



AGENDA

Ordinary Council Meeting Wednesday, 4 December 2024

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

Date: Wednesday, 4 December 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 4 September 2024

Special Council Meeting - Wednesday 11 September 2024

Special Council Meeting - Wednesday 18 September 2024

Statutory & Annual Appointments Meeting – Monday 18 November 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

9.1 PETITION - REMOVAL OF BUS STOP GUARDRAIL, BLACKWOOD

Author: Heidi Hamilton, Governance Support Officer

Authoriser: Derek Madden, Chief Executive Officer

Attachments: 1. Petition - Removal of Bus Stop Guardrail, Blackwood (under separate cover)

PURPOSE

Council has received a petition containing 43 signatures from the Blackwood Progress Association.

EXECUTIVE SUMMARY

The petition states:

We, the undersigned, petition the council to address the issues of the installation of the guardrail at the bus stop.

The community has long expressed its desire to maintain the iconic view to the west and its resistance to the installation of anything which interrupts the view.

Far from being a safety measure, this rail has attracted children to play on it, risking a fall onto the concrete below.

We request that the rail be removed immediately and alternatives explored in consultation with the community.

RECOMMENDATION

That Council:

1. **Receives the petition containing 43 signatures in relation to removal of a bus stop guardrail in Blackwood.**
 2. **Requests Officers prepare a report for Council's consideration pertaining to the petitioner's request.**
-

10 PRESENTATIONS/DEPUTATIONS

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

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

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

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

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

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

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

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

11 CHIEF EXECUTIVE OFFICER REPORTS

11.1 2017 - 2021 MOORABOOL SHIRE COUNCIL PLAN - OUTSTANDING ACTIONS PROGRESS REPORT Q1 - JULY-SEPTEMBER 2024

Author: Lauren Shea, Organisational Change and Capability Lead

Authoriser: Derek Madden, Chief Executive Officer

Attachments: 1. **Moorabool Shire Council 2017-2021 Outstanding Actions Report Progress Report September 2024 (under separate cover)**

PURPOSE

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

EXECUTIVE SUMMARY

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

RECOMMENDATION

That Council receives the 2017-2021 Moorabool Shire Council Plan – Outstanding Actions Progress Report – Q1 – July-September 2024, including Attachment 1 to this report.

BACKGROUND

Of the strategic actions identified for completion in the final year of the 2017-2021 Moorabool Shire Council Plan, 10 were incomplete as of 30 June 2021 and were not captured in Council's 2021-2025 Council Plan.

As of Q1 2024-2025, 8 actions are completed, and 2 are incomplete. Accordingly, quarterly reporting will continue for these outstanding Council Plan actions until all actions are completed.

PROPOSAL

As of 30 June 2021, there were 10 actions outstanding from the 2017-2021 Council Plan. As of 8 October 2024, 2 of these actions remain incomplete. Both actions have reached between 60% and 90% of their target.

The progress report, including details against each of these outstanding actions, is provided in Attachment 1.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

The proposal to receive the 2017-2021 Moorabool Shire Council Plan – Outstanding Actions Progress Report Q1 July-September 2024 is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

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

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

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

COMMUNICATIONS & CONSULTATION STRATEGY

Specific projects are subject of their own communications strategy.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

Executive Manager – Joshua Warner

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

Author – Kirstin Goldsworthy

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

CONCLUSION

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

Of the 10 outstanding strategic actions, 8 are now complete and two remain in progress. These actions will continue to be reported on until all have reached completion.

11.2 2021-2025 MOORABOOL SHIRE COUNCIL PLAN - PROGRESS REPORT - Q1 JULY-SEPTEMBER 2024

Author: Lauren Shea, Organisational Change and Capability Lead

Authoriser: Derek Madden, Chief Executive Officer

Attachments: 1. **2021-2025 Moorabool Shire Council Progress Report - Q1 July - September 2024 (under separate cover)**

PURPOSE

The 2021-2025 Moorabool Shire Council Plan sits within the Council's planning framework and identifies the main priorities and expectations over a four-year period.

This report provides an update on the status of Council Plan actions for Quarter 1 – July-September 2024.

EXECUTIVE SUMMARY

- There are 37 actions identified in the Council Plan to be achieved in Year 4, including 21 actions carried forward from Year 3.
- Four Council Plan actions for this period have been completed as of 8 October 2024.
- As of 8 October 2024, of the 37 Council Plan actions for 2024/25, reporting for this period indicates:
 - 27 actions (73%) have reached 90% or greater of their target for the period and therefore show as 'on track' (green). Four of these actions are complete.
 - Five actions (13.5%) are between 60% and 90% of its target, therefore requiring monitoring (yellow).
 - Five actions (13.5%) have achieved less than 60% of its target, therefore showing as 'off track' (red).

RECOMMENDATION

That Council receives the 2021-2025 Moorabool Shire Council Plan – Progress Report Q1 – July-September 2024, including attachment 1 of this report.

BACKGROUND

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

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

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

The annual and quarterly performance reporting allows Council to effectively measure, monitor, review and report on its performance while providing open and transparent reporting to the community. This report presents the progress performance against the actions set for the FY 2024/25.

The Year 3 Council Plan Progress Report identified 21 actions that were not completed by 30 June 2024, these have now all been extended to be due by 30 June 2025.

PROPOSAL

The 2021-2025 Moorabool Shire Council Plan – Progress Report Q1 – July-September 2024 is provided as Attachment 1 to this report.

There are 37 actions identified in the Council Plan to be achieved in Year 4. Key targets or milestones have been reviewed and set by managers to reflect the expected progress throughout the year.

Of the 37 actions identified to be achieved in Year 4, reporting for this period indicates that four actions have been completed. These actions are listed below.

- Seek funding for Stage 3 BMRRR.
- Implement the Visitor Economy Strategy Action Plan.
- Consult and complete Rural Land Use Strategy.
- Consult and completed Bacchus Marsh Town Centre Structure Plan.

