



MINUTES

Ordinary Council Meeting Wednesday, 4 December 2019

Time: 6.00pm

Location: Council Chamber, 15 Stead Street, Ballan

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 Nil.

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1. OPENING OF MEETING AND PRAYER

The Mayor opened the meeting with the Council Prayer at 6.05pm.

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. RECORDING OF MEETING

In accordance with Moorabool Shire Council's Meeting Procedure Local Law, the Council recorded the meeting. The following organisations had also been granted permission to make an audio recording:

- The Moorabool News; and
- The Star Weekly

4. PRESENT

| | |
|--------------------------|------------------------|
| Cr David Edwards (Mayor) | East Moorabool Ward |
| Cr Jarrod Bingham | East Moorabool Ward |
| Cr Tonia Dudzik | East Moorabool Ward |
| Cr John Keogh | East Moorabool Ward |
| Cr Tom Sullivan | West Moorabool Ward |
| Cr Paul Tatchell | Central Moorabool Ward |

Officers:

| | |
|-----------------------|---|
| Mr Derek Madden | Chief Executive Officer |
| Mr Phil Jeffrey | General Manager Community Assets & Infrastructure |
| Ms Sally Jones | General Manager Community Strengthening |
| Mr Henry Bezuidenhout | Executive Manager Community Planning & Economic Development |
| Ms Yvonne Hansen | Manager Governance, Risk & Corporate Planning |
| Ms Michelle Morrow | Coordinator Governance |

5. APOLOGIES

Nil.

6. CONFIRMATION OF MINUTES**RESOLUTION**

Moved: Cr Tom Sullivan

Seconded: Cr John Keogh

That the minutes of the Ordinary Council Meeting held on Wednesday 6 November 2019 be confirmed.

CARRIED

7. DISCLOSURE OF CONFLICTS OF INTEREST

7.1 Cr John Keogh declared a Direct Conflict of Interest in relation to the following items. The nature of the Conflict of Interest is due to Cr Keogh acting as a consulting engineer.

14.2 - Proposed Land Exchange - Bellevue Tops Estate, Bacchus Marsh

22.1 - C20-2019/2020 - Haddon Drive and Gillespies Lane, Ballan

23.3 - Contract C21-2019/2020 - Werribee Vale Road, Bacchus Marsh – Upgrade

7.2 Cr Tom Sullivan declared a Direct Conflict of Interest in relation to item 14.2 - Proposed Land Exchange - Bellevue Tops Estate, Bacchus Marsh. The nature of the Conflict of Interest is due to Cr Sullivan acting as a surveyor carrying out work on behalf of Bellevue Tops Pty Ltd.

8. PUBLIC QUESTION TIME

Nil.

9. PETITIONS

Nil.

10. PRESENTATIONS/DEPUTATIONS

MS KAREN TRASK ADDRESSED COUNCIL REGARDING ITEM 22.5 – WATER INUNDATION; HALLETTS WAY AND MUNRO COURT, BACCHUS MARSH.

11. CHIEF EXECUTIVE OFFICER REPORTS

Nil.

12. COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT REPORTS

Nil.

13. COMMUNITY STRENGTHENING REPORTS

Nil.

14. CUSTOMER CARE AND ADVOCACY REPORTS**14.1 SECTION 86 - DELEGATED COMMITTEES OF COUNCIL - REPORTS****PURPOSE**

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.

EXECUTIVE SUMMARY

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

| Committee | Meeting Date | Council Representative |
|--|------------------------|------------------------|
| Section 86 Greendale Recreation Reserves Committee of Management | Tuesday 8 October 2019 | Cr. Tatchell |
| Section 86 Lal Lal Soldiers' Memorial Hall Committee of Management | Monday 7 October 2019 | Community Members |

RESOLUTION

Moved: Cr Tom Sullivan

Seconded: Cr John Keogh

That Council receive the Minutes of the Section 86 Greendale Recreation Reserves Committee of Management Meeting on Tuesday 8 October 2019 and the Section 86 Lal Lal Soldiers' Memorial Hall Committee of Management Meeting on Monday 7 October 2019.

CARRIED

Having declared a direct Conflict of Interest in relation to Item 14.2, Cr Tom Sullivan and Cr John Keogh left the meeting at 6.11pm.

