

## **SPECIAL MEETING OF COUNCIL**

**Minutes** of a  
Special Meeting of Council held at  
the Council Chamber, 15 Stead Street, Ballan on  
Wednesday 29 June 2016,  
at 6:00 p.m.

### **Members:**

Cr. Allan Comrie (Mayor)	East Moorabool Ward
Cr. Paul Tatchell	Central 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

1.	<b>OPENING OF MEETING</b> .....	3
2.	<b>ACKNOWLEDGEMENT TO COUNTRY</b> .....	3
3.	<b>PRESENT</b> .....	3
4.	<b>APOLOGIES</b> .....	3
5.	<b>DISCLOSURE OF CONFLICT OF INTEREST</b> .....	4
6.	<b>PRESENTATIONS / DEPUTATIONS</b> .....	6
7.	<b>BUSINESS</b> .....	7
7.1	<i>Consideration of the Proposed 2016/17 Annual Budget</i> .....	7
7.2	<i>Adoption of the 2013-2017 Council Plan (Revised 2016) inclusive of Strategic Resource Plan</i> .....	41
7.3	<i>Adoption of Meeting Procedure Local Law No. 9</i> .....	45
8.	<b>FURTHER BUSINESS AS ADMITTED BY UNANIMOUS RESOLUTION OF COUNCIL</b> .....	48
9.	<b>CLOSED SESSION OF THE MEETING TO THE PUBLIC</b> .....	49
10.	<b>MEETING CLOSURE</b> .....	50

**1. OPENING OF MEETING**

*The Mayor, Cr. Allan Comrie, opened the meeting at 6.07pm.*

**2. ACKNOWLEDGEMENT TO COUNTRY**

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

**3. PRESENT**

<i>Cr. Allan Comrie</i>	<i>East Moorabool Ward</i>
<i>Cr. John Spain</i>	<i>East Moorabool Ward</i>
<i>Cr. Tonia Dudzik</i>	<i>East Moorabool Ward</i>
<i>Cr. David Edwards</i>	<i>East Moorabool Ward</i>
<i>Cr. Tom Sullivan</i>	<i>West Moorabool Ward</i>
<i>Cr. Pat Toohey</i>	<i>Woodlands Ward</i>

**Officers:**

<i>Mr. Rob Croxford</i>	<i>Chief Executive Officer</i>
<i>Mr. Satwinder Sandhu</i>	<i>General Manager Growth and Development</i>
<i>Mr. Danny Colgan</i>	<i>General Manager Social and Organisational Development</i>
<i>Mr. Phil Jeffrey</i>	<i>General Manager Infrastructure</i>
<i>Ms. Natalie Abbott</i>	<i>Manager Customer and Business Services</i>
<i>Mr. Steve Ivelja</i>	<i>Manager Finance</i>
<i>Mr. John Whitfield</i>	<i>Governance Coordinator</i>
<i>Ms. Melissa Hollitt</i>	<i>Minute Taker</i>

**4. APOLOGIES**

*Cr. Paul Tatchell*                      *Central Ward*  
*(Leave of Absence – Refer Item 10.1.1 of Ordinary Meeting of Council - 1 June 2016 - Minutes)*

## 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)
  - 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:

- (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.

***Nil.***

## 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:**

***Nil.***

## 7. BUSINESS

### 7.1 Consideration of the Proposed 2016/17 Annual Budget

#### Introduction

File No.: 07/01/011  
Author: Steven Ivelja  
General Manager: Phil Jeffrey

In accordance with Section 130 of the Local Government Act 1989 (the Act) Council is required to formally adopt the 2016/17 Annual Budget by 30 June 2016. As resolved by Council on 4 May 2016, the proposed Budget was placed on public exhibition from Tuesday 10 May 2016 to Tuesday 7 June 2016 inclusive, calling for submissions as required under Section 223 of the Act. This was advertised in The Moorabool News on 10 May 2016 and the Ballarat Courier on 14 May 2016.

Section 223 of the Act requires Council to follow a process of enabling submissions to be received. There were 9 written submissions received by 7 June 2016. Council considered submissions at the Special Meeting of Council on 22 June 2016 and resolved:

1. *That the nine submissions be received;*
2. *That having considered the public submissions, the adoption of the 2016/17 Annual Budget, including the following amendment,*
  - *the net savings of Councils' contribution to the Maddingley Park changerooms refurbishment be applied as a Council contribution of seed funding to the pavilion improvement project, be referred to the Special Meeting of Council of Wednesday 29 June 2016 to be held at 6.00pm in Council Chamber, 15 Stead Street, Ballan.*
3. *That officers be requested to continue to work with committees and groups that have put forward capital projects in order to strengthen future submissions to funding opportunities.*
4. *That following the adoption of the 2016/17 Annual Budget, responses are provided to each Submitter.*

Having completed all statutory requirements, the 2016/17 Annual Budget can now be considered for adoption.

#### Background

The Proposed 2016/17 Annual Budget that was advertised for community consultation is attached to this report (Attachment 7.1). It recognises the importance of setting a clear direction for the future, achieving measurable objectives, encouraging community input and consultation, and being financially responsible. It is part of a financial plan that aims to secure a viable and sustainable path to achieve the Shire's objectives.

The budget includes a 3.5% rate increase for 2016/17 after approval was given by the Essential Services Commission for a 1.0% increase on top of the legislated 2.5% for all Victorian Councils. The rate increase is to fund the capital improvement program, new initiatives, service growth and Council operations.

The 2016/17 financial year is also a revaluation year. Due to the municipal revaluation a proposed 3.5% rate increase will not be reflected in the residents' rates notices as property valuations will result in a redistribution of the rating burden.

### **Budget Amendments and related matters**

Since the Proposed Budget was presented to Council there are some suggested amendments to the Operating budget. New or updated information has become available and these amendments are highlighted below.

