

ORDINARY MEETING OF COUNCIL

Minutes of the Ordinary Meeting of Council
held in Council Chamber, 15 Stead Street, Ballan on
Wednesday 05 December 2018, at 6:00 p.m.

Members:

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

Officers:

Mr. Derek Madden	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

Derek Madden
Chief Executive Officer

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1. OPENING OF MEETING AND PRAYER

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

2. ACKNOWLEDGEMENT TO COUNTRY

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

3. RECORDING OF MEETING

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

- *The Moorabool News; and*
- *The Star Weekly*

4. PRESENT

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

Officers:

<i>Mr. Derek Madden</i>	<i>Chief Executive Officer</i>
<i>Mr. Danny Colgan</i>	<i>General Manager Social and Organisational Development</i>
<i>Mr. Phil Jeffrey</i>	<i>General Manager Infrastructure</i>
<i>Mr. Satwinder Sandhu</i>	<i>General Manager Growth and Development</i>
<i>Mr. Steve Ivelja</i>	<i>Chief Financial Officer</i>
<i>Mr. Ian Waugh</i>	<i>Manager Community & Recreation Development</i>
<i>Mr. Andy Gaze</i>	<i>Coordinator Community Health & Safety</i>
<i>Ms. Michelle Morrow</i>	<i>Coordinator Governance</i>
<i>Ms. Emma Szymanski</i>	<i>Minute Taker</i>

5. APOLOGIES

Nil.

6. CONFIRMATION OF MINUTES**6.1 Ordinary Meeting of Council – Wednesday 07 November 2018 & Special Meeting of Council (Statutory and Annual Appointments) – Monday 26 November 2018****Recommendation:**

That Council confirms the Minutes of the Ordinary Meeting of Council held on Wednesday 07 November 2018, and the Minutes of the Special Meeting of Council (Statutory and Annual Appointments) held on Monday 26 November 2018.

Resolution:

Crs. Edwards/Bingham

That Council confirms the Minutes of the Ordinary Meeting of Council held on Wednesday 07 November 2018, and the Minutes of the Special Meeting of Council (Statutory and Annual Appointments) held on Monday 26 November 2018, with the following amendment:

That Council defer a decision on Item 11.3.8 - Community Grants Program Round 2, 2018 until the next Council meeting and for an Assembly of Councillors to be arranged prior to this meeting to provide Councillors with greater detail in relation to the projects.

CARRIED.

7. DISCLOSURE OF CONFLICT OF INTEREST

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

Definitions of the class of the interest are:

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

Time for Disclosure of Conflicts of Interest

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

Section 79(6) of the Act states:

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

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

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

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

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

Nil.

8. PUBLIC QUESTION TIME

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

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

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

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

A Councillor or Council officer may:

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

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

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

Nil.

9. PETITIONS

Nil.

10. PRESENTATIONS / DEPUTATIONS

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

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

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

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

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

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

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

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

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

Nil.

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

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

Nil.

11. OFFICER'S REPORTS

11.1 CHIEF EXECUTIVE OFFICER

No reports for this meeting.

11.2 GROWTH AND DEVELOPMENT

11.2.1 Draft Community Local Law 2019

Author: Andy Gaze
General Manager: Satwinder Sandhu

Introduction

This report seeks Council approval to continue the process of making a new Local Law to replace the current Moorabool Shire Council General Local Law 2010. A further round of community consultation must be undertaken on the Draft Community Local Law 2019 due to amendments made in response to the previous consultation phase.

Background

The current Moorabool Shire Council General Local Law expires on 6 October 2020. A review of the current Local Law commenced in 2017 with two rounds of public consultation taking place. The Draft Community Local Law 2019 (**Attachment 11.2.1a**) is the result of this review process.

The Draft Community Local Law 2019 has been prepared with reference to the State Government Guidelines for the Local Laws and a review of best practice approach across Victoria. This report details the review process to-date, details the major changes via the Community Impact statement December 2018 (**Attachment 11.2.1b**) and recommends the future way forward. The Draft Community Local Law 2019 has been reviewed by solicitors to ensure that it meets the drafting guidelines and does not breach the requirements of the *Local Government Act 1989*.

The Draft Community Local Law 2018 was advertised through the 'Have Your Say' portal, by direct mail to key stakeholders and through the local press in July and August 2018. Feedback obtained through this process and further internal feedback led to the amended Draft Community Local Law 2018 being presented to Council at an Assembly of Council (AOC) on 3 October 2018. At this AOC full details of all the external comments were provided to Councillors. Further amendments as requested by Councillors during the AOC and final discussions with solicitors have resulted in this final draft before Council today. An annotated version showing all the amendments to the original community Local Law 2018 that was presented for community consultation in July and August 2018 is shown in **Attachment 11.2.1d**. Details of the comments received from external community and stakeholders can be seen in **Attachment 11.2.1c**. The details of those who submitted the comments and any details that may identify individuals or properties have been withheld for privacy reasons.

The amendments made due to the consultation process have resulted in the need for the Draft Community Local Law 2019 to again be submitted for public consultation. The consultation stage this time will not be as extensive (in time) as the Draft Community Local Law 2019 has already been out for consultation. The consultation phase will primarily concentrate on the areas of amendment to the Draft Community Local Law 2019 due to the last round of community consultation.

The Local Law Community Impact Statement December 2018 (**Attachment 11.2.1b**) has also been amended in line with the amendments to the Draft Community Local law 2019.

A further report is planned to be brought to Council at its March meeting detailing any further responses received and a finalised version of the draft Community Local Law 2019 for Council consideration. If Council at that time considers that the Draft Community Local Law 2019 requires further major amendment and these amendments place additional burdens on individuals or groups there is a potential that further public consultation will be required.

