



AGENDA

Ordinary Council Meeting Wednesday, 1 June 2022

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Wednesday, 1 June 2022

Time: 6.00pm

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

**Derek Madden
Chief Executive Officer**

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Nil

21 Meeting Closure 50

1 OPENING OF MEETING AND PRAYER

Almighty God be with us as we work for the people of the Shire of Moorabool. Grant us wisdom that we may care for the Shire as true stewards of your creation. May we be aware of the great responsibilities placed upon us. Help us to be just in all our dealings and may our work prosper for the good of all. Amen.

2 ACKNOWLEDGEMENT 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 Meeting Procedure Local Law, the Council will be recording this meeting. The following organisations have also been granted permission to make an audio recording:

- The Moorabool News; and
- The Star Weekly

4 PRESENT

5 APOLOGIES

6 CONFIRMATION OF MINUTES

Ordinary Council Meeting - Wednesday 4 May 2022

Special Council Meeting - Wednesday 11 May 2022

7 DISCLOSURE OF CONFLICTS OF INTEREST

Conflict of interest laws are prescribed under the *Local Government Act 2020* (the Act) and in the Local Government (Governance and Integrity) Regulations 2020 (the Regulations). Managing conflicts of interest is about ensuring the integrity and transparency of decision-making.

The conflict of interest provisions under the Act have been simplified so that they are more easily understood and more easily applied. The new conflict of interest provisions are designed to ensure relevant persons proactively consider a broader range of interests and consider those interests from the viewpoint of an impartial, fair-minded person.

Section 126 of the Act states that a Councillor has a conflict of interest if they have a general conflict of interest or a material conflict of interest. These are explained below:

- A Councillor has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the member's private interests could result in them acting in a manner that is contrary to their public duty as a Councillor.
- A Councillor has a material conflict of interest in a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

A relevant person with a conflict of interest must disclose the interest in accordance with Council's Governance Rules and not participate in the decision-making process on the matter. This means the relevant person must exclude themselves from any discussion or vote on the matter at any Council meeting, delegated committee meeting, community asset committee meeting or, if a Councillor, any other meeting conducted under the auspices of the Council. The relevant person must also exclude themselves from any action in relation to the matter, including an action taken to implement a council decision, for example, issuing a planning permit.

8 PUBLIC QUESTION TIME

The aim of Public Question Time is to provide an opportunity for the public to ask general questions at Council Meetings requiring routine responses. Public Question Time is conducted in accordance with section 3.7.1 of the Council's Governance Rules.

- (a) Question time will take place during the Council Meeting as provided for in the agenda.
- (b) Questions in writing in the form prescribed by the Chief Executive Officer will be accepted up to 5pm on the day before the Meeting.
- (c) A person must not submit more than two (2) individual questions at a meeting, inclusive of all parts and variants as interpreted by the Chairperson or other person authorised for this purpose by the Chairperson.
- (d) A question will only be read to the meeting if the Chairperson or other person authorised for this purpose by the Chairperson has determined that the:
 - (i) person directing the question is present in the gallery;
 - (ii) question does not relate to a confidential matter;
 - (iii) question does not relate to a matter in respect of which Council has no power to act;
 - (iv) question is not defamatory, indecent, abusive or objectionable in language or substance;
 - (v) question is not a repetition of a question already asked or answered (whether at the same or an earlier meeting); and
 - (vi) question is not asked to embarrass a Councillor, member of Council staff or member of the public.
- (e) Persons submitting questions must be present in the public gallery. If they are not present in the Gallery, the question will be held over to the next meeting only.
- (f) The Chief Executive Officer will read out each question and the Chairperson shall decide who will answer each question.

A Councillor or Council officer may:

- (i) immediately answer the question asked; or
- (ii) elect to have the question taken on notice until the next Ordinary meeting of Council; at which time the question must be answered and incorporated in the Agenda of the meeting under Public Question Time; or

- (iii) elect to submit a written answer to the person asking the question within 10 working days.

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

9 PETITIONS

9.1 PETITION - REQUEST TO RENAME THE ELAINE RECREATION RESERVE THE RON READ RECREATION RESERVE

Author: Dianne Elshaug, Co-ordinator CEOs Office

Authoriser: Derek Madden, Chief Executive Officer

Attachments: Nil

PURPOSE

Council has received a petition containing 106 signatures from the residents of Elaine.

EXECUTIVE SUMMARY

The petition states:

I am writing to you on behalf of the Elaine Recreation Reserve Community Asset Committee, for your support in submitting our request to Council, on behalf of the Elaine Community to have our Recreation Reserve renamed RON READ RECREATION RESERVE, in honour of Ron who was the Past President and much valued member of our Recreation Committee.

Ron was a tireless worker for every community event, from working around the reserve, tending to our beautiful trees, watering them when there were period of no rainfall for months. Whenever there was an event he would be seen manning the BBQ. He was so proud of our Recreation Reserve he always put his hand up whenever anything needed doing, he was the driving force around the township of Elaine for many years.

Ron passed away on the 6th September 2021 and we feel that it would be a lasting tribute to a man who put in more than 30 years tending to his much loved reserve for the benefit of the entire community.

Attached is a petition in support of this request, signed by many residents who know of Ron's contribution to our Community.

RECOMMENDATION

That:

- 1. Council receives the petition containing 106 signatures in relation to renaming the Elaine Recreation Reserve.**
- 2. A report be prepared by officers for Council's consideration pertaining to the petitioner's request.**

9.2 PETITION - MERIDIE WAY, DARLEY**Author:** Dianne Elshaug, Co-ordinator CEOs Office**Authoriser:** Derek Madden, Chief Executive Officer**Attachments:** Nil**PURPOSE**

Council has received a petition containing 10 signatures from residents of Meridie Way, Darley.

EXECUTIVE SUMMARY

The petition states:

We the residents request that Council and/or the developer install 2 speed humps on the bends between the old development and the new development of Meridie Way, Darley.

These speed humps will slow traffic on the bends to protect residents, and in particular the children who live in our street, from fast vehicles as they round the blind corner.

RECOMMENDATION

That Council:

- 1. Receives the petition containing ten signatures in relation to installing speed humps in Meridie Way, Darley.**
 - 2. Requests a report be prepared by Officers for Council's consideration pertaining to the petitioner's request.**
-

10 PRESENTATIONS/DEPUTATIONS

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

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

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

The person making the presentation or deputation is to stand and address Council on the item.

No debate on the item is permitted between the person making the presentation or delegation and the Council.

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

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

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

11 COMMUNITY STRENGTHENING REPORTS

11.1 COMMUNITY GRANTS REPORT - MARCH 2022

Author: Ashley Malloy, Community Strengthening Liaison Advisor

Authoriser: Sally Jones, General Manager Community Strengthening

Attachments: 1. Community Grants March 2022 Round (under separate cover)

PURPOSE

The purpose of this report is to make recommendations to Council regarding applications to the March 2022 Community Grants program.

EXECUTIVE SUMMARY

- To seek Council endorsement of the recommendations for funding for the March 2022 round of the Community Grants Program by the Community Grants Assessment Panel.
- The Community Grants Program provides funding to community organisations to deliver programs that build on local strengths to develop healthy, inclusive and connected neighbourhoods.
- Council received 16 applications across the five program categories: Community Arts and Culture (1), Community Strengthening Grants (7), Community Events Grants (1), Community Development Fund (2) and Sustainability and Environmental Engagement Grants (5).
- A total of \$107,747.50 was requested with \$157,045.00 available this round. The available funds are a combination of funds allocated in the 2021/22 annual budget and unallocated funds carried forward from 2020/21, minus the successful Community Development Fund applications from the August 2021 round of grants.
- Eligible applications were assessed by an Assessment Panel consisting of 9 officers from a diverse range of departments.
- The report presents Council with a list of recommended grants for the March 2022 funding round prepared by the Community Grants Assessment Panel (Attachment 1 - Community Grants March 2022 round).
- In total, 11 organisations are recommended to receive \$33,232.50 in funding.
- The proposed allocation of this sum is detailed in the funding recommendations within this report and in Attachment 1 - Community Grants March 2022 round.

RECOMMENDATION

That Council approves the allocation of the Community Grants as provided in Attachment 1 - Community Grants March 2022 round to this report.