#### **1. Indicative Financial Assistance Grant Allocations for 2016/17**

On 24 May 2016, Council was advised by the Victorian Grants Commission of its indicative Financial Assistance Grants for 2016/17. As a result of this preliminary advice, it is likely that Council will receive \$58,819 more than the level estimated in the 2016/17 Proposed Budget. The increase is made up of;

**Table 1.1;**

	<b>Proposed Budget</b>	<b>Indicative</b>	
	<b>2016/17</b>	<b>2016/17</b>	<b>Change</b>
General Purpose Grant	4,060,328	4,103,925	43,597
Local Roads Grant	1,760,241	1,775,463	15,222
<b>Total</b>	<b>5,820,569</b>	<b>5,879,388</b>	<b>58,819</b>

#### **2. Recent Council Resolutions**

Two One-Off Projects have been approved recently by Council Resolution for inclusion in the 2016/17 budget. These are;

- Indoor Court Feasibility Study - \$15,000 from Capital Works Seed Funding Reserve and \$30,000 in external grant funds. Total project value \$45,000.
- Infrastructure Contributions Plan - \$15,000 allocated to undertake an initial report.

#### **3. Developer Contributions**

An amount of \$252,860 was budgeted to be received in 2016/17 for Halletts Way North Extension. This amount will now be received in the 2015/16 financial year.

#### **4. Other Adjustments**

Other minor adjustments include the following;



- Climate Change Grant (Develop an Implementation Plan for Sustainable Building Upgrades) – Council has been successful in obtaining \$10,000 in funding for this project. Overall the net cost to Council is zero.
- Election Costs – Council has been advised that the contracted cost to Victorian Electoral Commission will be \$161,495. The amount in the proposed budget was \$138,500. The 2016/17 Budget will be amended to reflect the variance of \$22,995.
- Changes to Capital Improvement Program from Budget Submissions as per the following:

**Table 1.2;****Proposed Budget 2016/17**

Capital Works Area	ProjectCost \$'000	Grants \$'000	Contributions \$'000	CouncilCash \$'000	Loans \$'000
PROPERTY					
Maddingley Park Changeroom Refurbishment	96	25	0	71	0
Maddingley Park Pavilion Improvements	150	150	0	0	0
<b>Total</b>	<b>246</b>	<b>175</b>	<b>0</b>	<b>71</b>	<b>0</b>

**Amendments as a result of 22nd June meeting**

Capital Works Area	ProjectCost \$'000	Grants \$'000	Contributions \$'000	CouncilCash \$'000	Loans \$'000
PROPERTY					
Maddingley Park Changeroom Refurbishment	30	15	0	15	0
Maddingley Park Pavilion Improvements	170	114	0	56	0
<b>Total</b>	<b>200</b>	<b>129</b>	<b>0</b>	<b>71</b>	<b>0</b>

In relation to the Change Room refurbishment project, the proposed budget will be reduced from \$96,000 to \$30,000 to reflect the proposed changes to the scope of works. As a result, Council's contribution to the project will reduce from \$71,000 to \$15,000, with the remainder of the project funded by external grants.

With the change of scope of the Change Room project resulting in a \$56,000 reduction in Council contributions, the \$56,000 will be transferred to the Maddingley Park Pavilion Improvement project. As a result, Council's overall contribution to the 2 projects will remain constant at \$71,000. In line with the proposal put forward by the submitter, the aggregate of both projects combined is proposed to be capped at an overall cost of \$200,000, resulting in a total of \$114,000 needing to be sought from either contributions or external grants. Based on the submission put forward by the club, the club and the committee of management will contribute an aggregate sum of \$60,000 resulting in a shortfall of \$54,000 required to fund the project. Based on Council's resolution, Council has not funded the project shortfall.

### Summary of Adjustments

Overall the changes will impact the Comprehensive Income Statement by \$293,036. The table below shows these amendments and the impact on the overall surplus for the 2016/17 Budget.

**Table 1.3;**

Comprehensive Income Statement			
	Proposed Budget	Adjusted Budget	Variance
	2016/17 \$'000	2016/17 \$'000	2016/17 \$'000
<b>Income</b>			
Rates and charges	31,043	31,043	0
Statutory fees and fines	642	642	0
User fees	1,951	1,951	0
Contributions - monetary	353	100	(253)
Contributions - non-monetary assets	4,635	4,635	0
Grants - Operating (recurrent)	8,930	8,989	59
Grants - Operating (non-recurrent)	120	160	40
Grants - Capital (recurrent)	2,899	2,899	0
Grants - Capital (non-recurrent)	2,190	2,144	(46)
Other income	1,381	1,381	0
Interest received	374	374	0
<b>Total income</b>	54,517	54,317	(200)
<b>Expenses</b>			
Employee costs	18,226	18,226	0
Materials and services	14,530	14,623	(93)
Depreciation and amortisation	9,961	9,961	0
Finance costs	906	906	0
Other expenses	770	770	0
Net gain on disposal of property, infrastructure, plant and equipment	1,337	1,337	0
<b>Total expenses</b>	45,730	45,823	(93)
<b>Surplus (deficit) for the year</b>	<b>8,787</b>	<b>8,494</b>	<b>(293)</b>

### **Policy Implications**

The 2013 – 2017 Council Plan provides as follows:

<b>Key Result Area -</b>	Continuous Improvement in Council Services
<b>Objective -</b>	Sound, long term financial management
<b>Strategy -</b>	Develop and maintain a long term financial planning, management and reporting system, which ensures resources to deliver services and manage Council's assets.

The consideration of the Proposed 2016/17 Annual Budget is consistent with the 2013-2017 Council Plan.

### Financial Implications

The 2016/17 Annual Budget has been prepared within the adopted five year strategic financial plan. This will allow Council to improve its financial sustainability and balance the building of new infrastructure with maintaining our existing infrastructure. This is evidenced by:

- Excluding the impact of any proposed amendments contained in this report, the adjusted underlying deficit is budgeted to improve from a 2015/16 forecasted deficit of \$2.635m to a 2016/17 budgeted surplus of \$1.610m.
- Excluding the impact of any proposed amendments contained in this report, the 2016/17 capital budget is \$17.460m with almost 57% of this being committed to renewal/upgrade projects.

