



# **AGENDA**

## **Ordinary Council Meeting Wednesday, 3 July 2024**

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

**Date: Wednesday, 3 July 2024**

**Time: 6.00pm**

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

**Derek Madden  
Chief Executive Officer**



**Order Of Business**

<b>1</b>	<b>Opening of Meeting and Prayer .....</b>	<b>5</b>
<b>2</b>	<b>Acknowledgement of Country .....</b>	<b>5</b>
<b>3</b>	<b>Recording of Meeting .....</b>	<b>5</b>
<b>4</b>	<b>Present.....</b>	<b>5</b>
<b>5</b>	<b>Apologies .....</b>	<b>5</b>
<b>6</b>	<b>Confirmation of Minutes .....</b>	<b>5</b>
<b>7</b>	<b>Disclosure of Conflicts of Interest.....</b>	<b>5</b>
<b>8</b>	<b>Public Question Time.....</b>	<b>6</b>
<b>9</b>	<b>Petitions.....</b>	<b>7</b>
	Nil	
<b>10</b>	<b>Presentations/Deputations.....</b>	<b>7</b>
<b>11</b>	<b>Chief Executive Officer Reports.....</b>	<b>8</b>
	11.1 Risk Management Framework and Policy Adoption.....	8
	11.2 Proposed Feature Commemorative Renaming - Elaine Recreation Reserve to Ron Read Recreation Reserve .....	11
<b>12</b>	<b>Community Planning and Development Reports .....</b>	<b>16</b>
	12.1 Draft Bacchus Marsh Town Centre Structure Plan .....	16
	12.2 Response to NoM No. 315 - Provision of a Snake Removal Service .....	22
<b>13</b>	<b>Community Strengthening Reports .....</b>	<b>26</b>
	13.1 Young Communities Strategy Community Consultation Report.....	26
	13.2 Community Asset Committees - Reports .....	30
	13.3 Advisory Committees of Council - Reports .....	31
<b>14</b>	<b>Other Reports .....</b>	<b>32</b>
	Nil	
<b>15</b>	<b>Notices of Motion.....</b>	<b>33</b>
	15.1 Notice of Motion No. 320 - Proposed Sister City Arrangement with the Council of Gharb, on the island of Gozo, Malta .....	33
<b>16</b>	<b>Notices of Rescission .....</b>	<b>35</b>
	Nil	
<b>17</b>	<b>Mayor’s Report .....</b>	<b>36</b>
	17.1 Mayor's Report.....	36
<b>18</b>	<b>Councillors’ Reports.....</b>	<b>37</b>
<b>19</b>	<b>Urgent Business.....</b>	<b>37</b>
<b>20</b>	<b>Closed Session of the Meeting to the Public.....</b>	<b>38</b>

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20.1	Contract 21-2023/24; Sportsground Maintenance Services.....	38
20.2	Contract 80-2023/24; Sportsground Mowing Services.....	38
<b>21</b>	<b>Meeting Closure .....</b>	<b>39</b>

## **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 5 June 2024

Special Council Meeting - Wednesday 12 June 2024

Special Council Meeting - Wednesday 26 June 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 RISK MANAGEMENT FRAMEWORK AND POLICY ADOPTION

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

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

**Attachments:**

1. Risk Management Framework (under separate cover)
2. Risk Management Policy (under separate cover)

#### PURPOSE

The purpose of this report is to seek adoption of the Risk Management Framework and Policy.

#### EXECUTIVE SUMMARY

- A review of the Risk Management Framework and Policy was undertaken to align them to best practice and ISO Standard 31000:2018 Risk Management.
- Both the Risk Management Framework and Policy have been presented to the Audit & Risk Committee Meetings 15 November 2023 and the 15 May 2024 meeting for review of further updates.

#### RECOMMENDATION

**That Council adopts the Risk Management Framework and Policy.**

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#### BACKGROUND

The purpose of this report is to align the renewal dates for the Risk Policy and Framework.

#### PROPOSAL

Enhancements of the Framework and Policy include:

- Expansion of the definition of risk to include the differences between Strategic, Corporate and Operational risks.
- Inclusion of Council's risk appetite statements and the level of risk Council is willing to tolerate for each risk category.
- Revision of accountabilities and responsibilities to align them to the current organisational structure and governance structure.
- The Governance Structure includes reference to the *Local Government Act 2020*, the Institute of Internal Auditors Three Lines Model and the ISACA COSO model.
- The Risk Management Methodology has an increased focus of what is within the remit of the risk management methodology and its alignment with the Fraud and Corruption Prevention and Control System and Policy, the Business Continuity Plan and the Occupational Health and Safety Policy and Strategy.



- Alignment of the Risk Management Process with the Risk Management Standard ISO 31000:2018 including:
  - Increased focus on communication and consultation;
  - Inclusion of risk identification techniques and what they are in the appendices;
  - Use of As Low As Reasonably Practicable (ALARP) for risk analysis;
  - Enhancement of the difference between inherent and residual risk including the categorisation of controls and how they can be managed;
  - Inclusion of monitoring frequency of risks based on the level of residual risk;
  - Inclusion of the IT system supporting risk registers across Council;
  - Inclusion of the reporting frequency to the Executive and the Audit and Risk Committee.