BACKGROUND

The purpose of this report is to present Council with an assessment of applications received for the Community Grants Program March 2022 round, which totals \$270,400 per annum. The March 2022 round of the Grants Program opened on 1 March 2022 and closed on 31 March 2022. A total of 73% of applications commenced via the online portal were submitted for final consideration, reflecting a submission rate consistent to the previous round of community grants in August 2021 (75%).

This round five applications requesting \$13,650 in total were received within the Sustainability and Environmental Engagement Grant stream. This fund only contains \$5,400 this round leaving \$8,250 outstanding, required to fund those projects. However, deducting the total recommended funding of \$33,232.50 from the available funding in all streams excluding the Community Development Fund (\$71,645) leaves a surplus of \$60,417.50, in which the remaining \$8,250 of Sustainability and Environmental Engagement Grants can be funded.

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

- **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).
- **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. The Community Development Fund has \$71,645 available this round. The Community Development fund this financial year contained \$261,645 due to additional carry over funding of \$161,645 from the 2020/2021 financial year, as well as the usual \$100,000 allocation for the 2021/2022 financial year. Last round in August 2021, \$190,000 (from \$261,645 available) was allocated to Community Development Fund projects leaving \$71,645 remaining in the fund for March 2022.
- **Sustainability and Environment Engagement Grants:** Supporting the community in reducing expenditure of gas and electricity, investing in sustainability measures and providing opportunities to raise awareness of environmental issues to the broader community (\$5,400 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 also need to demonstrate a cash or in-kind contribution toward the cost of their project on a ratio of \$1 for \$1 (Council \$1: Group \$1). Small Community Strengthening projects under \$1,000 are not required to demonstrate an applicant contribution.

PROPOSAL

Applicant Support

The Community Grants Guidelines specifies that applicant groups are required to liaise with a Connected Communities 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.

Policy Assessment Criteria

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

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

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

Key Issues

This report presents to Council the Community Grant Assessment Panel recommendations for applications received for the August 2021 Round of the Community Grants Program.

Number of applications and amount requested

In total, 16 applications were received across the five program categories: Community Arts and Culture (1), Community Strengthening Grants (7), Community Events Grants (1), Community Development Fund (2) and Sustainability and Environmental Engagement Grant (5). A total of \$107,747.50 was requested with \$157,045.00 available this round.

The Assessment Panel recommends a total value of \$33,232.50 to be awarded to successful applicants. This Community Grant funding will contribute to local projects worth \$87,073.00 in total.

Category	Applications Received	Amount Available	Amount Requested	Amount Recommended
Community Arts and Culture	1	\$10,000.00	\$3,000.00	\$0
Community Strengthening Grant	7	\$60,000.00	\$25,172.50	\$16,582.50
Community Events Grant	1	\$10,000.00	\$3,000.00	\$3,000.00
Community Development Fund	2	\$71,645.00	\$62,925.00	\$0
Sustainability and Environmental Engagement*	5	\$5,400.00	\$13,650.00	\$13,650.00
Total	16	\$157,045.00	\$107,747.50	\$33,232.50

*This report seeks Council’s permission to fund \$8,250 of the remaining Sustainability and Environmental Engagement projects through the surplus funding of \$60,417.50 available in other community grant streams including the Arts and Culture, Community Strengthening and Community Events streams (excluding the \$71,645 available in the Community Development Fund).

Current Status

The recommendations provided in Attachment 1 - Community Grants March 2022 round represent 100% of community grant applications from March 2022 grant round.

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 March 2022 Round of the Community Grants Program is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

Consistent with the Community Grants Policy, 2021/22 budget allocation and carry over community grant funding from the 2020/21 financial year, a total of \$157,045.00 is available for allocation in the March 2022 Community Grants Program.

The following amounts are recommended:

- \$0 for Arts and Culture Grants;
- \$16,582.50 for Community Strengthening Grants;
- \$3,000.00 for Community Event Grants;
- \$0 for Community Development Fund;
- \$13,650.00 for Sustainability and Environmental Engagement Grants.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Project timelines	Grant recipients exceeding prescribed timelines	Medium	Terms and conditions agreements required to be signed by grant recipients Scheduled monitoring of projects
Financial – 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

Successful Applicants

- Formal notification and congratulations will be provided via email on endorsement of Council report.

Unsuccessful Applicants

- To be advised by telephone and/or email. Guidance and support will be provided to improve opportunities for future grant applications.
- To be offered the opportunity for one-on-one meetings with officers to discuss their application and request advice.
- Be advised of future Grant Writing Workshop opportunities.

Community Groups

- Are advised when Community Grants become available and requested to further advise their networks via direct telephone calls and email.
- Are requested to advertise the Community Grants across their communications options including social media and newsletters.

Moorabool Residents

- Promotional flyers and information advertising the Community Grants Program across the Shire:
 - Library notice boards and Library Newsletter;
 - Catherine King Grants Newsletter
 - Community Noticeboards;
 - Community Houses;
 - Moorabool News;
 - Local Community Facebook Groups
 - Website Events Page and Community Page;
 - Advert displayed at drive in cinema events;
 - Moorabool Shire corporate website and social media channels;
- Direct email to Moorabool Shire community group database.
- New promotional banners at township entrances.
- Grant Writing Workshops:
 - Two workshops were held online to improve knowledge of Smartygrants and grant writing requirements;
 - Advice and guidance provided to potential applicants.

Applicants for the March 2022 round of the Community Grants Program have been informed they should be notified of the outcomes of their grant applications in June 2022.

The Connected Communities Team will formally notify groups of the outcome of their applications and provide opportunity for feedback to the unsuccessful applicant.

Feedback will include:

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

VICTORIAN CHARTER OF HUMAN RIGHTS & 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 – Sally Jones

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

Based on the application assessment process and funding criteria, it is proposed that the Council allocates funding for grants for the Moorabool Shire March 2022 round of Community Grants based on the tables provided in Attachment 1 - Community Grants March 2022 round.

11.2 PUBLIC ART AND COLLECTIONS POLICY

Author: Bec Carey-Grieve, Arts, Culture and Events Officer

Authoriser: Sally Jones, General Manager Community Strengthening

Attachments: 1. Public Art and Collections Policy (under separate cover)

PURPOSE

The purpose of this report is to provide Councillors with the final Public Art and Collections Policy and to seek Council endorsement to adopt the final Policy.

EXECUTIVE SUMMARY

- The Public Art and Collections Policy is a key deliverable contained within the recently adopted Arts and Culture Strategy Year 1 Annual Action Plan.
- By developing a framework and associated resourcing to support a Public Art Program, this Policy will address key priorities and challenges identified through extensive internal and external consultation undertaken in 2021, through the development of the Arts and Culture Strategy.
- The draft policy was presented for public exhibition, 8 and 24 April 2022. Eight submissions were received through the Have Your Say portal. All submissions were supportive of the Public Art and Collections Policy with no changes recommended. Feedback received from internal departments and Councillors has also been incorporated into the final policy.
- Changes include the addition of Councillor representation on the Public Art and Advisory Committee (PACAC). The PACAC will also include industry experts, community members and local artists. Terms of reference will be developed providing clear processes to address any conflicts of interest that may arise.
- Additionally, changes have been made to the Capital Works budget commitment process.
- Clause 8.1 has been further refined to provide clarity regarding Council delegation.

RECOMMENDATION

That Council endorses the Public Art and Collections Policy provided as Attachment 1.

BACKGROUND

A key deliverable contained within the recently developed Arts and Culture Strategy Year 1 Annual Plan, is the development of a Public Art and Collections Policy to encourage and support the growth of public art in the Shire. Public Art provides many benefits and opportunities for the Shire including:

- Enhancing new and existing spaces;
- Celebrating our townships' unique identities;
- Supporting our local creative sector;

- Increasing access to and participation in Public Art;
- Attracting visitors to the Shire.

The Policy supports other strategies currently in development such as the Visitor Economy Strategy. Research shows enhancing our communities through Public Art directly supports cultural tourism and economic development strategies, particularly in regional areas. The Australia Council for the Arts' Domestic Tourism report showed Arts tourists are high value tourists, more likely to stay longer and spend more.

By developing a framework and associated resourcing to support a Public Art Program, this Policy will address key priorities and challenges identified through extensive internal and external consultation undertaken in 2021 through the development of the Arts and Culture Strategy, including:

- 94% of survey respondents feel local arts and cultural activities are important;
- 89% of survey respondents value having access to activities from a range of cultures;
- 87% of artist respondents felt experimentation was important to their practice;
- 68% of artists do not have access to local opportunities.

