



AGENDA

Ordinary Council Meeting Wednesday, 5 April 2023

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

Date: Wednesday, 5 April 2023

Time: 6.00pm

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

**Derek Madden
Chief Executive Officer**

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1 OPENING OF MEETING AND PRAYER

Almighty God be with us as we work for the people of the Shire of Moorabool. Grant us wisdom that we may care for the Shire as true stewards of your creation. May we be aware of the great responsibilities placed upon us. Help us to be just in all our dealings and may our work prosper for the good of all. Amen.

2 ACKNOWLEDGEMENT OF COUNTRY

I acknowledge the Traditional Owners of the land on which we are meeting. I pay my respects to their Elders, past and present, and the Aboriginal Elders of other communities who may be here today.

3 RECORDING OF MEETING

In accordance with Moorabool Shire Council's Meeting Procedure Local Law, the Council will be recording this meeting. The following organisations have also been granted permission to make an audio recording:

- The Moorabool News; and
- The Star Weekly

4 PRESENT

5 APOLOGIES

6 CONFIRMATION OF MINUTES

Ordinary Council Meeting - Wednesday 1 March 2023

7 DISCLOSURE OF CONFLICTS OF INTEREST

Conflict of interest laws are prescribed under the *Local Government Act 2020* (the Act) and in the Local Government (Governance and Integrity) Regulations 2020 (the Regulations). Managing conflicts of interest is about ensuring the integrity and transparency of decision-making.

The conflict of interest provisions under the Act have been simplified so that they are more easily understood and more easily applied. The new conflict of interest provisions are designed to ensure relevant persons proactively consider a broader range of interests and consider those interests from the viewpoint of an impartial, fair-minded person.

Section 126 of the Act states that a Councillor has a conflict of interest if they have a general conflict of interest or a material conflict of interest. These are explained below:

- A Councillor has a general conflict of interest in a matter if an impartial, fair-minded person would consider that the member's private interests could result in them acting in a manner that is contrary to their public duty as a Councillor.
- A Councillor has a material conflict of interest in a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

A relevant person with a conflict of interest must disclose the interest in accordance with Council's Governance Rules and not participate in the decision-making process on the matter. This means the relevant person must exclude themselves from any discussion or vote on the matter at any Council meeting, delegated committee meeting, community asset committee meeting or, if a Councillor, any other meeting conducted under the auspices of the Council. The relevant person must also exclude themselves from any action in relation to the matter, including an action taken to implement a council decision, for example, issuing a planning permit.

8 PUBLIC QUESTION TIME

The aim of Public Question Time is to provide an opportunity for the public to ask general questions at Council Meetings requiring routine responses. Public Question Time is conducted in accordance with section 3.7.1 of the Council's Governance Rules.

- (a) Question time will take place during the Council Meeting as provided for in the agenda.
- (b) Questions in writing in the form prescribed by the Chief Executive Officer will be accepted up to 5pm on the day before the Meeting.
- (c) A person must not submit more than two (2) individual questions at a meeting, inclusive of all parts and variants as interpreted by the Chairperson or other person authorised for this purpose by the Chairperson.
- (d) A question will only be read to the meeting if the Chairperson or other person authorised for this purpose by the Chairperson has determined that the:
 - (i) person directing the question is present in the gallery;
 - (ii) question does not relate to a confidential matter;
 - (iii) question does not relate to a matter in respect of which Council has no power to act;
 - (iv) question is not defamatory, indecent, abusive or objectionable in language or substance;
 - (v) question is not a repetition of a question already asked or answered (whether at the same or an earlier meeting); and
 - (vi) question is not asked to embarrass a Councillor, member of Council staff or member of the public.
- (e) Persons submitting questions must be present in the public gallery. If they are not present in the Gallery, the question will be held over to the next meeting only.
- (f) The Chief Executive Officer will read out each question and the Chairperson shall decide who will answer each question.

A Councillor or Council officer may:

- (i) immediately answer the question asked; or
- (ii) elect to have the question taken on notice until the next Ordinary meeting of Council; at which time the question must be answered and incorporated in the Agenda of the meeting under Public Question Time; or

- (iii) elect to submit a written answer to the person asking the question within 10 working days.

Responses to public questions answered at the meeting, will be general in nature, provided in good faith and should not exceed two minutes. These responses will be summarised in the minutes of the meeting.

9 PETITIONS

Nil

10 PRESENTATIONS/DEPUTATIONS

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

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

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

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

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

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

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

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

11 CHIEF EXECUTIVE OFFICER REPORTS

11.1 GOVERNANCE RULES UPDATE APRIL 2023

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

Authoriser: Derek Madden, Chief Executive Officer

Attachments: 1. Governance Rules April 2023 (under separate cover)

PURPOSE

The purpose of this report is to adopt a change to the Governance Rules to allow meetings to proceed when live streaming may not be available, and meetings can be recorded.