During now and formal making of the Community Local Law 2019 a number of internal processes will need to be amended and procedures changed to allow for a seamless transition by Council from the current Local Law to the new Local Law. This work with principally involve setting:

- standards for permit applications and assessments;
- standards with regard to compliance functions; and
- new fees and charges for new permits.

Proposal

It is proposed that the review of the Local Laws continues and in line with the requirements of the Local Government Act 1989 the Draft Community Local Law 2019 is placed on exhibition for 6 weeks from 18 December 2018 to 2 February 2019 and that public submissions are invited. It should be noted that due to previous extensive consultation the submissions should focus on the document changes.

Policy Implications

The Council Plan 2017-2021 provides as follows:

Strategic Objective 1: Providing Good Governance and leadership

Context 1C: Our Business and systems

The proposal to review the Local Law is consistent with the Council Plan 2017 – 2021.

Financial Implications

The Draft Community Local Law 2019 contains a number of requirements for people to obtain a permit to undertake specific activities. The provision of these permits will take up resources and as such appropriate fees will need to be levied to ensure that they are provided on a cost neutral setting. It also places numerous requirements over certain activities which have to be monitored by Council staff and action taken for non-compliance. Compliance and enforcement action are by their very nature resource intensive and the introduction of these Local Laws may place additional burdens upon the Council in ensuring that the requirements are met.

Risk & Occupational Health & Safety Issues

The Draft Community Local Law 2019 sets policy for the way forward to ensure local community and environmental wellbeing and liveability of the area over the next 10 years. If the Local law is either too onerous, not specific enough or does not have community and business support activities can be allowed that will be detrimental to the Local community, environment and the areas liveability. To ensure that the requirements of the Local law are able to be successfully implemented it is essential that adequate resourcing be given to ensure that all residents and stakeholders are aware of the requirements and that as required action can be initiated to ensure compliance.

Communications and Consultation Strategy

The community, stakeholders and internal staff have been consulted during the formulation of the Draft Community Local Law 2019. Full community consultation was undertaken in July and August 2018 through the Council's 'Have Your Say' portal. The consultation process was advertised on Council's website, within the local press media and by direct mail to major stakeholders. The proposed new round of consultation will be in the same format as before by utilising Council's 'Have Your Say' portal, placing a notice within the media and direct mail to major stakeholders.

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 – Andy Gaze

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

Conclusion

Due to amendments made to the Draft Community Local Law 2018 following the previous round of consultation a further round of consultation is required. It is proposed to undertake this community consultation from 18 December 2018 to 2 February 2019. This round of community consultation is principally designed to consider any responses to the amendments made considering the previous community consultation phase. A further report to Council is proposed for the March or April 2019 meeting where Council can consider any responses received and decide on the way forward.

Recommendation:**That Council:**

1. **Note the submissions received on the Draft Community Local Law 2018**
2. **Continue the statutory process for the making of a Local Law and endorse the Draft Community Local Law 2019 (as tabled Attachment 11.2.1a) as a proposed Local Law for public exhibition and submissions under section 223 of the Local Government Act 1989;**
3. **Gives public notice of the exhibition of the Draft Community Local Law No. 1 and invites public submissions under section 223 of the Local Government Act 1989;**
4. **Resolve that the public notice period to commence on 18 December 2018 and finish on 2 February 2019**

Resolution:**Crs. Sullivan/Edwards*****That Council:***

1. ***Notes the submissions received on the Draft Community Local Law 2018.***
2. ***Continues the statutory process for the making of a Local Law and endorses the Draft Community Local Law 2019 (as tabled Attachment 11.2.1a) as a proposed Local Law for public exhibition and submissions under section 223 of the Local Government Act 1989;***
3. ***Gives public notice of the exhibition of the Draft Community Local Law No. 1 and invites public submissions under section 223 of the Local Government Act 1989;***
4. ***Resolves that the public notice period is to commence on 18 December 2018 and finish on 2 February 2019***
5. ***Resolves for section 6.10(a)&(b) of the Draft Local Law to be amended to state that Camping on Private Land is permitted for a period of 28 days***

CARRIED.**Report Authorisation****Authorised by:**

Name: Satwinder Sandhu
Title: General Manager Growth and Development
Date: Thursday, 15 November 2018



11.3 SOCIAL AND ORGANISATIONAL DEVELOPMENT

11.3.1 Community Grants Program Round 2

Author: Ian Waugh
General Manager: Danny Colgan

Background

A report was presented to the Ordinary Meeting of the Council held on the 7 November 2018 on the Community Grants Program Round 2, 2018. At the meeting, the Council resolved: *“That Item 11.3.8 - Community Grants Program Round 2, 2018 be deferred for further consideration by Councillors”.*

The purpose of this report is to present Council with an assessment of applications received for the 2018 Round 2 Community Grants, which total \$270,400 per annum. Round 2 of the Community Grants Program opened on August 1 and closed on September 7 2018 (extended deadline). The submission deadline was extended due to technical issues with the Community Grants submission portal.

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

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

- **Arts Grants:** Supporting local artists and organisations to use a creative approach to the development of community projects and initiatives (\$10,000 available this round).
- **Community Strengthening Grants:** Community projects, programs and initiatives with a specific focus on connecting communities and building community capacity (\$60,000 available this round).
- **Events Grants:** Non-recurrent, seed funding designed to encourage and promote the development of sustainable local events (\$10,000 available this round).
- **Community Development Fund Grants:** Supporting community infrastructure projects which significantly impact on community development. One or more projects may be funded up to \$100,000 in this round, with any remaining funding allocated to a second round opening the following March during Round 1 (\$213,226 available in this round).
- **Sustainability and Environment Engagement Grants:** Supporting the community in reducing expenditure of gas and electricity, investing in sustainability measures and providing opportunities to raise awareness of environmental issues to the broader community (\$10,400 in this round).

