



# **MINUTES**

## **Ordinary Council Meeting Wednesday, 2 November 2022**

**Date:** Wednesday, 2 November 2022

**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 6.01pm.

**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 Tonia Dudzik, Deputy Mayor	East Moorabool Ward
Cr Moira Berry	East Moorabool Ward
Cr Rod Ward	East Moorabool Ward
Cr David Edwards	East Moorabool Ward
Cr Ally Munari	Woodlands Ward
Cr Paul Tatchell	Central Moorabool Ward

**Officers:**

Mr Derek Madden	Chief Executive Officer
Ms Caroline Buisson	General Manager Customer Care & Advocacy
Mr Phil Jeffrey	General Manager Community Assets & Infrastructure
Ms Leigh McCallum	General Manager Community Strengthening
Mr Henry Bezuidenhout	Executive Manager Community Planning & Development
Ms Dianne Elshaug	Coordinator CEOs Office

**5 APOLOGIES**

Ms Celeste Gregory	Executive Manager Democratic Support & Corporate Governance
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**6 CONFIRMATION OF MINUTES**

**RESOLUTION**

**Moved:** Cr Rod Ward

**Seconded:** Cr Ally Munari

**That the minutes of the Ordinary Council Meeting held on Wednesday 5 October 2022 and the Special Council Meeting of Council held on Wednesday 26 October 2022 be confirmed.**

**CARRIED**

**7 DISCLOSURE OF CONFLICTS OF INTEREST**

Cr Rod Ward declared a Conflict of Interest in relation to Agenda Item 12.1.

**8 PUBLIC QUESTION TIME**

Name	Question/Response	CEO/GM/EM	Read at Meeting (Yes/No)
John Kowarsky	<p>When will Council build the Pedestrian Refuge Island in Simpson Street as prescribed in the 2020 Road Safety Audit for Mill Park, Ballan?</p> <p>The construction of the pedestrian refuge island is part of a contract that has been awarded. The project has been delayed due to weather and site conditions. The contractor will commence works once weather and site conditions improve.</p>	<p>Phil Jeffrey General Manager Community Assets &amp; Infrastructure</p>	<p>Yes</p>

**9 PETITIONS**

Nil

**10 PRESENTATIONS/DEPUTATIONS**

Nil

## 11 CHIEF EXECUTIVE OFFICER REPORTS

### 11.1 PETITION: FLYING THE RAINBOW FLAG

**Author:** Celeste Gregory, Executive Manager - Democratic Support & Corporate Governance

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

**Attachments:** Nil

#### EXECUTIVE SUMMARY

- The petition to Moorabool Shire Council: Flying the rainbow flag contained 39 signatures and was received by Council at a previous meeting.

#### RESOLUTION

**Moved:** Cr Tonia Dudzik

**Seconded:** Cr Rod Ward

**That Council notes the petition having resolved the Flag Flying Policy at a previous meeting.**

**CARRIED**

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#### BACKGROUND

The petition states:

*The below petitioners request that Moorabool Shire Council conduct community consultation on the draft Flag Flying Policy presented to the April 2021 meeting of Council, including on the issue of flying the rainbow flag.*

This petition meets the requirements of Clause 3.7.2 of Council's Governance Rules.

#### PROPOSAL

The Flag Flying Policy was adopted at the Ordinary Meeting of Council, 7 September 2022.

#### 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 support the flying of the Rainbow Flag is consistent with the Council Plan 2021-2025.

#### FINANCIAL IMPLICATIONS

Nil.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

Nil.

**COMMUNICATIONS & CONSULTATION STRATEGY**

Once signed the Flag Flying Policy will be available on Council's website.

**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 – Celeste Gregory*

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

**CONCLUSION**

That Council notes the petition.

**11.2 COMMUNITY ASSET COMMITTEES - REPORTS**

**Author:** Angela Menzies, Governance Support Officer

**Authoriser:** Celeste Gregory, Executive Manager - Democratic Support & Corporate Governance

- Attachments:**
1. Bacchus Marsh Public Hall AGM Confirmed Minutes 23 September 2019 (under separate cover)
  2. Bacchus Marsh Public Hall Confirmed Minutes 1 August 2022 (under separate cover)
  3. Bacchus Marsh Public Hall Confirmed Minutes 29 August 2022 (under separate cover)
  4. Millbrook Community Centre AGM Minutes 12 October 2022 (under separate cover)
  5. Millbrook Community Centre Ordinary Meeting Minutes 17 May 2022 (under separate cover)

**PURPOSE**

Community Asset Committees are established by Council under section 65 of the *Local Government Act 2020* to manage and maintain Community Assets within the municipal district. 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 2020*. The Council cannot delegate those powers identified in section 11(2) of the *Local Government Act 2020*.

**EXECUTIVE SUMMARY**

The following Community Asset Committees present the following reports of the Committee Meetings for Council consideration.

Committee	Meeting Date
Bacchus Marsh Public Hall AGM Confirmed Minutes	23 September 2019
Bacchus Marsh Public Hall Confirmed Minutes	1 August 2022
Bacchus Marsh Public Hall Confirmed Minutes	29 August 2022
Millbrook Community Centre AGM Minutes	12 October 2022
Millbrook Community Centre Ordinary Meeting Minutes	17 May 2022

**RESOLUTION**

**Moved: Cr David Edwards**

**Seconded: Cr Rod Ward**

**That Council receive the following Community Asset Committee minutes:**

- 1. Bacchus Marsh Public Hall AGM Confirmed Minutes 23 September 2022.**
- 2. Bacchus Marsh Public Hall Confirmed Minutes 1 August 2022.**
- 3. Bacchus Marsh Public Hall Confirmed Minutes 29 August 2022.**
- 4. Millbrook Community Centre AGM Minutes 12 October 2022.**
- 5. Millbrook Community Centre Ordinary Meeting minutes 17 May 2022.**

**CARRIED**

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## 12 COMMUNITY STRENGTHENING REPORTS

Cr Rod Ward declared a Conflict of Interest for Agenda Item 12.1 and left the meeting at 6.04pm.

### 12.1 AUGUST 2022 COMMUNITY GRANTS RECOMMENDATIONS

**Author:** Ashley Malloy, Community Development Officer

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

**Attachments:** 1. Attachment 1 – Community Grants August 2022 round (under separate cover)

#### PURPOSE

The purpose of this report is to make recommendations to Council regarding funding applications for the August 2022 round of the Community Grants Program.

#### EXECUTIVE SUMMARY

- The Community Grants Program provides funding to community organisations to deliver projects that build on local strengths to develop healthy, inclusive and connected neighbourhoods.
- Council received 20 applications across the five program categories: Community Arts and Culture (3), Community Strengthening (8), Community Events (5), Community Development (4) and Sustainability and Environmental Engagement Grants (0).
- A combined value of \$218,099.24 was requested with \$190,400.00 available this round.
- Eligible applications were assessed by a community grants assessment panel consisting of council officers from a diverse range of departments.
- This report presents Council with a list of recommended grants for the August 2022 funding round prepared by the community grants assessment panel (Attachment 1- Community Grants August 2022 round).
- In total, 17 organisations are recommended to receive \$86,299.24 in funding.
- The proposed allocation of this sum is detailed in the funding recommendations within this report and in Attachment 1 – Community Grants August 2022 round.

#### RESOLUTION

**Moved:** Cr Tonia Dudzik

**Seconded:** Cr David Edwards

**That Council approves the allocation of community grants to the value of \$86,299.24 as outlined in Attachment 1 to this report.**

**CARRIED**

## BACKGROUND

This report provides an assessment of applications received for the Community Grants Program August 2022 Round. The grant round was opened 1 August and closed 31 August with 20 community groups submitting applications. A combined value of \$218,099.24 was requested, with \$190,400.00 available this round. Eligible applications were assessed by an assessment panel.