**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 Risk Management Framework and Policy is consistent with the Council Plan 2021-2025.

**FINANCIAL IMPLICATIONS**

The risk management framework and policy operate within Council’s adopted budget.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

The Risk Management Framework and Policy set the methodology and principles for Council’s risk management.

**COMMUNICATIONS & CONSULTATION STRATEGY**

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Audit and Risk Committee	Audit and Risk Committee meeting held 15 November 2023	Darley	15 November 2023 15 May 2024	Minor suggestions which have been taken into consideration and updated in the Framework and Policy.

**VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006**

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the

Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

**OFFICER'S DECLARATION OF CONFLICT OF INTERESTS**

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

*Chief Executive Officer – Derek Madden*

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

*Author – Celeste Gregory*

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

**CONCLUSION**

Updates made to the Risk Management Framework and Policy aligns them to the ISO Standard 31000:2018 Risk Management and it is recommended they are adopted by Council.

## **11.2 PROPOSED FEATURE COMMEMORATIVE RENAMING - ELAINE RECREATION RESERVE TO RON READ RECREATION RESERVE**

**Author:** Kate Pryor, Governance Officer

**Authoriser:** Angela Menzies, A/Executive Manager, Democratic Support & Corporate Governance

**Attachments:**

- 1. Summary of Community Feedback - Proposal to rename Elaine Recreation Reserve (under separate cover)**
- 2. Letter - Petition against renaming Elaine Recreation Reserve (under separate cover)**
- 3. Petition against renaming Elaine Recreation Reserve - Addresses Redacted (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 and to inform Council of the submissions received from the public for and against the proposal.

### **EXECUTIVE SUMMARY**

- A petition was received by Council from 106 residents to rename Elaine Recreation Reserve to Ron Read Recreation Reserve, Elaine, in commemoration of the late Ron Read.
- The proposal was published for public consultation for a period of 30 days and invited community members to make submissions and vote in a survey on the proposal.
- 312 submissions were received, comprising of 56 supporters, 255 objectors and 1 objecting petition containing 113 signatures, the petition being received at the Ordinary Meeting of Council on 5 June 2024.

### **RECOMMENDATION**

**That Council, with regards to the proposal to rename the Elaine Recreation Reserve to the Ron Read Recreation Reserve, Elaine:**

- 1. 1. Receives 312 submissions from the community submitted during the 30-day public consultation period, comprising of:**
  - a) 56 supporters**
  - b) 255 objectors**
  - c) One (1) objecting petition containing 113 signatures.**
- 2. Notes that the proposal is not supported by the community and no longer complies with the Place Naming Policy and Geographic Names Victoria Place Naming Rules.**

**BACKGROUND**

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

The proposal was published in April 2024 for 30 days for community consultation.

*Figure 1 – Elaine Recreation Reserve*

**PROPOSAL**

Council consulted with the ratepayers and surrounding community as per the requirements of Council's Place Naming Policy and the Naming Rules for Geographical Place Names Victoria (The Naming Rules).

During the consultation process, 312 submissions were received, comprising of:

- 56 supporters
- 255 objectors
- 1 objecting petition containing 113 signatures, which was received at the Ordinary Meeting of Council on 5 June 2024.

82% of submissions received objected to the proposal.

Figure 2 – Charts - Summary of Submissions

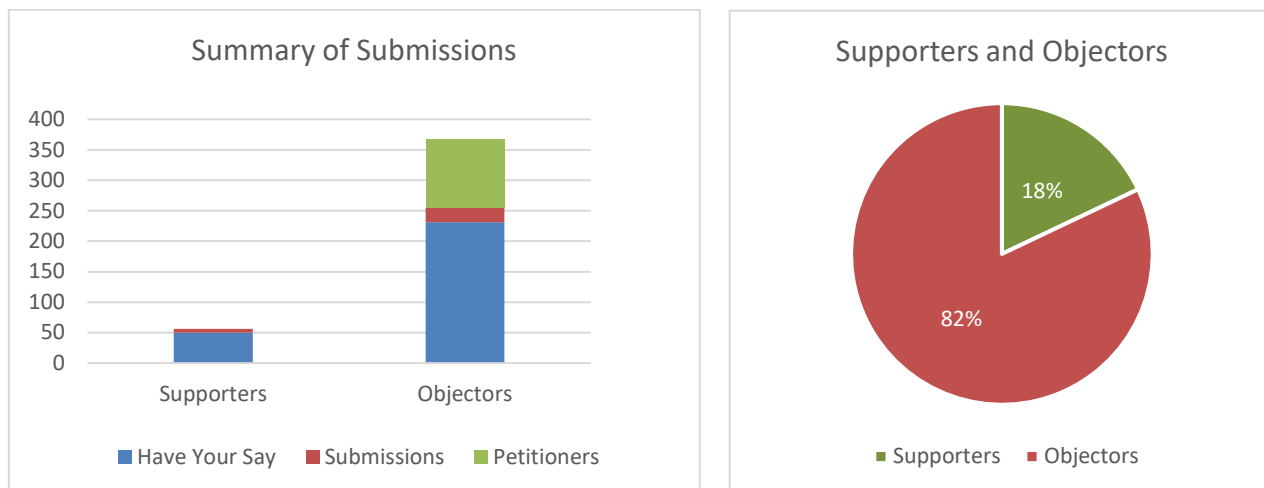


Figure 3 – Summary of Submissions by Postcode (where identified)

