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| **AGENDA**  **Ordinary Council Meeting**  **Wednesday, 5 August 2020**  **In accordance with s. 395 of the COVID-19 Omnibus (Emergency Measures) Bill 2020, this meeting will not be available for public attendance, however will be streamed live via accessing the Council Internet site** | |
| **I hereby give notice that an Ordinary Meeting of Council will be held on:** | |
| **Date:** | **Wednesday, 5 August 2020** |
| **Time:** | **6.00pm** |
| **Location:** | **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

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

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 1 July 2020

Special Council Meeting - Wednesday 15 July 2020

7 Disclosure of Conflicts 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)
* indirect interest because of impact on residential amenity (section 78E)

**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:

1. Leave the room and notify the Mayor or the Chairperson of the special committee that he or she is doing so; and
2. 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.

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 6.9 of the Council’s Meeting Procedure Local Law No. 9.

Questions must be in writing on the form provided by the Council and submitted by 5.00pm on the day before the meeting. Members of the public can contact a Councillor and raise a question which the Councillor will submit on their behalf.

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:

* + 1. the person directing the question is present in the gallery;
    2. the question does not relate to a matter of the type described in section 89(2) of the Act (for confidential matters);
    3. the question does not relate to a matter in respect of which Council has no power to act;
    4. the question is not defamatory, indecent, abusive or objectionable in language or substance;
    5. the question is not a repetition of a question already asked or answered (whether at the same or an earlier meeting); and
    6. the question is not asked to embarrass a Councillor, member of Council staff or member of the public.

A Councillor or Council officer may:

* + 1. immediately answer the question asked; or
    2. 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
    3. 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.

Public Question Time does not substitute for other forms of communication with or other formal business procedures of the Council.

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.

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 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

Nil

12 Community Planning and Economic Development Reports

Nil

13 Community Strengthening Reports

Nil

14 Customer Care and Advocacy Reports

14.1 Public Transparency Policy

**Author: Troy Delia, Governance Project Officer**

**Authoriser: Caroline Buisson, General Manager Customer Care & Advocacy**

**Attachments: 1. Public Transparency Policy 2020 (under separate cover)**

Purpose

Council is required to have a Public Transparency Policy (“the policy”) in place to explain how it will give effect to the public transparency principles contained in the recently proclaimed *Local Government Act 2020*. This report is presented to Council to consider the adoption of a Public Transparency Policy.

Executive Summary

 The policy as presented, provides the community with information about the ways in which information will be made publicly available, what information will be publicly available and how Council will be transparent in its decision-making processes.

 The policy also specifies the types of information that are confidential and not available to the public and why the information is confidential.

 It is recommended that Council adopts the Public Transparency Policy as attached to this report, in order to comply with the requirements of section 57 of the *Local Government Act 2020,* by 1 September 2020.

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| Recommendation  **That Council:**  **1. Adopts the Public Transparency Policy in accordance with section 57 of the *Local Government Act 2020* (provided as Attachment 1).**  **2. Makes a copy of the Public Transparency Policy available to the public on its website.** |

Background

Section 57 of the *Local Government Act 2020* (the Act) requires Council to adopt and maintain a Public Transparency Policy that gives effect to the Public Transparency Principles that are specified in section 58 of the Act as follows:

 Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the Act or any other Act;

 Council information must be publicly available unless—

(i) the information is confidential by virtue of the Act or any other Act; or

(ii) public availability of the information would be contrary to the public interest;

 Council information must be understandable and accessible to members of the municipal community;

 public awareness of the availability of Council information must be facilitated.

The Policy must also:

 describe the ways in which Council information is to be made publicly available;

 specify which Council information must be publicly available, including all policies, plans and reports required under the Act or any other Act;

 include any other matters prescribed by the regulations; and

 be adopted by Council on or before 1 September 2020.

