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| **MINUTES**  **Ordinary Council Meeting**  **Wednesday, 7 July 2021** | |
| **Date:** | **Wednesday, 7 July 2021** |
| **Time:** | **6.00pm** |
| **Location:** | **The Pavilion Room, Darley Civic Hub** |

**Order Of Business**

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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 Tom Sullivan, Mayor West Moorabool Ward

Cr Rod Ward, Deputy Mayor East Moorabool Ward

Cr David Edwards East Moorabool Ward

Cr Moira Berry East Moorabool Ward

Cr Tonia Dudzik East Moorabool Ward

Cr Ally Munari Woodlands Ward

Cr Paul Tatchell Central Moorabool Ward

**Officers:**

Ms Sally Jones Acting Chief Executive Officer

Mr Phil Jeffrey General Manager Community Assets and Infrastructure

Mr Chris Gardner Acting General Manager Community Strengthening

Mr Lalitha Koya Acting General Manager Customer Care & Advocacy

Mr Steve Ivelja Chief Financial Officer

Mr Anthony Smith Manager Governance, Risk & Corporate Planning

Ms. Sarah Kernohan Manager Growth and Development

Mr. Troy Delia Coordinator Governance and Risk

5 Apologies

Nil

6 Confirmation of Minutes

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| **Resolution**  **Moved:** Cr Moira Berry  **Seconded:** Cr David Edwards  **That the minutes of the Ordinary Council Meeting held on Wednesday 2 June 2021, the Special Council Meeting held on Wednesday 16 June 2021 and the Special Council Meeting held on Wednesday 30 June 2021 be confirmed.**  **Carried** |

7 Disclosure of Conflicts of Interest

Nil.

8 Public Question Time

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| **Name** | **Question/Response** | **CEO/GM/EM** | **Read at Meeting**  **Yes/No** | **Taken on Notice**  **Yes/No** |
| Mr. John Kowarsky | **Question 1:**  With reference to the Ballan Library Major Priority Project, will Council please provide an update on the progress of the “Draft Ballan Library Infrastructure Review” that was scheduled for briefing to Council by the end of the Financial year? | Chris Gardner  Acting General Manager Community Strengthening | Yes |  |
|  | **Response:**   The Draft Ballan Library Infrastructure Review was presented to Councillors during the Briefing of 9 June 2021 for discussion and feedback.  Officers will continue to evaluate external funding opportunities to support the project, with capital funding of $300,000 included in the endorsed 21-22 budget for design works. |  |  |  |
|  | **Question 2:**  Will Council please provide an update on Council‘s Planning Application to remove the fine Claret Ash tree presently on the nature strip outside 22 Fisken Street, Ballan. | Sarah Kernohan, Manager, Growth and Development | Yes |  |
|  | **Response:**   There is a current planning application for the removal of one tree within the road reserve at 22 Fisken Street, Ballan (PA2021042). A decision has not been made on this application and officers are considering a range of issues associated with the infrastructure upgrade and the recommendations from an independent Arborist. Once the assessment is complete, a report will be drafted for Council’s consideration. All submitters to the application will be notified of the meeting when the report is being tabled at Council. |  |  |  |

9 Petitions

Nil.

10 Presentations/Deputations

Nil.

11 Chief Executive Officer Reports

11.1 Mayoral and Councillor Allowances

**Author: Anthony Smith, Manager Governance, Risk & Corporate Planning**

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

**Attachments: Nil**

Purpose

The purpose of this report is to set the Mayoral and Councillor Allowances as required in accordance with section 74 of the *Local Government Act 1989.*

Executive Summary

 Sections 74 and 74A of the *Local Government Act 1989* make provision for the setting of, and application of increases to Mayoral and Councillor Allowances.

 As a designated Category 2 Council, the current maximum Mayoral and Councillor Allowance are set at $81,204 and $26,245 plus 9.5% (equivalent of superannuation guarantee contribution) respectively. Note that this percentage is scheduled to increase to 10.0% from 1 July 2021.

 Following the conduct of the review process and calling of submissions in accordance with section 223 of the *Local Government Act 1989*, this report recommends that the Councillors and Mayoral Allowances remain at the maximum amount in the range for a Category 2 Council.

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| Resolution  **Moved:** Cr Moira Berry  **Seconded:** Cr David Edwards  **That Council:**  **1. Having reviewed the Mayoral and Councillor Allowances in accordance with Section 74 of the *Local Government Act 1989*, sets the Mayoral and Councillor allowances at $81,204 and $26,245 plus 9.5% (equivalent of superannuation guarantee contribution) respectively.**  **2. Notes the Superannuation Guarantee Contribution is scheduled to increase to 10.0% from 1 July 2021.**  **3. Resolves that the Mayoral and Councillor Allowances remain set at these amounts until a determination on the allowances has been made by the Victorian Independent Remuneration Tribunal.**  **Carried** |

Background

The Mayor and Councillors are entitled to receive an allowance while performing their duty as an elected official.

