Library;
- Community Groups and Committees of Management were provided with the Draft Policy and asked to provide feedback or a submission;
- The Recreation and Leisure Strategic Advisory Committee held two workshops to discuss the draft Policy and at the conclusion of the engagement period to workshop feedback received to inform the final Policy;
- The public exhibition period and submission process was also advertised in the local newspaper, on Council's Facebook Page, Youth Page and on Council's website;

- At the request of the Committees, individual meetings and discussions were held with The Chairperson Maddingley Park Committee of Management, the Masons Lane Recreation Reserve User Group Advisory Committee, Darley Park User Group Advisory Committee, President of the Bacchus Marsh Cricket Club, Chairperson of the Ballan Recreation Reserve Committee of Management, representative of the Elaine Recreation Reserve Committee of Management.

Sixty people visited the Have Your Say engagement portal to view the Framework and associated Policies with 9 views/downloads specific to the Draft Recreation Reserve Capital Works Contribution Policy.

### **Key Issues raised during the engagement period**

The feedback raised during the engagement period specific to the Policy is contained in Attachment 10.3.4(b) and in summary was:

- Support to implement the policy and ensure it is referenced across the whole Shire and for all facilities
- Good document to set out what Council will fund as a standard guide and the funding models for clubs should they wish to develop facilities above the standards
- Provides clarity on what Council standards are for funding and the expectation on community for partnership projects in the future.
- This clarity is a positive so community and Council do not waste each other's time talking about projects or upgrades that are never going to happen

The feedback on the Draft Recreation Reserve Capital Works Contribution Policy was presented to the Recreation and Leisure Strategic Advisory Committee at its meeting held on the 20 June 2016. This was further considered at the Recreation and Leisure Strategic Advisory Committee meeting on 18 July 2016 and is now presented to Council for consideration.

The Policy will be implemented over the next three years. This will include Officer and Committee members training in the implementation of the Policy.

### **Policy Implications**

The 2013 - 2017 Council Plan provides as follows:

<b>Key Result Area</b>	Community Well Being
<b>Objective</b>	Increase and encourage participation in a range of sport, recreation and leisure activities
<b>Strategy</b>	Promote community health and well - being through the provision of recreation facilities, open space, programs and activities

The Policy is consistent with the 2013-2017 Council Plan and the Recreation and Leisure Strategy 2015 -2021.

### Financial Implications

The development and implementation of the Policy will be undertaken within existing resources. Any future budget implications will be referred to Council's budget process for consideration.

### Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Community Needs	Service gaps if the policy is not consistently implemented across the Shire	High	Council to review outcomes of the policy implementation in partnership with Reserve Managers
Financial	Funding required to progress actions outlined in the policy and associated policies	Medium	Business cases prepared for consideration in future Council budgets

### Community Engagement Strategy

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

Level of Engagement	Stakeholder	Activities	Date	Outcome
Consult	Committees of Management	Email questionnaire to Committees of Management (recreation)	2015	Feedback from five Committees
Involve	Committees of Management	Meetings with Committees of Management (Halls and Heritage)	2015	Meetings with nine Committees
Consult	Committees of Management	Email draft Policy to Committees for feedback.	2015	Feedback provided to finalise the Draft Policy
Consult	Moorabool Shire Recreation and Leisure Strategic Advisory Committee	Presentation and workshop on the draft policy	February 2016	Feedback provided to finalise the Draft Policy





<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Date</b>	<b>Outcome</b>
Consult	Moorabool Shire Recreation and Leisure Strategic Advisory Committee	Presentation and workshop on the draft policy	February 2016	Feedback provided to finalise the Draft document

### **Communications Strategy**

It is proposed that upon adoption of the Policy as part of the Recreation Reserve Management Framework, Officers will work collaboratively with various management models/agencies to implement over the next 12 months. This will include training for officers and committees of management involved the management of reserves in the implementation of the Framework and associated policies and processes.

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

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

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

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

*General Manager – Danny Colgan*

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

*Author – Troy Scoble*

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

### **Conclusion**

The Policy provides the principles and objectives for Council's standard provision for recreation and leisure facilities and potential funding models to drive future development opportunities. The Policy applies to all reserves/facilities regardless of ownership and management model that are available for community access.

### ***Consideration of Deputation***

***Mr. Pat Griffin addressed Council in relation to the Recreation Reserve Capital Works Contributions Policy.***

***The business of the meeting then returned to the agenda.***

**Recommendation:**

**That the Council adopts the Recreation Reserve Capital Works Contribution Policy (August 2016).**

**Resolution:**

**Crs. Dudzik/Edwards**

***That the Council adopts the Recreation Reserve Capital Works Contribution Policy (August 2016) as presented to Council with the following amendments to the Policy:***

- i. remove Clause 7 – Project Management;***
- ii. remove the last sentence in Schedule One, in the Regional level section; and***
- iii. add utilities and roads as infrastructure components of the policy under Schedule Two – Capital Works Contribution Framework, with Council having responsibility for these two components.***

***Councillor Sullivan called for a Division.***

***Councillors voting for the resolution:***

***Cr. Allan Comrie  
Cr. David Edwards  
Cr. Tonia Dudzik  
Cr. John Spain  
Cr. Pat Toohey***

***Councillors voting against the resolution;***

***Cr. Tom Sullivan  
Cr. Paul Tatchell***

***The resolution was determined to be CARRIED.***

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**Report Authorisation:**

**Authorised by:**

**Name:** Danny Colgan  
**Title:** General Manager Social & Organisational Development  
**Date:** Tuesday 26 July 2016



### 10.3.5 Recreation Reserve User Fees and Charges Policy

#### Introduction

File No.: 12/09/021  
Author: Troy Scoble  
General Manager: Danny Colgan

#### Background

The purpose of this report is to recommend that the Council adopt the Recreation Reserve User Fees and Charges Policy ("Policy"), following the public exhibition and engagement period.

At the Ordinary Meeting of Council on 1 April 2016, the Council resolved to: (i) endorse the Recreation Reserve User Fees and Charges Policy for the purpose of community exhibition for a period of eight weeks; and (ii) receive a further report at the conclusion of the community exhibition period seeking adoption of the Recreation Reserve User Fees and Charges Policy.