### Communications Strategy

In accordance with Section 223 of the Act, Council considered submissions on 22 June 2016. Council received 9 written submissions, with the following people requesting to speak to their submission:

- Mrs. Margaret Scarff
- Mr. Chris Sharkey
- Mr. Russell Hendry on behalf of Maddingley Park CoM

The following outlines the timetable in place for the communication and adoption of the 2016/17 Annual Budget:

<b>Timetable for the Proposal and Adoption of the 2016/17 Annual Budget</b>	
Proposed 2016/17 Annual Budget presented for Council adoption and Public Notification	4 May 2016
Advertise Proposed 2016/17 Annual Budget, inviting public inspection and submissions according to Section 223 of the Local Government Act 1989, in Council's nominated newspapers	10 May to 7 June 2016
Consider public submissions per Section 223(1)(b) of the Local Government Act 1989 for the Proposed 2016/17 Annual Budget	22 June 2016
Formally adopt 2016/17 Annual Budget	29 June 2016
Submit 2016/17 Budget to the Minister for Local Government	30 June 2016
Public Notice – Adoption of 2016/17 Annual Budget	5 July 2016

## **Victorian Charter of Human Rights and Responsibilities Act 2006**

In developing this report to Council the briefing 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 – Steven Ivelja*

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

### **Conclusion**

The budget presents Council's immediate and longer-term financial strategy and links the actions set out in the Council Plan. It also identifies the capital works and services the community can expect from Council during the 2016/17 financial year and beyond.

### **Recommendation:**

- 1.1 That Council adopts the 2016/17 Proposed Annual Budget with the following amendments:**
  - 1.1.1 amendments related to Federal Assistance Grants based on preliminary advice received from the Victorian Grants Commission as per Table 1.1 of this report.**
  - 1.1.2 all other proposed amendments that comprise the net movement in Councils surplus as per Table 1.2 and 1.3 of this report.**
- 1.2 That having considered the details of the 2016/17 recurrent and capital budget appended to this report, which includes:**
  - 1.2.1 – Mayor's Introduction**
  - 1.2.2 – Chief Executive Officer's Summary**
  - 1.2.3 – Budget Reports (contains all statutory requirements)**
  - 1.2.4 – Budget Analysis (best practice)**
  - 1.2.5 – Long Term Strategies**
  - 1.2.6 – Appendix A – Fees and charges schedule**
  - 1.2.7 – Appendix B – Budget process**

**the proposed operating and capital budget 2016/17 be the budget prepared for the purposes of section 127 of Act.**

**1.3 That in accordance Regulation 8 of the Regulations, Council declares its intention to borrow \$2.790m. Loan redemption for 2016/17 will be \$1.431m.**

**1.4 General Rates**

**1.4.1 That in accordance with Section 158 of the Local Government Act 1989, Council declares a General Rate for the rating period commencing 1 July 2016 and ending 30 June 2017.**

**1.4.2 It be further declared that the general rate be raised by the application of differential rates.**

**1.4.3 A differential rate be declared for rateable land having the respective characteristics specified in the Schedule to this resolution, which characteristics will form the criteria for each differential rate so declared:**

<b>Category</b>	<b>Cents/\$CIV</b>
Commercial & Industrial Rate	0.006528
Commercial & Industrial Vacant Land	0.010607
Extractive Industry Rate	0.012729
Farm Rate	0.003182
General Rate	0.004080
Vacant Land General	0.008567
Vacant Land FZ and RCZ	0.004080
Vacant Land GRZ	0.010199
Residential Retirement Villages	0.003671

**1.4.4 Each differential rate will be determined by multiplying the Capital Improved Value (CIV) of each rateable land (categorised by the characteristics described in the Schedule to this Resolution) by the relevant percentages.**

**1.4.5 It be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that:**

**1.4.5.1 the respective objectives of each differential rate be those specified in the Schedule to this Resolution; and**

**1.4.5.2 the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Resolution; and**

**1.4.5.3 the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the Schedule to this Resolution; and**

**1.4.5.4 the relevant**  
**(a) uses of;**  
**(b) geographical locations of; and**  
**(c) Planning Scheme zonings of; and**

- (d) types of buildings on the respective types or classes of land be those identified in the Schedule to this Resolution.**

## **1.5 Municipal Charge**

**1.5.1 It be confirmed that no municipal charge is declared in respect of the 2016/17 Financial Year.**

## **1.6 Annual Service Charge**

**1.6.1 An annual service charge be declared in respect of the 2016/17 Financial Year.**

**1.6.1.1 The annual service charge be declared in respect of the period 1 July 2016 to 30 June 2017.**

**1.6.1.2 The annual service charge be declared for the collection and disposal and management of refuse from land.**

**1.6.1.3 The annual service charge be in the sum of, and be based on the criteria, set out below:**

- (i) \$144 per annum for each property that is within the defined urban service area to which a domestic waste collection service is available;**
- (ii) \$144 per annum for each property that is within the defined rural service area to which a domestic waste collection service is available;**
- (iii) \$144 per annum for each property that is not within a defined service area, to which a domestic waste collection service is provided;**
- (iv) \$90 per annum for all rateable properties in all Wards including:**
  - (a) each rateable land that is "farm land" within the meaning of section 2(1) of the Valuation of Land Act 1960 and is a 'single farm enterprise' within the meaning of Section 159(8) of the Local Government Act 1989; and**
  - (b) each other rateable land, from which there is capable of being generated waste which can be deposited by a ratepayer or resident at a landfill or waste transfer station or any other litter facility.**
- (v) \$45 per annum for all rateable properties in all Wards including:**
  - (a) each rateable land that is "farm land" within the meaning of section 2(1) of the Valuation of Land Act 1960 and is a 'single farm enterprise' within the**

- meaning of Section 159(8) of the Local Government Act 1989; and
- (b) each other rateable land, from which there is capable of being generated waste which can be deposited by a ratepayer or resident at a landfill or waste transfer station or any other litter facility.
  - (vi) \$50 per annum (half year impact 2016/17) non-compulsory and optional charge within the urban (residential and low density residential) areas of Bacchus Marsh and Ballan for kerbside greenwaste collection service.

The defined service areas outlined above and the designated routes are defined on a plan, which can be viewed at the Council offices.

## 1.7 Rebates & Concessions

1.7.1 It be recorded that Council grants to each owner of rateable land who is an "eligible recipient" within the meaning of the State Concessions Act 1986, a rebate of an amount determined by the Department of Human Services in respect of their principal place of residence. The criterion for "eligible recipient" is also determined by the Department of Human Services.

## 1.8 Payment

1.8.1 All rates and charges to be paid in four instalments, in accordance with Section 167 (1) and (2) of the Local Government Act 1989.

1.8.2 Unless Council resolves otherwise, a person may only pay rates and charges as a lump sum if payment is made on or before 15 February 2017.