Section 39 of the *Local Government Act 2020* stipulates that Mayors, Deputy Mayors and Councillors are entitled to receive an allowance in accordance with a Determination of the Victorian Independent Remuneration Tribunal. However, a determination made by the Tribunal at the request of the Minister for Local Government, under section 23A of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019,* has not yet come into effect.

Until such time that a determination is made by the Tribunal at the request of the Minister for Local Government, under section 23A of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019,* the review of allowances will continue under s.74(1) of the *Local Government Act 1989* after the election.

Proposal

Councils are classified as a Category 1, 2 or 3 for the purposes of determining the allowance range and limit. Moorabool Shire Council is a Category 2 Council.

As a designated Category 2 Council, the current Mayoral Allowance is set at $81,204 per annum plus the amount equivalent of the superannuation guarantee contribution 9.5% and Councillor Allowances are set at $26,245 per annum plus 9.5%, equivalent of superannuation guarantee contribution. Note that this percentage is scheduled to increase to 10.0% from 1 July 2021.

The review of the Councillor and Mayoral Allowances has taken into consideration the classification and size of the Council; the complexity of issues brought before it and the ensuing workloads for Councillors. Therefore, it is recommended that Councillors and Mayoral Allowances remain at the maximum amount in the range.

Council Plan

The Council Plan 2017-2021 provides as follows:

**Strategic Objective 1: Providing Good Governance and Leadership**

**Context 1B: Our People**

The proposal to review the Mayoral and Councillor allowances is consistent with the Council Plan 2017 – 2021.

Financial Implications

Provision for the application of the Mayoral and Councillors Allowances is included in Council’s Annual Budget.

Risk & Occupational Health & Safety Issues

There are no identified risks or occupational, health & safety implications as a result of presenting this report.

Communications & Consultation Strategy

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| **Level of Engagement** | **Stakeholder** | **Activities** | **Location** | **Date** | **Outcome** |
| Consult | Residents and the General Community | Call for Submissions under section 223 of the *Local Government Act 1989* | Online & Public Notice | 3 June 2021 | Written submissions were invited until 1 July 2021 and no submissions 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.

*Chief Executive Officer – Derek Madden*

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

*Author – Anthony Smith*

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

Conclusion

This report recommends that Council adopts the Mayoral and Councillor Allowances, as reviewed in accordance with the requirements of the *Local Government Act 1989*.

11.2 Delegated Committees of Council - Reports

**Author: Anthony Smith, Manager Governance, Risk and Corporate Planning**

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

**Attachments: Nil**

**Purpose**

Delegated Committees are established to assist Council with executing specific functions or duties. By Instrument of delegation, Council may delegate to the committees such functions and powers of the Council that it deems appropriate, utilising provisions of the *Local Government Act 1989* and now, *Local Government Act 2020*. The Council could not delegate certain powers as specifically indicated in Section 86(4) of the *Local Government Act 1989* and cannot delegate those powers identified in section 11(2) of the *Local Government Act 2020*.

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

**Executive Summary**

Councillors, as representatives of the following Delegated Committees of Council, present the report of the Committee Meetings for Council consideration.

|  |  |  |
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| Committee | Meeting Date | Council Representative |
| Moorabool Growth Management Committee Meeting - [Minutes](https://www.moorabool.vic.gov.au/sites/default/files/MGM%20Minutes%20030321_0.DOCX) | 3 March 2021 | All Councillors |
| Development Assessment Committee Meeting - [Minutes](https://www.moorabool.vic.gov.au/sites/default/files/DAC%20Minutes%20210421%20-%20unconfirmed.DOCX) | 21 April 2021 | All Councillors |

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| **Resolution**  **Moved:** Cr Ally Munari  **Seconded:** Cr Paul Tatchell  **That Council receive the following Delegated Committee reports:**  **1. Moorabool Growth Management Committee Meeting Minutes 3 March 2021**  **2. Development Assessment Committee Meeting Minutes 21 April 2021**  **Carried** |

11.3 Advisory Committees of Council - Reports

**Author: Anthony Smith, Manager Governance, Risk and Corporate Planning**

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

**Attachments: 1. Minutes - Local Business Advisory Committee - 9 March 2021 (under separate cover)**

**2. Minutes - Local Business Advisory Committee - 13 April 2021 (under separate cover)**

**3. Minutes - Local Business Advisory Committee - 11 May 2021 (under separate cover)**

**Purpose**

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

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

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

**Executive Summary**

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

|  |  |  |
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| Committee | Meeting Date | Council Representatives |
| Local Business Advisory Committee | 9 March 2021 | Cr. Tatchell, Cr. Dudzik |
| Local Business Advisory Committee | 13 April 2021 | Cr. Tatchell, Cr. Dudzik |
| Local Business Advisory Committee | 11 May 2021 | Cr. Tatchell, Cr. Dudzik |