To achieve the outcomes of the Arts and Culture Strategy, eight pillars were developed. This Policy seeks to support the strategy priority areas to:

- Increase and diversify arts and cultural activity;
- Reduce barriers to delivering and participating in creative activities;
- Connect with our unique heritage and environment;
- Create moments of joy in everyday life;
- Use Arts and Culture to drive better outcomes for Council and the community.

A Policy scan, benchmarking and further internal consultation has been undertaken to inform this final draft.

The Policy will involve the following key stakeholders:

- All Council departments;
- Artists, both local and outside the Shire;
- Moorabool Shire Residents and Businesses;
- Tourists;
- Land Developers;
- Peak bodies;
- Industry experts.

The draft policy was presented for public exhibition, April 8 and 24 2022. Eight submissions were received through the Have Your Say portal. All submissions were supportive of the Public Art and Collections Policy with no changes recommended. Internal feedback and feedback from councillors were also received and incorporated into the final policy. Most notably these changes include the addition of Councillor representation on the Public Art and Advisory Panel and a change to the Capital Works budget commitment process.

PROPOSAL

It is recommended that the Public Art and Collections Policy be endorsed by Council.

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 endorse the Public Art and Collections Policy is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

Following the Policy being adopted, an ongoing provision for Public Art will be allocated from Council’s annual budget. Funds will be allocated through the following processes:

- Council officers will apply for annual provision of funds through the budget process;
- Council will consider an annual funding allocation for public art projects through the capital works program. A long-term public art capital program will be developed to provide a funding cycle that enables the development of a pipeline of temporary and permanent public art projects. An annual allocation will allow for the commissioning of at least one work per year. In addition, Council may also make further one-off allocations for public art as part of major infrastructure projects.
- Council officers will collaborate with Developers who wish to contribute to Council’s public art fund.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Policy is not adopted	Community expectations are not met. There is no clear and consistent direction to guide decision making for the public art collection in the Shire.	Medium	The draft Policy has been benchmarked against best practice and will be publicly exhibited to provide opportunity for community feedback. The draft Policy has been informed by Council’s Arts and Culture Strategy and community consultation.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Local Artists Residents Businesses Creative	Forums with community groups 1-1 interviews	Bacchus Marsh Ballan Online	February 2021 – February 2022	Over 100 participants. Over 50 interviews conducted.

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
	Industry Key Council Staff	Online forums Arts and Culture Project Control Group Capital Works Development committee			
	Public Survey	A survey was published on Moorabool’s Have Your Say Engagement hub for the development of the Arts and Culture Strategy	Have Your Say Moorabool webpage	March 2021	124 survey responses received
	Drop in Consultations	Future Tense Consultancy and Moorabool’s Arts, Culture and Events Officer attended key arts and cultural events in the Shire	Bacchus Marsh Arts Council Exhibition opening, BM Music Bowl, St Anne’s pizza and music afternoon, Studio 22 youth space	March 2021	In depth data was collected from respondents who may not have seen the survey or who were tourists who lived outside the Shire
	Traditional Owner Consultations	Online consultations were conducted with Wurundjeri Woi Wurrung, Wadawurrung and Dja Dja Wurrung (including local artists)	Online	March/April 2021	Key insights gathered from Traditional Owners (TO) including Elders and Artists residing in the Shire 3 TO Recognised Aboriginal Parties (RAP) interviews 3 TO reviews of the Strategy 6 Wadawurrung local artist interviews

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
	Public Exhibition of Draft Public Art and Collections Policy	The draft Policy will be publicly exhibited	Online and public forum	8 – 24 April 2022	All feedback received has inform the final Policy

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 – Sally Jones

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

Author – Bec Carey-Grieve - Arts, Culture and Events Officer

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

CONCLUSION

Supporting the development of a Public Art and Collections Policy will provide a framework and resourcing to develop an ongoing Public Art program for the Shire. Public Art provides many benefits to the community and is a key deliverable in year 1 of the Arts and Culture Strategy Annual Plan.

12 CUSTOMER CARE AND ADVOCACY REPORTS

12.1 MARCH 2022 QUARTERLY FINANCIAL REPORT

Author: Aaron Light, Senior Accountant

Authoriser: Caroline Buisson, General Manager Customer Care & Advocacy

Attachments: 1. March 2022 Quarterly Financial Report (under separate cover)

PURPOSE

The purpose of this report is to inform Council of the financial performance for the period ending 31 March 2022, in accordance with Section 97 of the Local Government Act 2020.

EXECUTIVE SUMMARY

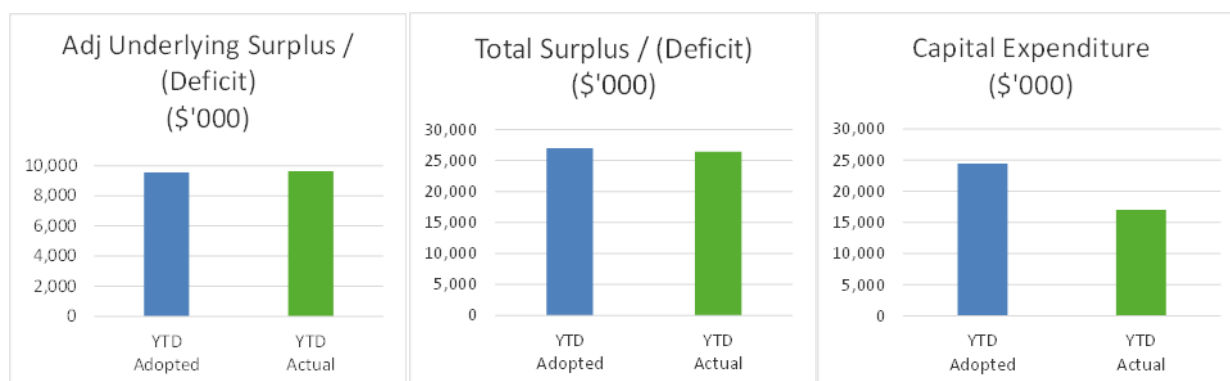
- This Quarterly Report provided in Attachment 1 outlines the year-to-date financial position of Council for the period from 1 July 2021 to 31 March 2022. It also contains a comparison between the adopted budget and the year-end forecast.
- The Income Statement reports the year to date adjusted underlying result is a surplus of \$9.646 million that is a \$0.108 million favourable when compared to budget. The adjusted underlying result extracts the impact of the non-recurrent capital income items, including one-off capital grants, donated assets from subdivisions, and developer contributions.
- The Statement of Capital Works reports year to date expenditure of \$17.029 million that is \$7.429 million less than budget. The variance primarily relates to the timing of contract payments, delays due to COVID lockdowns and restrictions, and the deferral of some major projects to next financial year.
- Council's cash balance at 31 March 2022 is \$32.299 million, which is \$3.715 million favourable compared to year to date budget.
- Council's overall financial position at the end of March 2022 is considered sound and continues to be closely monitored to ensure the achievement of budgeted outcomes whilst closely monitoring the impact of the pandemic.

RECOMMENDATION

That Council receives the Quarterly Financial Report – March 2022, provided as Attachment 1 to this report.

BACKGROUND

The attached Quarterly Financial Report provides an explanation of the Income Statement, Balance Sheet, Cash Flow Statement and Capital Works Statement with the year-to-date actuals compared to the year-to-date budget with reference to the annual budget. It also contains a comparison of the adopted budget and the year-end forecast.



	Year to Date				Annual			
	YTD Adopted \$'000	YTD Actual \$'000	Variance		Adopted Budget \$'000	Forecast \$'000	Variance	
			\$'000	%			\$'000	%
Operating Income	51,759	53,243	1,484	3%	58,488	63,944	5,456	9%
Operating Expenses	42,221	43,597	(1,376)	-3%	58,478	64,664	(6,186)	-11%
Adj Underlying Surplus / (Deficit)	9,538	9,646	108	1%	10	(720)	(730)	-7265%
Capital / Non-recurrent income	17,482	16,788	(694)	-4%	28,036	32,349	4,313	15%
Total Surplus / (Deficit)	27,020	26,435	(585)	-2%	28,046	31,629	3,583	13%
Capital Expenditure	24,458	17,029	(7,429)	-30%	63,766	37,619	(26,147)	-41%

Income Statement

The main changes within the Income Statement are as follows:

- Year to Date Operating Income - \$1.484 million favourable
 - Favourable in “Grants - operating” (\$1.485m) mainly due to new grants received since the adoption of the budget.
- Year to Date Operating Expenses - \$1.376 million unfavourable
 - Unfavourable in “Materials and services” (\$1.810m). This is primarily due to unbudgeted works for Storm Recovery.

