



SPECIAL MEETING OF COUNCIL

Minutes of a Special Meeting of Council,
Statutory and Annual Appointments Meeting
held in the Council Chamber, 15 Stead Street, Ballan
on Wednesday 8 November 2017 at 6.00 p.m.

Members:	Cr. Paul Tatchell	Central Moorabool Ward
	Cr. Jarrod Bingham	East Moorabool Ward
	Cr. Tonia Dudzik	East Moorabool Ward
	Cr. David Edwards	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

1.1 Acting Chairperson

The Chief Executive Officer as Chairperson, opened the meeting with the Council Prayer at 5.00pm.

1.2 Council Prayer

Almighty God be with us as we work for the people of the Shire of Moorabool.

Grant us wisdom that we may care for the Shire as true stewards of your creation.

May we be aware of the great responsibilities placed upon us.

Help us to be just in all our dealings and may our work prosper for the good of all.

Amen.

2. ACKNOWLEDGEMENT TO COUNTRY

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

3. RECORDING OF MEETING

As well as the Council for its minute taking purposes, the following organisations have been granted permission to make an audio recording of this meeting of Council:

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

4. PRESENT

<i>Cr. Paul Tatchell</i>	<i>Central Moorabool Ward</i>
<i>Cr. Jarrod Bingham</i>	<i>East Moorabool Ward</i>
<i>Cr. John Keogh</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>

In Attendance:

<i>Mr. Rob Croxford</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>Ms. Michelle Morrow</i>	<i>Minute Taker</i>
<i>Ms. Dianne Elshaug</i>	<i>Executive Assistant to CEO</i>

Introduction and welcome to Members of Parliament, former Mayors and Councillors, Councillors, media representatives and community members.

*Mr. Allan Comrie – former Mayor and Councillor
Mr. Russ Hendry – former Councillor
Mr. John Spain – former Councillor
Mr. Robert Neilson – former Councillor*

We also extend a warm welcome to the partners of our past and current Councillors.

5. APOLOGIES

*Ms. Catherine King, MP – Member for Ballarat
Senator Bridget McKenzie - Senator for Victoria
Ms. Jaala Pulford, Mr. Simon Ramsay, Ms. Gayle Tierney and Mr. Joshua Morris – Members for Western Victoria
Mr. Geoff Howard – Member for Buninyong
Mr. Don Nardella – Member for Melton
Mrs Wendy Kendall – former Councillor
Ms. Del Leggatt OAM – former Councillor*

6. BUSINESS

6.1 Moorabool Shire Council Statutory and Annual Appointments

6.1.1 Chief Executive Officer's Report - Statutory and Annual Appointments Process

The Council has established as practice the holding of a Special Meeting each year following the anniversary of the conduct of a General Election. This Special Meeting, called the Statutory and Annual Appointments meeting, considers a number of statutory matters including:

- Election of Mayor for the forthcoming year.
- Election of Deputy Mayor for the forthcoming year (if determined).
- Councillor and Mayoral allowances.
- Council and Committee Meeting structure.
- Appointments to Section 86 (S86) Committees and Advisory Committees.
- Determination of Councillor/officer representation on various working groups and external committees to assist Council advocacy.

The provisions of the *Local Government Act 1989*, section 71(2) provides Council with an option to resolve to elect a Mayor for a term of 1 or 2 years. A reference to the term of Office of the Mayor is presented in Item 5.1.4 of this agenda. The term of the Office of the Mayor expires at 6.00am on the day of election of the Mayor.

The election of a Deputy Mayor is optional; it is not specifically provided for within the *Local Government Act 1989*. Under Part 15, Clause 15.2(e) of the Moorabool Shire Council Meeting Procedure Local Law No.9, Council may determine to elect a Deputy Mayor and this provision is presented for Council's consideration under Item 5.1.6 of this Agenda.

Pursuant to the provisions of section 72 of the *Local Government Act 1989* and Part 15, Clause 15.3 of the Meeting Procedure Local Law, Local Law No.9, the Chief Executive Officer shall act as Chairperson until the following matters are determined:

- a) the receipt of nominations for the election of Mayor;
- b) the election of the Mayor.

Following the election, the Mayor shall assume the Chair to deal with the remaining matters before the Meeting.

It is generally accepted that the Council annually reviews the Council and Committee meeting structure in order to ensure that the interests of good governance, facilitated by sound decision making promoted within an appropriate framework of Council meetings, can best be served. Such considerations form part of the business to be considered at this Special Meeting.

A number of Special Committees constituted within the legislative provisions of Section 86 of the *Local Government Act 1989* as well as Advisory Committees complete the framework of governance within Moorabool Shire Council. Consideration by Council of the appointment of these Committees will also occur in the business of the Meeting.

In order for Moorabool Shire Council to pursue its role of advocacy and represent the interests of the community, Council seeks to be represented on a variety of committees and organisations which are established not only within Moorabool Shire, but more broadly within the region and also within industry representative associations. Involvement in these areas provides the Council with a broader perspective in undertaking its policy deliberation role. Consideration of such Council representative appointments will be determined at the Meeting.

Resolution:

Crs. Edwards/Keogh

That the Chief Executive Officer's Report - Statutory and Annual Appointments Process be received.

CARRIED.

6.1.2 Former Mayor's Report

The former Mayor, Cr. David Edwards, presented his report on the November 2016 to November 2017 Mayoralty term.

The last 12 months have been great and provided many new experiences and has certainly helped me grow as a person. I have found it very humbling to lead the Council and represent the whole community of Moorabool. We have achieved many things over 12 months and built some very strong relationships that will put us in good stead as Moorabool moves forward.