Proposal

The Policy as presented seeks to formalise Council’s commitment to transparency in its decision-making processes and the awareness of the availability of Council information, whilst promoting:

 Greater clarity in Council’s decision-making processes;

 Increased confidence and trust within the community (through greater understanding and awareness);

 Enhanced decision making through community participation;

 Improvement of Council performance;

 Access to information that is current, easily accessible and disseminated in a timely manner; and

 Reassurance to the community that Council is spending public monies appropriately.

Conversely, the policy also acknowledges that certain Council information is “Confidential information” as defined in section 3 of the *Local Government Act 2020* and is not made publicly available where its release would be contrary to the public interest or not in compliance with the *Privacy and Data Protection Act 2014.*

As an integral part of Council’s Good Governance Framework, the policy would apply to documentary information, process information and how information will be made available to the public.

The policy has been developed based on the outcomes of an extensive local government industry engagement and consultation process conducted by Local Government Victoria. Therefore, the proposed policy is both aligned to current local government industry best practice and fully compliant with Councils obligations under sections 57 & 58 of the Act.

Council Plan

The Council Plan 2017-2021 provides as follows:

**Strategic Objective 1: Providing Good Governance and Leadership**

**Context 1C: Our Business and Systems**

The proposal to adopt a Public Transparency Policy Period Policy is consistent with the Council Plan 2017 – 2021.

Financial Implications

There are no financial implications associated with the adoption and implementation of a Public Transparency Policy.

Risk & Occupational Health & Safety Issues

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| **Risk Identifier** | **Detail of Risk** | **Risk Rating** | **Control/s** |
| Reputational Risk |  Not meeting community expectations for open and transparent dealings;   Non-compliance with Transparency Principles under the *Local Government Act 2020* . | Medium |  Adoption of a Public Transparency Policy;   Ongoing adherence to the policy. |

Communications & Consultation Strategy

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| **Level of Engagement** | **Stakeholder** | **Activities** | **Location** | **Date** | **Outcome** |
| Communicate | Residents Community Groups, Local Business, Council Staff etc | Promote Councils Transparency Policy | Councils Website & Intranet | August 2020 | Increased awareness of Council’s commitment to open and transparent operations. |

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 80C of the *Local Government Act 1989* (until 24 October 2020), officers providing advice to Council must disclose any interests, including the type of interest.

*General Manager – Caroline Buisson*

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

*Author – Troy Delia*

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

Conclusion

The adoption of the Public Transparency Policy would demonstrate to the greater Moorabool community, Council’s ongoing commitment to being open and transparent in its decision-making processes and operations, whilst ensuring its compliance with the Transparency Principles as contained in the *Local Government Act 2020*.

14.2 Council Expenses Policy

**Author: Troy Delia, Governance Project Officer**

**Authoriser: Caroline Buisson, General Manager Customer Care & Advocacy**

**Attachments: 1. Council Expenses Policy (under separate cover)**

Purpose

Council is required to have a Council Expenses Policy (“the policy”) in place that establishes a framework for the reimbursement of out-of-pocket expenses of Councillors and members of delegated committees, in accordance with the *Local Government Act 2020*. This report is presented to Council to consider the adoption of a Council Expenses Policy.

Executive Summary

 The policy as presented, outlines the Councillors and delegated committee members entitlements and process for making a claim for the reimbursement of out of pocket expenses incurred for whilst undertaking Council business or otherwise representing Council in an official capacity.

 The policy also includes reporting obligations and a standardised Expense Reimbursement Claim form for Councillors and delegated committee members.

 It is recommended that Council adopts the Council Expenses Policy as attached to this report, in order to comply with the requirements of section 41 of the *Local Government Act 2020,* by 1 September 2020.

