



# **MINUTES**

## **Ordinary Council Meeting Wednesday, 7 May 2025**

**Date:** Wednesday, 7 May 2025

**Time:** 6.00pm

**Location:** Council Chambers, 15 Stead Street, Ballan &  
Online

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**1 OPENING OF MEETING AND PRAYER**

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

**2 ACKNOWLEDGEMENT OF COUNTRY**

I acknowledge the Traditional Owners of the land on which we are meeting. I pay my respects to their Elders, past and present, and the Aboriginal Elders of other communities who may be here today.

**3 RECORDING OF MEETING**

In accordance with Moorabool Shire Council's Governance Rules, the meeting is livestreamed.

**4 PRESENT**

Cr Paul Tatchell, Mayor

Cr Rod Ward, Deputy Mayor

Cr Moira Berry

Cr Jarrod Bingham

Cr Sheila Freeman

Cr John Keogh

Cr Ally Munari

Cr Tom Sullivan

Cr Steve Venditti-Taylor

**Officers:**

Mr Derek Madden

Chief Executive Officer

Mr David Jackson

General Manager Customer & Corporate Services

Mr Phil Jeffrey

General Manager Community Assets & Infrastructure

Ms Leigh McCallum

General Manager Community Strengthening

Mr Henry Bezuidenhout

Executive Manager Community Planning & Development

Mr Joseph Spiteri

Manager Governance & Civic Support

Ms Kate Barclay

Manager Growth & Development

**5 APOLOGIES**

Nil

**6 CONFIRMATION OF MINUTES****RESOLUTION**

Moved: Cr Ally Munari

Seconded: Cr John Keogh

That the minutes of the Ordinary Council Meeting held on Wednesday 2 April 2025 be confirmed.

**CARRIED**

**7 DISCLOSURE OF CONFLICTS OF INTEREST**

Nil

**8 PUBLIC QUESTION TIME**

Nil

**9 PETITIONS**

Nil

**10 PRESENTATIONS/DEPUTATIONS**

Item	Report	Speaker/s	Position	Attendance
12.2	Planning Scheme Amendment C108 - Ballan Precinct 5 - Consideration of Submissions	Marcus Ruthen	Objector	In person
		Rose de la Cruz	Objector	In person
		Renee Robinson	Objector	In person
		Danielle Anzai	Objector	In person
		Simon Maclellan, Wel.Co	Proponent	In person

**11 CHIEF EXECUTIVE OFFICER REPORTS****11.1 2021-2025 MOORABOOL SHIRE COUNCIL PLAN - PROGRESS REPORT - Q3 JANUARY - MARCH 2025**

**Author:** Karen Blobel, Organisational Development Business Partner

**Authoriser:** Derek Madden, Chief Executive Officer

**Attachments:** 1. 2021-2025 Council Quarterly Plan Action Report - 1 January 2025 to 31 March 2025 (under separate cover)

**PURPOSE**

The 2021-2025 Moorabool Shire Council Plan sits within the Council's planning framework and identifies the main priorities and expectations over a four-year period.

This report provides an update on the status of Council Plan actions for Quarter 3, January to March 2025.

**EXECUTIVE SUMMARY**

- There are 37 actions identified in the Council Plan to be achieved in Year 4, including 21 actions carried forward from Year 3.
- 11 Council Plan actions have been completed as of 31 March 2025, this includes one that is no longer proceeding.
- As of 31 March 2025, of the 37 Council Plan actions for 2024/25, reporting for this period indicates:
  - 26 actions (70.3%) have reached 90% or greater of their target for the period and therefore show as 'on track' (green). 11 of these actions are complete.
  - 8 actions (21.6%) are between 60% and 90% of its target, therefore requiring monitoring (yellow).
  - 3 actions (8.1%) have achieved less than 60% of its target, therefore showing as 'off track' (red).

**RESOLUTION**

**Moved:** Cr Rod Ward

**Seconded:** Cr Tom Sullivan

**That Council receive and note the 2021-2025 Moorabool Shire Council Plan Progress Report Q3 – January - March 2025, including attachment 1 of this report.**

**CARRIED**

**BACKGROUND**

The three strategic objectives outlined in the Council Plan that guide new initiatives and continuing service are:

1. Healthy, inclusive and connected neighbourhoods.
2. Liveable and thriving environments.
3. A Council that listens and adapts to the needs of our evolving communities.

Each objective has a set of priorities, or desired outcomes, which set out strategic actions to be undertaken over the planned four years to achieve the objectives.

The annual and quarterly performance reporting allows Council to effectively measure, monitor, review and report on its performance while providing open and transparent reporting to the community. This report presents the progress performance against the actions set for the FY 2024/25.

The Year 3 Council Plan Progress Report identified 21 actions that were not completed by 30 June 2024, these have now all been extended to be due by 30 June 2025.

### **PROPOSAL**

The 2021-2025 Moorabool Shire Council Plan – Progress Report Q3 – January – March 2025 is provided as Attachment 1 to this report.

There are 37 actions identified in the Council Plan to be achieved in Year 4. Key targets or milestones have been reviewed and set by managers to reflect the expected progress throughout the year.

Of the 37 actions identified to be achieved in Year 4, reporting for this period indicates that 11 actions have been completed. These actions are listed below.

1. Seek funding for Stage 3 BMRRR.
2. Implement the Visitor Economy Strategy Action Plan.
3. Consult and complete Rural Land Use Strategy.
4. Consult and completed Bacchus Marsh Town Centre Structure Plan.
5. Implement the Waste and Resource Recovery Strategy
6. Implement the Annual Actions from the Road Safety Strategy
7. Develop the Gateway Strategy
8. Develop a Sustainable Materials Policy for Infrastructure Work
9. Review the Customer Experience Strategy
10. Review and update the Draft Urban Design Guidelines for new development including sustainable subdivision principles
11. Complete construction of the Regional Bowls Facility (external funding dependant) shows as complete; however, a contract was not awarded due to budget constraints and clubs have notified council they do not want to proceed with the amended proposal.

Furthermore, as of 31 March 2025, 15 of actions show as on track against their targets.

The following table summarises the status of the actions under each strategic objective set to be achieved by 30 June 2025:

Strategic Objective	Completed	On track	Off track	Monitor	Total
Healthy, inclusive and connected neighbourhood.	3	6	2	3	14
Liveable and thriving environments.	7	4	1	5	17
A Council that listens and adapts to the needs of its evolving communities.	1	5	0	0	6
<b>Totals</b>	<b>11</b>	<b>15</b>	<b>3</b>	<b>8</b>	<b>37</b>

## COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

**Strategic Objective 3: A Council that listens and adapts to the needs of our evolving communities**

**Priority 3.4: Measure performance, communicate our results and continue to improve our services every day**

## FINANCIAL IMPLICATIONS

The implementation of Council Plan actions is resourced by Council's adopted annual budget.

## RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

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

## COMMUNICATIONS & CONSULTATION STRATEGY

The progress comments and performance status of each action will be uploaded onto the online Council Performance Dashboard in March 2025. Community members can access the dashboard to view the performance of each of the Council Plan Priorities.

Specific projects are the subject of their own communications strategy, nevertheless this report will be displayed on Council's website and the end-of-year progress will be reported in Council's Annual Report.

## VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

## OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.



*Executive Manager – Joshua Warner*

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

*Author – Karen Blobel*

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

## **CONCLUSION**

There are 37 actions being reported on for Year 4, including 21 actions carried forward from Year 3. As of 31 March 2025, 11 actions have been completed for this period. Overall, 70.3% of actions show as on track against targets, 21.6% of actions require monitoring and 8.1% have achieved less than 60% of its target and therefore are showing as 'off track.'

**11.2 2017 - 2021 MOORABOOL SHIRE COUNCIL PLAN - OUTSTANDING ACTIONS PROGRESS REPORT Q3 - JANUARY - MARCH 2025**

**Author:** Karen Blobel, Organisational Development Business Partner

**Authoriser:** Derek Madden, Chief Executive Officer

**Attachments:** 1. **2017-2021 Moorabool Shire Council Plan - Outstanding Actions Progress Report Q3 - January - March 2025 (under separate cover)**

**PURPOSE**

This report provides an update on the progress of outstanding actions from the 2017-2021 Moorabool Shire Council Plan.

**EXECUTIVE SUMMARY**

- 10 Strategic Actions were carried over from the 2017-2021 Council Plan. Eight actions have been completed and two remain 'In Progress'.
- Progress is being made on the two remaining actions which will continue to be reported on until completion.

**RESOLUTION**

**Moved:** Cr Rod Ward

**Seconded:** Cr Moira Berry

**That Council receive and note the 2017-2021 Moorabool Shire Council Plan – Outstanding Actions Progress Report – Q3 – January – March 2025, including attachment 1 to this report.**

**CARRIED**

**BACKGROUND**

Of the strategic actions identified for completion in the final year of the 2017-2021 Moorabool Shire Council Plan, 10 were incomplete as of 30 June 2021 and were not captured in Council's 2021-2025 Council Plan.

As of Q3 January – March 2025, 8 actions are completed, and 2 are incomplete. Accordingly, quarterly reporting will continue for these outstanding Council Plan actions until all actions are completed.

**PROPOSAL**

As of 30 June 2021, there were 10 actions outstanding from the 2017-2021 Council Plan. As of 31 March 2025, 2 of these actions remain incomplete. Both actions have reached between 80% and 85% of their target.

The progress report, including details against each of these outstanding actions, is provided in Attachment 1.

**COUNCIL PLAN**

The Council Plan 2021-2025 provides as follows:

**Strategic Objective 3: A Council that listens and adapts to the needs of our evolving communities**

**Priority 3.4: Measure performance, communicate our results and continue to improve our services every day**

The proposal to receive the 2017-2021 Moorabool Shire Council Plan – Outstanding Actions Progress Report Q3 January to March 2025 is consistent with the Council Plan 2021-2025.

**FINANCIAL IMPLICATIONS**

The implementation of outstanding Council Plan actions is resourced by Council's adopted annual budget.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

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

**COMMUNICATIONS & CONSULTATION STRATEGY**

Specific projects are subject of their own communications strategy.

**VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006**

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

**OFFICER'S DECLARATION OF CONFLICT OF INTERESTS**

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*Executive Manager – Joshua Warner*

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

*Author – Karen Blobel*

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

**CONCLUSION**

Council is committed to completing the outstanding actions from the 2017-2021 Moorabool Shire Council Plan, with continued reporting provided for good governance, in line with the overarching governance principles and supporting public transparency principles of the Local Government Act 2020.

Of the 10 outstanding strategic actions, 8 are now complete and two remain in progress. These actions will continue to be reported on until all have reached completion.

## 12 COMMUNITY PLANNING AND DEVELOPMENT REPORTS

### 12.1 PLANNING SCHEME AMENDMENT C115MOOR RETAIL STRATEGY - AUTHORISATION

**Author:** Liam Prescott, A/g Senior Strategic Planner

**Authoriser:** Henry Bezuidenhout, Executive Manager Community Planning & Development

**Attachments:** 1. C115 Planning Scheme Amendment Documentation (under separate cover)

#### PURPOSE

To consider Planning Scheme Amendment C115moor to implement the *Moorabool Retail Strategy 2024* into the Moorabool Planning Scheme.

#### EXECUTIVE SUMMARY

- Amendment C115moor seeks to change the Moorabool Planning Scheme to implement the recommendations of the *Moorabool Shire Retail Strategy 2024*, adopted on 4 September 2024.
- The Retail Strategy sets out Council's vision for a retail hierarchy across Moorabool Shire, provides guidance on activity centre scale, location and supports retail development in appropriate locations throughout the Shire over the next 10 years.
- As Moorabool Shire grows, new and larger retail activity centres will be required to serve everyday shopping needs of our communities. Amendment C115moor introduces guidance to support decision making and planning for appropriate retail developments which deliver the most benefits to the community, particularly in greenfield residential areas.