Council's Community Grants Program enables not for profit community groups to apply for funding to support projects that result in broad community benefit for the Moorabool community. An annual allocation of \$270,400 is available in 2022/23 with \$190,400 available this round. The grants program has the following five program categories:

- **Community Arts and Culture Grants:** Supporting local artists and organisations to use a creative approach to the development of community projects and initiatives (\$10,000 available this round).
- **Community Strengthening Grants:** Community projects, programs and initiatives with a specific focus on connecting communities and building community capacity (\$60,000 available this round).
- **Community Events Grants:** Non-recurrent, seed funding designed to encourage and promote the development of sustainable local events (\$10,000 available this round).
- **Community Development Fund Grants:** Supporting community infrastructure projects which significantly impact on community development (\$100,000 available this round).
- **Sustainability and Environmental Engagement Grants:** Supporting the community in reducing expenditure of gas and electricity, investing in sustainability measures and providing opportunities to raise awareness of environmental issues to the broader community (\$10,400 available this round).

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

A Grant Assessment Panel consisting of council officers assess the applications against a set of criteria. Applications need to achieve a score of 70 or above to be recommended by the assessment panel to receive funding, subject to Council's endorsement.

The assessment criteria are as follows:

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

Each criterion is assessed out of 10 and weighted according to the criteria percentage. The maximum possible score of any application is 100. The scoring guide is as follows:

- 0 Did not address criteria
- 1-2 Minimal
- 3-5 Satisfactory
- 6-8 Good
- 9-10 Excellent

**PROPOSAL**

**August 2022 Community Grant Recommendations**

In total, 20 applications were received across the five program categories as follows:

- Community Arts and Culture Grants (3)
- Community Strengthening Grants (8)
- Community Events Grants (5)
- Community Development Grants (4)
- Sustainability and Environmental Engagement Grants (0)

All 20 submitted applications were individually assessed by a panel of Council Officers prior to a Grant Assessment Panel meeting. A total of \$218,099.24 was requested with \$190,400 available this round. The assessment panel recommends a total value of \$86,299.24 to be awarded to 17 applicants. This Community Grant funding will contribute to local projects worth \$204,273.85 in total.

Category	Applications Received	Amount Available	Amount Requested	Amount Recommended	Applications Recommended
Community Arts and Culture Grants	3	\$10,000.00	\$8,900.00	\$8,900.00	3
Community Strengthening Grants	8	\$60,000.00	\$30,374.24	\$30,374.24	8
Community Events Grants	5	\$10,000.00	\$12,900.00	\$9,900.00	4
Community Development Fund Grants	4	\$100,000.00	\$165,925.00	\$37,125.00	2
Sustainability and Environmental Engagement Grants	0	\$10,400.00	\$0	\$0	0
<b>Total</b>	<b>20</b>	<b>\$190,400.00</b>	<b>\$218,099.24</b>	<b>\$86,299.24</b>	<b>17</b>

The recommendation provided in **Attachment 1 – Community Grants August 2022 round** represents all the community grant applications from the August 2022 grant round.

**Applicant Support**

The Community Grant Guidelines specify that applicants are required to liaise with a Community Development officer prior to lodging an application to ensure applicants receive clear guidance on eligibility and how to best present their applications. All applicants received support and advice from Council officers before lodging their application. Additional support was provided after the funding round closed to clarify any ambiguity in applications.

**COUNCIL PLAN**

The Council Plan 2021-2025 provides as follows:

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

**Priority 1.1: Improve the health and wellbeing of our community**

The proposed allocation of grants under the August 2022 round of the Community Grants Program is consistent with the Council Plan 2021-2025.

**FINANCIAL IMPLICATIONS**

Consistent with the Community Grants Policy and 2022/23 budget allocation, a total of \$190,400.00 is available for allocation in the August 2022 Community Grants Program.

The following amounts are recommended:

- \$8,900.00 for Community Arts and Culture Grants
- \$30,374.24 for Community Strengthening Grants
- \$9,900.00 for Community Events Grants
- \$37,125.00 for Community Development Fund Grants
- \$0 for Sustainability and Environmental Engagement Grants

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

<b>Risk Identifier</b>	<b>Detail of Risk</b>	<b>Risk Rating</b>	<b>Control/s</b>
Project timelines	Grant recipients exceeding prescribed timelines	Medium	Terms and conditions agreements required to be signed by grant recipients. Scheduled monitoring of projects.
Financial- Inadequate funds to finish project	Grant recipients misappropriate expenditure of Council funds	Medium	Terms and conditions agreements required to be signed by grant recipients. Grant acquittal required upon completion of projects.

**COMMUNICATIONS & CONSULTATION STRATEGY**

<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Location</b>	<b>Date</b>	<b>Outcome</b>
Inform	Community Groups	Advised of Community Grants opening and encouraged to apply	Via direct email	July-August 2022	Community Groups are aware of the grant opportunities and can put forward a submission.
Inform	Moorabool residents	Promotional flyers at libraries, community centres, noticeboards Libraries, Arts and Culture E-News Council website Facebook Moorabool News advertisements Township Entrance Banners Local radio	Across the Shire	July-August 2022	Council’s Community Grants Program is well promoted to the Moorabool community.
Inform	Moorabool residents	Grant Writing Workshops and Drop-in sessions	Online and in person	July-August 2022	The community can learn about the Community Grants Program and develop their applications
Inform	Successful applicants	Letter of formal notification.	Via email	November 2022	Successful grant applicants are notified.
Inform	Unsuccessful applicants	Letter of formal notification. Advised of future grant writing workshops. Provided an opportunity to meet with staff.	Via email	November 2022	Unsuccessful grant applicants are notified and provided feedback on their application. Applicants will be supported where applicable to redevelop their application for the following round.

**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 – Ashley Malloy*

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

**CONCLUSION**

The August 2022 community grants round resulted in 20 applications. Eligible applications were assessed by an assessment panel. Based on the application assessment process and funding criteria, it is proposed that Council allocates funding to the value of \$86,299.24 to be distributed to 17 organisations through the Moorabool Shire August Community Grant Program per the recommendations provided in Attachment 1.

Cr Rod Ward returned to the meeting at 6.05pm.

## **12.2 HEALTH AND WELLBEING PLAN 2021-2025 - YEAR ONE REVIEW**

**Author:** Troy Watson, Manager Community Development

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

**Attachments:** 1. Health and Wellbeing Plan Year One Actions Report (under separate cover)

### **PURPOSE**

The purpose of this report is to provide Council with an overview of action progress for the first year of the Moorabool Health and Wellbeing Plan 2021-2025.

### **EXECUTIVE SUMMARY**

- The Moorabool Health and Wellbeing Plan 2021-2025 included a total of 62 actions for completion in the first year.
- Of these actions, 59 have been completed, one is currently underway and is recommended to be carried forward for completion, and two actions have not yet commenced and are recommended to be carried forward to year two.
- The review was undertaken through evaluation of the action plan, an analysis of the Department of Health's annual review guidelines and a review of Council's Health and Wellbeing Committee meetings.

### **RESOLUTION**

**Moved:** Cr Tonia Dudzik

**Seconded:** Cr Ally Munari

**That Council adopts the Year One progress report for the Moorabool Health and Wellbeing Plan 2017-2021, inclusive of the attached Year One Action Summary.**

**CARRIED**

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### **BACKGROUND**

The Moorabool Health and Wellbeing Plan 2021-2025 was adopted by Council at the Special Meeting of Council on 27 October 2021. The Moorabool Health and Wellbeing Plan 2021-2025 is a four-year plan aimed at enhancing the health and wellbeing of Moorabool communities. The plan captures the health and wellbeing status of our communities and presents a plan in partnership with local health providers and community organisations.