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| Recommendation  **That Council:**  **1. Adopts the Council Expenses Policy in accordance with section 41 of the *Local Governments Act 2020* (provided as Attachment 1).**  **2. Revokes the Councillors and Members of Council Committees Expense Entitlements & Resources Policy adopted on 4 December 2013.**  **3. Makes a copy of the Council Expenses Policy available to the public on its website.** |

Background

Council adopted its current Councillors and Members of Council Committees Expense Entitlements & Resources Policy on 4 December 2013. This policy was developed to comply with the requirements of the *Local Government Act 1989* and included very prescriptive requirements of the types of equipment and resources that would be made available to Councillors.

Council is obligated to have a new Council Expenses Policy in place that establishes a framework for the reimbursement of out-of-pocket expenses of Councillors and members of delegated committees, in accordance with the *Local Government Act 2020* (the Act)by 1 September 2020.

Section 40 of the Act, states that Council must reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses which the Council is satisfied—

 are bona fide expenses; and

 have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and

 are reasonably necessary for the Councillor or member of a delegated committee to perform that role.

Council must also provide details of all reimbursements to its Audit and Risk Committee.

Further to this, accordance with section 41 of the Act, Council must adopt and maintain an expenses policy for the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees that must:

 specify procedures to be followed in applying for reimbursement and in reimbursing expenses; and

 comply with any requirements prescribed by the regulations in relation to the reimbursement of expenses; and

 provide for the reimbursement of child care costs where the provision of child care is reasonably required for a Councillor or member of a delegated committee to perform their role; and

 have particular regard to expenses incurred by a Councillor who is a carer in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012;* and

 be adopted by Council on or before 1 September 2020.

Proposal

The proposed policy has been developed based on the outcomes of an extensive local government industry engagement and consultation process conducted by Local Government Victoria. Therefore, the proposed policy is both aligned to current local government industry best practice and fully compliant with Council’s obligations under sections 40 & 41 of the Act.

Whilst the Act includes the power for the Minister to create regulations in relation to council expenses policy, Local Government Victoria have advised that there are currently no plans to do this.

The proposed policy retains several of the expense related provisions contained in the existing Councillors and Members of Council Committees Expense Entitlements & Resources Policy such as Attendance at Meetings and/or Conferences or Functions, Travel Expenses and Professional Development & Memberships, as these provisions set standards and expectations of what are to be considered bona fide and reasonable expenses.

There are also some new inclusions in the proposed policy which also contribute the setting of standards and expectations, these include:

 Reference to the Australian Taxation Office determination for reasonable travel expenses;

 The purchase of Stationery, Consumables & Minor Equipment up $50; and

 The cost of attendance at local Cultural, Arts and Charitable events.

However, some of the provisions contained in Councils existing Policy have not been included in the proposed policy as there is no legislated requirement to include matters relating to Councillor entitlements or resources and facilities. Therefore, the policy as proposed only relates to reimbursable expenses.

The following matters have not been included in the proposed policy:

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| **Item** | **Rationale** |
| Mayor Councillor Allowances | Allowances are an entitlement as provided for in the Act. Therefore, this clause is not required in a Council policy. |
| Legal Fees | The Act requires that Council must reimburse a Councillor or Delegated Committee Member for bona fide out of pocket expenses that Council is reasonably satisfied were incurred in their role. Therefore, legal fees are captured generally in part 5 of the proposed policy. |
| Facilities for Councillors with disabilities | The Act states that Council must consider the support that may be required by a Councillor because of a disability and have particular regard to the support that may be required by a Councillor who is a carer in a care relationship. Therefore, this clause is no longer required in a Council policy. |
| Use of Council Facilities | The Act requires that Council must make available to the Mayor and the Councillors the resources and facilities reasonably necessary to enable them to effectively perform their role.  However, there is no requirement for Council to have these matters specified in a Council adopted policy.  Therefore, it is proposed these matters be addressed in an operational policy, to enable flexibility to vary Councillor resource requirements without the need to have a Council decision to amend the policy.  i.e. In cases such as the introduction new technology/equipment or changes in operational requirements etc. |
| Mayors Resources Mandatory |
| Home Office Facilities |
| Stationery (Council Issued) |
| Councillor Mail |
| Apparel |

It is important that Council formally revokes the existing “Councillors and Members of Council Committees Expense Entitlements & Resources Policy” which was adopted by Council on 4 December 2013, at the time it adopts the new policy, to enable the new policy to take effect without contradiction.

