

Moorabool
Shire Council

AGENDA

Ordinary Council Meeting Wednesday, 6 March 2024

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

Date: Wednesday, 6 March 2024

Time: 6.00pm

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

**Derek Madden
Chief Executive Officer**

Order Of Business

1	Opening of Meeting and Prayer	5
2	Acknowledgement of Country	5
3	Recording of Meeting	5
4	Present.....	5
5	Apologies	5
6	Confirmation of Minutes	5
7	Disclosure of Conflicts of Interest.....	5
8	Public Question Time.....	6
9	Petitions.....	7
	Nil	
10	Presentations/Deputations.....	7
11	Chief Executive Officer Reports.....	8
	11.1 Place Naming Policy - For Adoption	8
	11.2 2021-2025 Moorabool Shire Council Plan - Progress Report Q2 - December 2023	14
	11.3 2017-2021 Moorabool Shire Council Plan - Outstanding Actions Progress Report Q2 - December 2023	18
12	Community Planning and Development Reports	20
	12.1 Amendment C104MOOR - Anomalies - Adoption	20
13	Community Strengthening Reports	24
	13.1 Gordon Recreation Reserve Master Plan - Final	24
	13.2 Draft Fair Access Policy.....	28
	13.3 Community Asset Committees - Reports	31
14	Customer and Corporate Services Reports	32
	14.1 Audit and Risk Advisory Committee of Council - Reports.....	32
	14.2 December 2023 Quarterly Financial Report	33
15	Community Assets & Infrastructure Reports	39
	15.1 Capital Improvement Program - Quarterly Report December 2023	39
16	Other Reports	43
	Nil	
17	Notices of Motion.....	44
	17.1 Notice of Motion - Need for Increased Capacity of Bacchus Marsh Men's Shed	44
18	Notices of Rescission	48
	Nil	

19	Mayor’s Report	49
	19.1 Mayor’s Report.....	49
20	Councillors’ Reports.....	50
21	Urgent Business.....	50
22	Closed Session of the Meeting to the Public.....	50
	Nil	
23	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 7 February 2024

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

Nil

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 CHIEF EXECUTIVE OFFICER REPORTS

11.1 PLACE NAMING POLICY - FOR ADOPTION

Author: Kate Pryor, Governance Officer

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

Attachments: 1. Place Naming Policy (under separate cover)

PURPOSE

The purpose of this report is to present the final Place Naming Policy for adoption and establish the Place Naming Advisory Committee to advise Council on all place naming proposals in line with the policy.

EXECUTIVE SUMMARY

Place names are an important part of Moorabool's cultural, historical and geographic environment, as well as serving an important practical purpose, providing property addresses for deliveries and visitors, aiding emergency services in times of critical responses, and guiding motorists and other users of our road network.

Moorabool Shire Council is a Naming Authority pursuant to the Geographic Place Names Act 1998 and Local Government Act 1989 and 2020, and with the exception of geographic places of state significance, is required to resolve on all geographic place names within the municipality in accordance with the Naming Rules.

The Naming Rules were recently reviewed by Geographic Names Victoria (GNV), with the revised rules published in late 2022. The Naming Rules set out the mandatory statutory requirements for the naming of roads, geographical features, suburbs and localities to be followed by naming authorities.

At the Ordinary Meeting of Council on 6 September 2023 Council resolved to publish the draft Place Naming Policy for community consultation to inform a final policy to be adopted at a later Ordinary Meeting of Council.

The draft policy was published for community consultation on 7 September 2023 and concluded on 5 October 2023.

RECOMMENDATION

That Council adopts the Place Naming Policy.

BACKGROUND

At the Ordinary Meeting of Council on 6 September 2023 Council resolved to publish the draft Place Naming Policy for community consultation to inform a final policy to be adopted at a later Ordinary Meeting of Council.

The draft policy was published for community consultation on 7 September 2023 and concluded on 5 October 2023.

The following organisations were invited directly to make a submission:

Category	Organisation
Aboriginal Corporations	Wadawurrung Traditional Owners Aboriginal Corporation
	Wathaurong Aboriginal Co-operative
	Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation
Community Groups	Bacchus Marsh 3UA
	Bacchus Marsh Combined Probus Club
	Bacchus Marsh Blacksmith's Cottage and Forge
	Bacchus Marsh Public Hall
	Ballan and District Community House
	Balliang East Soldiers Memorial Hall
	Balliang Memorial Hall
	BMAC Gallery
	Country Women's Association (CWA) - Bacchus Marsh
	Country Women's Association (CWA) - Ballan and District
	Country Women's Association (CWA) - Gordon
	Gordon Public Hall
	Lal Lal Soldiers Memorial Hall
	Lions Club - Bacchus Marsh
	Lions Club - Ballan
	Mechanic's Institute - Ballan
	Millbrook Community Centre
	Mt Egerton Mechanics Hall
	Myrniong Hall
	Navigators Community Centre
	Returned Services League (RSL) - Bacchus Marsh
	Returned Services League (RSL) - Ballan
	Rotary Club of Bacchus Marsh
	Rotary Club of Ballan and District
	Rowsley Memorial Hall
	Victorian Pride Lobby
	Wombat Regional Arts Network

Category	Organisation
Emergency Services	Ambulance Victoria
	Country Fire Authority (CFA)
	State Emergency Service (VicSES) - Bacchus Marsh
	Victoria Police - Bacchus Marsh
	Victoria Police - Ballan
	Victoria Police - Gordon
	Victoria Police - Meredith
Historical Society	Bacchus Marsh and District Historical Society
	Ballan and District Historical Society
	Blackwood and District Historical Society
	Bungaree and District Historical Society

Key Issues

Three submissions were received, one of which is an ineligible submission and will be excluded from the report.