As the Mayor of this year's Council I have been extremely fortunate to see the work of a number of Council projects bear fruit, with Moorabool Shire delivering important projects across the Shire that included:

- *Darley Early Years Hub - \$2.3 Mil*
- *Ballan Meredith Road rehabilitation - \$515K*
- *Inglis Street Ballan kerb and channel - \$324K*
- *Glenmore Road roundabout - \$1.2Mil*
- *Egerton-Ballark Road rehabilitation - \$450K*
- *Dunnstown Yendon Road rehabilitation - \$380K*
- *Darley Hub Sports Pavilion - \$900K*
- *Halletts Way O'Leary Way Extension - \$12 Mil*

Just as importantly, we have completed a number of key strategic documents such as the Small Towns Strategy and Precinct Structure Plans for a number of towns. This will be the driver for delivering controlled and well managed growth throughout the Shire that will ensure we don't lose the character of our 61 towns and hamlets.

The strategic work is so important and it has given us the tools to advocate strongly, and we now have commitment from other Government agencies for projects such as:

- *CFA training facility in Ballan - \$31 Mil*
- *Halletts Way On and Off Ramps - \$15 Mil*
- *Sewer of Bungaree and Wallace in CHW's five year plan - \$9 Mil*
- *Commitments for Gisborne Road overpass upgrade - \$2.1 Mil*
- *Blackwood Localised Septic Program - \$240K*

We have a small team compared to our neighbours to the East and the West, but our staff have shown that they get on with business and deliver. Moorabool has won a number of awards over the last 12 months from our work with emergency management and the Scotsburn Fire Recovery and the delivery of our Darley Early Years Hub.

Good work, and please continue to challenge convention and continue to be local government leaders in innovation. I thank all our staff for their efforts and congratulate them for their achievements.

Moving forward Moorabool has many challenges in front of it. We have continued growth in Bacchus Marsh and Ballan and the new growth identified in Merrimu, Parwan and Hopetown Park. Moorabool will need to be carefully managed to ensure we do not lose our rural identity and the features that make us who we are. There is great opportunity to decentralise the growth and remove the barriers that prevent some of our smaller towns such as Bungaree and Wallace from growing to a sustainable level.

From a more personal perspective I would like to thank my fellow Councillors, Council Officers and the CEO for their support and assistance. Rob, Di and Jacquie, thanks for keeping me on track and to Lynette and my family I could not have been effective or enjoyed the experience without your support.

Resolution:

Crs. Keogh/Sullivan

That the former Mayor's Report for the Mayoralty term of November 2016 to November 2017 be received.

CARRIED.

6.1.3 Vote of Thanks to the outgoing Mayor

Prior to calling for nominations for the position of Mayor, the Acting Chairperson called upon any Councillors who wished to express appreciation to the outgoing Mayor for his term in Office.

The following Councillors expressed their appreciation to the outgoing Mayor for his term in Office.

Cr. Paul Tatchell

Cr. Pat Toohey

Cr. Jarrod Bingham

Cr. John Keogh

The Chief Executive Officer, Mr. Rob Croxford, presented Cr. Edwards with a gift and Mrs. Edwards was presented a bouquet of flowers.

6.1.4 Determining the Term of the office of Mayor (Section 71 (2) - *Local Government Act 1989*; Part 15.2(b) - Meeting Procedure Local Law No.9)

As set out in Council's Meeting Procedure Local Law No. 9 in Part 15.2 (b), Before nominations for the office of Mayor are invited by the Chief Executive Officer, the Council must resolve if the term of the office of Mayor is to be for one (1) or two (2) years.

This option is available to the Council under the *Local Government Act 1989*, section 71 that says (inter alia) the following:

- (1) At a meeting of the Council that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.
- (2) Before a Mayor is elected under this section, the Council may resolve to elect a Mayor for a term of 2 years.
- (3) The Mayor is to be elected:
 - (a) after the fourth Saturday in October but not later than 30 November in each year; or
 - (ab) if under subsection (2), the Mayor is elected for a term of 2 years, the next election of Mayor is 2 years after the fourth Saturday in October but not later than 30 November in the second year after the election; or
 - (b) as soon as possible after any vacancy in the office of Mayor occurs.

If the Council resolves to elect the Mayor for a one year term, the office of the Mayor shall expire at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October 2018 but not later than 30 November 2018.

If the Council resolves to elect the Mayor for a two year term, the office of the Mayor shall expire at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October 2019 but not later than 30 November 2019.

The Chief Executive Officer, acting as Chairperson, shall call for a determination of the term of office for the Mayor.

Recommendation:

That pursuant to the provisions of section 71 of the *Local Government Act 1989*, the Council resolves that the term of office for the Mayor of Moorabool Shire Council will be ____ year(s) with that term expiring at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October ____ but not later than 30 November ____.

Resolution:

Crs Toohey/Sullivan

That pursuant to the provisions of section 71 of the Local Government Act 1989, the Council resolves that the term of office for the Mayor of Moorabool Shire Council will be 1 year with that term expiring at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October 2018 but not later than 30 November 2018.

CARRIED.

6.1.5 Election of Mayor (Section 71, *Local Government Act 1989*; Part 15 - Meeting Procedure Local Law No.9)

An election for the position of Mayor shall be conducted at the meeting.

The *Local Government Act 1989*, section 71 says (inter alia) the following:

- (1) At a meeting of the Council that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.
- (2) Before a Mayor is elected under this section, the Council may resolve to elect a Mayor for a term of 2 years.
- (3) The Mayor is to be elected:
 - (a) after the fourth Saturday in October but not later than 30 November in each year; or
 - (ab) if under subsection (2), the Mayor is elected for a term of 2 years, the next election of Mayor is 2 years after the fourth Saturday in October but not later than 30 November in the second year after the election; or
 - (b) as soon as possible after any vacancy in the office of Mayor occurs.

It is noted that the Council's Policy No. G008 – Councillors and Members of Council Committees Expense Entitlements & Resources Policy includes the provision of a fully maintained motor vehicle at the current standard and upon the current conditions, together with communication equipment to facilitate effective performance of a Councillor in the office of Mayor.

