

ORDINARY MEETING OF COUNCIL

Minutes of the Ordinary Meeting of Council
held at the James Young Room, Lerderberg Library,
215 Main Street, Bacchus Marsh on
Wednesday 5 April 2017 at 5:00 p.m.

Members:

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

Officers:

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

Rob Croxford
Chief Executive Officer

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1. OPENING OF MEETING AND PRAYER

The Mayor, Cr. Edwards, opened the meeting with the Council Prayer at 5.08 pm.

2. ACKNOWLEDGEMENT TO COUNTRY

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

3. PRESENT

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

Officers:

<i>Mr. Danny Colgan</i>	<i>Acting 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. John Miller</i>	<i>Manager Asset Management</i>
<i>Ms. Sam Romaszko</i>	<i>Manager Engineering Services</i>
<i>Mr. John Whitfield</i>	<i>Governance Coordinator</i>
<i>Ms. Melissa Hollitt</i>	<i>Minute Taker</i>

4. APOLOGIES

Nil.

5. CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council – Wednesday 1 March 2017

Resolution:

Crs. Keogh/Bingham

That Council confirms the Minutes of the Ordinary Meeting of Council held on Wednesday 1 March 2017.

CARRIED.

6. DISCLOSURE OF CONFLICT OF INTEREST

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

Definitions of the class of the interest are:

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

Time for Disclosure of Conflicts of Interest

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

Section 79(6) of the Act states:

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

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

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

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

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

Nil.

7. PUBLIC QUESTION TIME

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

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

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

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

A Councillor or Council officer may:

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

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

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

Mr. Mark Frackowski submitted the following questions.**The questions were responded to at the Meeting:****Question:**

Can I please have a response as to why the current stand re Farrow Place becoming a "Shared Zone" is considered safe by the Shire management team when there are no footpaths for pedestrians (elderly with walking aids, visual/hearing impairment/school children), two way traffic, it is considered inappropriate at the junction of two minor streets, it also adjoins a future major arterial road, a fair chance that drivers may not adhere to restricted speed limits (that is supported by the numerous speeding tickets issued to all drivers) no distinguishable difference/texture (i.e. paving) between the shared zone and adjoining roads, no bollards being considered, Farrow Place not being a discontinuous road, and TAC stats indicate that over two hundred pedestrians have been killed on Vic roads over the last five years with over one third being elderly (in 2015, 60% of people killed were on signposted roads of 60ks or less, so why is the future shared zone at Farrow Place considered to be safe when it would appear Aust roads guidelines and the VicRoads supplement hasn't been used or referred to.

Response:

As previously advised to Mr. Frackowski, Farrow Place is an 88m long local road listed under Council's register of public roads and Road Management Plan. In terms of street hierarchy, the Victorian Planning Provisions outline a hierarchy for residential development. Under these provisions an Access Place is defined as 'a minor street providing local residential access with shared traffic, pedestrian and recreation use but with pedestrian priority'.

The design of the road is intended to be a low traffic volume access lane due to being a medium density site and as such, construction of footpaths was not undertaken or envisaged in the next five years. Installation of 10kph 'Shared Zone' signage for the entire street has occurred.

Given the limited number of properties fronting Farrow Place, and in consideration of the road hierarchy, it is Officer's view that the installation of signage is adequate from a safety perspective.

Council has committed to undertaking a further review following the completion of the Halletts Way/O'Leary Way southern extension project. This will assist in understanding traffic patterns once road connections are in place and will inform warrants for future capital works in the Farrow Place vicinity.

The Mayor, Cr. David Edwards, offered to meet Mr. Frackowski on site to hear his concerns.

Question:

Prior to council elections all impending Councillors have an election platform that encompassed commitments/promises and impending actions to be taken if successful. Could all current Councillors revisit their statements prior to the election and now post-election confirm what they have done/completed since being in the role.

Response:

The Mayor, Cr. David Edwards, responded to the question at the meeting saying that the new Council had been in place only six months and had not yet adopted its first Budget and Council Plan and therefore it was too early to provide a response.

Question:

Australia is a democratic country with a right to speak and be heard, all have varying opinions which is the great thing about this country. Why is it that a person who asks a question at public question time (shire meeting) but is unable to respond in a professional manner if the response given is either incorrect or not relevant to the actual question asked isn't, this against freedom of speech, so why not allow a response.

Response:

Cr. Edwards responded to the question at the meeting by outlining the purpose of Public Question Time.

Ms. Kathy Whye submitted the following question.

The question was responded to at the Meeting:

Question:

What steps is the Council taking to find another provider for a community gym that provides access to disadvantaged, community groups and ordinary gym members?

Response:

Council has advertised the Expression of Interest process for the lease of the gym and fitness space at the Centre. Expressions of Interest close on the 28th April 2017. The assessment criteria that will be used to determine the successful operator includes the following:

- *Business Plan and Profile (as described within specification) which supports demonstrated minimum five year experience in managing, owning or operating a recreation, fitness/health Club or related business.*
- *Financial capacity of tenderer to complete necessary fit-outs and pay negotiated rent.*
- *Proposed rent.*

- *Proposed plan to work with Council and users to ensure they adequately serve the needs of the broader community.*
- *Range of fitness and health related programs offered and the target groups.*
- *Experience in operation of health and fitness industry.*

If the Expression of Interest process does not identify a suitable provider, Council will consult with the community and Centre users to identify alternative options. This may involve other community organisations utilising the space, Council staff programming activities in the space or renting the space to private providers on an hourly basis rather than a lease.

Council is very much aware of the role the Centre plays in providing health and fitness activity for the specific groups that you mention and is keen to ensure that their needs are appropriately met.

Mr. Bill Mansell, Treasurer Apple FM Bacchus Marsh submitted the following question.

The question was responded to at the Meeting:

Question:

Now that Council's offer [rental space at Darley Hub] has been declined is there any room for review by Council and discussion with AppleFM about available space and terms?

Response:

The Mayor, Cr. David Edwards, responded by suggesting that Apple FM raise their matter with a Councillor who may wish to either submit a Notice of Motion or move a motion in the Urgent Business section of an Ordinary Meeting of Council.

8. PETITIONS***Consideration of Presentation - Manor Street, Bacchus Marsh – Traffic Congestion, On-Street Parking and Pedestrian Safety***

Mr. Bryan Coghlan, Manor Street, addressed Council in relation Manor Street, Bacchus Marsh – Traffic Congestion, On-Street Parking and Pedestrian Safety

The business of the meeting then returned to the agenda.

8.1 Manor Street, Bacchus Marsh – Traffic Congestion, On-Street Parking and Pedestrian Safety

Council has received a petition containing 34 names of residents, (representing 25 residential addresses) of Manor Street, Bacchus Marsh, pertaining to a request for Council to urgently take action in relation to traffic congestion, on-street parking and pedestrian safety issues along Manor Street, Bacchus Marsh.

Resolution:

Crs. Dudzik/Sullivan

That the petition containing 34 names requesting Council to urgently take action in relation to traffic congestion, on-street parking and pedestrian safety issues along Manor Street, Bacchus Marsh, be received by Council and that a report be prepared by officers for Council's consideration.

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
8.1	<i>Manor Street, Bacchus Marsh – Traffic Congestion, On-Street Parking and Pedestrian Safety</i>	<i>Brian Cochrane</i>	<i>Applicant</i>
10.4.1	<i>Petition: Request for Traffic Calming Devices – Manning Boulevard, Darley</i>	<i>Barry Whelan</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

10.1.1 Moorabool Shire Council General Elections 2016 VEC Report

Introduction

File No.: 01/01/002
Author: John Whitfield
Chief Executive Officer: Rob Croxford

Background

The Moorabool Shire Council General Election was held on 22 October 2016 by postal voting. The election was conducted by the Victorian Electoral Commission (VEC), as the statutory election service provider to Moorabool Shire Council in accordance with clause 1 of Schedule 2 of the *Local Government Act 1989* (the Act).

In accordance with clause 14(1) of Schedule 3 of the Act, the Returning Officer must prepare a report to the Chief Executive Officer on the conduct of the election within the period of 3 months after Election Day.

On Wednesday 25 January, 2017, Council received the VEC Election Report for the Moorabool Shire Council General Elections 2016 and pursuant to clause 14(3) of Schedule 3 of the Act, the report has been attached for Council's reference.

Proposal

The Report provides an overview on the conduct of the General Elections 2016 and the outcomes of each process throughout the election period. The Report highlights the results of the election inclusive of figures pertaining to each ward and candidate and an evaluation summary.

Policy Implications

The 2013 – 2017 Council Plan provides as follows:

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

Financial Implications

There are no financial implications.

Risk & Occupational Health & Safety Issues

There are no risk and occupational health and safety issues identified in relation to this report.

Communications and Consultation Strategy

The VEC General Elections Report 2016 will be available at each Council office and will be published on Council's website at www.moorabool.vic.gov.au

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

Chief Executive Officer – Robert Croxford

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

Author – John Whitfield

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

Conclusion

In accordance with clause 14(3) of Schedule 3 of the *Local Government Act 1989*, the VEC Election Report for the Moorabool Shire Council General Elections 2016 is presented to Council for consideration.

Resolution:

Crs. Toohey/Keogh

That Council, in accordance with clause 14(3) of Schedule 3 of the Local Government Act 1989, receive the VEC Election Report for the Moorabool Shire Council General Elections 2016.

CARRIED.

Report Authorisation

Authorised by:



Name: Rob Croxford
Title: Chief Executive Officer
Date: Wednesday 22 March 2017

10.2 GROWTH AND DEVELOPMENT

10.2.1 Moorabool Sustainable Environment Strategy 2016 - 2026

Introduction

Author: Justin Horne
General Manager: Satwinder Sandhu

Background

The Moorabool Sustainable Environment Strategy (MSES) has been developed to assist Moorabool Shire Council to address the following its role in relation to meeting current Federal, State and Council legislative, strategic and policy statements in the areas of natural environment, pest plants and animals and sustainability.