Furthermore, as of 8 October 2024, 73% of actions show as on track against their targets.

The following table summarises the status of the actions under each strategic objective set to be achieved by 30 June 2025:

Strategic Objective	Completed	On track	Off track	Monitor	Total
Healthy, inclusive and connected neighbourhood.	1	10	2	1	14
Liveable and thriving environments.	3	7	3	4	17
A Council that listens and adapts to the needs of its evolving communities.	0	6	0	0	6
Totals	4	23	5	5	37

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

FINANCIAL IMPLICATIONS

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

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

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

COMMUNICATIONS & CONSULTATION STRATEGY

The progress comments and performance status of each action will be uploaded onto the online Council Performance Dashboard in October 2024. Community members can access the dashboard to view the performance of each of the Council Plan Priorities.

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

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

Executive Manager – Joshua Warner

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

Author – Kirstin Goldsworthy

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

CONCLUSION

There are 37 actions being reported on for Year 4, including 21 actions carried forward from Year 3. As of 8 October 2024, 4 actions have been completed for this period. Overall, 73% of actions show as on track against targets, 13.5% of actions require monitoring and 13.5% have achieved less than 60% of its target and therefore are showing as 'off track.'

11.3 COUNCIL APPOINTMENTS TO ADVISORY COMMITTEES OF COUNCIL

Author: Dianne Elshaug, Co-ordinator CEOs Office

Authoriser: Derek Madden, Chief Executive Officer

Attachments: Nil

PURPOSE

The purpose of this report is to allow Council to formally elect representatives to Advisory Committees for the 2025 year.

EXECUTIVE SUMMARY

The appointment of Councillors as representatives on advisory committees plays an integral part in Councillors exercising their representation and advocacy responsibilities on behalf of the Moorabool community.

RECOMMENDATION

That Council:

- 1. Appoints representatives to the following Advisory Committees of the Council to assist the Council in performing its functions and duties in the manner as currently prescribed and as provided for in the terms of reference authorised by Council:**
 - a) Audit and Risk Advisory Committee**
Cr Berry, Cr Tatchell, Cr Ward (sub)
 - b) Australia Day Award Selection Panel**
Mayor, Cr Berry, Cr Munari
 - c) Disability Access & Inclusion Advisory Committee**
Cr Tatchell, Cr Berry (sub)
 - d) Economic Development Taskforce Advisory Committee**
All Councillors, CEO, GMs
 - e) Heritage Advisory Committee**
Cr Ward, Cr Keogh (sub)
 - f) Local Business Advisory Committee**
Cr Tatchell, Cr Ward (sub)
 - g) Maddingley Park Advisory Committee**
Cr Venditti-Taylor, Cr Berry (sub)

- h) Moorabool Environment & Sustainability Advisory Committee**
Cr Keogh, Cr Berry (sub)
 - i) Moorabool Health and Wellbeing Advisory Committee**
Cr Freeman, Cr Berry (sub)
 - j) Positive Ageing Advisory Committee**
Cr Freeman, Cr Tatchell (sub)
 - k) Public Art and Collections Advisory Committee**
Cr Munari, Cr Berry (sub)
- 2. Notes the closure of the Bacchus Marsh Racecourse & Recreation Reserve Advisory Committee.**
 - 3. Notes the transition of the Bacchus Marsh & District Trails Advisory Committee and the Lal Lal Falls Reserve Advisory Committee to Working Groups.**
 - 4. Notifies the Committees of the appointment arrangements and requests meeting schedules for 2025.**
-

BACKGROUND

Council has the ability to create a committee by resolution as an Advisory Committee. These types of Committees have no specific 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 provides substantial expertise to Council's planning by way of advisory recommendations.

The performance of specified statutory obligations of the Council are not placed upon these Committees. However, Council has the legislative ability to delegate authority and amend the operations and/or charter of individual Committees should circumstance warrant.

PROPOSAL

The following Advisory Committees have been established by Council.

1. Audit and Risk Committee

The *Local Government Act 2020* provides for Council to establish an Audit and Risk Committee.

The purpose of the Audit and Risk Committee is to support Council by providing oversight of its financial and performance reporting, risk management, fraud prevention systems and control, internal control environment, internal and external audit and Council's performance with regard to compliance with its policies and legislative and regulatory requirements.

2. Australia Day Award Selection Panel

Each year Moorabool Shire Council hosts Australia Day Awards in recognition of individuals and community groups who have made an outstanding contribution to Moorabool Shire, or given outstanding service to the local community. The purpose of the Australia Day Award Selection Panel is to determine the annual award recipients for Australia Day; the panel meets once per year (usually in late November of each year) to consider nominations and to form recommendations for Council endorsement (usually in December of each year).

As the Awards include a Mayoral Award it is recommended that the Mayor be an appointed panel member.

3. Bacchus Marsh District Trails Advisory Committee – transition to a working group

A review was undertaken of the governance arrangements for the Bacchus Marsh District Tracks and Trails Committee in late 2023, which found that the Committee was running without a Terms of Reference and no real governance structure. With no Terms of Reference in place, Council's standard Terms of Reference template was provided to the Committee. A meeting was held in August 2023 and March 2024 to discuss the Committee putting in place a Terms of Reference and appropriate governance structure. At the meeting held in March 2024, Council and the committee members discussed the ToR, and the Committee's reluctance to formalise their committee to a structured Advisory Committee of Council, with the relevant governance arrangements in place. It is recommended that the Bacchus Marsh District Trails and Advisory Committee be transitioned to a Working Group, which will allow the group to continue to operate in their current format and have an elected member attend their meetings if required

4. Bacchus Marsh Racecourse & Recreation Reserve Advisory Committee – recommend closure of Advisory Committee

The Bacchus Marsh Racecourse & Recreation Reserve Advisory Committee was originally created to support the implementation of the masterplan. The site has now delivered three grass playing surfaces (supporting AFL, cricket and soccer); four hard court surfaces enabling netball and tennis; BMX track; equestrian facilities; cricket training facilities; football play area and an all abilities play space. With the Community and Multi-sports Hub and dog park the next two remaining key items to be delivered, it is recommended that the Advisory Committee cease as Council continues to work individually with each user group ensuring that their needs are being met. Discussions have been held with a number of groups at the BMRRR who are supportive of this approach.

