

Moorabool
Shire Council

AGENDA

Ordinary Council Meeting Wednesday, 3 April 2024

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

Date: Wednesday, 3 April 2024

Time: 6.00pm

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

**Derek Madden
Chief Executive Officer**

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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 6 March 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 PROPOSED FEATURE COMMEMORATIVE RENAMING - ELAINE RECREATION RESERVE TO RON READ RECREATION RESERVE

Author: Kate Pryor, Governance Officer

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

Attachments: 1. Petition - Renaming Elaine Recreation Reserve to Ron Read Recreation Reserve (under separate cover)

PURPOSE

The purpose of this report is to present Council with a proposal to rename Elaine Recreation Reserve to Ron Read Recreation Reserve in response to a petition received from residents of Elaine.

EXECUTIVE SUMMARY

- Council received a petition from 106 residents, approximately 45% of Elaine's population, to rename the Elaine Recreation Reserve to Ron Read Recreation Reserve in commemoration of the late Mr Ron Read tabled at the 1 June 2022 Ordinary Meeting of Council.
- Officers have assessed the proposal in accordance with the adopted Place Naming Principles as compliant.
- To obtain community feedback regarding the proposal, Officers are seeking Council to approve a 30 day community consultation process to ascertain support to rename the reserve in accordance with the Place Naming Policy.

RECOMMENDATION

That Council approves the commencement of a 30-day community consultation process with stakeholders affected by the proposed renaming of Elaine Recreation Reserve to Ron Read Recreation Reserve, Elaine.

BACKGROUND

A petition was received by Council and tabled at the Ordinary Meeting of Council on 1 June 2022 from 106 residents of Elaine to rename the Elaine Recreation Reserve to Ron Read Recreation Reserve, Elaine.

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.

Council resolved to defer the item until an updated Place Naming Policy was adopted subject to Geographic Names Victoria's revision of place naming rules within Victoria. The new Place Naming Policy was adopted at the Ordinary Meeting of Council on 6 March 2024.

PROPOSAL

It is proposed to commence a 30-day community consultation process with stakeholders affected by the proposed renaming of the Elaine Recreation Reserve, Elaine, Volume 11517 Folio 926 Crown Allotment 2009 Parish of Meredith to Ron Read Recreation Reserve, Elaine (figure 1).

Figure 1 – Elaine Recreation Reserve



Mr Read had a significant history and connection to the reserve, serving as the President of the Elaine Recreation Reserve Community Asset Committee for over 30 years and worked voluntarily to maintain the reserve for the benefit of the Elaine community. The petition includes 106 signatures of support from the residents of Elaine, representing over 45% of the town's population.

Place Naming Principles

The proposal has been assessed against the Place Naming Principles stipulated in Council’s Place Naming Policy and the Place Naming Rules for Victoria 2022 (the Naming Rules):

Principle	Assessment
<p>Principle A - Ensuring public safety</p> <p>Geographic names and boundaries must not put public and operational safety for emergency response at risk; or cause confusion for transport, communication and mail services.</p>	<ul style="list-style-type: none"> • Compliant - The proposal does not impact public safety.
<p>Principle B - Recognising the public interest</p> <p>Cultural heritage names should be enduring. When naming or adjusting the geographic boundary of a place, Council must consider the long-term benefits and short-term effects on the wider community.</p>	<ul style="list-style-type: none"> • Compliant - The proposal is in the short and long-term interest of the Elaine community.
<p>Principle C - Linking the name to place</p> <p>Names should have a link to place to ensure the preservation of our cultural heritage.</p>	<ul style="list-style-type: none"> • Compliant – The proposal links to the place to ensure preservation of cultural heritage. The proposal is in commemoration of Mr Ron Read, who had over 30 years of connection with the reserve.
<p>Principle D - Ensuring names are not duplicated</p> <p>Names must not duplicate another name within a locality. Duplication is not allowed within the same locality within a 15-kilometre radius (regional)</p>	<ul style="list-style-type: none"> • Compliant - The name is not duplicated elsewhere within the Shire.
<p>Principle E - Recognition and use of Traditional Owner languages</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).</p>	<ul style="list-style-type: none"> • Not applicable - The proposal does not recommend the use of Traditional Owner languages in this instance.
<p>Principle F - Names must not discriminate or be offensive</p> <p>Place names must not discriminate or cause offense.</p>	<ul style="list-style-type: none"> • Compliant - The proposal is not offensive or discriminatory in nature.
<p>Principle G - Gender equality</p> <p>Gender equality in the naming of roads, features and localities is encouraged.</p>	<ul style="list-style-type: none"> • Undefined <ul style="list-style-type: none"> ○ Compliance against this principle is not defined in the Naming Rules. ○ The proposal is a male commemorative name. ○ This proposal does not negatively impact gender equality or adversely impact Council’s target under the Victorian Gender Equality Strategy.

Principle	Assessment
<p>Principle H - Dual names</p> <p>Dual names may only be assigned to geographic features. Dual names cannot be assigned to roads or localities. Dual names with Traditional Owner place names are encouraged as a transitional step toward the adoption of the Traditional Owner name.</p>	<ul style="list-style-type: none"> • Not applicable – A dual name is not proposed in this instance.
<p>Principle I - Using commemorative names</p> <p>When deciding on the assignment of a commemorative name after a person, Council will consider the person’s achievements, relevant history and association to the area and the significance of the family/person to the area/land. Commemoration of a living person is strongly discouraged.</p>	<ul style="list-style-type: none"> • Complaint – The late Mr Read had a significant history and connection to the reserve and to the township of Elaine.
<p>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.</p>	<ul style="list-style-type: none"> • Compliant - The proposal is not a commercial or business name.
<p>Principle K – Language</p> <p>Geographic names, except when they are proper nouns, must be written in standard Australian English or a recognised format of a Traditional Owner language local to the area of the road, feature or locality. (etc...)</p>	<ul style="list-style-type: none"> • Compliant - The proposal is written in standard Australian English and complies with the character limit and grammatical rules of this principle.
<p>Principle L - Directional names to be avoided</p> <p>Cardinal directions (north, south, east and west) must be avoided.</p>	<ul style="list-style-type: none"> • Compliant - The proposal does not include cardinal directions.
<p>Principle M - Assigning extent to a road, feature or locality</p> <p>A naming proposal must clearly define the area and/or extent to which the name will apply.</p>	<ul style="list-style-type: none"> • Compliant - The proposal clearly defines the areas to which the names will apply.