The Strategy aims to identify key priority actions in the management of Council assets to improve our local environment and to reduce water and energy consumption within Council and the local community.

The Strategy also aims to identify current initiatives that are being implemented by Council to reduce our water and energy consumption, and to provide Council with policy and operational directions that are measureable, realistic and relevant to Moorabool Shire Council and local communities.

The purpose of this Strategy is to demonstrate how Council will work to protect and enhance the environment over the next ten years. It will also consider the interaction between community well-being and the natural environment, with a focus on the sustainability of the built environment and community resilience.

The development of the Strategy is in keeping the adopted practice of local government, community expectations and aims to provide recommendations that are provide a cost benefit or are cost neutral to Council, either through process improvement or direct action (e.g. energy efficient street lighting).

The Strategy will be the key document for guiding Council planning, decision-making and activities that impact on the natural environment and sustainability in Moorabool Shire.

Progress to date

Workshops have been held with internal and external stakeholders providing input as to the actions Council have previously undertaken in relation to sustainability and environmental management and to develop a vision and targets for the new Strategy.

Stakeholders providing input to the strategy included:

Internal	External
<ul style="list-style-type: none"> • Assets • Capital Works • Finance • Recreation Development • Strategic Planning • Statutory Planning • Environment • Parks & Gardens • Moorabool Landcare Advisory Committee (MLAC) 	<ul style="list-style-type: none"> • Department of Environment, Water, Land & Planning (DELWP) • Department of Economic Development, Jobs, Transport & Resources (DEDJTR) • Moorabool Landcare Network • Melbourne Water • Port Phillip & Westernport Catchment Management Authority • Sustainability Victoria • Grow West

The Strategy considers the natural values and assets of the Shire, the threats to these values and the actions Council can take to protect and enhance the natural environment both directly and by working with others. It sets directions and priorities to ensure community wellbeing and resilience through making the built environment more liveable and protection of the natural environment.

Additional work was also undertaken as part of the Strategy to identify Council's current energy and water consumption and to identify cost saving actions that Council could undertake. The report also included a benchmarking exercise reflecting on the performance of Baw Baw Shire Council and Macedon Ranges Shire Council.

At the November Ordinary Meeting of Council, in principle support was given and agreement to place the strategy on public exhibition for a period of four weeks. Due to the Christmas period the consultation period was extended to eight weeks. The consultation period closed on Friday 13 January.

Community consultation:

The community and agencies were notified of the consultation period via:

- Have your say Moorabool website
- Facebook
- Moorabool News
- Letter

The following organisations were directly notified via letter

- Central Highlands Water
- Melbourne Water
- Western Water
- Southern Rural Water
- Corangamite Catchment Management Authority (CCMA)
- Port Phillip and Westernport Catchment Management Authority (PPWCMA)
- Parks Victoria
- Department of Environment, Land, Water and Planning (DELWP)
- Department of Economic Development, Jobs, Transport and Resources (DEDJTR)
- Environmental Protection Agency

- Wathaurung Aboriginal Corporation
- Wurundjeri Tribe
- Sustainability Victoria

In total three submissions were received from:

- Moorabool Environment Group (MEG)
- Sustainability Victoria
- Melbourne Water

This is in addition to the previous feedback provided by the Corangamite Catchment Management Authority and Central Highlands Water.

A summary of the submissions is provided in table 1. Full submissions are attached in appendix 1.

Table 1: Comments and Actions resulting from Submissions Received

SUBMISSION	SUMMARY OF SUBMISSION	COMMENTS	ACTIONS
Moorabool Environment Group (MEG)	<ul style="list-style-type: none"> • Improved protection of waterways via use of buffers • Increased use of storm water retention ponds • Recommend development of Council policy regarding illegal dumping and littering • Recommend implementing the 'Detox Your Home' initiative to be set up within Moorabool Shire. • Increased protection of production agricultural land • Support street lighting upgrade initiative • Encourage Council to set a timeline for the implementation of solar upgrades on Council buildings • Support increased street tree plantings • Improved cycle and pedestrian connections in existing and future developments • Provide information to households about the possibility of waterless, composting toilets instead of septic or sewer connected toilets. Ensure the options are supported in shire planning law 	<ul style="list-style-type: none"> • In partnership with water authorities, DELWP and VPA utilisation of buffers to protect and promote waterways via buffers and open space in new developments will be encouraged via existing planning controls, such as open space provisions. • In current and future greenfield developments such as Stonehill and Underbank storm water retention ponds have been developed and locations identified for construction. Council, in partnership with Melbourne Water, has previously investigated potential sites for construction of storm water retention ponds in existing developments such as Darley and Ballan. • In 2016 Council adopted the Street Tree Policy and Street Tree Species Guide. Council is currently developing a Street Tree Strategy to assist in the management of existing street trees and implementation of future street tree plantings • Section 4.9.1 of the Moorabool Waste Management and Resource Recovery Strategy recommends development of a Litter and Dumping Strategy. Action area 8 of the Moorabool Waste Management and Resource Recovery Strategy also outlined actions to be 	<p>Strategy updated to include reference to Moorabool Waste Management and Resource Recovery Strategy inserted into:</p> <ul style="list-style-type: none"> • Section 1.3.3. (Pg 6)

SUBMISSION	SUMMARY OF SUBMISSION	COMMENTS	ACTIONS
	<ul style="list-style-type: none"> • Recommend Council investigates implementing a bulk buy program for community for technology such as solar heat pump hot water systems, battery storage for solar PV households, water tanks and double glazing • Ongoing council support for community gardens is acknowledged and supported, further opportunities should be encouraged eg allowing council land to be used 	<p>implemented between 2014/15 and 2025.</p> <ul style="list-style-type: none"> • Detox Your Home initiative was identified for future investigation in the Moorabool Waste Management and Resource Recovery Strategy • Development of the Bacchus Marsh Urban Growth Strategy and Rural Growth Strategy aim to identify suitable actions to protect areas of agricultural land within Moorabool Shire. • Council have received funding to undertake energy audits of three facilities (Darley, Ballan and Lerderberg Library) with the aim to develop costings, timelines, indicative savings and energy reductions. 	
Sustainability Victoria	<ul style="list-style-type: none"> • Highlighted the potential for increased recovery of waste in the region • Potential for significant reduction in Greenhouse Gas Emissions through reduction in methane emissions from the waste sector 	<ul style="list-style-type: none"> • Section 4.8 of the Moorabool Waste Management and Resource Recovery Strategy recommends community consultation and review of the potential for hard waste collection in Moorabool Shire • Council has commenced a greenwaste collection service in Bacchus Marsh and Ballan 	<p>Strategy updated to include reference to the recent commencement of the greenwaste collection service in Bacchus Marsh and Ballan.</p> <ul style="list-style-type: none"> • Table 3. (Pg 16) <p>Strategy updated to include reference to draft Grampians Central West Waste and Resource Recovery Group Implementation Plan inserted into :</p> <ul style="list-style-type: none"> • Section 1.3.3. (Pg 6) • Appendix 1 (pg 57)

Melbourne Water	<ul style="list-style-type: none">• Generally supportive of the Strategy and Implementation Plan• Some minor formatting and referencing issues identified• Recommended consider including VICSES and Resilient Melbourne Office as stakeholders for section 8.3 (community climate change risk education and engagement) of the Implementation Plan	<ul style="list-style-type: none">• Noted	<ul style="list-style-type: none">• Implementation plan updated to include VICSES and Resilient Melbourne Officer included as stakeholders into• Strategy Direction 3, Objective 2, Action 8.3 <p>Formatting and referencing issues corrected.</p>
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Proposed Strategy Vision, Strategy Directions and Priority Areas

During the consultation process, a Strategy Vision, four Strategy Directions and twelve Priority Areas (figure 2) were developed.

The proposed vision for the Strategy is:

Moorabool Shire will work to ensure the Shire has healthy ecosystems, productive landscapes, sustainable communities and the capacity to adapt to future environmental challenges.

This vision forms the direction of the strategic directions, priority areas and the actions listed in the implementation plan.

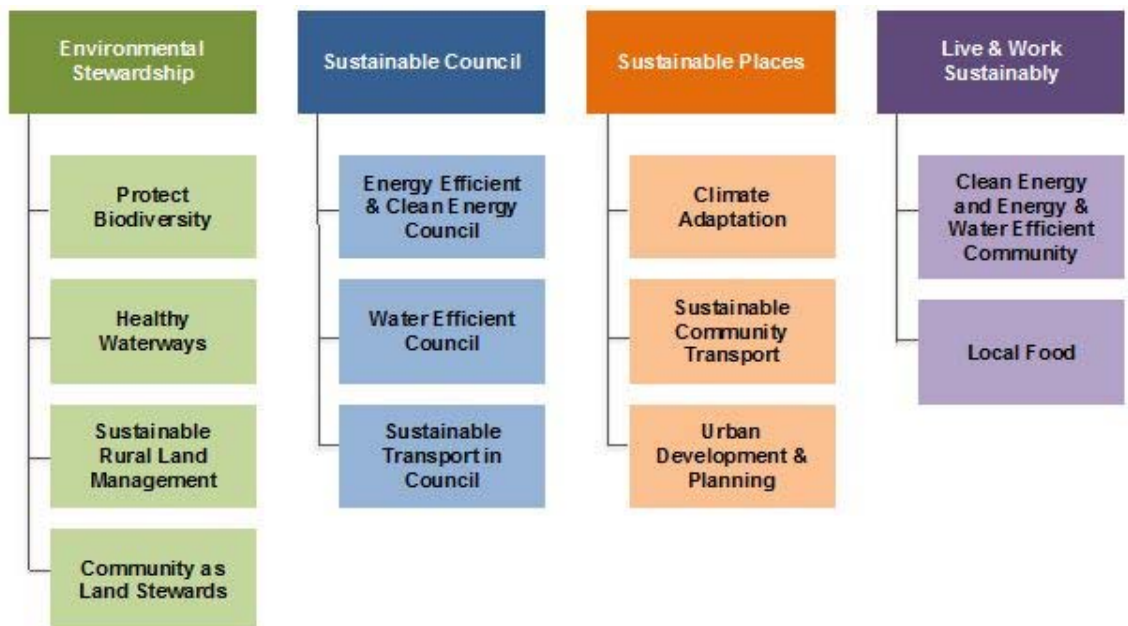


Figure 2: Proposed strategic directions and priority areas for the Moorabool Sustainability and Environment Strategy

Implementation Plan 2016 - 2021

As stated previously, the intention of the Strategy is to also provide an implementation plan to assist Council departments with the delivery of programs to ensure that the vision is achieved.