## 1.9 Consequential

1.9.1 It be confirmed that, subject to sections 171 and 172 of the Local Government Act 1989, Council will require a person to pay interest on any rates and charges which:

1.9.1.1 that person is liable to pay;

1.9.1.2 have not been paid by the date specified for their payment.

1.10 That it is proposed that an amount of \$31,043,434 be declared as the amount Council intends to raise from the general rates and charges (including Supplementary and Special Rates) for the period from 1 July 2016 to 30 June 2017.

- 1.11 That in accordance with Section 158 of the Act and Regulation 8 of the Regulations, detailed information concerning General Rates and Special Rates and charges is appended to this report.**
- 1.12 That as part of the public presentation process for the proposed budget, the following actions were undertaken in accordance with:**
- 1.12.1 Sections 127 and 129 of the Act and Regulation 9 of the Regulations – that the proposed 2016/17 budget be made available for public inspection.**
- 1.12.2 Section 129 of the Act and Regulation 9 of the Regulations – that the Chief Executive Officer be authorised to give public notice that the Proposed 2016/17 Annual Budget has been prepared and is available for public inspection.**
- 1.12.3 Sections 158 to 162 of the Act and Regulation 9 of Regulations - that Council give public notice and have ready for public inspection all prescribed information to be available from 10 May until 7 June 2016.**
- 1.13 That Council resolved to allow 28 days for submissions to be made by members of the public and that all submissions are to be made in the prescribed manner. Council heard submissions on Wednesday 22 June 2016 at the James Young Room, Lerderderg Library, Bacchus Marsh.**
- 1.14 That in accordance with Section 130 of the Act, Council resolves to notify and place on public notice its decision to adopt the 2016/17 Annual Budget on 29 June 2016 at a Special Meeting of Council held at the Ballan Council Chamber, 15 Stead Street, Ballan.**
-



## **SCHEDULE**

---

### **Differential Rating Categories**

#### **General Developed Land**

##### **Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

- 1 Construction and maintenance of public infrastructure; and**
- 2 Development and provision of health and community services; and**
- 3 Provision of general support services.**

##### **Types and Classes:**

Rateable land having the relevant characteristics described in the below definition.

##### **Use and Level of Differential Rate:**

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

##### **Geographic Location:**

Wherever located within the municipal district.

##### **Use of Land:**

Any use permitted under the Moorabool Planning Scheme.

##### **Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

##### **Types of Buildings:**

All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.

##### **Definition:**

##### **Any land:**

- on which a dwelling is lawfully erected and occupied for the principal purpose of physically accommodating persons; and
- which does not have the characteristics of:

- **Commercial and Industrial Land;**
- **Vacant Commercial and Industrial Land;**
- **Extractive Industry Land;**
- **Farm Land**
- **Residential Retirement Villages Land;**
- **Vacant General Land;**
- **Vacant FZ and RCZ Land; or**
- **Vacant GRZ.**

### **Commercial and Industrial Land**

#### **Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

1. **Construction and maintenance of public infrastructure; and**
2. **Development and provision of health and community services; and**
3. **Provision of general support services.**

#### **Types and Classes:**

Rateable land having the relevant characteristics described in the below definition.

#### **Use and Level of Differential Rate:**

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

#### **Geographic Location:**

Wherever located within the municipal district.

#### **Use of Land:**

Any use permitted under the Moorabool Planning Scheme.

#### **Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

#### **Types of Buildings:**

All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.

**Definition:**

**Any land which is lawfully used:**

- for the principal purpose of carrying out the manufacturing or productions of goods; or
- for the principal purpose of carrying out trade in goods or services.

**Vacant Commercial and Industrial Land****Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

**Types and Classes:**

Rateable land having the relevant characteristics described in the below definition.

**Use and Level of Differential Rate:**

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

**Geographic Location:**

Wherever located within the municipal district.

**Use of Land:**

Any use permitted under the Moorabool Planning Scheme.

**Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

**Definition:**

**Any land:**

- located within an Industrial or Commercial zone under the Moorabool Planning scheme; and
- which is vacant; or

- **not lawfully developed for the principal purpose of carrying out the manufacturing or production of goods or trade in goods or services; and**
- **which does not have the characteristics of General Developed Land.**

### **Extractive Industry Land**

#### **Objective:**

**To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –**

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

#### **Types and Classes:**

**Rateable land having the relevant characteristics described in the below definition.**

#### **Use and Level of Differential Rate:**

**The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.**

**The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.**

#### **Geographic Location:**

**Wherever located within the municipal district.**

#### **Use of Land:**

**Any use permitted under the Moorabool Planning Scheme.**

#### **Planning Scheme Zoning:**

**The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.**

#### **Types of Buildings:**

**All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.**

**Definition:****Any land;**

- which is used primarily for the extraction or removal of minerals, earth or stone including the treatment of minerals, earth or stone; or
- on which activities for the extraction or removal of minerals, earth or stone including the treatment of minerals earth or stone have been discontinued but which has not yet been rehabilitated to environmental standards as required by law.

**Farm Land****Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

**Types and Classes:**

Rateable land having the relevant characteristics described in the below definition.

**Use and Level of Differential Rate:**

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

**Geographic Location:**

Wherever located within the municipal district.

**Use of Land:**

Any use permitted under the Moorabool Planning Scheme.

**Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

**Types of Buildings:**

All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.

**Definition:****Any land;**

- which is “farm land” within the meaning of section 2(1) of the Valuation of Land Act 1960.

**Vacant General Land****Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

**Types and Classes:**

Rateable land having the relevant characteristics described in the below definition.

**Use and Level of Differential Rate:**

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

**Geographic Location:**

Wherever located within the municipal district.

**Use of Land:**

Any use permitted under the Moorabool Planning Scheme.

**Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

**Definition:****Any land;**

- on which no building is lawfully erected; and
- which does not have the characteristics of;
  - o Vacant commercial and Industrial Land; or
  - o Vacant FZ and RCZ Land; or
  - o Vacant GRZ Land.

## **Vacant FZ and RCZ Land**

### **Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

### **Types and Classes:**

Rateable land having the relevant characteristics described in the below definition.

### **Use and Level of Differential Rate:**

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

### **Geographic Location:**

Wherever located within the municipal district.

### **Use of Land:**

Any use permitted under the Moorabool Planning Scheme.

### **Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

### **Definition:**

#### **Any land;**

- on which no building is lawfully erected; and
- which is located within the Farm Zone (FZ) or Rural Conservation Zone (RCZ) under the Moorabool Planning Scheme; and
- which does not have the characteristics of Farm Land.