The Victorian Public Health and Wellbeing Act 2008 requires that Council conduct an annual review of the Municipal Public Health Plan, which is the Moorabool Health and Wellbeing Plan (MHWP) 2021-2025. This process ensures that actions identified in the plan are being implemented satisfactorily and remain the best way for Council to invest in health and wellbeing over the life of the plan. The process also requires a review of the measures Council has

implemented to prevent family violence and respond to the needs of victims of family violence in the community.

The review and development of this report was undertaken through the following:

- Review of Council’s Health and Wellbeing Committee meetings for the past 12 months
- Review of the first-year action plan, and
- Analysis of the Department of Health annual review guidelines.

The outcomes of the first year of the 2021-2025 HWB Plan are as follows:

<b>Total Year One Actions</b>	<b>62</b>
Year one actions completed	59
Action in progress to be carried over to year two	1
Actions not started from year one to be carried over to year two	2

A full overview of the status of year one actions is included as **Attachment 1 – Health and Wellbeing Plan Year One Actions Report**. Acronyms are used in the attachment to identify themes in the Health and Wellbeing Plan for each action: Being active (BA), Food we eat (F), Keeping ourselves safe (KS), Liveability (L), Mental health (MH), Reducing harmful addictions (HA).

The following is an overview of some key highlights achieved in each of the themes:

- In the theme ‘Being active’, one action was to promote incentives for children to participate in sports. The Kids Get Active voucher program (Get Active Victoria) to subsidise participation in sports, was promoted by Council. As of 1 July, there were 296 approved applications for the Get Active Kids Voucher Program for children in Moorabool.
- In the ‘Food we eat’ theme, actions included mapping of healthy eating policies in schools, and mapping and promoting food swaps and food relief services. The Grampians Public Health Unit completed the mapping and a report that includes Moorabool food initiatives, together with marketing materials for promoting food relief services.
- In the ‘Keeping ourselves safe’ theme, an action was to improve health literacy across the community. A video for social media was developed by Council’s Youth and Environmental Health teams, to improve awareness about getting the HPV vaccine. Young people from Moorabool starred in the video, which included facts and humour to deliver this message.
- In the ‘Liveability’ theme, an action was to educate about recycling and waste reduction. A range of activities have been undertaken including a bin tagging program to improve kerbside recycling knowledge and habits, and adoption of Council’s Waste Strategy.
- In the ‘Mental health’ theme, actions included unconscious bias and mental health training for Council staff. Training modules for cross cultural communication, cultural awareness, diversity in the workplace, and mental health awareness have been added to Council’s staff training portal, in addition to 14 staff undertaking specific mental health training.

- In the 'Reducing harmful addictions' theme, an action was to deliver responsible service of alcohol training for sports clubs. An Alcohol and Drug Harm Minimization session has been provided to mentors and mentees as part of the She's Game Mentoring and Empowering Women in Sport Program.

The following action from year one of the 2021-2025 MHWP is in progress and is recommended to be carried forward to year 2 for completion:

- *Implement Healthy Choices policy for Council's Leisure Services.* The policy is in draft and is planned for completion to coincide with requirements for the new stadium facility in mid-2023.

The following actions from year one of the 2021-2025 MHWP were not started and are recommended to be carried forward to year 2 for action. Development of these actions can be aligned with year 2 action on responsible gaming and sponsorship, and to coincide with an update of the community grants guidelines in 2023.

- *Develop a policy for sporting clubs to prevent consumption of alcohol at junior functions*
- *Update guidelines for Council's community grants to exclude applications for clubs or organisations who receive alcohol or gambling venue sponsorship*

#### **Review of Family Violence actions and measures**

The eleven actions relating to prevention of violence and in response to victims of family violence included as year one actions within the plan have been completed. Actions include gender equality measures, prevention campaigns and training, advocacy and promotion of victim support services. Full details are available within Appendix 1.

#### **Health Profile**

Overall, the data included in the health profile is considered relevant and current. Additional data received through the 2021 Census will be analysed and applied to the action plan where indicated.

#### **PROPOSAL**

It is proposed that Council adopt the report on the review of the first year of the Moorabool Health and Wellbeing Plan 2021-2025, inclusive of the summary included as Attachment 1.

#### **COUNCIL PLAN**

The Council Plan 2021-2025 provides as follows:

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

##### **Priority 1.1: Improve the health and wellbeing of our community**

The proposal to adopt the Moorabool Health and Wellbeing Plan 2021-2025 Year 1 review report is consistent with the Council Plan 2021-2025 requirement to implement the annual actions of the Health and Wellbeing Plan 2021-2025.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications from the recommendations proposed.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Health and Wellbeing Plan	Council is required to review the Health and Wellbeing Plan annually under the Public Health and Wellbeing Act 2008	Medium	Council reviews the Health and Wellbeing Plan annually in accordance with the Act

**COMMUNICATIONS & CONSULTATION STRATEGY**

The following community engagement activities have been undertaken, in accordance with the Council's Community Engagement Policy and Framework:

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Involve	Health and Wellbeing Committee	Review and workshop at meetings. Submissions on draft report	Various	8 August 2022 (meeting) September 2022	Committee members provided feedback on the status of actions.
Inform	State Government	Provide a copy of the Year One report once adopted by Council	Not applicable	November 2022	State Government is informed of Council progress.

**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.

*Authors – Troy Watson, Nichole Knight*

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

**CONCLUSION**

Council has fulfilled the requirements stipulated in the Victorian Public Health and Wellbeing Act 2008 to conduct an annual review of Health and Wellbeing Plan. The review of the Health and Wellbeing Plan 2021-2025 has determined that of the 62 actions scheduled for completion in year one, 59 have been completed and 3 actions are recommended to be carried forward for completion. It is recommended that Council adopt the annual review report of the first year of the Moorabool Health and Wellbeing Plan 2021-2025.

### **12.3 DRAFT MADDINGLEY PARK MASTER PLAN**

**Author:** Chloe Beech, Coordinator Sport and Active Recreation

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

**Attachments:** 1. Draft Maddingley Park Master Plan (under separate cover)

#### **PURPOSE**

The purpose of this report is to present the draft Maddingley Park Master Plan to proceed to four-week public exhibition.

#### **EXECUTIVE SUMMARY**

Maddingley Park has long been a prominent open green space in Bacchus Marsh. It is the setting for a diverse range of active and passive recreation activities, and apart from the playing fields and courts is comprised of a number of heritage elements and established trees and gardens.

A Master Plan was prepared for Maddingley Park in 2009 to provide strategic direction. A key recommendation was the preparation of a Landscape Master Plan which occurred in 2012. Given the growth in the town and the investment in the Moorabool Aquatic and Recreation Centre on Taverner Street, Council has engaged Urbis to prepare a new master plan which addresses issues of increasing sport and recreation demand and need to conserve the historic park values. The draft document for review, attached, presents the future vision for Maddingley Park.

#### **RESOLUTION**

**Moved:** Cr David Edwards

**Seconded:** Cr Rod Ward

**That Council approves to progress the draft Maddingley Park Master Plan to a four week public exhibition phase.**

**CARRIED**

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#### **BACKGROUND**

The draft Master Plan is attached for review and is reflective of both community and stakeholder consultation feedback. The concept plan included in the Master Plan demonstrates the future vision of the Park and the potential future landscape and infrastructure improvements.

The development of the Draft Master Plan is based around four key design principles:

- Welcome and connect
- Celebrate the heritage
- Revive the 'pleasure gardens'
- Sustainable and maintainable

The draft Master Plan takes into consideration the retention and enhancement of the sporting facilities, fences and other elements of the site. Access and movement for both pedestrians and vehicles and the protection of significant vegetation have also been considered.