Community groups and organisations can apply for up to \$5,000 for Community Strengthening Grants and up to \$3,000 for Arts, Events and Sustainability Grants. Groups also need to demonstrate a cash or in-kind contribution toward the cost of their project on a ratio of \$1 for \$1 (Council \$1: Group \$1). Small Community Strengthening projects under \$1,000 are not required to demonstrate a contribution.

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

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

The categories under the Community Grants program recognise the diverse range of activities that community groups in Moorabool are engaged in and the areas in need of financial support from Council.

Applicant Support

The Community Grants Policy specifies that applicant groups are encouraged to meet with a Council Officer prior to lodging an application. The majority of applicant groups in this round received support and advice from Council Officers before lodging their application.

Policy Assessment Criteria:

- Project Description and why the applicant wants to do the project – 10%
- What will this project achieve? – 20%
- Why is this project needed in your community? – 20%
- Who will be involved in the project? 15%
- How will you carry out your project? (including risk management) – 15%
- Project budget and explanation of how the group arrived at the costs? 20%

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

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

Number of applications and amount requested

In total, 28 applications were received across the five program categories: Community Strengthening Grants (14), Community Events Grants (6), Arts and Culture Grants (3), Development Fund Grant (4) and Sustainability and Environmental Engagement Grant (1). A total of \$252,122 was requested with \$404,431 available.

Category	Applications Received	Amount Available	Amount Requested	Amount Recommended
Community Arts	3	\$10,000	\$7,600	\$7,600
Community Strengthening Grant	14	\$60,000	\$36,635	\$23,850
Community Events Grant	6	\$10,000	\$16,000	\$4,000
Community Development Fund Grant	4	\$213,226	\$188,887	\$138,887
Sustainability and Environmental Engagement Grant	1	\$10,400	\$3,000	\$3,000
2017/18 Carry over		\$100,805		
Total	28	\$404,431	\$252,122	\$177,337

Assessment

Assessment of applications was conducted by a panel of officers across Council units and ranked according to the extent to which the application addressed the policy assessment criteria. Members of the panel score applications individually prior to the panel meeting to discuss the projects and allocate the final aggregated score.

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

Proposal

Based on the assessment process and funding criteria, it is proposed that the Council allocates grants for the 2018 Round 2 of Community Grants as follows:

Community Arts Grants:

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

Group Name	Project Name	Project Description	Community Arts Grant Requested	Total Project Value	Progressive Total	Policy Score
'WinterKnits' Group	Festival of WinterKnits Ballan	To showcase yarn art in Ballan.	\$3,000	\$6,000	\$3,000	75.94
Gordon Community Fair	Arts Showcase	To establish an arts showcase for the Gordon Community Fair.	\$3,000	\$20,000	\$6,000	72.75
Bacchus Marsh & Melton District Community Theatre Incorporated	Moonlite Theatre	To purchase a portable stage.	\$1,600	\$3,196	\$7,600	70.68
		Total	\$7,600	\$29,196		

Community Strengthening Grants:

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

Group Name	Project Name	Project Description	Community Strengthening Grant Requested	Total Project Value	Progressive Total	Policy Score
Moorabool Catchment Landcare Group	Cultural Indigenous Heritage Workshop and Educational Awareness Activities	To organise a workshop on cultural indigenous heritage, cultural land management and how to protect any sensitive sites.	\$4,300	\$10,300	\$4,300	84.55

Group Name	Project Name	Project Description	Community Strengthening Grant Requested	Total Project Value	Progressive Total	Policy Score
Darley Neighbourhood House and Learning Centre	Attractive Versatile Learning Spaces at DNH	To upgrade facilities and equipment.	\$3,000	\$6,000	\$7,300	82.25
Conservation Volunteers Australia	James Whyte Island Reserve Walking Track	To provide signage for nature walks.	\$4,800	\$15,440	\$12,100	80.08
Bacchus Marsh Netball Association	Junior Development Program	To provide equipment and coaching accreditation for a netball squad.	\$1,000	\$1,789	\$13,100	79.43
Ballan Tennis Club	Junior Coaching Program	To provide a coaching program for the junior tennis club.	\$3,060	\$6,120	\$16,160	78.25
Elaine Mechanics Institute Committee of Management	Community Engagement	To purchase a generator and install external power points.	\$5,000	\$10,000	\$21,160	75.58
Bacchus March Friendship Quilters Inc	Charity Quilts	To purchase materials to make patchwork quilts for local charities.	\$950	\$1,235	\$22,110	74.33
Ballan Brumbies Basketball Club	Practice backboards	To install three practice backboards at the Ballan Gymnasium.	\$840	\$1,290	\$22,950	74.23
Moorabool Makers (Charity Craft Group)	Craft for charity	To make garments and rugs for vulnerable people.	\$900	\$900	\$23,850	71.08
Elaine Cricket Club Inc	Playing shirts	To purchase uniforms for the cricket club.	\$1,000	\$1,169	\$24,850	67.63
Elaine Tennis Club Inc	Club uniforms	To purchase new shirts and skirts for the junior tennis players.	\$978	\$978	\$25,828	65.70