Submission	Officer’s response
<p>Regarding Principle I - "Using commemorative names - Commemoration of a living person is strongly discouraged."</p> <p>I understand why this may be discouraged but too often we wait for a person to be deceased before we recognise their service and contribution to the community they live in. It may make the survivors feel nice to commemorate the deceased but it means nothing to the person being commemorated. Going against this recommendation should not be taken lightly but wouldn't it be great for the person to actually be recognised while they are still alive.</p> <p>Regarding "Principle J - Using commercial and business names</p> <p>Places should not be named after commercial businesses, trade names, estate names (which are solely commercial in nature) or not-for-profit organisations, nor should names of estates not be applied to roads, features or localities."</p> <p>I think there may be a typo in the wording. There is a double negative ".....nor should</p>	<p>While commemorative naming after living persons is discouraged, it is not prohibited.</p> <p>Council can make a recommendation to Geographic Names Victoria (GNV) to commemoratively name a place after a living person provided they have strong connection to the place and a significant history and contribution to the community, as well as public support for the proposal. It will be at the discretion of the Registrar (GNV) as to whether it is accepted or not.</p>

Submission	Officer’s response
names of estates not be applied " making it difficult to understand.	
<p>While features in the natural environment (the Land) I believe that Traditional Owners should get first dibs, I don't believe that should apply necessarily in the case of features in the built environment, including settlements that are post-colonisation.</p> <p>Just as traditional owners are proud of their heritage, I am proud (though 'proud' is probably not the best word), or I acknowledge my own heritage.</p> <p>So I do not think that preference should automatically be given to traditional owners in all cases of responsive naming. I say this without rancour; for me it's a case of 'horses for courses'. Thank you.</p>	<p>The use of Traditional Owner languages in the naming of roads, features and localities is encouraged, and is subject to agreement from the relevant Traditional Owner group/s as per principle E.</p> <p>Traditional Owner groups can develop a proposal to have their language recorded for places in Victoria in VICNAMES.</p> <p>The proposal needs to be submitted to the naming authority responsible for the area in which the road, feature or locality is situated.</p> <p>Traditional owners will be consulted on the naming of places and geographical features as per the community consultation process.</p>

Gender Equality Strategy

On Thursday 24 August 2023, the Minister for Women Natalie Hutchins formally launched Victoria’s Gender Equality Strategy and Action Plan 2023-2027.

The following action has been assigned to Geographic Names Victoria:

“Geographic Names Victoria will work with naming authorities, including local government, to increase the commemoration of women in place naming, by setting a level of 70% of new requests for commemorative naming of new roads, placenames and landmarks to be achieved within the lifetime of the Strategy.”

PROPOSAL

It is proposed that Council adopt the Place Naming Policy.

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 adopt the Place Naming Policy is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this policy.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Policy is not adopted	There is no clear and consistent direction to guide decision making for the naming of places in the Shire. As a naming authority, Council will not meet statutory obligations.	Medium	The Policy has been created based on the Naming Rules published by GNV and benchmarked against best practice. Names will be publicly exhibited to provide opportunity for community feedback. The Policy has been informed by the Council Plan and community consultation.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community	The draft Policy was publicly exhibited.	Online and public forum	Sept/Oct 2023	Completed. 3 submissions received.
Adopt	Councillors	The final policy is presented to Council post-exhibition for adoption.	Next available Ordinary Meeting of Council	Mar 2024	Council adopts the final policy.
Publish	Community	Publish the final policy.	Council website	Mar 2024	The policy is openly available to the public.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER’S DECLARATION OF CONFLICT OF INTERESTS

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

Executive Manager – Celeste Gregory

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

Author – Kate Pryor

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

CONCLUSION

At the Ordinary Meeting of Council on 6 September 2023 Council resolved to publish the draft Place Naming Policy for community consultation to inform a final policy to be adopted at a later Ordinary Meeting of Council.

The draft policy was published for community consultation on 7 September 2023 and concluded on 5 October 2023 in which three submissions were received.

It is proposed that Council adopt the final policy attached.

11.2 2021-2025 MOORABOOL SHIRE COUNCIL PLAN - PROGRESS REPORT Q2 - DECEMBER 2023

Author: Evelyn Tan, Service Improvement Business Partner

Authoriser: Leanne Manton, Acting General Manager Customer and Corporate Services

Attachments: 1. **2021-2025 Moorabool Shire Council Plan - Progress Report Q2 - December 2023. (under separate cover)**

PURPOSE

The 2021–2025 Moorabool Shire Council Plan (“Council Plan”) sits within the Council’s planning framework and identifies the main priorities and expectations over a four-year period.

This report provides an update on the status of the Council Plan Actions as of 15 December 2023.

EXECUTIVE SUMMARY

- There are 48 Strategic Actions to be achieved this financial year, including 18 actions carried forward from Year 1.
- Three Council Plan Actions have been completed within Q2 of Year 3. Making a total of five Council Plan Actions completed in the first half of 2023-2024 FY.
- 81.3% of actions show as on track against targets.

RECOMMENDATION

That Council receives the 2021-2025 Moorabool Shire Council Plan – Progress Report as of December 2023, including Attachment 1 of this report.

BACKGROUND

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

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

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

The Annual and Quarterly performance reporting allows Council to effectively measure, monitor, review and report on its performance while providing open and transparent reporting to the community. This report presents the progress performance against the actions set for the 2023/24 financial year.

The Year 3 Council Plan Progress Report identified 18 actions that were not completed by 30 June 2023, these have now all been extended to be due by 30 June 2024.

PROPOSAL

The 2021-2025 Moorabool Shire Council Plan - Progress Report Q2 - December 2023 is provided as Attachment 1 to this report.

There are 48 actions identified in the Council Plan to be achieved in Year 3. Through meetings with each manager, the 2022/23 key targets or milestones for each action have been reviewed and set to reflect the expected progress throughout the year. As of 15 December 2023, 81.3% of actions show as on track against their targets, with a few completed - 17 actions carried forward from Year 1, and 15 actions from Year 2.

The following table summarises the status of the actions under each strategic objective set to be achieved by 30 June 2023:

Strategic Objective	Completed	In Progress			Not Started	Total
		Year 1 actions	Year 2 actions	Year 3 actions		
Healthy, inclusive and connected neighbourhoods	3	10	7	1	2	23
Liveable and thriving environments	2	4	5	2	6	19
A Council that listens and adapts to the needs of our evolving communities	0	3	3	0	0	6
Totals	5	17	15	3	8	48

A few updates worth highlighting are the three Council actions that have been completed in Quarter 2 of 2023-2024 FY and a couple of actions with reasonable progress delays.

Completed actions include:

1. Complete construction of the West Maddingley Early Years & Community Hub (WMEYH).
2. Construct Moorabool Aquatic and Recreation Centre (MARC) Stage 1 - Bacchus Marsh Indoor Sports Stadium.
3. Develop an Economic Development Strategy and Action Plan.

The implementation of the Gateway strategy will now be rolled forward into the new 2024/25 financial year as the implementation is to follow the completion of the project’s strategy development that is estimated to be completed and endorsed in late Q4.

The action *“Develop a set of guiding principles to facilitate Placemaking”* has been identified as a medium priority to be developed in the next 1-3 years subject to funding and available budget.

In Quarter 1, the development of the Visitor Strategy and Action Plan was completed. The implementation of this strategy has commenced, and officers are working with Tourism Mid-West to develop a regional Destination Management Plan and Local Area Action Plan.