COUNCIL PLAN

The proposal is not provided for in the Council Plan 2021-2025 and can be actioned by utilising existing resources.

FINANCIAL IMPLICATIONS

The financial implications associated with this report can be managed within the current year’s budget allocations.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no risks or occupational health and safety issues associated with the recommendations in this report.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Affected property owner/s	Direct Mail	Elaine Residents	April to May	To ascertain support for the proposed road renaming.
Advertisement	General community	Call for written submissions over a 30-day period	Advertisement in the Moorabool News	April to May	To ascertain community support for the proposed road renaming.
Submission process	General community	Call for written submissions over a 30-day period	Have your Say on Council’s website	April to May	To ascertain community support for the proposed road renaming.

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

The consultation process as recommended in this report will identify whether the proposed reserve renaming is supported by the relevant stakeholders and the greater Moorabool community. On conclusion of the consultation process, a further report will be presented to Council.

11.2 DELEGATIONS AND AUTHORISATIONS POLICY

Author: Angela Menzies, Governance Officer

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

Attachments: 1. Delegations and Authorisations Policy (under separate cover)

PURPOSE

The purpose of this report is to seek adoption of the Delegations & Authorisations Policy.

EXECUTIVE SUMMARY

- The existing Delegations & Authorisations Policy is outdated and no longer fit-for-purpose.
- The Delegations & Authorisations Policy (Attachment 1) has been drafted as a new policy to compliment the Statutory Compliance Framework and adhere to requirements of the *Local Government Act 2020* and *Local Government Act 1989*.
- The policy has been endorsed by the Audit and Risk Committee at the 21 February 2024 meeting.

RECOMMENDATION

That Council adopts the Delegations and Authorisations Policy.

BACKGROUND

Council's existing Delegations & Authorisations Policy sets out how Council establishes and manages delegations and authorisations to provide efficient decision making and action-taking for Council. The policy was adopted in 2016 and is overdue for review. The policy predates the *Local Government Act 2020* and the requirements within it that relate to Council management of delegations and authorisations.

A new policy has been drafted to reflect these requirements as well as consistency with the Statutory Compliance Framework adopted by Council 4 at the October 2023 Ordinary Meeting of Council. In line with the Framework, this policy will utilise RelianSys to generate and manage instruments of delegation and authorisation.

Several key updates have been made to the policy which were informed through extensive benchmarking with the policies and instruments of other Councils.

PROPOSAL

The drafted policy incorporates the following key updates:

Use of RelianSys

The policy directs that RelianSys will be utilised to generate and manage instruments. RelianSys feeds legislative updates into instrument templates to ensure that current Acts and provisions are

included when generating new instruments. Council also utilises RelianSys for compliance monitoring activities.

Instrument Register

A formal instrument register will be introduced to provide an overview of instruments at any point in time. This is not in the current policy and is a requirement of the *Local Government Act 2020*.

Positions to hold Delegations

Some of Council’s current delegation instruments include Officer names. This is not best practise as delegations should follow a position, rather than an individual. This differs from appointment and authorisations which do follow an individual rather than the position that the individual holds. The policy provides a clear distinction between the two and how they should be managed within instruments.

Non-material Changes

Minor changes to instruments may be required from time-to-time and seeking Council/CEO sign-off may not be the most efficient way to process an instrument change. The policy allows for non-material changes, such as reflecting a name change in an instrument, can be completed with the sign-off of the Executive Manager Democratic Support & Corporate Governance.

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 3.1: Listen, analyse and understand community needs

The proposal to adopt the Delegations & Authorisations Policy is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

There are no financial implications related to adopting the Delegations and Authorisations Policy.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Council does not adopt the Delegations & Authorisations Policy.	Council does not regularly review delegations and authorisations, which may cause delegations and authorisations to not remain up-to-date and may subject Council to legal issues.	Medium	Adopting the policy will ensure that relevant staff are required to review existing delegations on an annual basis to ensure they are still fit for organisational needs.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Presentation for endorsement	Audit & Risk Advisory Committee	Meeting	Darley	February 2024	Endorsement gained from Committee

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 – Angela Menzies

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

CONCLUSION

The Delegations and Authorisations Policy has been drafted to reflect requirements of the *Local Government Act 2020* in relation to delegations and authorisations are met and to align with Council’s Statutory Compliance Framework. It is recommended that Council adopt the policy to provide best practise management of Council’s delegations and authorisations.

11.3 CEO ANNUAL LEAVE

Author: Dianne Elshaug, Co-ordinator CEOs Office

Authoriser: Derek Madden, Chief Executive Officer

Attachments: Nil

PURPOSE

This report requests approval of the Council for the CEO to take leave for the period 5.00pm Monday 1 April 2024 to 8.30am Thursday 11 April 2024 inclusive.

RECOMMENDATION

That Council:

1. Approves leave for the CEO Derek Madden for the period 5.00pm Monday 1 April to 8.30am Thursday 11 April 2024.
2. Approves that the Acting CEO for the period 5.00pm Monday 1 April to 8.30am Thursday 11 April 2024 to be Leigh McCallum.

PROPOSAL

It is requested that the Council approves leave for the CEO Derek Madden from 5.00pm Monday 1 April to 8.30am Thursday 11 April 2024.

The Acting CEO for the period 5.00pm Monday 1 April to 8.30am Thursday 11 April 2024 will be Leigh McCallum.

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 approve the CEOs Annual Leave is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

There are no financial implications.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no identified risk or occupational health and safety issues.