The implementation plan will have a five year lifespan, and aims to assist Council with operational actions to be delivered by 2021. These will be reviewed against the objectives of the Strategy and a new implementation plan will be developed for the period 2022-2026.

During the consultation phase, the need to ensure that the implementation actions were specific, measureable and achievable. The intent is that the implementation plan is feasible to accomplish.

Proposal

To ensure that the Moorabool Sustainable Environment Strategy is in alignment with the expectations of the community it is proposed that the MSES is made available to the community for comment.

A copy of the Strategy is attached to this report for information.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Enhanced Infrastructure and Natural and Built Environment
Objective	Enhance and protect the long term integrity and biodiversity of the natural environment
Strategy	Pursue initiatives to reduce greenhouse gases, energy and water consumption Work with Landcare networks, government and community to implement and support environmental and sustainability initiatives

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

Financial Implications

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

It is expected that some actions will be delivered through changes in operational and purchasing procedures. However, some larger initiatives have not been costed and would require consideration from Council as part of future capital improvement programs or through external funding (e.g. state or federal government grants).

The Strategy will guide decision making in relation to environment and sustainability over the long term (25 plus years), consequently it will require an ongoing staffing commitment across the organisation.

Where implementation of specific recommendations requires a new capital allocation from Council, these will be presented and considered as part of the overall annual budget process.

The inclusion of these projects within the Strategy is likely to improve the opportunities for gaining co-contributions from external funding sources.

Actions identified in the Strategy fall into three broad categories:

1. Policy and procedural consideration for energy and water efficient products and design at the point of purchase or construction for all new buildings and assets.
2. Upgrades to existing assets. For example, changeover of street lights to LED.
3. Behaviour change initiatives such as reducing paper consumption, teleconferencing and turning off lights.

These actions all have the potential to provide long-term cost savings to Council, as well as, improved environmental outcomes.

Risk & Occupational Health & Safety Issues

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

Communications Strategy

It is intended that the following methods be utilised to achieve a high level of response to the survey

- Newspaper advertising
- Social Media Links (Facebook and Twitter)
- Council website
- Have Your Say website
- Media release

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Satwinder Sandhu

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

Author – Justin Horne

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

Conclusion

The Moorabool Sustainable Environment Strategy provides Council with policy direction and an implementation plan relating to its role in managing the local environmental assets and promoting sustainability through a variety of actions.

The actions identified in the Strategy, have been developed and reviewed internally by operational departments to ensure that they are achievable and provide a direct financial benefit to Council and the community.

Resolution:

Crs. Tatchell/Toohey

That the Council adopts the Moorabool Sustainable Environment Strategy 2016 - 2026.

CARRIED.

Report Authorisation

Authorised by: 

Name:

Satwinder Sandhu

Title:

General Manager Growth and Development

Date:

Tuesday 28 March 2017

10.2.2 Proposal to purchase a Government Road – Yaloak South Wind Farm

Introduction

File No.: 02/06/010 & 139450
Author: John Whitfield
General Manager: Satwinder Sandhu

Background

Moorabool Shire Council has received a request from PacificHydro on behalf of the Ballan Pastoral Co Pty Ltd to close a road under Section 349 of the Lands Act 1958 in order to enable a purchase of this road by the Ballan Pastoral Co from the Department of Environment, Land, Water and Planning (DELWP). It is a portion of the Government Road North of Allotment 7C, Section 3, Parish of Bungeeltap.

Proposal

The Government Road North of Allotment 7C, Section 3, Parish of Bungeeltap is surrounded on all sides by land owned by the Ballan Pastoral Co Pty Ltd. The road is an unused government road and is currently licenced by DELWP to the Ballan Pastoral Co Pty Ltd. (Refer Licence number 0702476)

This property is the location of the proposed Yaloak South Wind Farm and this section of government road is an approved site of one of the wind turbines at the Farm (Wind turbine No. 14).

DELWP is arranging to sell this section of government road to the Ballan Pastoral Co Pty Ltd and this process involves receiving the consent of Moorabool Shire Council to close this section of road. (A closure of a road under the Land Act has the same effect as a road discontinuation under the Local Government Act 1989 or the Road Management Act 2004).

For the Council's information, DELWP have given their landowner consent to PacificHydro to commence construction of a tower on this site.

Upon receiving the consent of the Council to the closure of this portion of road, DELWP will arrange a notice in the Government Gazette to inform the community of the closure and its intent to sell the land.

Attached to this report is the Survey Report Plan (No. B/22-11-16) that DELWP has prepared to accompany the Consent to Closing of Road application form.

Two site maps showing the portion of Government Road to be closed with a view to its sale are attached to this report with the subject section of road shown in red.

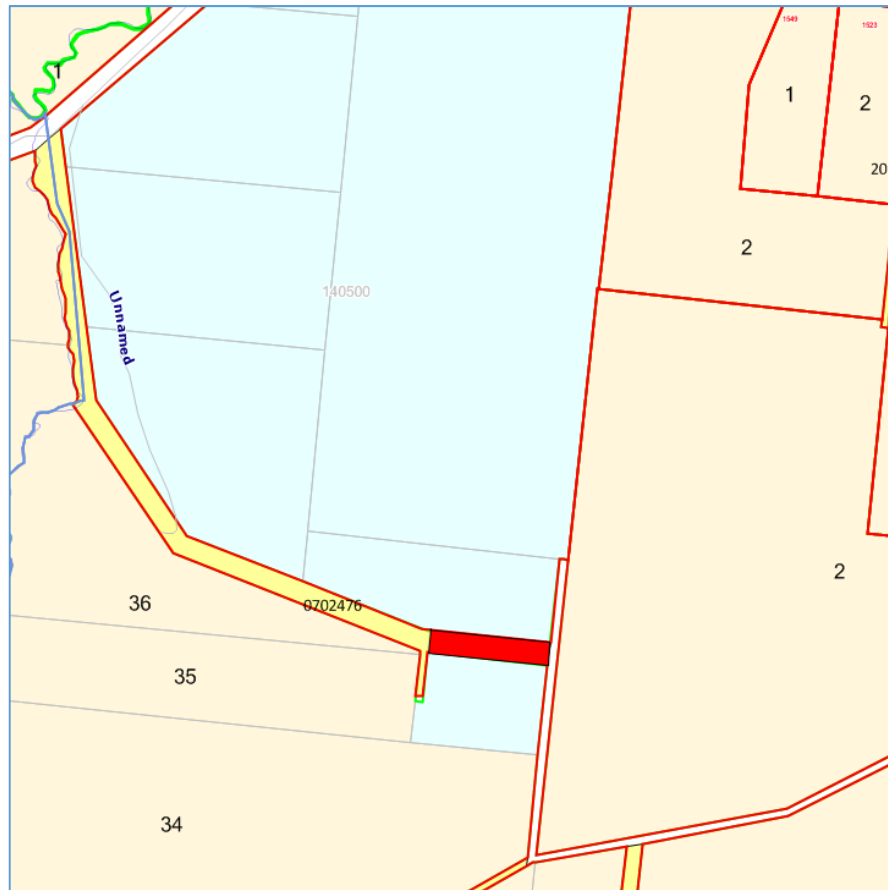


Figure 1: Site Map

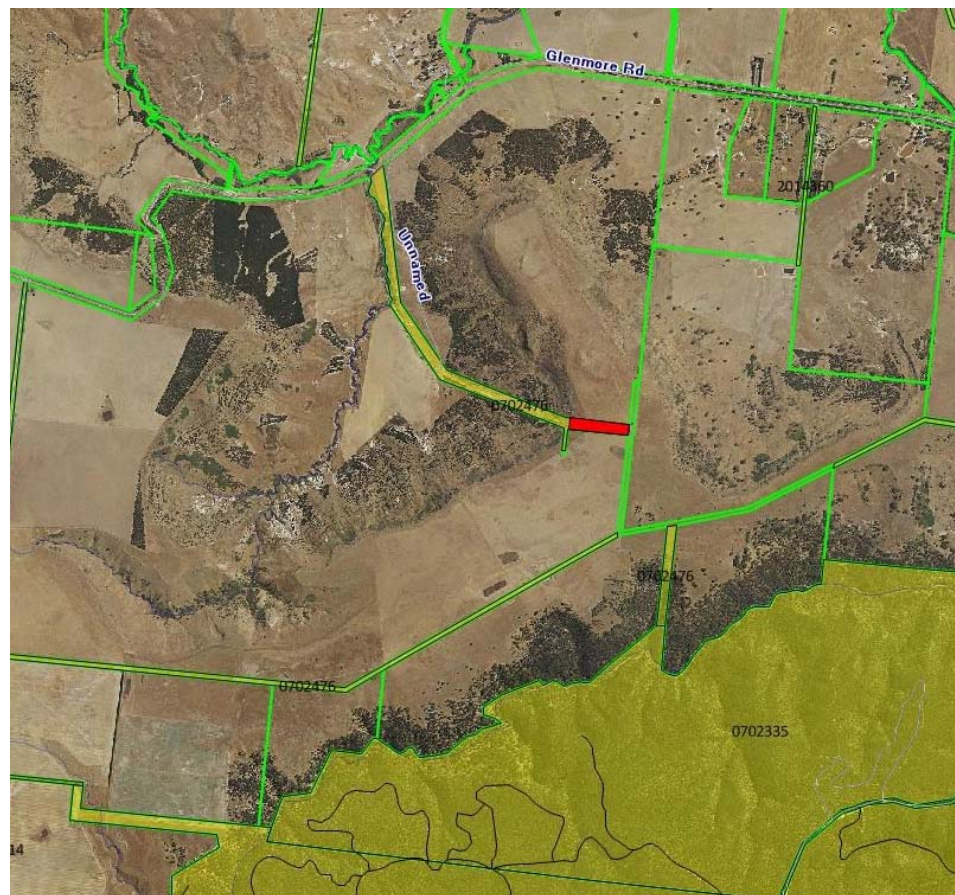


Figure 2: Site Map

Figure 3 below is a locality map showing the wind turbine that is planned to be constructed on the section of government road that is the subject of this report.