The progress of both *“Implement the annual actions of the Disability Accessibility and Inclusion Plan”* and *“Investigate opportunities to support volunteerism in the shire”* under the Community Development Service Unit, have been slowed down due to position vacancies. Currently,

recruitments for the roles are in progress. Nonetheless, a volunteer page was created and launched on the corporate website in support of the later volunteerism action mentioned.

Due to further position vacancies, the progress of “*Review the Customer Experience Strategy*” has also been delayed. However, a few initiatives ticked off in Quarter 2 include:

- Action Plan for the Customer Experience Strategy.
- Creation of a customer survey with the current timeline to be sent out in mid-January 2024.
- Customer Experience workshops organised and are to be held between December and February internally with each directorate to create a better understanding of the CX Strategy and gain input from staff.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

The proposal to receive the 2021-2025 Moorabool Shire Council Plan Progress Report as of December 2023, is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

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

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

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

COMMUNICATIONS & CONSULTATION STRATEGY

The progress comments and performance status of each action will be uploaded onto the online Council Performance Dashboard in January. Community members can access the dashboard to view the performance of each of the Council Plan Priorities, current as of 1 November 2023.

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

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER’S DECLARATION OF CONFLICT OF INTERESTS

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

Acting General Manager – Leanne Manton

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

Author – Evelyn Tan

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

CONCLUSION

Overall, there are 48 actions being reported on for Year 3 including now 17 actions carried forward from Year 1. Three additional Council Plan Actions have been completed in this quarter, making a total of five completed Council Actions so far. As of 15 December, 81.3% of actions show as on track against targets.

11.3 2017-2021 MOORABOOL SHIRE COUNCIL PLAN - OUTSTANDING ACTIONS PROGRESS REPORT Q2 - DECEMBER 2023

Author: Evelyn Tan, Service Improvement Business Partner

Authoriser: Leanne Manton, Acting General Manager Customer and Corporate Services

Attachments: 1. **2017-2021 Moorabool Shire Council Plan - Outstanding Actions Progress Report December 2023 (under separate cover)**

PURPOSE

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

EXECUTIVE SUMMARY

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

RECOMMENDATION

That Council receives the 2017-2021 Moorabool Shire Council Plan – Outstanding Actions Progress Report - December 2023, including Attachment 1 to this report.

BACKGROUND

Of the strategic actions identified for completion in the final year of the 2017-2021 Moorabool Shire Council Plan, ten were incomplete as of 30 June 2021 and were not captured in Council's 2021-2025 Council Plan. As of 30 June 2023, seven were completed and three were incomplete.

As of 30 September 2023 – the end of Quarter 1, eight were completed and two were incomplete. Accordingly, quarterly reporting will continue for these outstanding Council Plan actions until all actions are complete.

PROPOSAL

There were ten actions outstanding from the 2017-2021 Council Plan. As of 15 December 2023, eight actions have been completed. The two incomplete actions are progressing accordingly.

One has reached 80% or greater completion and the other has between 60% and 90% completion.

A full progress report including commentary against these actions is provided in Attachment 1.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

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

FINANCIAL IMPLICATIONS

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

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

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

COMMUNICATIONS & CONSULTATION STRATEGY

Specific projects are the subject of their own communications strategy.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

Acting General Manager – Leanne Manton

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

Author – Evelyn Tan

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

CONCLUSION

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

Of the ten outstanding Strategic Actions, eight are now complete and two remain in progress. These actions will continue to be reported on until all have reached completion.

12 COMMUNITY PLANNING AND DEVELOPMENT REPORTS

12.1 AMENDMENT C104MOOR - ANOMALIES - ADOPTION

Author: Fauster Awepuga, Strategic Planner

Authoriser: Henry Bezuidenhout, Executive Manager Community Planning & Development

Attachments:

1. Summary of Submissions (under separate cover)
2. Amendment C104moor (under separate cover)
3. Summary of Changes (under separate cover)

PURPOSE

The purpose of this report is to consider submissions made in response to the exhibition of Amendment C104moor, and to seek a resolution to submit the amendment to the Minister for Planning for approval.

EXECUTIVE SUMMARY

- Amendment C104moor rezones land and corrects technical and obvious errors within the Moorabool Planning Scheme to improve readability, structure, and effectiveness of the planning scheme.
- The Minister for Planning granted authorisation on 13 September 2023 to prepare and exhibit Amendment C104moor.
- Amendment C104moor was exhibited from 9 November to 11 December 2023 and no opposing submissions were received.

RECOMMENDATION

That Council:

1. **Considers submissions made to Amendment C104moor as included in Attachment 1.**
2. **Adopts Amendment C104moor pursuant to Section 29(1) of the *Planning and Environment Act 1987* in the form included in Attachment 2.**
3. **Authorises the Executive Manager Community Planning and Development to submit the adopted amendment to the Minister for Planning for approval in accordance with Section 31(1) of the *Planning and Environment Act 1987*.**
4. **Authorises the Executive Manager Community Planning and Development to make minor changes to the amendment documentation if required, where they do not alter the intent of the amendment.**

BACKGROUND

Amendment C104moor

Amendment C104moor corrects zone and overlay anomalies and fixes typographical and other obvious errors in the Moorabool Planning Scheme in line with recommendations of the Moorabool Planning Scheme Review 2020.

The amendment rezones land where inappropriate zoning is applied and fixes mapping anomalies to ensure zoning of land most accurately reflects its ownership and use. The amendment also corrects wording and formatting errors and deletes redundant references to maintain up-to-date content and enhance operation of the planning scheme. The amendment package, including the explanatory report is included in Attachment 2. A summary of proposed changes has been included in Attachment 3.

Authorisation

On 19 July 2023, Council resolved in the Ordinary Meeting of Council to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C104moor in accordance with the *Planning and Environment Act 1987* (the Act). Council also resolved to seek an exemption from the full notice requirements under Section 19(2) of the Act to allow Council to conduct targeted consultation by issuing letters of notice to relevant Government agencies and landowners.

Following Council's request, the Minister authorised the amendment on 13 September 2023, and approved the exemption from full notice requirements on 21 September 2023.

PROPOSAL

Exhibition and Submissions

Amendment C104moor was prepared and exhibited for public comment in accordance with the provisions of the Act from 9 November to 11 December 2023.

Notice was sent to all relevant Government departments, agencies and landowners affected by the proposed rezonings. Copies of the amendment documentation were placed in Moorabool Shire Council offices in Darley, Bacchus Marsh, and Ballan. The amendment was advertised in the Victorian Government Gazette, Department of Transport and Planning (DTP) website, and Council website.