COMMUNICATIONS & CONSULTATION STRATEGY

No communication or consultation is required.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

Chief Executive Officer – Derek Madden

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

Author – Dianne Elshaug

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

CONCLUSION

That the CEO be granted annual leave for the dates listed in the report and that Acting CEO be appointed for the period of leave.

12 COMMUNITY PLANNING AND DEVELOPMENT REPORTS

12.1 AMENDMENT C99MOOR - HALLETTS WAY - AUTHORISATION

Author: Jyoti Makan, Senior Strategic Planner

Authoriser: Henry Bezuidenhout, Executive Manager Community Planning & Development

Attachments:

1. Amendment C99Moor - amendment documentation (under separate cover)
2. Plan of Subdivision (under separate cover)

PURPOSE

The purpose of the report is for Council to resolve to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C99Moor (Halletts Way). This amendment is a Section 96A application which proposes to rezone the land to Neighbourhood Residential Zone and subdivide land at the corner of Halletts Way and Adelong Way, Bacchus Marsh. It also proposes a Development Plan Overlay to guide future development.

EXECUTIVE SUMMARY

- A proponent led amendment has been lodged providing strategic justification to support the rezoning and a five-lot subdivision of 2.6ha of land.
- The amendment seeks to rezone land from Farming Zone to Neighbourhood Residential Zone and Public Park and Recreation Zone.
- The subdivision includes three Neighbourhood Residential Zone lots and two Public Park and Recreation Zone lots which will form two reserves connecting with the Werribee River.
- The amendment will remove the Design and Development Overlay – Schedule 2 which relates to reflective materials and apply the Development Plan Overlay – Schedule 7 to guide the future land use and development of the land.

RECOMMENDATION

That Council:

1. **Apply to the Minister for Planning in accordance with Section 8A of the *Planning and Environment Act 1987*, for authorisation to prepare and exhibit Moorabool Planning Scheme Amendment C99Moor in accordance with Attachment 1.**
2. **Authorise 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

Bacchus Marsh Urban Growth Framework (UGF)

The subject land was identified in the Bacchus Marsh Irrigation District in the Bacchus Marsh Urban Growth Framework (UGF) prepared by Council in 2018. This framework specified

environmental objectives, in part, to *protect high-value agricultural land in the Bacchus Marsh Irrigation District (BMID) from encroachment by urban development.*

Clause 11.01-1L-02 of the Planning Scheme encourages the following strategies relevant to the proposal:

- Ensure development is located and designed to respond to the effect of natural hazards such as fire or flood.
- Ensure that a clear separation between urban development and farming activities is retained.
- Protect the Bacchus Marsh irrigated horticultural land from residential encroachment and encourage appropriate interface treatments (such as through a transition in densities, separation and landscaping) in development abutting these areas.

The site is highlighted in red in Figure 1. The land is surrounded by the Underbank, Stonehill and Belleview Tops residential developments. The site is closely linked with these greenfield areas and is confined by the Werribee River and flood prone area.

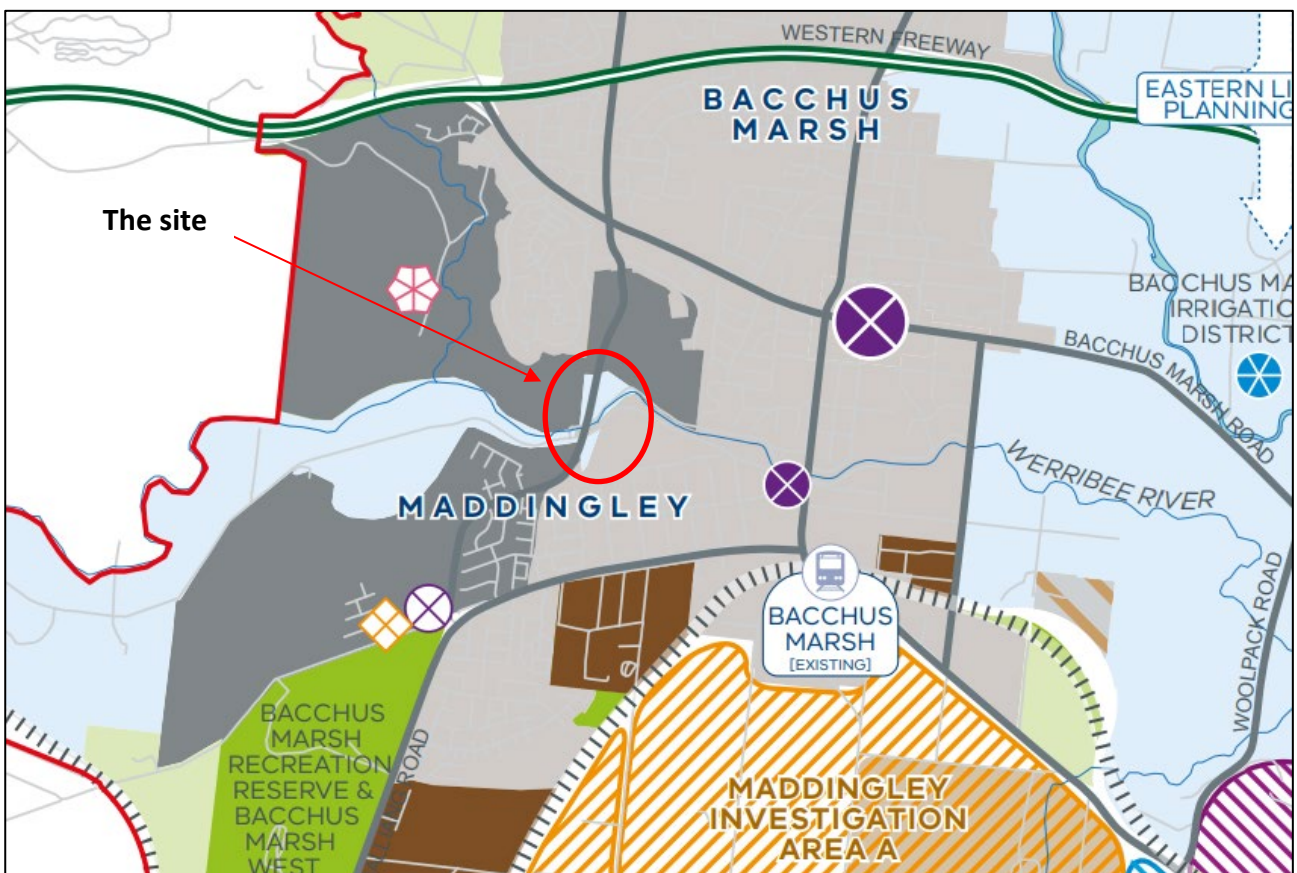


Figure 1: Extract From Plan 1, Urban Growth Framework (2018) edited to indicate the site (red circle).