The Chief Executive Officer, acting as Chairperson, shall conduct the election for the office of Mayor of Moorabool Shire Council for the term of office as resolved by the Council in the Agenda item 5.1.4. and shall call for nominations.

Pursuant to the provisions of section 71 of the *Local Government Act 1989*, Cr. _____ has been declared as the Mayor of Moorabool Shire Council for the term expiring at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October _____ but not later than 30 November _____.

Following the election the Mayor will be assisted in being robed as a symbol of taking up the robes of office. The Mayor shall then assume the Chair to deal with the remaining business of the Meeting.

The Chief Executive Officer called for nominations for the office of Mayor.

***Cr. Bingham nominated Cr. Tatchell
Cr. Tatchell accepted the nomination***

***Cr. Toohey nominated Cr. Sullivan
Cr. Sullivan accepted the nomination***

The Chief Executive Officer then called for voting for the office of the Mayor.

Cr. Tatchell	4 Votes
Cr. Sullivan	3 Votes

Pursuant to the provisions of section 71 of the Local Government Act 1989, Cr. Paul Tatchell is elected as the Mayor of Moorabool Shire Council for the term expiring at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October 2018 but not later than 30 November 2018.

Cr. Tatchell left the Council Chambers at 6.16pm to dress in the Mayoral robe and chain.

Cr. Tatchell returned to the Council Chambers at 6.19pm.

The Mayor, Cr. Tatchell assumed the Chair for the remaining business of the Meeting.

Statement by newly elected Mayor:

The newly elected Mayor made a short statement of thanks in response to the Councillors' confidence and an indication of aspirations for the term in office.

Firstly I would like to thank the Councillors, for seeing an opportunity to give me another run. It's always difficult when there's a vote for Mayor, because I know that either candidate are more than capable of doing the job; and probably no one more capable than Cr. Sullivan. So I would just like to acknowledge Cr. Sullivan.

We are in a different time now and decentralisation is probably our future. Making sure that Moorabool is not just the road between Melbourne and Ballarat plays an integral part in decentralisation. The growth here alone is suggesting that we need to now get rid of some of those invisible fences that are the conduits between these two shires.

I know that there is a dramatic difference in how they're funded. Our Shire has a budget of \$44 million compared to Ballarat with \$440 million and yet we still have a third more roads to look after and a lot more space to look after; 61 towns to look after. So I think this year the key is to make sure that the Government understands that we are part of that tapestry. We're not just Moorabool, we are part of the peri urban region, and Cr. Edwards has done a lot of work to make sure we are on top of that.

So it's a very humbling position to take on a role like this but I will say this. Every morning when I get up and every night that I go to bed in this year will be about making sure that the first thought on politician's minds is Moorabool and making sure they understand that without Moorabool the whole clone that they are trying to build in decentralisation can't work, won't work. It can no longer be that safe seat either; it needs to be that one needs the other. I think we

need to make the other shires understand that we are that conduit. With the sort of growth that we are getting it is only a matter of time and we need to find that balance. It is also very important that places like Ballarat understand the importance of the sewerage program at Bungaree, Wallace and Gordon.

We can no longer load up one end of the shire and expect it all to work; it just doesn't. We need to get that sewerage program going, we need to make it clear to Ballarat that the eastern side fulfils that full circle of Ballarat. That invisible fence that is stopping that. It is not only stopping investment, it is retarding growth and it is doing no favours towards decentralisation. I humbly acknowledge this job for what it is and I ensure I will do my very best to make sure we can make this work. Thank you.

6.1.6 Determination to Elect a Deputy Mayor

The election of a Deputy Mayor, whilst not specifically provided for within the *Local Government Act 1989*, is provided for under Part 15 – Clause 15.2(e) of the Moorabool Shire Council Meeting Procedure Local Law No.9 if the Council so determines.

In accordance with the Deputy Mayor Position Guidelines, adopted by Council on Wednesday 4 October 2017 at the Ordinary Meeting of Council, the position of Deputy Mayor supports the Mayoral role. The Deputy Mayor holds office for the same term of office as held by the Mayor.

Where the Mayor will knowingly be unable to fulfil their duties as Mayor, he/she is responsible for making arrangements with the Deputy Mayor as appropriate and as applicable and in line with the following statement on the role of the Deputy Mayor:

Role of the Deputy Mayor

- To act in accordance the *Local Government Act 1989* i.e. chairing Council meetings in the Mayor's absence, noting that a vote must be taken to elect an acting Chairperson.
- Attend social and other engagements at the request of the Mayor.
- Act as Council's official spokesperson in the Mayor's absence.
- Lead Council deputations when requested by the Mayor.
- Chair public meetings when requested by the Mayor.
- Preside at Citizenship Ceremonies in the Mayor's absence, in accordance with Section 27 of the *Australian Citizenship Act (2007)*.
- Assist the Mayor generally in the carrying out of his/her duties as requested by the Mayor from time to time.

With the following provisions:

- Council s.86 Delegated Committees and Advisory Committees

The Chairperson elected by the committee presides at the meeting. The Council is represented by its appointed representative(s) to that organisation.

- Working Groups, Industry Bodies and Forums – with representatives appointed by the Council

The Council is represented by its appointed representative(s) to that organisation.

- Discretion of the Mayor

Notwithstanding the role of the Deputy Mayor as set out above, the Mayor will have regard to local sensitivities and to particular circumstances, and may request that a local Ward Councillor represent Council at events or meetings, including those called at short notice.

Remuneration for the Deputy Mayor remains at the level of which is available to a Councillor.

The Council should now resolve whether it will or it won't make an appointment to the office of Deputy Mayor and if it does so, the term of office will be for the same term of office as held by the Mayor.

Recommendation:

That Council elects a Deputy Mayor for a term of _____ year with that term expiring at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October _____ but not later than 30 November _____.

Resolution:

Crs. Bingham/Keogh

That Council elects a Deputy Mayor for a term of 1 year with that term expiring at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October 2018 but not later than 30 November 2018.

