

## **SPECIAL MEETING OF COUNCIL**

**Notice** is hereby given of a  
Special Meeting of Council to be held at  
the James Young Room, Lerderderg Library,  
215 Main Street, Bacchus Marsh  
on Wednesday, 17 June 2015,  
commencing at 5:00 p.m.

### **Members:**

Cr. Paul Tatchell (Mayor)	Central Ward
Cr. Allan Comrie	East Moorabool Ward
Cr. David Edwards	East Moorabool Ward
Cr. John Spain	East Moorabool Ward
Cr. Tonia Dudzik	East Moorabool Ward
Cr. Tom Sullivan	West Moorabool Ward
Cr. Pat Toohey	Woodlands Ward

### **Officers:**

Mr. Rob Croxford	Chief Executive Officer
Mr. Phil Jeffrey	General Manager Infrastructure
Mr. Satwinder Sandhu	General Manager Growth and Development
Mr. Danny Colgan	General Manager Community Services

**Rob Croxford**  
**Chief Executive Officer**

## AGENDA

<b>1.</b>	<b>OPENING OF MEETING .....</b>	<b>3</b>
<b>2.</b>	<b>ACKNOWLEDGEMENT TO COUNTRY .....</b>	<b>3</b>
<b>3.</b>	<b>PRESENT.....</b>	<b>3</b>
<b>4.</b>	<b>APOLOGIES .....</b>	<b>3</b>
<b>5.</b>	<b>DISCLOSURE OF CONFLICT OF INTEREST .....</b>	<b>4</b>
<b>6.</b>	<b>PRESENTATIONS / DEPUTATIONS .....</b>	<b>6</b>
<b>7.</b>	<b>BUSINESS .....</b>	<b>7</b>
<b>7.1</b>	<i>Consideration of Public Submissions for the proposed 2013-2017 Council Plan (2015 revision).....</i>	<i>7</i>
<b>8.</b>	<b>FURTHER BUSINESS AS ADMITTED BY UNANIMOUS RESOLUTION OF COUNCIL .....</b>	<b>12</b>
<b>9.</b>	<b>CLOSED SESSION OF THE MEETING TO THE PUBLIC .....</b>	<b>13</b>
<b>10.</b>	<b>MEETING CLOSURE .....</b>	<b>14</b>

**1. OPENING OF MEETING**

**2. ACKNOWLEDGEMENT TO COUNTRY**

**We respectfully acknowledge the traditional owners of this land, their spirits and ancestors.**

**3. PRESENT**

**4. APOLOGIES**

## 5. DISCLOSURE OF CONFLICT OF INTEREST

Under the Local Government Act (1989), the classification of the type of interest giving rise to a conflict is; a direct interest; or an indirect interest (section 77A and 77B). The type of indirect interest specified under Section 78, 78A, 78B, 78C or 78D of the Local Government Act 1989 set out the requirements of a Councillor or member of a Special Committee to disclose any conflicts of interest that the Councillor or member of a Special Committee may have in a matter being or likely to be considered at a meeting of the Council or Committee.

Definitions of the class of the interest are:

- a direct interest
  - (section 77A, 77B)
- an indirect interest (see below)
  - indirect interest by close association (section 78)
  - indirect financial interest (section 78A)
  - indirect interest because of conflicting duty (section 78B)
  - indirect interest because of receipt of gift(s) (section 78C)
  - indirect interest through civil proceedings (section 78D)

### Time for Disclosure of Conflicts of Interest

In addition to the Council protocol relating to disclosure at the beginning of the meeting, section 79 of the Local Government Act 1989 (the Act) requires a Councillor to disclose the details, classification and the nature of the conflict of interest immediately at the beginning of the meeting and/or before consideration or discussion of the Item.

Section 79(6) of the Act states:

While the matter is being considered or any vote is taken in relation to the matter, the Councillor or member of a special committee must:

- (a) leave the room and notify the Mayor or the Chairperson of the special committee that he or she is doing so; and
- (b) remain outside the room and any gallery or other area in view of hearing of the room.

The Councillor is to be notified by the Mayor or Chairperson of the special committee that he or she may return to the room after consideration of the matter and all votes on the matter.

There are important reasons for requiring this disclosure immediately before the relevant matter is considered.

- Firstly, members of the public might only be in attendance for part of a meeting and should be able to see that all matters are considered in an appropriately transparent manner.
- Secondly, if conflicts of interest are not disclosed immediately before an item there is a risk that a Councillor who arrives late to a meeting may fail to disclose their conflict of interest and be in breach of the Act.