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| **Resolution**  **Moved:** Cr Paul Tatchell  **Seconded:** Cr Tonia Dudzik  **That Council receive the following Advisory Committee reports:**  **1. Local Business Advisory Committee Meeting Minutes 9 March 2021**  **2. Local Business Advisory Committee Meeting Minutes 13 April 2021**  **3. Local Business Advisory Committee Meeting Minutes 11 May 2021**  **Carried** |

12 Community Planning and Economic Development Reports

12.1 Review of RV Friendly Town Program

**Author: Andy Waugh, Coordinator Economic Development & Activation**

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

**Attachments: Nil**

Purpose

To respond to the resolution made at the Ordinary Meeting of Council held 5 September 2018 which supported inclusion in the RV Friendly Town program operated by the Campervan and Motorhome Club of Australia Limited and requested an evaluation of locations and an assessment.

Executive Summary

 During the assessment, additional factors have been identified which do not support inclusion in the RV Friendly Town program.

 The COVID-19 pandemic has had a significant impact on the tourism sector with a need to support local businesses, in particular accommodation providers which have experienced high numbers of cancelled bookings.

 RV users should preferably be directed to current businesses which have a dump point as opposed to establishing a separate dump point to meet the criteria for inclusion in the RV Friendly Town program.

 Future marketing and promotional campaigns will include RV users with a focus on attracting higher numbers of visitors and increasing the length of stay.

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| Resolution  **Moved:** Cr Rod Ward  **Seconded:** Cr Moira Berry  **That Council:**  **1. Notes the outcome of the Review of the RV Friendly Town Program.**  **2. Adopts the recommendation to lend support to local businesses with established infrastructure as opposed to actively participating in the RV Friendly Town program.**  **Carried** |

Background

The 5 September 2018 Resolution by Council supported inclusion in the RV Friendly Town program subject to further investigation by officers in identifying appropriate locations and infrastructure requirements.

ASSESSMENT

As assessment was undertaken examining suitability of sites, cost, and relevant criteria. This was extended to include impacts of the COVID-19 pandemic.

**Assessment of sites**

In identifying locations for consideration, officers focused on sites that are owned by Council, of suitable size and in close proximity to a range of services as defined under the program criteria. This limited the sites that could be considered and furthermore excluded smaller towns and settlements.

Three sites were selected in Bacchus Marsh, Maddingley and Ballan as shown in **Figures 1 to 3** below.

Figure 1 is a aerial shot of Rotary Park and the Food retail is identified as being 1,200m from the parking site


**Figure 1**: Site 1 – Rotary Park, Bacchus Marsh

Figure 2 is an aerial photograph of Werribee Vale Road identifying the train station as being 1,200m from the parking site and the Food retail being 450m from the parking site


**Figure 2**: Site 2 – Werribee Vale Road opposite Peppertree Park, Maddingley



**Figure 3**: Site 3 – Mill Park Ballan

**Site assessment against program criteria**

Each of the three sites were assessed against the essential and desirable criteria set out by the RV Friendly Town program. **Table 1** below presents the assessment against criteria.

|  |  |  |  |
| --- | --- | --- | --- |
| Essential Criteria | Location | Location | Location |
|  | Rotary Park | Werribee Vale Road | Mill Park |
| Provision of appropriate parking within the town centre, with access to a general shopping area for groceries and fresh produce |   Gravel car park behind the Village Green within proximity to Bacchus Marsh Town Centre | X  Gravel area within proximity to the Grant Street Shops but not in proximity to the Bacchus Marsh Town Centre | X  Not in proximity to the Town Centre |
| Provision of short term, low cost overnight parking (24/48 hours) for self-contained recreational vehicles, as close as possible to the CBD | X  Not suitable, no supporting infrastructure | X  Gravel area within proximity to the Grant Street Shops but not in proximity to the Bacchus Marsh Town Centre | X  Not suitable, no supporting infrastructure |
| Access to potable water | X  Can be provided at a cost to Council | X  Can be provided at a cost to Council | X  Can be provided at a cost to Council |
| Access to a free dump point at an appropriate location | X  Can be provided at a cost to Council | X  Can be provided at a cost to Council | X  Can be provided at a cost to Council |