Summary of the key recommendations included in the Draft Master Plan:

- Formalise on-street carparking spaces along Taverner Street and Grant Street to increase the number of spaces available. Formalise a limited number of car parks within the reserve.
- Upgrade Sports Pavilion including accessible change rooms and amenities
- Replace the toilet block
- Upgrade the playground
- Upgrade existing, and add new, picnic shelters and BBQ's
- Improve path lighting
- Upgrade path surfacing
- Provide an additional netball court
- Provide improved cricket practice nets
- Improve accessibility and upgrade the existing BM Lawn Tennis Club Pavilion
- Improve amenity of football and tennis spectator areas
- Improve botanic gardens character, including ornamental gardens
- Reinstate the lake/wetland

## **PROPOSAL**

The Draft Master Plan presents a concept for the future of the Reserve. It is proposed the Draft Master Plan is released to the community for public exhibition.

## **COUNCIL PLAN**

The Council Plan 2021-2025 provides as follows:

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

**Priority 1.4: Develop a vision and provide opportunities for rural communities**

The proposal of progressing the Draft Maddingley Park Master Plan to public exhibition is consistent with the Council Plan 2021-2025.

## **FINANCIAL IMPLICATIONS**

Upon adoption of the Maddingley Park Master Plan, a quantity surveyor cost estimate will be provided on the identified priorities.

Council's 2021/22 adopted budget includes an allocation of \$200,000 to the Master Plan implementations.

External funding opportunities through Sport and Recreation Victoria (SRV) grant programs have also been identified as potential sources to leverage funds to assist with the delivery of identified projects.

A strategic approach towards project funding will be required to implement the priorities outlined in the Draft Master Plan. The priority projects and costings will need to be considered in Council's Strategic Financial Plan and Capital Improvement Program to allow for external funding applications to be prepared and funding contributions to be sourced from the Park user groups and the community.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

<b>Risk Identifier</b>	<b>Detail of Risk</b>	<b>Risk Rating</b>	<b>Control/s</b>
Financial – Inadequate funds to finish project	Funding required to implement any of the infrastructure priorities outlined within the Master Plan	High	Financial resources will need to be allocated within Council’s Strategic Financial Plan to allow for grant applications to be made to provide the external funding required to deliver such projects.
Community needs	Scheduling should be managed carefully to ensure the community outside the tenant clubs have access to the facilities.	Medium	User agreements in place with strict parameters.

**COMMUNICATIONS & CONSULTATION STRATEGY**

<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Location</b>	<b>Date</b>	<b>Outcome</b>
Consult	Reserve user groups	Interviews with groups	In person and online	March 2022	Meeting outcomes summarised and form part of the draft Plan.
Consult	Community groups	Surveys	Online	April – May 2022	Community survey open to be completed via the ‘Have Your Say Moorabool’ online community engagement portal. This included 312 community surveys completed.
Consult	Council service units	Meetings with groups	Online	March – September 2022	Feedback from various service units compiled to form part of the site analysis and draft Plan.

**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 – Chloe Beech*

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

**CONCLUSION**

The Draft Maddingley Park Master Plan considers all consultation, background information, strategic context, and existing facility conditions. The Plan aims to respond to the needs, aspirations and challenges for Moorabool Shire and its communities, and outlines a clear approach to enhancing the Park into the future.

The Draft Plan has been developed in partnership with the Park user groups and broader community input. This was gathered via a strong community survey response rate and further comment will be captured in the four-week public exhibition period. The feedback received from the exhibition period will help inform the final Master Plan which will be presented to Council for consideration and adoption.

**12.4 BACCHUS MARSH BOWLS CLUB DRAFT HEADS OF AGREEMENT****Author:** Chloe Beech, Coordinator Sport and Active Recreation**Authoriser:** Leigh McCallum, General Manager Community Strengthening**Attachments:** Nil**PURPOSE**

The purpose of this report is to inform Councillors of a draft Heads of Agreement between Moorabool Shire Council (MSC), Bacchus Marsh Bowling Club Inc. (BMBC), and Avenue Bowling Club Inc. (ABC).

**EXECUTIVE SUMMARY**

MSC recently engaged Maddocks Lawyers to develop a draft Heads of Agreement between MSC, BMBC, and ABC. The purpose of a Heads of Agreement intends to set out the key details and terms of an agreement for the following to occur:

- MSC develop the Bacchus Marsh Regional Bowls Facility on the identified land in Taverner Street, Maddingley.
- MSC acquire the BMBC Land known as 15 Lord Street, Bacchus Marsh.
- MSC acquire the ABC Land known as 250 Main Street, Bacchus Marsh.
- MSC issue a long-term (50 year) peppercorn lease of the new Bacchus Marsh Regional Bowls facility to the newly formed Bacchus Marsh Bowls Club Inc.

Extensive consultation has been undertaken with BMBC and ABC and through the development of a strong partnership both parties have agreed in principle to proceed with an agreement as reflected in a draft Heads of Agreement.

Furthermore, it is important to note that the members of both BMBC and ABC have resolved to merge and form a new Club which is now registered and competing under the Bacchus Marsh Bowls Club Inc. This is the new entity intended to be issued the long-term lease of the new facility once constructed.

**RESOLUTION****Moved:** Cr David Edwards**Seconded:** Cr Rod Ward

**That Council delegates the CEO authority to execute a Heads of Agreement with the Bacchus Marsh Bowling Club and the Avenue Bowling Club on behalf of Council.**

**CARRIED**

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## **BACKGROUND**

The Bacchus Marsh Regional Bowls Facility has been designed in partnership and collaboration with the nominated representatives of the BMBC and ABC. MSC has received in principle endorsement of the concept plan from BMBC and ABC representatives and the project is currently in the detailed design phase. There is a strong commitment from all parties to provide the clubs and wider community access to high quality community and competition facilities.

Whilst the remaining funds are being sought to enable the project to proceed to the construction phase, it is intended to continue the conversation and negotiations with both BMBC and ABC to progress with a Heads of Agreement. Once a Heads of Agreement has been executed by all parties, it will ensure the BMBC and ABC work exclusively with MSC on the delivery and implementation of the project.

A draft Heads of Agreement was provided to the BMBC, and ABC nominated representatives at a stakeholder meeting on Thursday 1 September 2022 to commence formal conversation and negotiations with the clubs. These conversations are ongoing and highlights the strength of the partnership and commitment by all parties to deliver the project.

## **PROPOSAL**

It is proposed that should Council support a draft Heads of Agreement that authority be delegated to the CEO to execute an Agreement with the Bacchus Marsh Bowling Club and the Avenue Bowling Club on behalf of Council.

## **COUNCIL PLAN**

The Council Plan 2021-2025 provides as follows:

### **Strategic Objective 2: Liveable and thriving environments**

#### **Priority 2.5: Create a viable offering to attract visitors, tourists and investment**

The Bacchus Marsh Bowling Club Facility is intended to provide the BMBC and ABC a high-quality competition and club facility as well as offering significant benefits to the community through the provisions of access to community function space, a bistro of which both will provide opportunity for social cohesion and interaction.

The competition facilities are being developed in line the Bowls Australia guidelines and will provide the club opportunities to host future events which will result in economic benefits to the region.

## **FINANCIAL IMPLICATIONS**

A quantity surveyor's cost estimate has been prepared on the construction of the Regional Bowls Facility. Given the upshift in the construction industry officers are working towards securing additional funds to support Council's current contribution to the project. The upfront capital cost will also be offset by the acquisitions of the existing bowling land parcels detailed in the Heads of Agreement.