Site

The subject land is titled as Lot A on Plan of Subdivision 821090T, totalling 2.6ha. The development of the Halletts Way and Adelong Way roadways divided the site into three irregular shaped portions of land.

The subject land is covered by the Environmental Significance Overlay and the Land Subject to Inundation Overlay where it adjoins the Werribee River along the southeastern boundary. The

land is within the Farming Zone and adjacent to the Underbank residential area as shown in Figure 2.

Adelong way intersects Halletts Way at the roundabout and is a two-lane carriageway, providing pedestrian crossings and connection with surrounding pedestrian paths.

The subject land is relatively clear of vegetation and the western portion of the land was used for vehicle parking during construction of the Underbank Estate.



Figure 2: Site boundary overlaid on 2024 aerial image.

PROPOSAL

Amendment C99Moor proposes to amend the Moorabool Planning Scheme to allow for future development adjacent to the Underbank Estate. The amendment proposes to:

- Rezone the land from Farming Zone to Neighbourhood Residential Zone – Schedule 9. It also rezones the land within the Environmental Significance and Land Subject to Inundation Overlays to Public Park and Recreation Zone.
- Remove the Design and Development Overlay – Schedule 2 which relates to landscape character and visual amenity regarding reflective materials in rural areas.
- Apply the Development Plan Overlay – Schedule 8 to guide the future land use and development of the land.

- Subdivide the land into five lots creating three Neighbourhood Residential Zones and two reserves in the Public Park and Recreation Zone.
- Retain the Environmental Significance Overlay – Schedule 2 and Schedule 8, and the Land Subject to Inundation Overlay.

Key Considerations

In response to the challenges identified on the site, a proposed concept plan was prepared by the applicant.

The proposed future development would include:

- Potential for community services driven land uses i.e. medical centre or childcare centre.
- Potential for additional residential development.
- The requirement for car parking and landscaping opportunities.
- Increased revegetation, shared path with opportunities for an artist trail and seating within the public park and recreation zone.

A summary of the key considerations is provided below:

Bacchus Marsh Urban Growth Framework

The Bacchus Marsh Urban Growth Framework identifies the land as part of the Bacchus Marsh Irrigation District. Land with this designation would usually be highly regarded and protected for its agricultural potential. However, in this case the land is essentially a remnant or left over parcel from recent residential development and is no longer viable for meaningful agricultural practices.

The proposal is consistent with the objectives of the Urban Growth Framework as it does not encroach into quality or viable agricultural land. The subject land is essentially a remnant of recent residential developments, and the Urban Growth Framework cites a need to separate farming activities from residential development.

The rezoning will provide the opportunity for additional housing supply and diversity, in an existing residential area, that is well serviced by existing amenities and services. The development of the land would effectively operate as a small extension to the Underbank Estate (applicant is Kataland, the developer of Underbank). The rezoning will also provide the opportunity to improve the interface of development with Halletts Way. It will allow for continuation of the Public Park and Recreation Zone and shared paths along the Werribee River, creating a network and green spaces along the river.

Policy intentions in the planning scheme reference housing supply objectives to facilitate well located, integrated and diverse housing that meets the needs of the community in Clause 16.01-1A. This includes the need to increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and consolidate urban areas.

Clause 11.02-1S of the scheme cites that managing growth includes strategies to plan to accommodate projected population growth over at least a 15-year period and provide clear direction in where growth should occur. Similarly, Bacchus Marsh is considered a growth area and this site rests between emerging and established greenfield growth increasing its need to adapt to the neighbourhood character of the area.

Investigation of the subject site has now been completed to support the application, with the applicant's preparation of background reports relating to matters on stormwater, traffic, environmental, bushfire, cultural heritage, and geotechnical studies.

Concept Plan

The concept plan is implemented through the Development Plan Overlay is shown in Figure 3. The concept plan was informed by the background reports and was reviewed by officers and relevant agencies. This will inform a future Development Plan to be approved by Council. The background reports provide strategic justification for the amendment and address the prerequisite contained in the Bacchus Marsh Urban Growth Framework and the Strategic Assessment Guidelines (Planning Practice Note 46).