## **Vacant GRZ Land**

### **Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

### **Types and Classes:**

Rateable land having the relevant characteristics described in the below definition.

### **Use and Level of Differential Rate:**

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

### **Geographic Location:**

Wherever located within the municipal district.

### **Use of Land:**

Any use permitted under the Moorabool Planning Scheme.

### **Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

### **Definition:**

#### **Any land;**

- on which no building is lawfully erected; and
- which is located within the General Residential Zone (GRZ) under the Moorabool Planning Scheme.



### **Residential Retirement Village Land**

#### **Objective:**

To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –

1. Construction and maintenance of public infrastructure; and
2. Development and provision of health and community services; and
3. Provision of general support services.

#### **Types and Classes:**

Rateable land having the relevant characteristics described in the below definition.

#### **Use and Level of Differential Rate:**

The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.

The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.

#### **Geographic Location:**

Wherever located within the municipal district.

#### **Use of Land:**

Any use permitted under the Moorabool Planning Scheme.

#### **Planning Scheme Zoning:**

The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.

#### **Types of Buildings:**

All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.

#### **Definition:**

##### **Any land:**

- Which is defined as a Retirement Village land under the *Retirement Villages Act 1986*.

**Resolution:****Crs. Toohey/Spain****1.1 That Council adopts the 2016/17 Proposed Annual Budget with the following amendments:**

**1.1.1 amendments related to Federal Assistance Grants based on preliminary advice received from the Victorian Grants Commission as per Table 1.1 of this report.**

**1.1.2 all other proposed amendments that comprise the net movement in Councils surplus as per Table 1.2 and 1.3 of this report.**

**1.1.3 That the commentary and wording contained in the Proposed 2016/17 Budget be amended to reflect the outcome of the rate capping process and references to the 'Proposed 2016/17 Budget' be amended to reflect the 'Adopted 2016/17 Budget'**

**1.2 That having considered the details of the 2016/17 recurrent and capital budget appended to this report, which includes:**

**1.2.1 – Mayor's Introduction**

**1.2.2 – Chief Executive Officer's Summary**

**1.2.3 – Budget Reports (contains all statutory requirements)**

**1.2.4 – Budget Analysis (best practice)**

**1.2.5 – Long Term Strategies**

**1.2.6 – Appendix A – Fees and charges schedule**

**1.2.7 – Appendix B – Budget process**

**the proposed operating and capital budget 2016/17 be the budget prepared for the purposes of section 127 of Act.**

**1.3 That in accordance Regulation 8 of the Regulations, Council declares its intention to borrow \$2.790m. Loan redemption for 2016/17 will be \$1.431m.****1.4 General Rates**

**1.4.1 That in accordance with Section 158 of the Local Government Act 1989, Council declares a General Rate for the rating period commencing 1 July 2016 and ending 30 June 2017.**

**1.4.2 It be further declared that the general rate be raised by the application of differential rates.**

**1.4.3 A differential rate be declared for rateable land having the respective characteristics specified in the Schedule to this resolution, which characteristics will form the criteria for each differential rate so declared:**

<b>Category</b>	<b>Cents/\$CIV</b>
<i>Commercial &amp; Industrial Rate</i>	<i>0.006528</i>
<i>Commercial &amp; Industrial Vacant Land</i>	<i>0.010607</i>
<i>Extractive Industry Rate</i>	<i>0.012729</i>
<i>Farm Rate</i>	<i>0.003182</i>
<i>General Rate</i>	<i>0.004080</i>
<i>Vacant Land General</i>	<i>0.008567</i>
<i>Vacant Land FZ and RCZ</i>	<i>0.004080</i>
<i>Vacant Land GRZ</i>	<i>0.010199</i>
<i>Residential Retirement Villages</i>	<i>0.003671</i>

**1.4.4 Each differential rate will be determined by multiplying the Capital Improved Value (CIV) of each rateable land (categorised by the characteristics described in the Schedule to this Resolution) by the relevant percentages.**

**1.4.5 It be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that:**

**1.4.5.1 the respective objectives of each differential rate be those specified in the Schedule to this Resolution; and**

**1.4.5.2 the respective types or classes of land which are subject to each differential rate be those defined in the Schedule to this Resolution; and**

**1.4.5.3 the respective uses and levels of each differential rate in relation to those respective types or classes of land be those described in the Schedule to this Resolution; and**

**1.4.5.4 the relevant**  
**(a) uses of;**  
**(b) geographical locations of; and**  
**(c) Planning Scheme zonings of; and**  
**(d) types of buildings on the respective types or classes of land be those identified in the Schedule to this Resolution.**

## **1.5 Municipal Charge**

**1.5.1 It be confirmed that no municipal charge is declared in respect of the 2016/17 Financial Year.**

## **1.6 Annual Service Charge**

**1.6.1 An annual service charge be declared in respect of the 2016/17 Financial Year.**

- 1.6.1.1 The annual service charge be declared in respect of the period 1 July 2016 to 30 June 2017.**
- 1.6.1.2 The annual service charge be declared for the collection and disposal and management of refuse from land.**
- 1.6.1.3 The annual service charge be in the sum of, and be based on the criteria, set out below:**
- (i) \$144 per annum for each property that is within the defined urban service area to which a domestic waste collection service is available;**
  - (ii) \$144 per annum for each property that is within the defined rural service area to which a domestic waste collection service is available;**
  - (iii) \$144 per annum for each property that is not within a defined service area, to which a domestic waste collection service is provided;**
  - (iv) \$90 per annum for all rateable properties in all Wards including:**
    - (a) each rateable land that is "farm land" within the meaning of section 2(1) of the Valuation of Land Act 1960 and is a 'single farm enterprise' within the meaning of Section 159(8) of the Local Government Act 1989; and**
    - (b) each other rateable land, from which there is capable of being generated waste which can be deposited by a ratepayer or resident at a landfill or waste transfer station or any other litter facility.**
  - (v) \$45 per annum for all rateable properties in all Wards including:**
    - (a) each rateable land that is "farm land" within the meaning of section 2(1) of the Valuation of Land Act 1960 and is a 'single farm enterprise' within the meaning of Section 159(8) of the Local Government Act 1989; and**
    - (b) each other rateable land, from which there is capable of being generated waste which can be deposited by a ratepayer or resident at a landfill or waste transfer station or any other litter facility.**