CARRIED.

6.1.7 Election of a Deputy Mayor

This Agenda item is included if the Council resolves in item 5.1.6 above to make an appointment to the office of Deputy Mayor.

The election of the Deputy Mayor will be chaired by the newly elected Mayor in accordance with Part 15 – Clause 15.2(e) of the Moorabool Shire Council Meeting Procedure Local Law No.9.

The Mayor shall conduct the election for the office of Deputy Mayor of Moorabool Shire Council for the term of office as resolved by the Council in the Agenda item 5.1.4. and shall call for nominations.

Pursuant to the provisions of Part 15.2 (e) of Meeting Procedure Local Law No. 9, Cr. _____ has been declared as the Deputy Mayor of Moorabool Shire Council for the term expiring at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October _____ but not later than 30 November _____.

That in the absence of the Mayor, the Deputy Mayor shall perform the functions of Mayor in an acting capacity in accordance with the Local Government Act 1989, Council's Meeting Procedure Local Law No.9. and the Deputy Mayor Position Guidelines (October 2017).

The Mayor called for nominations for the office of Deputy Mayor.

***Cr. Bingham nominated Cr. Keogh.
Cr. Keogh accepted the nomination.***

***Cr. Toohey nominated Cr. Dudzik.
Cr. Dudzik accepted the nomination.***

The Mayor then called for voting for the office of the Deputy Mayor.

<i>Cr. Keogh</i>	<i>4 Votes</i>
<i>Cr. Dudzik</i>	<i>3 Votes</i>

Pursuant to the provisions of Part 15.2 (e) of Meeting Procedure Local Law No. 9, Cr. John Keogh is elected as the Deputy Mayor of Moorabool Shire Council for the term expiring at 6.00 a.m. on the day of the next election of the Mayor with this being after the fourth Saturday in October 2018 but not later than 30 November 2018.

6.1.8 Mayor and Councillor Allowances

A review of the Mayor and Councillors Allowances will take place in February 2018 taking into account the annual automatic adjustment announced by the Minister for Local Government under section 73B(4) of the *Local Government Act 1989* which is expected to occur by December 2017.

The current allowances indicated below will be maintained until a review is undertaken in February 2018.

- Councillor annual allowance - \$24,730;
- Mayoral annual allowance - \$76,521; and
- the equivalent of the superannuation guarantee contribution (SGC) (currently 9.5% of the allowances above).

The allowance for Mayor and Councillors will be adjusted accordingly with any increase, as determined by Council as a result of the annual automatic adjustment announced by the Minister for Local Government, and back paid to the effective date of the adjustment set out on the Victoria Government Gazette.

Mayor and Councillor Allowances will be paid during the ensuing year from Wednesday 8 November 2017 to the Statutory and Annual Appointments Meeting in 2018. The manner of payment of allowances will not exceed more than one month in advance.

Councillor Support

The following provisions, as set out in the Councillors and Members of Council Committees Expense Entitlements & Resources Policy, are determined to assist Councillors in their municipal duties that include:

Resources/facilities

- Administrative support for the Mayor
- Office for Mayor
- Vehicle for Mayor
- Computer – desktop or laptop
- Mobile phone and landline
- Stationery
- Access to fax/copier
- Website development as part of Council website

Reimbursement

- Travel – including reimbursement of public transport costs
- Phone – reimbursement of relevant call costs
- Internet
- Child care/family care

Resolution:

Crs. Edwards/Keogh

That the Mayor and Councillor Allowances Report be received.

CARRIED.

6.1.9 Special Committees of the Council (Section 86 *Local Government Act 1989*) - S86 Delegated Committees of the Council

Council may establish one or more special committees of the Council, which may be comprised of Councillors and other persons as members. These Committees have been established by Council under section 86 of the *Local Government Act 1989*.

These 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.

Special Committees of Council

(i) Development Assessment Committee

The Development Assessment Committee is a Delegated Committee established under section 86 of the *Local Government Act 1989* to act as a delegate of Council in determining planning applications made under the *Planning and Environment Act 1987* in line with the Terms of Reference and Protocol for Calling in Planning Applications.

The Committee also provides advice to Council on trends, issues and other matters relating to planning or development that have become apparent or arisen through the Committee's assessment of applications under the Act.

The Council representatives in 2016/17 on this committee were Cr. Dudzik, Cr. Keogh, Cr. Tatchell and Cr. Toohey.

(ii) Urban Growth Strategy Committee

The Urban Growth Strategy Committee is a Delegated Committee established under section 86 of the *Local Government Act 1989*. Its role is to develop a vision and planning principles to guide and manage future urban growth and development in the Shire. This Committee will monitor the implementation of phase 1 and 2 of the Moorabool Growth Planning Initiative, against the agreed milestones and timelines.

The Council representatives in 2016/17 on this committee were Cr. Dudzik, Cr. Bingham, Cr. Edwards, Cr. Keogh and the Mayor (ex Officio). Staff members attending this committee were the Chief Executive Officer, General Manager Growth & Development, Manager Strategic & Sustainable Development and Manager Statutory Planning & Community Safety.

(iii) Rural Growth Strategy Committee

The Rural Growth Strategy Committee is a Delegated Committee established under section 86 of the *Local Government Act 1989*. Its role is to develop a vision and planning principles to guide and manage future rural growth and development in the Shire.

This Committee will monitor the implementation of phase 1 and 2 of the Moorabool Growth Planning Initiative, against the agreed milestones and timelines.

The Council representatives in 2016/17 on this committee were Cr. Sullivan, Cr. Tatchell and Cr. Toohey, and the Mayor (ex Officio). Staff members attending this committee were the Chief Executive Officer, General Manager Growth and Development, Manager Strategic and Sustainable Development, Manager Statutory Planning and Community Safety.