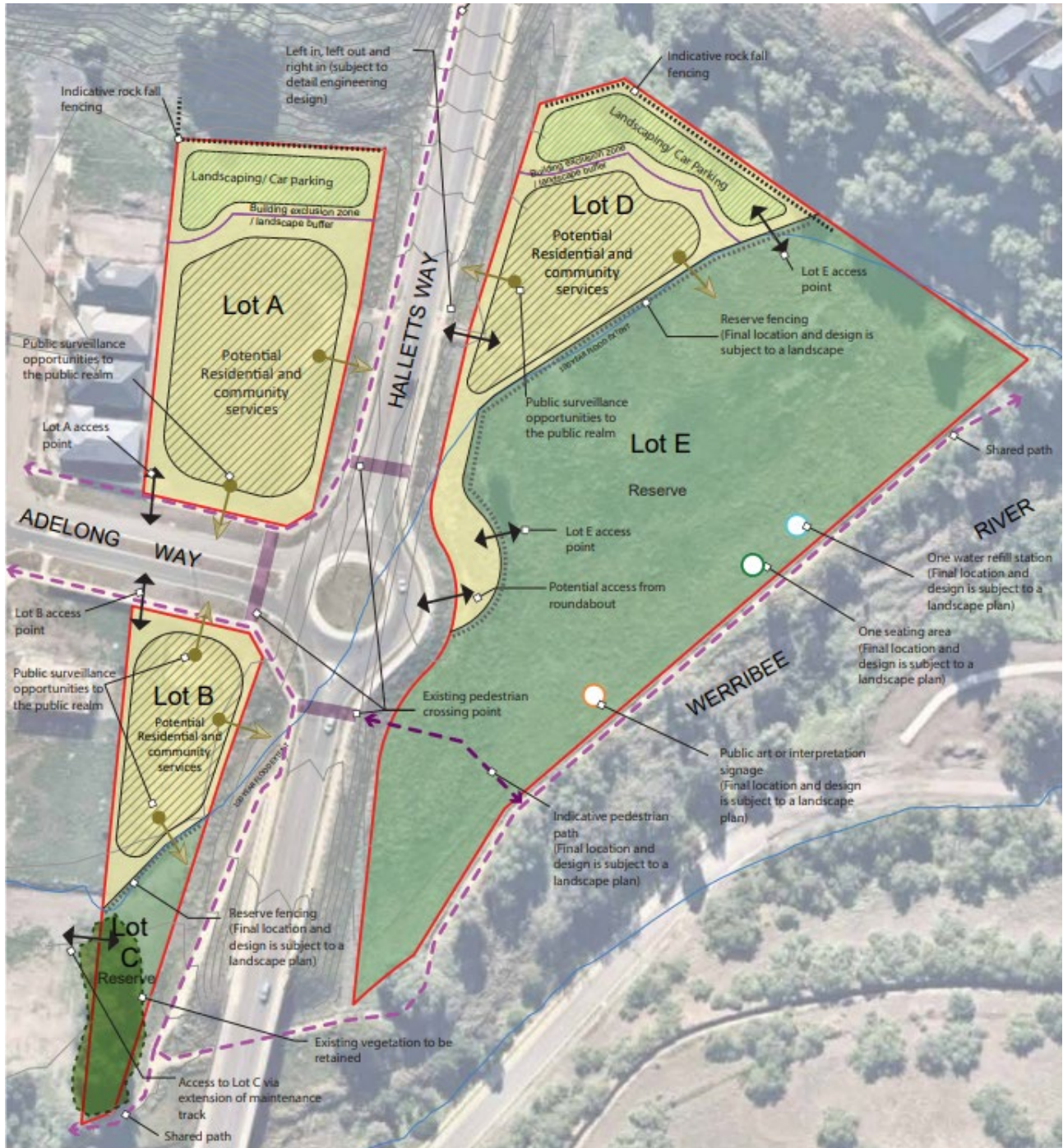


Figure 3 – Concept Plan – Development Plan Overlay Schedule 8

Zoning and Overlays

It is proposed to rezone the site to the Neighbourhood Residential Zone and Public Park and Recreation Zone and apply the Development Plan Overlay. The purpose of the overlay is to ensure future development considers (in part):

- Appropriate landscaping.
- The Werribee River and escarpment.
- Built form sympathetic of the abutting neighbourhoods and intersection.

The intent of the proposed Neighbourhood Residential Zone is to control height to maintain the single and double storey character that is established in the surrounding area. The maximum residential height in the Neighbourhood Residential Zone is two storeys unlike the three-storey height potential in General Residential Zones.

The existing Design and Development Overlay – Schedule 2 (Visual Amenity and Building Design) is proposed to be removed as it controls the use of reflective building materials intended towards rural areas and is not required or applied to newly developed residential estates.

The Public Park and Recreation Zone is proposed to be applied where the Environmental Significance Overlay and Land Subject to Inundation Overlay are located over the site. This will restrict development with the flood prone area adjacent to the Werribee River.

Traffic

Access to the sites without impacting Halletts Way is a key consideration. The Traffic Impact Assessment compiled by Traffix Group in July 2023 provided development scenarios which consider the use of either residential or community land uses. Access to the sites is recommended to be from Adelong Way for Lots A and B, and from the existing roundabout for Lot D, minimising any impact to traffic flow along Halletts Way. Alternative access to Lot D may also form a left in and left out provision from Halletts Way. These details will be further resolved at the development plan stage of the proposal.

Bushfire Management

A Bushfire Report drafted by Terramatrix Pty Ltd stated that there is surrounding vegetation however a comprehensive local road network provides ready access to lower threat areas, including areas immediately to the north, south and west. The report provides distances from vegetation surrounding the site that achieve the relatively low BAL rating of 12.5 and this has been included on the concept plan for future consideration.

Environmental Site Investigations and Geotechnical Issues

The environmental site investigation considered that the site has no potential for contamination and does not require a Preliminary Risk Screen Assessment (PRSA) to determine the suitability for use of the site for residential uses. Further formal referrals to the EPA will be conducted at the exhibition stage.

From a geotechnical perspective, the northern parts of the site are subject to potential rock fall due to the slope of the land and locations of boulders and cobbles around the north boundary. Conditions on the planning permit as well as guidance in the Development Plan Overlay address rockfall fencing requirements and buffer zones along the boundary.

Subdivision Assessment

It is proposed to subdivide the land into five lots. Three of these lots cater for future residential or community uses (such as child care or medical centre), the other two lots are proposed to be rezoned to Public Park and Recreation Zone which will become reserves vested in Council. The plan of subdivision is included as Attachment 2.

A list of relevant considerations applicable in Clause 56 assessments for residential subdivisions are as follows:

Solar access: the lots are generally in the north to south configuration. Efficient solar access to buildings should be considered at the planning permit and building stage.

Access: All lots can be served with safe and efficient access; Lots A and B will be accessed via Adelong Way and Lot D via Halletts Way.