#### Proposal

The Recreation and Leisure Strategy 2015-2021 was adopted by the Council at Ordinary Meeting held on the 2 September 2015. A key recommendation of the strategy was the development of a Reserve Management Framework to ensure there is a coordinated, integrated, consistent approach to the management and operation of recreation reserves and facilities across Moorabool Shire.

The following principles consistent with those outlined in the Recreation and Leisure Strategy 2015 – 2021 underpin the development of the framework and its associated policies:

- Partnerships
- Accessibility
- Participation
- Equity and Fairness
- Financial Responsibility

The associated policies are: draft Community Facilities Funding Policy; draft Recreation Reserve User Fees & Charges Policy; draft Recreation Reserve Leases & Licenses Occupancy Policy; draft Recreation Reserves Capital Works Contribution Policy and Revised draft Appointments and Delegations Policy.

The Policy contained in Attachment 10.3.5(a) provides the principles and objectives for fees collected from users of Recreation Reserves within Shire for the purposes of recreation, sport, events and other community activities and create equity and access of like facilities. Key principles driving the development of the policy are that:

- user fees are a vital component to the operational/facility funding process

- users are expected to contribute in partnership with Council toward the management and maintenance of community facilities; and
- core principles of 'like fees for like facilities' and 'access' and 'equity' should apply for community use of facilities.

The Policy outlines a range of fee categories for sportsground/court usage as well as a fee category range for pavilion/facility usage. These ranges are consistent with the principles for fees and charges outlined in the Recreation and Leisure Strategy 2015-2021.

Other components of the model include:

- consideration of subsidies to be applied to those groups who assist Council in achieving its Health and Well Being objectives such as junior clubs or start up groups.
- consideration of subsidies for clubs requiring secondary facilities to support competition participation
- consideration of a passive use fee for use of active open space in certain circumstances
- that usage of community facilities for a commercial outcome be levied a higher user fee.
- The guideline that fees be collected by the Reserve Manager whether Volunteer Committee of management or Council.
- That user fees are a vital component of the facility operational funding mix, therefore the amount of user fees be deducted from the gross facility funding amount allocated toward a reserve for distribution.
- It is imperative for the efficient implementation of the Reserve Management Model that Non-Council owned and managed reserves across the Shire receiving operational funding, demonstrate that fees and charges are being applied and encourage those reserves to implement a consistent method.

A proposed model is recommended as part of the Policy which categorizes facilities and the maintenance required to each category to ensure like facilities levy like fees and charges.

Council's role in the implementation of the Policy as part of the Recreation Reserve Management Framework is to work collaboratively with various management models/agencies to establish fair and equitable management and use arrangements at all reserves to ensure consistency and equity regardless of the type of governance structure/s in place. The Policy provides a strategic starting point and flexibility required to levy fees with users on a case by case basis.

The Policy is recommended to be implemented over the next three years. This will include Officer and Reserve Manager training in the implementation of the associated policies using updated systems and processes. A new online Reserve Management system is also to be introduced to improve efficiencies for managing reserves.

A significant amount of engagement has been undertaken in the development of the Policy. An initial community engagement process was undertaken with existing Committees of Management as a part of the review of the policy. The Community Engagement Activities included:

- Meetings with Committees of Management
- Emails to existing Committees of Management with a questionnaire
- Draft Policy provided to Committees of Management for feedback.

During the public exhibition period the following activities were undertaken to seek community feedback on the Draft Policy.

- A discussion forum and submissions through the Have Your Say website, the Council's online engagement portal;
- Copies were available at Council's Customer Service locations including the Lerderderg Library;
- Community Groups and Committees of Management were provided with the draft Policy and asked to provide feedback or a submission;
- The Recreation and Leisure Strategic Advisory Committee held two workshops to discuss the revised draft policy and at the conclusion of the engagement period to workshop feedback received to inform the final Policy;
- The public exhibition period and submission process was also advertised in the local newspaper, on Council's Facebook Page, Youth Page and on Council's website;
- At the request of the Committees, individual meetings and discussions were held with The Chairperson Maddingley Park Committee of Management, the Masons Lane Recreation Reserve User Group Advisory Committee, Darley Park User Group Advisory Committee, President of the Bacchus Marsh Cricket Club, Chairperson of the Ballan Recreation Reserve Committee of Management and representative of the Elaine Recreation Reserve Committee of Management.

Sixty people visited the Have Your Say engagement portal to view the Framework and associated policies with 11 views / downloads specific to the draft Policy.

Upon conclusion of the public exhibition period, due to specific feedback being provided, all user groups were provided with a further opportunity to provide feedback on the draft policy. Officers provided all user groups using Council owned/managed reserves with another copy of the draft Policy, and a schedule outlining how fees (including amounts) would be levied under the proposed model. A series of questions were also posed and each of the groups were contacted by telephone for specific feedback to inform the development of the final policy.

### **Key Issues raised during the engagement period**

The feedback raised during the engagement period specific to the Policy were:

- That consideration should be given for junior clubs not be levied fees at all.
- It was acknowledged by key stakeholders that a standardised approach to fees and charges is required to eliminate the inequity in existing system.
- That clubs like cricket who require multiple venues to provide competition should be able to hire second and third facilities at a reduced rate as they only require them for competition day and not during the week for training. Therefore, full fee should not be applied.
- Users who are a passive user of active open space in nature should be afforded a subsidy.
- Concern that the recommended recoup levy on Buildings was too high and would compromise user groups sustainability.
- The building fee must recognise the prior investment by community and the fee being levied should be reduced.
- Support for a policy with like fees being applied to like facilities.
- Questions seeking clarification of how Council staff and Reserve Managers will manage the fee and charge policy.
- Needs to be further information provided outlining how lease fees are proposed to be calculated.
- In principle support provided by some community members as they see it as a transparent process to hire of facilities and levying fees.
- The policy provides adequate flexibility and is used as a starting point in the fee negotiation process. For example, the policy must still provide conversations to be had with user groups to ensure fees and usage reflect specific types of use as not all usage can be put in a tick the box model.
- Feedback was requested as to how the policy would be implemented to deal with groups whose fees increase.

The feedback on the Draft Policy was presented to the Recreation and Leisure Strategic Advisory Committee at its meeting held on the 20 June 2016. Additional engagement was then undertaken with all user groups in the Shire using Council managed reserves and this feedback was further considered at the Recreation and Leisure Strategic Advisory Committee meeting held on the 18 July 2016. The Draft policy is now presented to the Council for adoption.