#### RESOLUTION

**Moved:** Cr Tom Sullivan

**Seconded:** Cr Rod Ward

**That Council:**

1. Seek authorisation from the Minister for Planning to prepare Planning Scheme Amendment C115moor to the Moorabool Planning Scheme in accordance with Attachment 1.
2. Upon receipt of authorisation, prepare and exhibit Amendment C115moor to the Moorabool Planning Scheme in accordance with relevant requirements of the *Planning and Environment Act 1987*.
3. Authorise the Executive Manager Community Planning and Development to make minor changes to the amendment documentation prior to exhibition where they do not alter the intent of the amendment.
4. Authorise the Executive Manager Community Planning and Development to negotiate and resolve any issues that are raised by submitters during the exhibition process prior to the amendment being reported back to Council for referral to a Planning Panel or adoption of the amendment.

**CARRIED**

## BACKGROUND

The previous *Retail Strategy 2041* (Macroplan Dimasi, 2016) was adopted in 2016. Following its adoption, the *Bacchus Marsh Urban Growth Framework* and *Ballan Strategic Directions* identified significant new residential growth areas in the shire with the potential to accommodate an additional 13,521 more residents in Moorabool. To service the increase, a greater retail provision is required, including additional town centres to provide local services.

An action of the *Bacchus Marsh Urban Growth Framework* was to review the Bacchus Marsh town centre, and develop a plan to support how the centre would need to change to service the needs of the additional residents.

In 2022 Council commenced an assessment of the retail environment across the shire, as part of the development of a shire-wide retail strategy, and a town centre structure plan for Bacchus Marsh.

Development of the Retail Strategy (the Strategy) was informed by targeted engagement with the Ballan and District Chamber of Commerce, the Moorabool Local Business Advisory Committee (LBAC), the community at Bacchus Marsh Town Centre Structure Plan drop-in sessions, and meetings with retail investors and developers.

The community provided feedback on the draft of the Strategy, with three strong themes emerging identifying the need for:

- Increasing retailer diversity to provide an improved range of retail and services in centres.
- Ensuring centres are accessible by public transport, walking and car, and close to where people live.
- General clothing retail to be available within Moorabool.

The Strategy sets out Council's vision for a retail hierarchy across the Shire and guidance for the development of retail activity centres in Moorabool Shire in the future.

The Strategy was adopted by Council 4 September 2024.

## Why was a Retail Strategy prepared

As Moorabool Shire grows, new retail activity centres will be required to serve everyday shopping needs and to provide central locations which promote community interaction. Existing centres will also require support and enhancement.

The retail strategy ensures Council is setting clear expectations for developers and investors and provides strategic justification for future planning scheme controls which will guide appropriate retail centre development. The Strategy assists in discussions and assessment of applications (both planning scheme amendments and planning permits) for new retail and activity centre proposals, including those relating to the proposed new growth precincts in Bacchus Marsh and Ballan. The Strategy provides:

- A vision for retailing in Moorabool Shire.
- A purpose and description of each objective.
- Principles for activity centre networks in growth areas.
- Actions and an implementation program.

## Retail Strategy Implementation

The objectives of the Strategy are to be implemented through Planning Scheme Amendment C115moor, which formalises the retail hierarchy and provides planning certainty for future developments.

Other actions coming from the Strategy include the *Bacchus Marsh Town Centre Structure Plan* (adopted 11 September 2024), a future Ballan Town Centre Structure Plan, and various planning and economic development activities and advocacy.

## PROPOSAL

Amendment C115moor proposes to amend the *Moorabool Planning Scheme* to implement the statutory recommendations of the *Moorabool Shire Retail Strategy 2024* by making the following changes:

- Replace Clause 02.03.1 *Strategic Directions* with a new 02.03.1 *Strategic Directions* that describes Bacchus Marsh as a Major Activity Centre and includes updates to Ballan and Small Towns and Settlements sections.
- Replace Clause 02.03.7 *Economic Development* with a new Clause 02.03.7 *Economic Development* that includes minor changes.
- Replace Clause 11.03-1L *Activity Centres* with a new Clause 11.03-1L *Activity Centres* which includes an updated Retail Centre Hierarchy and includes support for a future neighbourhood activity centre in the southern growth area of Ballan.
- Replace Clause 17.02-1L *Business* with a new Clause 17.02-1L *Business* which adds strategies for Bungaree and Gordon and updates the bulky goods/restricted retail strategy to provide potential for a centre in south Bacchus Marsh.
- Replace Clause 17.04-1L *Tourism* with a new Clause 17.04-1L *Tourism* which includes local strategies derived from the Visitor Economy Strategy 2024.
- Replace Clause 18.01-3L *Sustainable personal transport* with a new Clause 18.01-3L *Sustainable personal transport* which provides support for a walking and riding link between a future Ballan South neighbourhood activity centre and Inglis Street.
- In Clause 34.01, *Commercial 1 Zone* replaces the Schedule with a new Schedule which updates *1.0 Maximum leasable floor area requirements* based on the Retail Strategy assessments.
- Replace Clause 72.08 *Background Documents* with a new Clause 72.08 *Background Documents* which includes new background documents *Moorabool Shire Retail Strategy 2024* (Tim Nott with Hansen Partnership), *Economic Development Strategy* (Urban Enterprise, 2024), *Visitor Economy Strategy* (Urban Enterprise, 2024).
- Replace Clause 74.02 *Further strategic work* with a new Clause 74.02 *Further strategic work* which removes the Retail Strategy update action and adds an action to prepare an urban design framework or structure plan for Inglis Street commercial precinct (Ballan).

## Bacchus Marsh

The Retail Strategy assessed the market demand of existing and future catchments. It determined that the existing and planned activity centre hierarchy will be able to deliver shops and services to meet the demands of residents at the regional level. This considered development of

neighbourhood activity centres in new suburbs, along with the expansion of Darley Plaza, the recently opened Maddingley Village and Bacchus Marsh town centre.

The *Bacchus Marsh Town Centre Structure Plan* adopted in September 2024 and a future amendment to implement that strategy will provide guidance for medium and long term retail and commercial land uses within the town centre.

The greenfield areas of Bacchus Marsh (Merrimu, Parwan Station, Underbank) will need to plan for new neighbourhood centres at an early stage to ensure that residents are not isolated from daily services and that there is not an overprovision of retail opportunities. To ensure the quality-of-life which Moorabool is known for, it is important that daily needs are a short walk or drive away for all residents.

### **Ballan**

The amendment supports Ballan to grow substantially, providing an opportunity for the existing centre to mature into a more comprehensive retail centre. Larger scale and well-located development sites in Ballan are limited, meaning a carefully planned expansion will be required to ensure any retail developments outside the commercial core do not reduce activity within the existing main street centre. A future neighbourhood activity centre in the growth area south of the railway line would need to be timed to not impact negatively on the existing main street shopping precinct.

### **Bulky goods/Restricted Retail**

The amendment includes a new clause to guide the development of bulky goods/restricted retail development. This includes identifying a general location south of Bacchus Marsh, a land size required to meet the short to medium terms needs, and design guidance to assist in assessing development applications.

### **Small towns and settlements**

The amendment also encourages investment in smaller towns, both to provide local retail options for residents and to support the development of tourist retail offerings.

### **Next Steps**

In order to prepare and exhibit Planning Scheme Amendment C115moor to implement the Retail Strategy recommendations, Council is required to seek authorisation from the Minister for Planning.

Following receipt of authorisation:

- A period of public exhibition will be undertaken, in accordance with the requirements of the *Planning and Environmental Act 1987* and Ministerial Direction No. 15.
- Businesses, residents, landowners and the wider community will be invited to make submissions to Council on the proposed Amendment.
- A report will be brought to Council following public exhibition which considers and responds to the submissions received.
- Council will be able to request a planning panel to consider any unresolved submissions.

## COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

### Strategic Objective 2: Liveable and thriving environments

#### Priority 2.1: Develop planning mechanisms to enhance liveability in the Shire

The proposal to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C115moor is consistent with Council Plan Priority 2.1. The amendment proposes mechanisms to enhance liveability of residents in the Shire by improving access to goods and services.

## FINANCIAL IMPLICATIONS

As a Council initiated planning scheme amendment, Council is required to pay statutory fees in accordance with the planning and environment fees regulations. Council is also responsible for covering other costs associated with the Amendment as allowed under the Planning and Environment Act 1987, including advertising and panel costs.

## RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

No specific risks have been identified in seeking authorisation for Amendment C115moor.

## COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Relevant identified property owners and general community	Mail out, notification in gazette and Moorabool newspaper, and Council's Have Your Say website	Moorabool-wide	Exhibition to be undertaken within approximately 40 business days from receipt of authorisation	Submissions will be reported to Council. Unresolved submissions can be referred to an independent Planning Panel

## VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

## OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

*Executive Manager – Henry Bezuidenhout*

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



*Author – Liam Prescott*

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

## **CONCLUSION**

Amendment C115moor implements the *Moorabool Retail Strategy 2024* by providing guidance on activity centre scale and location and supporting retail development in appropriate locations throughout Moorabool Shire. The amendment is required to ensure that the Strategy can be considered in planning for existing and future developments.

## **12.2 PLANNING SCHEME AMENDMENT C108 - BALLAN PRECINCT 5 - CONSIDERATION OF SUBMISSIONS**

Marcus Ruthen addressed Council in relation to the Item.

Rose de la Cruz addressed Council in relation to the Item.

Renee Robinson addressed Council in relation to the Item.

Danielle Anzai addressed Council in relation to the Item.

Simon MacLennan, Wel.Co, addressed Council in relation to the Item.

**Author: Rod Davison, Senior Strategic Planner**

**Authoriser: Henry Bezuidenhout, Executive Manager Community Planning & Development**

**Attachments:**

- 1. Summary of submissions (under separate cover)**
- 2. Council officer response to key themes of submissions (under separate cover)**
- 3. DPO9 Schedule updates post exhibition (under separate cover)**

### **PURPOSE**

To consider submissions received in response to the recent public exhibition of Moorabool Planning Scheme Amendment C108 and to request the Minister for Planning appoint an Independent Planning Panel to consider the amendment and submissions received.

### **EXECUTIVE SUMMARY**

- The subject land is identified as 'greenfield growth' precinct 5 in the Ballan Framework Plan at Clause 11.01-1L-03 of the Moorabool Planning Scheme.
- The amendment is proponent-led and seeks to rezone 98.5 hectares of land from Rural Living Zone to Neighbourhood Residential Zone, which could support approximately 930 lots.
- The amendment proposes planning controls and community infrastructure which will service a master planned community of up to 2,800 residents and provide net community benefit to the existing residents of Ballan.
- At its meeting on 5 June 2024, Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C108. Following Ministerial authorisation, the amendment was exhibited from 24 January to 3 March 2025.
- Approximately 2,100 letters were sent to owners and occupiers of property within the Ballan township and rural surrounds. Letters were also sent to government agencies and prescribed ministers. Notices were included in the Moorabool News on 24 and 31 January and 14 February 2025. Three drop-in events were held 4pm and 7pm on three evenings in March. Approximately 50 people came to these drop-in events where Council officers and the developer's representatives were available to explain the proposal and answer questions.
- Council received 65 submissions from community members, community groups and government agencies. Submissions generally relate to infrastructure, community services, amenity, town character, heritage and environment.

**RESOLUTION****Moved: Cr Rod Ward****Seconded: Cr Tom Sullivan****That Council:**

- 1. Considers the submissions to the amendment and requests the Minister for Planning establish an independent planning panel to consider all submissions received in response to Amendment C108moor, in accordance with the *Planning and Environment Act 1987*.**
- 2. Authorise the Executive Manager Community Planning and Development to negotiate and resolve issues that are raised in submissions and/or during the independent planning panel process prior to Amendment C108moor being reported back to Council for consideration.**
- 3. Authorise the Executive Manager Community Planning and Development to consider any further late submissions and refer them to the independent planning panel.**

**CARRIED**

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**BACKGROUND****Ballan Strategic Directions and Moorabool Planning Scheme**

The Ballan Strategic Directions (BSD) was adopted by Council in November 2017 to inform the future growth and development in Ballan. It identified the subject land as 'Precinct 5 Western Growth Precinct'. BSD supports the delivery of this precinct as a priority, due to its capacity to be serviced and its un-fragmented land ownership. It also cited opportunities for view lines, activation of the Werribee River corridor, shared paths and connectivity, protection of vegetation and sensitive interfaces to the rural surrounds.