The main forecast adjustments relate to Storm Recovery works, new funding received since the adoption of the budget, and COVID-19 impacts to Council services. Council has also been notified that it will receive a brought forward payment of 75% of the 2022/23 Grants Commission funding (\$2.060m). There is also an adjustment made for the cost of redundancies in Active Ageing relating to Council’s decision to discontinue the service after June 2022.

Balance Sheet and Cashflow Statement

The Balance Sheet reflects Council’s financial position at 31 March 2022 and is prepared in compliance with the Australia Accounting Standards. The Cashflow Statement captures Council’s cash movement for the period.

Council is showing a cash position of \$32.299 million, which is \$3.715 million more than the year-to-date budget.

Council's Balance Sheet continues to show a strong net position. This is represented by \$692.629 million of assets which is largely made up of Council Property, Infrastructure, Plant and Equipment. Council's total liabilities are \$37.680 million, which results in net assets of \$654.949 million.

Capital Improvement Program (CIP)

Total capital expenditure at the end of March 2022 is \$17.029 million, which is \$7.429 million less than the year-to-date budget. This is mainly due to timing variances with contract payments and delays due to COVID lockdowns and restrictions. There are also a number of projects that will be incomplete at year end and will be carried over to next financial year. These include; Bacchus Marsh Indoor Recreation Facility, Bowls Club Pavilion and Bowling Green, West Maddingley Early Years Hub, and Darley Park Pavilion.

PROPOSAL

That Council receives the Quarterly Report – March 2022.

COUNCIL PLAN

The Council Plan 2021 - 2025 provides as follows:

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

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

The proposal to adopt the Quarterly Report – March 2022 is consistent with the Council Plan 2021 - 2025.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no identified risks associated with this process.

COMMUNICATIONS & CONSULTATION STRATEGY

To Council, through the Ordinary Meeting of Council on 1 June 2022, and to the Audit and Risk Committee meeting on 11 May 2022.

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.

Senior Accountant – Aaron Light

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

CONCLUSION

That Council's overall financial position at the end of March 2022 is considered sound and Council note the March Quarterly Report.

12.2 BRAND STRATEGY PROJECT UPDATE - CORPORATE LOGO REFRESH**Author:** Leanne Manton, Manager Brand & Advocacy**Authoriser:** Caroline Buisson, General Manager Customer Care & Advocacy**Attachments:**

1. Corporate logo design options and analysis (under separate cover)
2. Brand narrative (under separate cover)

PURPOSE

The purpose of this report is to provide Councillors with an update on work to refresh the corporate logo and to seek Council approval for update of the existing logo.

EXECUTIVE SUMMARY

- Council is formally requested to approve a refresh of the corporate logo in line with Concept 1 in the attached artwork in order to make the organisation's logo more contemporary, useable and accessible.

RECOMMENDATION

That Council approves a refresh of the corporate logo in line with Concept 1 in the attached document.

BACKGROUND

The communications team has been progressing work on a review of Council's brand, taking into account stakeholder engagement both internally and externally over the past 12 months.

The branding project aims to improve accessibility across communications, both print and online, and lead to development of a strategy to guide future development of the brand.

In order to progress this work further, a decision on a refresh of the corporate logo is now required. The logo, which is a flagship element of the current brand, is not contemporary nor fully aligned with the new brand narrative (attached) and does not comply with accessibility standards.

Consultation undertaken to date also supports a refresh of the logo which retains a similar look and feel to the current logo.

Logo concept art has been created and initial feedback on concepts has been gathered at Executive meetings and Councillor Briefings in recent months.

PROPOSAL

After assessing feedback from the community, Councillors and Executive, Council's communications team has worked with a graphic designer to finalise design of two concepts for a refreshed corporate logo.

The attached document provides both concepts, with explanation regarding the design inspiration and a design analysis.

While both options meet the core requirement to provide a more accessible and useable corporate logo, the communications team would recommend Concept 1 as it:

- aligns with feedback from public consultation;
- is more distinct at distance and in greyscale format than Concept 2;
- encompasses a minor change to the current brand, so brand recognition and consistency will not be adversely impacted.

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 3.5: Be recognised for demonstrating a culture of excellence, creativity and inclusiveness

The proposal to refresh the corporate logo is consistent with the Council Plan 2021-2025 and the Council Plan Action to *Develop a Brand Strategy*.

FINANCIAL IMPLICATIONS

If a logo refresh is approved, minor costs will be incurred to engage a professional graphic designer with accessibility knowledge and/or qualifications to provided artwork for the refreshed logo and other associated brand elements, and to assist in producing a brand style guidelines document.

Existing digital templates and designs will be able to be updated quickly and with no or minor cost.

Print and other elements e.g. signage will be able to be updated as needs arise, so there would be no upfront re-printing or production cost involved.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Logo refresh is not supported	Expectations raised in public consultation of a logo change will not be met	Medium	Communications plan explaining reasons for not making change following public consultation

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community	10 x logo designs available online for community feedback	Council’s website - Have Your Say page	May 2021	525 responses – logo version similar to Concept 1 (slight refresh of existing corporate logo) most supported

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
	Primary school students	Provided with a worksheet with 10 logo options	Bacchus Marsh Primary School	May 2021	95 responses - logo version similar to Concept 1 (slight refresh of existing corporate logo) most supported
	Staff	Survey providing 10 logos for consideration and also asking for general branding feedback	Emailed to staff	May 2021	80 responses - logo version similar to Concept 1 (slight refresh of existing corporate logo) most supported

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 – Leanne Manton

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

CONCLUSION

A decision on the logo will enable the communications team to:

- update the corporate logo to ensure it is more contemporary, useable and accessible;
- finalise a new brand style guidelines document;
- ‘close the loop’ on the logo consultation process with the community;
- develop a brand strategy and associated implementation plan in line with the Council Plan action to *Develop a Brand Strategy*.

13 COMMUNITY ASSETS & INFRASTRUCTURE REPORTS

13.1 DEVELOPMENT OF THE WASTE AND RESOURCE RECOVERY STRATEGY

Author: Caroline Rantall, Coordinator Sustainable Environment

Authoriser: Phil Jeffrey, General Manager Community Assets & Infrastructure

Attachments: 1. **Waste and Resource Recovery Strategy Final - April 2022 (under separate cover)**

PURPOSE

The purpose of this report is to recommend that Council adopt the Waste and Resource Recovery Strategy 2030.

EXECUTIVE SUMMARY

- The draft Waste and Resource Recovery Strategy 2030 was presented to Council at the February 2022 Ordinary Meeting of Council.
- Council resolved to publicly exhibit the strategy for a period of six weeks prior to its final adoption. The strategy was placed on public exhibition from 11 February to 20 March 2022. A total of 50 detailed submissions were received from residents and one business. Most respondents were supportive of the actions presented and the strategic direction as set out in the strategy.
- The development of the Waste and Resource Recovery Strategy 2030 (provided as Attachment 1 to this report) has considered and responded to national and state policies relating to waste and resource recovery.
- The development of the Waste and Resource Recovery Strategy 2030 has been informed by the recently adopted Community Vision 2030 and Council Plan 2021 – 2025 in addition to a review of data, feedback from stakeholder consultations and community feedback. It contains the measures required to deliver the strategic objectives over the next ten years.

RECOMMENDATION

That Council adopts the Waste and Resource Recovery Strategy 2030.

BACKGROUND

As per the Council Plan, the 2014 Waste and Resource Recovery Strategy was due for review in the 2020/2021 financial year. A request for quote was circulated in September 2020 and consultant Urban EP were engaged to complete the review.

The new strategy explores innovative, circular and local approaches to waste and resource recovery and will undertake community engagement to gauge levels of appetite for implementing creative and cost-effective ways to tackle the waste challenges we all face.

WHY WE NEED A STRATEGY

As Moorabool's population grows, and the waste system in Australia transforms, we need to find better ways to manage our resources to ensure our community is protected for generations to come.

The Moorabool population is expected to grow to 72,000 by 2041 and this will put pressure on existing services and infrastructure. Therefore, we need to plan to manage costs effectively and to meet community expectations.

The strategy recognises a shared responsibility between council and the community, and all members of the community play a vital role in the management of waste. Council needs to provide ongoing education and behaviour change campaigns that empower the community to make informed decisions that avoid unnecessary waste.