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| --- | --- | --- | --- |
| Desirable Criteria | Location | Location | Location |
|  | Rotary Park | Werribee Vale Road | Mill Park |
| Provision of long-term parking or self-contained recreational vehicles | X  Only suitable for short term parking (no more than one day but not overnight) | X  Only suitable for short term parking (no more than one day but not overnight) | X  Only suitable for short term parking (no more than one day but not overnight) |
| Access to medical facilities or an appropriate emergency service |   Available within walking distance |   Available within walking distance |   Available within walking distance |
| Access to a pharmacy or a procedure to obtain pharmaceutical products |   Available within walking distance |   Available within walking distance |   Available within walking distance |
| Visitor Information Centre (VIC) with appropriate parking facilities |   Available within walking distance |   Available within driving distance |   Available within driving distance |
| RV Friendly Town signs to be erected within the Town Centre |   At a cost to Council |   At a cost to Council |   At a cost to Council |

**Table 1**: Site location and suitability against RV Friendly Town program criteria (essential and desirable)

**Summary of essential and desirable criteria**

Based on the assessment above, the sites identified do not meet the criteria on balance and although investment can be made in the sites, they are not considered suitable for long term RV facilities. These sites can at most provide limited temporary/short stay parking.

The Shire currently has two caravan parks where dump points are provided on site and a third is considering implementing a dump point. Officers have engaged with the business operators and the feedback received is that the number of RV users staying at their premises to use the dump points is minimal.

**Project Costs**

Installation and maintenance

The cost of providing and maintaining a dump point at any site needs to be fully costed. Items to be costed includes infrastructure provision as well as items such as lighting, bollards, and signage. Additional costs would be required for establishing turning arc’s and roadworks relevant to each site. Ongoing maintenance costs would also need to be calculated.

Servicing authority

Western Water as the servicing authority was engaged. Each site needs to be assessed individually to determine conditions of use, cost and restrictions. It is noted that due to misuse having been experiences at various locations, the dump point would be required to be locked after every use and accessed through a key. Every time the dump point is used, supervision would be necessary, therefore requiring paid staffing or a coordinated volunteer service. Only black water and grey water would be allowed, with no oils, grease, fat, food, waste solids or paints permitted. Finally, a formal agreement would need to be entered into. Based on the current septic tanker waste disposal fee to the treatment plant, charges are likely to be circa $58.00 per kilolitre. These conditions will place an added cost on the program.

**RV Visitation and RV Free Overnight Parking**

There are no specific RV visitation numbers available for Moorabool Shire. Data from the National and International Survey for the period 2015-2019 did not provide Moorabool specific data either and looked at trends.

There is also no free parking currently available for overnight RV users. RV users are likely to stay at paid accommodation such as a caravan park. A condition of an RV Friendly Town is that free parking is provided, therefore if free parking is provided for RV users, income may be removed from current Shire accommodation businesses.

**Impact of COVID-19 pandemic**

The COVID-19 pandemic has had a significant effect on the travel industry. Caravan parks and accommodation providers were impacted through early restrictions but then began a slow recovery which included bookings for Term 2 school holidays during 2020. With the onset of a second wave of cases and travel restrictions placed on residents from metropolitan Melbourne, widespread cancellations were experienced throughout 2020 by caravan parks and other accommodation providers. An easing of restrictions has seen a resurgence of bookings during the early months of 2021.

The Bacchus Marsh Caravan Park and Phoenix Park in Ballan are both equipped with dump points. A third privately owned location within the Shire is considering installing a dump point. It is vital that local business is supported in the future to assist in their financial recovery. Therefore, the prudent option is to direct RV travellers to these locations as opposed to establishing a separate facility. The park owners will provide the friendly interface with the visitor and direct them to attractions and local businesses.

**Future promotion**

Digital platforms other than the RV Friendly Towns website will be used to promote the existing businesses within the Shire with a dump point. One website (<https://www.sanidumps.com/>) provides RV users with locations and travel information to assist their journey. Future marketing and promotional campaigns will highlight the experiences and attractions available within the Shire. Combined with this will be a campaign directed at the visitor to extend their stay at one of the local accommodation providers, including caravan parks with facilities such as dump points.

**PROPOSAL**

The proposal is to promote and support existing sites that provide the service and work closely with the site operators/owners as opposed to creating new facilities at a substantial cost to Council.

Council Plan

The Council Plan 2017-2021 provides as follows:

**Strategic Objective 3: Stimulating Economic Development**

**Context 3B: Investment & Employment**

The proposal to promote and support existing sites that provide the service and work closely with site operators/owners as opposed to creating new facilities at a substantial cost to Council is consistent with the Council Plan 2017 – 2021.

Financial Implications

Inclusion in the RV Friendly Town program is free in regard to there being no registration fee applicable to joining. However, the following financial implications exist:

 Installation, lighting, bollards and signage

 Turning arc’s and roadworks – cost to be determined for each individual site

 Year 1 set up and site maintenance

 Ongoing maintenance of site

 On call officer to attend on site

 Western Water dumping fee

There is no cost associated with supporting current businesses which operate a dump point. Marketing and promotional campaigns targeted at the tourism sector will be met from existing budgets.