5. Disability Access & Inclusion Advisory Committee

This Committee was established in 2021 to monitor the implementation and review of the Disability Access and Inclusion Plan, provide advice to Council on key policy issues that relate to Disability, Access and Inclusion and enable greater communication between the community and Council.

6. Economic Development Taskforce Advisory Committee

The Economic Development Taskforce Advisory Committee was established in April 2018. The role of the Committee is to provide an oversight of economic development objectives and to provide advice on the development, promotion and implementation of strategies and initiatives. This includes the identification and development of investment opportunities. All Councillors are representatives on this Committee.

7. Heritage Advisory Committee

The Heritage Advisory Committee was established to advise Council on the conservation, promotion and education of heritage matters within the Shire.

8. Lal Lal Falls Reserve Advisory Committee of Management – transition to a working group

A review was undertaken of the governance arrangements for the Lal Lal Falls Reserve Advisory Committee in late 2023, which found that the Committee was running without a Terms of Reference and no real governance structure. With no Terms of Reference in place, Council's standard ToR template was provided to the Committee. A meeting was held in August 2023 between Council and the Committee to discuss the Committee putting in place a Terms of Reference and appropriate governance structure. At the meeting the Committee Chair confirmed that the group did not want to use the Terms of Reference as supplied by Council. Given this discussion and the reluctance of the Committee to formalise their arrangements to an Advisory Committee of Council with appropriate governance arrangements in place, it is recommended that the Lal Lal Falls Reserve Advisory Committee be transitioned to a Working Group, which will allow the group to continue to operate in their current format and have an elected member attend their meetings if required.

9. Local Business Advisory Committee

The purpose of the Local Business Advisory Committee is to provide advice to Council in relation to the growth of the Moorabool Shire economy and the generation of local employment opportunities through increased levels of investment and business development.

10. Maddingley Park Advisory Committee

This Advisory Committee was established to advise Council on matters pertaining to the usage, operations, maintenance and development of Maddingley Park and its associated facilities.

11. Moorabool Environment & Sustainability Advisory Committee

The Moorabool Environment & Sustainability Advisory Committee comprises members of the community with land care experience or interest to advise Council on matters of land care policy, planning and development.

12. Moorabool Health and Wellbeing Advisory Committee

The Moorabool Health and Wellbeing Advisory Committee comprises community members to assist in the development of Council's Health and Wellbeing Strategy and Plan. The current partners are endorsed for the life of the current plan:

- Department of Families, Fairness and Housing
- Department of Justice and Community Safety
- Grampians Public Health Unit
- Western Health
- Mecwacare
- Women's Health Grampians
- Sports Central

13. Positive Ageing Advisory Committee

This Committee provides an opportunity for informed discussion on issues impacting upon older members of the Shire and increases community awareness of the particular needs and aspirations of older members of the community through collaboration and consultation.

14. Public Art & Collections Advisory Committee

This Committee was established in 2022 and guides the provision, commissioning, maintenance and deaccessioning (removal) of public art within the Shire and guides Council's engagement with third parties who may wish to collaborate on provision of public art on Council land and in open public spaces.

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 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 as a result of presenting this report.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no identified Risks or OH&S implications as a result of presenting this report.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

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

It is considered that, in the interest of the whole community, the appointment of Councillors to Advisory Committees will ensure a co-ordinated focus on high level strategic projects, decision making and proposed initiatives.

11.4 COUNCIL APPOINTMENTS TO COMMUNITY ASSET COMMITTEES

Author: Dianne Elshaug, Co-ordinator CEOs Office

Authoriser: Derek Madden, Chief Executive Officer

Attachments: Nil

PURPOSE

Community Asset Committees (CACs) are appointed to align with a four-year Council term, as such the period of appointment for the current CACs will conclude with the current term of Council.

Community Asset Committees will be reviewed for reappointment within six (6) months of the commencement of each Council term. To do so, Council will undertake an expression of interest process calling for community members as part of the reappointment of the Community Asset Committee. Whilst this occurs, it is proposed that current CAC Committee members remain in place.

The purpose of this report is to extend the current term of Councillor representatives and committee members to Council's Community Asset Committees (CACs) whilst recruitment occurs for the new four-year CAC term.

EXECUTIVE SUMMARY

- Community Asset Committees support the operation of Council, assist with Council's decision-making processes, expand stakeholder and community engagement and provide a framework for Council to receive community feedback and external advice.
- This report recommends the appointment of Councillor representatives to the Blacksmiths Cottage & Forge Community Asset Committee, the Bacchus Marsh Public Hall Community Asset Committee and the appointment of community members to all Community Asset Committees as indicated below.

RECOMMENDATION

1. That Council, pursuant to section 65 of the *Local Government Act 2020*, retains the following Community Asset Committees to assist the Council in performing its functions and duties in the manner as currently prescribed in the Instruments of Delegation approved by the Chief Executive Officer, and appoints the following Councillor representatives and community members to the Community Asset Committees as set out below, for a period sufficient to undertake an Expression of Interest process to appoint new Community Asset Committees for the new Council term:
 - a. Blacksmiths' Cottage and Forge – Cr Keogh, Cr Berry (sub)
Committee Members Allan Comrie, Simon Fisher, Chrissy Stancliffe, Geoff Stancliffe, Lynette Egan, Heather Robson, Jenny Arrowsmith, Sharon Dickman
 - b. Bacchus Marsh Public Hall Community Asset Committee – Cr Bingham
Keith Currie, Eric Daws, John Faulkner, Gary John Treloar, Carol Young, Anita Jennison