A total of three submissions were received at the close of the exhibition period. In accordance with Section 22 of the Act, Council must consider all submissions made on or before the closing date set out in the notice.

The submissions are generally supportive of the amendment and there are no objecting submissions. Two of the submissions sought clarifying information or suggested minor wording changes to align with updated terminology (requested by Central Highlands Water).

All questions and suggestions raised in the submissions have been satisfactorily resolved. A summary of submissions and the officer response, including the proposed minor changes to the amendment, are included in Attachment 1.

Next Steps

Pursuant to Section 23 of the Act, after considering any submission which requests a change to the amendment, Council as the Planning Authority must:

- a) change the Amendment in the manner requested in any submissions; or

- b) refer the submissions to an independent planning panel appointed under Part 8 of the Act; or
- c) abandon the Amendment or part of the amendment.

Minor changes have been made to Amendment C104moor to update terminology in line with Central Highlands Water’s suggestion. Given there are no unresolved submissions, appointment of an independent Planning Panel is not required, and Council may resolve to adopt the amendment and submit the amendment to the Minister for Planning for approval.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

Strategic Objective 2: Liveable and thriving environments

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

The proposal to correct mapping anomalies and obvious errors in the Moorabool Planning Scheme is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

The cost of the amendment to Council is minimal and entailed the standard cost of doing a planning scheme amendment in the form of statutory fees, mail outs, advertising, and Council officer time.

The proposed rezoning changes are not expected to trigger the windfall gains tax for property owners as the properties meet the exemptions regarding property size. The zoning changes are administrative and are not expected to influence the rating of the land.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

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

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Public exhibition	Minister for Planning	Notice letter provided	Department of Transport and Planning	20 October 2023	Exhibition material approved for public exhibition
Public exhibition	Property owners and occupiers	Mail out (Notice letters)	Affected land within Moorabool	6 November 2023	Report submissions to Council for consideration
Public exhibition	Prescribed ministers, and referral authorities	Notice letters provided	Various	6 November 2023	Report submission to Council for consideration

Public exhibition	General public	Notice published in Victoria Government Gazette, Council, and Department of Planning websites	Various	9 November 2023	Report submissions to Council for consideration
-------------------	----------------	---	---------	-----------------	---

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER’S DECLARATION OF CONFLICT OF INTERESTS

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

Executive Manager – Henry Bezuidenhout

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

Author – Fauster Awepuga

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

CONCLUSION

Amendment C104moor enhances the consistency and efficiency of the Moorabool Planning Scheme to ensure fair and orderly administration of land use and development in the municipality. It is recommended that Council adopt Amendment C104moor with minor changes and submit the amendment to the Minister for Planning for approval.

13 COMMUNITY STRENGTHENING REPORTS

13.1 GORDON RECREATION RESERVE MASTER PLAN - FINAL

Author: Chloe Beech, Coordinator Sport and Active Recreation

Authoriser: Leigh McCallum, General Manager Community Strengthening

Attachments:

1. Gordon Recreation Reserve Master Plan - 2024-2033 (under separate cover)
2. Gordon Recreation Reserve Master Plan - Overarching Plan (under separate cover)

PURPOSE

To formally note the Gordon Recreation Reserve Master Plan.

EXECUTIVE SUMMARY

- The Gordon Recreation Reserve Master Plan is a community-led project with input from the Department of Energy, Environment and Climate Action (DEECA) and Council. The plan highlights a broad range of projects and improvements at the recreation reserve.
- The master plan has been developed in partnership with the reserve user groups, with broader community input gathered via a community survey.
- The draft document was first presented to Council in March 2023 and has subsequently been updated following further consultation with reserve user groups and a funding commitment from the State Government.
- Project costs outlined in the master plan are indicative only and are not confirmed.

RECOMMENDATION

That Council:

1. Resolves to note the Gordon Recreation Reserve Master Plan.
2. Notes that project costs outlined in the Master Plan are indicative only and will require further detailed costings to be developed as part of the next phase of planning.
3. Works with the user groups to attract funding for high priority projects.

BACKGROUND

The Gordon Recreation Reserve is the only active sporting facility in Gordon and home to the Gordon Football Netball Club (GFNC). The reserve is predominantly DEECA owned, with a small parcel of the reserve owned by Council where the netball amenities and half the existing netball court are located. The master plan indicates the proposed playground and pump track would be located on Council land.

The facility is managed by an active and well-established DEECA Committee of Management who have led the development of the master plan, which included the formation of the Gordon

Recreation Reserve Steering Committee and the appointment of Community Vibe consultancy, in consultation with Council.

The master plan was jointly funded by the Bendigo Community Bank (\$8000), the Gordon Recreation Reserve Committee of Management (COM - \$2261), GFNC (\$2261) and Council (\$8825).

The steering committee, consisting of the COM, GFNC, DEECA and consultancy, Community Vibe, met regularly between 2021-22, with Council playing a key role in providing technical advice on the various priorities identified in the master plan, namely traffic flow and safety around the oval, location of passive recreation components and sectioning off pedestrian areas from vehicles. Since the first draft was presented to the steering committee, Council funded additional design work to address safety concerns and to relocate passive recreation elements.

While the reserve is used seasonally for AFL and netball, there are limited opportunities currently available for additional groups to participate in active and passive recreation. The master plan has been developed to maximise the space available for additional recreational opportunities, such as the creation of a pump track and further enhancement of the play space currently on-site.

In 2023, following feedback from the Executive Group, officers undertook further consultation with the steering committee to clarify and confirm the highest priorities from the master plan. The priorities agreed by the steering committee are:

1. Oval reconstruction.
2. Pavilion upgrade.
3. Bore replacement.
4. Entrance/exit into the reserve and car park works.
5. Play space upgrade.

The following priority projects outlined in the master plan are currently underway:

- Upgrade to the netball court, scheduled to commence in March 2024.
- Officers have provided the COM with a letter of support to seek funding for a bore replacement.
- Design work for the oval reconstruction and pavilion upgrade will commence once the master plan has been formally noted by Council.
- Officers are preparing a Sport and Recreation Victoria grant application to fund the play space upgrade and improvements to the entrance of the reserve to be submitted in March 2024.

PROPOSAL

It is recommended that Council notes the Gordon Recreation Reserve Master Plan. Officers will continue to work with the user groups to attract funding for high priority projects.