Council will advocate for the remaining funds required in the lead up to November 2022 state election. External funding opportunities through the state government have also been identified as potential sources to leverage funds to assist with the delivery of the project.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

<b>Risk Identifier</b>	<b>Detail of Risk</b>	<b>Risk Rating</b>	<b>Control/s</b>
Financial – Inadequate funds to deliver project	Additional funds are required to deliver the proposed Bowls Club and Community facility.	High	Strong advocacy for funds in the lead up to the 2022 state election.
Community expectation and timing of delivery	Existing Bowls facilities are currently in poor condition and may require maintenance given should there be delays in commencing construction of the new facility.	Medium	Minor repairs to be undertaken to ensure the existing facilities are fit for purpose.
Strategic risk	The Bowls Club’s consider other options to develop a new facility and negotiate alternative uses for their existing land parcels.	High	Execution of the Heads of Agreement.

**COMMUNICATIONS & CONSULTATION STRATEGY**

<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Location</b>	<b>Date</b>	<b>Outcome</b>
Consult	Bowls Club	Meetings with Bowls Club	Darley Council Office	February 2020 – present. Fortnightly meetings are held with the Club, as well as on an as needed basis.	Bowls Club in support of signing the Heads of Agreement.
Inform	Community	Advertise on Council’s website the proposed acquisition of the two parcels of land, and long-term lease of new facility.	Online	Following execution of heads of agreement.	To be determined.

**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 – Chloe Beech*

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

**CONCLUSION**

Consistent with the extensive consultation and stakeholder engagement undertaken with the BMBC and ABC, it is requested that Council approves a Heads of Agreement and delegate the CEO authority to execute the agreement.

## **13 CUSTOMER CARE AND ADVOCACY REPORTS**

### **13.1 FINANCE POLICY UPDATE**

**Author:** James Hogan, Coordinator Financial Services

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

**Attachments:**

- 1. Borrowing Policy (under separate cover)**
- 2. Fees and Charges Policy (under separate cover)**
- 3. Investments Policy (under separate cover)**

#### **PURPOSE**

A review of Council's financial policies has been conducted and draft policies are now presented for consideration and review by Council.

#### **RESOLUTION**

**Moved:** Cr Rod Ward

**Seconded:** Cr David Edwards

**That Council:**

- 1. Receives the draft Borrowing Policy, provided as attachment 1.**
- 2. Resolves that in accordance with Moorabool Shire Council Policy Protocol, consideration of items which affect beyond the current year, the draft Borrowing Policy as attached now lay on the table for further consideration at the next Ordinary Meeting of Council.**
- 3. Receives the draft Fees and Charges Policy, provided as attachment 2.**
- 4. Resolves that in accordance with Moorabool Shire Council Policy Protocol, consideration of items which affect beyond the current year, the draft Fees and Charges Policy as attached now lay on the table for further consideration at the next Ordinary Meeting of Council.**
- 5. Receives the draft Investments Policy, provided as attachment 3.**
- 6. Resolves that in accordance with Moorabool Shire Council Policy Protocol, consideration of items which affect beyond the current year, the draft Investments Policy as attached now lay on the table for further consideration at the next Ordinary Meeting of Council.**

**CARRIED**

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#### **BACKGROUND**

A review of Council's financial policies has been conducted and the following policies are now presented for consideration and review by Council:

- Borrowing Policy
- Fees and Charges Policy
- Investments Policy

Draft policies were presented for consideration and review at the 10 August 2022 Audit and Risk Committee Meeting. Minor amendments suggested by the Audit and Risk Committee have been incorporated into the attached policies.

## **PROPOSAL**

Officers have developed the following policies to ensure council can operate in a financially responsible and sustainable manner.

### **Borrowing Policy**

Council recognises that borrowings can support intergenerational equity principles, where an 'under-use' of debt would result in intergenerational inequity in service provision and user-pays principles and an inability to meet the needs and preferences for growth of the municipality. The Borrowings Policy that specifies the framework within which Council will borrow money.

### **Fees and Charges Policy**

Fees and Charges represent an important source of income for the Moorabool Shire Council (Council). This Fees and Charges Policy provides guidance for Council's approach in setting appropriate levels of fees and charges, considering community benefit, user groups and Council Plan objectives, and to provide for regular reviews of fees and charges within the overall service and financial planning process.

The draft fees and charges policy encourages pricing that is simple to administer, equitable, easily understood, and provides value for money.

### **Investments Policy**

Council holds considerable cash assets, the Investments Policy provides guidance for the effective and responsible investment of Moorabool Shire Council's surplus cash funds to maximise earnings within approved risk parameters and to ensure the security of funds within the legislative guidelines applicable to Council, primarily Section 103 of the Local Government Act (2020).

## **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**

## **FINANCIAL IMPLICATIONS**

The draft Borrowing Policy establishes objectives and principles that outline when it is appropriate for Council to undertake borrowings within a sound financial management framework consistent.

The draft Fees and Charges Policy provides guidance for Council's approach in setting appropriate levels of fees and charges, considering community benefit, user groups and Council Plan objectives, and to provide for regular reviews of fees and charges within the overall service and financial planning process.

The draft Investments Policy provides guidance for the effective and responsible investment of Moorabool Shire Council's surplus cash funds to maximise earnings within approved risk parameters and to ensure the security of funds within the legislative guidelines applicable to Council, primarily Section 103 of the Local Government Act (2020).

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

No risks have been identified in the implementation of these policy.

**COMMUNICATIONS & CONSULTATION STRATEGY**

Advice to the community via our website and social media will be released once the Policies are signed, along with release of the Policies.

**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 – James Hogan*

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

**CONCLUSION**

A review of Council's financial policies has been conducted and the following policies are now presented for consideration and review by Council:

- Borrowing Policy
- Fees and Charges Policy
- Investments Policy

Draft policies were presented for consideration and review at the 10 August 2022 Audit and Risk Committee Meeting. Minor amendments suggested by the Audit and Risk Committee have been incorporated into the attached policies.

**14 COMMUNITY ASSETS & INFRASTRUCTURE REPORTS****14.1 PETITION; CLARENDON-LAL LAL ROAD, LAL LAL****Author:** Lace Daniel, Asset Management Coordinator**Authoriser:** Phil Jeffrey, General Manager Community Assets & Infrastructure**Attachments:** Nil**PURPOSE**

At the August Ordinary Meeting of Council, a petition containing 25 signatures was received stating the following:

*“Attention: Moorabool Shire Council. Stop the trucks, reduce the speed and fix the shared footpath on Clarendon-Lal Lal Road, Lal Lal Petition”*

Following a review, the purpose of this report is to provide a response to that petition.

**EXECUTIVE SUMMARY**

- Moorabool Shire Council received a petition containing 25 signatures, requesting actions be undertaken to stop heavy vehicle use, reduce the speed limit and fix the existing path along Clarendon-Lal Lal Road, Lal Lal.
- Preliminary discussions with the Department of Transport have indicated that a reduction in the posted speed limit would not be supported.
- A number of pre-planning projects have been funded along Clarendon-Lal Lal Road through Council’s Capital Improvement Program including the development of a Township Improvement Plan, as well as the designs for road, path and bus stop improvements.
- As such it is recommended that Council complete these projects prior to considering any further actions.

**RESOLUTION****Moved:** Cr Tonia Dudzik**Seconded:** Cr Ally Munari**That Council:**

1. **Notes the information contained within this report and the future pre-planning works proposed within the Lal Lal township.**
2. **Request that Officers work with the community on the delivery of those project outcomes prior to any further action being considered.**
3. **Requests Officers notify the convener of the petition of the resolution.**

**CARRIED**

**BACKGROUND**

Clarendon-Lal Lal Road (highlighted blue below) is categorised as an Access Level 1 road under Council’s Road Management Plan and is a two lane, 4.3km link between the rural townships of Lal Lal and Clarendon. The road surface varies in width between 6.2m and 6.8m wide.

There is an existing asphalt footpath on the south side of the road, which extends from Eaglesons Road in the Lal Lal township to Rosella Road, approximately 2.3km west (highlighted orange below) which navigates between existing trees along the roadside.