**(vi) \$50 per annum (half year impact 2016/17) non-compulsory and optional charge within the urban (residential and low density residential) areas of Bacchus Marsh and Ballan for kerbside greenwaste collection service.**

**The defined service areas outlined above and the designated routes are defined on a plan, which can be viewed at the Council offices.**

## **1.7 Rebates & Concessions**

**1.7.1 It be recorded that Council grants to each owner of rateable land who is an "eligible recipient" within the meaning of the State Concessions Act 1986, a rebate of an amount determined by the Department of Human Services in respect of their principal place of residence. The criterion for "eligible recipient" is also determined by the Department of Human Services.**

## **1.8 Payment**

**1.8.1 All rates and charges to be paid in four instalments, in accordance with Section 167 (1) and (2) of the Local Government Act 1989.**

**1.8.2 Unless Council resolves otherwise, a person may only pay rates and charges as a lump sum if payment is made on or before 15 February 2017.**

## **1.9 Consequential**

**1.9.1 It be confirmed that, subject to sections 171 and 172 of the Local Government Act 1989, Council will require a person to pay interest on any rates and charges which:**

**1.9.1.1 that person is liable to pay;**

**1.9.1.2 have not been paid by the date specified for their payment.**

**1.10 That it is proposed that an amount of \$31,043,434 be declared as the amount Council intends to raise from the general rates and charges (including Supplementary and Special Rates) for the period from 1 July 2016 to 30 June 2017.**

**1.11 That in accordance with Section 158 of the Act and Regulation 8 of the Regulations, detailed information concerning General Rates and Special Rates and charges is appended to this report.**

- 1.12 That as part of the public presentation process for the proposed budget, the following actions were undertaken in accordance with:**
- 1.12.1 Sections 127 and 129 of the Act and Regulation 9 of the Regulations – that the proposed 2016/17 budget be made available for public inspection.**
  - 1.12.2 Section 129 of the Act and Regulation 9 of the Regulations – that the Chief Executive Officer be authorised to give public notice that the Proposed 2016/17 Annual Budget has been prepared and is available for public inspection.**
  - 1.12.3 Sections 158 to 162 of the Act and Regulation 9 of Regulations - that Council give public notice and have ready for public inspection all prescribed information to be available from 10 May until 7 June 2016.**
- 1.13 That Council resolved to allow 28 days for submissions to be made by members of the public and that all submissions are to be made in the prescribed manner. Council heard submissions on Wednesday 22 June 2016 at the James Young Room, Lerderderg Library, Bacchus Marsh.**
- 1.14 That in accordance with Section 130 of the Act, Council resolves to notify and place on public notice its decision to adopt the 2016/17 Annual Budget on 29 June 2016 at a Special Meeting of Council held at the Ballan Council Chamber, 15 Stead Street, Ballan.**
-

## **SCHEDULE**

---

### ***Differential Rating Categories***

#### ***General Developed Land***

##### ***Objective:***

***To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –***

- 1. Construction and maintenance of public infrastructure; and***
- 2. Development and provision of health and community services; and***
- 3. Provision of general support services.***

##### ***Types and Classes:***

***Rateable land having the relevant characteristics described in the below definition.***

##### ***Use and Level of Differential Rate:***

***The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.***

***The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.***

##### ***Geographic Location:***

***Wherever located within the municipal district.***

##### ***Use of Land:***

***Any use permitted under the Moorabool Planning Scheme.***

##### ***Planning Scheme Zoning:***

***The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.***

##### ***Types of Buildings:***

***All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.***

##### ***Definition:***

##### ***Any land:***

- on which a dwelling is lawfully erected and occupied for the principal purpose of physically accommodating persons; and***

- **which does not have the characteristics of:**
  - **Commercial and Industrial Land;**
  - **Vacant Commercial and Industrial Land;**
  - **Extractive Industry Land;**
  - **Farm Land**
  - **Residential Retirement Villages Land;**
  - **Vacant General Land;**
  - **Vacant FZ and RCZ Land; or**
  - **Vacant GRZ.**

### **Commercial and Industrial Land**

#### **Objective:**

**To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –**

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

#### **Types and Classes:**

**Rateable land having the relevant characteristics described in the below definition.**

#### **Use and Level of Differential Rate:**

**The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.**

**The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.**

#### **Geographic Location:**

**Wherever located within the municipal district.**

#### **Use of Land:**

**Any use permitted under the Moorabool Planning Scheme.**

#### **Planning Scheme Zoning:**

**The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.**

#### **Types of Buildings:**

**All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.**



**Definition:**

**Any land which is lawfully used:**

- **for the principal purpose of carrying out the manufacturing or productions of goods; or**
- **for the principal purpose of carrying out trade in goods or services.**

**Vacant Commercial and Industrial Land****Objective:**

**To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –**

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

**Types and Classes:**

**Rateable land having the relevant characteristics described in the below definition.**

**Use and Level of Differential Rate:**

**The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.**

**The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.**

**Geographic Location:**

**Wherever located within the municipal district.**

**Use of Land:**

**Any use permitted under the Moorabool Planning Scheme.**

**Planning Scheme Zoning:**

**The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.**

**Definition:**

**Any land:**

- **located within an Industrial or Commercial zone under the Moorabool Planning scheme; and**
- **which is vacant; or**

- ***not lawfully developed for the principal purpose of carrying out the manufacturing or production of goods or trade in goods or services; and***
- ***which does not have the characteristics of General Developed Land.***

### ***Extractive Industry Land***

#### ***Objective:***

***To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –***

- 1. Construction and maintenance of public infrastructure; and***
- 2. Development and provision of health and community services; and***
- 3. Provision of general support services.***

#### ***Types and Classes:***

***Rateable land having the relevant characteristics described in the below definition.***

#### ***Use and Level of Differential Rate:***

***The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.***

***The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.***

#### ***Geographic Location:***

***Wherever located within the municipal district.***

#### ***Use of Land:***

***Any use permitted under the Moorabool Planning Scheme.***

#### ***Planning Scheme Zoning:***

***The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.***

#### ***Types of Buildings:***

***All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.***

**Definition:****Any land;**

- *which is used primarily for the extraction or removal of minerals, earth or stone including the treatment of minerals, earth or stone; or*
- *on which activities for the extraction or removal of minerals, earth or stone including the treatment of minerals earth or stone have been discontinued but which has not yet been rehabilitated to environmental standards as required by law.*