Risk & Occupational Health & Safety Issues

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| **Risk Identifier** | **Detail of Risk** | **Risk Rating** | **Control/s** |
| Independent dump point is implemented | Negative impacts on local businesses through loss of trade | High | Direct RV users towards businesses which have a dump point |
| Financial – Inadequate funds to finish project | Inadequate financial management | High | Consider range of options at a reduced cost |

Communications & Consultation Strategy

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| **Level of Engagement** | **Stakeholder** | **Activities** | **Location** | **Date** | **Outcome** |
| Consultation | Bacchus Marsh Caravan Park Manager | Discussion on initiatives to support local business | Phone | August 2020 | Support for directing RV users toward businesses which have a dump point |
| Consultation | Phoenix Park Manager | Discussion on initiatives to support local business | Phone | August 2020 | Support for directing RV users toward businesses which have a dump point |

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 – Andy Waugh*

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

Conclusion

The RV Friendly Town program is appealing in its ability to attract RV users. However, an independent dump point(s) would come at a substantial cost to Council with set-up and on-going maintenance required as well as a dedicated staff or volunteer commitment. Additionally, the need to assist businesses in recovering from the impact of COID-19 provides the opportunity to direct RV users to accommodation providers which currently have a dump point. Future marketing and promotional campaigns targeted at the tourism sector will encourage visitors including RV users to stay longer at the Shire’s accommodation providers and support local businesses.

13 Community Strengthening Reports

Nil

14 Customer Care and Advocacy Reports

14.1 Revenue and Rating Plan

**Author: Jacinta Erdody, Co-ordinator Revenue & Procurement**

**Authoriser: Caroline Buisson, General Manager Customer Care & Advocacy**

**Attachments: 1. Revenue and Rating Plan (under separate cover)**

Purpose

The *Local Government Act 2020* requires Council to formally adopt a Revenue and Rating Plan in accordance with Section 93 by 30 June after a general election for a period of at least the next four financial years. The draft Revenue and Rating Plan was adopted for public consultation at the May Ordinary Meeting of Council and during the public consultation no submissions were made in relation to the document.

Executive Summary

 The Revenue and Rating Plan establishes the revenue raising framework within which Council proposes to raise revenue and will form part of Council’s strategic framework.

 The Plan embodies a comprehensive view, the rational, objectives and core strategies that Council uses to raise its revenue purse through its rating option model, fees and charges, grants, contributions, interest income and borrowing strategy.

 The draft Revenue and Rating Plan was publicly advertised for feedback post the May 2021 Ordinary Meeting of Council and no submissions to the document have been lodged.

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| Resolution  **Moved:** Cr Tonia Dudzik  **Seconded:** Cr David Edwards  **That Council:**   1. **Adopts the Revenue and Rating Plan, shown as Attachment 1 to this report.** 2. **Undertakes a further review of the Revenue and Rating Plan by the 30 June 2022.** 3. **Receives a further report to the September Ordinary Meeting of Council in relation to the process to be undertaken for the review of the Revenue and Rating Plan.** 4. **Makes the Revenue and Rating Plan publicly available on its Website.**   **Carried**  Cr Munari abstained from the vote. |

Background

The *Local Government Act 2020* requires Council to formally adopt a Revenue and Rating Plan in accordance with Section 93 by 30 June after a general election for a period of at least the next four financial years.

The Revenue and Rating Plan is an important part of Council’s integrated planning framework, which will support the achievement of the Community Vision and Council Plan.

The Revenue and Rating Plan will outline how Council will levy rate revenue and will outline other revenue sources that contribute to ensuring Council Plan and objectives are delivered.

Proposal

The Revenue and Rating Plan outlines how Council will generate rate revenue, consider other sources of Revenue and how we will go about the collection of rates and charges in an open and transparent manner for our community whilst remaining compliant with our legislative obligations.

The Plan sets out decisions that Council has made in relation to its currently adopted Rating Strategy to ensure the fair and equitable distribution of rates across property owners including methodology and principles relating to non-rate revenue including user fees and charges, government grants, developer contributions and all other Council income sources.

Council Plan

The Council Plan 2017-2021 provides as follows:

**Strategic Objective 1: Providing Good Governance and Leadership**

**Context 1C: Our Business and Systems**

The proposal to adopt a Revenue and Rating Plan is not provided for in the Council Plan 2017 – 2021 but can be actioned utilising existing resources.

Financial Implications

There are no immediate financial implications envisaged that will impede or put pressure on the 2021/2022 budgeting process. In future years, as Council refines the Revenue and Rating Plan, the document will inform the development of future years’ budgets and the 10-year financial plan.

Risk & Occupational Health & Safety Issues

The Revenue and Rating Plan is a new requirement as part of the *Local Government Act 2020* and is required to be adopted by 30 June 2021. The draft Revenue and Rating Plan seeks to ensure legislative compliance and reduce the risk of non-compliance with the *Local Government Act 2020*.