Postcode/Township	Objectors	Supporters
• 3333 – Meredith	26	1
• 3334 – Cargerie, Elaine, Morrisons, Mount Doran	250	37
• 3340 - Bacchus Marsh	0	1
• 3350 – Ballarat, Mount Clear, Mount Helen, Mount Pleasant	12	3
• 3351 – Chepstowe, Scarsdale	5	0
• 3352 – Addington, Clarendon, Durham Lead, Bonshaw, Bullarook, Lal Lal, Mount Egerton, Mount Mercer	50	4
• 3356 - Delacombe	2	0
• 3357 - Buninyong	9	1
• 3461 - Korweinguboorra	0	1
• Other postcodes	11	3

Figure 3 outlines the postcode or township of the submitters and petitioners where they have disclosed this information. Eight (8) anonymous submissions did not list a postcode or township.

Attachment 1 contains a summary of submissions received during the consultation period.

**COMMUNICATIONS & CONSULTATION STRATEGY**

Further engagement is planned as follows:

<b>Level of Engagement</b>	<b>Stakeholder</b>	<b>Activities</b>	<b>Location</b>	<b>Date</b>	<b>Outcome</b>
Inform	Petitioners, objectors, supporters  Community Asset Committee  Ratepayers and residents of Elaine  Sporting clubs	Inform the community of Council’s decision	Letters  Have Your Say website	July/August 2024	The community will be informed of the outcome of the proposal

**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.

**COUNCIL PLAN**

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

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with the recommendations in this report.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

There is a high probability the proposal to rename the reserve will be refused by Geographic Names Victoria (GNV) based on lack of community support and non-compliance with the Place Naming Principles.

Council risks reputational damage and dissent within the community should the proposal be lodged to GNV without significant community support.

**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.

*A/Executive Manager – Angela Menzies*

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 proposal to rename Elaine Recreation Reserve to the Ron Read Recreation Reserve is opposed by the community, with 82% of submissions received during the 30-day public consultation period objecting to the proposal.

## 12 COMMUNITY PLANNING AND DEVELOPMENT REPORTS

### 12.1 DRAFT BACCHUS MARSH TOWN CENTRE STRUCTURE PLAN

**Author:** Liam Prescott, Senior Strategic Planner

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

**Attachments:** 1. Bacchus Marsh Town Centre Structure Plan (under separate cover)

#### PURPOSE

To present the draft Bacchus Marsh Town Centre Structure Plan to Council and seek support to undertake community consultation.

#### EXECUTIVE SUMMARY

- The draft Bacchus Marsh Town Centre Structure Plan (Structure Plan) ensures that the town centre remains an attractive and vibrant place, and a focus for housing, retail, employment, transport, community services, leisure, open space and entertainment.
- Officers have worked with the community and key stakeholders to develop a shared vision for the town centre that has driven the preparation of the draft Structure Plan.
- A four-week consultation is proposed to check back in with the community, present the Structure Plan, and seek submissions. Following this the plan and feedback will be brought back to Council for consideration.

#### RECOMMENDATION

**That Council:**

1. Undertake community consultation on the draft Bacchus Marsh Town Centre Structure Plan (Attachment 1) for a period of four weeks.
2. Notes that a summary of the consultation feedback and any changes to the draft Structure Plan will be brought back to Council for consideration.

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#### BACKGROUND

##### The 2011 Structure Plan

The *Bacchus Marsh Activity Centre Structure Plan* was adopted by Council in 2011, implemented via a planning scheme amendment in 2016, and informed the current planning controls for the town centre. Since that time Bacchus Marsh has undergone significant change, including the preparation of the Bacchus Marsh Urban Growth Framework 2018 (UGF), and faces a number of challenges. A review and the preparation of a new Structure Plan is needed to articulate a refreshed long-term vision for Bacchus Marsh.

##### A New Structure Plan

The current Structure Plan needs to be reviewed and updated to account for increases in population through new growth areas and changing trends, and to ensure that the town centre



remains a focus for housing, retail, employment, transport, community services, leisure, open space and entertainment.