14.2 PROPOSED LAND EXCHANGE - BELLEVUE TOPS ESTATE, BACCHUS MARSH

PURPOSE

This report is presented to Council as a result of concluding statutory processes required to be undertaken pursuant to sections 189 and 223 of the *Local Government Act 1989* (the Act), for the purposes of entering into a proposed land exchange with Bellevue Tops Pty Ltd.

EXECUTIVE SUMMARY

- Council intends to transfer to Bellevue Tops Pty Ltd, part of a Council reserve within the Bellevue Tops Estate (the Estate) in Bacchus Marsh, as a result of an agreement under section 173 of the *Planning and Environment Act 1987*.
- Council resolved at its Ordinary Meeting of Wednesday 2 October 2019, to commence the statutory procedures pursuant to sections 189 and 223 of the *Local Government Act 1989* (the Act).
- In accordance with section 223 of the *Local Government Act 1989*, Council provided public notice commencing Saturday 19 October 2019 to Monday 18 November 2019 and is required to formally consider any submissions received and allow any submitter to address Council in relation to their submission should they request to do so.

RESOLUTION

Moved: Cr Tonia Dudzik

Seconded: Cr Paul Tatchell

That Council enters into a land exchange with Bellevue Tops Pty Ltd, the developer of the Bellevue Tops Estate in Bacchus Marsh providing for:

- a) Council transferring to the Developer part of its land within the Estate, shown hatched on the Overall Plan attached to this report, and more particularly known as Lot 1 on Plan of Subdivision PS818729K.
- b) The Developer having previously transferred/vested in Council the land known as Road R2 and Reserve No.1 in Plan of Subdivision PS 731412Y (Stage 2) shown stippled and cross-hatched, respectively, on the Overall Plan attached to this report, and agreeing to create a walkway providing pedestrian access between Holman Crescent and Gothic Drive and to extend Holman Crescent, shown coloured yellow on the Overall Plan and in more detail on the Enlarged Plan attached to this report.

CARRIED

BACKGROUND

Bellevue Tops Pty Ltd, the Developer of the Estate in Bacchus Marsh has approached Council regarding a proposed land exchange as part of the on-going development of the Estate.

The proposed land exchange arose from an agreement under section 173 of the *Planning and Environment Act 1987* which had been entered into between the parties at the time to give effect to the construction of Halletts Way and other ancillary issues associated with the development of the Estate, in accordance with previous decisions made by Council.

PROPOSAL

At the conclusion of the public submission period, no public submissions were received by Council.

It is recommended that Council now enters into a land exchange with Bellevue Tops Pty Ltd, the developer of the Bellevue Tops Estate in Bacchus Marsh providing for:

- a) Council transferring to the Developer part of its land within the Estate, shown hatched on the Overall Plan attached to this report, and more particularly known as Lot 1 on Plan of Subdivision PS818729K.
- b) the Developer having previously transferred/vested in Council the land known as Road R2 and Reserve No.1 in Plan of Subdivision PS 731412Y (Stage 2) shown stippled and cross-hatched, respectively, on the Overall Plan attached to this report, and agreeing to create a walkway providing pedestrian access between Holman Crescent and Gothic Drive and to extend Holman Crescent, shown coloured yellow on the Overall Plan and in more detail on the Enlarged Plan attached to this report.

COUNCIL PLAN

The Council Plan 2017-2021 provides as follows:

Strategic Objective 1: Providing Good Governance and Leadership

Context 1A: Our Assets and Infrastructure

The proposal to enter into a proposed land exchange is consistent with the Council Plan 2017 – 2021.

FINANCIAL IMPLICATIONS

The proposed land exchange is being undertaken on the understanding that it will involve no financial compensation by either the Developer or Council for the parcels of land forming the exchange.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no risk and occupational health and safety issues identified in relation to this report. with the proposed land exchange.

COMMUNICATIONS & CONSULTATION STRATEGY

| Level of Engagement | Stakeholder | Activities | Location | Date | Outcome |
|---------------------|----------------|---|--------------------|--------------|--|
| Public submissions | General public | Public notice in newspapers and Council website | Moorabool district | Oct/Nov 2019 | General public supported to submit submissions |

Under section 189 of the Act, a person has the right to make a submission under section 223 of the Act in relation to Council's intention to exchange land with the Bellevue Tops Estate, Bacchus Marsh.

Section 223 of the Act requires Council to publish a public notice inviting public submissions for a period of no less than 28 days after the date of the publication of the public notice. A person making a submission is entitled to request in the submission that the person wishes to appear in person, at a meeting, to be heard in support of the submission. Council must then consider any submissions received in accordance with the Act.