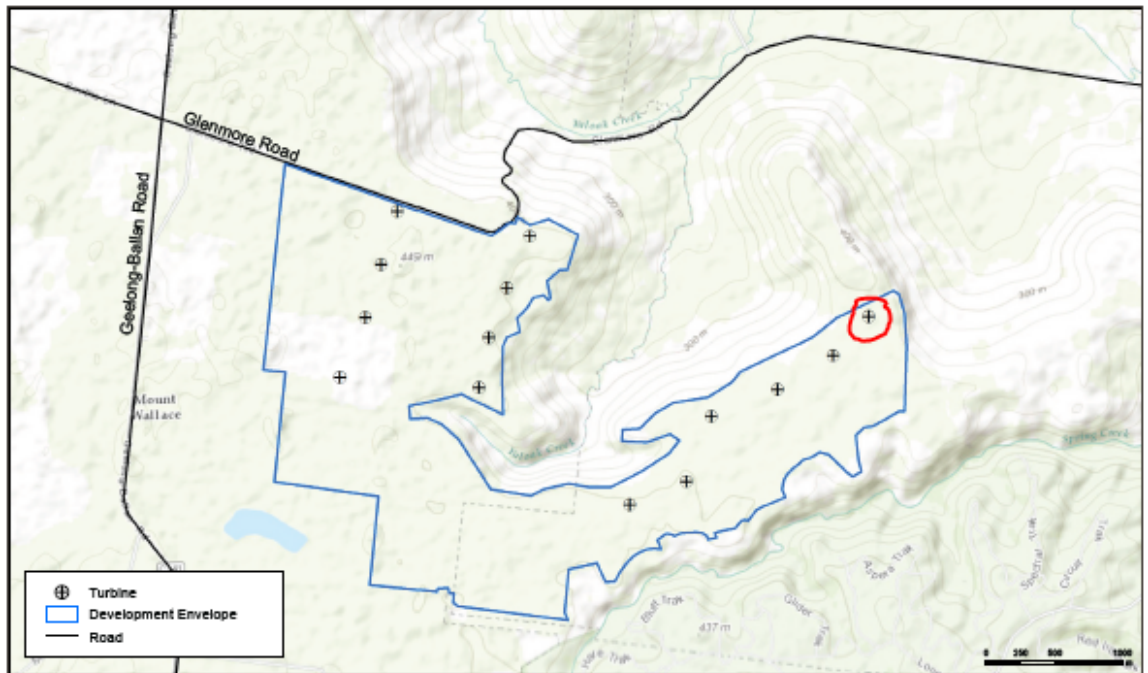


Figure3: Locality Map

Policy Implications

The 2013–2017 Council Plan provides as follows:

Key Result Area	Representation and Leadership of our Community
Objective	Provide quality customer services that respond to the needs of our whole community.
Strategy	Deliver responsive customer service in accordance with the Customer Service Charter.

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

Financial Implications

Nil.

Risk & Occupational Health & Safety Issues

No occupational health and safety issues have been identified.

Communications and Consultation Strategy

As this Government Road is surrounded on all sides by the landholder seeking to close and then purchase this portion of road, the usual contact with abutting neighbours is not required.

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 Ballan Pastoral Co through PacificHydro have been liaising with DELWP in regard to the closure of this section of government road with a view to its sale and have submitted to the Council a Consent to Closing of Road application form under Section 349 of the Land Act 1958.

As this section of government road is an approved location of a wind turbine generator for the Yaloak South Wind Farm it is recommended that the Council consent to the closure of this section of government road and authorise the Chief Executive Officer to sign the Consent to Closing of Road form under Section 349 of the Land Act 1958.

Resolution:

Crs. Tatchell/Sullivan

That the Council:

- 1. Consent to the closing of the portion of Government Road North of Allotment 7C, Section 3, Parish of Bungeeltap as set out in Red on Plan No. B/22-11-16 attached to this report;***

2. ***Authorise the Chief Executive Officer to sign, under the Seal of the Council, the Consent to Closing of Road form under Section 349 of the Land Act 1958.***

CARRIED.

Report Authorisation

Authorised by:

Name:


Satwinder Sandhu

Title:

General Manager Growth and Development

Date:

Tuesday 14 March 2017

10.3 SOCIAL AND ORGANISATIONAL DEVELOPMENT

10.3.1 Future Use of the former Lerderderg Children's Centre, Albert Street, Darley

Introduction

File No.: 330470
Author: Danny Colgan
General Manager: Danny Colgan

The purpose of this report is to recommend that the Council declare the former Lerderderg Children's Centre buildings and other assets surplus to requirements; invite quotes for the purchase and removal of all buildings and other assets on the site and; receive a further report at the conclusion of the invitation to quote process.

Background

The Council at its Ordinary Meeting held on the 6 August 2014 resolved to construct the Darley Early Years Hub. The development of the Darley Early Years Hub involved the relocation of existing services/groups including Darley Kindergarten, Maternal and Child Health, Playgroups and the Occasional Care Service from the Lerderderg Children's Centre; leaving the facilities at the former vacant.

The Lerderderg Children's Centre is located on the corner of Albert and Nelson Streets, Darley. The building has served as a Kindergarten, Maternal & Child Health Centre, Council Early Years office and Occasional Care service for the past 16 years. The portable buildings were moved to the existing site in 1999 after being purchased from the City of Moonee Valley to act as temporary & portable facilities for kindergarten service in Darley in 1999. The site is approximately 6,205 square metres. A site plan; site survey; and photos are contained in **Attachments 10.3.1(a), 10.3.1(b) & 10.3.1(c)**.

To inform the future use of the former Lerderderg Children's Centre, an asset condition report was commissioned in 2016 and an assessment undertaken against Council's draft Community Infrastructure Framework planning standards.

Asset Condition Report

The asset condition report identified the following issues with the Lerderderg Children's Centre:

- Lack of private meeting spaces
- Lack of access for disabled persons
- No toilets compliant with the Disability Discrimination Act (DDA)
- Lack of accessible amenities
- Lack of community kitchen

The condition report identified opportunities to address some of the issues, however they would involve a relatively considerable capital investment as follows:

Spatial requirements

Further openings would be required between rooms to reconfigure the layout and to allow expanded meeting spaces.

Compliance restrictions

Current compliance with the disabled access code restricts access to the building. To ensure future compliance the following modifications and changes would need to be made:

- Correct door widths (850mm to entrances and doors to public accessible rooms)
- Correct passageway widths
- Correct sized disabled sanitary compartment, correct componentry and signage
- Correct ramp handrails and provision of tactile indicators
- Correct sized disabled person's car spaces
- Disabled access through the entrance gates
- Correct glass height to office door
- Provision of lever handles in lieu of knob handles
- Correct height reception counter

These compliance items amount to approximately \$71,950.

Current non-compliance with the building code include:

- Correct and labelled safety glass to doors and side panels
- Removable sanitary compartment doors
- Change of use for adult occupancy will require provision of additional male and female sanitary facilities.

These non-compliance items amount to approximately \$2,600.

Age and condition restrictions

The portable buildings were moved to the existing site in 1999 after being purchased from the City of Moonee Valley to act as temporary & portable facilities. The assessed useful life of the buildings is in the order 25 to 30 years (which may have already been exceeded).

- Whilst the modules appear to be in good structural condition and protected from the weather with an independent roof, there is likely to be ongoing issues with movement requiring continued easing and adjustment to doors and windows.
- Interior lighting to the building is likely to reach useful life within 5 years along with original ducted heating and original split system units.

- External verandas are in good to average condition, constructed independently of the portable building modules and could be dismantled and modified for an alternative site.

The current short to medium maintenance items amount to \$64,000

The above maintenance figures were calculated on the basis of the following; five year maintenance costs including urgent maintenance and cyclical maintenance costs which includes servicing and reactive maintenance.

The Lerderderg Children's Centre has been assessed against Council's draft Community Infrastructure Framework planning standards for the purpose of informing the decision regarding future use.

Population Standard: population demand for proposed project

Demand within Darley for kindergarten, Maternal and Child Health and playgroups will be adequately met up to 2041 through the development of the new Darley Early Years Hub.

Community venues (halls/meeting places) in Darley is sufficiently provided in terms of numbers but does not have a modern dedicated facility. Darley does not currently provide facilities for seniors such as planned activity groups, seniors groups or centre-based meals. These could be provided at the Darley Civic & Community Hub.

Accessibility Standard: Location and travel accessibility of proposed project

The Lerderderg Children's Centre Site is directly adjacent to the Darley Primary School and could potentially provide complementary uses for the school children.

Capacity and utilisation standard: Current capacity and rate of use of facility

It is understood from the Early Years' service that the community have been reluctant to use the Lerderderg Children's Centre Site to its full potential, likely due to its ageing appearance and fit out. The size of rooms and the internal configuration limit the range of uses the building can accommodate.