ACTS, REGULATIONS AND POLICIES

Waste and resource recovery within Moorabool Shire is governed by National, State and Local Government Acts such as the National Waste Policy 2018 and State Recycling Victoria: A New Economy Policy.

The Recycling Victoria policy mandates services councils need to offer their communities and sets standards within the industry. Our strategy has been developed to respond to this broader regulatory and policy environment and this informs our decision making and compliance obligations.

It is also essential that the strategy aligns with Council's internal policies and plans such as the Council Plan, Community Vision and Health and Wellbeing Plan.

PUBLIC CONSULTATION TO INFORM STRATEGY

A Community Engagement Plan was prepared and used as a guide for online community engagement and contained information relating to an engagement timeline and methodology.

A Councillor workshop was held on 8 April 2021 to enable discussion around the proposed themes within the Strategy and to seek feedback.

A community survey was open to residents and businesses to gather feedback regarding proposed waste service. Moorabool's 'Have Your Say' page hosted the online survey for six weeks in June and July 2021. A physical survey was posted to more than 4,000 households in the Shire including areas with a historically low online engagement with Council.

An in-person consultation session was held with the Moorabool Environment and Sustainability Advisory Committee (MESAC) in April 2021 and an online community consultation session was held in June 2021, where the invitation was extended to 36 community members who had previously expressed interest in waste and recycling matters.

VISION AND GOALS

The feedback and themes from the community consultation were used to formulate the strategy vision and goals. It is the vision of the Strategy *"to transform Moorabool Shire into a low waste municipality by embracing sustainable practices that increase resource recovery, encourage a circular economy and protect the environment"*.

Three overarching goals have been identified to guide the delivery of the Waste and Resource Recovery Strategy 2030 including:

- AVOID waste creation through education initiatives and improved management practices.
- RECOVER more materials by viewing waste as a resource.
- PROTECT our community and environment from the impact of waste.

TARGETS TO 2030

Performance against this strategy will be measured against high-level targets that reflect state and federal government targets presented within the National Waste Policy 2018 and the State Recycling Victoria: A New Economy Policy.

These targets include:

- Aim for 80% of all household waste diverted from landfill.
- Reduce recycling contamination rate to less than 10%.
- Reduce overall amount of illegal dumped rubbish requests by 15%.

Measurables have been identified that Council will use to monitor our progress and ensure we are on track to achieving our targets.

STRATEGIC ACTIONS

Strategic actions have been developed to achieve the targets under the three identified goals. There are 25 actions within the strategy to be delivered over the next 10 years. Actions will be delivered during a single year (financial), a group of years, or on an ongoing basis as required.

Examples of actions within the strategy include:

- Undertake options and cost analysis of mandated services (separate FOGO and glass) to inform preferred options / timing / bin configurations and associated transition plan for implementation.
- Investigate options to assist ratepayers with hard waste disposal e.g., hard-waste collection service or voucher for disposal.
- Review operational model of Transfer Stations. Explore social enterprise opportunities, resale / repair shop feasibility, increase resource recovery (FOGO, concrete, glass, gas bottles, furniture, clothing, soft plastic etc.).
- Prepare integrated Waste and Resource Recovery / Litter and Illegal Dumping Education Plan for delivery.

PUBLIC EXHIBITION FEEDBACK 2022

The draft strategy was placed on Council's "Have Your Say" engagement platform. The public exhibition period was undertaken in February and March 2022 allowing the community to provide feedback to inform the final version of the strategy.

An additional short survey was included on the Have Your Say page requesting feedback on the strategy's three identified goals i.e. Avoid, Recover, Protect.

A total of 50 detailed submissions were received from residents and one business. Most respondents were supportive of the actions presented and the strategic direction as set out in the strategy.

Overall themes in the feedback reinforced the need for deeper community education and stronger local resource recovery networks within the shire to achieve the goals. Strong support for waste-reduction rebates, resale/repair shops, litter and illegal dumping reduction campaigns, fire season green waste drop off, an equitable hard waste service option, circular economy initiatives and the mandated four-stream system especially Food Organics Garden Organic (FOGO).

MANDATED FOUR-STREAM SERVICE

The Recycling Victoria policy mandates that by 2030 councils need to ensure households have access to Garbage, Mixed Recycling, Glass and FOGO services. These services can be delivered via kerbside bins or drop off service at transfer stations and/or in communal locations throughout the Shire.

Consistent separation of household waste and recycling will increase the quality of recycled material produced for reuse and allow us to get the most of our resources. This new system will also significantly reduce the volume of materials being deposited to landfill reducing both environmental and fiscal impacts of landfilling materials.

A cost modelling analysis is currently being undertaken to explore possible models, frequencies, and timelines. A report with the options will be presented to Council at a later stage.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

Strategic Objective 2: Liveable and thriving environments

Priority 2.3: Enhance our natural environments

The recommendation to adopt the Waste and Resource Recovery Strategy is consistent with the Council Plan 2021-2025.

Financial Implications

The proposed Moorabool Waste and Resource Recovery Strategy 2030 has been produced with funds allocated within the 2020/21 budget. Further resources to enable implementation of the strategy will be proposed as part of the annual budget process.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Strategy is not adopted by Council.	Community expectations will remain unmet. Council will not meet legislative requirements which are proposed within the strategy.	High	Adoption of the Waste and Resource Recovery Strategy 2030.
Reputation – A negative perception of the Moorabool Waste and Resource Recovery Strategy 2030 and it’s delivery.	The draft plan receives negative feedback during public exhibition.	Medium	Extensive public consultation and communication has been undertaken to ensure the strategy meets community expectations.
Financial - Future resource requirements may not be approved within future budget processes.	There are not enough resources to implement the Plan in its entirety.	Medium	Staff implementing the strategy will monitor the resource requirements and report to Council where issues arise.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Inform	Moorabool Community	Promotion and Communication <ul style="list-style-type: none"> • Social Media • Posts • Posters • Flyers • Newsletters • Newspaper advertising • Direct Emails • Have Your Say • Portal • Feedback 	Across the Shire	April – July 2021	Engagement opportunity promoted broadly to the Moorabool Community. Moorabool Social Media Posts

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
	Councillor Workshop	Workshop to enable discussion around the proposed themes within the Strategy and to seek feedback	Darley Civic Centre	8 April 2021	Feedback provided for inclusion in the development of the Waste and Resource Recovery Strategy 2030
Engage	Consultations with key stakeholders	Stakeholder Consultations undertaken	8 online sessions 1 face to face workshop held	18 March 2021 19 March 2021 22 March 2021 23 March 2021 24 March 2021	26 internal stakeholder participants 15 external stakeholder participants
	Public Survey – online and postal survey	A survey was published on Moorabool’s ‘Have Your Say’ Engagement portal	Have Your Say Moorabool web page	June – July 2021	743 surveys were received, and responses collated to inform the plan
	Councillor Workshop	Workshop to enable discussion around the proposed themes within the Strategy and to seek feedback	Darley Civic Centre	8 April 2021	Feedback provided for inclusion in the development of the Waste and Resource Recovery Strategy 2030
	Moorabool Community	Community feedback on draft strategy	Have Your Say Moorabool web page	February and March 2022	A total of 50 submissions were received from residents and one business. Most respondents were supportive of the actions presented.

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 – Caroline Rantall

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

CONCLUSION

Feedback received during the February and March 2022 public exhibition supported the actions and strategic direction as detailed in the strategy. It also identified the need for deeper community education and stronger local resource recovery networks within the Shire to achieve the goals.

Delivering on the Moorabool Waste and Resource Recovery Strategy 2030 will support the Shire to explore innovative, circular and local approaches to waste and resource recovery, respond to national and state legislation and implement creative and cost-effective ways to tackle the waste challenges we all face.

13.2 DRAFT ASSET MANAGEMENT STRATEGY AND ASSET MANAGEMENT PLANS**Author:** Bivish Ghimire, Asset Management Coordinator**Authoriser:** Phil Jeffrey, General Manager Community Assets & Infrastructure**Attachments:**

1. Draft Asset Management Strategy (under separate cover)
2. Draft Asset Management Plan - Building (under separate cover)
3. Draft Asset Management Plan - Open Space (under separate cover)
4. Draft Asset Management Plan - Stormwater (under separate cover)
5. Draft Asset Management Plan - Transport (under separate cover)

PURPOSE

Following initial presentation to the Ordinary Meeting of Council in March 2022 and a subsequent public exhibition process, the purpose of this report is to provide a summary of the submissions received and present the Draft Asset Management Strategy and suite of Asset Management Plans (Transport, Buildings, Stormwater and Open Space) for formal adoption.