**Farm Land****Objective:**

*To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –*

1. *Construction and maintenance of public infrastructure; and*
2. *Development and provision of health and community services; and*
3. *Provision of general support services.*

**Types and Classes:**

*Rateable land having the relevant characteristics described in the below definition.*

**Use and Level of Differential Rate:**

*The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.*

*The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.*

**Geographic Location:**

*Wherever located within the municipal district.*

**Use of Land:**

*Any use permitted under the Moorabool Planning Scheme.*

**Planning Scheme Zoning:**

*The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.*

**Types of Buildings:**

*All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.*

**Definition:****Any land;**

- **which is “farm land” within the meaning of section 2(1) of the Valuation of Land Act 1960.**

**Vacant General Land****Objective:**

**To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –**

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

**Types and Classes:**

**Rateable land having the relevant characteristics described in the below definition.**

**Use and Level of Differential Rate:**

**The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.**

**The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.**

**Geographic Location:**

**Wherever located within the municipal district.**

**Use of Land:**

**Any use permitted under the Moorabool Planning Scheme.**

**Planning Scheme Zoning:**

**The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.**

**Definition:****Any land;**

- **on which no building is lawfully erected; and**
- **which does not have the characteristics of;**
  - **Vacant commercial and Industrial Land; or**
  - **Vacant FZ and RCZ Land; or**
  - **Vacant GRZ Land.**

**Vacant FZ and RCZ Land****Objective:**

**To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –**

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

**Types and Classes:**

**Rateable land having the relevant characteristics described in the below definition.**

**Use and Level of Differential Rate:**

**The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.**

**The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.**

**Geographic Location:**

**Wherever located within the municipal district.**

**Use of Land:**

**Any use permitted under the Moorabool Planning Scheme.**

**Planning Scheme Zoning:**

**The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.**

**Definition:****Any land;**

- on which no building is lawfully erected; and**
- which is located within the Farm Zone (FZ) or Rural Conservation Zone (RCZ) under the Moorabool Planning Scheme; and**
- which does not have the characteristics of Farm Land.**

**Vacant GRZ Land****Objective:**

**To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –**

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

**Types and Classes:**

**Rateable land having the relevant characteristics described in the below definition.**

**Use and Level of Differential Rate:**

**The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.**

**The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.**

**Geographic Location:**

**Wherever located within the municipal district.**

**Use of Land:**

**Any use permitted under the Moorabool Planning Scheme.**

**Planning Scheme Zoning:**

**The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.**

**Definition:****Any land;**

- on which no building is lawfully erected; and**
- which is located within the General Residential Zone (GRZ) under the Moorabool Planning Scheme.**

**Residential Retirement Village Land****Objective:**

**To ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Council, including the –**

- 1. Construction and maintenance of public infrastructure; and**
- 2. Development and provision of health and community services; and**
- 3. Provision of general support services.**

**Types and Classes:**

**Rateable land having the relevant characteristics described in the below definition.**

**Use and Level of Differential Rate:**

**The differential rate will be used to fund some of those items of expenditure described in the Budget adopted by Council.**

**The level of the differential rate is the level which Council considers is necessary to achieve the objectives specified above.**

**Geographic Location:**

**Wherever located within the municipal district.**

**Use of Land:**

**Any use permitted under the Moorabool Planning Scheme.**

**Planning Scheme Zoning:**

**The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the Moorabool Planning Scheme.**

**Types of Buildings:**

**All buildings which are now constructed on the land or which are constructed prior to the end of the Financial year.**

**Definition:****Any land:**

- Which is defined as a Retirement Village land under the Retirement Villages Act 1986.**

**CARRIED.**

---

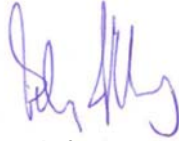
**Report Authorisation**

**Authorised by:**

**Name:** Phil Jeffrey

**Title:** General Manager Infrastructure

**Date:** Wednesday, 22 June 2016





## 7.2 Adoption of the 2013-2017 Council Plan (Revised 2016) inclusive of Strategic Resource Plan

### Introduction

File No.: 02/02/002  
Author: John Whitfield  
General Manager: Satwinder Sandhu

The following report is presented to Council for consideration to adopt the 2013-2017 Council Plan (Revised 2016) Council Plan inclusive of the Strategic Resource Plan.

### Background

Part 6, Section 125 (7) of the *Local Government Act* 1989 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.

On Wednesday 4 May 2016, Council resolved to place the proposed 2013-2017 Council Plan (2016 revision), inclusive of the Strategic Resource Plan, on public exhibition, seeking submissions in accordance with Section 223 of the *Local Government Act* 1989.

Notices to advertise the public exhibition period were placed with the regional newspaper, the (Ballarat) Courier, the local newspaper on Council's weekly page in the Moorabool News and via Council's *Have Your Say* online community engagement forum.

A Special Meeting of Council was held on Wednesday 22 June 2015 for Council to consider submissions to the draft plan. No submissions were received and Council resolved that the adoption of the Council Plan be referred to a Special Meeting of Council to be held 29 June 2016.

### Proposal

Submissions to the 2016/17 Annual Budget were considered at a Special Meeting of Council held on Wednesday 22 June 2015.

Further, Council is to consider the adoption of the Annual Budget in the Agenda item immediately prior to this one. Any changes to the budget as resolved by the Council at this meeting will be incorporated into the Strategic Resource Plan section of the adopted Council Plan.

Also, an update to the population figures presented on page 7 of the Council Plan has been made and is now shown on the Council Plan attached to this report.

With the incorporation of the adopted Strategic Resource Plan and having completed all statutory requirements, it is now recommended that Council adopts the 2013-2017 Council Plan (Revised 2016) and gives public notice as required under the *Local Government Act* 1989 that the 2013-2017 Council Plan (Revised 2016) has been adopted.

## Policy Implications

The 2013–2017 Council Plan provides as follows:

<b>Key Result Area</b>	Representation and Leadership of our Community
<b>Objective</b>	Good governance through open and transparent processes and strong accountability to the community.
<b>Strategy</b>	Ensure policies and good governance are in accordance with legislative requirements and best practice.

The proposal to adopt the proposed 2013-2017 Council Plan (2016 revision) is consistent with the 2013-2017 Council Plan.