Communications & Consultation Strategy

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| **Level of Engagement** | **Stakeholder** | **Activities** | **Date** | **Outcome** |
| Consult | Community | Document was publicly advertised post May Ordinary Meeting of Council and made available on the ‘Have your Say’ page. | May 2021 to June 2021 | No submissions were made to the draft version of this document |

In future years, as Council further refines and develops its Revenue and Rating Plan, more detailed community engagement will be undertaken.

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 – Caroline Buisson*

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

*Author – Jacinta Erdody*

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

Conclusion

The Revenue and Rating Plan is a new legislative requirement under the *Local Government Act 2020*. It builds on Council’s existing Municipal Rating Strategy and establishes the revenue raising framework within which Council proposes to raise revenue. The Plan forms an important component of the Integrated Strategic Planning Framework.

15 Community Assets & Infrastructure Reports

15.1 Draft Naturestrip Policy and Naturestrip Guidelines

**Author: Bivish Ghimire, Asset Management Coordinator**

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

**Attachments: 1. Draft Naturestrip Policy (under separate cover)**

**2. Draft Naturestrip Guidelines (under separate cover)**

Purpose

The purpose of this report is to provide an overview of the proposed Draft Naturestrip Policy and Naturestrip Guidelines (2021-25) and seeks Councillors approval to proceed with public exhibition.

Executive Summary

 Council’s draft Naturestrip Policy & Naturestrip Guideline are operational documents that provide an overview of Council’s and residents management and maintenance practices and responsibilities.

 Development of this draft policy and guideline have been undertaken by Council staff and was based upon community consultation, professional experience and learnings, benchmarking against other Councils.

 This report seeks Council’s endorsement to proceed to public exhibition of the draft documents, providing the community with an opportunity to comment on the policy and guideline prior to being presented to Council for final adoption.

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| Resolution  **Moved:** Cr Rod Ward  **Seconded:** Cr Moira Berry  **That Council:**  **1. Endorses the** **Draft Naturestrip Policy and Naturestrip Guidelines for the purpose of public consultation, provided as Attachments 1 and 2 to this report.**  **2. Requests that a further report be presented to Council on completion of that consultation.**  **Carried** |

Background

A naturestrip is the portion of land located within the road reserve, between a property boundary and the adjacent roadway. Naturestrips add to the amenity of the local area, facilitate pedestrian movement and also provide a space for assets such as footpaths, trees, street furniture and lights and utilities such as gas, water, telecommunications and electricity to be located.

Whilst Council is the authority that manage the road reserve, it is the expectation that the adjacent landowner or occupier will undertake maintenance of the naturestrip area to ensure it is maintained in a neat and tidy condition. Council undertakes maintenance of naturestrips only along town entrances and in high-profile areas such as the CBD and are also responsible for the street trees planted within the naturestrip.

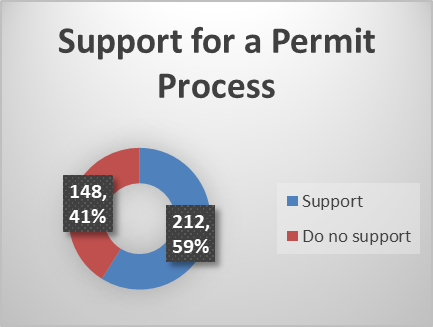
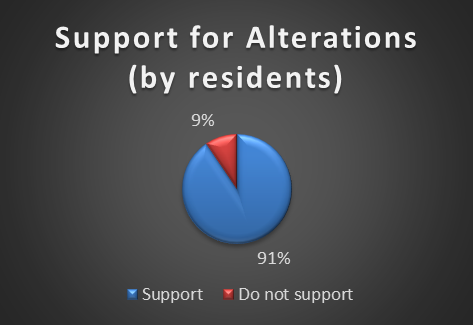
Council receives numerous requests from residents in relation to what is/is not permitted with respect to the ‘beautification’ of the naturestrip adjacent to their properties. This may include requests to replace the grassed area with other materials such as crushed rock, or the installation of landscaping items such as plantings, landscape features or formalised garden beds. In addition, complaints are also received by Council in relation to naturestrips that have been altered in the absence of a formal policy and/or without consent from Council.

An action within the Council Plan 2017-2021 is the development of a Naturestrip Policy to provide clear guidance to Moorabool Shire residents.