Condition and fitness for purpose standard: condition and functionality of facility

The Lerderderg Children's Centre Site building requires renewal and upgrade investment to:

- Update its aged internal and external appearance
- Update/replace the ducted heating and cooling system, plumbing and electrical systems
- Upgrade toilets to DDA compliant, modern facilities
- Improve universal access into and around the building
- Replace floors and window coverings.

The internal layout is unsuitable for many community activities. Even with access to public transport and a large accessible car park at the front of the building the Early Years' service has been unable to attract families to attend playgroups/parent groups at the venue, likely because of its age and appearance.

Without substantial investment, the Lerderderg Children's Centre Site building is unlikely to be fit for the services and facilities that Darley and Bacchus Marsh most require. It would be more financially sustainable to dispose of the Lerderderg Children's Centre buildings and other assets (storage sheds and play equipment).

Proposal

It proposed that the Council declare the former Lerderderg Children's Centre buildings and other assets (storage sheds and play equipment) surplus to requirements; invite quotes for the purchase and removal of all buildings and other assets on the site and; receive a further report at the conclusion of the invitation to quotes process.

The Bacchus Marsh Christian Church has written to the Council expressing interest in leasing or buying the former Lerderderg Children's Centre to runs programs such as a Youth Centre; Play Group; Foodbank; Return to Work for Mums and English skills for migrants in an Opportunity Shop and Café environment.

It is proposed that the expression of interest from the Bacchus Marsh Christian Church be considered after the conclusion of the invitation to quote process and in determining the future use of the site.

Depending on the decision of the Council, a further report would be presented to the Council on the future use of the land.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

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

Consideration of the future use of the former Lerderderg Children's Centre is consistent with the 2013-2017 Council Plan and the Municipal Early Years Plan 2015 -2021.

Financial Implications

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

It would be more financially sustainable to dispose of the Lerderderg Children's Centre buildings and other assets (storage sheds and play equipment).

The invitation to quote process will be undertaken within existing budgetary allocations.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Community Needs	Potential to not provide adequate community spaces to meet the needs of the community	Medium	Current and future planning and development in the Darley area

Communications Strategy

The invitation to quote process will be conducted through public advertisements. The Bacchus Marsh Christian Church will be advised of the resolution of council.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Danny Colgan

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

Author – Danny Colgan

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

Conclusion

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

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

It is proposed that it would be more financially sustainable to dispose of the Lerderderg Children's Centre buildings and other assets (storage sheds and play equipment).

Resolution:

Crs. Sullivan/Keogh

That the Council:

1. ***Declare the former Lerderderg Children's Centre buildings and other assets surplus to requirements;***
2. ***Invite quotes for the purchase and removal of all buildings and assets on the site and;***
3. ***Receive a further report at the conclusion of the invitation to quote process.***

CARRIED.

Report Authorisation

Authorised by

Name:

Title:

Date:



Danny Colgan

General Manager Social & Organisational Development

Tuesday 28 March 2016

10.3.2 Draft Library Policies – Library Policy; Public Access Technology – Conditions of use; and Unattended Children in the Library

Introduction

File No.: 06/04/004
Author: Kate Diamond-Keith
General Manager: Danny Colgan

The purpose of this report is recommend that the Council endorse the draft Library Policy; draft Public Access Technology – Condition of Use Policy and draft Unattended Children in the Library Policy for the purpose of community engagement for a period of four weeks.

Background

The Library previously had two existing policies – Conduct of Library Users and Conditions of Membership. The language and content of these was felt to be cumbersome and unnecessarily complicated, therefore they have been revised and combined into one “Library Policy” contained in **Attachment 10.3.2(a)**

The “Unattended Children in the Library policy” contained in **Attachment 10.3.2(b)** is also a revision of an existing policy.

The “Public Access Technology –Conditions of Use Policy” contained in **Attachment 10.3.2(c)** is a new policy in line with the Library becoming an eSmart Library. In light of a number of community issues raised in the media around such issues as cyberbullying, identity theft it was felt that the Library needs to have clear guidelines and standards around online safety and acceptable use of technologies

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

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

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

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

Proposal

It is proposed that the Council endorse the draft Library Policy; draft Public Access Technology – Condition of Use Policy and draft Unattended Children in the Library Policy for the purpose of community engagement for a period of four weeks.

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

Draft Library Policy:

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

Draft Public Access Technology –Conditions of Use Policy

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

Draft Unattended Children in the Library Policy

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

It is proposed that in accordance with Moorabool Shire Council Policy Protocol, consideration of items which affect beyond the current year, the draft Library Policy; draft Public Access Technology – Conditions of Use Policy; and draft Unattended Children in the Library Policy lay on the table for further consideration at the next Ordinary Meeting of Council on the 3 May 2017.

Policy Implications

The 2013 – 2017 Council Plan provides as follows:

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

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

Financial Implications

The draft policies were prepared within existing budgetary resources.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
<ul style="list-style-type: none"> Unattended children in library 	<ul style="list-style-type: none"> Children left unsupervised in the library 	<ul style="list-style-type: none"> Medium 	<ul style="list-style-type: none"> Policy developed
<ul style="list-style-type: none"> Use of public computers 	<ul style="list-style-type: none"> Users using public access computers to access inappropriate websites 	<ul style="list-style-type: none"> Medium 	<ul style="list-style-type: none"> Policy developed

Communications and Consultation Strategy

The following community engagement is proposed, in accordance with the Council's Community Engagement Policy and Framework

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community Members	Online engagement	Various	April/ May 2017	To be determined
Consult	Library users and members	Policy on display in the Bacchus Marsh and Ballan Libraries with feedback forms	Bacchus Marsh and Ballan	April/ May 2017	To be determined

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 – Kate Diamond-Keith

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

Conclusion

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

Consideration

The Council has adopted a policy protocol relating to the consideration of items which affect beyond the current year. This policy is detailed below for the information of the Council.

That in consideration of matters whose impact or influence will extend to directly affect the activities and/or financial planning of Council for a period beyond the term of the Current Council Budget, and whether relating to Council policy pronouncements or specific projects, the Council shall observe the following process, to assist in full and detailed consideration of items of such magnitude as part of the Council's deliberations prior to decision:

1. *A report from Council Officers relating to the item shall be placed before the Council at an Ordinary or Special Meeting.*
2. *The Mayor as Chair, shall then entertain only the following matters in relation to the item;*
 - (i) *Questions from Councillors*
 - (ii) *Consideration by the Council of a motion requesting further information. Which if successful shall mean the process shall commence upon the receipt of such information.*
 - (iii) *A motion that the item Lay on the Table until the next ordinary meeting of the Council. No debate on such motion shall be allowed.*
3. *In the event that the motion as per clause 2 (iii) is successfully carried, the Chief Executive Officer shall ensure the report is listed upon the Council Agenda for the next ordinary meeting.*

Resolution:

Crs. Dudzik/Toohey

That the Council in accordance with Moorabool Shire Council Policy Protocol, Consideration of items which Affect beyond the Current Year, the draft Library Policy; draft Public Access Technology – Conditions of Use Policy; and draft Unattended Children in the Library Policy now lay on the table for further consideration at the next Ordinary Meeting of Council on the 3 May 2017.

CARRIED.

Report Authorisation

Authorised by: 

Name: Danny Colgan

Title: General Manager Social & Organisational Development

Date: Friday 24 March 2017

10.4 INFRASTRUCTURE SERVICES

Consideration of Presentation - Petition; Request for Traffic Calming Devices – Manning Boulevard, Darley

Mr. Barry Whelan addressed Council in relation Petition; Request for Traffic Calming Devices – Manning Boulevard, Darley

The business of the meeting then returned to the agenda.

10.4.1 Petition; Request for Traffic Calming Devices – Manning Boulevard, Darley

Introduction

Author: John Miller
General Manager: Phil Jeffrey

At the Ordinary Meeting on 3 August 2016, Council received a petition containing 45 signatures, requesting the installation of traffic calming devices along Manning Boulevard, Darley. (Refer Attachment 10.4.1) This petition follows a customer request in the same regard.

The report was presented at the Ordinary Meeting in December 2016 and Council resolved that the report be deferred to the next Meeting in Bacchus Marsh to be held April 2017.

This report includes officers' assessment and recommendation in relation to the request.

Background

Manning Boulevard is a section of road located in the Manning Estate in Darley, which commences at Links Road and terminates at the end of current construction. There are a number of intersections with various courts and a through road, Ramsay Crescent, as shown on the image below. Beyond Ramsay Crescent intersection, Manning Boulevard is essentially a no through road.



Site Assessment

Manning Boulevard is 9 metres wide and is approximately 1.18km in length, with a combination of steep grades and tight bends and is classified as a Local Access 1 sealed road under Council's Road Management Plan.

The road is a 'No Through' road and the Manning Estate is a 'Low Density Residential Zone' (LDRZ) area.

Generally, the traffic issues being experienced in Manning Boulevard are described as hoon behaviour and speeding vehicles, as well as noise issues.

There are three existing speed calming devices in place as can be seen in the images below:

Location: 185m east of Whelan Court



Location: Corner of Manning Boulevard and Delwyn Court



Location: 106m South of Delwyn Court on Manning Boulevard



In addition to the above, following a customer request, Council installed four 50km/h speed restriction and three curve warning signs in June 2016.

Traffic counts conducted after the installation of the initial speed restriction signs have shown a decrease in the 85th percentile speed from 58km/h to 55km/h. It is evident that this has been an effective measure to remove any confusion regarding the current speed limit along Manning Boulevard and has seen a reduction in the number of speeding motorists.