## 6. PRESENTATIONS / DEPUTATIONS

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

Presentations or deputations are required to be conducted in accordance with the requirements contained within the **Presentation/Deputations Protocols and Procedural Guidelines**.

Persons wishing to make a presentation or deputation to the Council on a matter included in the agenda shall inform Council by 1pm on the Friday 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 the 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.

**List of Persons making Presentations/Deputations other than in relation to a planning item listed on the agenda:**

**As listed.**

## **7. BUSINESS**

### **7.1 Consideration of Public Submissions for the proposed 2013-2017 Council Plan (2015 revision)**

#### **Introduction**

File No.: 02/02/002  
Author: Natalie Abbott  
General Manager: Satwinder Sandhu

#### **Background**

Part 6, Section 125 (7) of the *Local Government Act* 1989 (the Act) determines that at least once in each financial year, a Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan.

In accordance with Section 223 of the Act, Council is required to formally consider any submissions and allow the submitter should they request to, to address Council in relation to their submission.

On Wednesday 6 May 2015, Council resolved to place the reviewed 2013-2017 Council Plan (2015 revision), inclusive of the Strategic Resource Plan, on public exhibition, seeking submissions in accordance with Section 223 of the Local Government Act 1989.

A communications plan was developed to advise the community via Council's website, local and regional newspapers, media release, social media, Council's community consultation website: [haveyoursay.com.au](http://haveyoursay.com.au) and with hard copies available at all Council offices. The public submission period commenced on Thursday 7 May and closed on Friday 5 June 2015.

#### **Proposal**

This report is presented to Council at the conclusion of the public submission period for the Proposed 2013-2017 Council Plan (2015 revision), including the Strategic Resource Plan.

The public submission period concluded at 5.00pm on Friday 5 June 2015, and no submissions were received.

In line with Section 223 of the *Local Government Act* 1989, no submissions have been received and therefore no requests to address Council in relation to a submission regarding the proposed 2013-2017 Council Plan (2015 revision) were received.

Council adopted the 2015/16 Annual Budget on Wednesday 3 June, 2015, therefore the projects marked %subject to 2015/16 budget initiative+ will be updated in the 2013-2017 Council Plan (2015 revision).

During the review period it was noted that under the Act the following Statement of Human Resources table and accompanying text were required to be inserted under the heading %Non-Financial Resources+.

*In addition to the financial resources to be utilised over the planning period, Council will also use non-financial resources, in particular human resources. The following table summarises the non-financial resources for the next four years.*

*Council takes a proactive approach to organisational development that aims to fully achieve the potential of all staff. Programs and internal support mechanisms are available to ensure that competencies are maintained or developed to ensure that staff have the current skill sets to effectively fulfil the expectation of the community.*

### Statement of Human Resources

For the four years ending 30 June 2019

	Forecast Actual 2014/15 \$000	Budget 2015/16 \$000	Strategic Resource Plan Projections		
			2016/17 \$000	2017/18 \$000	2018/19 \$000
<b>Staff expenditure</b>					
Employee costs - operating	16,832	17,822	18,773	19,824	20,952
Employee costs - capital	845	850	895	945	999
<b>Total staff expenditure</b>	<b>17,678</b>	<b>18,672</b>	<b>19,668</b>	<b>20,769</b>	<b>21,951</b>
	EFT	EFT	EFT	EFT	EFT
<b>Staff numbers</b>					
Employees	204.95	207.56	211.56	215.56	219.56
<b>Total staff numbers</b>	<b>204.95</b>	<b>207.56</b>	<b>211.56</b>	<b>215.56</b>	<b>219.56</b>

It is proposed that the Statement of Human Resources table and accompanying text as provided above be inserted into page 27 of the proposed 2013-2017 Council Plan (2015 revision) under Non-Financial Resources.

### Policy Implications

The 2013. 2017 Council Plan provides as follows:

**Key Result Area** Representation and Leadership of our Community

**Objective** Good governance through open and transparent processes and strong accountability to the community.



**Strategy**

Ensure policies and good governance are in accordance with legislative requirements and best practice.

The proposal to consider submissions in relation to the proposed 2013-2017 Council Plan (2015 revision) is consistent with the 2013-2017 Council Plan.

**Financial Implications**

The four-year forecast is Council's accountability to the community in the way it will deliver on the 3 key result areas as set out in the 2013-2017 Council Plan being:

1. Representation and Leadership of our Community
2. Community Wellbeing
3. Enhanced Infrastructure and Natural and Built Environment

The Strategic Resource Plan for each financial year is subject to final determination as part of Council's Annual Budget Process.