Future building opportunities: The areas allocated on the concept plans show indicative building envelopes which provide opportunities for sustainable building design for residential and community service driven buildings. Lots A, B and D will host maximum lot lengths along Halletts Way which will provide opportunities for appropriate activation and landscaping. Lot D interfaces the proposed reserve and has opportunities for a shared path, low lying fencing, and passive surveillance to increase safety of pedestrians.

Connectivity (Walking and Cycling network): An existing shared path runs along the Werribee River, providing opportunities for connectivity around the proposed lots and towards abutting neighbourhoods. The future town centre site within the Underbank Estate is within walking and cycling distance.

Access to Activity centres: The neighbouring residential area in Underbank identifies land for future town centre development. Once this town centre is established, the proximity of the land to a future town centre would be within 1km.

Services: The application for subdivision was referred to the relevant authorities to ensure that access to services would be provided. Conditions on the draft permit for authorisation ensure that telecommunications, and other service obligations are fulfilled.

Particular Provisions:

Public Open Space Contributions:

Although two reserves are created (Lots C and E), they are considered encumbered land and therefore cannot be classified as public open space. As the land has potential to be further subdivided, and minimal public open space resides in the surrounding area, it is appropriate to request that 5% of the site value is provided towards Public Open Space as a monetary contribution. Section 18 of the *Subdivision Act 1988* allows the increased burden on existing open space to be considered and therefore the need for a contribution to open space is appropriate.

Decision Guidelines

The subject land is already fragmented by the recent road construction and the subdivision of the land supports the proposed Planning Scheme amendment. The subdivision will create a boundary between the land proposed to be zoned Neighbourhood Residential Zone, and the land to be zoned Public Park and Recreation Zone.

Next Steps

To progress the Planning Scheme Amendment for Halletts Way, Council is required to seek authorisation from the Minister for Planning to prepare and exhibit the amendment.

Following receipt of authorisation, a period of public exhibition will be undertaken in accordance with the requirements of the *Planning and Environment Act 1987* and Ministerial Direction No. 15. Residents, landowners and the wider community will be invited to make submissions to Council on the proposed amendment. A report will be brought to Council following public exhibition and Council will be able to request a planning panel to consider any unresolved submissions.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

Strategic Objective 2: Liveable and thriving environments

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

The proposal to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C99Moor is consistent with Council Plan Priority 2.1. Appropriate mechanisms are proposed to enhance liveability and provide community infrastructure to meet the needs of the growing community.

FINANCIAL IMPLICATIONS

As a privately initiated planning scheme amendment, the applicant is required to pay statutory fees in accordance with the planning and environment fees regulations. The application is also responsible for covering other costs associated with the amendment as allowed under the *Planning and Environment Act 1987*, including advertising and planning panel costs. The planning permit includes a requirement for a public open space contribution.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Community Awareness	Community members miss the opportunity to comment on the planning scheme amendment.	Medium	Extensive engagement with existing residents in the area, including letters to property owners and occupiers.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Individual property owners and general community	Mail out, notification in gazette and Moorabool newspapers, Council’s website.	Various	Approximately 40 business days from the receipt of authorisation.	Submissions will be reported to Council, Unresolved submissions can be referred to an independent Planning Panel.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

Executive Manager – Henry Bezuidenhout

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

Author – Jyoti Makan

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

CONCLUSION

Amendment C99Moor proposes to rezone approximately 2.6ha of land at the corner of Halletts Way and Adelong Way in Bacchus Marsh. The rezoning will increase opportunities for housing supply as well as extend the green spaces along the Werribee River. There is a significant net community benefit of increasing environmental values whilst increasing land supply for residential and community needs towards emerging greenfield neighbourhoods surrounding the site.

13 COMMUNITY STRENGTHENING REPORTS

13.1 DRAFT YOUNG COMMUNITIES STRATEGY 2024-2028

Author: Rhona Pedretti, Manager Child, Youth and Family Services

Authoriser: Leigh McCallum, General Manager Community Strengthening

Attachments: 1. Draft Young Communities Strategy 2024-28 (under separate cover)

PURPOSE

The purpose of this report is to present the draft Young Communities Strategy to Council, seeking approval to proceed to public exhibition.

EXECUTIVE SUMMARY

- The Young Communities Strategy has been developed to plan for and respond to the needs and aspirations of the 0–25-year cohort.
- It has been developed in consultation with children, young people families and key stakeholders.
- The Young Communities Strategy builds on the previous work of the Municipal Early Years Plan and Youth Strategy documents. A child/young person friendly version of the strategy will also be developed.

RECOMMENDATION

That Council resolves to publicly exhibit the draft Young Communities Strategy for a period of four weeks.

BACKGROUND

Services for families, children and young people are varied and are provided by a range of agencies and organisations, including Council. Whilst Council is not a direct provider of all services provided to families, children and young people, it does have a direct role in planning and influencing the delivery of these services in Moorabool communities.

The previous role of Councils Municipal Early Years Plan (MEYP) was to foster a whole-of-community, whole-of-system approach to building community strength and addressing the underlying causes of inequity and vulnerability of children and families, with a focus on prevention, equity, health and long term social and educational outcomes for children.

The previous Youth Strategy highlighted young people's unique perspectives, ideas, aspirations and needs that required specific approaches in engaging and supporting them. By providing focus on addressing their needs and fostering their wellbeing we build more sustainable and resilient communities.

The Young Communities Strategy has been created to deliver a birth to 25 life journey plan, incorporating the aspirations of the previous MEYP and Youth Strategy while ensuring all life stages of children, young people and their families are supported. A child/young person friendly

version of the strategy will also be developed to encourage accessibility and relatability of the work that is being undertaken.

PROPOSAL

In creating the Draft Young Communities Strategy, focus groups, individual engagement, surveys and pre-school engagement activities were undertaken. This provided an opportunity to gain valuable feedback from children, young people, families, service providers and internal staff. The community engagement enabled us to understand key challenges and assisted in identifying four key themes of focus for the development of the Draft Young Communities Strategy.