Public notice was provided in the regional and local newspaper and on Council's corporate website (section 82A) to provide an opportunity for the community and neighbouring landholders to support, object or make comment. Victorian Charter of Human Rights & Responsibilities Act 2006
In developing this report to Council, the officer considered whether the subject matter raised any human rights issues.

It is considered the recommendation contained in this report does not in any way limit, restrict or interfere with any human right established by the Victorian Charter of Human Rights.

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 – John Miller

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

Author – Michelle Morrow

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

CONCLUSION

This proposed land exchange arose from an agreement under section 173 of the *Planning and Environment Act 1987* which had been entered into between the parties at the time to give effect to the construction of Halletts Way and other ancillary issues associated with the development of the Estate, in accordance with previous decisions made by Council.

At the conclusion of the public submission period undertaken in accordance with section 189 and section 223 of the *Local Government Act 1989*, no submissions were received by Council.

The matter is now presented to Council for consideration as recommended.

Cr Tom Sullivan and Cr John Keogh returned to the meeting at 6.12pm.

14.3 CONSIDERATION OF INTENT TO SEEK A RATE CAP VARIATION FOR 2020/21

PURPOSE

The purpose of this report is for Council to resolve the matter of whether it seeks to apply for a rate cap variation for the 2019/20 budgeting and planning cycle.

EXECUTIVE SUMMARY

- In the 2016/17 financial year, Moorabool Shire Council successfully applied to the Essential Services Commission (the ESC) for a rate cap variation.
- For each of the last 3 financial years, Council elected not to apply for further rate cap variations. The decision to not apply for a rate cap variation reflects the Council's desire to maintain its levels of service and infrastructure at current levels.
- There is a necessity for Council to resolve the matter of whether it plans to apply for a rate cap variation to enable adequate lead time for Officers to develop a project plan if necessary.

RESOLUTION

Moved: Cr Jarrod Bingham

Seconded: Cr John Keogh

That Council resolves to not apply for a rate cap variation for the 2020/21 financial year.

CARRIED

BACKGROUND

In the 2016/17 financial year, Moorabool Shire Council applied to the Essential Services Commission (the ESC) for a rate cap variation. Moorabool Shire was one of 9 Victorian Councils (out of 78) that applied to the ESC. Of the 9 Councils that applied, 6 Councils were successful in receiving either a full or a partial rate cap exemption. Moorabool Shire was one of only 2 Councils that received 'unqualified' support from the ESC to increase rates above the established Ministers Rate Cap of 2.5%.

Council's original rate cap application in 2016/17 was based on four years of rate cap variations. However at the time, due to the "Fair Go Rates" legislation being in the first year of its operation, Council was only allowed to apply for a one-year variation.

For each of the last 3 financial years, Council has elected not to apply for further rate cap variations. The decision to not apply for a rate cap variation reflects the Council's desire to maintain its levels of service and infrastructure at current levels.

PROPOSAL

That Council resolve the matter of whether it seeks to apply for a rate cap variation for the 2020/21 budgeting and planning cycle.

COUNCIL PLAN

The Council Plan 2017-2021 provides as follows:

Strategic Objective 1: Providing Good Governance and Leadership

Context 1C: Our Business and Systems

The proposal is consistent with the Council Plan 2017 – 2021.

FINANCIAL IMPLICATIONS

Depending on whether Council elects to apply for a rate cap variation for the 2020/21 year and beyond, there will a disparity in the level of funds it will have at its disposal to invest for the benefit of the community.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

The financial stability of Council is identified in Councils Strategic Risk profile. Based on Council rates being capped at between 2.0% - 2.50% in 2020/21 (subject to confirmation) and projected CPI for future years, Council has currently assessed its ongoing financial sustainability as a medium risk. Several controls are in place to manage the ongoing financial sustainability of Council.