EXECUTIVE SUMMARY

- Update of the Governance Rules to allow meetings to proceed when live streaming may not occur due to technical difficulties.
- Meetings can still be recorded should the live stream not operate.

RECOMMENDATION

That Council adopts the minor change to the Governance Rules relating to the proceeding of meetings should technical difficulties with live streaming be experienced.

BACKGROUND

The Governance Rules has a provision to adjourn meetings should technical difficulties be experienced for live streaming prior to or during Council Meetings. Current wording does not allow for discretion by the Mayor/Chair of the meeting to be able to proceed if the recording capability is still operable.

PROPOSAL

A change has been made to section 3.7.5 Live Streaming and Recording Proceedings to remove the word “will” to “may” to allow for the discretion of the Mayor/Chair to determine whether the meeting should proceed should the live streaming technology experience any difficulties. Schedule 1 has been updated to reflect the change in wording.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

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

FINANCIAL IMPLICATIONS

There are no financial implications with the update to the Governance Rules. Changes relate to business-as-usual activity.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

No risks have been identified with the update to the Governance Rules.

COMMUNICATIONS & CONSULTATION STRATEGY

No communication strategy is required as the change is administrative in nature.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

Chief Executive Officer – Derek Madden

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

Author – Celeste Gregory

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

CONCLUSION

The adoption of the administrative change to the Governance Rules will reduce any form of ambiguity in the future relating to proceeding with Council meetings should technical difficulties with the live stream be experienced.

11.2 INSTRUMENT OF APPOINTMENT AND AUTHORISATION UNDER THE ENVIRONMENT PROTECTION ACT 2017

Author: Angela Menzies, Governance Support Officer

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

Attachments: 1. Instrument of Appointment and Authorisation - Environment Protection Act 2017 (under separate cover)

PURPOSE

The purpose of this report is to update appointment and authorisations of Council officers in relation to the Environment Protection Act 2017.

EXECUTIVE SUMMARY

- The current Instrument of Appointment and Authorisation requires updating to reflect the current staffing of Moorabool Shire Council.
- An updated Instrument of Appointment and Authorisation is presented for consideration by Council, which will enable Council officers to regulate specific provisions of the *Environment Protection Act 2017*.

RECOMMENDATION

That Council:

1. Approves under the common seal of Council, the attached Instrument of Appointment and Authorisation of Council officers under section 242(2) of the Environment Protection Act 2017.
2. Revokes the previous Instrument of Appointment and Authorisation under the Environment Protection Act 2017, with such revocation to take effect immediately upon execution of the Instrument of Appointment and Authorisation referred to in point 1, above.

BACKGROUND

Council is a joint regulator, with the Environment Protection Authority Victoria (EPA), of the Environment Protection Act.

Provisions of the *Environment Protection Act 2017* that have been delegated to Council, may be sub-delegated to members of Council staff who have been appointed as authorised officers.

This Instrument of Appointment and Authorisation is provided as **Attachment 1** to this report, and provides Council with the power to appoint authorised officers under s.242(2) of the Act for the specific purpose of regulating specified onsite wastewater management systems and noise from residential construction.

PROPOSAL

The attached Instrument of Appointment and Authorisation has been prepared for Council consideration and enables the officers authorised to be delegated provisions of the *Environment Protection Act 2017* under section 242(2) of the Act.

The attached Instrument of Appointment and Authorisation reflects the following changes:

- Departure of the following staff:
 - Allan May, Environmental Health Technical Officer
 - Sally Jones, General Manager Community Strengthening
- Updating of staff to reflect the realignment of the Community Health and Safety team to sit within the Community Planning and Development directorate.
 - Henry Bezuidenhout, Executive Manager Community Planning and Development

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

The proposal to approve the Instrument of Appointment and Authorisation is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

There are no financial implications to Council associated with this report.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

No Risk and Occupational Health and Safety issues apply to Council unless the relevant Council officers do not receive the appropriate appointment, authorisation and delegation from Council.

COMMUNICATIONS & CONSULTATION STRATEGY

No communication & consultation strategy is required as this is an internal process only.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

Executive Manager Democratic Support & Corporate Governance – Celeste Gregory

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

Author – Angela Menzies

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

CONCLUSION

Provisions of the *Environment Protection Act 2017* that have been delegated to Council by the EPA may be sub-delegated to members of Council staff who have been appointed as authorised officers.

Accordingly, it is recommended that Council consider the Instrument of Appointment and Authorisation, provided as **Attachment 1**, and appoint the relevant officers as authorised officers under the Act.