Group Name	Project Name	Project Description	Community Strengthening Grant Requested	Total Project Value	Progressive Total	Policy Score
Clarendon Recreation Reserve	Hub building	To purchase equipment for the new hall.	\$4,807	\$9,614	\$30,635	62.20
Ballan bowling club	Bore water upgrade	To purchase new uniforms for the bowling club.	\$5,000	\$7,000	\$35,635	61.75
Bacchus Marsh Little Athletics Centre	High Jump Mat replacement	To purchase a small high jump mat.	\$1,000	\$1,250	\$36,635	59.38
		Total	\$36,635	\$73,085		

Community Events Grants:

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

Group Name	Project Name	Project Description	Community Events Grant Requested	Total Project Value	Progressive Total	Policy Score
Bacchus Marsh Little Athletics Centre (This event is scheduled to take place on 1 December 2018)	50th Celebrations	To celebrate the Bacchus Marsh Little Athletics Centre's 50th season.	\$3,000	\$6,710	\$3,000	79.20
Run Ballan	Run Ballan Signage	To install permanent signage to create community awareness of our event.	\$1,000	\$2,150	\$4,000	71.03
Djerriwarrh Health Services	Longest Lunch	To raise funds for medical equipment.	\$3,000	\$6,000	\$7,000	66.70

Ineligible Community Event Grant Applications

Group Name	Project Name	Project Description	Community Events Grant Requested	Total Project Value	Progressive Total	Reason
Monster Mash	Monster Mash	Halloween event for youth	\$3,000	\$5,600	\$10,000	The application was incomplete with limited detail. The applicant was contacted prior but declined to revise the application. Funding being sought was retrospective as the event took place in October. This is an ongoing annual event that has received support through Council's Youth Services.
BM Aquatic Community Consortium	BM Flower Show	Raise funds for indoor aquatic centre	\$3,000	\$33,714	\$13,000	The application was Incomplete with limited detail. The activity is an ongoing annual event that is a fundraiser for the proposed Aquatic Centre. Funding being sought was retrospective due to the time lines of event. Applicant declined to revise application.
Webb Events Group & B3 Community	BM Christmas Festival	Christmas festival with carols	\$3,000	\$15,000	\$16,000	The applicant is ineligible to receive a grant as it is a commercial operator not a community organisation.
		Total	\$16,000	\$69,174		

Community Development Fund Grants:

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

Group Name	Project Name	Project Description	Community Development Fund Grant Requested	Total Project Value	Progressive Total	Policy Score
Bacchus Marsh Harness Racing Club	Harness Racing Track Redevelopment	To redevelop the Harness Racing Track to an industry standard 900 metre track with cambered turns and transitions.	\$100,000	\$398,876	\$100,000	80.93
Elaine Mechanics Institute Hall	Floorboard and external cladding	To replace floor and cladding at the Elaine Town Hall.	\$25,000	\$50,000	\$125,000	80.50
Mount Wallace Hall and Reserve	Power and Fencing Project	To provide playground fencing and lighting upgrade at Mount Wallace Hall.	\$13,887	\$27,774	\$138,887	75.03
Australian Working Dog Rescue LTD	Moorabool Stock Dog Club	To finish upgrading stockyards for dog training.	\$50,000	\$125,000	\$188,887	58.98
		Total	\$188,887	\$601,650		

Sustainability and Environmental Engagement Grants:

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

Group Name	Project Name	Project Description	Community Grant Amount Requested	Total Project Value	Progressive Total	Policy Score
Dunnstown Cricket Club	Hall lights	To replace internal fluorescent lighting at the Dunnstown Community Centre with more environmentally friendly LED lighting.	\$3,000	\$ 4,290	\$3,000	80.98
		Totals	\$3,000	\$4,290		

Policy Implications

The 2017 - 2021 Council Plan provides as follows:

Strategic objective 4 Improving social outcomes

Context 4b Community connectedness and capacity

The proposed allocation of grants under the 2018 Round 2 Community Grants Program is consistent with the 2017-2021 Council Plan.

Financial Implications

Consistent with the Community Grants Policy and 2018/19 budget allocation, a total of \$404,431 is available for allocation in Round 2 *Community Grants Program*.

The following amounts are recommended:

- \$7,600 for Arts and Culture Grants
- \$23,850 for Community Strengthening Grants
- \$4,000 for Community Events Grants
- \$138,887 for Community Development Fund Grants
- \$3,000 for Sustainability and Environmental Engagement Grants

The total grant funding being recommended for allocation this round is \$177,337.

Risk & Occupational Health & Safety Issues

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

Community Engagement Strategy:

Level of Engagement	Stakeholder	Activities	Location	Outcome
Consult	Unsuccessful former applicants	<ul style="list-style-type: none"> • Direct phone calls • Direct emails 		MSC provided guidance and advice. Former applicants resubmitted improved grants
Consult	Community Groups	<ul style="list-style-type: none"> • Direct email to Moorabool community/not for profit groups 	Various	MSC provided guidance and advice. Applicants supported to submit applications
	Moorabool residents	<ul style="list-style-type: none"> • Flyers in library books and displayed through the Moorabool libraries 	Various	Broader community reach and awareness of the Community Grants Program. Steer people to the website, which contains all required information to plan for as well as make their application.