The current speed limit along Clarendon-Lal Lal Road is 80km/h, reducing to 60km/h at the border of the township (marked above).

The most recent traffic count data, collected in 2021, provides the following information:

	Site 1	Site 2
Location	Just west of Rosella Road	Just east of Kookaburra Road
AADT	1,189	1,175
Heavy Vehicles	140 (11.7%)	86 (7.3%)
85 <sup>th</sup> %ile speed	88km/h	82km/h
Collection Date	March 2021	July 2021

Following a customer request, correspondence was forwarded to the Department of Transport in March 2022, requesting consideration of extending the 60km/h speed limit further west of the township. Preliminary advice provided by the department indicated that such a request would likely not be supported due to the existing conditions meeting the requirements under the Speed Zoning Guidelines, including appropriate road width and condition, traffic volume, surrounding land usage and likely pedestrian activity, to support an 80km/h speed limit.

This section of Road is a primary route connecting Lal Lal and the Midland Highway at Clarendon.

**PROPOSAL**

Through Council’s Capital Improvement Program, a number of projects are currently planned for 2022/23 within the Lal Lal township, including:

- The development of a Township Improvement Plan for Lal Lal to inform future capital projects within the area.
- Design for the reconstruction of Clarendon-Lal Lal Road, from the rail line to Vaughan Street to improve road condition, safety at intersecting roads and to improve the existing arrangement for the two bus stops within that extent.
- Design for the reconstruction of the existing asphalt path along Clarendon-Lal Lal Road to improve path condition and, where achievable, the alignment.
- Design for the extension of the existing path from Rosella Road to the Midland Highway at Clarendon.

Given this, it is recommended that Council work with the Lal Lal community in the development of the above projects prior to any further action being considered.

**COUNCIL PLAN**

The Council Plan 2021-2025 provides as follows:

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

**Priority 1.2: Improve access and opportunities for integrated transport**

The proposal 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 additional risk or occupational health and safety issues associated with the recommendation within this report. As part of the design project funded for the Clarendon Lal Lal Road path, the current alignment will be considered with the view to improving pedestrian safety where achievable.

Communications & Consultation Strategy

<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Location</b>	<b>Date</b>	<b>Outcome</b>
Inform	Petition convener	Outcomes of the Report to Council provided to the petition convener	n/a	October 2022	Stakeholder/s advised of outcome
<i>Note: each of the planning/design projects mentioned above will have an individual communication and engagement strategy relevant to its specific stakeholders and outcomes</i>					

**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 – Lace Daniel*

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

**CONCLUSION**

Council received a petition requesting actions be undertaken to stop heavy vehicle use, reduce the speed limit and fix the existing path along Clarendon-Lal Lal Road, Lal Lal.

Noting the preliminary advice from the Department of Transport in relation to the existing speed limit and the pre-planning projects funded through Council's Capital Improvement Program, it is recommended that these projects be completed prior to any further action being considered.

**14.2 NOTICE OF MOTION: ROGERS RESERVE**

**Author:** Adrian Murphy, Acting General Manager Customer Care and Advocacy  
**Authoriser:** Phil Jeffrey, General Manager Community Assets & Infrastructure  
**Attachments:** Nil

**PURPOSE**

To respond to the Notice of Motion – Rogers Reserve and provide guidance for improved open space outcomes at the reserve.

**EXECUTIVE SUMMARY**

- Rogers Reserve is classified as a local park in the draft Moorabool Open Space Strategy (in development).
- Local parks are characterised as predominantly servicing a local residential area, servicing daily and weekly community needs and are generally accessed by walking or cycling from surrounding areas. The catchment of an open space determines its area of influence, the scale of development required and how far people travel to the site. Catchment, in conjunction with open space function type, determines the core service level for a park and the physical features contained within a reserve.
- Rogers Reserve is classified functionally as social/family recreation (SFR). This provides a place for social gathering where social/family recreation and child development can occur. Typically, this function caters for play, picnics, casual ball games and social sports activities.
- This report identifies the provision standard and service levels by function type as set out by the draft Open Space Strategy and how this applies to Rogers Reserve. Items such as a ½ cricket wicket, ½ court basketball court, play equipment upgrades and provision of shelter are all considered appropriate for a reserve such as Rogers Reserve. Public toilets and BBQs are not considered appropriate for local reserves and are best placed in district, township and regional reserves.

**RESOLUTION**

**Moved:** Cr Rod Ward  
**Seconded:** Cr David Edwards

**That Council:**

1. **Notes this report.**
2. **Notes the development of the draft Moorabool Open Space Strategy.**
3. **Considers and refers any improvement works at Rogers Reserve as part of the implementation of the Moorabool Open Space Strategy.**

4. Notes that due to the high patronage of Rogers Reserve due to the nearby Lerderberg River and the Walking Track, that in addition to the provision of standard items and service levels as set out by the draft Open Space Strategy (such as a ½ cricket wicket, ½ court basketball court, play equipment upgrades and provision of shelter) that public toilets and BBQs are considered for inclusion.

CARRIED

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## BACKGROUND

At the 2 February 2022 Ordinary Council Meeting, Council resolved as follows;

*That Council:*

1. *Requests the Chief Executive Officer prepare a report on Rogers Reserve, Darley which considers opportunities to provide improved open space for passive recreational use.*
2. *Request consideration in the report the feasibility of:*
  - (a) *Improvements to the public space to incorporate a ½ wicket cricket pitch capable of being used by neighbourhood children and picnic goers for recreation use*
  - (b) *Installation of a ½ court basketball court similar to that which has been installed in other open space reserves*
  - (c) *Play equipment upgrade*
  - (d) *BBQ area and shelter*
  - (e) *Public toilets.*

This report sets out the strategic thinking that underpins the draft Open Space Strategy that is currently in development and how Rogers Reserve is considered within this context.

## DRAFT MOORABOOL SHIRE OPEN SPACE STRATEGY

The draft Moorabool Shire Open Space Strategy is currently in development and is listed as a key action within the Living and Thriving Environment objective of the Council Plan 2021-25. This action contributes to beautifying the Shire including parks, gardens, streetscapes and public open spaces.

The draft strategy aims to provide clear direction about the planning for open spaces across the Shire and meeting the community's needs today and into 2041. It sets the strategic direction for the management of public open space and establishes a framework to ensure an equitable approach to the development and improvement of existing public open space.

The strategy establishes a vision of a network of open space in Moorabool that is:

- Diverse in nature and opportunities.
- Equitably distributed.
- Accessible and inclusive to people of all ages, abilities, backgrounds and gender identities.
- Able to enrich social, environmental and recreational experiences and provide opportunities to increase physical activity for existing and future residents of Moorabool.

- Sustainably sited, designed and managed in partnership with community, stakeholders and traditional owners.
- Protecting and enhancing biodiversity, cultural heritage and amenity on the Shire's built landscape, parks and waterways.
- Complementary to and providing access to the opportunities that the extensive state park system in Moorabool could provide.

The draft strategy details the open space classification and how it can be used for planning and applied to open spaces such as Rogers Reserve.

The three main types of classification for open space in Moorabool are:

- Function or purpose
- Catchment
- Landscape setting

#### Primary purpose or function

The function or purpose of each reserve needs to be clear as the function determines the desirable size, location, distribution, quality and nature of the infrastructure on site.

The priority function types of open space that need to be close to all residents are:

- Social/family recreation spaces
- Off-road trails
- Sport

#### Catchment type

Open space catchment types define the sphere of influence of an open space, how far people are willing to travel to use it and how long they are likely to stay. Therefore, catchment type, along with function determines the level of community infrastructure provided at a reserve.

The catchment hierarchy for Moorabool is:

- Local Open space predominantly serving the immediate surrounding neighbourhood which is walkable from the immediate residential area.
- District/Township Open space serving a group of local suburbs or a main site within a town
- Regional Open space predominantly serving the whole Shire or larger area. These may have significance to a large population including visitors and typically would include some unique attraction.