- c. **Dunnstown Recreation Reserve – Committee Members Jaye Cahir, Sam Leneghan, Chris Leonard, Kellie Leonard, Greg Murphy, Joel Murphy, Shane Murphy, Fran Peterkin, Barry Sheehan, Trish White**
 - d. **Elaine Recreation Reserve – Committee Members Dianne Cook, Joanna Adcock, Stephen Ford, Karen Hinkley, Tom Hinkley, Chris Guidotti**
 - e. **Gordon Public Hall – Committee Members Beryl Forster, Frank Higgins, Kate Galloway, Lin Lawson, Sandra Baker, Sandra Jarrett, Stephen Derrick, Yvonne Blair Thompson**
 - f. **Greendale Recreation Reserve – Committee Members Sarah Duncanson, Nick Myrianthis, Eddie Salwe, John Speed, Paul Higgins**
 - g. **Lal Lal Soldiers Memorial Hall – Committee Members Ann Crick, John Crick, Graeme Diamond-Keith, Engels Leoncini, Peter Witherspoon, Susanne Witherspoon**
 - h. **Millbrook Community Centre – Community Members Amanda Labbett, Mark Labbett, Georgina Reynolds, Luke Reynolds, Andrea Weigall, Mark Weigall, Patrick Ryan**
 - i. **Navigators Community Centre – Community Members Wayne Austin, Ole Kelderman, Rick Stephens**
 - j. **Wallace Public Hall – Community Members Josie Donegan, Leanne O’Neil, Darren Quinlan, Alan Tiley, Karen Tiley**
 - k. **Wallace Recreation Reserve – Community Members Jason Carey, Maurice Mahar, Paul Mahar, Leanne O’Neill, Jacob White, Kenneth Williams, Shaun Kennedy, Tegan Button**
2. **Notifies each Community Asset Committee of the respective appointments and requests meeting schedules for 2025.**
 3. **Authorises the Chief Executive Officer to approve the appointment of new members to the Community Asset Committees where extraordinary vacancies and new nominations occur throughout the year.**

BACKGROUND

The Community Asset Committees are established in accordance with section 65 of the *Local Government Act 2020* (the Act) to manage Council assets.

These committees assist Council by executing specific functions or duties in accordance with their Instrument of Delegation. Under that Act the Chief Executive Officer may delegate to the

committees such functions and powers of the Council that are deemed appropriate for the management and operations of a community asset in the municipal district.

PROPOSAL

The Community Asset Committees act as an agent of Council (not as an independent entity) in managing the Council assets entrusted in the Committee's care by:

- Undertaking the management of the facilities on Council's behalf;
- Undertaking improvements to the facilities subject to the Council's approval;
- Ensuring the facilities are available for public use;
- Collecting rentals and charges from the users of the facilities for casual hire;
- Expending funds on maintaining and improving the facilities for the better use and enjoyment by the community and public; and
- Consulting and collaborating with Council on all major works and capital works development to ensure compliance with legislative requirements.

Therefore it is appropriate to appoint Councillor representatives and nominated community members to the Community Asset Committees.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

Strategic Objective 1: Healthy, inclusive and connected neighbourhoods

Priority 1.3: Facilitate opportunities for the community to gather and celebrate

The proposal 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 as a result of presenting this report.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no identified Risks or OH&S implications as a result of presenting this report.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

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

The appointment of Councillor Representatives and community members to the Community Asset Committees ensures that Council's facilities such as its community halls and reserves are being managed in the best interests of the entire Moorabool community.

11.5 COUNCIL APPOINTMENTS TO WORKING GROUPS AND INDUSTRY BODIES

Author: Dianne Elshaug, Co-ordinator CEOs Office

Authoriser: Derek Madden, Chief Executive Officer

Attachments: Nil

PURPOSE

The purpose of this report is to allow Council to formally elect representatives to Working Groups and Industry Bodies for the 2025 year.

EXECUTIVE SUMMARY

The appointment of Councillors as representatives on Working Groups and Industry Bodies plays an integral part in Councillors exercising their representation and advocacy responsibilities on behalf of the Moorabool community.

RECOMMENDATION

That Council:

- 1. Endorses its participation on the following Working Groups and Industry Bodies and appoints its representatives for 2025 as follows:**
 - a) Australian Local Government Women's Association (ALGWA)**
No representative is required
 - b) Bacchus Marsh Aerodrome Management Committee**
Cr Ward, Cr Tatchell (sub) and Executive Manager Community Planning & Development
 - c) Bacchus Marsh District Trails Working Group**
Cr Berry, Cr Venditti-Taylor (sub)
 - d) Central Highlands Community Road Safety Council**
General Manager Community Assets and Infrastructure
 - e) Greater Ballarat Alliance of Councils**
Mayor and Chief Executive Officer
 - f) Grow West Implementation Committee**
Cr Keogh, Cr Berry (sub) and Manager Environment & Waste
 - g) Lal Lal Falls Reserve Working Group**
Cr Sullivan, Cr Munari (sub) and Manager Environment & Waste

- h) Municipal Association of Victoria**
Cr Sullivan, Cr Venditti-Taylor (sub)
 - i) Municipal Emergency Management Planning Committee (MEMPC)**
Cr Bingham, Cr Tatchell (sub)
 - j) National Timber Councils Taskforce**
Cr Sullivan
 - k) Peri Urban Group of Rural Councils**
Cr Berry, Cr Bingham (sub), Chief Executive Officer and Executive Manager Community Planning and Development
 - l) Rural Councils Victoria**
Mayor
 - m) Timber Towns Victoria**
Cr Sullivan
 - n) Victorian Local Governance Association (VLGA)**
Mayor
 - o) Western Highway Action Committee**
Cr Ward, Cr Venditti-Taylor (sub) and General Manager Community Assets and Infrastructure
- 2. That Council notify these Working Groups and Industry Bodies of the reappointment arrangements and requests meeting schedules for 2025.**
-

BACKGROUND

In order for Moorabool Shire Council to pursue its role of advocacy and represent the interests of the community, Council seeks to be represented on a variety of committees and organisations which are established not only within Moorabool Shire, but more broadly within the region and also within industry representative associations. Involvement in these areas provides the Council with a broader perspective in undertaking its policy deliberation role.