Amendment C88 implemented the Ballan Strategic Directions into the Moorabool Planning Scheme. The Panel commented that there is a need to act in the short term to augment land supply in Ballan to maintain a 15-year minimum supply. Ballan is identified as a growth town in the Central Highlands Regional Growth Plan. Clause 02.03-1 (Settlement) of the Moorabool Planning Scheme includes strategic directions to:

- Protect and enhance Ballan's character and sense of place as a country town, with historic built form and streetscapes, surrounded by scenic rural and natural areas.
- Provide for growth consistent with the Ballan Framework Plan.

State planning policy at Clause 11.02-1S requires a 15-year supply of residential land. Furthermore, the state government recently released *Plan for Victoria*, which identifies housing targets for all municipalities. Moorabool has a target of 20,000 new houses over the next 30 years. This will be achieved largely in growth precincts in Bacchus Marsh and Ballan.

State planning policy Clause 11.03-3S (Peri-Urban Areas) has the objective "*to manage growth in peri-urban areas to protect and enhance their identified valued attributes*". A relevant strategy is to "*Provide for development in established settlements that have capacity for growth having regard to complex ecosystems, landscapes, agricultural and recreational activities including in ..... Bacchus Marsh, ..... Ballan and other towns identified by Regional Growth Plans as having potential for growth*".

State planning policy Clause 11.01-1S (Settlement) has the objective *“To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements”*.

Regional policy Clause 11.01-1R (Settlement - Central Highlands) includes a strategy to *“direct growth to well serviced settlements with good access to Melbourne or Ballarat, particularly Bacchus Marsh, Ballan, .....”*. Local policy Clause 11.01-1L (Settlement in Moorabool) includes a strategy to *“direct the majority of the population and employment growth to Bacchus Marsh with supporting growth in Ballan”*.

Local planning policy Clause 11.01-1L-03 (Ballan) applies to the land identified on the Ballan Framework Plan (Figure 1), which identifies the subject land as ‘greenfield growth - precinct 5.

This clause includes a number of strategies that seek to guide future built form outcomes:

- Emphasise the country feel of the town by creating ‘gateways’ including:
  - Larger residential allotments along the key approaches into town.
  - Generous front and side setbacks for dwellings.
  - Predominantly low, open-style fencing.
  - Retained and enhanced vegetation.
- Create a path network that facilitates walking and cycling to the train station, the town core, open space and other key destinations within the town.
- Encourage the retention of all water courses in growth precincts and set back development to provide sufficient buffers to minimise any detrimental impacts to them.
- Facilitate the creation of public land reserves along the Werribee River adjacent to new developments.
- Encourage improvements to the Werribee River’s ecology and amenity through revegetation and landscaping.
- Confine residential development to within the township boundary to enhance the town’s sense of place.
- Ensure residential rezoning proposals, master/development plans, and subdivisions respond to Ballan’s character and sense of place, including by:
  - Providing diverse streetscapes.
  - Providing strong connectivity to the town centre core, public spaces and key destinations, including improved pedestrian and cycling links.
  - Retaining the valued characteristics of Ballan.
  - Reinforcing the character of tree lined streets.
  - Applying zoning controls to manage interfaces with rural land, waterways and the Western Freeway.
  - Designing new road alignments to respond to natural topography, capture key views, and where possible, retain existing mature vegetation through dev deflections or localised road widening.

- Providing open spaces and places in Ballan's growth precincts that respond to natural features such as existing vegetation, topographical features a natural landscape character elements.
- Providing a diverse range of lot sizes in growth precincts.
- Provide path networks in new development that:
  - Integrate with existing or planned open space networks.
  - Include pathways within the open spaces.
  - Connect to existing and planned external networks.
- In Greenfield Growth Areas:
  - Design development that will respond to the topography, landscape, vegetation and natural features.
  - Provide passive open space within a walkable catchment as part of future subdivision.
  - Encourage a diversity of lot sizes and housing choices.



**Figure 1:** Ballan Framework Plan from Clause 11.01-1L-03 of the Moorabool Planning Scheme

## PROPOSAL

### The Subject Land

The subject land is identified as precinct 5 in the Ballan Framework Plan at Clause 11.01-1L-03 of the planning scheme and:

- Is located at the western gateway to Ballan and is bound by the Western Freeway to the north, the Werribee River to the east Old Melbourne Road to the south and Geelong-Ballan Road to the west.
- Is located approximately 420 metres west of the Inglis Street activity centre.
- Consists of eight landholdings (including six dwellings) within the Rural Living Zone, with a total area of approximately 98.5 hectares. The proponent's landholding comprises approximately 88 hectares.
- Is currently within the Rural Living Zone (RLZ) and adjoins the RLZ to the north, west, southwest and east, the Farming Zone to the northwest and northeast, the Low Density Residential Zone to the east and Neighbourhood Residential Zone (NRZ) to the south.
- Contains patches of remnant native vegetation, mostly within the environs of the Werribee River, the escarpment and adjoining road reserves. There are also several scattered native and exotic trees.
- Generally, slopes to the east towards the river.

### **The proposed Amendment**

At its meeting on 5 June 2024, Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit the Amendment in accordance with Section 8A(3) of the *Planning and Environment Act 1987* (the Act). Authorisation was granted 5 August 2024 and the Amendment was placed on public exhibition from 24 January to 3 March 2025 (further details about public exhibition is provided below).

Amendment C108 proposes to amend the Moorabool Planning Scheme to facilitate a masterplanned residential development.

The Amendment proposes to:

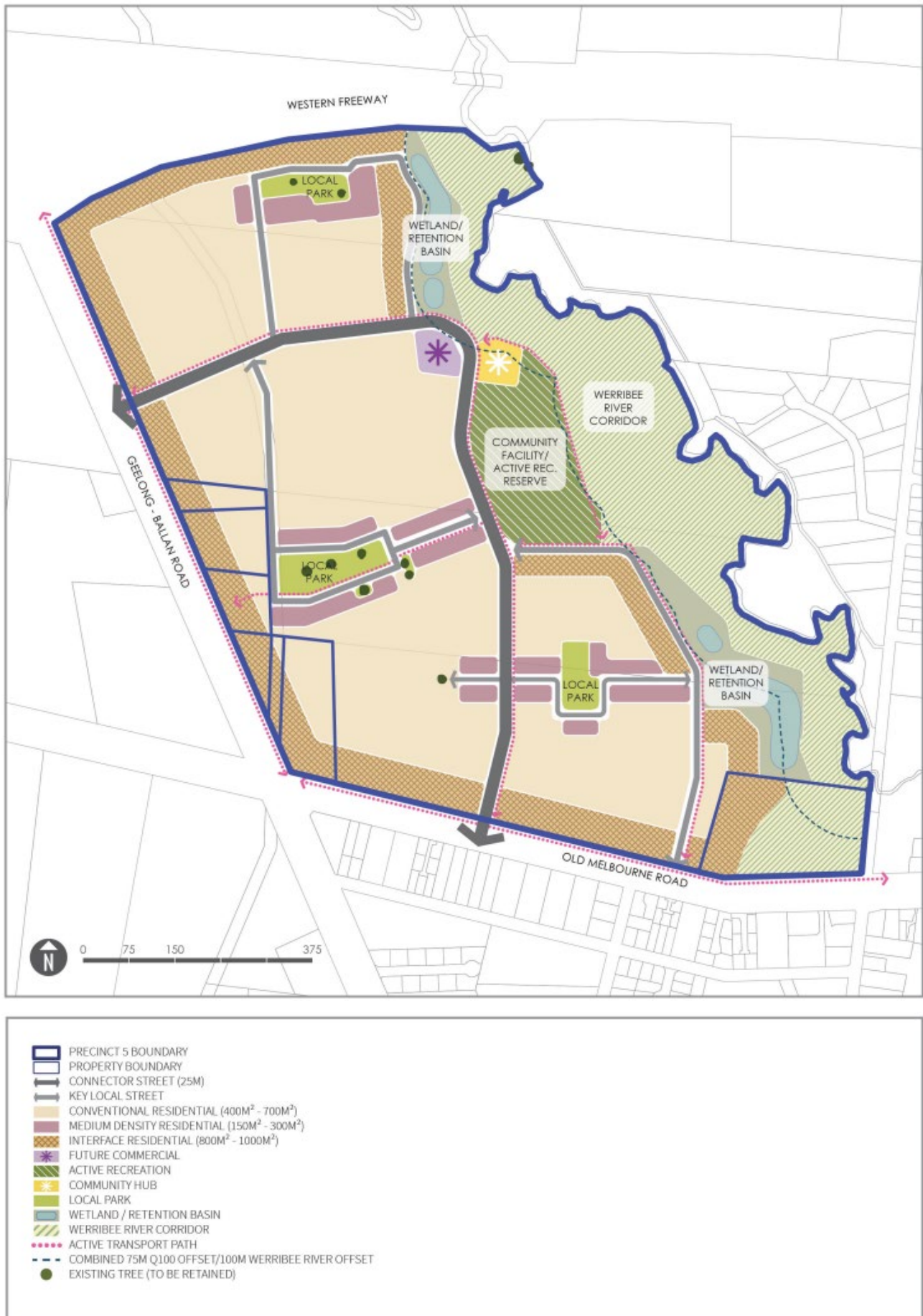
- Rezone approximately 98.5ha of land from the Rural Living Zone to the Neighbourhood Residential Zone.
- Apply the Development Plan Overlay Schedule 9 (DPO9) to provide a framework for future subdivision development. DPO9 requires the preparation of a development plan, including a masterplan generally in accordance with a concept plan (Figure 2), informed by various technical assessments relating to matters such as transport, public open space, landscaping, stormwater management, biodiversity, heritage and bushfire management. DPO9 requires that any future planning permits must be generally in accordance with a Development Plan approved by Council.
- Apply the Vegetation Protection Overlay (VPO) to remnant native vegetation (including patches of vegetation and scattered trees) on the subject land and adjoining road reserves.
- Apply the Environmental Audit Overlay (EAO) to 5580 Geelong-Ballan Road, Ballan.
- Remove the Design and Development Overlay Schedule 2 (DDO2) the subject land, as it is intended to control the use of reflective materials in rural areas.
- Retain the Design and Development Overlay Schedule 3 (DDO3) which is intended to minimise the adverse impacts of noise from the Western Freeway on sensitive uses.

- Retain the Environmental Significance Overlay Schedule 1 (ESO1) across the site and retain the ESO Schedule 2 (ESO2) along the Werribee River corridor. The ESO1 relates to proclaimed water catchment areas and the ESO2 relates to waterway protection.
- Retain the Land Subject to Inundation Overlay (LSIO) along the Werribee River corridor.

The Amendment is supported by a *Residential and Local Convenience Centre Assessment* (Ethos Urban, February 2024), which found that the existing residential zoned areas of Ballan have potential to accommodate approximately 260 residential lots, which equates to only 2.9 years of land supply under the base case scenario (demand for 90 dwellings per year).

The Amendment will result in residential land supply being increased to approximately 13 years under the base case scenario, or approximately 10 years under the higher growth scenario (demand for 115 dwellings per year). The Amendment also facilitates opportunities for a mix of housing typologies which are required to address housing affordability, ageing in place and responds to the needs of a diverse community.