#### Landscape setting

A classification based on landscape setting defines the nature of vegetation and form of open space. This classification helps inform maintenance requirements and costs, the extent of canopy cover and determine priority for new open spaces so they complement existing spaces.

Landscape settings include:

- Bushland/forest
- Open grass area
- Lawn/ manage turf
- Treed parkland
- Non manicured natural area

Features of a social/family recreation space within a local catchment

The draft Open Space Strategy includes guidance on provision standards and service levels as determined by priority function type.

The table below identifies what features should be delivered at a social/family recreation reserve that serves a local community such as Rogers Reserve.

Features	Provision at local reserve
Accessible seats and tables	Yes
Co-operative play elements, water play	Yes
One park in each urban area fenced	Yes
Perimeter circuit path for running, wheeling and walking	Yes
Multiple swing side by side and rotating side by side	Yes
Open grass ball games with goals, wicket, etc	Yes
Climbing opportunities (steps, ropes, ladders)	Yes
Canopy trees for shade	Yes
Screen planting along private boundaries	Yes
Loose materials (sand, logs, rocks)	Yes
Hardy flowering plants, specimen trees, sensory planting	Yes
Accessible drinking water/BBQ	No
Toilet	No
Central social hub accessible to all	No
Access to nature elements	No
Fitness equipment	No
Other bike skills or bike track	No
Dog off lead area	No
Built shade/shelter	Optional
Hard court, hit up wall, scooter or skate area	Optional
Irrigated turf	Optional
Car parking immediately adjacent	Optional
Accessible car space	Optional

Security lighting	Optional
Sculptures, games area	Optional
Bins/dog bags	Optional
Activities suitable for preschool, teens, older adults	Optional
Public art or custom design elements designed by artist	Optional
Connecting paths	Optional
Hill path/steps	Optional

The draft Moorabool Open Space Strategy is currently under development and will be the subject of future reports to Council.

**ROGERS RESERVE, DARLEY**

Currently, Rogers Reserve contains many of the elements that make up a local park as per the standards in the draft Open Space Strategy. It is a popular local park and it is acknowledged that the reserve is looking dated and would benefit from an upgrade and installation of additional features.

Rogers Reserve is identified in the draft Open Space Strategy as one of four parks within Darley to be enhanced to improve the social/family recreation to provide for all ages and abilities. The strategy notes that most parks in the suburb would benefit from upgrades to lift the standard and quality of the play equipment and vegetation across the reserves. The strategy also recommends a minor redesign of the park with improvements to access and tree planting.

In order to ensure a consistent application of the draft Open Space Strategy, the following items would be considered appropriate in a future upgrade to Rogers Reserve:

- Installation of a ½ wicket cricket pitch to support social play
- Installation of a ½ court basketball court
- Installation of seating and shelter/s
- Play equipment upgrade
- Additional vegetation
- Path and entrance upgrade

As stated above, BBQ facilities and toilets are not facilities included in the provision standards for a local park as designated by the draft Open Space Strategy and as such are not supported for inclusion in any upgrade to Rogers Reserve.

**COUNCIL PLAN**

The Council Plan 2021-2025 provides as follows:

**Strategic Objective 2: Liveable and thriving environments**

**Priority 2.2: Beautify our Shire including our parks, gardens, streetscapes, public and open spaces**

This report in response to the Notice of Motion for Rogers Reserve is consistent with the Council Plan 2021-2025.

**FINANCIAL IMPLICATIONS**

Any future upgrade to Rogers Reserve, including landscape design and on ground works, would be subject to future budget processes. An implementation plan to support the delivery of the Moorabool Open Space Strategy will be prepared which will guide future upgrades to parks and reserves across the Shire.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

<b>Risk Identifier</b>	<b>Detail of Risk</b>	<b>Risk Rating</b>	<b>Control/s</b>
Reputation – Negative perception from the community	Negative feedback is received from the community	Medium	Undertake community consultation on draft Moorabool Open Space Strategy and any upgrade program for Rogers Reserve.
Financial – Inadequate funds to finish project	Inadequate financial management	Medium	Staff implementing the strategy will monitor resource requirements and report to Council where issues arise.

**COMMUNICATIONS & CONSULTATION STRATEGY**

At the appropriate time, Council will consult with the broader Moorabool community on the draft Moorabool Open Space Strategy and locally with the Darley community on any future upgrades to Rogers Reserve.

**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 – Adrian Murphy*

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

**CONCLUSION**

This report identifies the provision standards and service levels by function type as set out by the draft Moorabool Open Space Strategy and how this applies to Rogers Reserve. Items such as a ½ cricket wicket, ½ court basketball court, play equipment upgrades and provision of shelter are all considered appropriate for a reserve such as Rogers Reserve. Public toilets and BBQs are not considered appropriate for local reserves such as Rogers Reserve and are best placed in district, township and regional reserves.

The draft Moorabool Shire Open Space Strategy is currently in development and will be the subject of future reports to Council. An implementation plan will be prepared which will guide future upgrades to parks and reserves across the Shire to ensure a consistent and equitable approach to the delivery of open space upgrades across Moorabool.

**15 OTHER REPORTS**

Nil

**16 NOTICES OF MOTION****16.1 NOTICE OF MOTION NO. 308 - BACCHUS MARSH LIONS CLUB 50TH ANNIVERSARY****Attachments: Nil**

I, Councillor Rod Ward, give notice that at the next Ordinary Meeting of Council to be held on 2 November 2022, I intend to move the following motion:

**RESOLUTION****Moved: Cr Rod Ward****Seconded: Cr Tonia Dudzik**

**That Council formally recognise the outstanding contribution the Bacchus Marsh Lions Club has made to the Bacchus Marsh and surrounding community as they celebrate their 50<sup>th</sup> anniversary in 2022.**

**CARRIED**

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**RATIONALE**

The Bacchus Marsh Lions Club celebrate their 50<sup>th</sup> anniversary in 2022, and this was recognised at a dinner at the Bacchus Marsh Public Hall on Saturday 29 October 2022.

I consider it fitting that Moorabool Shire Council recognise this milestone, as history will recall that the many hundreds of volunteer members of the Bacchus Marsh Lions Club over this 50-year period have generously and selflessly donated thousands of hours doing charitable work to benefit the Bacchus Marsh and surrounding communities. This generosity and dedication to social improvement has provided significant benefit for the community over this period, and in doing so has enriched and brought great joy to countless residents.

I thank the Bacchus Marsh Lions Club for their community service, and I commend this Notice of Motion to Council.

I commend this Notice of Motion to Council.