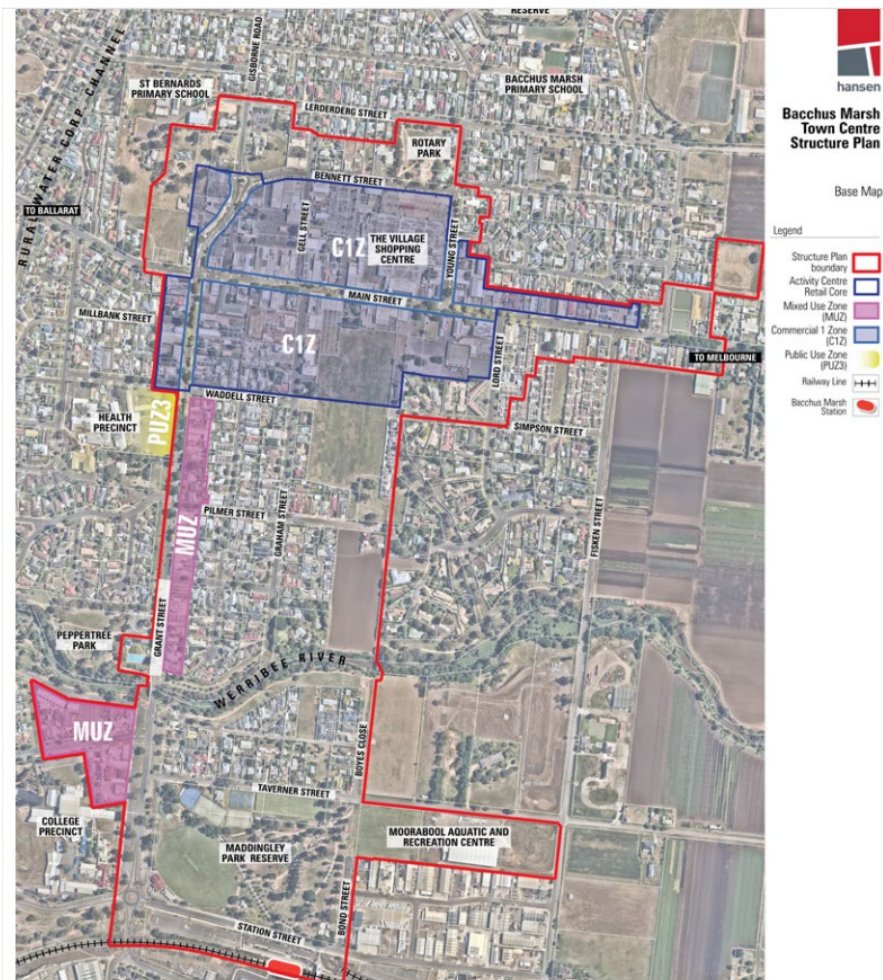
The Structure Plan was identified as a *key growth action - local* within the UGF. The Structure Plan is also an action in the 2021-2025 Council Plan and funding to develop the structure plan was provided by the Victorian Planning Authority through the Streamlining for Growth program.

The Structure Plan will build on the best of the Bacchus Marsh Town Centre and establish a framework for guiding land use and development within the Town Centre over the next 15 years, including unlocking key development sites and establishing a civic precinct. The town centre should be an attractive and vibrant hub where people shop, work, meet, relax and live.

The draft Moorabool Retail Strategy, which has been prepared alongside the Structure Plan and will come before Council in the coming months, provided an assessment of the required area for commercial land in the town centre, and this data has been integrated into the Structure Plan.

**The Study Area**

The Structure Plan study area is generally contained within an area bordered by the railway line to the south, Grant Street to the west, and the commercial centre to the north (red boundary in figure 1). The eastern boundary has been designed to exclude residential areas already considered through the Bacchus Marsh Housing Strategy planning process (Amendment C79, 2018). Within the study area, the commercial and retail core of the town is the key area where attention has been focused (blue boundary in figure 1). Outside this area, the action plan focuses on improving mobility and access to support the commercial core and housing diversity (red boundary).



**Figure 1: Structure Plan Study Area**

## Engagement

Officers wanted to work with the community to develop a shared vision for the town centre, and an initial community consultation was undertaken in February 2023 to understand the community aspirations for Bacchus Marsh over the next 15 years. Questions were designed to allow the community to express their views regarding the town centre to Council without the influence of plans or concepts at this stage of the process. The project webpage had 2649 views, over 50 community members attended two drop-in sessions and 100 online surveys were completed. Councillors and officers participated in a workshop in May 2023 to review the community consultation outcomes and refine a series of vision statements that captured community sentiment and would guide the development of the Structure Plan. The consultation summary report presented to Councillors in May 2023 is included as an attachment to the Structure Plan.

## The Vision

The vision statements reflect the community and Councillors shared long-term vision and preferred direction for Bacchus Marsh:

- A sustainable Town Centre that showcases its rural charm and history and protects and celebrates its heritage and natural assets.
- A vibrant Town Centre with a clear sense of arrival, central meeting place and economically activated main street, well supported by bustling side streets, which all showcase the rural charm of Moorabool Shire.
- A welcoming Town Centre with a strong regionally focused economy that attracts commercial uses and activities to supply the needs of the local and wider regional community.
- An accessible Town Centre which provides community buildings, parks, commercial and residential areas, convenient public transport and parking options, all linked by tree-lined streets and safe walking and cycling infrastructure.
- An inviting Town Centre which encourages appropriately located residential development to achieve sustainable and diverse housing outcomes.