11.3 INSTRUMENT OF APPOINTMENT AND AUTHORISATION OF COUNCIL OFFICERS UNDER SECTION 147(4) OF THE PLANNING AND ENVIRONMENT ACT 1987

Author: Angela Menzies, Governance Support Officer

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

Attachments: 1. Instrument of Appointment and Authorisation (Planning & Environment Act 1987) (under separate cover)

PURPOSE

The purpose of this report is to update appointment and authorisations of Council officers in relation to the *Planning and Environment Act 1987*.

EXECUTIVE SUMMARY

- Under section 147(4) of the *Planning and Environment Act 1987* (the Act), Council must appoint authorised officers for the purposes and regulations made under the Act.
- Council's Instrument of Appointment and Authorisation are routinely reviewed and updated. A summary of all the proposed amendments is provided in the body of this report.

RECOMMENDATION

That Council:

1. Approves under the common seal of Council, the attached Instrument of Appointment and Authorisation of Council officers under section 147(4) of the *Planning and Environment Act 1987*.
2. Revokes the previous Instrument of Appointment and Authorisation under the Planning and Environment Act 1987, with such revocation to take effect immediately upon execution of the Instrument of Appointment and Authorisation referred to in point 1, above.

BACKGROUND

Section 313 of the *Local Government Act 2020* authorises the relevant officers either generally or in a particular case to institute proceedings for offences against the Acts and Regulations described within the proposed Instrument of Appointment and Authorisation.

PROPOSAL

In order to comply with the *Planning and Environment Act 1987*, an Instrument of Appointment and Authorisation is now presented to Council, as attached, requesting that the officers named in that Instrument be hereby appointed for the purposes of section 147(4) of the *Planning and Environment Act 1987* and the regulations made under that Act and section 313 of the *Local Government Act 2020* for the purpose either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in the Instrument.

The attached Instrument of Appointment and Authorisation reflects the following changes:

Addition of the following staff:

- Catherine McLay, Special Projects Communications Officer
- Justin Rocio, Statutory Planning Officer
- Fatima Goreishi, Statutory Planning Officer
- Cliff Bostock, Coordinator Strategic Planning
- Paul Bezemer, Coordinator Growth Area Planning
- Fauster Awepuga, Strategic Planner

Removal of the following staff:

- Allan May, Environmental Health Technical Officer
- Ana Mitrov, Strategic Planner
- Justin Horne, Manager Environment & Waste Education
- Patrick Armstrong, Major Developments Advisor
- Robert Asquith, Statutory Planner
- Robert Fillisch, Manager Statutory Planning & Regulatory Services
- Samuel Duff, Statutory Planner
- Sara Douglas, Community Safety Officer
- Stewart Steele, Team Leader Community Safety
- Vanessa Osborn, Special Projects Manager

Updating of staff titles:

- Henry Bezuidenhout, Executive Manager Community Planning & Development

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

The proposal to approve the Instrument of Appointment and Authorisation is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

No financial implications to Council.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

No Risk and Occupational Health and Safety issues apply to Council unless the relevant Council officers do not receive the appropriate appointment and authorisation from Council.

COMMUNICATIONS & CONSULTATION STRATEGY

No communication and consultation strategy is required as this is an internal process only.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

Executive Manager Democratic Support & Corporate Governance – Celeste Gregory

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

Author – Angela Menzies

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

CONCLUSION

Council is obliged to comply with section 147(4) of the *Planning and Environment Act 1987*, therefore the attached Instrument of Appointment and Authorisation is required to be approved under the common seal of Council.

11.4 INSTRUMENT OF DELEGATION - COUNCIL TO MEMBERS OF COUNCIL STAFF**Author:** Angela Menzies, Governance Support Officer**Authoriser:** Celeste Gregory, Executive Manager - Democratic Support & Corporate Governance**Attachments:** 1. Instrument of Delegation from Council to Members of Staff (under separate cover)**PURPOSE**

The purpose of this report is to present for Council adoption, a revised Instrument of Delegation to delegate Council powers, duties and functions to member of Council staff as a result of changes to positions.

EXECUTIVE SUMMARY

- An Instrument of Delegation is a formal document that allows for certain duties, functions and decision-making powers to be delegated to a Council officer or a Delegated Committee, as a means of reducing the operational and decision-making workload upon the Council.
- Council's Instrument of Delegation is routinely reviewed and updated. A summary of all the proposed amendments is provided in the body of this report.

RECOMMENDATION**That Council:**

1. Approves under the common seal of Council, the attached Instrument of Delegation to Members of Council Staff.
2. Revokes the previous Instrument of Delegation to Members of Council staff, with such revocation to take effect immediately upon execution of the Instrument of Delegation to Members of Council Staff referred to in point 1, above.

BACKGROUND

Councils have wide-ranging responsibilities and have been given many powers, duties and functions under various pieces of legislation. It is impossible for a Council to exercise all these powers, duties and functions itself, as Council would be required to pass a resolution each time it wished to act. For day-to-day operations, Councils need others to make decisions and act on their behalf.