Council Plan

The Council Plan 2017-2021 provides as follows:

**Strategic Objective 1: Providing Good Governance and Leadership**

**Context 1C: Our Business and Systems**

The proposal to adopt a Council Expenses Policy is consistent with the Council Plan 2017 – 2021.

Financial Implications

Any financial implications associated with the adoption and implementation of the Council Expenses Policy can be met by utilising the existing budget allocation for Councillor expenses.

Risk & Occupational Health & Safety Issues

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| **Risk Identifier** | **Detail of Risk** | **Risk Rating** | **Control/s** |
| Legislative non-compliance / Reputational Damage | Non-compliance with Council Expense Reimbursement requirements under the *Local Government Act 2020* . | Medium |  Adoption of a Council Expenses Policy;   Ongoing adherence to the policy |
| Financial | Budget Allocation | Medium |  Audit controls |

Communications & Consultation Strategy

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| **Level of Engagement** | **Stakeholder** | **Activities** | **Location** | **Date** | **Outcome** |
| Consultation | Councillors | Seek input on the Policy development | Councillor Briefing | July 2020 | Informed development of the proposed 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 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 – Caroline Buisson*

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

*Author – Troy Delia*

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

Conclusion

The adoption of the Council Expenses Policy provides a framework for the reimbursement of the out of pocket expenses which may be incurred by Councillors and delegated committee members whilst undertaking Council business, in accordance with the requirements of the *Local Government Act 2020*.

14.3 Customer Experience Strategy

**Author: Mike Whittaker, Manager Customer Experience & Innovation**

**Authoriser: Caroline Buisson, General Manager Customer Care & Advocacy**

**Attachments: 1. Customer Experience Strategy 2020-21 (under separate cover)**

**2. Appendix A and B (under separate cover)**

Purpose

The purpose of this report is to update Councillors on the following two Council Actions aligned to Strategic Objective 1B of the Council Plan:

 Action: 1.2.5.2 Review the Customer Service Policy and Strategy;

 Action: 1.2.5.5 Develop and implement the Action Plan of the Customer Service Policy and Strategy.

Executive Summary

 The Council Plan Action 1.2.5.2 to Review the Customer Service Policy and Strategy has now been completed.

 The insights gained through this review have resulted in the development of the attached Customer Experience Strategy and an action plan to be implemented over the next 12 months (Council Plan Action 1.2.5.5).

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| Recommendation  **That Council:**  **1. Adopts the Customer Experience Strategy 2020-21 (provided as Attachment 1).**  **2. Develops a plan for communicating the strategy to the Moorabool community and internal staff across the organisation.** |

Background

With the population expected to double by 2040, Moorabool Shire Council is confronted with a number of challenges in how it will continue to deliver high quality services into the future: changing demographics and increasing customer expectations, constrained resources, and a population distributed across an expansive region.

Moorabool Shire Council currently delivers 200+ services to a community spanning 2,110 square kilometres, and a growing population of 35,000 residents, 2,900+ businesses, 500,000 visitors annually, and many community groups. These services vary in complexity, effort and cost to serve.

Based on demographic data, a large proportion of Moorabool’s new residents are young families moving from Melbourne seeking a semi-rural lifestyle. These residents are more likely to be time poor and high users of mobile phones and social media. They will bring increasingly high expectations from their metropolitan experiences including digital maturity, choice in channels, and access to online services.

Proposal

**1. Current State**

The current service delivery model will not be sustainable from either a financial or service satisfaction perspective. The current customer service model is heavily reliant on the most expensive channels (face to face or phone), with only ~10% of transactions made online (Appendix A).