The vision statements were used to guide the development of the structure plan, providing direction for the objectives and key elements at the core of the structure plan.

### Key Elements

The aspirations and strategic directions for the Structure Plan are built on four key elements and urban design considerations for three key focus areas, a summary of which is below:

#### **Economic Activity and Land Use**

- Position the town as a regional destination for a range of activities.
- Establish a civic precinct.
- Bring employees and civic users into Main Street.
- Increase pedestrian and streetscape activity within the centre.
- Encourage opportunities for a night-time economy.

**Access and Movement**

- Balance the needs of different modes of transport in the centre.
- Enhance access to public transport.
- Improve pedestrian and cyclist mobility and infrastructure through the town.

**Public Realm and Landscape**

- Establish attractive streetscapes within the centre and specifically around the civic precinct area.
- Build on existing networks of green and blue links throughout the structure plan area such as the Werribee River and Avenue of Honour.
- Create public meeting spaces and gathering places.
- Maintain a consistent township character through landscaping and tree planting.

**Built Form and Heritage**

- Recognise, acknowledge, protect and enhance heritage places and fabric within the Bacchus Marsh Town Centre.
- Carefully guide change, through clear urban form and design guidance, for key sites and areas.
- Establish the civic precinct as a key development site which enhances the sense of arrival to the activity centre.
- Encourage the opportunity for smaller and more diverse housing types in and around the Town Centre.

**Key Focus Areas**

The structure plan includes three focus areas – the commercial core, the civic precinct and key redevelopment site, and the main street slow zone area. Site specific considerations, strategies and objectives have been prepared for each of these areas. These areas cover the main commercial area which will continue to be the area where residents, employees and visitors gather. The focus areas consider what changes or updates are necessary to broaden appeal so that the areas remain active through all seasons and times, along with planning for the integration of undeveloped sites and future residential developments which may occur.

**Next Steps**

Public consultation on the draft Bacchus Marsh Town Centre will be undertaken for a four-week period in July 2024. Businesses and residents within the study area, and a 400m distance surrounding the town centre core area, will be notified by mail. The broader public notification will be by newspaper, website and social media channels. Following the consultation submissions will be considered and a consultation summary will be prepared for Councillors with the Final Structure Plan.

If Council adopts the Structure Plan the Implementation Plan will include actions to be funded through future budgets. There are also recommended changes to be made to the Moorabool Planning Scheme to implement a framework that can deliver on the shared vision. A future report would be brought to Council with the proposed Planning Scheme amendment, along with a further stage of consultation as part of the amendment process.

**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 consult and complete the Bacchus Marsh Town Centre Structure Plan is consistent with the Council Plan 2021-2025.

**FINANCIAL IMPLICATIONS**

The costs of consultation including mail outs, advertising and staff and consultant time are accommodated in the Growth and Development budget.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

No specific risks have been identified in undertaking community consultation on the Strategy.

**COMMUNICATIONS & CONSULTATION STRATEGY**

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Involve	General public	Online survey Social Media Newspaper Have you Say	Various	February 2023	100 respondents. Feedback and suggestions were incorporated into vision and objectives
Involve	General public	Two drop-in sessions	Lerderderg Library	February 2023	50+ attendees. Feedback and suggestions were incorporated into vision and objectives
Collaborate	Councillors	Workshop	Darley Pavilion	May 2023	Feedback from Councillors refined structure plan vision
Consult	General public	Release draft documents - direct mail, newspaper, social media, website	Online	July 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.

*Executive Manager – Henry Bezuidenhout*

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

*Author – Liam Prescott*

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

**CONCLUSION**

This report provides an overview of the draft Bacchus Marsh Town Centre Structure Plan and seeks Council support to commence public consultation on the Structure Plan for a four-week period.

The Bacchus Marsh Town Centre Structure Plan will guide how Council works with businesses and the community to deliver on a shared vision that seeks a thriving town centre that meets the needs of a growing community. The Structure Plan has been driven by community feedback and will be implemented through a mixture of achievable and aspirational actions delivered in partnership with community and stakeholders.

A further report will be presented to Council after the consultation period has been completed..

**12.2 RESPONSE TO NOM NO. 315 - PROVISION OF A SNAKE REMOVAL SERVICE**

**Author:** Kaitlyn Zeeck, Manager Statutory Planning & Regulatory Services  
**Authoriser:** Henry Bezuidenhout, Executive Manager Community Planning & Development  
**Attachments:** Nil

**PURPOSE**

This report responds to the Notice of Motion presented by Cr Rod Ward at the Ordinary Meeting of Council on 6 December 2023, requesting a report on the provision of a snake removal service for MSC residents for the 2024/25 summer.