The feedback, recommendations, and proposed changes to the draft Policy is contained in Attachment 10.3.5(b).

The Policy is recommended to be implemented over the next three years commencing July 2017. A community training and awareness program that will include Officer and Committee members training in the implementation of the policy will be undertaken.

It is proposed that any introduction of fee increases for existing user groups be staged over a three-year period as follows:

- Year 1: 40% of the new increased component of the fee be applied
- Year 2: 80% of the new increased component of the fee be applied
- Year 3: 100% of the new fee be applied.

### Policy Implications

The 2013 - 2017 Council Plan provides as follows:

<b>Key Result Area</b>	Community Well Being
<b>Objective</b>	Increase and encourage participation in a range of sport, recreation and leisure activities
<b>Strategy</b>	Promote community health and well-being through the provision of recreation facilities, open space, programs and activities

The Policy is consistent with the 2013-2017 Council Plan and principles outline in the Recreation and Leisure Strategy 2015 -2021.

### Financial Implications

The development of the draft Policy was undertaken within existing resources. Any future budget implications will be referred to Council's budget process for consideration.

The Council currently recoups directly \$27,221 annually in user fees from community user groups for active recreation facility usage at Council owned/managed active recreation reserves. This would increase to approximately \$33,774 at the forecast Draft recoup levels.

There is also an amount of \$13,000 that would be expected to be collected by Reserve Volunteer Committee of Managements to be used for facility management and maintenance at Dunnstown, Wallace and Elaine Recreation Reserves. Currently, Officers do not collect annual tenant user fees from these facilities nor have an accurate understanding of the user fees being levied.

### Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Community Needs	Service gaps if the policy is not consistently implemented across the Shire	High	Council to review outcomes of policy implementation in partnership with Reserve Managers
Financial	Funding required to progress actions outlined in the policy and associated policies	Medium	Business cases prepared for consideration in future Council budgets

### Community Engagement Strategy



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

<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Date</b>	<b>Outcome</b>
Consult	Committees of Management	Email questionnaire to Committees of Management (recreation)	2015	Feedback from Committees
Involve	Committees of Management	Meetings with Committees of Management (Halls and Heritage)	2015	Meetings with nine Committees
Consult	Committees of Management	Email draft Policy to Committees for feedback.	2015	Feedback provided to finalise the Draft Policy
Consult	Moorabool Shire Recreation and Leisure Strategic Advisory Committee	Presentation and workshop on the draft policy	February 2016	Feedback provided to finalise the Draft Policy
Consult	Councillors	Presentation and workshop to the s.86 Social Development Committee of Council	16th March 2016	Feedback provided to finalise the Draft Framework and associated policies

#### Public Exhibition Period

<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Outcome</b>
Consult	Community	<p>Pasted with dedicate page and submissions through the Have Your Say website</p> <p>Public submission process advertised in local newspaper and Council's website</p> <p>Copies were available at all Council's Customer Service locations Lerderderg Library.</p> <p>Strategy posted on Council's Facebook page/s</p>	<p>11 Views/ Downloads of the Draft Policy</p> <p>Residents able to view the Framework</p> <p>Six specific submissions received specific to the Policy</p>
	Community groups and		Four meetings and 15 phone conversations

<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Outcome</b>
	Committees of Management	Provided with the Draft Documents and asked to provide feedback.	held with specific groups
Consult	Internal Staff	Provided to Management Group and requests for feedback.	Multiple staff provided feedback via email and meetings.
Collaborate	Moorabool Shire Recreation and Leisure Strategic Advisory Committee	Draft presented and all members provided with a copy and asked to provide feedback.  Further meetings held to workshop feedback at conclusion of the exhibition period	3 Committee workshops – attendees from external organisations, internal staff, Councillors and community representatives

#### Further Club/User Specific Engagement

<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Outcome</b>
Consult	User Groups	Letters sent with Draft policy and schedule of proposed fees specific to club usage and asked to provide feedback.  Follow up phone calls to each group requesting feedback	8 additional submissions received specific to the Policy
Collaborate	Moorabool Shire Recreation and Leisure Strategic Advisory Committee	All feedback presented to the Committee for final workshop at the July 18 2016 meeting	Committee workshop – attendees from external organisations, internal staff, Councillors and community representatives

## **Communications Strategy**

It is proposed that upon adoption of the Recreation Reserve User Fees and Charges Policy as part of the Recreation Reserve Management Framework, Officers will work collaboratively with various management models/agencies to implement over the next 12 months.

This will include training for officers and committees of management involved in the management of reserves to support the implementation of the Framework and associated policies and processes. Introduction of an online reserve management system will also be implemented.

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

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

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

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

*General Manager – Danny Colgan*

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

*Author – Troy Scoble*

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

## **Conclusion**

The Policy outlines the principles and objectives for fees collected from users of Recreation Reserves within Shire for the purposes of recreation, sport, events and other community activities and create equity and access of like facilities.

### ***Consideration of Deputation***

***Mr. Pat Griffin addressed Council in relation to the Recreation Reserve User Fees and Charges Policy.***

***The business of the meeting then returned to the agenda.***

**Recommendation:****That the Council:**

1. **Adopts the Recreation Reserve User Fees and Charges Policy (August 2016).**
2. **Introduces any fee increases for existing user groups over a three-year period as follows:**
  - **Year 1: 40% of the new increased component of the fee be applied**
  - **Year 2: 80% of the new increased component of the fee be applied**
  - **Year 3: 100% of the new fee be applied.**
3. **Endorses the conduct of information sessions across the municipality to ensure awareness of the policy with the context of the Recreation Reserve Management Framework.**

**Resolution:****Crs. Edwards/Spain*****That the Council:***

1. ***Adopts the Recreation Reserve User Fees and Charges Policy (August 2016) as presented to the Council with the following amendments to the Policy:***
  - i. Remove the following wording under Clause 4, item XIII "semi commercial clubs or users groups generating revenue".***
  - ii. On page 5 of 10 of the Policy, in the table headed 'Rent Subsidies', for Category A: Peppercorn Rent in the column Eligibility; remove the words "and Has limited revenue raising ability".***
  - iii. On both Schedules 1 and 2 add the word "Indicative" to the right hand column headings.***
2. ***Introduces any fee increases for existing user groups over a three-year period as follows:***
  - ***Year 1: 40% of the new increased component of the fee be applied***
  - ***Year 2: 80% of the new increased component of the fee be applied***
  - ***Year 3: 100% of the new fee be applied.***
3. ***Endorses the conduct of information sessions across the municipality to ensure awareness of the policy with the context of the Recreation Reserve Management Framework.***