**Figure 2:** Concept Plan from proposed Development Plan Overlay Schedule 9



**Public Exhibition**

In accordance with the requirements of Section 19 of the Act, the Amendment was placed on public exhibition from 24 January 2025 to 3 March 2025. Letters were sent to all owners and occupiers of properties within the Ballan township, rural surrounds, government agencies and prescribed ministers. Notices were published in the Moorabool News on 24 January, 31 January and 14 February 2025 and the Victorian Government Gazette on 30 January 2025. All amendment information was available on Council's 'Have your say' website and the Department of Transport and Planning's (DTP) website.

Three community consultation sessions were held during the exhibition period between 4pm and 7pm on 4, 14 and 18 February 2025. The sessions provided the community an opportunity to ask Council officers, the proponent (Wel.Co Group) and their planning consultants any questions about the Amendment and future development of the subject land. Approximately 50 residents attended the information sessions.

A total of 65 submissions were received comprising:

- 53 submissions from residents.
- Five submissions from community groups (Ballan Shire Historical Society, Wombat Forestcare, Australian Platypus Conservancy, Bacchus Marsh Platypus Alliance and Moorabool Environment Group).
- Five submissions from government agencies (Heritage Victoria, Department of Energy Environment and Climate Action, Central Highlands Water, Department of Transport and Planning [on transport matters] and Melbourne Water).
- Two representatives of landowners south of the railway line.

Four of these submissions were received after the formal exhibition had concluded, however they have still been considered as part of the Amendment. Any subsequent late submissions can be referred to an independent planning panel for consideration.

A summary of each submission is contained in Attachment 1.

**Consideration of submissions**

Given the volume of submissions, the key themes raised along with a Council officer response is included in Attachment 2.

The key themes raised in submissions can be summarised as:

- Public open space and landscaping, including sports and recreation facilities.
- Transport, including traffic generation, public transport, active transport and car parking.
- Stormwater drainage, including water quality and flood risk.
- Water supply and sewerage infrastructure.
- Electricity infrastructure.
- Education, including primary and secondary school provision, after school care and school holiday programs.
- Developer contributions.
- Community services, including retail and non-retail services.

- Freeway noise.
- Negative impacts on existing business.
- Town character, including extent of growth, lot sizes and loss of rural living / agricultural land.
- Support for the amendment.

In general, government agencies are comfortable with both the proposed rezoning and the planning framework proposed in the Amendment. However, all submissions from government agencies sought changes to the Amendment, particularly the DPO9. Officers have sought to resolve the majority (if not all) of the issues raised in these submissions, by recommending changes to the DPO9 schedule (refer Attachment 3).

Most of these recommended changes are minor in nature and seek to clarify design detail, or the technical work required to inform the design detail in the development plan.

Some of the recommended changes to the DPO9 seek to respond to concerns raised by community members or groups through submissions. However, as most community submissions raise in-principle concerns or matters that cannot be resolved at this time, it is recommended that Council refer these submissions to an independent Planning Panel for consideration.

### Next steps

Under Section 23(1) of the Act, at this stage in the amendment process, Council has three options:

1. Change the amendment in the manner requested; or
2. Refer all submissions (including any late submissions) to a Panel appointed under Part 8 of the Act; or
3. Abandon the amendment or part of the amendment.

Given the number of competing submissions, Council cannot achieve option 1.

If the matter proceeds to a public Panel hearing the Council will have a further opportunity to consider the Amendment and whether to adopt or abandon it at that stage.

Officers recommend that Council pursue option 2 for the following reasons:

- The Moorabool Planning Scheme provides clear strategic justification for the amendment, at Clause 02.03-1 (Strategic directions), Clause 11.01-1S (Settlement), Clause 11.01-1R (Settlement – Central Highlands), Clause 11.01-1L (Settlement in Moorabool), Clause 11.01-1L-03 (Ballan) and 11.03-3S (Peri-Urban Areas).
- The amendment is supported by the *Ballan Strategic Directions* report which has been adopted by Council.
- Officers have recommended changes to the planning scheme ordinance to address issues raised in submissions from government agencies (where possible), as well as some of the environmental and township character concerns raised in community submissions.
- At this time, Council is only being asked to decide on whether the Amendment should progress through the planning scheme amendment process to consideration by a planning Panel which will hold a public hearing and provide an advisory report to Council. Should the Amendment be referred to a Panel, as recommended by officers, only after that will Council be required to determine if the Amendment should be adopted or abandoned.

- Council has already included the Ballan Framework Plan within the Planning Scheme. Therefore, the strategic direction for this land is already set and the amendment is about how the direction is implemented (the form of development). This strategic direction would not be altered by a decision to abandon the Amendment.
- If the Amendment and all submissions are referred to a Planning Panel, all submitters will have the opportunity to further outline their concerns to the Panel, either in writing or in person, at a public hearing. The Planning Panel will be appointed by the Minister for Planning and will comprise of experts relevant to the key issues raised in submissions. The Planning Panel will consider all submissions and will then prepare a report including recommendations regarding the Amendment for Councils consideration.
- Following receipt of the report, Council will then consider the Planning Panel's report before deciding whether the Amendment should be adopted with or without changes or be abandoned.

## COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

### Strategic Objective 2: Liveable and thriving environments

#### Priority 2.1: Develop planning mechanisms to enhance liveability in the Shire

The proposal to request the Minister for Planning to appoint an independent planning panel to consider unresolved submissions to Amendment C108 is consistent with Council Plan Priority 2.1. Appropriate mechanisms are proposed to enhance liveability and provide community infrastructure to meet the needs of the growing community.

## FINANCIAL IMPLICATIONS

As a privately initiated planning scheme amendment, the applicant is required to pay statutory fees in accordance with the *Planning and Environment (Fees) Regulations 2016*. The applicant is also responsible for covering other costs associated with the Amendment as allowed under the *Planning and Environment Act 1987*, including advertising and panel costs.

If the Amendment is ultimately approved, then the number of dwellings and residents in Ballan will increase. Development contributions will provide significant contributions towards expanded community infrastructure requirements generated by the proposed development. Ongoing maintenance costs for facilities and open space will need to be included in future Council budgets.

## RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Developer Contributions	Contributions are not secured prior to rezoning and therefore not provided or renegotiated.	Medium	Require contributions via a 173 Agreement for land controlled by the proponent to be finalised and signed before adopting the Amendment.

Community Awareness	This amendment will apply a DPO limiting advertising requirements of future permits, meaning the amendment exhibition stage is the only opportunity for the community to engage in the future land use and development proposal. If the community is not aware of the Planning Scheme Amendment exhibition, then they have no further opportunity to provide their views at a later stage.	Medium	Extensive engagement with existing residents of Ballan, including letters to property owners and residents during exhibition phase. Referring submissions to an independent planning panel will allow submitters to be given a fair hearing.
Ministerial intervention	The <i>Planning and Environment Act 1987</i> allows for a proponent to ask the Minister for Planning to progress an amendment, potentially with no community engagement. Any community benefits negotiated by Council (such as developer contributions, open space provision, movement network, etc) could also be reduced or removed. This option is more likely to be pursued by the proponent should Council delay or decide to abandon the amendment.	Medium	Refer all submissions to an independent Planning Panel. This will ensure that independent advice is received on the amendment and submitters have their chance to participate in a public hearing. Council will be able to further consider the amendment (including decisions to adopt, defer or abandon the amendment) after receiving the planning panel report. The chance of ministerial intervention is greatest if Council were to resolve to delay or abandon the amendment now. Proceeding to a panel will ensure any subsequent ministerial intervention would occur with the benefit of the planning panel report.

**COMMUNICATIONS & CONSULTATION STRATEGY**

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Property owners and occupiers, general community, government agencies and prescribed ministers.	Mail out, notification in gazette and Moorabool newspaper, Council's 'Have Your Say website' and DTP's website.  Three community consultation sessions.	Ballan	24 January to 3 March 2025.	Submission summary and response to key themes from submissions included as Attachments to this report. Report recommends referring unresolved submissions to an independent Planning Panel.

**VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006**

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

**OFFICER'S DECLARATION OF CONFLICT OF INTERESTS**

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

*Executive Manager – Henry Bezuidenhout*

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

*Author – Rod Davison*

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

**CONCLUSION**

There is existing strategic planning justification for the proposed amendment and development of the amendment site will make an important contribution towards the State Government's housing targets. Considering the submissions received to the Amendment, it is recommended Council makes the changes to the Amendment as detailed in this report and refers the Amendment and all submissions to an Independent Planning Panel for consideration under Section 23(1) (b) and 23(2) of the *Planning and Environment Act 1987*.

### **13 COMMUNITY STRENGTHENING REPORTS**

#### **13.1 PUBLIC ART AND COLLECTIONS ADVISORY COMMITTEE NOMINATIONS**

**Author:** Bec Carey-Grieve, Coordinator Arts and Economic Development

**Authoriser:** Leigh McCallum, General Manager Community Strengthening

**Attachments:**

- 1. Public Art and Collections Policy (under separate cover)**
- 2. Public Arts and Collections Advisory Committee Terms of Reference (under separate cover)**

#### **PURPOSE**

The purpose of the report is for Council to approve the appointment of members to the Public Art and Collections Advisory Committee (PACAC).

#### **EXECUTIVE SUMMARY**

- The PACAC is a Council Advisory Committee established as part of the Public Art and Collections Policy, adopted by Council on 1 June 2022.
- The PACAC provides advice to Council on the commission, acquisition and deaccession of public art in accordance with its Terms of Reference.
- Through an open Expression of Interest process, Council received applications from external public art experts and local artists to join the PACAC.
- Five nominations were received with five nominations being recommended for appointment to the Committee.

#### **RESOLUTION**

**Moved:** Cr Moira Berry

**Seconded:** Cr Tom Sullivan

**That Council approves the appointment of the following nominees as members of the Public Art and Collections Advisory Committee, as per the Terms of Reference:**

- 1. Lou Callow**
- 2. Kathy Holowko**
- 3. Lauren Matthews**
- 4. Vanaj Vidhya Renuha**
- 5. Liz Thompson**

**CARRIED**

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#### **BACKGROUND**

The PACAC is a committee established as part of the Public Art and Collections Policy, endorsed by Council on 1 June 2022. The PACAC provides advice to Council on the commission, acquisition and deaccession of Public Art and assists in managing and growing Council's Public Art Collection. The

first iteration of the PACAC was established and performed its role between 2023 and 2024 before its term concluded, in line with the Terms of Reference.

The PACAC membership includes:

- One Councillor Representative
- Coordinator Arts and Economic Development
- Public Art Officer
- Up to three Local Artists/Community Representatives
- Up to three Arts Industry Experts

An Expression of Interest process was undertaken with widespread promotion across the Shire, including advertising in the Moorabool News and Council's social media channels. Applicants were required to submit a resume and provide a statement regarding their suitability to the Committee. Council received five applications in total.

Officers undertook an assessment and evaluation process, which included an interview with each applicant to determine their suitability to the Committee and to match skills and experience required to meet the purpose of the Committee.

Below is a list of applications including role, geographic location and expertise:

Name	Location	Role	Suitability
Lou Callow	Ballan	Local Artist/ Community Representative	<ul style="list-style-type: none"> <li>• Former Head of Art at Bacchus Marsh Grammar</li> <li>• Experience in Collection Management</li> <li>• Representing Wombat Regional Art Network (as a founding member)</li> <li>• Previous member of PACAC (2023-24)</li> </ul>
Kathy Holowko	Blackwood	Arts Industry Expert	<ul style="list-style-type: none"> <li>• Previous recipient through Community Grants for a Blackwood event</li> <li>• Wide exhibition record across Australia and overseas</li> <li>• Past public art and events experience</li> </ul>
Lauren Matthews	Ballan	Arts Industry Expert	<ul style="list-style-type: none"> <li>• Mentor for the City of Ballarat's upcoming Craft Lab 25 event</li> <li>• Facilitates a weekly arts community event at Ballan Neighbourhood House</li> <li>• Completing PhD at Federation Uni</li> <li>• Previous member of PACAC (2023-24)</li> </ul>
Vanaj Vidhya Renuha	Maddingley	Local Artist/ Community Representative	<ul style="list-style-type: none"> <li>• Classically trained in Indian dance</li> <li>• Runs community movement classes and her own dance school</li> <li>• Presents group performances of Indian traditional dance for the public in the</li> </ul>

Name	Location	Role	Suitability
			Shire <ul style="list-style-type: none"> <li>Five years' experience running Indian cultural groups/organisations</li> </ul>
Liz Thompson	Ballan	Local Artist/ Community Representative	<ul style="list-style-type: none"> <li>Designer with local studio</li> <li>Photography practitioner</li> <li>Previously involved in community organising including establishment of Point Cook Pop-up Park and artwork for 1km freeway sound wall.</li> </ul>

## PROPOSAL

It is proposed to appoint the five members nominated to the Public Art and Collections Advisory Committee.

## COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

**Strategic Objective 1: Healthy, inclusive and connected neighbourhoods**

**Priority 1.3: Facilitate opportunities for the community to gather and celebrate**

The proposal to establish this iteration of the Public Art and Collections Advisory Committee is consistent with the Council Plan 2021-2025.

## FINANCIAL IMPLICATIONS

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

## RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
The Public Art and Collections Advisory Committee is not established	Council would be in breach of the Public Art and Collections Policy. Lost opportunity to use the knowledge and experience available within the community.	Medium	Establish Committee and appointment of members.
Breach of confidentiality	Breach of confidentiality by Committee members.	Medium	Each Committee member to undertake an induction program that includes signing a confidentiality agreement.



**COMMUNICATIONS & CONSULTATION STRATEGY**

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Inform	Moorabool Shire Residents Arts Industry Artists	Expression of Interest process distributed through social media, MSC Website, posters and flyers through the Shire and through local community groups.	Various	February – March 2025	Nominations were received.

**VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006**

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

**OFFICER'S DECLARATION OF CONFLICT OF INTERESTS**

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

*General Manager – Leigh McCallum*

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

*Author – Bec Carey-Grieve*

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

**CONCLUSION**

The PACAC is a committee established as part of the Public Art and Collections Policy adopted by Council on 1 June 2022. The PACAC provides advice to Council on the commission, acquisition and deaccession of public art in accordance with its Terms of Reference. Through an open Expression of Interest process, Council received five applications from external public art experts and local artists to join the PACAC. After an assessment and evaluation process the five nominations are recommended for appointment to the Committee.

**14 CUSTOMER AND CORPORATE SERVICES REPORTS****14.1 DRAFT COUNCIL PLAN 2025-2029 - COMMUNITY CONSULTATION**

**Author:** Leanne Manton, Manager Customer and Communications

**Authoriser:** David Jackson, General Manager Customer and Corporate Services

**Attachments:** 1. Draft Council Plan 2025-2029 (under separate cover)

**PURPOSE**

The purpose of this report is to present the draft 2025-2029 Council Plan and to seek Council endorsement to place the document on public exhibition for public inspection and inviting submissions for consideration.

**EXECUTIVE SUMMARY**

- In accordance with section 90 of the *Local Government Act 2020* (the Act), Council must develop a Council Plan following an election.
- Council has developed a new Council Plan using the required deliberative engagement principles.
- It is recommended that Council give public notice, inviting submissions during the prescribed period under section 223 of the *Local Government Act 1989*.

**RESOLUTION**

**Moved:** Cr Ally Munari

**Seconded:** Cr John Keogh

That Council, having developed a new Council Plan and revised key supporting documents in accordance with section 90 of the *Local Government Act 2020*:

1. Approves the draft 2025-2029 Council Plan to be made available for public inspection.
2. Authorises the Chief Executive Officer to give public notice of the draft 2025-2029 Council Plan, make it available for public inspection and invite submissions under section 223 of the Local Government Act 1989 from 8 May 2025 to 5 June 2025.
3. Resolves to hear submissions (if required) on Wednesday 11 June 2025 at the Special Meeting of Council to be held in the Council Chambers, 15 Stead Street, Ballan, commencing at 6pm.
4. Resolves to notify and place on public notice its intention to adopt the 2025-2029 Council Plan on Wednesday 25 June 2025 at a Special Meeting of Council to be held in the Council Chambers, 15 Stead Street, Ballan, commencing at 6pm.

**CARRIED**

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## BACKGROUND

A Community Vision is developed by a Council with its municipal community in accordance with its deliberative engagement practices, setting out aspirations for the future of the municipality. Council's Community Vision 2020 was developed in 2019-2020 and adopted by Council in 2020.

The current Council Plan 2021-2025 was developed at the same time as the Community Vision and in line with deliberative engagement practices.

A 10-year financial plan describes the financial resources required to give effect to the Council Plan and other strategic plans of Council, while the asset plan provides information about maintenance, renewal, acquisition, expansion, upgrade, disposal and decommissioning in relation to each class of infrastructure asset under the control of Council. Council's Long Term Financial Plan 2021-2031 and Asset Management Plan 2022-2032 were developed in accordance with deliberative engagement as required by the Act.

### Strategic Planning Principles

Section 89 of the *Local Government Act 2020* (the Act) details that Council must undertake the preparation of a Council Plan and other strategic plans in accordance with the strategic planning principles. The principles are:

- a) an integrated approach to planning, monitoring and performance reporting is to be adopted
- b) strategic planning must address the Community Vision
- c) strategic planning must take into account the resources needed for effective implementation
- d) strategic planning must identify and address the risks to effective implementation
- e) strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.

### Council Plan development

Section 89 of the Act details the requirements for the development of a Council Plan:

1. A Council must prepare and adopt a Council Plan for a period of at least the next four financial years after a general election in accordance with its deliberative engagement practices.
2. A Council Plan must include the following:
  - (a) the strategic direction of the Council
  - (b) strategic objectives for achieving the strategic direction
  - (c) strategies for achieving the objectives for a period of at least the next four financial years
  - (d) strategic indicators for monitoring the achievement of the objectives
  - (e) a description of the Council's initiatives and priorities for services, infrastructure and amenity
  - (f) any other matters prescribed by the regulations.
3. A Council must develop or review the Council Plan in accordance with its deliberative engagement practices and adopt the Council Plan by 31 October in the year following a general election.
4. The Council Plan adopted under subsection (3) has effect from 1 July in the year following a general election.

The Act also requires a review of the Community Vision and 10-year financial and asset plans by 31 October in the year following a general election.

At its Ordinary Meeting of Council on 18 December 2024, Council endorsed the community engagement plan for the development of the new Council Plan and review of associated documents in line with required deliberative practices.

## PROPOSAL

The development of the draft Council Plan 2025-2029 was informed by extensive community engagement, including:

- A broad community survey
- Information gathered from pop-up sessions at customer service centres, the Lerderderg Library, the West Maddingley Early Years and Community Hub and the Darley Community Market
- Deliberative workshops x 2 with a representative sample of the community
- Interviews and workshops with Executive, Councillors and senior staff.

The new Council Plan forms a 'roadmap' for Council over the next four years. It proposes four objectives:

- Healthy, inclusive and safe communities
- A dynamic and resilient local economy
- Places and spaces that meet community needs
- A Council that engages and adapts.

Each objective has three themes supported by a list of actions for Council to complete over the next four years. There are 54 actions in total.

The draft Council Plan 2025-2029 is shown in Attachment 1.

No changes are proposed to the Community Vision, the Long Term Financial Plan or the Asset Plan.

## COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

**Strategic Objective 3: A Council that listens and adapts to the needs of our evolving communities**

**Priority 3.3: Focus resources to deliver on our service promise in a sustainable way**

The proposal to develop the Council Plan 2025-2029 is consistent with the Council Plan 2021-2025.

## FINANCIAL IMPLICATIONS

The 2024/25 Budget contains details of the financial resources required to deliver the Council Plan.

## RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no known risk and occupational health and safety issues associated with this report.

**COMMUNICATIONS & CONSULTATION STRATEGY**

Subject to Council endorsing the proposed Council Plan 2025-2029, an advertisement will be placed in local newspapers. The process includes giving public notice to allow 28 days for submissions to be made by members of the public and such submissions will be heard prior to Council adopting the Council Plan 2025-2029.

Copies of the draft Council Plan 2025-2029 will be able to be viewed on Council's website [moorabool.vic.gov.au](http://moorabool.vic.gov.au), with physical copies mailed out on request.

Residents will be invited to make submissions in relation to the draft Council Plan 2025-2029 until 5pm on Thursday 5 June 2025.

Feedback should be made in writing and be addressed to:

The Chief Executive Officer  
Draft Council Plan 2025-2029  
Moorabool Shire Council  
PO Box 18  
Ballan VIC 3342

Alternatively, submissions can be emailed to [info@moorabool.vic.gov.au](mailto:info@moorabool.vic.gov.au) or submitted online at <https://moorabool.engagementhub.com.au/>

Any person requesting that they be heard in support of a submission is entitled to appear before the Special Meeting of Council either personally or by a person acting on their behalf. Any person who wishes to be heard in support of a submission should indicate this request in their written submission. A meeting to hear submissions is scheduled to occur on Wednesday 11 June 2025 at the Council Chambers, 15 Stead Street, Ballan, commencing at 6pm.

**VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006**

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

**OFFICER'S DECLARATION OF CONFLICT OF INTERESTS**

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

*General Manager – David Jackson*

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

*Author – Leanne Manton*

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

**CONCLUSION**

The development of the draft Council Plan 2025-2029 has been delivered in line with the Act and using the required deliberative engagement principles. It is recommended that Council give public

notice of the exhibition of the draft plan and invite submissions prior to the final draft being presented to Council for final consideration and adoption at a later date.

## **14.2 AUDIT AND RISK ADVISORY COMMITTEE - INDEPENDENT CHAIR HALF YEARLY REPORT 2024/25**

**Author:** Kaylene Bowker, Executive Assistant

**Authoriser:** David Jackson, General Manager Customer and Corporate Services

**Attachments:** 1. **Audit and Risk Advisory Committee - Independent Chair Half Yearly Report 2024/25 (under separate cover)**

### **PURPOSE**

The purpose of this report is to present Council with the half yearly report 2024/25 (Attachment 1) prepared by the Audit and Risk Advisory Committee's Independent Chair, Ms Linda MacRae, for noting.

The Audit and Risk Advisory Committee, in alignment with the *Local Government Act 2020* (Act), requires the Chairperson to prepare a report to Council, on the Committee's activities twice per annum.

### **EXECUTIVE SUMMARY**

- At its meeting of 5 October 2022, Council adopted the Audit and Risk Advisory Committee Charter, in accordance with requirements of the *Local Government Act 2020*.
- In accordance with section 54(5) of the *Local Government Act 2020*, and the Audit and Risk Advisory Committee Charter, the Chairperson of the Audit and Risk Advisory Committee is required to prepare a biannual report on the activities of the Committee, including its findings and recommendations, and provide a copy of the report for tabling at a Council meeting.
- This is the half yearly report 2024/25 to be presented to Council. The Committee reviewed this report at its meeting held 19 February 2025 and confirmed it is an accurate reflection of the Committee's activities.

### **RESOLUTION**

**Moved:** Cr Moira Berry

**Seconded:** Cr John Keogh

**That Council receive and note the Audit and Risk Advisory Committee Independent Chair Report, provided as Attachment 1.**

**CARRIED**

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### **BACKGROUND**

At the Ordinary Meeting of Council on 5 October 2022, Council adopted the Audit and Risk Advisory Committee Charter, in accordance with the requirements of the *Local Government Act 2020*, and appointed five members to its Audit and Risk Advisory Committee, consisting of three independent members and two Councillors.

Ms Linda MacRae was declared Chairperson of the Audit and Risk Advisory Committee at its meeting on 9 December 2020.