**EXECUTIVE SUMMARY**

- The estimated cost of undertaking a snake catching service trial is \$40,000 to \$50,000 (between 1 November 2024 and 31 March 2025)
- Should Council trial a snake catching service it is recommended that the service be limited to situations where it would have the biggest impact on community safety.
- Should Council trial a snake catching service an evaluation will be undertaken at its conclusion to determine effectiveness and if the trial should be extended.
- Pursuing a trial may create community expectations regarding service provision and challenges discontinuing the service in the future. The long-term budget implications of this service, should it be operationalised, are unknown and difficult to forecast.
- Should Council trial a snake catching service a concurrent awareness campaign will be implemented to educate the community.

**RECOMMENDATION**

**That Council receive the report for consideration of the provision of a snake removal service for MSC residents for the summer of 2024/25.**

**BACKGROUND**

In Australia there are around 130 species snakes with approximately 74 being venomous. In Moorabool the most common snakes are the brown, tiger, copperhead and red-bellied black snakes. Snake encounters are common in peri-urban areas, such as Moorabool, due to the mix of urban and rural environments. These encounters can pose a risk to community safety and in response, several Victorian councils have already implemented or trialled free snake catching services.

This report presents the findings of investigations of the costs and options should Council opt to trial this service for its residents for the 2024/25 summer. In Victoria snakes are most active during the warmer months, typically from late spring through summer (November to March). This period coincides with their breeding season and the time when they are most actively seeking food and

mates. For this report the 2024/25 summer includes the period of time between 1 November 2024 to 31 March 2025 to ensure that any evaluation accurately reflects the service provision.

## **PROPOSAL**

### **Trial details**

Should Council trial a free snake catching service for the community it is recommended that Council outsource the service to a licenced snake catcher who hold valid licenses (Wildlife Controller Licenses) under the *Wildlife Act 1975* and *Catchment and Land Protection Act 1994* with experience in safely handling and relocating venomous snakes. Council should engage a licensed snake catcher/s through a competitive tender process.

The number of calls for snake removal vary significantly depending on the region and the level of snake activity, with councils reporting anywhere between a couple of hundred to over a thousand calls regarding snakes annually. The cost of a callout ranges from \$150 to \$350.

Based on the geographic area of the Municipality, the cost of a callout and the anticipated number of calls during the trial period (150 to 250), it is estimated that engaging licensed snake catcher/s will cost between \$40,000 and \$50,000. Should the trial be extended beyond 2024/25, due to increased community awareness, it is likely that this cost will increase.

### **Proposed exclusions**

The recommended exclusions listed below are intended to prioritise resources towards situations where this service will have the biggest impact to community safety. The proposed exclusions are:

- Industrial or commercial premises.
- The location of the snake is unknown, or the snake was sighted some time ago.
- The resident/occupier is not home or will not be home during the call out.
- Public places e.g. along the 1000+ Steps Bald Hill and there is no immediate threat to the community.
- Snakes in their natural habitat (it is illegal to remove snakes from their natural habitat).
- In rural locations and more than 10m from a dwelling.

### **Evaluation**

Should Council trial a free snake catching service for the community, an evaluation will be undertaken at the conclusion of the trial to evaluate its effectiveness. The evaluation is proposed to include:

- The location and spread of calls received;
- The type of snakes (as identified by the contractor);
- The time to respond to calls;
- The number of snakes successfully located and relocated; and
- The actual costs to provide the service.

The evaluation would assist Council in deciding if the trial should be extended for a longer period. Following the conclusion of the trial and associated evaluation, a report would be prepared for Council to consider the findings of the trial and the ongoing impacts of providing this service.

**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 is consistent with the Council Plan 2021-2025.

**FINANCIAL IMPLICATIONS**

Should a trial be implemented within the 2024/25 budget, Council should expect a cost of approximately \$40,000 to \$50,000.

This cost includes the cost of a contractor, advertising and communications with the community and any internal administration to set up database systems to accommodate the service.

Pursuing a trial may create community expectations regarding this service. This could impact future decision making should it be determined that the service be discontinued at the conclusion of the trial.

Benchmarking of councils with similar service provision indicated that with growing awareness of the service, demand significantly grew year on year, and this had unpredictable implications for budget forecasting.

Should the trial be extended beyond the 2024/25 financial year, it would be considered as a new initiative and have associated budget implications.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

Should a trial be implemented, it is recommended that the service be outsourced to a contractor which has the appropriate licences, training, experience and equipment to undertake the removal safely and in accordance with legislative requirements.

**COMMUNICATIONS & CONSULTATION STRATEGY**

Should Council trial a free snake catching service for the community it is recommended Council concurrently launch an awareness campaign to educate residents about snake safety, snake significance within the environment, prevention and the new service.

**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 – Kaitlyn Zeeck*

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

**CONCLUSION**

Snake encounters are a concern in peri urban areas such as Moorabool, these encounters pose a risk to the community. Several Victorian councils offer a free snake catching service in response to this risk. Should Moorabool Shire Council trial a free snake catching service several factors should be considered to ensure that the trial is measurable and future decision making is informed.