***Councillor Sullivan called for a Division.***

***Councillors voting for the resolution:***

***Cr. Allan Comrie  
Cr. David Edwards  
Cr. Paul Tatchell  
Cr. John Spain  
Cr. Pat Toohey***

***Councillors voting against the resolution;***

***Cr. Tom Sullivan  
Cr. Tonia Dudzik***

***The resolution was determined to be CARRIED.***

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**Report Authorisation**

**Authorised by:**



**Name:** Danny Colgan  
**Title:** General Manager Social & Organisational Development  
**Date:** Tuesday 26 July 2016

### 10.3.6 Recreation Reserve Leases and Licence Occupancy Policy

#### Introduction

File No.: 12/09/021  
Author: Troy Scoble  
General Manager: Danny Colgan

#### Background

The purpose of this report is to recommend that the Council adopt the Reserve Leases and License Occupancy Policy ("Policy") following the community exhibition period.

#### Proposal

The Recreation and Leisure Strategy 2015-2021 was adopted by the Council at Ordinary Meeting held on the 2 September 2015. A key recommendation of the strategy was the development of a Reserve Management Framework to ensure there is a coordinated, integrated, consistent approach to the management and operation of recreation reserves and facilities across Moorabool Shire.

The following principles consistent with those outlined in the Recreation and Leisure Strategy 2015 – 2021 underpin the development of the framework and its associated policies:

- Partnerships
- Accessibility
- Participation
- Equity and Fairness
- Financial Responsibility

The associated policies are: draft Community Facilities Funding Policy; draft Recreation Reserve User Fees & Charges Policy; draft Recreation Reserve Leases & Licenses Occupancy Policy; draft Recreation Reserves Capital Works Contribution Policy and Revised draft Appointments and Delegations Policy.

The Policy contained in Attachment 10.3.6(a) provides a management and usage model for the allocation of use of recreation reserve facilities across the Moorabool Shire.

Key objectives of this policy include:

- Support Reserve Managers (Council and Committees of Management) in the management and allocation of usage at reserves;
- Provide a consistent equitable approach to the management of reserve facilities;
- Minimise Councils and user groups risk exposure;
- Provide user groups with a tenure for usage of facilities, and
- Outline roles and responsibilities for all parties relating to use of facilities.

The Policy outlines three types of agreements for implementation at reserves and facilities: leases, licenses and casual use agreements. The Policy recommends the type of usage that would apply to each the agreement types.

The Policy also recognises that each usage should be managed on a case by case basis. Therefore, there is flexibility in the management agreements to ensure the agreement is tailored toward the type of usage. The Policy also outlines that different agreements are required to be implemented depending the ownership of the facility.

Council's role in the implementation of the Policy as part of the Recreation Reserve Management Framework is to work collaboratively with various management models/agencies to establish fair and equitable management and use arrangements at all reserves to ensure consistency and equity regardless of the type of governance structure/s in place.

The Policy will be implemented over the next three years. This will include Officer and Reserve Manager training in the implementation of the associated policies using updated systems and processes.

A significant amount of engagement has been undertaken in the development of this policy. An initial community engagement process was undertaken with existing Committees of Management as a part of the review of the policy. The Community Engagement Activities included:

- Meetings with Committees of Management
- Emails to existing Committees of Management with a questionnaire
- Draft Policy provided to Committees of Management for feedback.

During the public exhibition period the following activities were undertaken to seek community feedback on the draft Policy.

- A discussion forum and submissions through the Have Your Say website, the Council's online engagement portal;
- Copies were available at Council's Customer Service locations including the Lerderderg Library;
- Community Groups and Committees of Management were provided with the draft Policy and asked to provide feedback or a submission;
- The Recreation and Leisure Strategic Advisory Committee held two workshops to discuss the draft Policy and at the conclusion of the engagement period to workshop feedback received to inform the final Policy;
- The public exhibition period and submission process was also advertised in the local newspaper, on Council's Facebook Page, Youth Page and on Council's website;
- At the request of the Committees, individual meetings and discussions were held with The Chairperson Maddingley Park Committee of Management, the Masons Lane Recreation Reserve User Group Advisory Committee, Darley Park User Group Advisory Committee, President of the Bacchus Marsh Cricket Club, Chairperson of the Ballan Recreation Reserve Committee of Management and representative of the Elaine Recreation Reserve Committee of Management.

Sixty people visited the Have Your Say engagement portal to view the Framework and associated policies with 10 views/downloads specific to the draft Policy.

### **Key Issues raised during the engagement period**

The feedback raised during the engagement period specific to the Policy contained in Attachment 10.3.6(b) were:

- Support by the community for a policy outlining a standardised set of agreements to apply for facility usage.
- Support for agreements that encourage longer term tenancy as it could translate into more investment by the community into the facilities

The feedback on the draft Policy was presented to the Recreation and Leisure Strategic Advisory Committee at its meeting held on the 20 June 2016. The draft policy was further considered at the Recreation and Leisure Strategic Advisory Committee meeting on 18 July 2016 and is now being presented to the Council for adoption.

The Policy will be implemented over the next three years. This will include Officer and Reserve Manager training in the implementation of the associated policies using updated systems and processes.

### **Policy Implications**

The 2013 - 2017 Council Plan provides as follows:

<b>Key Result Area</b>	Community Well Being
<b>Objective</b>	Increase and encourage participation in a range of sport, recreation and leisure activities
<b>Strategy</b>	Promote community health and well-being through the provision of recreation facilities, open space, programs and activities

The Policy is consistent with the 2013-2017 Council Plan and the Recreation and Leisure Strategy 2015 -2021.

### **Financial Implications**

The preparation of the Policy was undertaken within existing resources. Any future budget implications will be referred to Council's budget process for consideration.



### Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Community Needs	Service gaps if the policy is not consistently implemented across the Shire	High	Council to review outcomes of policy implementation in partnership with Reserve Managers
Financial	Funding required to progress actions outlined in the policy and associated policies	Medium	Business cases prepared for consideration in future Council budgets

### Community Engagement Strategy

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

Level of Engagement	Stakeholder	Activities	Date	Outcome
Consult	Committees of Management	Email questionnaire to Committees of Management (recreation)	2015	Feedback from five Committees
Involve	Committees of Management	Meetings with Committees of Management (Halls and Heritage)	2015	Meetings with nine Committees
Consult	Committees of Management	Email draft Policy to Committees for feedback.	2015	Feedback provided to finalise the Draft Policy
Consult	Moorabool Shire Recreation and Leisure Strategic Advisory Committee	Presentation and workshop on the draft policy	February 2016	Feedback provided to finalise the Draft Policy
Consult	Councillors	Presentation and workshop to the s.86 Social Development Committee of Council	16th March 2016	Feedback provided to finalise the Draft Framework and associated policies



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

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

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

*General Manager – Danny Colgan*

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

*Author – Troy Scoble*

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

### **Conclusion**

The Policy outlines three types of agreement recommended for implementation at reserves and facilities. These are leases, licenses and casual use agreements. The Draft policy recommends the type of usage that would apply to each the agreement types. The draft policy also recognises that each usage should be managed on a case by case basis. Therefore, there is flexibility in the management agreements to ensure the agreement is tailored toward the type of usage.

### **Resolution:**

**Crs. Sullivan/Spain**

***That the Council adopt the Recreation Reserves Occupancy Lease and Licenses Policy.***

**CARRIED.**

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### **Report Authorisation:**

**Authorised by:**

**Name:** Danny Colgan

**Title:** General Manager Social & Organisational Development

**Date:** Tuesday 26 July 2016

## 10.4 INFRASTRUCTURE SERVICES

### 10.4.1 Capital Improvement Program Quarterly Report – June 2016

#### Introduction

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

#### Background

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

#### Proposal

This quarterly report provides Council with an overview of the progress of Council's 2015/16 Capital Improvement Program to 30 June 2016.

#### Implementation of the 2015/2016 Capital Improvement Program

The 2015/16 Capital Improvement Program consists of 79 projects. Of these 79 projects, 13 are inactive and cannot commence. Further to this, there are a number of projects that span multiple years and will be completed in 2016/17.

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

- Projects carried forward from 2014/15 program
- 2015/16 Council budgeted projects
- Grant funded projects

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

The Engineering Services Unit nominates 6 key stages of the project delivery process and will report with reference to these stages in regard to the overall program status.

The table below summarises the overall program status as at 30 June 2016:

CIP Program Delivery Stage	Actual as of 30 June 2016	
	No. of Projects	%
Not Commenced (inactive)	13	-
Multi-year projects currently underway	4	-
Not Commenced	0	0
Documentation/Design Preparation	0	0
Tender/Quote Stage	0	0
Project Awarded – Waiting Commencement	0	0
In Progress/Under Construction	4	6.6
Complete	57	93.4
<b>TOTAL</b>	<b>61</b>	<b>100.00</b>

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

#### Program Status and Financial Year Performance

Of the 79 projects, there are 13 projects that have not commenced and are deemed inactive due to either unsuccessful funding applications, recent funding announcements or scheduled for completion in the 2016/17 CIP. An overview of these projects and a comment on the status are included in the attached report.

There are also 4 projects within the CIP that span multiple years. These include;

- Halletts Way / O'Leary Way Southern Extension
- Bacchus Marsh Balliang Road / Glenmore Rd, Rowsley Roundabout Construction
- Darley Early Years Hub, Darley
- Darley Sporting Pavilion, Darley (included within DEYH contract)

The inactive projects and multiple year projects account for 17 projects listed in the 2015/16 CIP. These projects have not been included in the overall end of year performance calculations as they were unable to be completed during 2015/16.

Of the 61 projects that could be completed, there are 4 projects that will be carried forward into the 2016/17 CIP. The table below outlines each of these projects and their current status;

<b>Project Name</b>	<b>Project Status</b>
Acoustic treatment to the Lerderderg Library, Bacchus Marsh	This project has been awarded to Soundfix Acoustics Pty Ltd with completion scheduled for August /September 2016.
Dunnstown Recreation Reserve, Dunnstown – Lighting Upgrade	This project has been awarded to Ben Clark Electrical Pty Ltd with anticipated completion in August/September 2016.
Bacchus Marsh Racecourse Recreation Reserve – active sports precinct design	This project is awaiting the NSRF outcome anticipated in July/August 2016.
Darley Lift Replacement, Darley Civic Hub	This project has been included in the Darley Early Years Hub contract.

Taking these into account, 57 of a possible 61 projects were completed resulting in 93% of the program being completed in the financial year.

#### Projects yet to commence

Of the 13 projects that are considered 'Not Commenced', there have been a number of updates to these projects in recent months. An overview is provided below;

<b>Project Description</b>	<b>Project Status</b>
Gordon Recreation Reserve - Kitchen Upgrade	This project was funded through the 2015/16 Community Development Fund and a recent Notice of Motion at the May OMC. These funds will be provided to the Committee of Management in the form of a grant and removed from the inactive list.
Lal Lal Anzac Memorial Park	Funding for the Lal Lal Falls Memorial Park project has recently been successful through the Department of Veteran Affairs. This project will now be delivered in the 2016/17 CIP.
Masons Lane Recreation Reserve – Lighting Upgrade	This project was funded through the 2015/16 CIP and is currently on hold pending external funding contribution through SRV. A funding application has been submitted, with an outcome known in November 2016.
Maddingley Park lighting	A project allocation was funded through the 2014/15 CIP. An external funding application was unsuccessful and as a result, Council funded the remaining balance in the 2016/17 budget. This project will be delivered in the 2016/17 CIP.