In accordance with section 54(5) of the *Local Government Act 2020*, and the Audit and Risk Advisory Committee Charter, the Chairperson of the Audit and Risk Advisory Committee is required to prepare an annual report on the activities of the Committee, including its findings and recommendations, and provide a copy of the report for tabling at a Council meeting.

The Committee has agreed that a report on activities will be prepared for the period 1 July to 31 December and a full year report will be prepared to outline how the Committee has discharged its responsibilities outlined in the Audit and Risk Committee Charter.

### PROPOSAL

This report seeks Council to note the Audit and Risk Advisory Committee Independent Chair Report, which has been prepared in accordance with the Act, and the Committee's Charter.

This is the half yearly report 2024/25 to be presented to Council. The Committee reviewed this report at its meeting held 19 February 2025 and confirmed it is an accurate reflection of the Committee's activities.

### COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

**Strategic Objective 3: A Council that listens and adapts to the needs of our evolving communities**

**Priority 3.4: Measure performance, communicate our results and continue to improve our services every day**

The proposal to note the Audit and Risk Advisory Committee Independent Chair Report is consistent with the Council Plan 2021-2025.

### FINANCIAL IMPLICATIONS

There are no financial implications associated with noting the Audit and Risk Advisory Committee Independent Chair Report.

### RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Reputational Risk	Not upholding good governance in Council processes.  Non-compliance with the requirements relating to Audit and Risk Advisory Committees under the <i>Local Government Act 2020</i> .	Medium	Noting the Chairperson's Report, provided in accordance with the <i>Local Government Act 2020</i> and the Audit and Risk Advisory Committee Charter.  Ongoing adherence to the requirements of the Act and the Charter.



**COMMUNICATIONS & CONSULTATION STRATEGY**

<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Location</b>	<b>Date</b>	<b>Outcome</b>
Presentation	Audit and Risk Advisory Committee Members	Report presented to the Audit and Risk Advisory Committee	Darley Civic and Community Hub and Online	19 February 2025	Confirmed accurate report of Committee's activities
Briefing	Councillors	Chairperson presenting report at Councillor Briefing	Council Chambers, Ballan and Online	30 April 2025	Confirmation by Council

**VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006**

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

**OFFICER'S DECLARATION OF CONFLICT OF INTERESTS**

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

*General Manager – David Jackson*

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

*Author – Kaylene Bowker*

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

**CONCLUSION**

It is proposed that the Audit and Risk Advisory Committee Independent Chair Report (Attachment 1) meets the requirements of s.54 of *The Local Government Act 2020*, and is in accordance with the Committee's Charter, and therefore is recommended for noting by Council.

**15 COMMUNITY ASSETS & INFRASTRUCTURE REPORTS****15.1 DRAFT ROAD MANAGEMENT PLAN 2025-2029**

**Author:** Jacquie Younger, Coordinator Asset Management

**Authoriser:** Phil Jeffrey, General Manager Community Assets & Infrastructure

**Attachments:** 1. Draft Road Management Plan (2025-2029) (under separate cover)

**PURPOSE**

The purpose of this report is to provide an overview of the review and proposed changes to Council's current Road Management Plan (2021-2025) and seeks Councillors approval to proceed with public exhibition of the Road Management Plan (2025-2029).

**EXECUTIVE SUMMARY**

- Council's Road Management Plan (RMP) is an operational document that provides an overview of Council's road management and maintenance practices.
- Under the *Road Management (General) Regulations 2005*, Council is required to undertake a review of its RMP every four years, in line with Council elections and the associated registers will be reviewed and updated on an ongoing basis.
- A review of the current plan has been undertaken by Council staff and updates were recommended based on professional experience and learnings from the current plan, benchmarking against other plans and utilising a range of RMP guidance documentation, as detailed within this report.
- This report seeks Council's endorsement to proceed to public exhibition of the draft updated document, providing the community the opportunity to comment on the plan prior to being presented to Council for final adoption.

**RESOLUTION**

**Moved:** Cr Tom Sullivan

**Seconded:** Cr Rod Ward

**That Council:**

1. **Receives the report in relation to the review of the Moorabool Shire Council Road Management Plan 2021-2025.**
2. **In accordance with the provisions of the *Road Management (General) Regulations 2005*, authorises the Chief Executive Officer to give public notice that the Draft Road Management Plan 2025-2029 has been prepared and is available for public inspection.**
3. **Resolves to allow a 28-day public exhibition period for submissions on the plan to be made by members of the public.**
4. **Requests that a further report be presented to Council at the conclusion of the public exhibition period, considering all submissions received, prior to formally adopting the Road Management Plan.**

**CARRIED**

## BACKGROUND

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

An RMP is an operational document that provides an overview of Council's road management and maintenance practices. Specifically, the RMP and its appendices define:

- The road assets (roads and paths) which Council manages and maintains on behalf of its community.
- The responsibilities of Council in relation to the management of road assets.
- Levels of service in relation to the maintenance of road assets, considering available resources.
- Policies and procedures in relation to the ongoing risk inspection of Council's road assets.
- Intervention levels and associated maximum response times for Council to address road defects.

Whilst the development of an RMP is not mandatory, it is commonplace for Councils to have such a document in order to:

- Meet the legislative requirements of the Road Management Act 2004.
- Mitigate risk and manage civil liability.
- Demonstrate that Council is responsibly managing its road assets.
- Manage community expectation in relation to road maintenance works.

Moorabool adopted its first RMP in 2004 and subsequent reviews have been undertaken in accordance with the *Road Management (General) Regulations 2005*. Under the Regulations where Councils elect to develop a plan, it is mandatory to undertake a review of the document every four years in line with Council elections and the Council Plan and is required to be adopted by 30 October the year following Council elections.

## PROPOSAL

The existing Road Management Plan has been reviewed by Council staff from various departments and changes recommended on the basis of professional experience and learnings from the current plan, benchmarking against other Council's and Department of Transport's RMP, and utilising guidance documentation provided by the Code of Practice, MAV Insurance and Macquarie Local Government Lawyers. In addition to general formatting and minor changes to wording, the proposed updates to the document are summarised below.

### Asset Hierarchy

All road assets are classified according to a hierarchy that considers the types and number of users and the specific function of the asset. Service standards (inspection frequencies, intervention levels and maintenance timeframes) are largely based on the respective hierarchies.

A review of the hierarchies has been undertaken with the view to achieving a simple and consistent approach in relation to the application of those hierarchies. There has been no change to the path hierarchies, however amendments have been made to the road hierarchies as per

recommendations from MAV Insurance. The proposed hierarchies are summarised in the table below and can be found in Appendix B of the RMP.

*Table B.1 Road Hierarchy Definitions*

	CODE	HIERARCHY	DESCRIPTION		
			Purpose & Use	IDM/Planning Scheme Reference	Typical Traffic Volume
URBAN AREAS	C	Collector	Provides a strategic link between arterial roads, suburbs, commercial areas, major housing areas or to a defined destination. Provides access to tourist facilities or industrial centres and may include regional links and provides a primary connection into residential areas.	Connector Street Level 1 & 2	> 2,500 v/d
	A1	Access Level 1	Provides access to local residences or secondary access to commercial areas.	Access Street Level 1 or 2	300 – 2,500 v/d
	A2	Access Level 2	Provides access and secondary access to local residences and properties.	Access Place or Access Lane	< 300
	U	Unsealed Level	Provides access to local residences and properties.	N/A	< 100
RURAL AREAS	C	Collector	Provides a strategic link between, or to, defined townships, districts, tourist facilities, industrial centres and may include regional links. Roads may experience high use of heavy vehicles (e.g. trucks, busses, etc).	N/A	> 500 v/d
	A1	Access Level 1	Provides access to local residences and properties.	N/A	150 – 500 v/d
	A2	Access Level 2	Provides access to local residences and properties.	N/A	< 150 v/d
	U	Unsealed Level	Provides access to local residences and properties.	N/A	< 100

### Register of Public Roads & Register of Public Paths

Section 19 of the *Road Management Act 2004* requires Councils to keep a register of public roads, being those for which Council is the 'Coordinating Road Authority'. The Code of Practice indicates that this list can cover roads, roadways, pathways, and road related infrastructure and specifies which road segments Council is responsible to manage and maintain.

To determine what roads are 'reasonably required for public use' and should therefore be included in the register, a range of criteria has been developed and outlined in Council's Management & Maintenance of Unmade Roads Policy.

Roads that are not contained within in the register include:

- Roads for which Council is not the responsible road authority (e.g. managed by another Council, the Department of Transport etc).

- Private roads; or
- Paper roads (e.g. roads where a reservation is in place however the road has not been formally constructed).

The Register of Public Roads and Register of Public Paths form Appendix C to the Road Management Plan. A review of the register has been undertaken and amendments were recommended such as the inclusion of newly acquired roads and paths (typically constructed through subdivisions or capital works), amendments resulting from the application of the updated road hierarchies as well as minor descriptive updates.

#### Service Standards (Defect Intervention Levels & Response Times)

One of the primary purposes of the Road Management Plan is to transparently establish proactive hazard inspection regimes for roads and footpaths with associated intervention levels and maximum rectification timeframes. One of the critical aspects considered when setting these service levels is that they are reasonable, achievable and that they address risk.

It is acknowledged that road authorities do not have unlimited resources and whilst aspiring to achieve improved standards, the primary consideration is that Council sets reasonable standards and is able to meet those documented commitments.

The RMP sets the minimum standards for inspection and response times for all Council managed road assets, and whilst the target operationally may be to achieve standards higher than what is outlined in the document, the failure to have reasonable and achievable standards would be detrimental to Council's ability to manage risk and civil liability.

#### *Inspection Frequencies*

In reviewing the existing proactive (planned) and reactive (in response to internal/external customer requests) inspection frequencies, it was viewed that the current road inspection timeframes were adequate and functioning well. However, in alignment with the proposed changes to the road hierarchies, officers have revised the inspections frequency table to only include the proposed four hierarchies.

The proposed inspection timeframes are outlined in Appendix B of the Road Management Plan.

#### *Intervention Levels & Response Timeframes*

Table B.5 of the Road Management Plan outlines the intervention levels for road defects and associated response times for repairs to be undertaken. Similarly, these standards must be realistic and achievable, considering a risk-based approach, road hierarchy, and the physical and financial resources of Council to respond. The intervention levels are also intended to be clearly defined.

Notwithstanding this, Council's operational teams, in many instances, will achieve response standards significantly better than those outlined within the document.

The review of intervention levels and response times has considered the above, in addition to data provided by internal audits against the existing plan. The proposed changes seek to improve the minimum levels of service for a number of defects (intervention levels and/or response times) including the introduction of new defects not currently addressed within the current plan (vegetation clearance over roads and water encroaching over the road). The updated defects and response times can be found in Table B.5 of the Road Management Plan.

## COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

**Strategic Objective 3: A Council that listens and adapts to the needs of our evolving communities**

**Priority 3.2: Align services to meet the needs of the community**

The proposal is consistent with the Council Plan 2021-2025.

## FINANCIAL IMPLICATIONS

A number of amendments are proposed within the updated RMP, including an improvement in levels of service for inspections, defect intervention levels and response times. Many of those are able to be accommodated within existing resources.

There are no financial implications associated with commencing the public exhibition period and receiving submissions from the public on the updated draft document.

## RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Legal – Civil Liability	Risk to Council's legal defence where it has not documented the management and maintenance practices achievable within its resources	Medium	The development and adoption of an RMP
Legal – Civil Liability	Risk to Council where it unable to achieve the commitments within its Road Management Plan	Medium	Reasonable and achievable standards and timeframes outlined within the RMP

## COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Council officers	Internal working group meetings to undertake a review of the current RMP.	Various	October 2024 – March 2025	Updated draft RMP.
Consult	Councillors	Briefing of Councillors to provide an overview of the RMP, review process and recommended amendments. A report to Council seeking endorsement of the public exhibition process.	Council Office	April/May 2025	Endorsement of the draft document and proposed public exhibition process.