COUNCIL PLAN

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 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 as a result of presenting this report.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no identified Risks or OH&S implications as a result of presenting this report.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

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

It is considered that in the interest of the whole community, the appointment of Councillors to workings groups and industry bodies will ensure a co-ordinated focus on high level strategic projects, decision making and proposed initiatives.

12 COMMUNITY STRENGTHENING REPORTS

12.1 COMMUNITY ASSET COMMITTEES - REPORTS

Author: Kaylene Bowker, Executive Assistant

Authoriser: Leigh McCallum, General Manager Community Strengthening

Attachments:

1. Minutes - Blacksmith's Cottage & Forge CAC - 26 March 2024 (under separate cover)
2. Minutes - Bacchus Marsh Public Hall CAC - 24 June 2024 (under separate cover)

BACKGROUND

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
Blacksmith's Cottage & Forge Community Asset Committee Meeting	26 March 2024
Bacchus Marsh Public Hall Community Asset Committee Meeting	24 June 2024

RECOMMENDATION

That Council receives the following Community Asset Committee Minutes:

1. Blacksmith's Cottage & Forge CAC Minutes for meeting held on 26 March 2024.
2. Bacchus Marsh Public Hall CAC Minutes for meeting held on 24 June 2024.

12.2 MOORABOOL HEALTH AND WELLBEING PLAN 2021-2025 YEAR 3 REPORT**Author:** Nichole Knight, Health Promotion and Gender Equality Officer**Authoriser:** Leigh McCallum, General Manager Community Strengthening**Attachments:** 1. **Health and Wellbeing Plan 2021-2025 Action Report - Year Three (under separate cover)****PURPOSE**

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

EXECUTIVE SUMMARY

The Moorabool Health and Wellbeing Plan 2021-2025 included a total of 67 actions for completion in the third year. Two additional actions were included as roll over actions from year two of the Plan.

65 year three actions and two roll over actions from year two have been completed. Two year three actions are in progress and are recommended to be carried forward to year four.

RECOMMENDATION

That Council adopts the Year Three Progress Report for the Moorabool Health and Wellbeing Plan 2021-2025, inclusive of the attached Year Three action summary.

BACKGROUND

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

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

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

- Review of Council's Health and Wellbeing Committee meetings for the past 12 months
- Review of the third year action plan
- Review of family violence actions
- Review of our health data profile to ensure data is relevant and current

- Analysis of the Department of Health annual review guidelines

The Outcomes of the third year of the Health and Wellbeing Plan 2021-2025 are as follows:

Total Year Three Actions	67
Year Three actions completed	65
Total Year Two roll over actions completed	2
Actions not started from Year Three to be carried over to Year Four	2

A full overview of the status of Year Three actions is included as Attachment 1 – Health and Wellbeing Plan 2021-2025 Action Report – Year Three. The following is an overview of some key highlights achieved in each theme.

In the “Being Active” theme: seven rounds of the Kids Get Active Voucher program were promoted, providing \$200 per eligible child to pay for fees and other costs to support access to local sports. The most recent round in the past 12 months brings the total number of Moorabool children who have accessed vouchers to 1,575 (\$315,000 in vouchers).

The Active Victoria website was audited for Moorabool locations for walking. Additional walks were submitted to Active Victoria, including the 1000+ steps, the Telford Park All Abilities Sculpture Trail, Avenue Walk and Peppertree Park Walk. The website was promoted during April through Council’s social media. The post reached 1,910 people, with 2,000 screen views, eight comments and 18 clicks on the link to the website.

In the “Food We Eat” theme: the new MARC Stadium in Maddingley has officially opened, with three water refill stations available at the site. The new Bacchus Marsh Racecourse and Recreation Reserve All Abilities Playground has five drinking fountains and one is planned to be installed along the Aqualink in Darley.

Pricing, signage and drink options at Bacchus Marsh and Ballan Pools were reviewed. Fridge advertising was changed from sports drinks to water. Soft drinks containing sugar have been replaced with no sugar alternatives. Water is priced below the price of other drink options.

In the “Keeping Ourselves Safe” theme: the #StandWithUs day was held during the 16 Days of Activism against gender-based violence. The event demonstrated staff commitment to providing a workplace free of sexual harassment. Over 100 leaders and employees participated.

Park upgrade planning has considered line of sight, lighting and opportunities for increased or improved passive surveillance. Improvements have been identified through project working groups, community consultation and gender impact assessments. Crime prevention through environmental design (CPTED) principles are being used to inform this process.

In the “Liveability” theme: Council has three branded electric car pool vehicles (EV’s), with two located in Darley and one located in Ballan which are being accessed by staff on a regular basis.

The Moorabool Vehicle Framework was circulated to staff in November. Council is providing tax advantages for new or electric vehicles as part of staff car lease arrangements. Two employees have accessed EV’s via the framework.

Throughout Autumn the Environment and Waste team held five community events across several localities, where residents could choose from a variety of plant species that are adapted to Moorabool Shire’s climate and soil conditions and require less water and maintenance than exotic plants. In total 4,900 plants were provided to residents.

In the “Mental Health” theme: a postcard to promote the Moorabool Shire Council Community Directory was developed. The card is distributed to community groups and community members to inform them about the directory to increase social connection and volunteering. Community Groups have been invited to create their own accounts to manage their group’s information in the directory which has markedly increased the number of groups listed.

A new program called English Conversation Club has begun at the Lerderderg Library, facilitated by a volunteer, to support our growing culturally and linguistically diverse community.