| Risk Identifier | Detail of Risk | Risk Rating | Control/s |
|--------------------------------|--|-------------|---|
| Financial stability of Council | Limited funding or significant changes in funding sources limiting ability to deliver on Council’s objectives. | Medium | <p>Long term financial plan in place to document and review Council’s financial position and assist with strategic management of Council’s finances.</p> <p>Regular financial reporting to Audit & Risk Advisory Committee aligns with Council reporting.</p> <p>Adherence to financial metrics as identified by VAGO and the LGPRF.</p> <p>Focus on advocacy to support achievement of identified community needs.</p> <p>External audits of financial accounts undertaken on annual basis for annual report and received an unqualified audit result.</p> <p>Service Review and Planning Policy and Framework implementation.</p> |

| | | | |
|--|--|--|---|
| | | | <p>Each service undertaking a review of their services every three to five years.</p> <p>Linking asset plans, community infrastructure plans and service plans to Council’s Long-Term Financial Plan.</p> <p>Borrowing funds within a sound financial management framework as a mechanism to finance major projects, as it spreads the payments for such assets across the generations who benefit.</p> <p>Cost control and identifying opportunities to increase revenue streams.</p> <p>Applying for a rate cap variation where required.</p> |
|--|--|--|---|

COMMUNICATIONS & CONSULTATION STRATEGY

The communication and consultation strategy is contingent upon Council’s decision as to whether it resolves to apply for a variation.

VICTORIAN CHARTER OF HUMAN RIGHTS & 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 – John Miller

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

Author – Steven Ivelja

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

CONCLUSION

Council currently awaits the ministerial announcement of the rate cap for 2020/21. It is currently anticipated that the rate cap will be set at between 2.0% - 2.5%.

Whilst working within the confines of the rate cap continues to present challenges, Moorabool Shire has managed to gradually stabilise and improve its finances in a difficult environment. In the intervening years since Council originally applied for a rate cap variation it has indicated a desire to not seek a further rate cap variation.

Council may need to consider or re-assess its position in future years especially where the continued maturity in Council's Asset Management Systems indicate the existence of assets backlogs and/or insufficient funding to satisfy asset renewal demand.

Equally, if the Council wishes to expand or increase its levels of services and infrastructure beyond the relatively limited constraints of the current strategic financial plan, it may need to consider the option of applying for a rate cap variation in future years.

15. COMMUNITY ASSETS & INFRASTRUCTURE REPORTS

15.1 LOCAL AREA TRAFFIC MANAGEMENT PLAN (STAGE 3); DARLEY

PURPOSE

The purpose of this report is to present the Draft Bacchus Marsh Local Area Traffic Management Plan (Stage 3) to Council and to seek in principle endorsement for the purpose of further public consultation.

EXECUTIVE SUMMARY

- To address the traffic impacts of growth within the Bacchus Marsh township and to help inform planning and management of road space usage, a Bacchus Marsh Local Area Traffic Management Study (Stage 3) has been completed and draft plan developed.
- The purpose of a Local Area Traffic Management (LATM) Study is to view traffic management on a precinct basis rather than individual streets. As Bacchus Marsh continues grow, there has been significant increase in the number of traffic related enquiries.
- The study area for Stage 3 is Darley, which extends from the north of the Western Freeway to Albert Street and is bounded by the Lerderderg River to the east.
- The development of a LATM Study supports key infrastructure objectives from the 2017-21 Council Plan and Bacchus Marsh Integrated Transport Strategy.

RESOLUTION

Moved: Cr Tom Sullivan

Seconded: Cr John Keogh

That Council:

1. Endorses, in principle, the Draft Bacchus Marsh Local Area Traffic Management Plan (Stage 3) for the purpose of public consultation.
2. Requests that a further report be presented to Council on completion of that consultation.

CARRIED

BACKGROUND

The Bacchus Marsh Integrated Transport Strategy (BMITS) presents the vision for the transport network for Bacchus Marsh. One of the key recommendations of the strategy is to 'introduce the use of Local Area Traffic Management (LATM) studies and refer recommendations to Council's Capital Improvement Program'.

The preparation of a LATM study within a precinct of Bacchus Marsh aims to improve traffic management and road safety within the area. The LATM study which has been funded in the 2019/20 budget, seeks to view traffic management and associated treatments on a precinct basis rather than by individual street.

At present, Council receives a high volume of traffic related customer enquiries from the community that, due to the lack of such a precinct plan, are considered in isolation. This creates an ad hoc approach to traffic issues and the implementation of traffic management solutions.

The development of a LATM study will assist in providing a consistent approach to traffic related issues in the local area and also supports key infrastructure objectives from the 2017-21 Council Plan.

The study area for Stage 3 is Darley, which extends from the north of the Western Freeway to Albert Street and is bounded by the Lerderderg River to the east.