Under the Local Government Act 2020 updated Asset Management Plans are required to be adopted by all Councils by 30 June 2022.

EXECUTIVE SUMMARY

- Council is responsible for the management of over \$700M of physical infrastructure assets that support the delivery of services to the community.
- Asset Management is a core service and is at the centre of Council's financial and strategic decision making.
- The Local Government Act 2020 requires that Councils have adequate control over their assets and mandates the development and adoption of a ten-year Asset Plan to guide the management of Council assets throughout the asset lifecycle (acquisition, maintenance, renewal, upgrade/expansion, decommissioning and disposal).
- A review of the current Asset Management Strategy has also been undertaken and proposed updates made based on current standards and guidelines, new asset data, expected growth, professional experience, utilisation of predictive modelling tools and learnings from the current strategy.
- Following the initial presentation of the draft documents at the Ordinary Meeting of Council in March 2022 a public exhibition period was undertaken. During the exhibition period no submissions were received.
- Following the presentation of the final draft documents to the Audit and Risk Committee, the updated draft documents are now presented to Council for formal adoption.

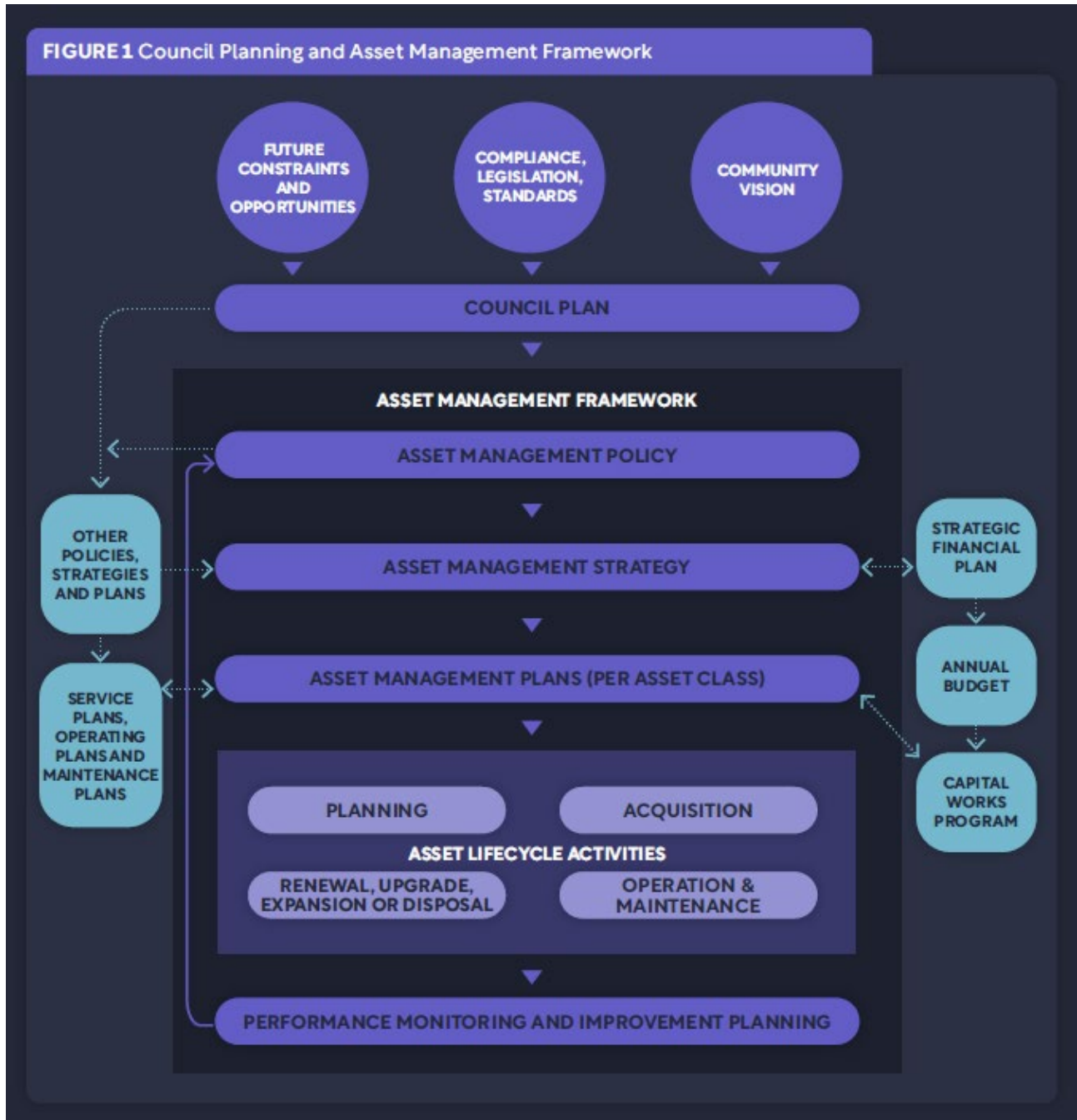
RECOMMENDATION**That Council:**

1. **Adopts the Asset Management Strategy and Asset Management Plans, as attached to this report.**
2. **Requests a copy of the Asset Management Strategy and Asset Management Plans be placed on Council's website.**

BACKGROUND

Council’s infrastructure assets include, but are not limited to, the road and street network, underground drainage, buildings and facilities, and parks and recreational facilities, among others.

Council seeks to ensure that these infrastructure assets are effectively managed to meet current and future service delivery goals.



The documents are an integral part of Council’s planning framework (see figure 1 above) including the Council Plan, AM Policy, AM Strategy, and AM Plans for individual asset portfolios. The Local Government Act 2020 requires that Councils have adequate control over their assets and mandates the development and adoption of a ten-year Asset Plan to guide the management of

Council assets throughout the asset lifecycle (acquisition, maintenance, renewal, upgrade/expansion, decommissioning and disposal).

The Asset Management Strategy sets out the framework to assist Council to deliver sustainable and effective services and improve its Asset Management capabilities.

Asset Management Plans address all major asset groups and set out the general principles of life cycle asset management and summarise the asset management practices being implemented by Council.

Asset Management Plans have been developed for the following asset categories.

- **Transport Asset Management Plan (TAMP)**

Council's current register contains \$473.4M of roads, bridges, kerb and channels, path, car parks and traffic management devices owned and managed by Council.

- **Building Asset Management Plan (BAMP)**

Council's current register contains \$73.5M worth of buildings and structures, including halls, depots, libraries, offices, amenity blocks and shelters.

- **Stormwater Asset Management Plan (SAMP)**

Council's current register contains \$104.6M worth of water and drainage assets, including stormwater pits and pipes, bores and standpipes, tanks and dams and flood mitigation devices.

- **Open Space Asset Management Plan (OSAMP)**

Council's current register contains \$17.05M worth of recreation and open space assets, including parks and reserves, play equipment, sports fields and courts.

A review of the existing AM Strategy and AM Plans was undertaken, and recommended updates made based on current standards and guidelines, new asset data, expected growth, professional experience, utilisation of predictive modelling tools and learnings from the existing documentation.

The draft revised documents were presented to the Council at the Ordinary Meeting on 2 March 2022 where it was resolved to proceed with public exhibition, allowing the community to make submissions to the documents for consideration prior to formal adoption.

The public exhibition period was undertaken between 11 March and 7 April 2022 and no submissions were received during that period.

Following the presentation of the final draft documents to the Audit and Risk Committee, minor updates to the wording have been made to make the recommended funding option clearer. There is no impact as a result of this change

PROPOSAL

It is now recommended that the final draft Asset Management Strategy and suite of Asset Management Plans (Transport, Buildings, Stormwater and Open Space) are adopted by Council.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

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

FINANCIAL IMPLICATIONS

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

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

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

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Date	Outcome
Consult	Council officers	Internal working group and Service Manager meetings to review and update documentation	October 2021- January 2022	Draft Asset Management Strategy and Asset Management Plans
Consult	Councillors	Briefing of Councillors to provide an overview of the documentation. Report to Council seeking endorsement for public exhibition.	March 2022	Endorsement of the draft documents.
Consult	Community	Public exhibition (28 days) of the updated draft documents to allow for review and feedback from the community (to be considered in finalising the plans).	March- April 2022	Community feedback on the draft documents.
Consult	Councillors	Report to Council outlining the submissions received, providing an official response and overview of any recommended amendments.	June 2022	Final draft document adopted by Council.
Inform	Community	Adopted document made publicly available on Council’s website.	June 2022	Adopted documents made available.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

General Manager – Phil Jeffrey

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

Author – Bivish Ghimire

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

CONCLUSION

A review of Council's existing Asset Management Strategy and suite of Asset Management Plans (Transport, Buildings, Stormwater and Open Space) has been undertaken and following initial presentation of the documents to the Ordinary Meeting of Council in March 2022, a public exhibition period completed. No submissions were received.