## Financial Implications

In accordance with Section 126 of the Local Government Act 1989, Council has prepared the Strategic Resource Plan that details the resources required to achieve the objectives and strategies outlined in the 2013-2017 Council Plan (Revised 2016). It reflects the adopted budget in the Agenda item prior to this one.

The Strategic Resource Plan will include the following information in respect of the next four year period that concludes 30 June 2020.

- *the standard statements describing the required financial resources in the form and containing the information required by the regulations as amended by the adoption of the 2016/17 Annual Budget; and*
- *statements describing the required non-financial resources, including human resources.*

## Communications Strategy

In accordance with the *Local Government Act* 1989 the 2013-2017 Council Plan (Revised 2016) will progress through the final adoption process.

<b>Timetable for the Adoption of 2013-2017 Council Plan (Revised 2016) inclusive of the Strategic Resource Plan</b>	
Formally adopt 2013-2017 Council Plan (2016 revision) and Strategic Resource Plan	29 June 2016
Public Notice - Adoption of 2013-2017 Council Plan (2016 revision) and Strategic Resource Plan	2 July 2016
Submit 2013-2017 Council Plan (2016 revision) and Strategic Resource Plan to Minister for Local Government by:	31 July 2016

### **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 – John Whitfield*

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

### **Conclusion**

Having completed all statutory requirements in accordance with Part 6 Section 125 and Section 223 of the *Local Government Act 1989*, the 2013-2017 Council Plan (Revised 2016) inclusive of the Strategic Resource Plan, as amended at this meeting, is now presented to Council for adoption and for its placement on public notice as required under the *Act*.

**Resolution:****Crs. Toohey/Dudzik**


***That Council, having advertised the proposed 2013-2017 Council Plan (Revised 2016) inclusive of the Strategic Resource Plan, resolves to:***

- 1. adopt the 2013-2017 Council Plan (Revised 2016) inclusive of the Strategic Resource Plan and in accordance with the adopted 2016/17 Annual Budget.***
- 2. notify and place on public notice its decision to adopt the 2013-2017 Council Plan (Revised 2016) inclusive of the Strategic Resource Plan in accordance with Section 125 of the Act.***
- 3. submit a copy of the 2013-2017 Council Plan (Revised 2016) inclusive of the Strategic Resource Plan to the Minister for Local Government in accordance with Section 125 of the Act.***

**CARRIED.**

---

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

**Name:** Satwinder Sandhu   
**Title:** General Manager Growth and Development  
**Date:** Thursday 23 June 2016

## 7.3 Adoption of Meeting Procedure Local Law No. 9

### Introduction

File No.: 02/01/001  
Author: John Whitfield  
General Manager: Satwinder Sandhu

The following report is presented to Council for consideration to adopt Meeting Procedure Local Law No. 9

### Background

Section 91(1) of the *Local Government Act* 1989 (the Act) stipulates that Council's must make a Local Law governing the conduct of Council and Special Committee meetings to ensure the orderly function of Council business.

Council's existing Meeting Procedure Local Law No. 8 was adopted by Council in 2009. Since this time, there have been a number of amendments to the Act that has necessitated a review of Council's Meeting Procedure Local Law.

On Wednesday 4 May 2016, Council resolved to place the reviewed Meeting Procedure Local Law No. 9 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 the Government Gazette, Council's website, local and regional newspapers, media release, social media, Council's community consultation website: haveyoursay.com.au and with hard copies available at all Council offices. The public submission period commenced on Tuesday 10 May and closed on Tuesday 7 June 2016.

A Special Meeting of Council was held on Wednesday 22 June 2016 for Council to consider submissions to the local law. One submission was received and considered. Council resolved that the adoption of Meeting Procedure Local Law No. 9 be referred to a Special Meeting of Council to be held 29 June 2016.

### Proposal

Submissions to Meeting Procedure Local Law No. 9 were considered at a Special Meeting of Council held on Wednesday 22 June 2016. Two small amendments to the local law as presented to Council at that meeting have now been incorporated. (Clauses 5.1(e) and 5.1(f). The revised local law is now attached to this report.

### Policy Implications

The 2013 - 2017 Council Plan provides as follows:

<b>Key Result Area</b>	Representation and Leadership of our Community
<b>Objective</b>	Good governance through open and transparent processes and strong accountability to the community
<b>Strategy</b>	Ensure policies and good governance are in accordance with legislative requirements and best practice.

The proposal to adopt Meeting Procedure Local Law No. 9 is consistent with the 2013-2017 (Revised 2015) Council Plan.

### **Financial Implications**

The only financial implications to Council are administrative and advertising costs.

### **Risk & Occupational Health & Safety Issues**

There are no risk and occupational health and safety issues associated with the preparation of the proposed Local Law No. 9.

### **Communications Strategy**

In accordance with the *Local Government Act 1989* Meeting Procedure Local Law No. 9 will progress through the final adoption process.

<b>Timetable for the Adoption of Meeting Procedure Local Law No. 9</b>	
Formally adopt the Meeting Procedure Local Law No. 9	29 June 2016
Public Notice - Adoption of Meeting Procedure Local Law No. 9	2 July 2016

### **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 – John Whitfield*

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

### **Conclusion**

Meeting Procedure Local Law No. 9 has been amended after taking into consideration the submission received.

Having completed all statutory requirements in accordance with Section 223 of the *Local Government Act 1989*, Meeting Procedure Local Law No. 9 is now presented to Council for adoption and for its placement on public notice as required under the *Act*.

### **Resolution:**

**Crs. Dudzik/Sullivan**

***That Council, having advertised the proposed Meeting Procedure Local Law No. 9, resolves to:***

- 1. adopt Meeting Procedure Local Law No. 9 under the common seal of Council;***
- 2. notify and place on public notice its decision to adopt Meeting Procedure Local Law No. 9 in accordance with the Act.***

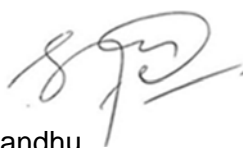
**CARRIED.**

---

### **Report Authorisation**

**Authorised by:**

**Name:** Satwinder Sandhu  
**Title:** General Manager Growth and Development  
**Date:** Friday 17 June 2016



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

***Nil.***



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

***Nil.***

**10. MEETING CLOSURE**

*The meeting closed at 6.26pm.*

*Confirmed.....Mayor.*