Insights gained through the review found that:

 Front line staff are committed to customer service excellence, but are constrained by internal systems, processes, technology and silos of knowledge;

 Our channel mix does not align with customers' needs. Approximately 35% of customers who contact Council by phone or in person would prefer to use a digital channel;

 Back-end processes are often manual, complex and costly;

 Customers experience a lack of transparency, consistency and accountability. Almost 50% of customers say they need to contact Council more than once to complete their request (Customer Satisfaction Survey, May 2020);

 We lack codified customer insights and analysis to inform service improvement, design and policy. There is no single view of the customer with customer data stored separately in 4+ corporate database systems;

 Customer-centric values and skills do not get recognised, sustained and celebrated.

Without improving the efficiency and digital delivery of services, our customer service costs would triple over the next 20 years.

**2. The Strategy**

The Customer Experience Strategy has been developed through extensive consultation with our community and staff including a Customer Experience Survey, Community Satisfaction Survey, and a Customer Experience Staff Survey.

The Strategy represents Council’s commitment to understanding our customers and delivering better service experiences in a sustainable and cost-effective way.

Based on the key findings and priorities, the goal of the strategy is to deliver ‘a consistent, reliable, inclusive, and easy experience of our services that meet customer needs’.

To achieve this goal, Council will focus on five key areas which are supported by an action plan to be delivered over the next 12 months. The five key areas of focus are:

(a) **Listen** and understand our customers through research and community consultation;

(b) **Design** and improve services by prioritising insights, needs, and areas for improvements;

(c) **Deliver** every day on our customer promise and provide a consistent experience across all channels;

(d) **Measure** and communicate our performance;

(e) **Build** and sustain a customer centric culture worth celebrating.

**3. Implementation**

The implementation of the strategy is guided by the following principles:

 **Customer-centric design**: we will use the insights we get from listening deeply to customers and use them to redesign our services, processes, documentation, information and communication channels;

 **Choice**: we will improve the breadth, ease and accessibility of online information and services so that customers can choose how they interact with us instead of being forced to call, write or visit us in person;

 **Transparency and accountability**: we will monitor and report on our progress towards becoming more customer-centric;

 **Collaboration**: we will establish formal mechanisms to ensure that we collaborate across the organisation to solve customers' problems, showcase results and foster culture change;

 **Staff well-being**: we will design our services to provide a good employee experience, as well as a good customer experience.

In support of the strategy the following initiatives have been undertaken and completed over the past 6 months:

 Surveyed ~850 residents and ~150 staff to understand the current end to end experience in service delivery;

 Realigned the Customer Service team;

 Provided greater choice of channels for customers to engage with Council including Live Chat, Facebook, and video conferencing;

 The Customer Experience Strategy is also supported by our ICT Strategy that addresses the key limitations identified in our online experience and customer management systems, as well as integration and automation of backend. processes.

Going forward, the strategy will be driven by a 12-month action plan (Appendix B) that will enable Council to align its people, processes, and systems to ensure the customer experience is at the centre all Council business.

**4. Expected benefits**

 Improved customer satisfaction and quality of service;

 Reduced cost-to-serve as a result of streamlining processes, reducing double-handling, and allowing customer enquiries and requests to be initiated online;

 Improved employee engagement by providing staff with strong purpose, better tools and training.

Council Plan

The Council Plan 2017-2021 provides as follows:

**Strategic Objective 1: Providing Good Governance and Leadership**

**Context 1B: Our People**

The proposal is consistent with the Council Plan 2017 – 2021.

Financial Implications

Financial resourcing for implementation of the Customer Experience Strategy is included in the approved budget for 2020-21.

Risk & Occupational Health & Safety Issues

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| **Risk Identifier** | **Detail of Risk** | **Risk Rating** | **Control/s** |
| Community expectation | Failure to meet the changing needs and expectations of our community. | Medium | Ongoing measurement of community satisfaction through customer experience metrics designed to inform and continuously improve the design and delivery of customer experiences. |

Communications & Consultation Strategy

The Customer Experience Strategy has been informed through consultation with our community via the Customer Experience and Community Satisfaction Surveys.