It is now proposed that the Asset Management Strategy and suite of Asset Management Plans (Transport, Buildings, Stormwater and Open Space) be formally adopted by Council.

13.3 CATHCART STREET; SPECIAL RATES & CHARGES SCHEME**Author:** Lace Daniel, Asset Management Coordinator**Authoriser:** Phil Jeffrey, General Manager Community Assets & Infrastructure**Attachments:** Nil**PURPOSE**

The purpose of this report is to provide an overview of the history and considerations in relation to the management and maintenance of Cathcart Street (paper road) and the results of recent consultation with residents regarding the implementation of a Special Rates & Charges Scheme for road construction.

EXECUTIVE SUMMARY

- Council has received numerous requests in relation to the management and maintenance of Cathcart Street, Clarendon, currently considered a 'paper road' in accordance with Council's Road Management Plan.
- Although there is a designated road reservation in place, this road, as well as other adjoining roads, are not constructed and as such, are not managed or maintained by Council.
- Land parcels are being sold along the paper road and houses are subsequently being constructed with no formal road in place. The land is within a Township Zone under the Planning Scheme, negating the need for planning permits; therefore, Council has no mechanism to place conditions on any development.
- Following a Report to Council outlining management options, consultation was undertaken with residents in relation to the potential implementation of a Special Rates & Charges Scheme in order to construct the unmade roads (Cathcart and Goldie Streets). All residents who responded to Council did not support such a scheme.

RECOMMENDATION

That, considering all options and noting the outcomes of preliminary community consultation, Council:

- 1. Abandons the pursuit of a formal Special Rates & Charges Scheme for road construction in Clarendon.**
- 2. Includes Cathcart Street, between Emery Street and 18 Cathcart Street (approx. 100m), in the Register of Public Roads and assumes management and maintenance responsibility for this section.**
- 3. Refers the upgrade of Cathcart Street, between Emery Street and Clarendon Lal Lal Road, to the Long-Term Capital Improvement Program for future consideration.**
- 4. Requests Officers progress discussions with the relevant major landowners in relation to contributing toward the cost of construction of the remaining sections of road.**
- 5. Requests Officers note the status of Emery Street and Cathcart Streets paper road sections on the relevant Land Information Certificates.**

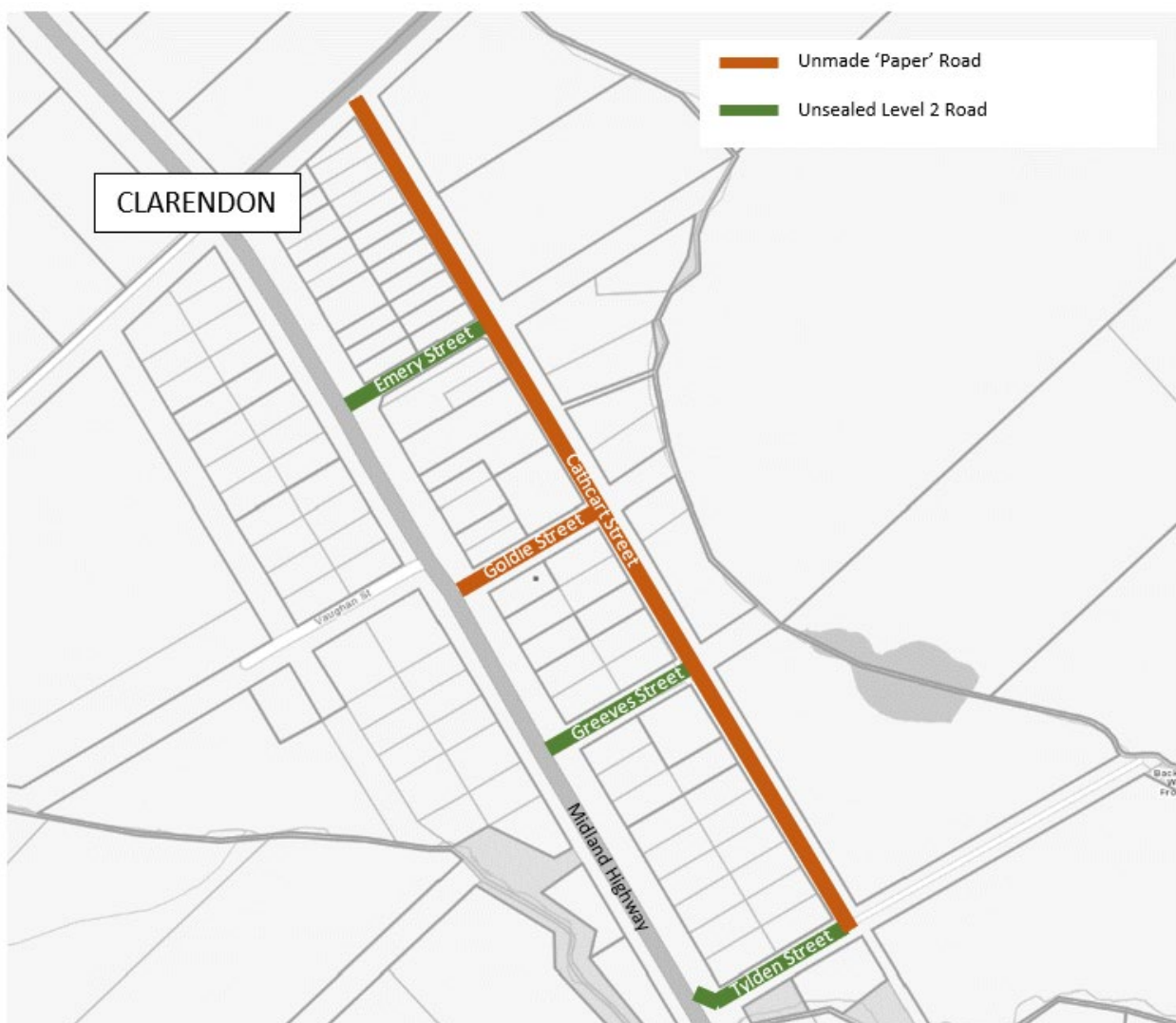
BACKGROUND

A number of enquiries from residents along Cathcart Street in Clarendon have been received, requesting that maintenance and/or upgrade of the road be undertaken by Council. Residents have raised concerns in relation to the current condition, safety, and the ability to ensure ongoing access (including for emergency services), particularly as further development in this area occurs.

The various roads in the Clarendon township were created historically as ‘government roads’ on the Parish Plan (Parish of Clarendon) and although unconstructed, they are still considered to be ‘public highways’, meaning they are roads over which the public may lawfully pass as a right. There are many unconstructed roads within the Shire that are considered ‘paper roads’ and Council has no obligation to include these in its Register of Public Roads. Some of these ‘paper roads’ provide direct access to developed properties; Cathcart Street is one such road.

The issue has evolved in recent years through the sale of land parcels and subsequent construction of several new houses along Cathcart Street. In many cases, a section of road has been shaped informally by landowners or builders to facilitate house construction, however, has not been constructed to any typical Council standard.

See images below, outlining the status of roads within the immediate area and showing the houses that have currently been constructed with direct access from Cathcart Street paper road.





Many of the properties in this area are made up of multiple parcels, each with individual titles, and as such, each parcel can be separately sold off by the respective property owner. Additionally, as this area is within a 'Township Zone' under the Moorabool Planning Scheme, development of these allotments can occur without the need for planning approvals and therefore Council has no effective mechanism to require the upgrade of these roads to an acceptable standard.