The Study Objectives

The preparation of a LATM study considers both the technical and community aspects and is intended to meet a number of key objectives, with consideration to the likely impact on the surrounding network:

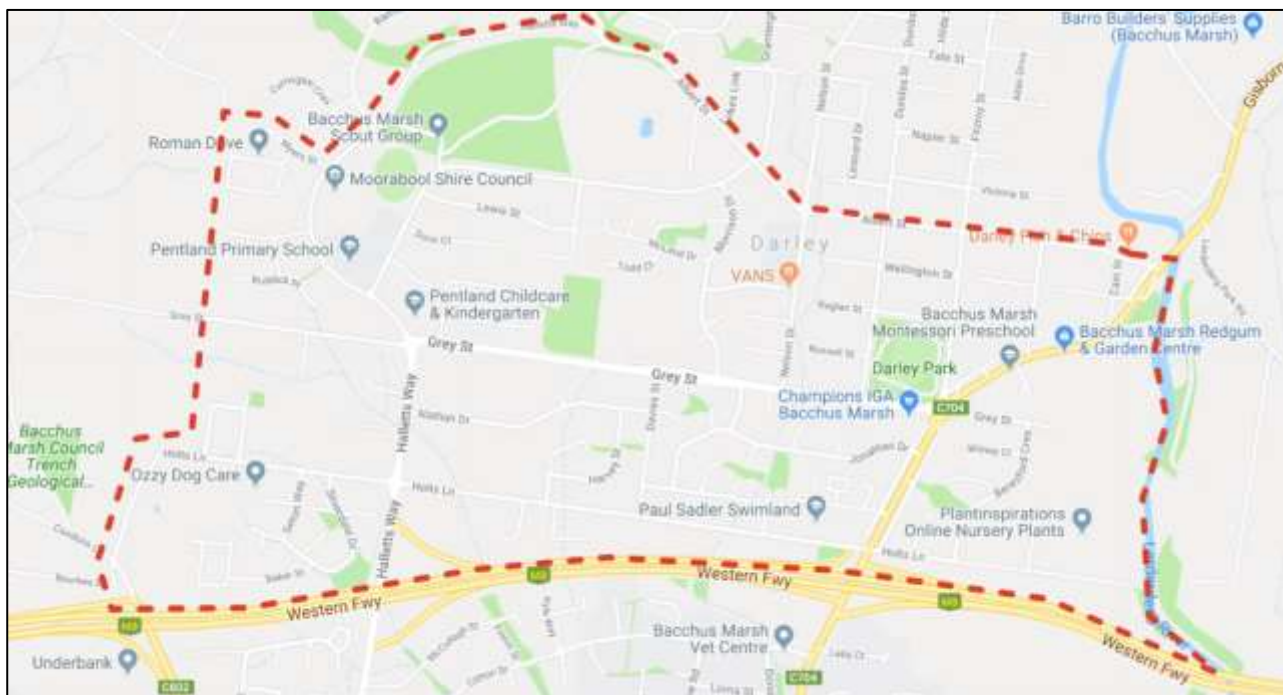
- Provide an integrated approach to managing traffic in local areas across all transport modes, through:
 - Investigating and addressing connectivity and safety along local travel routes;
 - Consideration and integration of local land uses and their specific needs;
 - Use of appropriate and effective traffic calming measures;
 - Making efficient and appropriate use of local on-street car parking provisions;
 - Ensuring that future population growth and transport demand are understood and accounted for; and
 - Defining the function of local streets as appropriate to their surrounding land uses, pedestrian, cycling and traffic volumes, natural features, and connectivity to surrounding areas.
- Reduce traffic volumes and speeds in local streets;
- Increase amenity and improve safety and access for residents, especially pedestrians and cyclists;
- Provide guidance for planners and engineers associated with the design, development and management of residential precincts;
- Ensure that transport issues are addressed in a manner that balances amenity, safety and mobility for all transport modes;
- Improve the environment, economic and social outcomes of the area;
- Identifying future priority projects to be considered for inclusion in Council's Capital Improvement Program; and
- Ensure the local community are engaged and consulted in the identification of issues and the development of treatments to mitigate these issues.

The LATM Area

The township has been divided into three key areas for the purpose of undertaking LATM studies over the coming years:

- | | |
|-------------|--------------------------------|
| LATM Area 1 | Darley; |
| LATM Area 2 | Bacchus Marsh (completed); and |
| LATM Area 3 | Maddingley. |

Area 1 (Darley) will form the focus area for the third LATM study to be undertaken and two individual precincts have been recommended in order to further stage the development of the studies over 2019/20 and 2020/21. The area for the current LATM study is outlined below.