Darley Neighbourhood House walking path	This project was funded through the 2014/15 Community Development Fund. External funding applications have not been supported to date and as a result, a revised scope of works and further budget allocation is being proposed.
Korweinguboorra Recreation Reserve	This project was funded through the 2015/16 Community Development Fund. External funding applications have not been supported to date and as a result, a further budget allocation to complete this project is proposed.
Bacchus Marsh Avenue of Honour – Footpath feasibility study	This project was funded through the 2013/14 CIP. External funding applications have not been supported to date and as a result, a revised scope of works and further budget allocation is proposed.
Ballan Recreation Reserve pavilion kitchen improvements	This project has been funded through the 2014/15 CIP. External funding applications have not been supported to date and as a result, a revised scope of works and further budget allocation is proposed.
Ballan Depot - conceptual design	This project has been hold pending CFA investigations and the NSRF outcome. The project will now be completed in 2016/17.
Bacchus Marsh BMX Club	This project was funded through the 2015/16 Community Development Fund and is currently on hold pending an external funding contribution through SRV. A funding application has been submitted, with an outcome known in November 2016.
Balliang Public Hall	This project has been funded through the 2014/15 CIP. External funding applications have not been supported to date and as a result, a revised scope of works and further budget allocation is proposed.
Mt Wallace Hall and Recreation Reserve	This project has been funded through the 2014/15 CIP. External funding applications have not been supported to date and as a result, a revised scope of works and further budget allocation is proposed.
Ballan Mechanics Institute improvements	This project has been funded through the 2014/15 CIP. External funding applications have not been supported to date and as a result, a revised scope of works and further budget allocation is proposed.

### Program Financial Status

A review of the financial aspect of the program has been completed through comparison of expenditure against the available budget. The final expenditure has been confirmed and the program has come in under budget by a total of \$169,469 representing a 1% under spend.

There are multiple options available with the under spend. The first would be to retain the funds as consolidated revenue to improve Council's cash position. The second option would help address Council's funding gap by carrying forward the funds to additional renewal projects as has been the case in previous years. The third option is to redirect surplus funds to inactive projects which have not received the external funding required to complete them.

It is recommended that option three be implemented to complete projects that have been sitting on the books for multiple years. The projects identified below have not received the external funding required to deliver the project outcomes. They have been reviewed in terms of project readiness to ensure delivery could be completed in the 2016/17 financial year. The proposed revised project and additional funding is outlined below;

- *Bacchus Marsh Avenue of Honour – feasibility study (\$25,000)*  
A \$10,000 allocation for this project was funded through the 2013/14 CIP and advice received indicates external funding is not available for studies of this type. With an additional funding allocation of \$25,000, this would complete a feasibility study to review the complexities associated with construction of a pathway along the Avenue of Honour, including planning and heritage implications.
- *Jonathan Drive to Holts Lane – construction of shared path (\$45,000)*  
A \$25,000 allocation towards this project was funded through the 2014/15 CIP and included the construction of pathways and ancillary items such as seating, shade sail and community art in the vicinity of Darley Neighbourhood House. To date, funding has not been received. A revised scope of works is proposed comprising a shared path constructed from Jonathan Drive, to Holts Lane along the irrigation channel alignment and replacement of bollards.
- *Korweinguboora Recreation Reserve (\$10,000)*  
A \$6,366 Council contribution for this project was funded through the 2015/16 Community Development Fund and external funding has not been successful. This proposal includes an additional allocation of \$10,000 to complete the improvements projects including a shade sail, seating and fencing.
- *Ballan Recreation Reserve kitchen improvements (\$12,969)*  
A \$10,000 Council contribution for this project was funded through the 2014/15 CIP and external funding has not been successful. An additional \$12,969 would deliver a revised scope including the replacement of joinery and benchtops throughout the kitchen, replacement of plaster and supply of new cabinets throughout the storeroom and internal painting to these areas. Various trades will contribute in kind labour to the project to deliver the desired project outcome.
- *Mt Wallace Hall improvements (\$30,000)*  
A \$20,000 Council contribution for this project was funded through the 2014/15 CIP that included a toilet refurbishment, BBQ installation and



seating improvements. External funding has not been successful. A revised scope of works has been developed based on CoM current priorities. Given the current risks associated with the toilets, it is proposed to fund an additional \$30,000 that will include restumping of the amenities and refurbishment of the male, female and disabled toilets.

- *Balliang Hall outdoor space enhancements (\$20,000)*  
An \$8,000 Council contribution for this project was funded through the 2014/15 CIP for the installation of a BBQ, seating improvements and pergola adjacent to the playground. External funding has not been successful. A revised scope of works has been developed based on CoM current priorities, to include enhancement the outdoor space and provide external decking at the hall for use by community groups.
- *Ballan Mechanics Institute improvements (\$26,500)*  
A \$30,000 Council contribution for this project was funded through the 2014/15 CIP for heating and cooling upgrades, kitchen improvements and stage lighting upgrades. External funding has not been successful. A revised scope of works has been developed based on CoM current priorities to include heating and cooling improvements and painting of the Hall within the facility.

An alternative to redirecting funds into the projects above would be to abandon the projects or leave them as inactive and redirect the funds elsewhere.

### **Policy Implications**

The 2013-2017 Council Plan provides as follows:

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

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

### **Financial Implications**

There are no financial implications from this report. All projects identified for funding are from existing budget allocations.

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

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

## **Communications Strategy**

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

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

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

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

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

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

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

*General Manager – Phil Jeffrey*

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

*Author – Sam Romaszko*

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

## **Conclusion**

This report provides a summary of the progress of the Capital Improvement Program for the final quarter of the 2015/2016 period for the information of Councillors.

A review of the overall 2015/16 Capital Improvement Program (CIP) expenditure has occurred in comparison to the available budget. The final expenditure has come under budget by a total of \$169,469.

It is being recommended that the left over funds be directed into the current inactive projects within the CIP to complete the projects that have not obtained external grant funding.