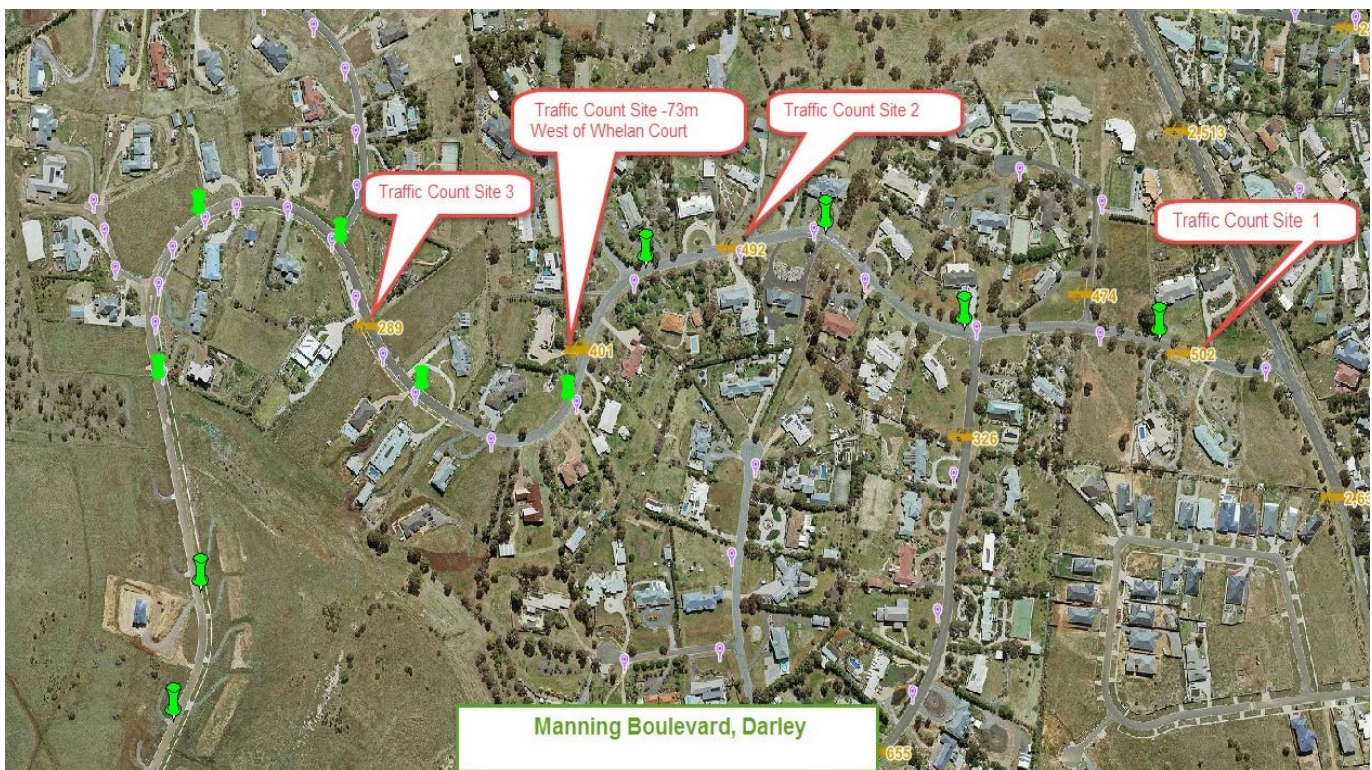
Subsequent to the petition being received, officers have received two further requests from residents along Manning Boulevard, stating that they do not support the installation of speed humps along the road. Their main concerns are around risk and the impact on larger vehicles.

Traffic Count Data

The tables below shows the average daily vehicle counts and 85%ile speed (speed at which 85% of vehicles travel at or below) before and after the installation of both Speed Restriction and Curve Warning Signs for the 4 traffic count sites along Manning Boulevard. A further breakdown of the data shows that downhill speeds are slightly higher than uphill speeds as would be expected. A map is included below showing these locations.

Date	Before signs installed		21/07/2016 (after signs installed)	
Site Number	Vehicle Count	85%ile speed	Vehicle Count	85%ile speed
1	828	59km/h	502	57km/h
2	393	60km/h	502	54km/h
3	252	55km/h	289	54km/h
New	-	-	401	56km/h

Sites



Anti-hoon Laws

Anti-hoon laws are about making roads safer and reducing road trauma. They were introduced in Victoria in July 2006, and give police the power to impound, immobilise or permanently confiscate vehicles driven by people in a dangerous manner.

Residents that witness hoon behaviour are encouraged to contact Crime Stoppers on 1800 333 000 or www.crimestoppers.com.au and provide as many details as possible.

Traffic Calming Devices

Traffic Calming is the term given to measures utilised to attempt to improve the safety or amenity of roads, by either reducing the volume of traffic or reducing the speed of traffic using that road. Council follows VicRoads standards, Austroads guidelines and internal procedures when considering Traffic Calming Devices.

For speed humps to be effective, the site needs to be well lit, relatively straight and flat with devices spaced at intervals between 80m to 150m apart. While speed humps assist in a reducing speed, they are generally most effective where the 85th percentile speed is 15km/h above the posted limit, in this instance the 85th percentile speed is 5km/h above the posted limit and the road has a combination of steep grades and tight bends.

It is also noted that traffic calming devices have the potential to introduce additional issues such as:

- Increase in noise and fumes next to the traffic calming structures due to braking and acceleration
- Can be uncomfortable for vehicle passengers and cyclists
- Reduction of on street parking
- Increased glare at night from car lights
- Increased maintenance costs to Council
- Slower access for emergency and service vehicles.

It is important to note that traffic calming devices are not designed to control irresponsible driving behaviour.

Proposal

Following an investigation of the existing conditions and traffic data as outlined above, it is considered that the installation of traffic calming devices is not warranted at this time.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Enhanced Infrastructure and Natural and Built Environment
------------------------	---

Objective	Ensure current and future infrastructure meets the needs of the community
Strategy	Provision of effective and safe transport networks

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

Financial Implications

There are no financial implications associated with the recommendation within this report.

However, if Manning Boulevard met the criteria for installation of traffic calming devices, standards would require the construction of nine sets of devices as well as the installation additional street lights and poles with an estimated total cost of approximately \$95,000.

Risk & Occupational Health & Safety Issues

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

Communications Strategy

The convener of the petition will be formally notified of Council's decision following a resolution.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Phil Jeffrey

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

Author – John Miller

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

Conclusion

At the Ordinary Meeting on Wednesday 3 August 2016, Council received a petition requesting the installation of speed limiting devices in Manning Boulevard, Darley.

Following an investigation of the existing conditions and traffic data as outlined within this report, it is considered that the installation of traffic calming devices is not warranted at this time.

Recommendation:

That Council notes the concerns of residents as outlined in the petition, however does not support the installation of traffic calming devices in Manning Boulevard, Darley at this time.

Resolution:

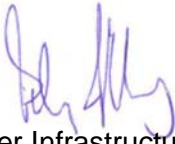
Crs. Sullivan/Keogh

- 1. That Council notes the concerns of residents as outlined in the petition, however does not support the installation of traffic calming devices in Manning Boulevard, Darley at this time.***
- 2. That Council write to Victoria Police requesting regular police presence be sought to address speeding concerns in Manning Boulevard.***

CARRIED.

Report Authorisation

Authorised by:

Name: Phil Jeffrey 
Title: General Manager Infrastructure
Date: Tuesday 28 March 2017

10.4.2 Draft Road Management Plan 2017 - 2021

Introduction

Author: Phil Jeffrey
General Manager: Phil Jeffrey

Background

Moorabool Shire Council is a Road Authority as defined in Section 37 of the Road Management Act 2004 (RMA), and under this legislation, road authorities may choose to develop and publish a Road Management Plan (RMP).

The RMP is an operational document that provides road users with an overview of Council's road management policy and maintenance practices.

Specifically, the RMP and its associated asset registers define:

- the road assets which Council maintains on behalf of the community
- the responsibilities of Council in relation to management of road assets
- standards of performance in relation to the maintenance of road assets considering available resources
- policies and procedures in relation to the ongoing risk inspection of road assets
- intervention levels and associated response times for Council to address defects

Whilst the development of a RMP is optional, it is commonplace for Council's to have such a document in place as it is designed to:

- Meet the legislative requirements of the Act
- Mitigate risk and manage civil liability
- Demonstrate Council is responsibly managing road assets
- Define the hierarchy of road assets (roads, bridges and footpaths) and associated levels of service
- Manage community expectation in relation to required maintenance works

Under the Road Management (General) Regulations 2005, Council is required to undertake a review of its RMP every four years, in line with Council elections and the Council Plan. The amended RMP is required to be adopted by 30 June of the year following elections, in this instance 30 June 2017.

Moorabool adopted its first RMP in August 2004 in accordance the Act and Regulations. Subsequent reviews were undertaken and revised documents adopted by Council in 2009 and 2013.

The draft Road Management Plan 2017 – 2021 as attached (Refer Attachment 10.4.2) was presented to the Place Making Advisory Committee on Tuesday 21 March 2017, where the following was resolved:

That the Place Making Advisory Committee:

- 1. Receives the report in relation to the review of the 2013-17 Road Management Plan.***
- 2. Requests that a report be presented to the April Ordinary Meeting of Council endorsing the following recommendation:***

That Council:

- a. In accordance with the provisions of the Road Management (General) Regulations 2005, authorises the Chief Executive Officer to give public notice that the draft Road Management Plan 2017-2021 has been prepared and is available for public inspections.***
- b. Resolves to allow 28 days for submissions to be made by members of the public.***
- c. Requests a further report be presented to Council at the conclusion of the public consultation period considering all submissions received prior to formally completing its review of the Road Management Plan.***

Proposal

The Draft Road Management Plan has been reviewed using experience in implementation of previous plans and using guidance from MAV insurance and associated audits undertaken periodically. The proposed changes to the document are summarised below.