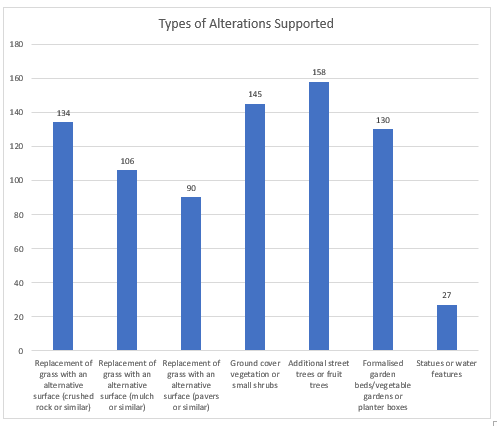
Community Survey

Following an initial presentation to the Executive Group in November 2020, a community survey was undertaken to gauge the level of support for the alterations to naturestrip generally and obtain feedback on the types of modifications that residents would like to see.

The survey received a high level of response with over 360 submissions. A summary of the responses and key themes from the survey is provided below.



Out of total of 360 submissions 91% supported the alteration of the naturestrip, while only 9% did not support it. 59% of residents also supported that a permit process should be put in place.



The survey also sought feedback on the type of alterations residents wanted. The highest level of support was for additional street trees, formalised vegetable planter boxes and replacing existing grass with an alternative surface (crushed rock or similar). The lowest support was for the installation of statues or water features.

Key Considerations

A cross organisational working group including key staff from assets, engineering, operations, environment, community safety and strategic planning have reviewed the community survey data and developed a range of options in the management of this issue. Benchmarking against other Council’s policies and processes has also been undertaken as part of this process.

Some of the complexities that were considered by the working group include:

 Alignment with the requirements under Moorabool’s Local Laws.

 Road safety (pedestrians and road users).

 Risk and liability issues.

 Maintenance of pedestrian access and provision for future connections.

 Planning overlays

 Implementation of the policy and addressing non-compliance.

 Whether the policy should be retrospective.

 The development of a permit process, including Council requirements (plans, inspections etc.) and consideration of associated administration fees/resource requirements.

 Ongoing access to assets and reinstatement works (including other service authorities).

 Planting, maintenance and management responsibilities for street trees.

 Ongoing management and maintenance requirements and removal/reinstatement requirements and costs.

 Changes in the ownership of properties.

Proposal

The draft Naturestrip Policy and Naturestrip Guidelines were developed by Council staff from various departments utilising their professional experience, benchmarking against other Council’s and public feedback.

The aim of the of the Draft Naturestrip Policy and Naturestrip Guideline is to provide an easy to follow process for residents and achieve a high amenity outcome for urban areas by encouraging green naturestrips by planting of grasses without the need to apply for permit. For this reason, it is proposed to exclude the installation of compacted gravel materials, even though this was highly supported by the community feedback. The exclusion of the use of compacted gravel will help to discourage vehicles from parking on the nature strip, which is prohibited under Council’s Local Law and creates a range of issues for both pedestrians and motorists. Officers also considered a number of other options raised by the community, however, these options may potentially create risks for pedestrians, and this has been reflected in the attached Naturestrip Guidelines.

Officers have developed a two-stage permit process for development of naturestrips.

***Stage 1****: Minimal Alterations (with no Permit Process required).*

Installation of grass or turf would be permitted by Council without the need to apply for a permit.

***Stage 2****: Alternative Options (Automated Online Permit Process with no fee).*

Installation of approved plantings (shrubs) and installation of wood chips or mulch would be permitted by Council via a permit with no fee payable. This would be applied for and approved online to limit any risk to Council and ensure residents are aware of their responsibility for ongoing maintenance and risk.

This two-stage process is fully supported and documented in the Draft Naturestrip Guidelines.

Council Plan

The Council Plan 2017-2021 provides as follows:

**Strategic Objective 1: Providing Good Governance and Leadership**

**Context 1A: Our Assets and Infrastructure**

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

Financial Implications

There are no financial implications associated with implementing the proposals.

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

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| **Level of Engagement** | **Stakeholder** | **Activities** | **Date** | **Outcome** |
| Consult | Council officers | Internal working group meetings to develop a Draft Naturestrip Policy and Naturestrip Guideline. | January – May 2021 | Developed Draft Naturestrip Policy & Naturestrip Guideline. |
| Consult | Councillors | Briefing of Councillors to provide an overview of the Naturestrip Policy and Naturestrip Guideline. A report to Council seeking endorsement of the public exhibition process. | July 2021 | Endorsement of the draft documents and proposed public exhibition process. |
| Consult | Community | Public exhibition of the updated draft documents to allow for review and submissions by the community, to be taken into account in finalising the policy and guideline (4 weeks). | July - August 2021 | Community feedback on the draft documents. |
| Consult | Councillors | A report to Council outlining the submissions received during the public exhibition process, providing an official response and overview of any required amendments. | September 2021 | Final draft document presented to Council. |
| Inform | Community | Final adopted document made available to the public on Council’s website. | October 2021 | Final adopted Naturestrip Policy and Guideline 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 – Bivish Ghimire*

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

Conclusion

The draft Naturestrip Policy and Naturestrip Guidelines are operational documents that provide an overview of Council’s and residents management and maintenance practices and responsibilities.