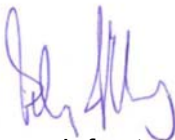
**Resolution:****Crs. Sullivan/Tatchell*****That Council;***

- 1. *Receives the Capital Improvement Program quarterly report to 30 June 2016.***
- 2. *Allocates Capital Carry Forward surplus of \$169,469 to fund the following projects;***
  - a) Bacchus Marsh Avenue of Honour – feasibility study (\$25,000)***
  - b) Jonathan Drive to Holts Lane – construction of shared path (\$45,000)***
  - c) Korweinguboorra Recreation Reserve (\$10,000)***
  - d) Ballan Recreation Reserve kitchen improvements (\$12,969)***
  - e) Mt Wallace Hall improvements (\$30,000)***
  - f) Balliang Hall outdoor space enhancements (\$20,000)***
  - g) Ballan Mechanics Institute improvements (\$26,500)***

**CARRIED.**

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**Report Authorisation****Authorised by:**

**Name:** Phil Jeffrey   
**Title:** General Manager Infrastructure  
**Date:** Wednesday 27 July 2016

## 11. OTHER REPORTS

### 11.1 Assembly of Councillors

File No. 02/01/002

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

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

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

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

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

Council also records each Assembly of Councillors on its website at [www.moorabool.vic.gov.au](http://www.moorabool.vic.gov.au)

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

- Assembly of Councillors – Wednesday 25 May 2016 – Confidential Matter
- Assembly of Councillors – Wednesday 13 July 2016 – Community Infrastructure Planning Framework

#### **Resolution:**

#### **Crs. Sullivan/Edwards**

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

- ***Assembly of Councillors – Wednesday 25 May 2016 – Confidential Matter***
- ***Assembly of Councillors – Wednesday 13 July 2016 – Community Infrastructure Planning Framework.***

**CARRIED.**

## 11.2 Section 86 - Delegated Committees of Council - Reports

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

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

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

<b>Committee</b>	<b>Meeting Date</b>	<b>Council Representative</b>
Navigators Community Centre	20 July 2016	Community Members

### **Resolution:**

**Crs. Sullivan/Tatchell**

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

- ***Navigators Community Centre committee meeting of Wednesday, 20 July 2016***

**CARRIED.**

### 11.3 Advisory Committees of Council - Reports

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

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

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

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

<b>Committee</b>	<b>Meeting Date</b>	<b>Council Representative</b>
Social Development Committee	18 May 2016	Cr. Comrie, Cr. Dudzik, Cr. Edwards
Moorabool Recreation and Leisure Strategic Advisory Committee	20 June 2016	Cr. Dudzik Cr. Edwards Cr. Spain

**Resolution;**

**Cr. Dudzik/Tatchell**

***That Council receives the reports of the following Advisory Committees of Council:***

- ***Social Development Committee meeting of Wednesday, 18 May 2016.***
- ***Moorabool Recreation and Leisure Strategic Advisory Committee meeting of Monday, 20 June 2016***

**CARRIED.**

**12. NOTICES OF MOTION****12.1 Cr. Dudzik: N.O.M. No. 257 - Maddingley Park Clubrooms Extension Project**

**Resolution:**

**Crs. Dudzik/Tatchell**

***That Council:***

- 1. Allocates \$24,000 from the Recreational Facilities Reserve Fund – East Moorabool towards the Maddingley Park Clubrooms extension as additional to the \$56,000 previously identified in the budget.***
- 2. That Council writes to Maddingley Park Committee of Management and advises that Council will contribute \$24,000 towards the extension of the Maddingley Park Clubrooms in additional to the \$56,000 allocated previously in the budget and that the project commence at the end of the current football season.***

**CARRIED.**

**13. MAYOR'S REPORT**

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

<b>Cr Allan Comrie – Mayor's Report</b>	
<i>July-August 2016</i>	
<i>13 July</i>	<ul style="list-style-type: none"> <li>• <i>S86 Development Assessment Committee Meeting</i></li> <li>• <i>Assembly of Councillors – Community Infrastructure Planning Framework</i></li> </ul>
<i>18 July</i>	<ul style="list-style-type: none"> <li>• <i>Western Water Stakeholder Interview</i></li> </ul>
<i>19 July</i>	<ul style="list-style-type: none"> <li>• <i>Regional Futures Summit, hosted by the Hon Jaala Pulford, Bendigo</i></li> </ul>
<i>20 July</i>	<ul style="list-style-type: none"> <li>• <i>Regional Futures Summit, hosted by the Hon Jaala Pulford, Bendigo</i></li> </ul>
<i>22 July</i>	<ul style="list-style-type: none"> <li>• <i>Ballan District Health &amp; Care 50th Anniversary Fundraising Dinner</i></li> </ul>
<i>26 July</i>	<ul style="list-style-type: none"> <li>• <i>Social Development Advisory Committee Meeting</i></li> <li>• <i>Blacksmith's Cottage &amp; Forge Special Committee Meeting</i></li> </ul>
<i>27 July</i>	<ul style="list-style-type: none"> <li>• <i>Local Government Act Review – Forum for Mayors and CEOs</i></li> </ul>
<i>28 July</i>	<ul style="list-style-type: none"> <li>• <i>Scotsburn Tree Planting Day with local Landcare Groups</i></li> </ul>
<i>3 August</i>	<ul style="list-style-type: none"> <li>• <i>Assembly of Councillors – Presentation on new MSC website</i></li> <li>• <i>Assembly of Councillors – Mason's Lane Recreation Reserve</i></li> <li>• <i>Ordinary Meeting of Council</i></li> </ul>

**Resolution:**

**Crs. Tatchell/Spain**

***That the Mayor's report be received.***

**CARRIED.**



**14. COUNCILLORS' REPORTS**

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

<b>Cr. Sullivan</b>	
<i>July 2016</i>	
<i>7 July</i>	<i>Chaired the Triannual Meeting of the Bungaree Recreation Reserve Committee Meeting</i>
<i>25 July</i>	<i>Chaired the Scotsburn Recovery Committee Meeting</i>

<b>Cr. Toohey</b>	
<i>July 2016</i>	
<i>29 July</i>	<i>Attended Directions Hearing Panel re: Lal Lal Wind Farm proposed amendments</i>

**Resolution:**

**Crs. Sullivan/Tatchell**

***That the Councillors' reports be received.***

**CARRIED.**

## 15. URGENT BUSINESS

### 15.1 New Tourism Event Grant Program

#### Introduction

File No.: 02/02/002  
 Author: Natalie Abbott  
 General Manager: Satwinder Sandhu

#### Background

At the Ordinary Meeting of Council (OMC) on Wednesday 6 July, 2016 Council resolved the following:

*That a report be brought to the next Ordinary Meeting of Council in relation to the Flavours of Moorabool event and the Tourism Event Grant Program.*

The New Tourism Event Grants program was open for applications and promoted from 1 to 28 April, 2016 with applications closing on 29 April, 2016.