Level of Engagement	Stakeholder	Activities	Location	Outcome
		<ul style="list-style-type: none"> • Promotional Flyers displayed on all noticeboards throughout shire 	<ul style="list-style-type: none"> • Darley Early Years Hub • Community Noticeboards: <ul style="list-style-type: none"> ➢ Mt Egerton ➢ Gordon ➢ Lal Lal ➢ Bungaree ➢ Blackwood ➢ Yendon ➢ Greendale ➢ Dunnstown ➢ Wallace • Local Businesses: <ul style="list-style-type: none"> ➢ Main St BM ➢ Darley ➢ Supermarkets BM and Ballan • Darley Neighbourhood House • Ballan & District Community House • BM Leisure Centre • Visitors Centre 	
		<ul style="list-style-type: none"> • Promotional posts on MSC Facebook pages • Promotional and informative posts on MSC website • Community Facebook Page 	<ul style="list-style-type: none"> • Website events page • Website community page • Corporate Facebook page • Leisure Centre Facebook page • Youth Facebook Page 	<p>Broader community reach and awareness of the Community Grants Program.</p> <p>Steer people to the website, which contains all required information to plan for as well as make their application.</p>

Level of Engagement	Stakeholder	Activities	Location	Outcome
		<ul style="list-style-type: none"> Promotional articles published in the following MSC publications 	<ul style="list-style-type: none"> Moorabool Matters Moorabool News - What's on Section AACA Newsletter Library Newsletter Enews - Economic Development Internal Newsletters 	Broader community reach and awareness of the Community Grants Program. Steer people to the website, which contains all required information to plan for as well as make their application.
	Rural/ Isolated Moorabool residents	Promotional visits to isolated and rural areas, accompanying the Moorabool Shire Library Van to library van stops	<ul style="list-style-type: none"> Gordon Elaine Ballan Bungaree Mount Egerton Dunnstown Lal Lal Blackwood 	Broader community reach and awareness of the Community Grants Program. Steer people to the website, which contains all required information to plan for as well as make their application.
Engage	Unsuccessful former applicants	<ul style="list-style-type: none"> Face to face meetings 		MSC provided guidance and advice. Former applicants resubmitted improved grants
	Community Groups	<ul style="list-style-type: none"> Meetings with applicant groups Community Grant Writing Workshop 	Various	MSC provided guidance and advice. Applicants supported to submit applications

By engaging the community through various channels there has been a considerable increase in activity on the Community Grants Program website page. In comparison to Round 2 Community Grants Program 2017, page views for Round 2 Community Grants Program 2018 has increased by 41.05% while individual users accessing the Community Grants Program website page has increased by 32.68%.

Communications and Consultation Strategy

Applicants for the *2018 Round 2* of Community Grants program have been notified that they will now be informed of the outcomes of their grant applications in December 2018.

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

Feedback will include:

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

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager –Danny Colgan

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

Author – Ian Waugh

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

Conclusion

Applications received under the *2018 Round 2* of Community Grants are reflective of the diverse range of activities that community groups are engaged in and the areas in need of financial support from Council. In total, 28 applications were received across the five program categories: Community Strengthening Grants (14), Community Events Grants (6), Arts and Culture Grants (3), Development Fund Grant (4) and Sustainability and Environmental Engagement Grant (1).

Resolution:**Crs. Keogh/Edwards**

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

Organisation Name	Project name	Amount
'WinterKnits' Group	Festival of WinterKnits	\$3,000
Gordon Community Fair	Arts Showcase	\$3,000
Bacchus Marsh & Melton District Community Theatre Incorporated	Moonlite Theatre	\$1,600
	Total	\$7,600

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

Organisation Name	Project name	Amount
Moorabool Catchment Landcare Group	Cultural Indigenous Heritage Workshop and Educational awareness activities	\$4,300
Darley Neighbourhood House and Learning Centre	Attractive Versatile Learning Spaces at DNH	\$3,000
Conservation Volunteers Australia	James Whyte Island Reserve Walking Track	\$4,800
Bacchus Marsh Netball Association	Junior Development Program	\$1,000
Ballan Tennis Club	Junior Coaching Program	\$3,060
Elaine Mechanics Institute Committee of Management	Community Engagement	\$5,000
Bacchus March Friendship Quilters Inc.	Charity Quilts	\$950
Ballan Brumbies Basketball Club	Practice backboards	\$840
Moorabool Makers (Charity Craft Group)	Craft for charity	\$900
	Total	\$23,850

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

<i>Organisation Name</i>	<i>Project name</i>	<i>Amount</i>
<i>Bacchus Marsh Little Athletics Centre</i>	<i>50th Celebrations</i>	<i>\$3,000</i>
<i>Run Ballan</i>	<i>Run Ballan Signage</i>	<i>\$1,000</i>
	<i>Total</i>	<i>\$4,000</i>

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

<i>Organisation Name</i>	<i>Project name</i>	<i>Amount</i>
<i>Bacchus Marsh Harness Racing Club</i>	<i>Harness Racing Track Redevelopment</i>	<i>100,000</i>
<i>Elaine Mechanics Institute Hall</i>	<i>Floorboard and external cladding</i>	<i>\$25,000</i>
<i>Mount Wallace Hall and Reserve</i>	<i>Power and Fencing Project</i>	<i>\$13,887</i>
	<i>Total</i>	<i>\$138,887</i>

5. ***That Council allocates the following grants in the Sustainability and Environmental Engagement Grant category:***

<i>Organisation Name</i>	<i>Project name</i>	<i>Amount</i>
<i>Dunnstown Cricket Club</i>	<i>Hall lights</i>	<i>\$3,000</i>
	<i>Total</i>	<i>\$3,000</i>

6. ***That all applicants be notified in writing of the outcome of their application.***
7. ***That Council Staff provide feedback to unsuccessful groups and provide suggestions for alternative funding (if applicable) or how the group may choose to improve and re-develop their application for submission to the next appropriate round of the Community Grants program.***

CARRIED.