In the “Reducing Harmful Addictions” theme: a Smoke and Vape Free Workplace Policy was endorsed in September and is applicable to all Council sites. The Policy reinforces current legislation and aims to create healthy and safe workplaces by minimising passive exposure to tobacco smoke and e-cigarette vapor while at Council workplaces.

Two Responsible Service of Alcohol (RSA) training sessions were provided for local sports clubs through VicHealth Alcohol Harm Prevention funding received by Council. 56 participants from 17 clubs and four community groups across Moorabool received RSA training.

The following actions from Year Two of the plan were rolled over and are now completed:

- Delivery of Youth Mental Health First Aid Training
- Update landscaping guidelines to ensure streetscapes and private developments respond to climate issues – more trees, appropriate species and Water Sensitive Urban Design

The following actions from Year Three are in progress and are recommended to be carried forward to Year Four for action:

- Provide quick response Youth Grant rounds to community groups and organisations to increase community driven social connections for young people
- Develop a planning policy related to applications for gaming venues

PROPOSAL

It is proposed that Council adopt the annual review report of the Third Year of the Moorabool Health and Wellbeing Plan 2021-2025.

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

FINANCIAL IMPLICATIONS

There are no financial implications.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Council reputation or penalty	Non-compliance with reporting requirements	Medium	Adherence to reporting requirements and timeframes Approval obtained for submission following Council Caretaker period

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Inform	Executive Councillors	Briefings OMC	Various	October – December 2024	Provide report on Year Three actions
Inform	Department of Health	Year Three report submitted	Online	December 2024	Provide report on Year Three actions

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 – Nichole Knight

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

CONCLUSION

The review of the Health and Wellbeing Plan 2021-2025 has determined that of the 67 actions scheduled for completion in Year Three, 65 have been completed. In addition, two roll over actions from Year Two have been completed. Two actions from Year Three are recommended to be carried forward for completion in Year Four. It is recommended that Council adopt the annual review report of the Third Year of the Moorabool Health and Wellbeing Plan 2021-2025.

12.3 ADVISORY COMMITTEES OF COUNCIL - REPORTS

Author: Kaylene Bowker, Executive Assistant

Authoriser: Leigh McCallum, General Manager Community Strengthening

- Attachments:**
1. Minutes - Maddingley Park Advisory Committee Meeting - 3 June 2024 (under separate cover)
 2. Minutes - Maddingley Park Advisory Committee Meeting - 5 August 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.

Committee	Meeting Date	Council Representatives
Maddingley Park Advisory Committee	Monday 3 June 2024	Cr Rod Ward
	Monday 5 August 2024	Cr Moira Berry (sub)

RECOMMENDATION

That Council receives and notes the following Advisory Committee Minutes:

1. Maddingley Park Advisory Committee Meeting Minutes for Monday 3 June 2024 and Monday 5 August 2024.

13 CUSTOMER AND CORPORATE SERVICES REPORTS

13.1 2023/24 MOORABOOL SHIRE COUNCIL ANNUAL REPORT

Author: Leanne Manton, Manager Customer and Communications

Authoriser: David Jackson, General Manager Customer & Corporate Services

Attachments: 1. Annual Report 2023/24 (under separate cover)

PURPOSE

The purpose of this report is to present the Annual Report to Council.

EXECUTIVE SUMMARY

- Under the *Local Government Act 2020*, Council is required to prepare an Annual Report.
- Council is required to hold a meeting to consider the report.

RECOMMENDATION

That Council receives the 2023/24 Annual Report in accordance with section 98 of the *Local Government Act 2020*.

BACKGROUND

Under Section 98 of the *Local Government Act 2020*, Council is required to prepare an Annual Report which must be received at a meeting of Council that is open to the public.

PROPOSAL

In accordance with requirements of the *Local Government Act 2020*, the 2023/24 Annual Report is being presented to Council to consider and receive the report.

Hard copies of the Annual Report will be available at Council offices for inspection and can be supplied upon request. The public will be able to download a copy of the Annual Report from the Council website.

The Annual Report distributed with this Agenda has been produced to meet the requirements of the *Local Government Act 2020*.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

Strategic Objective 3: A Council that listens and adapts to the needs of our evolving communities
Priority 3.4: Measure performance, communicate our results and continue to improve our services every day

The proposal to consider the 2023/24 Annual Report is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this report.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no risk or occupational health and safety issues to consider in relation to this report.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Inform	Community	Newspaper advertising/website	Various	November	Community is aware that the Annual Report is being presented to Council.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER’S DECLARATION OF CONFLICT OF INTERESTS

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

General Manager – David Jackson

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

Author – Leanne Manton

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

CONCLUSION

Subject to Council receiving the 2023/24 Annual Report and subject to the recommended inclusions, it will be made a public document on our website and can either be distributed to stakeholders or made available for inspection on request. In line with *Local Government Act 2020* requirements, we ask Council to receive the 2023/24 Annual Report.

13.2 SEPTEMBER 2024 QUARTERLY FINANCIAL REPORT**Author:** Aaron Light, Senior Accountant**Authoriser:** David Jackson, General Manager Customer & Corporate Services**Attachments:** 1. September 2024 Quarterly Financial Report (under separate cover)**PURPOSE**

The purpose of this report is to inform Council of the financial performance for the period ending 30 September 2024, in accordance with Section 97 of the *Local Government Act 2020*.