Council has been liaising with the Ballan Autumn Festival Association Committee regarding the Flavours of Moorabool event with a brief overview below:

4 February 2015	<p>The Rotary Club of Ballan and District were successful with a Tourism grant from the OMC of 4 February 2015. \$3500 for 3 years.</p> <p>The event called Viva La Dulce was successfully held at St Anne's Winery on 30 August, 2015.</p> <p>The Viva La Dulce Committee decided not to continue with this event, therefore ceasing funding for the remaining two years of their Tourism Grant.</p>
19 February 2016	<p>Council received a letter from St Anne's Winery.</p> <p>St Anne's Winery were enquiring if the Ballan Autumn Festival Committee were eligible to continue the Viva La Dulce Tourism Grant for the next two years or if the Committee would be able to apply for a new grant and what types of grants they may qualify for.</p> <p><i>Response from MSC:</i></p> <p>The original funding was allocated to the Rotary Club of Ballan and District and therefore not eligible to be transferred to another committee or organisation. The committee were encouraged to apply for a Tourism Grant when the next round was opened on 1 April, 2016.</p>

April 2016	Advertising for funding was conducted in April 2016 in the Moorabool News newspaper, Council's website and social media.
20 April 2016	<p>Council's Tourism officer spoke to a member of Ballan Autumn Festival Committee, enquiring about the Tourism Grants.</p> <p><i>Response from Tourism officer:</i></p> <p>Email was sent to the Committee with the link to the Tourism Grant application. No application was received.</p>
19 July 2016	<p>Council's Tourism officer meet with a member of the Ballan Autumn Festival Committee.</p> <p>The Flavours of Moorabool event was discussed and the Committee enquired about the Winter Community Grants that were open. The Committee were advised that this event is not eligible as it will be held in August, 2016 and the applications are not decided until September, 2016.</p> <p>During this discussion, the Committee advised that due to time restraints they were unable to meet the Tourism Grant timelines. A late application has now been received.</p>

### Proposal

Council received a letter on 16 July, 2016 from the Ballan Autumn Festival Association requesting support for the Flavours of Moorabool event to be held on 28 August, 2016.

The Ballan Autumn Festival Association has been engaged by St Anne's Vineyards to run a new event being established as the Flavours of Moorabool. It is understood to be a long term working partnership with St Anne's Vineyards and a fund raising venture for the Ballan Autumn Festival Association.

Funds raised from the Flavours of Moorabool event will be re-invested back into the Ballan Autumn Festival.

The Ballan Autumn Festival Association are seeking seed funding of \$3,000 over a two year period to establish the Flavours of Moorabool as a premier food and wine tasting event for the Moorabool Shire. This funding would be directed into the marketing and promotion of the event, establishing a recognisable brand for years to come.

The Ballan Autumn Festival Association has submitted a late Tourism Event Grant application for Council's consideration.

### Policy Implications

The 2013 - 2017 Council Plan provides as follows:

<b>Key Result Area</b>	Community Wellbeing
<b>Objective</b>	A strong and diverse local economy
<b>Strategy</b>	Encourage tourism Initiatives through local and regional groups

### Financial Implications

Council's current budget allocation for New Tourism Events is \$19,900. At the Ordinary Meeting of Council on 6 July, 2016, an amount of \$3,114 was allocated to the Bacchus Marsh Aquatic Centre Community Consortium Inc., for the 2016 Bacchus Marsh Horticultural Show Event. A total of \$16,786 remains available in the 2016/17 financial year.

### Assessment

Assessment of the late application was conducted by a panel of officers. The application was assessed as to the actual and potential tourism focus and capacity in accordance with the intent of the program and then ranked according to the extent to which the application addressed Council's policy assessment criteria.

Based on the above process and criteria, it is proposed that Council allocate the funds from the New Tourism Event Grants.

Event	Organisation	Brief Description of Event	Requested Amount	Event Total Value	Assessment Score
Flavours of Moorabool event	Ballan Autumn Festival Association	Seeking funding of \$3,000 to establish the event as a premier food and wine tasting event for the Moorabool	\$3,000	\$25,780	81.17
TOTAL			\$3,000	\$25,780	

### Risk & Occupational Health & Safety Issues

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

			-Grant acquittal required upon completion of projects
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### **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 – Natalie Abbott*

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

### **Conclusion**

The Ballan Autumn Festival Association are seeking seed funding of \$3,000 over a two year period to establish the Flavours of Moorabool as a premier food and wine tasting event for the Moorabool Shire, and have submitted a late Tourism Event Grant application for Council's consideration.

#### **Resolution:**

**Crs. Tatchell/Dudzik**

***That Council;***

- 1. Accepts a late application for the New Tourism Event Grant program for the 2016/17 and 2017/18 financial year;***
- 2. Allocates \$3,000 from the New Tourism Event Grants fund for the 2016/17 and 2017/18 financial year to the Ballan Autumn Festival Association for the Flavours of Moorabool event; and***
- 3. Notifies the applicant in writing of the outcome of the application.***

**CARRIED.**

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### **Report Authorisation**

**Authorised by:**

**Name:** Satwinder Sandhu



**Title:** General Manager Growth and Development  
**Date:** Wednesday 3 August 2016

**ADJOURNMENT OF MEETING – 8.17 PM**

Crs. Edwards/Dudzik

*That the meeting now stand adjourned for a period of 8 minutes.*

**CARRIED.**

**RESUMPTION OF MEETING – 8.25 PM**

Crs. Sullivan/Tatchell

*That the meeting now be resumed.*

**CARRIED.**

*At the resumption of the meeting Cr. Toohey and Cr. Edwards were not present.*

**16. CLOSED SESSION OF THE MEETING TO THE PUBLIC****16.1 Confidential Report****Resolution:****Crs. Sullivan/Tatchell**

*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 16.1 is a confidential item and  
therefore not included  
as part of these Minutes.



**MOTION IN OPEN SESSION**

***Council resolved to release the resolution from Confidential Item 16.1 to the public section of the agenda as follows:***

**Resolution:**

**Crs. Sullivan/Dudzik**

***That Council grants a leave of absence to Cr. John Spain from his role as Councillor of East Moorabool Ward.***

**CARRIED.**

**17. MEETING CLOSURE**

*The meeting closed at 8.26pm.*

*Confirmed.....Mayor.*