Report Authorisation

Authorised by:



Name: Danny Colgan

Title: General Manager Social & Organisational Development

Date: Friday, 23 November 2018

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

Introduction

Author: Michelle Morrow
General Manager: Danny Colgan

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

Background

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

Proposal

In order to comply with the *Planning and Environment Act 1987* and the *Local Government Act 1989*, an Instrument of Appointment and Authorisation is now presented to the Council, as **Attachment 11.3.2**, requesting that the officers named in that Instrument be hereby appointed for the purposes of section 147(4) of the *Planning and Environment Act 1987* and the regulations made under that Act and section 232 of the *Local Government Act 1989* for the purpose generally to institute proceedings for offences against the Acts and regulations described in the instrument.

The change to this Instrument reflects the departure of staff within the Planning and Environmental Health service units along with the following:

Commencement of Liam Prescott	Strategic Planner
Commencement of Ana Mitrov	Strategic Planner

Policy Implications

The Council Plan 2017 – 2021 provides as follows:

Strategic Objective 1: Providing good governance and leadership

Context 1C: Our business and systems

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

Financial Implications

No financial implications to Council.

Risk & Occupational Health & Safety Issues

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

Victorian Charter of Human Rights and Responsibilities Act 2006

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

Officer's Declaration of Conflict of Interests

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

General Manager – Danny Colgan

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

Author – Michelle Morrow

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

Conclusion

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

Resolution:

Crs. Sullivan/Dudzik

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

CARRIED.

Report Authorisation

Authorised by:



Name: Danny Colgan

Title: General Manager Social and Organisational Development

Date: Friday 23 November 2018

11.4 INFRASTRUCTURE

11.4.1 Consideration of Rate Cap Variation for 2019/20

Introduction

File No.: 07/01/011
Author: Steve Ivelja
General Manager Phil Jeffrey

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

Background

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

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

For 2017/18 and 2018/19, Council elected to not apply for further rate cap variations. The decision to not apply for a rate cap variation reflects the Councils desire to maintain its levels of service and infrastructure at current levels.

There is a necessity for Council to resolve the matter of whether it plans to apply for a rate cap variation to enable adequate lead time for Officers to develop a project plan if necessary.

Community Engagement

If Council elects to apply for a rate cap variation, a detailed Community Engagement plan would need to underpin any application.

Proposal

That Council resolve the matter of whether it seeks to apply for a rate cap variation for the 2019/20 budgeting and planning cycle.

Policy Implications

The 2017 - 2021 Council Plan provides as follows:

Strategic Objective 1:	Providing Good Governance and Leadership
Strategic Context 1C:	Our Business and Systems
Strategic Action 4:	Financial Sustainability

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

Financial Implications

Depending on whether Council elects to apply for a rate cap variation for the 2019/20 year and beyond, there will be a disparity in the level of funds it will have at its disposal to invest for the benefit of the community.

Risk & Occupational Health & Safety Issues

The financial stability of Council is identified in Council's Strategic Risk profile. Based on Council rates being capped at between 2.0% - 2.50% in 2019/20 (subject to confirmation) and projected CPI for future years, Council has currently assessed its ongoing financial sustainability as a medium risk. A number of controls are in place to manage the ongoing financial sustainability of Council.

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Financial stability of Council	Limited funding or significant changes in funding sources limiting ability to deliver on Council's objectives.	Medium	<p>Long term financial plan in place to document and review Council's Financial position and assist with strategic management of council's finances.</p> <p>Regular financial reporting to Audit & Risk Advisory Committee aligns with Council reporting</p> <p>Adherence to financial metrics as identified by VAGO and the LGPRF</p> <p>Focus on advocacy to support achievement of identified community needs</p> <p>External audits of financial accounts undertaken on an annual basis.</p> <p>Service Review and Planning Policy and Framework implementation</p> <p>Each service undertaking a review of their services every three to five years</p> <p>Linking asset plans, community infrastructure plans and service plans to Council's Long Term Financial Plan</p> <p>Borrowing funds within a sound financial management framework as a mechanism to finance major projects, as it spreads the payments for such assets across the generations who benefit</p>

			<p>Cost control and identifying opportunities to increase revenue streams</p> <p>Applying for a rate cap variation where required</p>
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Communications and Consultation Strategy

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

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 – Steve Ivelja

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

Conclusion

Council currently awaits the ministerial announcement of the rate cap for 2019/20. It is currently anticipated that the rate cap will be set at between 2.0% - 2.5%.

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

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

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

Resolution:

Crs. Bingham/Dudzik

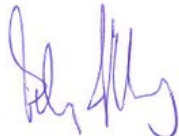
That the Council resolves to not apply for a rate cap variation for the 2019/20 financial year.

CARRIED.

Report Authorisation

Authorised by:

Name: Phil Jeffrey
Title: General Manager Infrastructure
Date: Thursday, 15 November 2018



11.4.2 Review of Property Rate Debt Management Policy

Introduction

Author: Jacinta Erdody
General Manager: Phil Jeffrey

Background

Council last adopted the Property Rate Debt Management Policy in July 2015 and at this time the Policy was adopted for a three year period. Overall the Policy and its contents continues to work well and provides a consistent framework for managing the collection and escalation of property rate accounts.

A summary of proposed amendments to the policy are summarised as part of this report and shown below.