Asset Classification and Hierarchy

A review of the various hierarchies relating to road asset types has been undertaken, which includes roads and paths. The review sought to achieve simplicity and consistency in relation to application of hierarchy and base it on traffic volume. The review also considered road hierarchies in the planning scheme and Infrastructure Design Manual to align the definitions in these documents.

Revised hierarchies and definitions have been developed and road assets have been reclassified within the updated hierarchy. Two new road hierarchies have been included acknowledging that unsealed roads have lower traffic volumes and deteriorate quickly and thus need to be monitored more frequently. In addition, urban and rural delineation still exists as it is considered that less frequent hazard inspections can occur in urban areas given the roads are generally constructed to a higher standard and have lower speed environments and hence lower risk. The proposed hierarchies are summarised in the table below and can be found in the draft RMP in Appendix B, Table B.1.

Category	Urban	Rural	AADT
Trunk Collector	Provides a strategic link between arterial roads, suburbs, commercial areas, major housing areas or a defined destination. Access to tourist facilities or industrial centres and may include regional links. These roads carry the heaviest volumes of traffic and the typical speed limit is between 50 to 80km/h. Is typically defined by Connector Street Level 2 in the Planning Scheme and IDM.	Provides a strategic link between, or to, defined townships, districts, tourist facilities, industrial centres and may include regional links. These roads may experience high use of heavy vehicles (e.g. trucks, busses, etc.).	>3000
Collector	Provides connection into residential areas. These roads carry heavy volumes of traffic and the typical speed limit is between 50 to 60km/h. Is typically defined by Connector Street Level 1 in the Planning Scheme and IDM.	Provides a connection between rural link and arterial roads carrying large volumes of traffic. These roads may typically cater for service and heavy vehicles as well and access to property.	1001-3000
Access L1	Medium to low traffic volume roads that provides access to local residents or secondary access to commercial areas. Typical speed limit is between 15 to 50km/h. Is typically defined by Access Street Level 1 and 2 in the Planning Scheme and IDM.	Medium to low traffic volume roads that provide access to local residents and property. Typical speed limit is between 50km/h to 100km/h.	201-1000
Access L2	Low traffic volume roads and cul de sacs that provides access and secondary access to access to local residents and property. Typical speed limit is between 15 to 50km/h. Is typically defined by Access Place and Access Lane in the Planning Scheme and IDM.	Low traffic volume roads that provides access to local residents and property. Typical speed limit is between 50km/h to 100km/h.	<200

Unsealed L1	Unsealed roads with a traffic volume greater than 100 vehicles/day that provides access to local residents and property. Typical speed limit is between 15km/h to 60km/h.	Unsealed roads with a traffic volume greater than 100 vehicles/day that provides access to local residents and property. Typical speed limit is between 50km/h to 100km/h.	>100
Unsealed L2	Low traffic volume unsealed roads that provides access to local residents and property. Typical speed limit is between 15km/h to 60km/h.	Low traffic volume unsealed roads that provides access to local residents and property. Typical speed limit is between 50km/h to 100km/h.	<100

Bridges have been removed from the document on advice from insurers and inspection and maintenance management of these will need to be developed as a separate document.

Register of Public Roads

Section 19 of the Road Management Act requires Council to keep a register of public roads, for which it is the 'Coordinating Road Authority'; and so Council should ensure that it has a complete and up to date register of public roads for which it is responsible. The Code of Practice indicates that this list can cover roads, roadways, pathways, road infrastructure or road related infrastructure.

To determine what roads should be included in the register, we need to conduct a thorough audit of roads in the municipality and clarify responsibilities for maintaining roads (check agreements with DELWP, VicRoads, residents, adjoining municipalities etc.) Schedule 1 - RMA details the information that the public register must include:

- Name of the public road
- Date on which the road became a public road if declared after 1 July 2004
- The classification of the public road
- Reference to arrangements where management of road functions have transferred from one road authority to another.

Councils needs to be vigilant about new estates with new roads and paths being created. If these new developments aren't added to the roads register, then there is the risk that they won't be inspected. Roads that should not be included in the register are:

- Roads for which council is not the responsible road authority (e.g. another council or VicRoads);
- Private roads,
- Paper roads (e.g. Roads which are not maintained by Council throughout the Shire. "Paper Road" is a term commonly used for a road that is legally established and recorded in survey plans, but has not been formally constructed.).

The Registers are annexed to the RMP but is kept separate due to the size of the register. At a minimum Council needs to provide reference in the RMP to where the register can be viewed by the public, as it is required to be available for inspection by the public, under section 19 of the RMA.

With the application of the proposed hierarchies, the table below summarises the changes in road lengths attributed to each proposed hierarchy.

Road Hierarchy	Road Length in kms (Existing RMP)	Road Length in kms (Proposed RMP)
Trunk Collector (Link)	105	14
Collector	105	27
Access Level 1	534	273
Access Level 2	147	574
Unsealed Level 1	144	18
Unsealed Level 2	402	528

Technical Service Standards (Intervention Levels)

The primary benefit of the RMP is to transparently establish proactive hazard inspection regimes for roads and footpaths with associated intervention levels and rectification response times. Critical aspects to be considered when setting these standards is that they are reasonable, they are achievable and that they address risk.

Inherent in the notion of reasonable is an acknowledgment that road authorities do not have unlimited resources or funds. Whilst aspiring to achieve better standards, the primary consideration is that Council sets reasonable standards and is able to meet those commitments.

This document sets the minimum standards for inspection and response times for all Council controlled road assets. The failure to have reasonable and achievable standards would be detrimental to Council's ability to mitigate risk and manage civil liability. Notwithstanding this, Council's operational teams, in many instances, achieve response standards significantly better than the minimum standards outlined in the document.

There are three main components to the technical service standards being inspection regimes, intervention levels and rectification response times.

Inspection Regime

In reviewing the existing RMP, a clearer inspection definition was sought and a risk-based approach was used taking into account factors such as traffic volume, traffic speed, urban/rural environments, typical construction standards, classification of the asset and type of road surface. The revised RMP now includes proactive and reactive inspection types only along with associated frequencies. Some frequencies have been adjusted based on hierarchy. The revised inspection regime can be found in Table B.3 and B.4 in the attachment.

Hazard Intervention Level & Response Time

The maintenance and repair standards must be achievable and realistic goals, not aspirational targets, and take into account industry standard, past experience, a risk based approach based on hierarchy and the physical and financial resources available to respond. Intervention levels must be clearly defined, and not open to different interpretations by staff when identifying defects.

The review of intervention levels and response times considered the above and responded to previous insurance audits. Numerous edits have been made however the biggest change is the removal of 'As Resources Permit' and replace with an actual timeframe. The revised intervention level and associated response time can be found in Table B.5 in the attachment.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

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

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

Financial Implications

The resource implications, if any, resulting from the amended categorisation of road assets or associated response timeframes can be accommodated within the existing operational budget. The revised RMP has been developed taking into account existing budget constraints.

There are no financial implications associated with commencing the public consultation process.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Legal – Civil Liability	Civil liability risk to Council where it is unable to achieve the commitments within its RMP	Medium	Reasonable and achievable standards and timeframes outlined in Council's RMP

Communications and Consultation Strategy

The review of the Road Management Plan includes a proposed public consultation process including statutory requirements, as outlined below:

- Advertising in local newspapers and the Government Gazette, advising of Council's intention to update the RMP and how the community can make submissions to the draft version
- Advertising on 'Have Your Say Moorabool' as above
- Public exhibition period to allow for community comments for a period of 28 days
- All correspondence received would be documented and considered prior to a final draft version being presented to Council
- Media releases

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Phil Jeffrey

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

Author – Phil Jeffrey

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

Conclusion

The RMP is an operational document that provides road users with an overview of Council's road management policy and maintenance practices.

Under the Road Management (General) Regulations 2005, Council is required to undertake a review of its RMP every four years, with the next draft version required to be adopted by Council by 30 June 2017.

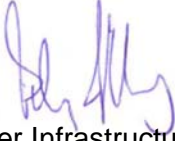
The intent of this recommendation is to allow for public consultation to commence, considering the proposed changes to the draft RMP.

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

1. ***Receives the report in relation to the review of the 2013-17 Road Management Plan.***
2. ***In accordance with the provisions of the Road Management (General) Regulations 2005, authorises the Chief Executive Officer to give public notice that the draft Road Management Plan 2017-2021 has been prepared and is available for public inspections.***
3. ***Resolves to allow 28 days for submissions to be made by members of the public.***
4. ***Requests a further report be presented to Council at the conclusion of the public consultation period considering all submissions received prior to formally completing its review of the Road Management Plan.***

CARRIED.

Report Authorisation**Authorised by:**

Name: Phil Jeffrey 
Title: General Manager Infrastructure
Date: Tuesday 28 March 2017

10.4.3 Maintenance of Unmade “Paper” Roads Policy

Introduction

Author: John Miller
General Manager: Phil Jeffrey

Background

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

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

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

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

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

At the Ordinary Meeting on 1 February 2017, Council considered a similar request for maintenance and resolved that officers prepare a policy on the development or maintenance of unmade government ‘paper’ roads. The draft policy forms an attachment to this report.

The draft Policy was presented to the Place Making Advisory Committee on Tuesday 21 March 2017, where the following was resolved:

That the Place Making Advisory Committee:

*Received the draft IS017 – Maintenance of Unmade Government
('Paper') Roads Policy; and*

*Requests that the policy be presented to the April Ordinary Meeting of
Council endorsing the following recommendation:*

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

A number of edits were discussed at the Place Making Advisory Committee, such as removing the description 'Government' roads, and these edits are reflected in this report to the Council.

Proposal

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

It is proposed that the policy be presented to Council for consideration at the April Ordinary meeting, with a recommendation that the policy lay on the table as per Council's policy protocol.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

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

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

Financial Implications

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

Risk & Occupational Health & Safety Issues

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

Communications and Consultation Strategy

The Maintenance of Unmade "Paper" Roads Policy will be made available on Council's web site.