The themes reflect the needs and aspirations of children and young people 0-25 years (and their families) in our community.

The four key themes:

1. Health and Wellbeing Services and Supports
2. Community Engagement and Participation
3. Education and Learning
4. Safety and Inclusion

1. *Health and Wellbeing Services and Supports*

We will support children, young people and families to improve health and wellbeing outcomes through improving access to health facilities, services and supports, promoting healthy and active strategies, programs and initiatives, and strengthening networks, partnerships and advocacy.

2. *Community Engagement and Participation*

We will foster increased community engagement and participation through targeted programs, events and initiatives, investigating opportunities for community capacity building and actively consolidating networks, partnerships and advocacy.

3. *Education and Learning*

We will strive to improve educational outcomes for children and young people through providing and promoting formal and informal learning opportunities, by building a highly skilled and responsive workforce, and collaborating with education professionals and other partners.

4. *Safety and Inclusion*

We will advance safety and inclusion within our community by focusing on inclusive and accessible Council programs, services and spaces that meet diverse needs, the safety and accessibility of built and online environments, and through proactive networks, partnerships and advocacy.

Timelines

Oct/Nov 2023

- Community and Stakeholder Engagement to identify key themes - completed.

Dec 2023

- Councillor Briefing presenting Young Communities Strategy draft themes - completed.

Jan/Feb 2024

- Development of draft strategy in consultation with Child Youth and Family Services team - completed.

March/April 2024

- Councillor Briefing to present draft strategy - completed.
- Seek endorsement to proceed to four-week public exhibition.
- Obtain and summarise feedback and make updates.

June/July 2024

- Councillor Briefing to present final strategy.
- Prepare strategy for formal consideration at OMC.

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 Young Communities Strategy for public exhibition is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

There are no financial implications.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Reputation with community and stakeholders	Strategy is not implemented within set timelines.	Medium	Monitoring of strategy.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community Groups/stakeholders	Face-to-face consultation meetings ‘Have your Say’ digital platform Microsoft teams meetings	Various	November 2023	Feedback provided by community and stakeholders.

Engage	Executive Group Councillors	Executive / Councillor Briefing	Various	December 2023	The Executive Group and Councillors were engaged in the development of the Strategy.
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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 – Rhona Pedretti

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

CONCLUSION

The draft Young Communities Strategy for the 0-25-year cohort has been developed through community and stakeholder consultation. Four themes were identified, and a comprehensive action plan developed. It is requested Council resolve to present the draft strategy to the community for a four-week period. At the end of the public exhibition period the final Young Communities Strategy will be presented to Council for consideration.

13.2 WALLACE RECREATION RESERVE MASTER PLAN

Author: Chloe Beech, Coordinator Sport and Active Recreation

Authoriser: Leigh McCallum, General Manager Community Strengthening

Attachments:

- 1. Wallace Recreation Reserve Master Plan - Drawing (under separate cover)**
- 2. Wallace Recreation Reserve Master Plan (under separate cover)**

PURPOSE

To formally note the Wallace Recreation Reserve Master Plan.

EXECUTIVE SUMMARY

- The Wallace Recreation Reserve Master Plan, a committee-led and funded project, has been completed, highlighting a broad range of projects and improvements to the recreation reserve.
- The Master Plan has been developed in partnership with the reserve user groups at no financial cost to Council.

RECOMMENDATION

That Council resolves to:

- 1. Note the Wallace Recreation Reserve Master Plan.**
- 2. Work with the user groups to attract funding for identified projects.**
- 3. Refer priority items identified in the Master Plan to the long term Capital Improvement Plan.**

BACKGROUND

The Wallace Recreation Reserve is the primary community open space in the broader Wallace and Springbank district, used primarily by the Springbank Football Netball Club (SFNC). The reserve is owned by Moorabool Shire Council and contains an oval, netball court, multipurpose court (tennis or netball), two pavilions, a CFA building, playground and other infrastructure to support the SFNC, as well as the Wallace Recreation Reserve Committee, Wallace Country Fire Authority (CFA) and U CAN Personal Training, who are the other user groups of the reserve.

Aside from being used for organised sport, the reserve is a community hub for local residents and visitors to participate in passive/informal recreation (i.e. dog walking).

A Master Plan was prepared for the reserve in 2013 but not formally adopted by Council, identifying several new and upgraded facility projects, including:

- Change room extension at main pavilion
- Irrigation upgrade to oval
- New oval floodlights
- New AFL safety goal nets at each end of the oval

- New digital scoreboard
- Netball court resurfacing

The centre cricket pitch on the oval was removed some years prior due to the decline of cricket participation in the area.

In 2021, the Committee engaged Sports Community and Simon Leisure Consulting to prepare a new Master Plan for the reserve. During this process, Millar Architects was appointed to prepare concept plans for the upgrade and expansion of the pavilion. The Committee also identified that the social room and adjoining facilities no longer met the user groups’ needs. The new Master Plan has been driven by the Committee/SFNC with no financial contribution from Council.

The main Master Plan priorities include:

1. Oval reconstruction (inclusive of irrigation upgrade and LED light conversion).
2. Pavilion upgrade and extension (in two stages – main pavilion and netball player/umpire change rooms).
3. Play Space upgrade.

It is envisaged this Master Plan will be a long term (10+ years) plan that can be prioritised into achievable outcomes. For example, the pavilion upgrade can be split into multiple stages. This will increase the likelihood of attracting external funding to deliver on the identified priorities.

PROPOSAL

It is recommended that Council notes the Wallace Recreation Reserve Master Plan, and by doing so, alerts officers to advise the reserve user groups of Council’s acceptance of the Master Plan. Officers will then 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 Wallace Recreation Reserve Master Plan is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

There is currently no budget allocated towards priority projects identified in the Master Plan. The Wallace Recreation Reserve oval has been identified as one of the poorer condition ovals in the Moorabool Shire. A future allocation/contribution to upgrading this oval is required to be considered to ensure it is safe for the SFNC and community to use.