Once endorsed by Council, the Customer Experience Strategy will be promoted and made available to the community via Council’s website, social media and the Customer Service Contact Centre.

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 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 – Caroline Buisson*

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

*Author – Mike Whittaker*

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

Conclusion

This report is submitted to the Ordinary Meeting of Council for endorsement of the Strategy. A communications plan will also be developed for communicating the strategy to the Moorabool community and internal staff across the organisation.

14.4 Section 86 - Delegated Committees of Council - Reports

**Author: Michelle Morrow, Co-ordinator Governance**

**Authoriser: Caroline Buisson, General Manager Customer Care & Advocacy**

**Attachments: 1. s.86 Blacksmith's Cottage and Forge Committee Meeting Minutes 230620 (under separate cover)**

**2. s.86 Bacchus Marsh Public Hall Committee Meeting Minutes 240220 (under separate cover)**

**Purpose**

Section 86 Delegated Committees are established to assist Council with executing specific functions or duties. 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 1989*. The Council cannot delegate certain powers as specifically indicated in Section 86(4) of the Act.

Section 86 Delegated Committees are required to report to Council at intervals determined by the Council.

**Executive Summary**

Councillors, as representatives of the following section 86 – Delegated Committees of Council, present the reports of the Committee Meetings for Council consideration.

|  |  |  |
| --- | --- | --- |
| Committee | Meeting Date | Council Representative |
| s.86 Blacksmith’s Cottage and Forge | 23 June 2020 | Cr Edwards |
| s.86 Bacchus Marsh Public Hall Committee | 24 February 2020 | Cr Bingham |

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| **Recommendation**  **That Council receive the following section 86 Committee of Council reports:**  **1. Blacksmith’s Cottage and Forge Committee Meeting Minutes from 23 June 2020.**  **2. Bacchus Marsh Public Hall Committee Meeting Minutes from 24 February 2020.** |

15 Community Assets & Infrastructure Reports

15.1 Capital Improvement Program Quarterly Report - 30 June 2020

**Author: Ewen Nevett, Manager Engineering Services**

**Authoriser: Phil Jeffrey, General Manager Community Assets & Infrastructure**

**Attachments: 1. CIP Quarterly Report June 2020 (under separate cover)**

Purpose

This quarterly report provides Council with an overview of the progress of Council’s 2019-2020 Capital Improvement Program to 30 June 2020.

Executive Summary

The delivery of the 2019-2020 Capital Improvement Program progressed with:

 80% of the CIP Projects completed.

 20% of the CIP Projects either commenced or awarded awaiting start.

 There are 6 other Projects continuous across multiple years and 2 Projects deferred and On-Hold.

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| Recommendation  **That Council resolves to receive the Capital Improvement Program quarterly report to 30 June 2020.** |

Background

The delivery of the Capital Improvement Program (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 2019-2020 Capital Improvement Program to 30 June 2020.

Implementation of the 2019-2020 Capital Improvement Program

The 2019-2020 Capital Improvement Program currently consists of 64 projects, of which there are eight On-Hold and/or Multi Year Projects. Therefore, the table below reports on the 56 active projects in terms of percentage.

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

 Projects carried forward from 2018-2019 program

 2019-2020 Council budgeted projects

 Grant funded projects

The Engineering Services Unit nominates 7 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 as at 30 June 2020:

|  |  |  |
| --- | --- | --- |
| **CIP Program Delivery Stage** | **Actuals as of 20 June 2020** | |
| **No. of Projects** | **%** |
| Inactive/On-Hold & Multi Year Projects | 8 |  |
| Not Commenced | 0 | 0.0 |
| Documentation / Design Preparation | 0 | 0.0 |
| Tender / Quote Stage | 0 | 0.0 |
| Project Awarded – Awaiting Commencement | 1 | 1.8 |
| In Progress / Under Construction | 10 | 17.8 |
| Complete | 45 | 80.4 |
| **Total** | **56** | **100.0** |

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

Program Status and Financial Year Performance

Of the 56 projects, there are 11 projects that will be carried forward into the 2020-2021 CIP.