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Phil Jeffrey

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

Author – John Miller

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

Conclusion

“Paper road” is a term commonly used for a road that is legally established and recorded in survey plans, but has not been formally constructed. They typically comprise dirt tracks cleared by local farm vehicles. Such a road exists only on paper. None of these roads are included in Council’s Register of Public Roads.

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

Resolution:

Crs. Tatchell/Sullivan

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

CARRIED.

Report Authorisation

Authorised by:

Name: Phil Jeffrey

Title: General Manager Infrastructure

Date: Tuesday 28 March 2017



11. OTHER REPORTS

11.1 Assembly of Councillors

File No.: 02/01/002

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

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

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

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

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

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

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

- Assembly of Councillors – Wednesday 1 March 2017 – OMC Agenda Item 10.2.1 and Windfarm Update and Arts Council Space Update.
- Assembly of Councillors – Wednesday 1 March 2017 – Future Use of the Lerderderg Children's Centre.
- Assembly of Councillors – Wednesday 1 March 2017 – Ballan Structure Plan.
- Assembly of Councillors – Wednesday 8 March 2017 – Community Infrastructure Framework.
- Assembly of Councillors – Wednesday 15 March 2017 – Regional Rail Line Upgrade.
- Assembly of Councillors – Wednesday 15 March 2017 – Briefing by VicRoads including Grant Street/Gisborne Road Update; Geelong-Bacchus Marsh Road Options.
- Assembly of Councillors – Wednesday 22 March 2017 – Update by Audit Committee Chair

Resolution:**Crs. Sullivan/Tatchell*****That Council receives the record of Assemblies of Councillors as follows:***

- ***Assembly of Councillors – Wednesday 1 March 2017 – OMC Agenda Item 10.2.1 and Windfarm Update and Arts Council Space Update.***
- ***Assembly of Councillors – Wednesday 1 March 2017 – Future Use of the Lerderberg Children’s Centre.***
- ***Assembly of Councillors – Wednesday 1 March 2017 – Ballan Structure Plan.***
- ***Assembly of Councillors – Wednesday 8 March 2017 – Community Infrastructure Framework.***
- ***Assembly of Councillors – Wednesday 15 March 2017 – Regional Rail Line Upgrade.***
- ***Assembly of Councillors – Wednesday 15 March 2017 – Briefing by VicRoads including Grant Street/Gisborne Road Update; Geelong-Bacchus Marsh Road Options.***
- ***Assembly of Councillors – Wednesday 22 March 2017 – Update by Audit Committee Chair.***

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.

A Rural Growth Strategy Committee Meeting was scheduled for Wednesday 22 March 2017 but did not proceed due to a lack of a quorum.

Committee	Meeting Date	Council Representative
Maddingley Park Committee of Management	Tuesday 29 November 2016	Community Members
Development Assessment Committee <i>To download a copy of the minutes, go to the MSC website: https://www.moorabool.vic.gov.au/my-council/council-meetings/council-committees-2017</i>	Wednesday 8 March 2017	Cr. Dudzik, Cr. Keogh, Cr. Tatchell Cr. Toohey
Greendale Reserves Committee of Management	Thursday 9 March 2017	Cr. Toohey

Resolution:

Crs. Tatchell/Sullivan

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

- ***Maddingley Park Committee of Management meeting of Tuesday 29 November 2016.***
- ***Development Assessment Committee meeting of Wednesday 8 March 2017.***
- ***Greendale Reserves Committee of Management meeting of Thursday 9 March 2017.***

CARRIED.

11.3 Advisory Committees of Council - Reports

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

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

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

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

Committee	Meeting Date	Council Representative
Audit and Risk Advisory Committee	Wednesday 23 November 2016 Wednesday 8 February 2017	Cr. Dudzik Cr. Tatchell
Place Making Advisory Committee <i>To download a copy of the minutes, go to the MSC website: https://www.moorabool.vic.gov.au/my-council/council-meetings/council-committees-2017</i>	Tuesday 21 March 2017	Cr. Keogh Cr. Sullivan Cr. Tatchell GM Infrastructure

Resolution:

Crs. Tatchell/Bingham

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

- ***Audit and Risk Advisory Committee meetings of Wednesday 23 November 2016 and Wednesday 8 February 2017.***
- ***Place Making Advisory Committee meeting of Tuesday 21 March 2017.***

CARRIED.

12. NOTICES OF MOTION

12.1 Cr. Keogh: N.O.M. No. 263 – Container Deposit Legislation

Resolution:

Crs. Keogh/Bingham

That Council:

- 1. That Council write to The Hon Lily D'Ambrosio, Minister for Energy, Environment and Climate Change and The Hon Natalie Hutchins, Minister for Local Government, requesting that the Government enact container deposit legislation similar to what has successfully occurred in South Australia***
- 2. That Council send a copy of the letter to all Councils in Victoria seeking their support for this legislation to be enacted, in an attempt to help alleviate the road side litter that is a blight across every municipality in the State.***

CARRIED.

13. MAYOR'S REPORT

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

Cr. Edwards– Mayor's Report	
March - April 2017	
6 March	<ul style="list-style-type: none"> • MSC Health & Wellbeing Committee Meeting
8 March	<ul style="list-style-type: none"> • Official Launch of the 1000 Books Before School Program, Ballan • Assembly of Councillors – Community Infrastructure Framework
10 March	<ul style="list-style-type: none"> • Meeting and Shire tour with Senator Jane Hume, Senator for Victoria
15 March	<ul style="list-style-type: none"> • Assembly of Councillors – Briefing by VicRoads including Grant Street/Gisborne Road update and Geelong-Bacchus Marsh Road Options • Assembly of Councillors – Regional Rail Line Upgrade
17 March	<ul style="list-style-type: none"> • Ballan Autumn Festival Opening Night Celebration • Ballan District Health & Care Book Launch – People with the Right Spirit 50 Years of Service: 72 Years of Fundraising
19 March	<ul style="list-style-type: none"> • Ballan Autumn Festival and Grand Parade Judging
22 March	<ul style="list-style-type: none"> • Assembly of Councillors – Update by Audit Committee Chair
26 March	<ul style="list-style-type: none"> • Pub Clinic: Community Event for Men's Health, Myrniong
29 March	<ul style="list-style-type: none"> • 'Meet the Mayor' at Myrniong Primary School
5 April	<ul style="list-style-type: none"> • Assembly of Councillors – Review of Draft 2017/18 Budget and Council Plan • Ordinary Meeting of Council

Resolution:

Crs. Toohey/Sullivan

That the Mayor's report be received.

CARRIED.

14. COUNCILLORS' REPORTS

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

Cr. Toohey	
March 2017	
9 March	Greendale Reserves Committee of Management Annual General Meeting
27 March	Gordon Reserve Annual General Meeting

Cr. Dudzik	
March 2017	
28 March	Bacchus Marsh Business Network – monthly meeting

Cr. Tatchell	
March 2017	
19 March	Ballan Autumn Festival
22 March	Myrniong Public Hall – Annual General Meeting
31 March	Ballan Recreation Reserve Committee of Management Meeting

Cr. Sullivan	
April 2017	
5 April	Along with Mayor Cr. Edwards, Mr. Colgan, Acting CEO, and Mr. Sandhu, General Manager met with visiting MAV President Cr. Mary Lalios

Resolution:

Crs. Toohey/Sullivan

That the Councillors' reports be received.

CARRIED.

15. URGENT BUSINESS

15.1 Regional Rail Upgrade (Ballarat Line) Project – Bungaree Loop

Resolution:

Crs. Sullivan/ Keogh

- 1. *That as a part of the Regional Rail upgrade (Ballarat Line) Project that the Chief Executive Officer writes to Public Transport Victoria requesting that the 'Bungaree Loop' be kept open and the option of an integrated transport hub be explored on the site of the old Wallace Station site and the Western Freeway at Wallace.***
- 2. *That a copy of the letter be also sent to the Minister for Public Transport, the Hon. Jacinta Allan and the Roads Minister the Hon. Luke Donnellan.***

CARRIED.

15.2 Illegal Dumping of Rubbish by Campers – Moorabool River, Morrisons

Resolution:

Crs. Sullivan/Dudzik

- 1. *That the CEO writes to the Secretary of the Department of Environment, Land, Water and Planning, Mr. Adam Fennessy, requesting that the Department take action regarding illegal dumping of rubbish by campers along the Moorabool River at Morrisons.***
- 2. *As Easter is rapidly approaching that the advice to the Secretary be sent off as soon as possible.***

CARRIED.

15.3 Apple FM – Rental Space at Civic and Community Hub, Darley

Resolution:

Crs. Tatchell/Toohey

That a report come back to Council with possible alternative recommendations in regards to the opportunity for Apple FM to rent unused space at Darley hub.

CARRIED.

15.4 Ballan Recreation Reserve – Tree Removal and Hazards

Resolution:

Crs. Tatchell/Toohey

That Council write to the Regional Director, Mr. Grant Hull, Department of Environment, Land, Water and Planning in regards to the damage caused by the removal of trees and hazards left at the Ballan Recreation Reserve.

CARRIED.

16. CLOSED SESSION OF THE MEETING TO THE PUBLIC**ADJOURNMENT OF MEETING – 6.29 PM**

Crs. Sullivan/Tatchell

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

CARRIED.

RESUMPTION OF MEETING –6.38 PM

Crs. Sullivan/Bingham

That the meeting now be resumed.

CARRIED.

16.1 Confidential Report**CLOSURE OF THE MEETING TO THE PUBLIC – 6.38PM**

Resolution:

Crs. Sullivan/Toohey

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.

17. MEETING CLOSURE

The meeting closed at 6.45 pm.

Confirmed.....Mayor.