EXECUTIVE SUMMARY

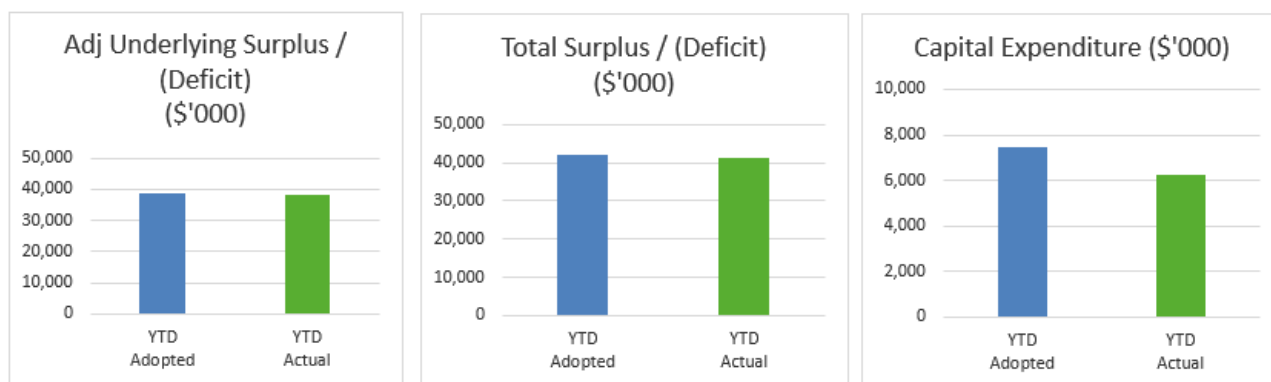
- This Quarterly Report provided in Attachment 1 outlines the year-to-date financial position of Council for the period from 1 July 2024 to 30 September 2024. It also contains a comparison between the adopted budget and the year-end forecast.
- The Income Statement reports the year to date adjusted underlying result is a surplus of \$38.235 million that is \$0.448 million unfavourable when compared to budget. The adjusted underlying result extracts the impact of the non-recurrent capital income items, including one-off capital grants, donated assets from subdivisions, and developer contributions.
- The Statement of Capital Works reports year to date expenditure of \$6.239 million that is \$1.235 million less than budget. The variance primarily relates to the timing of contract payments, and the deferral of some projects.
- Council's cash balance as at 30 September 2024 is \$25.299 million.
- Council's overall financial position at the end of September 2024 is considered sound and continues to be closely monitored to ensure the achievement of budgeted outcomes.

RECOMMENDATION

That Council receives the Quarterly Financial Report – September 2024, provided as Attachment 1 to this report.

BACKGROUND

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



	Year to Date				Annual			
	YTD Adopted \$'000	YTD Actual \$'000	Variance		Adopted Budget \$'000	Forecast \$'000	Variance	
			\$'000	%			\$'000	%
Operating Income	56,068	55,894	(174)	0%	66,125	68,134	2,009	3%
Operating Expenses	17,386	17,659	(273)	-2%	67,668	69,244	(1,576)	-2%
Adj Underlying Surplus / (Deficit)	38,682	38,235	(447)	-1%	(1,543)	(1,110)	433	-28%
Capital / Non-recurrent income	3,479	3,125	(354)	-10%	11,595	22,830	11,235	97%
Total Surplus / (Deficit)	42,162	41,359	(803)	-2%	10,051	21,719	11,668	116%
Capital Expenditure	7,474	6,239	(1,235)	-17%	46,485	38,158	(8,327)	-18%

Income Statement

The main changes within the Income Statement are as follows:

- Year to Date Operating Income - \$0.174 million unfavourable
 - Unfavourable in “User fees” (\$0.091m). This is mainly due to the timing of income received for Subdivisions, and Animal Registrations.
- Year to Date Operating Expenses - \$0.273 million unfavourable
 - Unfavourable in “Employee costs” (\$0.242m). This is due to an increase in Leave Provisions. This is expected to remain on budget at year end.

The main forecast adjustments relate to the impact of grant funded projects being carried over from previous financial years.

Balance Sheet and Cashflow Statement

The Balance Sheet reflects Council’s financial position as at 30 September 2024 and is prepared in accordance with the Australia Accounting Standards. The Cashflow Statement captures Council’s cash movement for the period.

Council is showing a cash position of \$25.299 million, which is \$0.787 million less than the same time last year.

At the end of September, Council’s Balance Sheet continues to show a strong net position. This is represented by \$934.102 million of assets which is largely made up of Council Property, Infrastructure, Plant and Equipment. Council’s total liabilities are \$59.436 million, which results in net assets of \$874.667 million.

Capital Improvement Program (CIP)

Total capital expenditure at the end of September 2024 is \$6.239 million, which is \$1.235 million less than the year-to-date budget. This is mainly due to timing variances with contract payments.

There are also a number of projects that will be incomplete at year end and will be carried over to next financial year. These include Bacchus Marsh Racecourse & Recreation Reserve Pavilion, Ballan Library, and Woolpack Road Bridge.

PROPOSAL

That Council receives the Quarterly Report – September 2024.

COUNCIL PLAN

The Council Plan 2021 - 2025 provides as follows:

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

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

The proposal to adopt the Quarterly Report – September 2024 is consistent with the Council Plan 2021 - 2025.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no identified risks associated with this process.

COMMUNICATIONS & CONSULTATION STRATEGY

To Council, through the Ordinary Meeting of Council on 4 December 2024 and to the Audit and Risk Advisory Committee meeting on 11 December 2024.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

General Manager – David Jackson

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

Coordinator Financial Services - James Hogan

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

CONCLUSION

That Council's overall financial position at the end of September 2024 is considered sound and Council notes the September Quarterly Report.

14 COMMUNITY ASSETS & INFRASTRUCTURE REPORTS

14.1 CAPITAL IMPROVEMENT PROGRAM - QUARTERLY REPORT SEPTEMBER 2024

Author: Ewen Nevett, Manager Engineering Services

Authoriser: Phil Jeffrey, General Manager Community Assets & Infrastructure

Attachments: 1. CIP Project Status Summary - September 2024 (under separate cover)

PURPOSE

To provide Council with an overview of the progress of Council's 2024-2025 Capital Improvement Program to 30 September 2024

EXECUTIVE SUMMARY

The 2024-2025 Capital Improvement Program (CIP) consists of 60 projects reported to Council with the delivery principally managed by two Services Units, Engineering Services (33 projects) and Major Projects (21 projects). Six projects are managed by other Service Units.