The table below outlines each of these projects and their current status:

|  |  |
| --- | --- |
| **Project Name** | **Project Status** |
| Werribee Vale Road Upgrade (East of Hallett’s Way) | This project commenced construction in March due to contractor availability and anticipated to be completed mid-September. |
| Woolpack Road (Stage 2) – Road & Bridge Construction | Contractual issues have impacted completion of the roadworks component. Asphalt rectifications of pavement defects is scheduled for August with an overlay scheduled for October. The rail bridge component has been awarded to Avard Pty Ltd. Minor redesign has been required to secure an access permit for works over rail. Works is scheduled to commence early August with completion anticipated in October. |
| Haddon Drive, Ballan Road Rehabilitation | Project awarded to Rustel Pty Ltd. Works are underway and scheduled to be completed by the end of September |
| Footpath Design - (Links Road, Underbank Blvd & Wittick Street) | Survey completed. Designs scheduled for completion late October 2020 |
| Grey Street, Darley  Footpath & Raised Median | Works commenced on Stage 1 (West of Dundas Street) in June with construction of the footpath and raised median anticipated for completion in mid-August. |
| Splash Park Design for Ballan & Bacchus Marsh | Design is underway as part of the indoor stadium and aquatic centre project with completion programmed for late 2020 |

|  |  |
| --- | --- |
| Lidgett Street Reserve - Reserve Improvements | Additional elements were added to scope after community consultation resulting in delayed commencement of works. Completion due early August |
| Masons Lane Western Pavilion – Pavilion Refurbishment | Tender submissions have been evaluated and recommendation made. Project construction scheduled for commencement in August 2020. |
| Solar Panel & LED lighting upgrade | Solar panels installed on the Ballan Offices, Darley Offices and Bacchus Marsh Library. LED lighting installations scheduled to be completed by end of September |
| Elaine Recreation Reserve Toilet Upgrade | Construction underway and programmed for completion mid-August |
| Ballan Recreation Reserve – Netball / Tennis Court Reconstruction | Asphalt rectifications complete with acrylic surfacing programmed for October 2020 when daytime temperatures are suitable |

Taking these into account, 46 of a possible 56 projects were completed resulting in 82.1% of the program being completed in the financial year. Key aspects of the 2019-2020 delivered projects include:

 6.0 kms of gravel roads resheeted (7 projects)

 7.4 kms of shoulder resheeting (4 projects)

 12.4 kms of sealed roads reconstructed (9 projects)

 17.8 kms of sealed roads resurfaced

 1380 metres of new footpaths (across 5 projects)

 Upgrades at 10 community facilities (including 5 oval lighting projects, new amenities, netball & tennis courts and air-conditioning)

‘On-Hold’ or Multi Year Projects

Of the 8 projects that are currently ‘On-Hold’ or Multi Year Projects, the following table provides an update to these projects:

|  |  |
| --- | --- |
| **Project Description** | **Project Status** |
| On-Hold Projects | |
| Wallace Rec Reserve – Irrigation Installation | Funding grant application received during 2019-2020 from CFNGP for the construction at Wallace Rec Reserve. This project was placed “on-hold” prior to COVID-19 to avoid interrupting the 2020 football season. Subsequently it became too late (for grass growth) to re-activate this project. Construction now scheduled for October 2020 to ensure suitable weather conditions for grass reinstatements to germinate and establish |
| Jonathan Drive Lighting Upgrade | Grant received during 2019-2020. Construction scheduled for September 2021 to March 2022 |
| Multi-Year Projects | |
| Sports Oval Lighting Upgrade | Four of the Five sites are complete with Ballan oval lighting planned to coincide with the Ballan Pavilion and Oval redevelopment during 2020-2021 |
| Bacchus Marsh Racecourse Recreation Reserve | Bacchus Marsh Racecourse Recreation Reserve has been progressing with the construction of the Sports pavilion commencing in April, awarded to MKM construction. The sports Pavilion is scheduled to be completed in September. Construction of internal roads, civil works and utilities scheduled for completion by the end of September. Landscaping and associated works with commence upon completion of the Pavilion & Civil works. Landscaping is programmed for completion by the end of 2020 |
| Bacchus Marsh Indoor Recreation Facility | Masterplan endorsed by Council and is now proceeding to detailed design. Detailed design scheduled for completion late 2020 |
| Ballan Recreation Reserve – Pavilion | Concept design underway with construction scheduled to commence during 2020-2021 |
| Darley Park - Reserve Masterplan & Pavilion Design | Tender document preparation is currently underway and due to completion by the end of August 2020. |
| Ballan Depot – Design and Preliminary Site Works | Ballan Depot design is completed. Preliminary Site Works have been awarded to Rustel Pty Ltd with site work anticipated to be completed late October |

Program Financial Status

A review of the financial aspect of the program has been completed through comparison of expenditure against the available budget. The final expenditure has been confirmed and the program has come in over budget by a total of $327K representing a 1.8% over spend.

Projects with a whole of life expenditure greater than 10% above budget (including the 11 not yet “complete”) are discussed below:

**Main St, Gordon - K & C**

The Project was budgeted in 2018-2019 and approved by Council for award in December 2018 for $496,007.69, being $76,007.69 (18%) above the available construction budget of $420,000. The final project cost of $525,000 is $105,000 (25%) over budget. The extra $29,000 is attributed to a number of contract variations due to scope changes to satisfy community input during works and design improvements.

**Haddon Drive Extension**

The Project was approved for award by Council in December 2019 with a predicted expenditure $75,000 (12%) more than the budget.

**Lidgett Street Reservation Playground**

The Project final expenditure is forecast as $230,486 which is $25,486 (11%) over budget. The over expenditure has been incurred as a result of accommodating additional elements as part of the Stage 1 development of the reserve as an outcome of community consultation and feedback.

Council Plan

The Council Plan 2017-2021 provides as follows:

**Strategic Objective 1: Providing Good Governance and Leadership**

**Context 1A: Our Assets and Infrastructure**

The proposal is consistent with the Council Plan 2017 – 2021.

Financial Implications

Reporting of the Capital Improvement Program has been resourced as part of Council’s budget; accordingly, there are no additional financial implications.

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 monitored by the allocated project manager 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, letter drops and door knocking.

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 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 – 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 2019-2020 Capital Improvement Program delivery for the full year to 30 June 2020 for the information of Councillors.

16 Other Reports

Nil

17 Notices of Motion

17.1 Notice of Motion No. 291 - Urgent Relief Measures

**Attachments: Nil**

I, Councillor Jarrod Bingham, give notice that at the next Ordinary Meeting of Council to be held on 5 August 2020, I intend to move the following motion:

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| --- |
| Motion  **That Council write to State and Federal Government seeking relief measures and/or exemptions that can be applied with regard to State and Federal Government taxes and levies as collected by Council.** |

Rationale

It is currently noted that Local Government act as a tax and levy collector for both State and Federal Governments. For the 19/20 financial year, Moorabool Shire collected approximately $4M in taxes and levies for these tiers of Government.

In light of the current pandemic crisis, I am asking for State and Federal Governments to provide urgent relief measures that we can pass back to our residents.

I commend this Notice of Motion to Council.

18 Mayor’s Report

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.

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| Recommendation  **That Council resolves to receive the Mayor’s Report.** |

19 Councillors’ Reports

20 Urgent Business

21 Closed Session of the Meeting to the Public

Nil

22 Meeting Closure