(iv) Hall and Recreation Reserve Committees of Management

Committees of Management act as an agent of Council (not as an independent entity) in managing the Council assets entrusted in the Committee's care by:

- Undertaking the management of the Facilities on Council's behalf;
- Undertaking improvements to the Facilities subject to the Council's approval;
- Ensuring the Facilities are available for public use;
- Collecting rentals and charges from the users of the Facilities for casual hire;
- Expending funds on maintaining and improving the Facilities for the better use and enjoyment by the community and public; and
- Consulting and collaborating with Council on all major works and capital works development to ensure compliance with legislative requirements.

The 2016/17 representatives for each committee are listed below:

Hall and Recreation Reserve Committees of Management and	Council Representative 2016/17
Bacchus Marsh Hall Committee of Management	Cr. Bingham
Bacchus Marsh Racecourse and Recreation Reserve Committee of Management	Cr. Bingham
Bungaree Public Hall	Community Members
Dunnstown Recreation Reserve Committee of Management	Community Members
Elaine Recreation Reserve Committee of Management	Community Members
Gordon Public Hall Committee of Management Inc.	Community Members
Greendale Recreation Reserves Committee of Management	Cr. Toohey
Lal Lal Soldiers' Memorial Hall Committee of Management	Community Members
Maddingley Park Committee of Management	Community Members
Millbrook Community Centre	Community Members
Navigators Community Centre	Community Members
Wallace Recreation Reserve	Community Members
Wallace Public Hall	Community Members

(v) **Blacksmith's Cottage and Forge Committee of Management**

Blacksmith's Cottage and Forge Committee of Management manages the operations of the Blacksmith's Cottage and Forge in Bacchus Marsh with responsibility to:

- manage and promote the facilities within the approvals given by Council;
- recommend to Council policies aimed at promoting the use of the facilities for the benefit of the community;
- promote the facilities as a tourist attraction in Bacchus Marsh in liaison with other groups;
- explore and recommend options for future development of the facilities;
- prepare submission to Council for any capital or major works that the advisory committee considers desirable.

The 2016/17 representative for this committee was Cr. Edwards.

Resolution:

Crs. Edwards/Keogh

1. ***That pursuant to section 86 of the Local Government Act 1989, the Council retains the following Special Committees of the Council – S86 Delegated Committees of the Council to assist the Council in performing its functions and duties in the manner as currently prescribed and as provided for in the Instruments of Delegation authorised by Council;***

- ***Development Assessment Committee***
- ***Urban Growth Strategy Committee***
- ***Rural Growth Strategy Committee***
- ***Bacchus Marsh Hall Committee of Management***
- ***Bacchus Marsh Racecourse and Recreation Reserve Committee of Management***
- ***Bungaree Public Hall***
- ***Dunnstown Recreation Reserve Committee of Management***
- ***Elaine Recreation Reserve Committee of Management***
- ***Gordon Public Hall Committee of Management Inc.***
- ***Greendale Recreation Reserves Committee of Management***
- ***Lal Lal Soldiers' Memorial Hall Committee of Management***
- ***Maddingley Park Committee of Management***
- ***Millbrook Community Centre***
- ***Navigators Community Centre***
- ***Wallace Recreation Reserve***
- ***Wallace Public Hall***
- ***Blacksmith's Cottage and Forge Committee of Management***

2. ***That Council maintains the current membership structure of these committees.***

3. ***That a report be prepared for Council's consideration to review the Instruments of Delegation and Terms of Reference with a view to merging the following committees for 2017/2018;***
- (i) ***S 86 Urban Growth Strategy Committee***
(ii) ***S 86 Rural Growth Strategy Committee***
4. ***That a report be prepared for Council's consideration to review the Instruments of Delegation and Terms of Reference for the following committees for 2017/2018;***
- (i) ***Development Assessment Committee***
(ii) ***Hall and Recreation Reserve Committees of Management***
(iii) ***Blacksmith's Cottage and Forge Committee of Management***
5. ***That Council appoints representatives for its Special Section 86 Committees as set out below:***

S86 Delegated Committees of the Council	Council Representative 2017/2018
Development Assessment Committee	<i>Crs. Tatchell, Dudzik, Toohey, Keogh</i>
Urban Growth Strategy Committee	<i>Crs. Dudzik, Bingham, Edwards, Keogh</i>
Rural Growth Strategy Committee	<i>Crs. Sullivan, Toohey, Tatchell</i>
Bacchus Marsh Hall Committee of Management	<i>Cr. Bingham</i>
Bacchus Marsh Racecourse and Recreation Reserve Committee of Management	<i>Cr. Bingham</i>
Bungaree Public Hall	<i>Community Members</i>
Dunnstown Recreation Reserve Committee of Management	<i>Community Members</i>
Elaine Recreation Reserve Committee of Management	<i>Community Members</i>
Gordon Public Hall Committee of Management Inc.	<i>Community Members</i>
Greendale Recreation Reserves Committee of Management	<i>Cr. Toohey</i>
Lal Lal Soldiers' Memorial Hall Committee of Management	<i>Community Members</i>
Maddingley Park Committee of Management	<i>Community Members</i>
Millbrook Community Centre	<i>Community Members</i>
Navigators Community Centre	<i>Community Members</i>
Wallace Recreation Reserve	<i>Community Members</i>
Wallace Public Hall	<i>Community Members</i>

Blacksmith's Cottage and Forge Committee of Management

<i>Cr. Edwards</i>

6. *That Council notify the committees of the reappointment arrangements.*

CARRIED.

6.1.10 Advisory Committees of the Council

In addition to the Special Committees of Council with delegated authority that are established under the *Local Government Act 1989* (section 86), Council has the ability to create a committee by resolution as an Advisory Committee.

The following Committees currently have no specific 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 provides substantial expertise to the Council's planning by way of advisory recommendations.

The performance of specified statutory obligations of the Council are not placed upon these Committees. However, Council has the legislative ability to delegate authority and amend the operations and/or charter of individual Committees should circumstances warrant.