Delivery of the 2024-2025 CIP is on schedule with 10.0% of projects already completed and a further 56.7% of the projects either underway, soon to commence, or soon to be awarded

RECOMMENDATION

That Council resolves to receive the Capital Improvement Program Quarterly Report to 30 September 2024.

BACKGROUND

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

PROPOSAL

This quarterly report provides Council with an overview of the progress of Council's 2024-2025 Capital Improvement Program to 30 September 2024.

Implementation of the 2024/2025 Capital Improvement Program

The 2024-2025 CIP currently consists of 60 projects reported to Council. This number may be adjusted throughout the year as other projects become active. One project (Carberry Drive Reserve Hopetoun Park) has already been added via a specific grant, totalling \$50,000, while an additional \$303,000 in Grant funding has been received for Projects already included in the adopted 2024-2025 Budget.

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

- Projects carried forward from 2023-2024 program
- 2024-2025 Council funded projects
- Grant funded projects

The Community Assets & Infrastructure Directorate nominates 6 key stages of the project delivery process and will report with reference to these stages in regard to the overall program status.

The table below summarises the overall program status at 30 September 2024.

CIP Program Delivery Stage	Actual as of 30 September 2024				
	No. of Projects				%
	Capital Works	Major Projects	Other	Total	
Not Commenced - inactive/“On Hold”	1	2	1	4	7
Not Commenced	0	1	0	1	2
Documentation/Design Preparation	7	7	1	15	25
Tender/Quote Stage	7	0	3	10	16
Project Awarded – Waiting Commencement	9	0	0	9	15
In Progress/Under Construction	5	9	1	15	25
Complete	4	2	0	6	10
TOTAL	33	21	6	60	100

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

As at 30 September 2024, expenditure is \$5.90M from a current budget of \$50.34M with an anticipated carry forward from multi-year projects and projects “On Hold” of \$18.12M. The final outcome will be dependent on the physical progress of projects and any impacts from unforeseen events.

The current inactive/ “On-Hold” are:

Project Name	Project Description	Comment
Werribee Vale Road Pump Station	Upgrade irrigation supply servicing Bacchus Marsh Racecourse Recreation Reserve	On hold – subject to advice from Southern Rural Water
Connor Court Drainage	Drainage Renewal associated with Melbourne Water drainage improvement	Activation is subject to further action and direction from Melbourne Water
Woolpack Road Bridge (Parwan Ck)	Replacement of existing Parwan Creek Bridge	Activation is subject to successful grant funding application
Bacchus Marsh Bowls Club facility	Construction of new bowls clubs and greens, Taverner Street.	Project tendered but not awarded due to budgetary constraints. Clubs have notified Council they do not wish to proceed with an amended proposal.

Program Status

Capital Works Projects

At this stage of the financial year the program is on schedule for completion by 30 June 2025.

75.8% of the capital works projects are either completed, underway, soon to commence or soon to be awarded, with a further 21.2% at design or document preparation stage.

Two capital works projects are behind the original scheduled delivery timeframes. Bald Hill / 1000+ Steps - Stage 3 (Summit) has been delayed from original timeframes due to Cultural Heritage Management Plan finalisation of which triggered design amendments. Old Melbourne Road (20,769-21,734) had a delayed start due to Department of Transport and Planning approval of traffic management plans of which pushed the construction into unfavourable, late autumn, weather.

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

Major Projects

Major Projects is responsible for the delivery of buildings and open space projects. Given the timeframe to deliver major projects, the projects being delivered this year are a mixture of projects finishing this year and over the next two financial years.

This year will see the continued construction of the new Ballan Library (currently on schedule for completion in October 2025), completion of upgrades to the Dunnstown Recreation Reserve Pavilion, completion of Navigators Community Hub and delivery of numerous open space upgrades in Bacchus Marsh and Ballan. The pavilion at Bacchus Marsh Racecourse Recreation Reserve is currently in the design phase and on track to be tendered prior to June 2025. Federation Park is scheduled to be tendered in November however due to Cultural Heritage requirements and approvals, construction may be delayed and continue beyond June 2025.

In total there are 21 projects, with 9% projects on hold, 5% (1) project yet to commence, 33% of projects in the design phase, 43% of project in construction and 10% of projects completed.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

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

FINANCIAL IMPLICATIONS

Reporting of the Capital Improvement Program has been resourced as part of Council's budget. At 30 September the program is within budget, although 46% of projects have not yet been fully procured. The program is continuously monitored to identify areas for savings to maintain the expenditure within the budget parameters.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

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

COMMUNICATIONS & CONSULTATION STRATEGY

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

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

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

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

General Manager – Phil Jeffrey

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

Author – Ewen Nevett

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

CONCLUSION

This report provides a summary of the progress of the Capital Improvement Program for the first quarter of the 2024-2025 period for the information of Councillors.

15 OTHER REPORTS

Nil

16 NOTICES OF MOTION

Nil

17 NOTICES OF RESCISSION

Nil

18 MAYOR'S & COUNCILLORS REPORTS

18.1 MAYOR'S REPORT

Author: Dianne Elshaug, Co-ordinator CEOs Office

Authoriser: Derek Madden, Chief Executive Officer

Attachments: Nil

PURPOSE

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

EXECUTIVE SUMMARY

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

RECOMMENDATION

That Council receives the Mayor's Report.

18.2 COUNCILLORS REPORTS

Author: Dianne Elshaug, Co-ordinator CEOs Office

Authoriser: Derek Madden, Chief Executive Officer

Attachments: Nil

PURPOSE

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

EXECUTIVE SUMMARY

That the Councillors Reports be accepted for consideration at the Ordinary Meeting of Council.

RECOMMENDATION

That Council receives the Councillors Reports.

19 URGENT BUSINESS

20 CLOSED SESSION OF THE MEETING TO THE PUBLIC

Nil

21 MEETING CLOSURE