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 Gordon Recreation Reserve Master Plan is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

In late 2022, Council received a \$25,000 funding commitment from the State Government to contribute to the facility planning of an oval and pavilion upgrade at the Gordon Recreation Reserve. Council is expected to receive this funding once the master plan has been noted by Council.

Project costs outlined in the master plan are indicative only and will require further detailed costings as part of the next phase of planning.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Delaying master plan endorsement	Reputational risk	Medium	Engage with relevant parties immediately, should there be any queries about master plan.
Financial – Inadequate funds to finish project	Inadequate financial management	High	Close supervision of project budgets, identify any shortfalls at the outset and find funding source if required.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community Groups	Meetings with applicant groups	Various	2021- November 2023	Gordon user groups have been engaged throughout the process, ensuring all parties are informed and consulted.

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 Gordon Recreation Reserve Master Plan considers community consultation, background information, strategic context, and existing facility conditions. The plan identifies the needs, aspirations, and challenges for the user groups, Gordon community and Council, and outlines an approach to enhancing the reserve into the future. It also incorporates recent feedback including, identifying the user groups' highest priorities moving forward.

13.2 DRAFT FAIR ACCESS POLICY

Author:	Chloe Beech, Coordinator Sport and Active Recreation
Authoriser:	Leigh McCallum, General Manager Community Strengthening
Attachments:	1. Draft Fair Access Policy (under separate cover) 2. Draft Fair Access Action Plan (under separate cover)

PURPOSE

The purpose of this report is to present the draft Fair Access Policy and Action Plan to Council, seeking approval to proceed to present the policy and action plan for public exhibition.

EXECUTIVE SUMMARY

To comply with Victoria's Gender Equality Act (2020), Victorian Councils are required to develop and adopt a Fair Access Policy to advance gender equitable access and use of community sports infrastructure by 1 July 2024. The adoption of the policy ensures Council will continue to be eligible to apply for State Government sports infrastructure funding.

RECOMMENDATION

That Council resolves to publicly exhibit the draft Fair Access Policy and draft Fair Access Action Plan for a period of four weeks.

BACKGROUND

The requirement for a Fair Access Policy stems from the 2015 inquiry into Women and Girls Sport and Active Recreation. The State Government is now taking steps to ensure there is a level playing field for women and girls in sport and active recreation participation and infrastructure.

Under the Act, Councils are required to complete Gender Impact Assessments (GIAs) and to consider and promote gender equality in community sport policies, programs and services. Council currently requires GIAs for a range of projects.

Council adopted the first Female Friendly Sport and Recreation Infrastructure and Participation Strategy in 2022 demonstrating a commitment to promoting gender equity as a principle. The Fair Access Policy extends Council's position on gender equity in sport.

Council's Fair Access Policy must follow four criteria to remain eligible for future State Government funding:

1. The policy must be adopted by 1 July 2024.
2. The policy must align with the intent of the Fair Access Policy Roadmap – which ensures community sporting environments are welcoming, accessible and inclusive for all. It must demonstrate how Council will effectively drive gender equitable access and use of community sports infrastructure in the LGA to improve outcomes for women and girls.

3. The policy is measurable and must include specific and achievable goals or targets as part of implementation of the policy. These goals then need to be measured to determine the policy’s effectiveness.
4. The policy will be reviewed at regular intervals and amended to achieve the best community outcomes.

PROPOSAL

It is proposed the draft policy and action plan is presented for a four-week public exhibition period. Once community feedback is considered, it is anticipated the final policy and action plan will be presented to Council for adoption in June 2024.

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 of presenting the draft Fair Access Policy for public exhibition is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

If a Fair Access Policy is not adopted Council will be ineligible for future Sport and Recreation Victoria (SRV) sports infrastructure funding; this has the potential to place Council at a disadvantage and a number of projects will be placed on hold.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Not resolving to proceed with presenting the policy to public exhibition	Policy will not be adopted by deadline of 1 July.	Medium	Keep Executive Group and Councillor’s informed of the draft policy.
Adoption of policy	If policy is not adopted by 1 July 2024, Council will be ineligible for future sports infrastructure SRV funding.	High	Ensure Executive Group and Councillors are informed and support the policy.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community	Survey/ feedback form available on Have Your Say platform.	Online/ Darley Council Office.	March – April 2024.	Policy supported by the broader community.

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

It is requested Council resolve to present the draft policy and action plan to the community for a four-week period. At the end of the public exhibition period the final Fair Access Policy will be presented to Council for consideration.

13.3 COMMUNITY ASSET COMMITTEES - REPORTS

Author: Kaylene Bowker, Executive Assistant

Authoriser: Leigh McCallum, General Manager Community Strengthening

Attachments: 1. Minutes - Bacchus Marsh Public Hall CAC - 11 December 2023 (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 Community Asset Committee Meeting	11 December 2023

RECOMMENDATION

That Council receives the following Community Asset Committee Minutes:

- 1. Bacchus Marsh Public Hall CAC Minutes for meetings held on 11 December 2023.**

14 CUSTOMER AND CORPORATE SERVICES REPORTS

14.1 AUDIT AND RISK ADVISORY COMMITTEE OF COUNCIL - REPORTS

Author: Kaylene Bowker, Executive Assistant

Authoriser: David Jackson, General Manager Customer & Corporate Services

Attachments: 1. **Audit and Risk Advisory Committee Summary of Minutes - 15 November 2023 (under separate cover)**

PURPOSE

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

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

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

EXECUTIVE SUMMARY

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

Committee	Meeting Date	Council Representatives
Audit and Risk Advisory Committee	Wednesday 15 November 2023	Cr Moira Berry Cr Tonia Dudzik

RECOMMENDATION

That Council receives the Audit and Risk Advisory Committee Summary of Minutes for the meeting held on Wednesday 15 November 2023.

14.2 DECEMBER 2023 QUARTERLY FINANCIAL REPORT**Author:** Aaron Light, Senior Accountant**Authoriser:** David Jackson, General Manager Customer & Corporate Services**Attachments:** 1. December 2023 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 December 2023, in accordance with Section 97 of the Local Government Act 2020.