### 13 COMMUNITY STRENGTHENING REPORTS

#### 13.1 YOUNG COMMUNITIES STRATEGY COMMUNITY CONSULTATION REPORT

**Author:** Angela Clark, Acting Manager Community Connections and Wellbeing

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

**Attachments:** 1. Draft Young Communities Strategy 2024-2028 (under separate cover)

#### PURPOSE

To provide feedback from the draft Young Communities Strategy 2024-2028 public exhibition period and to share additional actions and feedback from community consultation.

#### EXECUTIVE SUMMARY

- A four week period of public exhibition has been completed for the draft Young Communities Strategy 2024-2028.
- Additional actions have been created as a result of the feedback gained through the exhibition period.

#### RECOMMENDATION

**That Council adopts the Young Communities Strategy 2024-2028.**

#### BACKGROUND

The draft Young Communities Strategy 2024-2028 was available for public exhibition from 14 April to 12 May 2024. Feedback on the draft was captured formally through a Have Your Say survey and informally through face-to-face consultations, Councillor briefing and community pop ups. Feedback was received from community members across the municipality, including Ballan, Pentland Hills, Elaine and Bacchus Marsh and surrounds. A total of 126 people downloaded the document through the formal survey, with 17 people contributing feedback. There were 56 people engaged through informal engagement activities with 27 contributing feedback.

Council acquired feedback that fits across four key areas. A snapshot of feedback gathered is captured in the table below:

What do you like?	What don't you like?	What should we consider?	Any further comments
Primary school age kids are included, they often get missed	We need access to another high school	How will primary school children get more supports?	This is a very progressive policy and is great to see Moorabool leading the way for families
A collective 0-25 strategy with all levels	Our youth and young adults are not offered	A youth specific space that is accessible in	Existing play spaces revitalised to

What do you like?	What don't you like?	What should we consider?	Any further comments
of development being supported	as much assistance as other members of the community	town	encourage more outdoor play
The aim of pursuing robust partnerships and collaborating with service providers		Support for stay at home Mums (parents)	

Overall sentiment to the draft was positive, with feedback indicating strong support for a birth to 25-year-old strategy. Feedback indicated a strong need for the draft to include more advocacy for schooling options, after school supports and an increase in service delivery to all areas of the municipality.

As a result of feedback gained, the following actions will be added to the Young Communities Strategy 2024-2028 priority areas:

Health and Wellbeing

- Advocate for an indoor swimming pool.
- Advocate for and seek funding for programs, services and infrastructure from state and federal government and other funding bodies.

Community Engagement and Participation

- Engage children and young people who attend schools outside our municipality.
- Advocate for a centrally located, designated youth space.
- Support the engagement of fathers in services for children and young people.
- Focus on delivering events across the municipality.

Education and Learning

- Advocate for more secondary school options in Ballan and Bacchus Marsh.
- Promote click and collect library service.
- Advocate for before and after school options.
- Advocate for Middle Years funding.

Safety and Inclusion

- Promote events to foster cultural connection.
- Advocate for locally based homelessness supports.
- Promote road safety and access to paths.

**PROPOSAL**

That Council endorses the Young Communities Strategy 2024-2028.

**COUNCIL PLAN**

The Council Plan 2021-2025 provides as follows:

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

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

**FINANCIAL IMPLICATIONS**

There are no financial implications as the current operations budget will support the implementation of the strategy.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Strategy is not adopted	Community and service provider uncertainty related to Council’s commitment to children, young people and families.	Medium	Strategy is adopted.

**COMMUNICATIONS & CONSULTATION STRATEGY**

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community Groups	Community Pop Up, Letterbox drop, Studio 22, BYZ	Bacchus Marsh and Ballan	May 2024	Verbal feedback gained and link to HYS survey shared
Consult	Schools, kindergartens and agencies	MAST Network, kindergarten visits	Various	April 2024	Copies of draft and link to survey shared
Consult	Broader community	Have Your Say survey	Online	April/May 2024	Shared across social media, email and in-person

**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 – Angela Clark*

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

**CONCLUSION**

The Young Communities Strategy 2024-2028 is an important community informed document that will guide the work with children, young people and families across the municipality and offers a holistic direction for the next four years.

**13.2 COMMUNITY ASSET COMMITTEES - REPORTS**

**Author:** Kaylene Bowker, Executive Assistant

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

- Attachments:**
1. Minutes - Millbrook Community Centre CAC - 31 January 2024 (under separate cover)
  2. Minutes - Lal Lal Soldiers' Memorial Hall CAC - 6 February 2024 (under separate cover)
  3. Minutes - Greendale Recreation Reserves CAC - 18 April 2024 (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
Millbrook Community Centre Community Asset Committee Meeting	31 January 2024
Lal Lal Soldiers’ Memorial Hall Community Asset Committee Meeting	6 February 2024
Greendale Recreation Reserves Community Asset Committee Meeting	18 April 2024

**RECOMMENDATION**

**That Council receives the following Community Asset Committee Minutes:**

1. Millbrook Community Centre CAC Minutes for meeting held on 31 January 2024.
2. Lal Lal Soldiers’ Memorial Hall CAC Minutes for meeting held on 6 February 2024.
3. Greendale Recreation Reserves CAC Minutes for meeting held on 18 April 2024.