Proposal

Below is a summary of the proposed changes to the policy through this review:

- Reminders for Instalment and Full Payment accounts to be posted on Council's Social Media avenues at the same time reminders are placed in Moorabool News; - the rationale for this change reflects the expanded communication platforms that Moorabool Shire has at its disposal since the policy was last adopted.
- Within the escalation of accounts to the appointed Collection Agency, prior to a Complaint being issued, the appointed debt collection agency will endeavour to conduct a Field call to the rated address or mailing address as final attempt to engage a ratepayer in conversation about the outstanding rate debt; - the rationale for the inclusion of this amendment is to reflect best practice. It is also noted that this step is currently part of Moorabool Shires current debt collection practice.
- The threshold for the issue of complaints has been raised from \$1,000 to \$1,500 due to increasing costs with the Magistrates Court for the issue of a Complaint; - the rationale for this change is to ensure that the costs of legal action are proportional and reasonable relative to the overall rate debt and seeks to maintain a fair and balanced approach to the instigation of legal action.
- Where an application for the waiver of interest and/or costs is approved, if future accounts are not paid in accordance with the required payment dates Council will have the right to re-instate any previously waived interest and/or costs; - the rationale for this change reflects continued learnings from the property and rate debt management process. The aim is to ultimately ensure that waiver of interest and /or cost is tied to future good conduct and aims to incentivise ratepayers maintaining their rates account going forward.
- Provisions for unclaimed excess sales monies from properties sold under provisions of the Local Government Act 1989 Section 181; - the rationale for this is to ensure that any excess funds from property sales be used to offset sales that have not covered the full cost of outstanding debt or be used to defray the write off of debt deemed as unrecoverable.

- Changes to the level of delegations for Waiver of Interest and/or costs to ensure smoother operation of policy without escalation for lower value waivers; - the rationale for this change seeks to ensure appropriate management intervention based on the materiality of the request and also reflects that the delegations have not changed for a number of years. The proposed changes to the delegations for interest and/or costs is proposed as follows;

Waiver of interest and/or costs*	Up to \$500 \$1,000	Revenue Services & Procurement Coordinator
Waiver of interest and/or costs*	> \$500 \$1,000 and < \$1000 \$5,000	Chief Financial Officer
Waiver of interest and/or costs*	> \$1,000 \$5,000	General Manager Infrastructure

- The provisions for low value waiver of rates where there are Council administrative errors- the rationale for this is to ensure where there are instances requiring the write off of low value / immaterial rates and charges (for e.g. due to administrative errors) that the Chief Financial Officer be duly authorised to approve these negating the need for council approval as is currently required. The proposed changes to the delegations for interest and/or costs is proposed as follows;

Waiver of Rates and Charges as a result of administrative errors	Up to \$1,000	Chief Financial Officer
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Consideration

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

Policy Implications

The Council Plan 2017-2021 provides as follows:

Strategic Objective 1: Providing Good Governance and Leadership

Context 1C: Our Business and Systems

The proposal for the review and updated of the Property Rate Debt Management Policy is consistent with the Council Plan 2017 – 2021.

Financial Implications

There are no known financial implications as a result of the proposed changes within the Property Rate Debt Management Policy.

Community Engagement Strategy

Level of Engagement	Stakeholder	Activities	Outcome
Advise	Ratepayers	Communication of policy with ratepayers through day to day conversations	Informed Ratepayers

Communications and Consultation Strategy

Following review and adoption of the updated Policy, the updated Policy will be uploaded to 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 – Jacinta Erdody

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

Conclusion

Overall the Property & Rate Debt Management policy provides a consistent framework for the collection and escalation of Council's property rate accounts. The proposed amendments seek to ensure that the policy continues to meet operational requirements over coming years.

Resolution:

Crs. Sullivan/Edwards

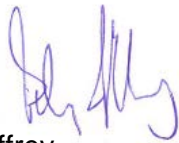
1. ***That Council receives the Property & Rate Debt Management Policy; and,***
2. ***That, in accordance with Moorabool Shire Council Policy Protocol, 'Consideration of items which affect beyond the Current Year', the following Property Rate Debt Management Policy (Version 4) as attached, now lay on 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: Monday, 26 November 2018



12. OTHER REPORTS

12.1 Assembly of Councillors

File No.: 02/01/002

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

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

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

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

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

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

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

- Assembly of Councillors – Wednesday 14 November 2018 – Review of the Community Grants Policy Changes
- Assembly of Councillors – Wednesday 14 November 2018 – Review of Statutory Meeting of Council Committees (with officers) and Appointment of Members of Reserves and Halls Committees of Management

Resolution:

Crs. Bingham/Dudzik

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

- ***Assembly of Councillors – Wednesday 14 November 2018 – Review of the Community Grants Policy Changes***
- ***Assembly of Councillors – Wednesday 14 November 2018 – Review of Statutory Meeting of Council Committees (with officers) and Appointment of Members of Reserves and Halls Committees of Management***

CARRIED.

12.2 Section 86 – Delegated Committees of Council – Reports

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

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

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

Nil.

12.3 Advisory Committees of Council - Reports

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

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

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

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

Committee	Meeting Date	Council Representative
Heritage Advisory Committee	Wednesday 17 October 2018	Cr. Keogh

Resolution:

Crs. Sullivan/Bingham

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

- ***Heritage Advisory Committee, Wednesday 17 October 2018***

CARRIED.

13. NOTICES OF MOTION**13.1 Cr. Edwards: N.O.M. No. 275 - Preparation of Concept Plan – Indoor Stadium on Taverner St Land****Motion:****That Council:**

- 1. Develop a concept plan for a combined Indoor Sports and Aquatic Facility for the land owned by Council in Taverner Street, Maddingley. The Concept Plan should be consistent with the Indoor Recreation Feasibility Study and, as a minimum, should provide:**
 - a. Basketball/Netball courts**
 - b. 50m indoor pool**
 - c. Hydrotherapy pool**
 - d. Specialist Medical rooms**
 - e. Community Meeting Space**
 - f. Car Parking**
- 2. Have the Concept Plan ready for the Federal election in 2019.**

Resolution:**Crs. Edwards/Keogh*****That Council:***

- 1. Develop a concept plan for a combined Indoor Sports and Aquatic Facility for the land owned by Council in Taverner Street, Maddingley. The Concept Plan should be consistent with the Indoor Recreation Feasibility Study and, as a minimum, should provide:***
 - a. Basketball/Netball courts***
 - b. Indoor pool***
 - c. Hydrotherapy pool***
 - d. Specialist Medical rooms***
 - e. Community Meeting Space***
 - f. Car Parking***
 - g. Splash Park***
- 2. Have the Concept Plan ready for the Federal election in 2019.***

CARRIED.