EXECUTIVE SUMMARY

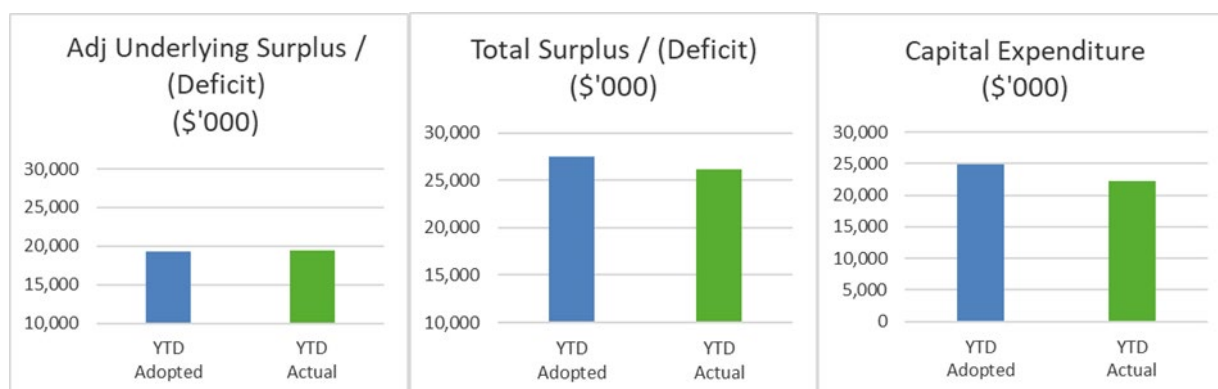
- This Quarterly Report, provided in Attachment 1, outlines the year-to-date financial position of Council for the period from 1 July 2023 to 31 December 2023. It also contains a comparison between the adopted budget and the year-end forecast.
- The Income Statement reports the year to date adjusted underlying result is a surplus of \$19.383 million that is \$0.130 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 \$22.281 million that is \$2.589 million less than budget. The variance primarily relates to the timing of contract payments.
- Council's cash balance as at 31 December 2023 is \$16.081 million, which is \$0.836 million favourable compared to year to date budget.
- Council's overall financial position at the end of December 2023 is considered sound and continues to be closely monitored to ensure the achievement of budgeted outcomes.

RECOMMENDATION

That Council receives the Quarterly Financial Report – December 2023, 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. 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	50,058	48,943	(1,115)	-2%	62,591	65,527	2,936	5%
Operating Expenses	30,805	29,560	1,245	4%	62,745	65,850	(3,105)	-5%
Adj Underlying Surplus / (Deficit)	19,253	19,383	130	1%	(155)	(323)	(168)	109%
Capital / Non-recurrent income	8,200	6,790	(1,410)	-17%	41,061	44,268	3,207	8%
Total Surplus / (Deficit)	27,454	26,173	(1,281)	-5%	40,906	43,946	3,040	7%
Capital Expenditure	24,870	22,281	(2,589)	-10%	56,413	51,065	(5,348)	-9%

Income Statement

The main changes within the Income Statement (year to date) are as follows:

- Operating Income - \$1.115 million unfavourable
 - Unfavourable in “Grants - operating” (\$0.993m). This is mainly a timing issue with the recognition/receipt of grants relating to Lerderderg Library, Storm Recovery, Domestic Wastewater Management, Best Start Program, Rapid Antigen Test Program, and Outdoor Activation.
- Operating Expenses - \$1.245 million favourable
 - Favourable in “Materials and services” (\$1.451m). This is due to timing issues with contract payments in Waste collection/disposal, Storm Recovery, Tree Inspections, Software costs, Condition Assessments, and Community grants.

The main forecast adjustments relate to an increase in Grants Commission Income, and the impact of grant funded projects being carried over from previous financial years.

Balance Sheet and Cashflow Statement

The Balance Sheet reflects Council’s financial position as at 31 December 2023 and is prepared in compliance with Australian Accounting Standards. The Cashflow Statement captures Council’s cash movement for the period.

Council is showing a cash position of \$16.081 million, which is \$0.826 million more than the year-to-date budget.

At the end of December, Council’s Balance Sheet continues to show a strong net position. This is represented by \$852.771 million of assets which is largely made up of Council Property, Infrastructure, Plant and Equipment. Council’s total liabilities are \$54.400 million, which results in net assets of \$798.371 million.

Capital Improvement Program (CIP)

Total capital expenditure at the end of December 2023 is \$22.281 million, which is \$2.589 million less than the year-to-date budget. This is mainly due to timing variances with contract payments, and some minor delays due to weather.

The Forecast is less than budget as there are a number of projects that will be incomplete at year end and will be carried over into next financial year. These include: Bacchus Marsh Bowls Club Pavilion, Ballan Library, and Bacchus Marsh Racecourse and Recreation Reserve Pavilion.

PROPOSAL

That Council receives the Quarterly Report – December 2023.

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 – December 2023 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 6 March 2024, and to the Audit and Risk Committee meeting on 21 February 2024.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

General Manager – David Jackson

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

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 December 2023 is considered sound and Council note the December Quarterly Report.

14.3 CONSIDERATION OF INTENT TO SEEK A RATE CAP VARIATION FOR 2024/25

Author: Steve Ivelja, Chief Financial Officer
Authoriser: David Jackson, General Manager Customer & Corporate Services
Attachments: Nil

PURPOSE

The purpose of this report is for Council to resolve the matter of whether it seeks to apply for a rate cap variation for the 2024/25 budgeting and planning cycle.

EXECUTIVE SUMMARY

- For each of the last 7 financial years, Council elected to not apply for further rate cap variations. The decision to not apply for a rate cap variation reflects the Council's desire to work within the rate cap.
- There is a necessity for Council to resolve the matter of whether it plans to apply for a rate cap variation to enable adequate lead time for Officers to develop a project plan if necessary.

RECOMMENDATION

That Council resolves to not apply for a rate cap variation for the 2024/25 financial year.

BACKGROUND

For each of the last 7 financial years, Council has elected to not apply for a rate cap variation. The decision to not apply for a rate cap variation reflects the Council's desire to work within the established rate cap.

In late December 2023, the Minister for Local Government announced that the Fair Go Rates Cap for 2024/25 will be set at 2.75%. The decision on the rate cap for the 2024/25 financial year was guided by independent advice from the Essential Services Commission. Whilst the ESC recommended a rate cap as high as 3.4%, the Government set the rate cap 2.75% citing continuing pressure on Victorian household budgets as the main reason to lower the rate cap. It is noted that inflation in Australia is currently running at about 5.0%.

PROPOSAL

That Council resolve the matter of whether it seeks to apply for a rate cap variation for the 2024/25 budgeting and planning cycle.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

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

FINANCIAL IMPLICATIONS

Depending on whether Council elects to apply for a rate cap variation for the 2024/25 year and beyond, there will a disparity in the level of funds it will have at its disposal to invest for the benefit of the community.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

The financial stability of Council is identified in Councils Strategic Risk profile. Based on Council rates being capped at 2.75% in 2024/25 and projected CPI for future years, Council has currently assessed its ongoing financial sustainability as a medium risk. Several controls are in place to manage the ongoing financial sustainability of Council.