The purpose of this report is to seek Council endorsement for the public exhibition of the draft documents for a four (4) week period. A further report will be presented to Council after the consultation period has been completed.

16 Other Reports

Nil

17 Notices of Motion

Nil

18 Notices of Rescission

Nil

19 Mayor’s Report

19.1 Mayor's Report

**Author: Dianne Elshaug, Co-ordinator CEOs 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.

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| **Cr Tom Sullivan – Mayor’s Report** | |
| ***Date:*** *7 July 2021* | |
| 4 June | * Central Highlands Councils Victoria Mayors & CEOs Meeting |
| 9 June | * Opening of Ballan COVID-19 Vaccination Clinic, Ballan Mechanics Institute * Councillor Briefings – Review of the RV Friendly Town Program, Ballan Library Infrastructure Review; Township Improvement Plans; Review of the DAC Agenda |
| 13 June | * Community Meeting – Blackwood |
| 15 June | * Regional Roads Victoria Update Meeting, Ballan |
| 16 June | * Community Meeting – Korweinguboora Recreation Reserve * Councillor Briefings – Naturestrip Policy, Review of the OMC Agenda * Special Meeting of Council * Development Assessment Committee |
| 17 June | * Timber Towns Victoria Meeting |
| 30 June | * Burial of the Bacchus Marsh Rotary Time Capsule, Rotary Park * Special Meeting of Council |
| 2 July | * Grampians Central West Waste & Resource Recovery Group Local Government Forum |
| 7 July | * Councillor Briefing – Revenue & Rating Plan * Ordinary Meeting of Council |

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| Resolution  **Moved:** Cr Paul Tatchell  **Seconded:** Cr Ally Munari  **That Council receives the Mayor’s Report.**  **Carried** |

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20 Councillors’ Reports

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| **Cr Ally Munari** | |
| ***Date:*** *7 July 2021* | |
| 13 June | * Community Meeting – Blackwood |
|  | * Participated in new Councillor Training |

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| **Cr Paul Tatchell** | |
| ***Date:*** *7 July 2021* | |
|  | * Ballan Recreation Reserve Annual General Meeting |
|  | * Lal Lal Railway Station Funding Announcement. |
|  | * Launch of new cricket nets |
|  | * Business Advisory Committee Meeting |

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| **Cr Moira Berry** | |
| ***Date:*** *7 July 2021* | |
| 8 June | * Tour of the Landcare nursery at Rowsley |

21 Urgent Business

Cr Edwards raised the following items to be admitted to Urgent Business:

1. Ceasing of Djerriwarrh Health Services
2. Permit for Toxic Soil

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| 21.1 Admission of Urgent Business |
| **Resolution**  **Moved:** Cr David Edwards  **Seconded:** Cr Rod Ward  That Council resolves admit the Urgent Business Items relating to the ceasing of Djerriwarrh Health Services and the Permit for Toxic Soil.  **Carried** |

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| 21.2 Urgent Business - Ceasing of Djerriwarrh Health Services |
| **Resolution**  **Moved:** Cr David Edwards  **Seconded:** Cr Rod Ward  **That Council write to local members to express our dissappointment in the decision to end the service of Djerriwarrh Health Services.**  **Carried** |

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| 21.3 Urgent Business - Permit for Toxic Soil |
| **Resolution**  **Moved:** Cr David Edwards  **Seconded:** Cr Tonia Dudzik  **That Council write to the Planning Minister, the Hon. Richard Wynn to request the removal of the permit that allows contaminated tunnel soil to be deleivered and stored in the Parwan food bowl.**  **Carried** |

22 Closed Session of the Meeting to the Public

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| Adjournment – 6.21PM  **Moved:** Cr David Edwards  **Seconded:** Cr Ally Munari  **That the meeting now stand adjourned for a period of 5 minutes.**  **Carried** |

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| **Resumption - 6.24pm** |
| Resolution  **Moved:** Cr David Edwards  **Seconded:** Cr Paul Tatchell  **That the meeting be resumed.**  **Carried** |

This matter is considered to be confidential under Section 3(1)(a) of the *Local Government Act 2020*, and the Council is satisified that discussion of this matter in an open meeting would prejudice the Council’s position in commercial negotiations if prematurely released.

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| Resolution  **Moved:** Cr Paul Tatchell  **Seconded:** Cr Ally Munari  **That Council considers the confidential report listed below in a meeting closed to the public in accordance with Section 66(2)(a) of the *Local Government Act 2020*:**  **22.1 Contract PA2008-0837 - Facility Cleaning Contract Extension**  **Carried** |

23 Meeting Closure

**The Meeting closed at 6.26pm.**

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**CHAIRPERSON**