The LATM Process

The following key activities will be undertaken as part of the development of the LATM study:

| | |
|--|----------|
| 1. Existing Conditions Assessment | |
| Initial works: <ul style="list-style-type: none"> ▪ Review of background information pertaining to the study area and other documents that may have an impact on key decisions. ▪ Preparation of a Project Management Plan and Community Engagement Plan. ▪ On-site inspections of the study areas to gain a thorough understanding of the existing conditions. | Complete |
| Community consultation letter and online survey (electronic and print distribution and use of interactive mapping) relating to traffic issues in the local area. | Complete |
| Collection and analysis of traffic data. | Complete |
| Preparation of an Existing Conditions Assessment Report. | Complete |
| 2. Development of Draft LATM Plan | |
| Preparation of draft concept plans and proposed LATM treatments. | Complete |
| Preparation of draft LATM plan. | Complete |
| Community consultation letter and web survey (electronic and print distribution, and interactive map). | |
| Community engagement workshops (2) at Bacchus Marsh. | |

| 3. Finalisation of LATM Plan | |
|---|--|
| Collation of results of community engagement. | |
| Final LATM Study Report and Plan. | |
| Presentation to Council for endorsement. | |
| Final community consultation letter. | |

A copy of the Existing Conditions Assessment (ECA) Report and Draft LATM Plan is attached for Councillors information.

The ECA Report provides an overview of the project and study methodology, and summarises the key themes arising from the site analysis and feedback during phase 1 of the community consultation. This report has been utilised to develop the draft plan and proposed traffic management treatments.

PROPOSAL

The next stage of the project involves presenting the draft plan to the community and providing the opportunity for feedback on the proposed treatments. This phase of consultation will include a second letter to residents within the study area, online engagement including further use of interactive mapping, as well as two face to face community sessions proposed to be held in Bacchus Marsh during December 2019.

It is recommended that Councillors provide in principle endorsement of the attached Draft LATM Plan for the purpose of phase 2 of the community consultation.

COUNCIL PLAN

The Council Plan 2017-2021 provides as follows:

Strategic Objective 1: Providing Good Governance and Leadership

Context 1A: Our Assets and Infrastructure

The proposal is consistent with the Council Plan 2017 – 2021.

FINANCIAL IMPLICATIONS

The development of a LATM Plan for a precinct of Darley is a funded project, included in the 2017-21 Council Plan. As such there are no financial implications associated with the recommendation within this report.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

| Risk Identifier | Detail of Risk | Risk Rating | Control/s |
|-----------------------|---|-------------|---|
| Financial | Inadequate financial management resulting in insufficient funds to complete the project | Low | Adequate project scope and budget, procurement process, ongoing supervision of project financials |
| Community expectation | Community expectation of key project outcomes outside of the project scope | Low | Well scoped community consultation process and documentation, clear project objectives documented |

COMMUNITY ENGAGEMENT STRATEGY

| Level of Engagement | Stakeholder | Activities | Location | Date | Outcome |
|---------------------|---------------------------------|---|----------|-----------------------------|--|
| Consult and Involve | Residents within the study area | Direct mail out, online and face to face engagement | Various | August 2019 & December 2019 | Residents encouraged and supported to provide feedback on key issues and draft documents |
| Consult and Involve | Wider community | Online and face to face engagement | Various | August 2019 & December 2019 | As above |
| Inform | Residents within the study area | Direct mail out, online engagement | Various | December 2019 | Residents advised of the final outcome |
| Inform | Wider community | Online engagement | Various | December 2019 | As above |

COMMUNICATIONS & CONSULTATION STRATEGY

Community participation is an important component of the study to assist in understanding the local issues. Significant community consultation will be undertaken throughout the project, including the following:

- Direct mail outs to the study area;
- Community questionnaire (electronic);
- Interactive online mapping tool;
- Online engagement (Council website and social media pages);
- Community workshops (2) in Bacchus Marsh; and
- Reports to Council (2).

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

General Manager – Phil Jeffrey

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

Author – Jacquie Younger

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

CONCLUSION

To address the traffic impacts of growth in the Bacchus Marsh township and help inform planning and management of road space usage, a LATM Study (Stage 3) has been completed and draft plan developed.

It is recommended that Councillors endorse the draft documentation for the purpose of the next phase of community consultation.