Costings for priority projects in the Master Plan will be determined during detailed design.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Master Plan acceptance delays	Reputational risk to Council, due to perception by Wallace user groups that other reserves in Shire are having projects funded.	High	Ensure that Wallace user groups are engaged and consulted if any issues are identified.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community Groups	Meetings with user groups	Various	2021-2023	The Wallace committee has engaged users of the Reserve throughout the process. Council officers were provided updates.

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 Wallace Recreation Reserve Master Plan considers consultation, background information, strategic context and existing facility conditions. The plan responds to the needs, aspirations and challenges for Moorabool Shire and its community, and outlines a clear approach to enhancing the reserve into the future over the next 10+ years.

14 OTHER REPORTS

Nil

15 NOTICES OF MOTION

15.1 NOTICE OF MOTION - PREPARING COUNCIL FOR RATEPAYER CONSULTATION INTO THE FUTURE

Attachments: Nil

I, Councillor Rod Ward, give notice that at the next Ordinary Meeting of Council to be held on 3 April 2024, I intend to move the following motion:

MOTION

That Council:

- 1. Request the Chief Executive Officer prepare a report on the optimal portfolio structure for Moorabool Shire Council from October 2024 to provide the most beneficial outcomes for the community.**
- 2. That this report consider portfolios that best align with Council's Strategic Plan, provide recommendations on the number of portfolios to be considered, and how Councillors are appointed.**
- 3. Further, that this report provides recommendations on the authorities, roles and responsibilities of these portfolios and clarity over their operational protocols.**

RATIONALE

With the announcement by the State Government on 15 February 2024 that the Moorabool Shire Council would move to an unsubdivided structure for the October 2024 elections, it may cause some concern amongst some residents in the Shire that they no longer have elected "Ward" representatives to represent their best interests.

I consider it important that post the local elections in October 2024 that MSC residents would have an understanding of how they can seek support from their elected representatives for matters of concern, to provide feedback, or to seek clarity on issues that may be important to them.

The purpose of the portfolio model is to create collaboration with community and stakeholders, and to support the implementation of Council's strategic directions aligned with the portfolio subject area. It should also create opportunities for increased partnerships and innovation.

A further benefit of the allocation of portfolios for Councillors is that it would provide streamlined, appropriate and effective working relationships between Councillors and the Executive Management Team.

In closing, the appointment of Councillors to portfolio's shows Council is committed to good governance and to providing transparent and accountable processes.

The following is not an exhaustive list, but the examples below show portfolio's that are in place at some local Councils:

- Heritage, Arts, Education & Culture
- Finance, Audit & Risk
- Tourism, Events & Visitor Economy
- Health & Wellbeing
- Sport, Recreation & Leisure Advisory
- Economic Development
- Youth Advisory
- Waste & Resource Recovery
- Environment & Sustainability
- Peri Urban
- Transport & Infrastructure
- Positive Ageing, Access & Inclusion
- Emergency Management
- CEO Employment & Remuneration Committee

I commend this Notice of Motion to Council.

15.2 NOTICE OF MOTION - OPTIONS TO RESTORE HISTORIC ARTWORK, BACCHUS MARSH CHICORY KILN**Attachments: Nil**

I, Councillor Rod Ward, give notice that at the next Ordinary Meeting of Council to be held on 3 April 2024, I intend to move the following motion:

MOTION

That Council requests the Chief Executive Officer to prepare a report on heritage grants and alternative funding options that may be available to complete the recent renovation of the Bacchus Marsh Chicory Kiln by restoring the historic Dr Morse's Indian Roots Pills artwork.

RATIONALE

The Bacchus Marsh Chicory Kiln was built in 1885 and was used by the Pearce Brothers to process chicory roots until 1910. It is the largest known Chicory Kiln in Victoria, and is the oldest remaining substantially intact example of its kind in Victoria.

Chicory was grown in Victoria from the 1860s to the 1960s for use as a coffee substitute and additive, with production centred largely on Phillip Island and French Island. Kilns were constructed to dry the roots of the chicory plant to reduce the weight and bulk for packing and transporting to Melbourne for roasting and grinding. Of thirty-three kilns known to remain in Victoria, twenty eight are located on Phillip and French Islands and one in Bacchus Marsh.

In April 2022, the Rotary Club of Bacchus Marsh joined with the Lions Club of Bacchus Marsh in an energetic and enthusiastic project to clear the surrounds of the Bacchus Marsh Chicory Kiln.

In October 2022 the groups received \$33,000 in grant funding from Heritage Victoria's Living Heritage Program for conservation works to the building, which included repairs to the roof, rainwater goods, windows, doors and brickwork, as well as a condition assessment report and treatment proposal of the historic signage on the building exterior.

The grant funding was matched with contributions from the property owner, and fundraising efforts by local community groups including the Bacchus Marsh Lions Club, Bendigo Bank and Bacchus Marsh Rotary Club.

The conservation works were undertaken under guidance of Heritage Victoria and with support from local businesses to restore the Chicory Kiln building.



As the above picture illustrates, the kiln restoration has now been completed, but the restoration of the famous painting advertising for “Dr Morse’s Indian Root Pills” (which was believed to have been painted in the 1890’s) has been quoted at approximately \$100,000 - \$120,000.

The Kiln is listed on the Victorian State Heritage Register. Noting the importance of this historic building to Bacchus Marsh and the surrounding community, it is requested that MSC explore all options to secure funding from Heritage Victoria, the State Government and other possible alternatives to undertake the restoration of this famous artwork.

I commend this Notice of Motion to Council.

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

RECOMMENDATION

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

20.1 C19-2023/2024 - Ballan Library and Civic Plaza

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

20.2 Request for Leave - Cr Rod Ward

This matter is considered to be confidential under Section 3(1) - f of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

20.3 Contract C18-2023/2024 for the Provision of Apprenticeships and Traineeships

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

20.4 Blue Mountain Cemetery Trust, Trentham

This matter is considered to be confidential under Section 3(1) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

21 MEETING CLOSURE