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community	Public exhibition of the draft document to allow for review and submissions by the community, to be considered in finalising the RMP. Promotions of the exhibition period including advice in the Government Gazette, print media and online platforms.	Councils' "Have Your Say" website	May 2025	Community feedback on the draft document.
Consult	Councillors	A report to Council outlining the submissions received during the public exhibition process, providing an official response and overview of any resultant amendments.	Council Office	August 2025	Final draft document adopted by Council.
Inform	Community	Final adopted document made available to the public on Council's website and promoted to the community in print and online media.	Councils Website	August 2025	Final adopted RMP made available and promoted.

### **VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006**

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

### **OFFICER'S DECLARATION OF CONFLICT OF INTERESTS**

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

*General Manager – Phil Jeffrey*

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

*Author – Jacquie Younger*

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

## **CONCLUSION**

A Road Management Plan is an operational document that provides an overview of Council's road management and maintenance practices. Under the *Road Management (General) Regulations 2005*, Council is required to undertake a review of its RMP every four years with the next version required to be adopted by Council by 30 October 2025.

The purpose of this report is to seek endorsement for the public exhibition period to commence, considering and receiving submissions in relation to the updated draft plan.



## 15.2 DRAFT ASSET PLAN 2025-2035

**Author:** Jacquie Younger, Coordinator Asset Management

**Authoriser:** Phil Jeffrey, General Manager Community Assets & Infrastructure

**Attachments:** 1. Draft Asset Plan (2025-29) (under separate cover)

### PURPOSE

Council has developed a Draft Asset Plan as required under the *Local Government Act 2020*. The Draft Asset Plan is a community facing document that shows how the Council's infrastructure assets will be managed and maintained, while meeting the community's needs and interests.

In principle approval is now sought, to proceed with the public exhibition of the draft document to meet the *Local Government Act 2020* requirement of adoption by 31 October 2025.

### EXECUTIVE SUMMARY

- Council is responsible for the management of over \$1.03B of physical infrastructure assets that support the delivery of services to the community.
- Asset Management is a core service and is at the centre of Council's financial and strategic decision making.
- The *Local Government Act 2020* requires that Councils have adequate control over their assets and mandates the development and adoption of a ten-year Asset Plan to guide the management of Council infrastructure assets throughout the asset lifecycle (acquisition, maintenance, renewal, upgrade/expansion, decommissioning and disposal).
- In principle approval is now sought, in order to proceed with public exhibition of the draft documents for a period of 28 days.

### RESOLUTION

**Moved:** Cr Rod Ward

**Seconded:** Cr Moira Berry

**That Council:**

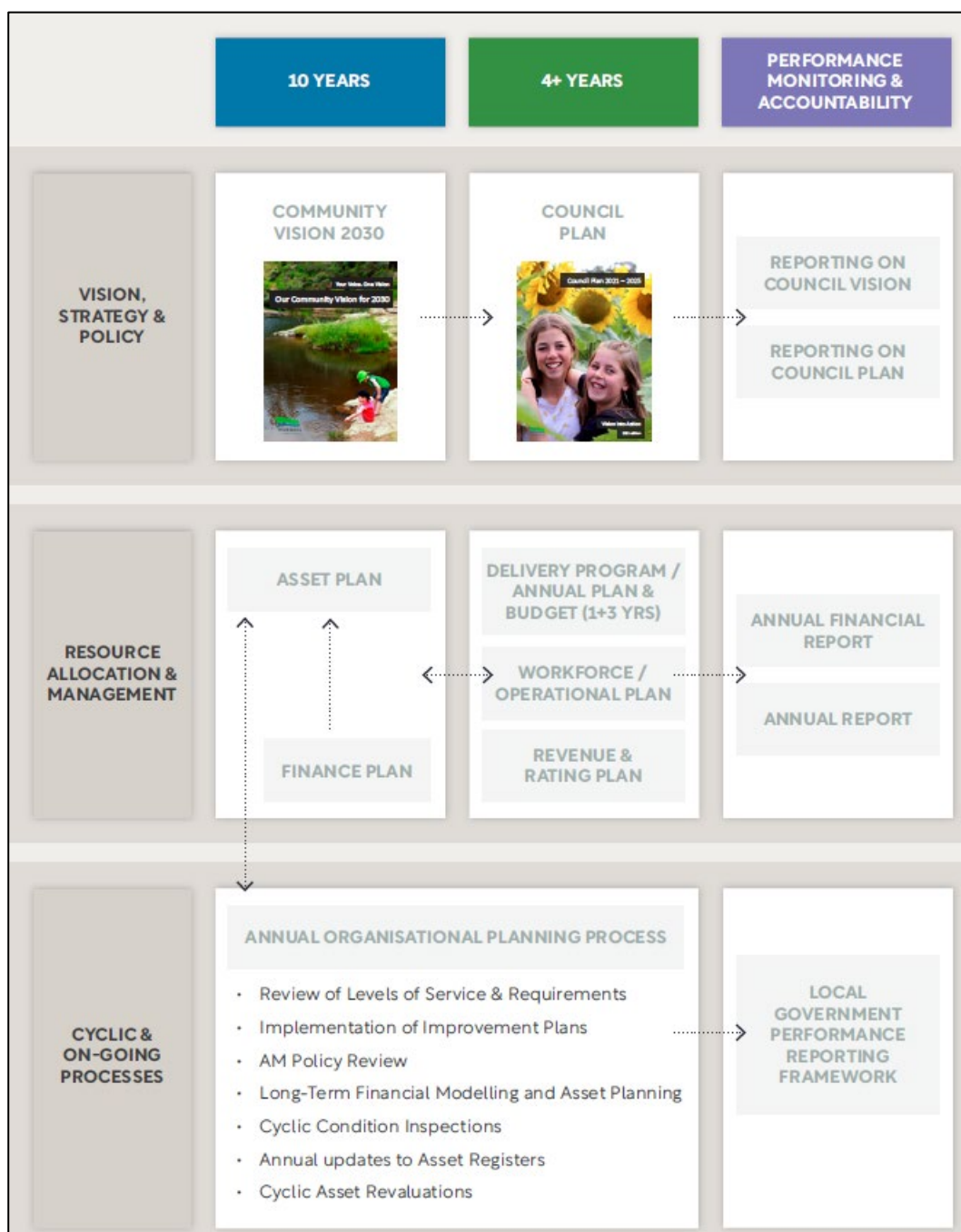
1. Endorses, in principle, the Draft Asset Plan for the purpose of public exhibition.
2. Requests that a further report be presented to Council on completion of the exhibition process.

**CARRIED**

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### BACKGROUND

Council's infrastructure assets include, but are not limited to, the road and street network, underground drainage, buildings and facilities, and parks and recreational facilities, among others. Council seeks to ensure that these infrastructure assets are effectively managed to meet current and future service delivery goals.



**Figure 1:** Interaction with other Council Plans and Strategies

The Asset Plan referred to in the Act is a community facing document that shows how the Council's infrastructure assets will be managed and maintained, while meeting the community's needs and interests. It also addresses all major asset groups and sets out the general principles of life cycle asset management and summarises the asset management practices being implemented by Council.

The Asset Plan includes the following asset categories:

- **Transport**

Council's current register contains \$489 million of roads, bridges, kerb and channels, path, car parks and traffic management devices owned and managed by Council.

- **Buildings**

Council's current register contains \$132.8 million worth of buildings and structures, including halls, depots, libraries, offices, amenity blocks and shelters.

- **Stormwater Drainage**

Council's current register contains \$171.9 million worth of water and drainage assets, including stormwater pits and pipes, bores and standpipes, tanks and dams and flood mitigation devices.

- **Parks and Open Spaces**

Council's current register contains \$23.8 million worth of recreation and open space assets, including parks and reserves, play equipment, sports fields and courts.

## PROPOSAL

Council has developed a Draft Asset Plan as required under the Act. The Draft Asset Plan a community facing document that shows how the Council's infrastructure assets will be managed and maintained, while meeting the community's needs and interests. In principle approval is now sought in order to proceed with the public exhibition of the draft Asset Plan for a period of 28 days.

## COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

**Strategic Objective 3: A Council that listens and adapts to the needs of our evolving communities**

**Priority 3.2: Align services to meet the needs of the community**

The proposal to provide in principle endorsement for the purpose of public exhibition is consistent with the Council Plan 2021-2025.

## FINANCIAL IMPLICATIONS

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

## RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no risk or occupational health and safety issues associated with the recommendation within this report.

## COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Date	Outcome
Consult	Council officers	Internal working group and Service Manager meetings to review and update documentation	October 2024 - March 2025	Draft Asset Plan
Consult	Community	Deliberative Engagement in line with Council Plan	January 2025	Community feedback.
Consult	Councillors	Briefing of Councillors to provide an overview of the	April 2025 & May 2025	Endorsement of the draft

Level of Engagement	Stakeholder	Activities	Date	Outcome
		documentation. Report to Council seeking endorsement for public exhibition.		documents.
Consult	Community	Public exhibition (28 days) of the updated draft documents to allow for review and feedback from the community (to be considered in finalising the plans).	May-June 2025	Community feedback on the draft documents.
Consult	Councillors	Report to Council outlining the submissions received, providing an official response and overview of any recommended amendments.	June 2025	Final draft document adopted by Council.
Inform	Community	Adopted document made publicly available on Council's website.	June 2025	Adopted document made available.

### **VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006**

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

### **OFFICER'S DECLARATION OF CONFLICT OF INTERESTS**

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

*General Manager – Phil Jeffrey*

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

*Author – Jacquie Younger*

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

### **CONCLUSION**

Council has developed a Draft Asset Plan as required under the *Local Government Act 2020*. The Draft Asset Plan is a community facing document that shows how the Council's infrastructure assets will be managed and maintained, while meeting the community's needs and interests. In principle approval is now sought, to proceed with the public exhibition of the draft document to meet the Act requirement of adoption by 31 October 2025.

### 15.3 DRAFT ASSET MANAGEMENT POLICY

**Author:** Jacquie Younger, (Acting) Coordinator Asset Management

**Authoriser:** Phil Jeffrey, General Manager Community Assets & Infrastructure

**Attachments:** 1. Draft Asset Management Policy (2025-29) (under separate cover)

#### PURPOSE

The purpose of this report is to present the updated draft Asset Management Policy to Councillors for adoption.

#### EXECUTIVE SUMMARY

- The assets owned and managed by Council are valued at over \$1.03 billion in replacement costs, all of which are crucial in supporting the delivery of services to the local community.
- Asset management is a core service and is at the centre of Council's financial and strategic decision making.
- The Asset Management Policy is a high-level document within Council's Asset Management Framework, outlining the organisation's approach to achieving comprehensive, accountable, and transparent management practices.
- A review of Council's existing Asset Management Policy has been undertaken, and an updated draft document is now presented to Councillors for adoption.

#### RESOLUTION

**Moved:** Cr Rod Ward

**Seconded:** Cr Tom Sullivan

**That Council adopts the Draft Asset Management Policy (2025-29) provided as attachment 1 to this report.**

**CARRIED**

#### BACKGROUND

The assets owned and managed by Council are valued at over \$1.03 billion in replacement costs, all of which are crucial in supporting the delivery of services to the local community. These infrastructure assets are integral to every facet of our daily lives, ensuring our safety, health, connectivity, and employment. Maintaining existing infrastructure is just as vital as developing new infrastructure. Council's asset base continues to grow significantly, driven by Council's capital improvement program and assets contributed by developers.

As custodian of these assets, Council ensures that they are effectively managed and fit for purpose, so they continue to meet the needs to the growing community whilst achieving best-value, sustainable outcomes.

Asset management is a core service and is at the centre of Council's financial and strategic planning decision making. This policy along with the Asset Plan and Asset Management Plans,

provides a framework for comprehensive, accountable, and transparent asset management practices.