The following Advisory Committees have been established by Council.

Advisory Committees of the Council

(i) Social Development Committee

The Social Development Committee is an Advisory Committee with its role to consider and make recommendations to the Council on the following matters:

- social and recreation planning;
- social and recreation policy development;
- community grants;
- reserve and hall committees of management;
- leisure services contractual arrangements; and
- to provide feedback to officers during the development of strategic plans and policies.

The Council representatives in 2016/17 on this committee were Cr. Bingham, Cr. Dudzik and Cr. Tatchell.

The Committee has met infrequently and it is recommended that it be discontinued.

(ii) Place Making Committee

The Place Making Committee is an Advisory Committee and has been established to support development of a vision, framework, policies and strategic documents that guides future sustainable development in appropriate locations in the Shire, addressing land use, amenity and lifestyle opportunities whilst matching growth with the provision of physical and social infrastructure.

The Committee will ensure that Council plans and strategies are coordinated and help deliver sustainable communities in a coherent and cost effective manner in addition to considering and making recommendations to the Council on the following matters:

- Implementing the Moorabool 2041 framework.
- Integrated built and natural environment strategies.
- Integrated infrastructure planning and delivery.

The Council representatives in 2016/17 on this committee were Cr. Keogh, Cr. Sullivan and Cr. Tatchell.

The Committee has met infrequently and it is recommended that it be discontinued.

(iii) Audit and Risk Committee

The Audit and Risk Committee is an independent Advisory Committee to Council. The primary role of the Audit and Risk Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation's ethical development.

The Audit and Risk Committee is established to assist the coordination of relevant activities of management, the internal audit function and the external auditor, in order to facilitate achieving overall organisational objectives in an efficient and effective manner.

The 2016/17 representatives for this committee were Cr. Dudzik and Cr. Tatchell.

(iv) Bacchus Marsh District Trails Advisory Committee

The District Trails Advisory Committee comprises interested community members to advise Council on the development and integration of the community trails in the Bacchus Marsh district.

The 2016/17 representative for this committee was Cr. Bingham.

(v) Heritage Advisory Committee

The Heritage Advisory Committee was established to advise Council on the conservation, promotion and education of heritage matters within the Shire.

The 2016/17 representative for this committee was Cr. Tatchell.

(vi) Lal Lal Falls Reserve Advisory Committee of Management

The Lal Lal Falls Reserve Advisory Committee was created to provide advice on the development and management of this significant natural reserve.

The 2016/17 representative for this committee was Cr. Sullivan.

(vii) Moorabool Health and Wellbeing Advisory Committee

The Moorabool Health and Wellbeing Advisory Committee comprises community members to assist in the development of Council's Health and Wellbeing Strategy and Plan.

The 2016/17 representative for this committee was Cr. Tatchell.

The following nominated organisations and groups were appointed by Council for a two year term on 6 April 2016:

- Moorabool Agencies and Schools Together (MAST)
- Federation University
- School Focused Youth Service –Ballarat Community Health
- Djerrivarrh Health Services
- Department of Justice – Grampians Region
- Victoria Police – Bacchus Marsh
- Central Highlands Primary Care Partnership
- Ballan and District Health and Care
- Child and Family Services (CAFS)
- Women's Health Grampians
- Darley Neighbourhood House and Early Learning Centre
- Bacchus Marsh Community College
- Ballan and District Community House and Adult Education Centre
- Pinarc Disability Support
- Merrimu Services
- Highlands Local Learning and Employment Network

(viii) Moorabool Landcare Advisory Committee

The Landcare Committee comprises members of the community with land care experience or interest to advise Council on matters of land care policy, planning and development.

The 2016/17 representative for this committee was Cr. Keogh.

(ix) Moorabool Recreation and Leisure Strategic Advisory Committee

The Moorabool Recreation and Leisure Strategic Advisory Committee provides opportunities for community input into the planning and provision of recreation and leisure services and facilities across the municipality.

The 2016/17 representatives for this committee were Cr. Dudzik, Cr. Tatchell and Cr. Toohey.

The Committee has met infrequently and it is recommended that it be discontinued.

(x) Rural Advisory Committee

The Rural Advisory Committee provides advice to the Moorabool Shire Council on:

- advocacy to other levels of government on the impacts of government policy on farming,

- the development of alternative land valuation and rating models that will assist farming enterprises in Victoria,
- to provide an opportunity for increased networking and collaboration within the rural sector,
- promotion of agriculture to the broader community as a key driver of economic growth and rural amenity in the Shire including broad acre cropping, horticulture, viticulture, dairy, livestock and lifestyle/part time farming, and
- the development of key strategic documents of Council

No appointments for the 2016/17 period.

The Committee has not met and it is recommended that it be discontinued.

(xi) Bacchus Marsh Leisure Centre Joint Use Management Agreement Advisory Committee

The 2016/17 representative for this committee was Cr. Edwards.

(xii) Moorabool Access and Inclusion Advisory Committee

The establishment of the Moorabool Access and Inclusions Advisory Committee will provide opportunities for expertise and community input in to the planning and provision of services and facilities across the municipality by:

- representing the interests of all persons with a disability and others who may be affected by disability;
- promoting integration of disability access and inclusion as part of the core business of Council;
- responding and advising on a range of matters impacting on disability concerns, as requested by Council; and
- promoting, in accordance with the relevant legislation and the Access and Inclusion Plan, universal access and inclusion to persons with disability and to the wider community.

The 2016/17 preventatives for this committee were Cr. Dudzik (Chairperson) and Cr. Tatchell (Deputy Chairperson).

The Committee has met infrequently and it is recommended that it be discontinued.