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Financial stability of Council	Limited funding or significant changes in funding sources limiting ability to deliver on Council’s objectives.	Medium	Long term financial plan in place to document and review Council’s financial position and assist with strategic management of Council’s finances. Regular financial reporting to Audit & Risk Advisory Committee aligns with Council reporting. Adherence to financial metrics as identified by VAGO and the LGPRF. Focus on advocacy to support achievement of identified community needs. External audits of financial accounts undertaken on annual basis for annual Report and received an unqualified audit result. Service Review and Planning Policy and Framework implementation. Each service undertaking a review of their services every three to five years. Linking asset plans, community infrastructure plans and service plans to Council’s Long-Term Financial Plan. Borrowing funds within a sound financial management framework as a mechanism to finance major projects, as it spreads the payments for such assets across the generations who benefit. Cost control and identifying opportunities to increase revenue streams. Applying for a rate cap variation where required.

COMMUNICATIONS & CONSULTATION STRATEGY

The communication and consultation strategy are contingent upon Council's decision as to whether it resolves to apply for a variation.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

General Manager – David Jackson

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

Author – Steven Ivelja

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

CONCLUSION

The rate cap for the 2024/25 financial year has been set 2.75%. In the context of the current economic environment, it is recommended that Council do not seek a rate cap variation over the established rate cap of 2.75%.

Council may need to consider or re-assess its position in future years especially where the continued maturity in Council's Asset Management Systems indicate the existence of assets backlogs and/or insufficient funding to satisfy asset renewal demand.

Equally, if the Council wishes to expand or increase its levels of services and infrastructure beyond the constraints of the current strategic financial plan, it may need to consider the option of applying for a rate cap variation in future years, especially if external funding is not available.

15 COMMUNITY ASSETS & INFRASTRUCTURE REPORTS

15.1 CAPITAL IMPROVEMENT PROGRAM - QUARTERLY REPORT DECEMBER 2023

Author: Ewen Nevett, Manager Engineering Services

Authoriser: Phil Jeffrey, General Manager Community Assets & Infrastructure

Attachments: 1. 2023-2024 CIP Project Update Report (under separate cover)

PURPOSE

To provide Council with an overview of the progress of Council's 2023-2024 Capital Improvement Program to 31 December 2023.

EXECUTIVE SUMMARY

The 2023-2024 Capital Improvement Program (CIP) consists of 76 projects reported to Council with the delivery principally managed by two Services Units, Engineering Services (42 capital works projects) and Major Projects (27 major projects). The delivery of the remaining 7 projects are managed by Asset Management, Operations and Community Activation and also included in this report.

Delivery of the 2023-2024 CIP is on schedule with 27.6 per cent of projects already completed and a further 50.0 per cent of the projects either underway, soon to commence, or soon to be awarded.

RECOMMENDATION

That Council resolves to receive the Capital Improvement Program Quarterly Report to 31 December 2023.

BACKGROUND

The delivery of the CIP is an important function of Council's operations and represents a significant portion of Council's overall expenditure. Accordingly, the status of the overall program is reported to Council every quarter.

PROPOSAL

This quarterly report provides Council with an overview of the progress of Council's 2023-2024 Capital Improvement Program to 31 December 2023.

Implementation of the 2023/2024 Capital Improvement Program

The 2023-2024 CIP currently consists of 76 projects reported to Council. This number may be adjusted throughout the year as other projects become active. Three projects (totalling \$846,018) have already been added since the 2023-2024 Budget was adopted.

The list incorporates projects from various sources including, but not limited to, the following:

- Projects carried forward from 2022-2023 program
- 2023-2024 Council funded projects

- Grant funded projects

The Community Assets & Infrastructure Directorate nominates six key stages of the project delivery process and will report with reference to these stages in regard to the overall program status.

The table below summarises the overall program status at 31 December 2023.

CIP Program Delivery Stage	Actual as of 30 September 2023				
	No. of Projects				Per cent
	Capital Works	Major Projects	Other	Total	
Not Commenced - inactive/"On Hold"	0	0	2	2	2.6
Not Commenced	0	0	0	0	0.0
Documentation/Design Preparation	7	7	1	15	19.7
Tender/Quote Stage	1	2	1	4	5.3
Project Awarded – Waiting Commencement	12	4	0	16	21.1
In Progress/Under Construction	8	9	1	18	23.7
Complete	14	5	2	21	27.6
TOTAL	42	27	7	76	100.0

The attached report details the proposed timeframe and progress of each individual project. In addition, the report also provides comments in relation to the status of each project.

As at 31 December 2023, the current budget is \$60.2M with an anticipated carry forward from multi-year projects and projects "On Hold" of \$13.1M. The final outcome will be dependent on the physical progress of projects and any impacts from unforeseen events. Any projects planned for delivery in 2023-2024 and at risk of being incomplete by 30 June 2024 are reported on below.

Program Status

Capital Works Projects

At this stage of the financial year the program is generally on schedule for completion by 30 June 2024.

83.3 per cent of the capital works projects are either completed, underway, soon to commence or soon to be awarded, with a further 16.7 per cent at design or document preparation stage.

10 capital works projects are behind the original scheduled delivery timeframes. Of these, one (Blackwood Small Township Improvement) will likely have elements to carry forward due to timelines to construction from approval of the concept plan, while Ingliston Road reconstruction is being closely monitored due to delayed commencement and the "cut off" period in early April for road sealing.

All other projects currently behind are still programmed to be completed this financial year.

Major Projects

Given the timeframe to deliver major projects, the projects being delivered this year are a mixture of projects finishing this year and over the next two financial years.

The last quarter saw significant milestones of completion of the MARC stadium and Maddingley Early Years Hub which will be operational in 2024.

In total there are 27 projects, with 19.7 per cent of projects in the design phase, 23.7 per cent of projects in construction and 5.3 per cent in the procurement phase for construction services.

Other Projects

Connor Court drainage improvements remains “on Hold” pending advice/action from Melbourne Water. The Ballan Senior Citizens Refurbishment and DDA Compliance upgrade is in design phase and is at risk of being delayed. All other projects are either complete or on schedule for completion in line with planned delivery.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

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

FINANCIAL IMPLICATIONS

Reporting of the Capital Improvement Program has been resourced as part of Council’s budget. At this point in time the program is within the budget parameters, including any predicted over expenditure, previously advised to Council. The program is being closely monitored to identify areas for savings to maintain the expenditure within these budget parameters.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no irregular Risk and Occupational Health and Safety issues identified in this report. Specific risk elements are analysed and dealt with as part of the delivery of each individual project.