Proposed Special Rates & Charges Scheme

A report was presented to the Ordinary Meeting of Council on Wednesday 3 February 2021, providing an overview of the current state, and discussing the management options for the road moving forward. The following options were considered:

1. Maintain the current situation; Cathcart and Goldie Streets would remain paper roads, not managed or maintained by Council.
2. Council funds and constructs the paper roads (Cathcart and Goldie Streets) via the Capital Improvement Program (sealed or unsealed option).
3. Council funds and constructs the paper roads via a Special Rates & Charges Scheme with a contribution from benefitting residents (sealed or unsealed option). It was also recommended that under this approach, the roads between Cathcart Street and the Midland Highway (Emery, Greeves and Tylden Streets) also be reconstructed, to provide an improved outcome for the residents within that immediate area.

At the meeting it was resolved to proceed to preliminary consultation with residents in relation to the potential implementation of a Special Rates & Charges Scheme (option 3 above).

Correspondence was forwarded to all property owners who it was considered would receive a benefit from the construction of these roads, requesting they indicate their support or otherwise for such a scheme and also their preference for a sealed or unsealed outcome.

Council received 16 responses, of which 100% opposed the implementation of a scheme. Commentary indicated that residents felt that a direct access road should be provided to them by and at the cost of Council and/or that the road construction did not provide benefit to them.

Management Options

Given the above, acknowledging the current and potential future development that has/can occur, there are again a number of options available to Council moving forward.

Option	Description	Impacts
Maintain the current situation	<ul style="list-style-type: none"> • Pursuit of a Special Charge Scheme is abandoned. • Cathcart and Goldie Streets remain paper roads, are not included on the Register of Public Roads (RPR) and are not managed or maintained by Council. 	<p>The unmade road surface is likely to continue to deteriorate, particularly over the wetter seasons, access to properties would remain challenging and requests to Council for maintenance would be ongoing.</p> <p>There are also reputational risks to Council to be considered, should this option be endorsed.</p>
Continue to pursue the Special Rates & Charges Scheme (SRCS)	<ul style="list-style-type: none"> • The SRCS continues to be pursued in its current format (all roads in the immediate area to be constructed) with a contribution payable by benefitting landowners. 	<p>Based on the preliminary consultation with residents, it is likely that this option would be challenged through the multiple appeal mechanisms available throughout the SRCS process, making the scheme lengthy and costly, with a risk of appeals being withheld.</p>
Pursue an amended SRCS	<ul style="list-style-type: none"> • The SRCS continues to be pursued, with a contribution payable by benefitting landowners, but with a reduced scope of works. • Options for a reduced scope of works include (but are not limited to): <ul style="list-style-type: none"> – Construct Cathcart and Goldie Streets (full length) only, – Construct Cathcart Street (full length) only, – Construct Cathcart Street between Emery Street and Clarendon-Lal Lal Road only, in order to service the existing houses and provide through access, – Construct Cathcart Street between Emery Street and 16 Cathcart Street, in order to service the existing houses only. 	<p>Based on the preliminary consultation with residents, it is likely that this option would still be challenged through the multiple appeal mechanisms available throughout the SRCS process, making the scheme lengthy and costly, with a risk of appeals being withheld.</p> <p>Considerations in relation to the scope of works selected include:</p> <ul style="list-style-type: none"> – overall project cost, – benefit of construction; is there benefit in constructing sections of road that do not provide direct access at this time, – future considerations; what will occur when more lots are sold and/or developed along other sections of Cathcart Street (multiple SRCS's), – cost, time and risk associated with pursuing a SRCS that is not supported by residents.

Option	Description	Impacts
Construct/reconstruct all roads via Council's Capital Improvement Program (CIP)	<ul style="list-style-type: none"> • The SRCS is abandoned. • The construction/reconstruction of all roads in the immediate area (Cathcart, Emery, Goldie, Greeves and Tylden Streets) is referred to Council's Long-Term CIP for future consideration. • The roads are included in the RPR and managed and maintained by Council following construction. 	<p>The construction of all roads via the CIP has significant cost implications, even with a lower cost outcome (unsealed), with some sections of road not required for direct property access.</p> <p>Under this scenario, owners selling individual allotments along an unmade road are not required to contribute to the cost of the construction of that road (as would typically be the case where development occurred within an area where Planning Permits were required).</p>
Construct some sections of road via Council's CIP	<ul style="list-style-type: none"> • The SRCS is abandoned. • The construction/reconstruction of a reduced scope of works is referred to Council's Long-Term CIP for future consideration. • Options for a reduced scope include (but are not limited to): <ul style="list-style-type: none"> – Construct Cathcart and Goldie Streets (full length) only, – Construct Cathcart Street (full length) only, – Construct Cathcart Street between Emery Street and Clarendon-Lal Lal Road only, in order to service the existing houses and provide through access, – Construct Cathcart Street between Emery Street and 16 Cathcart Street, in order to service the existing houses only. 	<p>Considerations in relation to the scope of works selected include:</p> <ul style="list-style-type: none"> – overall project cost, – benefit of construction; is there benefit in constructing sections of road that do not provide direct access at this time, – future considerations: what will occur when more lots are sold and/or developed along other sections of Cathcart Street. <p>Under this scenario, owners selling individual allotments along an unmade road are not required to contribute to the cost of the construction of that road (as would typically be the case where development occurred within an area where Planning Permits were required).</p> <p>Notwithstanding this, Council could seek to enter into an agreement with property owners that hold multiple parcels, to contribute toward the cost of road construction, acknowledging that this would positively impact the potential sale price.</p> <p>Initial discussions with property owners at the north-west end of Cathcart Street, indicate that there may be some willingness to progress with this.</p>

PROPOSAL

Considering the feedback from the preliminary consultation and the impacts of the management options available, it is recommended that Council abandon the pursuit of a formal Special Rates & Charges Scheme.

It is recommended that Cathcart Street, between Emery Street and 18 Cathcart Street (the frontage of the developed properties), be included in the Register of Public Roads and upgrades between Emery Street and Clarendon Lal Lal Road be referred to the Long-Term Capital Improvement Program for future consideration. Inclusion in the register would result in Council

taking on management and maintenance responsibility for this section (under the Road Management Plan) and upgrades in a future capital program would assist in improving the road surface and formalising drainage.

Further, it is recommended that discussions be held with landowners of multiple land holdings, with parcels able to be sold individually, seeking to enter into a separate agreement to contribute toward the cost of road construction, acknowledging the impact on property value that this will have.

As a further interim measure, to ensure that any prospective purchasers are aware of the current status of Cathcart and Goldie Streets as paper roads, it is also proposed to place advice on the Council issued Land Information Certificate in this regard.

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 to is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

Minor financial implications are associated with the initial recommendation within this report, being inspection and maintenance costs, which can be accommodated within the existing budgets. Any upgrades to the section of road (if approved) would be funded through a future Capital Improvement Program.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no risk or OH&S issues associated with the recommendation within this report, however a number of consideration are outlined within the management options table above.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Councillors	Briefing then report to Council providing an overview of the issues and management options.	Ordinary Meeting of Council	2021	Council decision on preferred management option for Cathcart Street.
Engage	Property Owners	Communication with property owners to outline the proposed works and benefits, likely costs and timing.	Written	2021	Ascertain level of support for the Special Charge Scheme to inform a further report to Council.

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Councillors	Further briefing then report to Council outlining results and feedback from preliminary consultation with residents.	Ordinary Meeting of Council	April/May 2022	Council decision on preferred management option for Cathcart Street, based on preliminary consultation.
Inform	Property Owners	Communication with property owners advising of the outcome of the consultation and report.	Written	May 2022	Property owners informed of outcome of the process.

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 has received numerous requests in relation to the management and maintenance of Cathcart Street, Clarendon, currently considered a ‘paper road’. Whilst there is a road reservation in place, this road, as well as other adjoining roads, are not constructed and as such, are not managed or maintained by Council.

Considering the feedback from the recent consultation with residents and the management options discussed within this report, it is recommended that the section of Cathcart Street between Emery Street number 18 Cathcart Street (the frontage of currently developed properties) be included in the Register of Public Roads and upgrades referred to the Long-Term Capital Improvement Program for future consideration.

14 OTHER REPORTS

Nil

15 NOTICES OF MOTION

Nil

16 NOTICES OF RESCISSION

Nil

17 MAYOR'S REPORT

17.1 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.

RECOMMENDATION

That Council receives the Mayor's Report.

18 COUNCILLORS' REPORTS

19 URGENT BUSINESS

20 CLOSED SESSION OF THE MEETING TO THE PUBLIC

Nil

21 MEETING CLOSURE