Resolution:

Crs. Toohey/Dudzik

1. That Council discontinues the following Advisory Committees of the Council:

- **Social Development Committee**
- **Place Making Committee**
- **Moorabool Recreation and Leisure Strategic Advisory Committee**
- **Rural Advisory Committee**
- **Moorabool Access and Inclusion Committee**

2. ***That Council retains the following Advisory Committees of the Council to assist the Council in performing its functions and duties in the manner as currently prescribed and as provided for in the terms of reference authorised by Council:***

- ***Audit and Risk Committee***
- ***Bacchus Marsh District Trails Advisory Committee***
- ***Heritage Advisory Committee***
- ***Lal Lal Falls Reserve Advisory Committee of Management***
- ***Moorabool Health and Wellbeing Advisory Committee***
- ***Moorabool Landcare Advisory Committee***
- ***Bacchus Marsh Leisure Centre Joint Use Management Agreement Advisory Committee***

3. ***That Council appoints representatives for its Advisory Committees as set out below:***

Advisory Committees of the Council	Council Representative 2017/18
<i>Audit and Risk Committee</i>	<i>Crs. Dudzik, Tatchell</i>
<i>Bacchus Marsh District Trails Advisory Committee</i>	<i>Cr. Bingham</i>
<i>Heritage Advisory Committee</i>	<i>Cr. Tatchell</i>
<i>Lal Lal Falls Reserve Advisory Committee of Management</i>	<i>Cr. Sullivan</i>
<i>Moorabool Health and Wellbeing Advisory Committee</i>	<i>Crs. Dudzik, Tatchell</i>
<i>Moorabool Landcare Advisory Committee</i>	<i>Cr. Keogh</i>
<i>Bacchus Marsh Leisure Centre Joint Use Management Agreement Advisory Committee</i>	<i>Cr. Edwards</i>

4. ***That Council notify the committees of the reappointment arrangements.***

CARRIED.

6.1.11 Council Appointments to Working Groups, Industry Bodies and Forums

In order for Moorabool Shire Council to pursue its role of advocacy and represent the interests of the community, Council seeks to be represented on a variety of committees and organisations which are established not only within Moorabool Shire, but more broadly within the region and also within industry representative associations. Involvement in these areas provides the Council with a broader perspective in undertaking its policy deliberation role.

The 2016/17 representatives for each working group, industry bodies and forums are listed below:

Working Groups, Industry Bodies and Forums	Council Representative 2016/17
Central Highlands Local Learning and Employment Network (CHLLEN)	Cr. Bingham
Local Government Waste Forum – Grampians Central West Waste and Resource Recovery Region	Cr. Sullivan, Manager Operations
MAV Strategic Environment Advisory Group (SEAG)	Cr. Sullivan
MAV Emergency Management Committee	Cr. Keogh, EM Manager
MAV Defined Benefit Superannuation Taskforce	Cr. Sullivan
MAV Financial Assistance Grants and Rate Capping Taskforce	Cr. Sullivan
(MAV) Municipal Association of Victoria	Cr. Sullivan
Bacchus Marsh Aerodrome Management Committee	Cr. Keogh
Ballarat Rail Action Committee	Cr. Edwards, CEO
Central Highlands Community Road Safety Council	GM Infrastructure
Central Highlands Mayors' & CEOs' Forum	Mayor; CEO
CCMA SMO – Corangamite Catchment Management Authority Salinity Management Overlay Development Steering Committee	GM Growth & Development
Concerned Councils for the Moorabool River Flows and Environment	Cr. Toohey
Grow West Implementation Committee	Cr. Keogh, GM Growth & Development
Municipal Emergency Management Planning Committee (MEMPC)	Cr. Keogh
Municipal Fire Management Planning Committee (MFMPC)	Cr. Keogh
National Timber Councils Task Force	Cr. Sullivan
Peri Urban Councils	Cr. Edwards, Cr. Keogh (Proxy)
Timber Towns	Cr. Sullivan
Victorian Local Governance Association (VLGA)	Cr. Edwards
Western Highway Action Committee	Cr. Toohey, GM Infrastructure

Resolution:**Crs. Toohey/Dudzik**

1. ***That Council endorses its participation on the following Working Groups, Industry Bodies and Forums and appoints its representatives as detailed below:***

Working Groups, Industry Bodies and Forums	Council Representative 2017/18
Central Highlands Local Learning and Employment Network (CHLLEN)	<i>Cr. Bingham</i>
Local Government Waste Forum – Grampians Central West Waste and Resource Recovery Region	<i>Cr. Sullivan / Cr. Keogh (Proxy)</i>
MAV Strategic Environment Advisory Group (SEAG)	<i>No appointee</i>
MAV Emergency Management Committee	<i>Officer or Councillor Representative</i>
MAV Defined Benefit Superannuation Taskforce	<i>Cr. Sullivan</i>
MAV Financial Assistance Grants and Rate Capping Taskforce	<i>Cr. Sullivan</i>
(MAV) Municipal Association of Victoria	<i>Cr. Sullivan</i>
Bacchus Marsh Aerodrome Management Committee	<i>Cr. Keogh</i>
Ballarat Rail Action Committee	<i>Cr. Edwards</i>
Central Highlands Community Road Safety Council	<i>GM Infrastructure</i>
Central Highlands Mayors' & CEOs' Forum	<i>Mayor</i>
CCMA SMO – Corangamite Catchment Management Authority Salinity Management Overlay Development Steering Committee	<i>GM Growth & Development</i>
Concerned Councils for the Moorabool River Flows and Environment	<i>Cr. Toohey</i>
Grow West Implementation Committee	<i>Cr. Keogh</i>
Municipal Emergency Management Planning Committee (MEMPC)	<i>Cr. Keogh</i>
Municipal Fire Management Planning Committee (FMPC)	<i>Cr. Keogh</i>
National Timber Councils Task Force	<i>Cr. Sullivan</i>
Peri Urban Councils	<i>Cr. Edwards / Cr. Keogh (Proxy)</i>
Rural Councils Victoria	<i>Cr. Toohey</i>
Timber Towns	<i>Cr. Sullivan</i>
Victorian Local Governance Association (VLGA)	<i>Cr. Edwards</i>
Western Highway Action Committee	<i>Cr. Keogh</i>

- 2. That Cr. Sullivan and Cr. Keogh both be Council representatives on the Local Government Waste Forum – Grampians Central West Waste and Resource Recovery Region with Cr. Sullivan having voting rights at Forum meetings and Cr. Keogh having voting rights in Cr. Sullivan’s absence.**

- 3. That Council notify these Working Groups, Industry Bodies and Forums of the reappointment arrangements.**

CARRIED.