COMMUNICATIONS & CONSULTATION STRATEGY

Progress on the Capital Improvement Program will be reported in the following formats:

- Infrastructure update on active projects Weekly
- Update on major projects Monthly
- Moorabool Matters Quarterly
- Moorabool News As required
- Report to Council Quarterly

Specific projects are communicated to the community and affected residents as required through a range of methods including, but not limited to, advertisements, mail outs and letters.

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 – Ewen Nevett

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

CONCLUSION

This report provides a summary of the progress of the Capital Improvement Program for the second quarter of the 2023-2024 period for the information of Councillors.

16 OTHER REPORTS

Nil

17 NOTICES OF MOTION

17.1 NOTICE OF MOTION - NEED FOR INCREASED CAPACITY OF BACCHUS MARSH MEN'S SHED

Attachments: Nil

I, Councillor Rod Ward, give notice that at the next Ordinary Meeting of Council to be held on 6 March 2024, I intend to move the following motion:

MOTION

That Council request the CEO to prepare a report on options that may be considered for increased or new facilities for the Bacchus Marsh Men's Shed to meet current and future needs.

RATIONALE

The Bacchus Marsh Men's Shed was established in 2009, and is one of 1,200 Men's Sheds across Australia that includes 50,000 members nationally.

Men's Sheds enhance the lives of many men and build better communities by fostering community spirit, cultivate social connectedness and contribute to building a more inclusive Australia. The groups provide opportunities for "hands on" practical activities, where men can work with other men, in an informal and relaxed setting.

The Bacchus Marsh Men's Shed was established at the rear of The Laurels at 229 Main Street, Bacchus Marsh. Initially the single Shed acted as a social space, kitchen and meeting area and work shed.

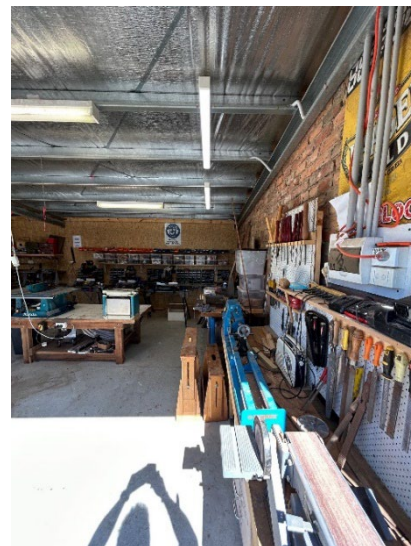
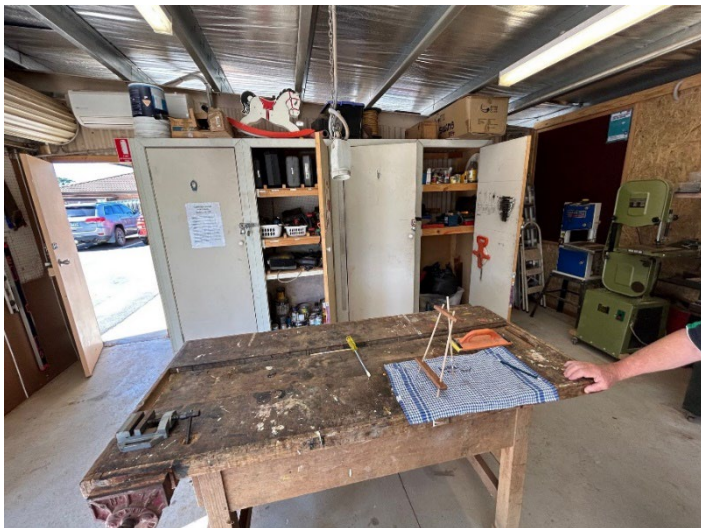
The Bacchus Marsh Men's Shed is open to members Tuesday and Friday mornings from 8.00am to 12.30pm, and on the occasional weekend for special events.

The group received a Grant in 2017 to expand into the "old stables" area within the Laurels precinct, which was adjacent to their Shed. This was converted into a woodwork area and a metal work area. The Club has since created a BBQ area behind their Shed and due to a lack of storage space they have also installed a storage container.

As a result, the Club facilities are spread across five distinct spaces and are at capacity. See below for photos of the five spaces currently used by the group across the Laurels site.



Shed 1: Social space that also serves as kitchen and meeting area, and includes a tool museum.



Shed 2 – Woodwork area in old Stables



Shed 3 – Metalwork area in old Stables



Area 4 – BBQ behind Social/Kitchen/Meeting Shed



Area 5 – Storage container that has been installed next to the old Stables to provide space

Due to increasing demand for membership of the Bacchus Marsh Men’s Shed, the groups membership numbers have grown annually. Unfortunately, due to the lack of further space for growth at their existing location, the group has made the difficult decision to cap their membership numbers at 40 members.

Future members will only be admitted when a current member does not renew their membership.

It is noted that the current population of Bacchus Marsh/Darley/Maddingley is approximately 27,000, and with the population expected to grow to approx. 40,000 by 2040 there is expected to

be an ongoing need for the Bacchus Marsh Men's Shed to provide for additional membership from this rapidly growing population.

In addition, and despite the obvious demand, the Bacchus Marsh Men's Shed is unable to open on a regular basis due to existing activities within the Laurels facility.

This Notice of Motion requests the Chief Executive Officer to prepare a report on options that may be considered for increased or new facilities to meet growing demand for the Bacchus Marsh Men's Shed, and which may also offer additional opportunities for the Men's Shed to offer increased hours that they may be open for the enjoyment of their members. This may include:

- Relocation of the Bacchus Marsh Men's Shed to a new or alternative facility that offers increased capacity to meet current and future demand; and/or
- Establishment of a second Men's Shed in Bacchus Marsh (possibly in Darley or Maddingley) to meet current and future demand.

I commend this Notice of Motion to Council.

18 NOTICES OF RESCISSION

Nil

19 MAYOR'S REPORT

19.1 MAYOR'S REPORT

Author: Dianne Elshaug, Co-ordinator CEOs Office

Authoriser: Derek Madden, Chief Executive Officer

Attachments: Nil

PURPOSE

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

EXECUTIVE SUMMARY

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

RECOMMENDATION

That Council receives the Mayor's Report.

20 COUNCILLORS' REPORTS

21 URGENT BUSINESS

22 CLOSED SESSION OF THE MEETING TO THE PUBLIC

Nil

23 MEETING CLOSURE