**17 NOTICES OF RESCISSION**

Nil

**18 MAYOR’S REPORT**

**18.1 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.

<b>Cr Tom Sullivan – Mayor’s Report</b>	
<i>Date: 2 November 2022</i>	
6 October	<ul style="list-style-type: none"> <li>• Goldfields World Heritage: Media Event to Release Economic Benefits Assessment, Creswick</li> </ul>
12 October	<ul style="list-style-type: none"> <li>• Councillor Briefings: Culture Survey Update; Health &amp; Wellbeing Plan 2021-2025 Year One Review; August 2022 Community Grants Recommendations; Draft Maddingley Park Master Plan; Footpath Trading - Fees &amp; Charges; Review of the DAC Agenda; General Business</li> </ul>
14 October	<ul style="list-style-type: none"> <li>• MAV State Council Meeting</li> </ul>
19 October	<ul style="list-style-type: none"> <li>• Councillor Briefings: Main Street, Bacchus Marsh Streetscape Design; Rogers Reserve, Darley; Strategic Financial Plan; Finance Policy Update; Review of the OMC Agenda; General Business</li> <li>• Development Assessment Committee</li> </ul>
20 October	<ul style="list-style-type: none"> <li>• Timber Towns Victoria Meeting</li> </ul>
24 October	<ul style="list-style-type: none"> <li>• Election Commitment Announcement by Michaela Settle, Member for Buninyong – Gordon Recreation Reserve</li> </ul>
25 October	<ul style="list-style-type: none"> <li>• Funding Announcement by Michaela Settle, Member for Buninyong – Aqualink Trail</li> <li>• Funding Announcement by Michaela Settle, Member for Buninyong – Darley Park Play Space</li> </ul>

26 October	<ul style="list-style-type: none"> <li>• Councillor Briefings: Road Maintenance; Directorate Update - Customer Care &amp; Advocacy; General Business</li> <li>• Special Meeting of Council</li> <li>• Central Highlands Power Alliance Community Dinner</li> </ul>
2 November	<ul style="list-style-type: none"> <li>• Bacchus Marsh Police Station Aboriginal Flag Raising Event</li> <li>• Ordinary Meeting of Council</li> </ul>
<p>The Mayor advised he was handed an award at the MAV State Council meeting. The award was the National Award for Local Government for Moorabool Shire Council’s Hide + Seek Music Festival. This is a great outcome, considering there were only two nominations in the whole of Victoria, that a Council like ours was able to successfully be awarded this. Congratulations to all Council staff who were involved in this. It’s a great outcome and it really reflects well on the unit and everyone associated with it. So we can give ourselves a pat on the back. Thank you and congratulations to all involved, thank you Mr Madden.</p>	

**RESOLUTION**

**Moved: Cr Paul Tatchell**

**Seconded: Cr David Edwards**

**That Council receives the Mayor’s Report.**

**CARRIED**

**19 COUNCILLORS' REPORTS**

<b>Cr Rod Ward</b>	
<i>Date: 2 November 2022</i>	
2 November	<ul style="list-style-type: none"> <li>Bacchus Marsh Police Station Flag Raising Event</li> </ul>

<b>Cr Moira Berry</b>	
<i>Date: 2 November 2022</i>	
25 October	<ul style="list-style-type: none"> <li>Funding Announcement by Michaela Settle, Member for Buninyong – Aqualink Trail</li> <li>Funding Announcement by Michaela Settle, Member for Buninyong – Darley Park Play Space</li> </ul>
26 October	<ul style="list-style-type: none"> <li>Children’s Week Event, Bacchus Marsh Town Hall</li> </ul>

<b>Cr Tonia Dudzik</b>	
<i>Date: 2 November 2022</i>	
13 October	<ul style="list-style-type: none"> <li>MAV State Council Annual Dinner; presentation and recognition of 10 Year Service Award; acknowledged Cr Tatchell and Cr Edwards who also received 10 Year Service Awards</li> </ul>
25 October	<ul style="list-style-type: none"> <li>Funding Announcement by Michaela Settle, Member for Buninyong – Aqualink Trail</li> <li>Funding Announcement by Michaela Settle, Member for Buninyong – Darley Park Play Space</li> </ul>
2 November	<ul style="list-style-type: none"> <li>Bacchus Marsh Police Station Flag Raising Event</li> </ul>

**RESOLUTION**

**Moved: Cr Ally Munari**

**Seconded: Cr Rod Ward**

**That Council receives the Councillors’ Reports.**

**CARRIED**

**20 URGENT BUSINESS**

Cr Tatchell raised an item of Urgent Business in relation to Road Maintenance.

**20.1 NOTICE OF MOTION NO. 309 – URGENT ROAD MAINTENANCE****RESOLUTION**

**Moved: Cr Paul Tatchell**

**Seconded: Cr David Edwards**

**That Council resolves to admit the item of Urgent Business in relation to Urgent Road Maintenance.**

**CARRIED**

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**20.2 NOTICE OF MOTION NO. 309 – URGENT ROAD MAINTENANCE**

I, Councillor Paul Tatchell, give notice that at the next Ordinary Meeting of Council to be held on 2 November 2022, I intend to move the following motion:

**RESOLUTION**

**Moved: Cr Paul Tatchell**

**Seconded: Cr Ally Munari**

**That Council:**

- 1. Delegates the Chief Executive Officer to increase the road maintenance budget of up to \$600,000 to address deterioration of the road network.**
- 2. Requests development of a communication plan to inform the community of rectification works.**

**CARRIED**

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**RATIONALE**

At the 5 October 2022 Ordinary Meeting of Council in Urgent Business, Council requested a report on road maintenance and required budget as follows:

*That Council:*

*Requests a report be prepared for the November Ordinary Meeting of Council regarding the budget for road maintenance to assess whether alterations can be made to the budget to remediate roads due to the current inclement weather experienced across the Shire.*

The purpose of this report is to obtain Council's approval for an injection of additional maintenance funds of \$600,000 to reinstate selected roads across the Shire based on severity of defects and condition, delivered via Council contractors. Maintenance will occur in conjunction with, and in addition to, emergency works being undertaken as a result of the 13-14 October 2022 storm event.

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**BACKGROUND**

Australia is currently experiencing its third consecutive La Niña weather phenomenon, which has occurred only three times since 1900 — from 1954 to 1957, from 1973 to 1976 and from 1998 to 2001. La Niña's impact upon Council's road network can mostly be attributed to above-average winter-spring rainfall which has come to fruition resulting in an increase in reactive road maintenance and impacting upon Council's ability to undertake proactive maintenance.

To exacerbate the already above average rainfall experienced in the months of June, August, September and October, on Thursday 13 October a forecasted severe weather event was experienced state-wide, which impacted parts of the Shire. This has resulted in approximately 125 additional road defects, with 9 roads currently closed and an additional 2 roads having water partially over the road surface.

**PROPOSAL**

Council is currently experiencing numerous roads across the Shire that are not coping with the current above average and sustained wet conditions.

Minor patching works is proving to be short lasting and in some cases a longer lasting treatment has been utilised that comes with an additional upfront cost and places pressure on maintenance budgets.

Due to the variable nature of unsealed roads, particularly during wet weather and storm activity, unsealed road conditions can change rapidly. In order for Council to keep up with its proactive maintenance grading program, weather conditions need to be generally favourable. If the conditions are too wet, then the gravel will be saturated and often by disturbing the surface, more harm will be done than good. Conversely, if conditions are too dry, then it becomes difficult to apply enough water onto the material to grade and shape the road.

**CONCLUSION**

Like many roads across the state, Council's Road network is being significantly impacted upon and deteriorating at a rate which exceeds the capacity of Council's existing maintenance budget.

If increases to Council's recurrent road maintenance budget are approved, it would allow continued proactive maintenance programs and Capital Improvement Program delivery.

An injection of an additional \$600,000 would provide for reinstatement of selected roads across the Shire based on severity of defects and condition, delivered via contractors.

If increases to Council's recurrent road maintenance budget are approved, the results will be:

- Improvement in the condition and safety of Council's road network.
- Improvement of Council's Road Management Plan compliance.
- A likely reduction of public liability claims.
- Reduction of the quantity of customer requests and complaints.
- Increased ratepayer satisfaction relating to the services Council provides.

I commend this Notice of Motion to Council.

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Council requested a five minute break at 6.20pm.

Council resumed the meeting at 6.28pm.

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

### **RESOLUTION**

**Moved: Cr David Edwards**

**Seconded: Cr Rod Ward**

**That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66(2)(a) of the *Local Government Act 2020*:**

#### **21.1 Confidential Bacchus Marsh Bowls Club Draft Heads of Agreement - Attachments**

This matter is considered to be confidential under Section 3(1) - g(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

**CARRIED**

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## **22 MEETING CLOSURE**

**The Meeting closed at 6.30pm.**

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**CHAIRPERSON**

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