16. OTHER REPORTS

16.1 ASSEMBLY OF COUNCILLORS

BACKGROUND

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 Meeting of Council, a special committee of the Council, meetings of the Council's audit committee, a club, association, peak body or political party.

RESOLUTION

Moved: Cr Tonia Dudzik

Seconded: Cr Paul Tatchell

That Council receive the record of Assemblies of Councillors, as follows:

- Assembly of Councillors – Wednesday 6 November 2019 – Renewable Energy Framework Development.
- Assembly of Councillors – Wednesday 6 November 2019 – Statutory & Annual Appointments Meeting – Council Committees.
- Assembly of Councillors – Wednesday 6 November 2019 – Domestic Wastewater Management Plan.

CARRIED

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))

A record of Assemblies of Councillors is provided for consideration.

17. NOTICES OF MOTION

17.1 Cr. Dudzik – Notice of Motion No. 287 – Headspace Outreach Service

RESOLUTION

Moved: Cr Tonia Dudzik

Seconded: Cr John Keogh

That Council writes a letter to our State and Federal Ministers of Parliament and Headspace advocating for a Headspace Outreach Service in Bacchus Marsh as a priority.

CARRIED

18. NOTICES OF RESCISSION

Nil.

19. MAYOR’S REPORT

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

| Cr Paul Tatchell – Mayor’s Report | |
|---|--|
| <i>Date: 7 November - 12 November, 2019</i> | |
| 8 November | <ul style="list-style-type: none"> • SES Shed Pick my Project Official Opening, followed by BBQ Lunch |
| 11 November | <ul style="list-style-type: none"> • Ballan RSL Remembrance Day Service |
| 13 November | <ul style="list-style-type: none"> • Statutory & Annual Appointments Meeting of Council |

| Cr David Edwards – Mayor’s Report | |
|---|---|
| <i>Date: 13 November - 4 December, 2019</i> | |
| 17 November | <ul style="list-style-type: none"> • Official Opening of the BMX Race Track and Sportsground Oval Stage 1 – Bacchus Marsh Racecourse & Recreation Reserve |
| 19 November | <ul style="list-style-type: none"> • Blacksmiths Cottage and Forge Meeting • Road Safety Strategy Community Workshop Session 1 |
| 20 November | <ul style="list-style-type: none"> • Councillor Briefing – Customer Property & Regulatory Systems • Councillor Briefing – Road Maintenance Funding Request • Councillor Briefing – Local Area Traffic Management Study (LATM) Stage 3 • Councillor Briefing – Community Grants Program Review • Councillor Briefing – Review of the DAC Agenda • Councillor Briefing – Review of the draft OMC Agenda • S86 Development Assessment Committee |
| 21 November | <ul style="list-style-type: none"> • BATMn Reactor Opening Ceremony (Federal Government's Co-operative Research Centre Project program for advanced batteries) • Road Safety Strategy Community Workshop Session 2 |
| 24 November | <ul style="list-style-type: none"> • Djerriwarrh Health Services – Walk With Her Event |
| 26 November | <ul style="list-style-type: none"> • Meeting with residents from Millbrook regarding damage to roads caused by both Windfarm and Ballarat Railway Upgrade |
| 28 November | <ul style="list-style-type: none"> • Moorabool She’s Game Awards Evening |
| 30 November | <ul style="list-style-type: none"> • Bacchus Marsh Aerodrome Management Annual General Meeting |
| 4 December | <ul style="list-style-type: none"> • MSC Business Breakfast: Exploring 2020 and Beyond with Bernard Salt AM • Councillor Briefing – Definition of community groups when assessing community grants • Councillor Briefing – Ballarat Rail Line Upgrade • Councillor Briefing – Bald Hill Feasibility Study • Councillor Briefing – Aqualink Update • Councillor Briefing –China Visit and Friendly Cities Briefing • Councillor Briefing – Darley Civic Hub Indoor Sports Stadium • S86 Moorabool Growth Management Committee • Ordinary Meeting of Council |

RESOLUTION

Moved: Cr Paul Tatchell

Seconded: Cr John Keogh

That Council resolves to receive the Mayor’s Report.