13.2 Cr. Bingham: N.O.M. No. 276 - Streaming of Council Meetings

Resolution:

Crs. Bingham/Dudzik

That Council:

- 1. *Prepares a report exploring options and any financial impact to Council to implement live streaming at the following Council Meetings:***
 - a. Ordinary Meetings of Council***
 - b. Special Meetings of Council***

CARRIED.

13.3 Cr. Bingham: N.O.M. No. 277 - Inclusion of (in camera) Agenda Items in the Public Agenda

Resolution:

Crs. Bingham/Dudzik

That Council:

Make public the title (In Camera) agenda items with details such as: Division, Director, Author/Position and reasoning for discussion (In Camera) i.e. contractual matter, financial hardship.

CARRIED.

14. MAYOR'S REPORT

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

Cr Paul Tatchell – Mayor's Report	
<i>Date: 5 December, 2018</i>	
<i>10 November</i>	<ul style="list-style-type: none"> • <i>Launch of Bacchus Marsh & District Historical Society WW1 Book</i>
<i>11 November</i>	<ul style="list-style-type: none"> • <i>Ballan RSL Remembrance Day Service and March</i>
<i>14 November</i>	<ul style="list-style-type: none"> • <i>Assembly of Councillors – Review of the Community Grants Policy Changes</i> • <i>Assembly of Councillors – Review of the Statutory Meeting of Council Committees</i>
<i>16 November</i>	<ul style="list-style-type: none"> • <i>Opening of Fish Care Conference, Myrniong</i>
<i>21 November</i>	<ul style="list-style-type: none"> • <i>S86 Development Assessment Committee Meeting</i>
<i>28 November</i>	<ul style="list-style-type: none"> • <i>Special Meeting of Council – Statutory & Annual Appointments Meeting</i>
<i>30 November</i>	<ul style="list-style-type: none"> • <i>Red Cross Flower Show</i>
<i>1 December</i>	<ul style="list-style-type: none"> • <i>CFA Presentation Night</i>
<i>2 December</i>	<ul style="list-style-type: none"> • <i>Meeting with Michaela Settle, Member for Buninyong</i>
<i>4 December</i>	<ul style="list-style-type: none"> • <i>Launch of the WRISC Family Violence Support Circle of Strength Courage Cards</i>
<i>5 December</i>	<ul style="list-style-type: none"> • <i>International Day of People with a Disability, Bacchus Marsh</i> • <i>Assembly of Councillors – Local Area Traffic Management Study Stage 2</i> • <i>Assembly of Councillors – Integrated Water Forum Presentation</i> • <i>Ordinary Meeting of Council</i>

Resolution:

Crs. Bingham/Edwards

That the Mayor's report be received.

CARRIED.

15. COUNCILLORS' REPORTS

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

Cr. Sullivan	
November/December 2018	
29 November	Grampians Central Waste Local Government Forum (including presentation on Ballarat's Waste Vision)

Cr. Bingham	
November/December 2018	
11 November	Bacchus Marsh RSL Remembrance Day Service
24 November	State Election
5 December	International Day of People with a Disability and Launch of Marveloo

Cr. Keogh	
November/December 2018	
9 November	Visits to nursing homes for Remembrance Day
11 November	Bacchus Marsh RSL Remembrance Day Service

Cr. Dudzik	
November/December 2018	
22 November	Moorabool Drug Action Group Meeting
25 November	"Walk for Her" – Maddingly Park, International Day for the Prevention of Violence Against Women
4 December	Launch of the WRISC Family Violence Support Circle of Strength Courage Cards
5 December	International Day of People with a Disability and Launch of Marveloo

Resolution:

Crs. Sullivan/Edwards

That the Councillors' reports be received.

CARRIED.

16. URGENT BUSINESS**Resolution:****Crs. Sullivan/Bingham**

- 1. That Moorabool Shire Council submit a written response to the VEAC Central West Investigation Draft Proposals Paper**
- 2. That the following items form the basis of this paper**
 - Disappointment with the lack of engagement with Moorabool Shire and the communities and towns which reside within and nearby the Wombat State Forest, the Lerderderg State Park and the Bungal State Forest.**
 - The seemingly lack of economic and social analysis of the impact of these proposed changes on the communities and businesses within and nearby the forests and the wider Moorabool community**
 - The lack of detail on the resources required to manage the proposed changes. Fire, pest plant and animals are management issues that need to be considered.**

CARRIED.**ADJOURNMENT OF MEETING – 7.20 PM****Crs. Edwards/Bingham*****That the meeting now stand adjourned for a period of 10 minutes.*****CARRIED.****RESUMPTION OF MEETING – 7.30 PM****Crs. Sullivan/Bingham*****That the meeting now be resumed.*****CARRIED.**

17. CLOSED SESSION OF THE MEETING TO THE PUBLIC**17.1 Confidential Report****Resolution:****Crs. Sullivan/Edwards**

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

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

CARRIED.

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

18. MEETING CLOSURE

The meeting closed at 7.31pm.

Confirmed.....Mayor.