**Communications Strategy**

Community consultation and engagement is essential in preparing a new Council Plan. In line with Section 223 of *the Local Government Act 1989* advertisements to notify the community of an opportunity to provide submissions to the proposed 2013-2017 Council Plan (2015 revision) either in writing or via Council's Have your Say web page were provided via Council's website, local and regional newspapers, media release, social media, Council's community consultation website: [haveyoursay.com.au](http://haveyoursay.com.au) and with hard copies available at all Council offices. This public submission period was conducted for no less than 28 days from May 7, 2015 closing on June 5, 2015.

Results from the Have your Say Moorabool online portal indicated that 26 people said they were aware of the document, 7 people were informed of the process and the document was downloaded 6 times and viewed once and no one engaged, no submissions were received.

In accordance with *the Local Government Act 1989*, the proposed 2013-2017 Council Plan (2015 revision) and Strategic Resource Plan will progress through the following adoption process:

<b>Timetable for the Proposal and Adoption of 2013-2017 Council Plan (2015 revision) and Strategic Resource Plan</b>	
Consider Public Submissions as per Section 223 (1)(b) of the <i>Local Government Act 1989</i> for proposed 2013-2017 Council Plan (2015 revision) and Strategic Resource Plan at a Special Meeting of Council.	17 June 2015

Formally adopt 2013-2017 Council Plan (2015 revision) and Strategic Resource Plan	1 July 2015
Public Notice - Adoption of 2013-2017 Council Plan (2015 revision) and Strategic Resource Plan	4 July 2015
Submit 2013-2017 Council Plan (2015 revision) and Strategic Resource Plan to Minister for Local Government by:	31 July 2015

### **Victorian Charter of Human Rights and 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 80C of the *Local Government Act* 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

#### ***General Manager – Satwinder Sandhu***

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

#### ***Author – Natalie Abbott***

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

### **Conclusion**

Council's consideration of Council Plan submissions is a statutory requirement necessary to formally adopt the 2013-2017 Council Plan (2015 revision) for Moorabool Shire Council and forward the Plan to the Minister.

As a result of the public submission process, in accordance with section 223 of the *Local Government Act* 1989, to place on public exhibition inviting public submissions during the prescribed period of no less than 28 days as required under the Act, Council received no public submissions.

The Council Plan will be updated to reflect the adopted Budget and it is recommended that under the Act, the Statement of Human Resources table and accompanying text be inserted into the 2013-2017 Council Plan (2015 revision) under Non-Financial Resources.

**Recommendation:****That Council:**

1. Notes that no submissions have been received.
2. Include the Statement of Human Resources table and accompanying text as provided below into the 2013-2017 Council Plan (2015 revision) under Non-Financial Resources.

*In addition to the financial resources to be utilised over the planning period, Council will also use non-financial resources, in particular human resources. The following table summarises the non-financial resources for the next four years.*

*Council has a proactive organisational development strategy that aims to fully achieve the potential of all staff. Programs and internal support mechanisms are available to ensure that competencies are maintained or developed to ensure that staff have the current skill sets to effectively fulfil the expectation of the community.*


**Statement of Human Resources**

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3. Refer the adoption of the proposed 2013-2017 Council Plan (2015 revision), to the Ordinary Meeting of Council of Wednesday 1 July 2015 to be held at 5.00pm in Council Chamber, 15 Stead Street, Ballan.

**Report Authorisation****Authorised by:**

**Name:** Satwinder Sandhu   
**Title:** General Manager Growth and Development  
**Date:** Thursday, 11 June 2015

**8. FURTHER BUSINESS AS ADMITTED BY UNANIMOUS RESOLUTION OF COUNCIL**

**9. CLOSED SESSION OF THE MEETING TO THE PUBLIC****Recommendation:**

**That pursuant to the provisions of the Local Government Act 1989, the meeting now be closed to members of the public to enable the meeting to discuss matters, which the Council may, pursuant to the provisions of Section 89(2) of the Local Government Act 1989 (the Act) resolve to be considered in Closed Session, being a matter contemplated by Section 89(2) of the Act, as follows:**

- (a) personnel matters;**
- (b) the personal hardship of any resident or ratepayer;**
- (c) industrial matters;**
- (d) contractual matters;**
- (e) proposed developments;**
- (f) legal advice;**
- (g) matters affecting the security of Council property;**
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;**
- (i) a resolution to close the meeting to members of the public**

## **10. MEETING CLOSURE**