6.1.12 Moorabool Shire Council Meeting Framework

Introduction

In order that the functions of the Council in fulfilling its policy determination, leadership and strategic planning roles can be successfully undertaken, the conduct of the business of the Council requires a flexible approach with respect to its meeting framework.

It is the generally accepted view of good governance that the decision-making processes of the Council should be open to public scrutiny and conducted in a transparent manner which enables input by the community.

The conduct of meetings of Council should enable Councillors to best inform themselves in regard to matters for decision, engaging a process that appears comprehensive, democratic and professional to the community the Council serves.

In addition, the Council's Meeting Framework should endeavour to make efficient use of both Councillors' and Council officer's time. In this regard, the primary activity of the elected Council is to make decisions on policy matters and set strategic direction. The primary function of the organisation and its resources is then to implement such policy and strategic direction, providing accountability reporting back to the Council and the community. Sufficient scope needs to exist for community consultation which acts as a guide to the decision-making processes of the elected Council.

Moorabool Shire Council Meeting Framework

The following framework has been developed to provide for the efficient and effective conduct of the business of Council, in a manner which enables a transparent and interactive decision making process involving Moorabool Shire Council and the community, leading to effective decision making protocols.

Ordinary Meetings of Council

One Ordinary Meeting of Council be held each calendar month, on the first Wednesday, commencing at 6.00pm with meetings to be held in the Council Chambers Ballan, as indicated in the attached schedule.

The Ordinary Meeting of Council generally considers matters listed under the services areas of Governance, Infrastructure, Community Services and Growth and Development relating to service delivery policy and statutory obligations in addition to statutory planning and strategic land use planning. Notwithstanding, if matters of a more general nature require some urgency, the arrangements will facilitate incorporation within the agenda of the meeting for decision in order to meet pressing timelines.

Council Section 86 Delegated Committees and Advisory Committees

A schedule for the following Council committee meetings is attached:

- Development Assessment Committee (S86 Delegated)
- Audit and Risk Committee (Advisory)

The schedule also includes dates for February and March 2018 for the following committees pending consideration of a report that reviews their Terms of Reference and Instrument of Delegation with a view to their merger:

- Urban Growth Strategy Committee (S86 Delegated)
- Rural Growth Strategy Committee (S86 Delegated)

As part of this review an appropriate meeting framework from April 2018 onwards will be recommended.

Assembly of Councillors

In instances where discussion or interaction between Councillors and Council officers is required on policy or strategic matters an Assembly of Councillors shall be convened pursuant to the provisions of the *Local Government Act 1989*.

Such Assemblies of Councillors may, insofar as practicably possible, be convened on the afternoon of scheduled Ordinary Meetings of Council and Development Assessment Committees.

Resolution:

Crs. Bingham/Keogh

1. ***That in order to undertake considerations and decisions for the good governance of the Moorabool Shire, the Council determines the following meeting framework to be convened and undertaken in accordance with the provisions of the Local Government Act 1989 and the Moorabool Shire Council Meeting Procedure Local Law No. 9:***
 - a. ***Ordinary Council Meetings to be held on the first Wednesday of each calendar month, commencing at 6.00pm, with meetings to be held in Ballan.***
 - b. ***S86 Development Assessment Committee (DAC) meetings to be held on the third Wednesday of each calendar month, commencing at 5.00pm with the meetings to be held at the Darley Civic and Community Hub.***
 - c. ***Audit and Risk Advisory Committee meetings to be held on the second Wednesday of November, February, May and August commencing at 9.00am with the meetings to be held at the Lerderderg Library.***
 - d. ***Special meetings of the Council or the DAC may be held at other locations across the Shire as determined by the Mayor and CEO having regard to the nature of the agenda and spread of development applications.***
 - e. ***That the CEO be authorised to establish permanent audio amplification and appropriate meeting layouts at Ballan and Darley to facilitate the conduct of meetings.***

- f. Assembly of Councillors shall be convened pursuant to the provisions of the Local Government Act 1989 in instances where discussion or interaction between Councillors and Council officers is required on Policy or Strategic Matters.**

Such Assemblies of Councillors may, insofar as practicably possible, be convened on the afternoon of scheduled Ordinary Meetings of Council and Development Assessment Committees.

- 2. That the report to be presented to an Assembly of Councillors and an Ordinary Meeting of Council for the following committees that reviews the Terms of Reference and Instrument of Delegation with a view to their merger, also considers an appropriate meeting framework:**
- Urban Growth Strategy Committee (S86 Delegated)**
 - Rural Growth Strategy Committee (S86 Delegated)**
- 3. That the Council provides public notice, as required by the Local Government Act 1989, indicating the time, date and venue for convening Ordinary Meetings of Council and Council Committee Meetings, which shall be open to the public.**

CARRIED.

7. FURTHER BUSINESS AS ADMITTED BY UNANIMOUS RESOLUTION OF COUNCIL

7.1 Roadside Vegetation – Western Highway, Bacchus Marsh Eastern Interchange – Entrance to Bacchus Marsh

Resolution:

Crs Toohey/Sullivan

That Council contact VicRoads to address the overgrown roadside vegetation obstruction on the Western Highway at the Eastern Interchange at Bacchus Marsh as a matter of urgency.

CARRIED.

8. MEETING CLOSURE

The meeting closed at 6.38pm.

Confirmed.....Mayor.