**Figure 1: Asset Management Framework**

The policy is a high-level document within the framework which sets out the organisation's approach to asset management including the principles that will be followed. A review of the existing policy has been undertaken by key internal staff, including benchmarking against current practice as well as other Council's strategic documentation. A draft updated version is attached to this report.

Only minor updates from the previous version are proposed in order to streamline the document and more clearly articulate the roles and responsibilities with respect to asset management.

## **PROPOSAL**

Following a review of Council's existing Asset Management Policy an updated draft document is now presented to Councillors for adoption.

The Council Plan 2021-2025 provides as follows:

**Strategic Objective 3: A Council that listens and adapts to the needs of our evolving communities**

**Priority 3.2: Align services to meet the needs of the community**

The proposal is consistent with the Council Plan 2021-2025.

## **FINANCIAL IMPLICATIONS**

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

## **RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

There are no risk or occupational health and safety issues associated with the recommendation within this report.

**COMMUNICATIONS & CONSULTATION STRATEGY**

<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Location</b>	<b>Date</b>	<b>Outcome</b>
Inform	Council customers	Copy of the updated policy (once adopted) made available on Council's website	Online	June 2025	Customers have access to Council's key strategic asset management documentation
Inform	Audit & Risk Committee	Copy of the updated policy (once adopted) provided to the Committee for information	Online	June 2025	Audit & Risk Committee informed about updates to Council's key strategic asset management documentation

**VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006**

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

**OFFICER'S DECLARATION OF CONFLICT OF INTERESTS**

Under section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

*General Manager – Phil Jeffrey*

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

*Author – Jacquie Younger*

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

**CONCLUSION**

A review of Council's existing Asset Management Policy has been undertaken, and a draft updated version is now presented to Council for adoption.

**16 OTHER REPORTS**

Nil



**17 NOTICES OF MOTION****17.1 NOTICE OF MOTION NO. 327 - FLOODING ISSUES - LAY COURT, WALSH STREET AND INGLISTON ROAD, BALLAN****Attachments: Nil**

I, Councillor Steve Venditti-Taylor, give notice that at the next Ordinary Meeting of Council to be held on 7 May 2025, I intend to move the following motion:

**RESOLUTION****Moved: Cr Steven Venditti-Taylor****Seconded: Cr Ally Munari****That:**

- 1. Council write to Melbourne Water requesting:**
  - a) A detailed account of the actions taken to date to address flooding issues in Lay Court, Walsh Street, and Ingliston Road, Ballan.**
  - b) Information on future measures planned to rectify these issues.**
  - c) Melbourne Water to host a community forum to discuss resident concerns and provide updates.**
- 2. Officers bring a report back to Council on the issue once responses are received from Melbourne Water.**

**CARRIED**

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**RATIONALE**

Ongoing flooding issues over a long period of time in the streets of Lay Court, Walsh Street and Ingliston Road, Ballan are causing stress and anger within the community.

I ask for a report and that Council write to the relevant water authority for an update on what actions have been taken to now and what will be done in the future to improve the issues residents currently face.

I ask that the report come back to Council and that Melbourne Water hold a community forum with affected residents.

I commend this Notice of Motion to Council.

**17.2 NOTICE OF MOTION NO. 328 - SUBSIDISED WASTE SERVICES****Attachments: Nil**

I, Councillor Steve Venditti-Taylor, give notice that at the next Ordinary Meeting of Council to be held on 7 May 2025, I intend to move the following motion:

**RESOLUTION****Moved: Cr Steven Venditti-Taylor****Seconded: Cr John Keogh****That officers prepare a report to Council on viable future options for subsidised waste services.****CARRIED**

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**RATIONALE**

With the recent conclusion of the trial period for subsidised waste management measures, I would like to explore a more permanent solution moving forward.

I request that an officer's report be presented to Council outlining potential options for continuing subsidised waste services in the future.

I commend this Notice of Motion to Council.

**17.3 NOTICE OF MOTION NO. 329 - INVESTIGATION INTO KERBSIDE COLLECTION OF HARD RUBBISH FROM RESIDENTS' HOMES****Attachments: Nil**

I, Councillor Sheila Freeman, give notice that at the next Ordinary Meeting of Council to be held on 7 May 2025, I intend to move the following motion:

**RESOLUTION****Moved: Cr Sheila Freeman****Seconded: Cr Steven Venditti-Taylor**

**That Council requests officers to prepare a report estimating the cost of engaging a contractor to collect up to one cubic metre of hard rubbish directly from residents' homes, once per household, for a one-month collection period annually.**

**CARRIED****RATIONALE**

Many residents, particularly the aged and residents with disabilities lack the means to transport hard rubbish to a transfer station or be able to afford to access paid collection services.

A limited, scheduled collection service could improve local amenity, reduce illegal dumping and support waste management goals.

This initiative would explore the feasibility and financial implications of providing a convenient, community-wide hard rubbish collection service. By limiting the volume to one square metre per household and restricting the collection period to one month per year, the aim is to provide support for responsible waste disposal while managing budgetary impacts and operational logistics.

Understanding the cost implications is the first step in assessing the viability of such a program.

Requested Outcome: The Council officer's report should include:

- Estimated contractor costs per household and for the Moorabool Shire overall.
- Potential timelines for implementation.
- Environmental and logistical considerations.
- Benchmarking against similar programs in comparable municipalities.

I commend this Notice of Motion to Council.

**18 NOTICES OF RESCISSION**

Nil

**19 MAYOR'S & COUNCILLORS REPORTS****19.1 MAYOR'S REPORT****Author:** Pamela Roncon, Co-ordinator CEO's office**Authoriser:** Derek Madden, Chief Executive Officer**Attachments:** Nil**PURPOSE**

To provide details to the community on the meetings and events attended by the Mayor since the last Ordinary Meeting of Council.

**EXECUTIVE SUMMARY**

That the Mayor's Report be tabled for consideration at the Ordinary Meeting of Council.

**RESOLUTION****Moved:** Cr Tom Sullivan**Seconded:** Cr Jarrod Bingham

**That Council receive and note the Mayor's Report.**

**CARRIED****Cr Paul Tatchell – Mayor's Report****Date:** 2 May 2025

8 April	<ul style="list-style-type: none"> <li>Official Opening – Navigators Community Multi-Purpose Hub Project, Corner Navigators &amp; Lyons Road, Navigators</li> </ul>
9 April	<ul style="list-style-type: none"> <li>Councillor Briefings</li> </ul>
11 April	<ul style="list-style-type: none"> <li>Meeting with Joe McCracken MP</li> </ul>
16 April	<ul style="list-style-type: none"> <li>Councillor Briefings</li> <li>Development Assessment Committee</li> </ul>
22 April	<ul style="list-style-type: none"> <li>Official Opening BMRRR Cricket Nets &amp; AFL/Cricket Oval &amp; BMRRR Dog Park Funding Announcement</li> </ul>
23 April	<ul style="list-style-type: none"> <li>Councillor Briefings</li> </ul>
25 April	<ul style="list-style-type: none"> <li>Ballan RSL ANZAC Day Dawn Service</li> <li>Ballan ANZAC Day Afternoon Service</li> </ul>
30 April	<ul style="list-style-type: none"> <li>Councillor Briefings</li> </ul>

**19.2 COUNCILLORS REPORTS**

**Author:** Pamela Roncon, Co-ordinator CEO's office

**Authoriser:** Derek Madden, Chief Executive Officer

**Attachments:** Nil

**PURPOSE**

To provide details to the community on meetings and events attended by Councillors since the last Ordinary Meeting of Council.

**EXECUTIVE SUMMARY**

That the Councillors Reports be accepted for consideration at the Ordinary Meeting of Council.

**RESOLUTION**

**Moved:** Cr Tom Sullivan

**Seconded:** Cr Moira Berry

**That Council receive and note the Councillors Reports.**

**CARRIED**

**Cr Tom Sullivan**

17 April	<ul style="list-style-type: none"><li>Online meeting of Timber Towns Victoria</li></ul>
25 April	<ul style="list-style-type: none"><li>ANZAC Day Lal Lal War Memorial Wreath Laying</li><li>Ballan ANZAC Day Afternoon Service</li></ul>

**Cr John Keogh**

22 April	<ul style="list-style-type: none"><li>Blacksmiths Cottage and Forge Community Asset Committee meeting</li></ul>
25 April	<ul style="list-style-type: none"><li>RSL ANZAC Day March, Bacchus Marsh</li></ul>

**Cr Steven Venditti-Taylor**

18 April	<ul style="list-style-type: none"><li>Bacchus Marsh Easter Fest, Bacchus Marsh</li></ul>
19 April	<ul style="list-style-type: none"><li>Blackwood Woodchop and Easter Carnival</li></ul>
25 April	<ul style="list-style-type: none"><li>ANZAC Day Blackwood Dawn service</li><li>RSL ANZAC Day March, Bacchus Marsh</li><li>ANZAC Day service Coimadai</li></ul>

	<ul style="list-style-type: none"> <li>• Ballan ANZAC Day Afternoon Service</li> </ul>
4 May	<ul style="list-style-type: none"> <li>• BMX State Championship, Bacchus Marsh</li> </ul>

**Cr Ally Munari**

25 April	<ul style="list-style-type: none"> <li>• ANZAC Day Myrniong Dawn Service</li> </ul>
4 May	<ul style="list-style-type: none"> <li>• BMX State Championship, Bacchus Marsh</li> </ul>

**Cr Sheila Freeman**

8 April	<ul style="list-style-type: none"> <li>• Official Opening – Navigators Community Multi-Purpose Hub Project, Corner Navigators &amp; Lyons Road, Navigators</li> </ul>
15 April	<ul style="list-style-type: none"> <li>• Health &amp; Wellbeing Workshop</li> </ul>
22 April	<ul style="list-style-type: none"> <li>• Official Opening BMRRR Cricket Nets &amp; AFL/Cricket Oval &amp; BMRRR Dog Park Funding Announcement</li> </ul>
25 April	<ul style="list-style-type: none"> <li>• Bacchus Marsh ANZAC Day Dawn Service</li> <li>• Community Radio Appearance <ul style="list-style-type: none"> <li>○ RSL ANZAC Day March, Bacchus Marsh</li> <li>○ ANZAC Day service Coimadai</li> </ul> </li> </ul>
5 May	<ul style="list-style-type: none"> <li>• Moorabool Health &amp; Wellbeing Advisory Committee Meeting</li> </ul>

**Cr Moira Berry**

7 April	<ul style="list-style-type: none"> <li>• Dunnstown Pavillion Upgrade Opening</li> </ul>
8 April	<ul style="list-style-type: none"> <li>• Official Opening – Navigators Community Multi-Purpose Hub Project, Corner Navigators &amp; Lyons Road, Navigators</li> <li>•</li> </ul>
22 April	<ul style="list-style-type: none"> <li>• Official Opening BMRRR Cricket Nets &amp; AFL/Cricket Oval &amp; BMRRR Dog Park Funding Announcement</li> <li>• Blacksmiths Cottage and Forge Community Asset Committee meeting</li> </ul>
25 April	<ul style="list-style-type: none"> <li>• RSL ANZAC Day Dawn Service, Bacchus Marsh</li> <li>• RSL ANZAC Day March, Bacchus Marsh</li> <li>• ANZAC Day service Coimadai</li> </ul>

4 May	<ul style="list-style-type: none"> <li>• BMX State Championship, Bacchus Marsh</li> </ul>
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Cr Jarrod Bingham	
25 April	<ul style="list-style-type: none"> <li>• RSL ANZAC Day Dawn Service, Bacchus Marsh</li> <li>• RSL ANZAC Day March, Bacchus Marsh</li> <li>• ANZAC Day service Coimadai</li> </ul>



**20 URGENT BUSINESS**

Nil

**21 CLOSED SESSION OF THE MEETING TO THE PUBLIC**

Nil

**22 MEETING CLOSURE**

The Meeting closed at 7.29pm.

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**CHAIRPERSON**