CARRIED

20. COUNCILLORS’ REPORTS

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

| Cr Tom Sullivan | |
|------------------------|---------------------------------|
| 14 November | Timber Towns Victoria Meeting |
| 25 November | MAV Rural South Central Meeting |
| 28 November | Grampians Central West Meeting |

| Cr John Keogh | |
|----------------------|--|
| 4 December | MSC Business Breakfast: Exploring 2020 and Beyond with Bernard Salt AM |

| Cr Tonia Dudzik | |
|------------------------|---|
| 8 November | SES Shed Pick my Project Official Opening |
| 25 November | Health & Wellbeing Community Night |
| 24 November | Djerriwarrh Health Services – Walk With Her Event |

RESOLUTION

Moved: Cr John Keogh

Seconded: Cr Jarrod Bingham

That Council resolves to receive the Councillors’ Report.

CARRIED

21. URGENT BUSINESS**21.1 Bacchus Marsh Railway Station Parking****RESOLUTION****Moved:** Cr Tonia Dudzik**Seconded:** Cr John Keogh

That Council writes a letter to VicTrack and State Representatives to advocate for funding to increase the amount of parking available at the Bacchus Marsh Train Station.

CARRIED

Adjournment of Meeting**RESOLUTION****Moved:** Cr Tom Sullivan**Seconded:** Cr Paul Tatchell

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

CARRIED

Resumption of Meeting**RESOLUTION****Moved:** Cr Tom Sullivan**Seconded:** Cr John Keogh

That the meeting now be resumed.

CARRIED

22. CLOSED SESSION OF THE MEETING TO THE PUBLIC**RESOLUTION****Moved:** Cr Tom Sullivan**Seconded:** Cr John Keogh

That pursuant to the provisions of the Local Government Act 1989, the meeting now be closed to members of the public to enable the meeting to discuss the following matters:

22.1 C20-2019/2020 - Haddon Drive and Gillespies Lane, Ballan

Council is satisfied that, pursuant to Section 89(2) of the Local Government Act 1989, the information to be received, discussed or considered relates to a contractual matter.

22.2 Australia Day Award Recipients – Selection Panel

Council is satisfied that, pursuant to Section 89(2) of the Local Government Act 1989, the information to be received, discussed or considered relates to a matter which the Council considers would prejudice the Council or any person.

22.3 Contract C21-2019/2020 - Werribee Vale Road, Bacchus Marsh – Upgrade

Council is satisfied that, pursuant to Section 89(2) of the Local Government Act 1989, the information to be received, discussed or considered relates to a contractual matter.

22.4 Contract C19-2019/2020 - Bacchus Marsh Sports Precinct, Principal Consultancy

Council is satisfied that, pursuant to Section 89(2) of the Local Government Act 1989, the information to be received, discussed or considered relates to a contractual matter.

22.5 Water Inundation; Halletts Way & Munro Court, Bacchus Marsh

Council is satisfied that, pursuant to Section 89(2) of the Local Government Act 1989, the information to be received, discussed or considered relates to the personal hardship a resident or ratepayer.

22.6 Contract C22-2019/2020 - Customer, Property and Regulatory Systems Replacement Project

Council is satisfied that, pursuant to Section 89(2) of the Local Government Act 1989, the information to be received, discussed or considered relates to a contractual matter.

22.7 Road Maintenance - Additional Funds Request

Council is satisfied that, pursuant to Section 89(2) of the Local Government Act 1989, the information to be received, discussed or considered relates to a matter which the Council considers would prejudice the Council or any person.

22.8 Instrument of Appointment & Authorisation - Principal Conduct Officer

Council is satisfied that, pursuant to Section 89(2) of the Local Government Act 1989, the information to be received, discussed or considered relates to a personnel matter.

22.9 Tender recommendation for Provision of Home Modification and Property Maintenance service

Council is satisfied that, pursuant to Section 89(2) of the Local Government Act 1989, the information to be received, discussed or considered relates to a contractual matter.

22.10 Tender recommendation for the provision of Delivered Meals

Council is satisfied that, pursuant to Section 89(2) of the Local Government Act 1989, the information to be received, discussed or considered relates to a contractual matter.

22.11 Contract C13-2019/2020 - Bridge Upgrade Works Ballan Meredith Road, Morrisons

Council is satisfied that, pursuant to Section 89(2) of the Local Government Act 1989, the information to be received, discussed or considered relates to a contractual matter.

CARRIED

RETURN TO OPEN SESSION

RESOLUTION

Moved: Cr Tom Sullivan

Seconded: Cr John Keogh

That the Meeting now return to Open Session.

CARRIED

23. MEETING CLOSURE

The Meeting closed at 7.35pm.

Confirmed

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CHAIRPERSON