**13.3 ADVISORY COMMITTEES OF COUNCIL - REPORTS**

**Author:** Kaylene Bowker, Executive Assistant

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

**Attachments:** 1. Minutes - Moorabool Health and Wellbeing Advisory Committee Meeting - 5 February 2024 (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.

<b>Committee</b>	<b>Meeting Date</b>	<b>Council Representatives</b>
Moorabool Health and Wellbeing Advisory Committee	Monday 5 February 2024	Cr Tonia Dudzik Cr Moira Berry (sub)

**RECOMMENDATION**

**That Council receive and note the following Advisory Committee Minutes:**

- 1. Moorabool Health and Wellbeing Advisory Committee Meeting Minutes for Monday 5 February 2024.**

**14 OTHER REPORTS**

Nil



## 15 NOTICES OF MOTION

### 15.1 NOTICE OF MOTION NO. 320 - PROPOSED SISTER CITY ARRANGEMENT WITH THE COUNCIL OF GHARB, ON THE ISLAND OF GOZO, MALTA

**Attachments:** Nil

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

#### MOTION

**That Council prepares a report investigating the worth of a Sister City arrangement with the Council of Gharb, on the island of Gozo, Malta, which considers:**

- (a) Tourism opportunities**
- (b) Business development**
- (c) Best practice and improvement capability**
- (d) Education, culture and sport**

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#### RATIONALE

Following the invitation for Cr David Apap Agius, the Mayor of Gharb, Island of Gozo, Malta for Bacchus Marsh / MSC to enter into a sister city arrangement, I would like to request a Council report investigating the worth of such an arrangement, and to identify the possible goals and benefits (i.e. what we hope to achieve) from a proposed sister city relationship.

Any sister city relationship would need to expand, strengthen and deliver great benefit to both parties. The Mother Church of Our Lady Ta Pinu Shrine is part of the Council of Gharb in Malta and is replicated in the Marian Ta Pinu Shrine here in Bacchus Marsh, which draws many visitors from Malta, the Maltese community and other communities.

The report could consider:

- Tourism – showcasing not just Marian Ta Pinu Shrine here in Bacchus Marsh, but the wide variety of attractions of the MSC. Cross promoting each other's cities as visitor destinations coupled with exchange of destination marketing expertise and experience to enhance the market intelligence of both cities.
- Business development – supporting initiatives and opening doors. Both Gozo and MSC have very large agricultural sectors. Sister cities provide accelerated access and open doors into key markets. Trade and investment benefits are generated through greater access to, and credibility in, partner markets with a higher degree of access. Sister city programs can connect each city more effectively with buyers and sellers, often at a higher level than would otherwise be possible.

- Best practice and improving capability – the exchange of new ideas and successful experiences with partner cities leading to a more vibrant Local Government Authority. This could allow MSC to learn from some of the successes and initiatives of the Gharb Council and vice versa.
- Education, culture and sport – other possibilities may lie in youth and student exchange programs. The provision of opportunities for students, sporting clubs and community groups to participate in a variety of exchanges and study abroad programmes.

"Sister City" arrangements primarily signify an intent to strengthen and support the other city, and joint ventures aren't agreed to without meaning or reason. Such arrangements (when managed successfully) have proven to encourage business, trade, educational, cultural exchanges and projects between sister cities, which can lead to an influx of business, tourism and trade and more investment in the local economy.

The possibility of such a partnership may be a great opportunity to raise the international profile of the MSC (and vice versa) to showcase our many attractions and achievements.

I note that under the requirements of The Foreign Relations (State and Territory Arrangements) Act 2020 (The Act) requires for all LGA's that have, or are seeking to have, an overseas Sister City or Friendship City arrangement to notify the Minister, from 10 March 2021 onwards, of any proposal to enter into an arrangement with an overseas entity. If that arrangement is then entered into the Minister should be informed of this within 14 days. Notifications should be made through the Foreign Arrangements Scheme Online Portal ([www.foreignarrangements.gov.au](http://www.foreignarrangements.gov.au)). Registration details are on the website, along with some additional useful information and resources.

Options for a mutual level of commitment that can be applied for international and domestic connections, depending on the level of engagement and commitment, may include:

- Memoranda or Letters of Understanding.
- Friendly Co-operative Agreements.
- Alliances.
- Formal Sister City connections.
- Membership of international associations

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.**

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**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 Contract 21-2023/24; Sportsground Maintenance Services**

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 Contract 80-2023/24; Sportsground Mowing Services**

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

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**21 MEETING CLOSURE**