The Chief Executive Officer has an Instrument of Delegation from Council which contains broad ranging powers that include the power to sub-delegate to Council staff. However, some legislation (such as the *Planning and Environment Act 1987*) does not allow for the Chief Executive Officer to sub-delegate these powers or responsibilities to Council staff. Therefore, in these instances Council must delegate those powers, functions or duties directly to Council staff.

PROPOSAL

The attached Instrument of Delegation to Members of Council Staff reflects the following changes:

- Addition of the following positions:
 - Manager Growth and Development
 - Coordinator Growth Area Planning
- Updating of the following position:
 - Manager Governance Risk & Corporate Planning to be amended to Executive Manager Democratic Support & Corporate Governance
- Updating of delegated positions to various provisions within the Instrument.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

The proposal to update the Instrument of Delegation to Members of Council Staff is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the preparation of this report or the amended Instrument of Delegation.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

No Risk or Occupational Health and Safety issues apply to Council unless the relevant Council officers do not receive the appropriate delegations from Council.

COMMUNICATIONS & CONSULTATION STRATEGY

Section 11(8) of the Local Government Act 2020 requires Council to keep a register of delegations.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

Executive Manager Democratic Support & Corporate Governance – Celeste Gregory

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

Author – Angela Menzies

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

CONCLUSION

It is recommended that Council approve and adopt the Instrument of Delegation to Members of Council Staff to ensure that the organisation is compliant with current legislative requirements and operates as efficiently as possible for the benefit of the Moorabool community.

12 COMMUNITY PLANNING AND DEVELOPMENT REPORTS

12.1 HERITAGE ADVISORY COMMITTEE TERMS OF REFERENCE

Author: Sarah Kernohan, Manager Growth & Development

Authoriser: Henry Bezuidenhout, Executive Manager Community Planning & Development

Attachments:

1. Current Terms of Reference 2015 (under separate cover)
2. Proposed Terms of Reference 2023 (under separate cover)

PURPOSE

To seek support for a new Heritage Advisory Committee Terms of Reference and process to seek and appoint new members to the Heritage Advisory Committee.

EXECUTIVE SUMMARY

- The Moorabool Heritage Advisory Committee (the Committee) was established by Council resolution on 5 September 2007. The Committee has been meeting bi-monthly since this date.
- A review found that elements of the Terms of Reference, in particular the role and function, and operation and membership sections require updating.
- A new Terms of Reference has been drafted which addresses issues identified in the review.
- Following adoption of the new Terms of Reference a process would be undertaken to seek and appoint new members to the Committee.

RECOMMENDATION

That Council:

1. **Adopts the new Heritage Advisory Committee Terms of Reference as per Attachment 2.**
2. **Resolves to seek and appoint new members to the Heritage Advisory Committee under delegation by the Executive Manager Community Planning and Development.**

BACKGROUND

The Moorabool Heritage Advisory Committee (the Committee) was established by Council resolution on 5 September 2007. The Committee has been meeting bi-monthly since this date.

The original Terms of Reference for the Committee was reviewed and revised by Council resolution on 1 August 2012. Further revisions were made to the Terms of Reference on 2 September 2015.

A third review was undertaken of the Terms of Reference in 2018 however the proposed revised Terms of Reference were not reported to Council or formally adopted. The Committee are currently operating within the 2015 version of the Terms of Reference (Attachment 1).

The purpose of the Committee (as per the current Terms of Reference) is to *'advise Council on the conservation and promotion of heritage in Moorabool Shire'*. The current membership of the Committee consists of representation from 14 individually listed groups, associations and societies.

Review of Current Terms of Reference

At a Heritage Advisory Committee meeting in February 2020, a workshop was held to reconfirm the purpose and functions of the Committee. The Committee reflected on its strengths and achievements and discussed what could be improved. The Committee identified, amongst other things, that existing membership and the Terms of Reference were outdated and needed to be reviewed.

A full review of the Terms of Reference was undertaken by Officers in 2021/22. This review identified a number of issues with the current Terms of Reference. These issues relate to:

- Role and Function - Inconsistency with the role and function of advisory committees such as inclusion of voting rights and reference to commenting on development applications.
- Operational – Does not include necessary operational requirements such as objectives, definitions, conflict of interest and confidentiality.
- Membership – Includes 14 community groups many of which no longer exist, are inactive, or do not attend Committee meetings.

PROPOSAL

A new Terms of Reference has been drafted (Attachment 2). Key changes to the Terms of Reference include:

- Removal of content inconsistent with the function of an Advisory Committee, including commenting on development applications and voting rights.
- Structural changes to reflect the new template.
- Introduction of the following sections – objectives, definitions, conflict of interest and confidentiality, operations, reporting and media.
- Changes to the membership to:
 - Include criteria for the selection of community members.
 - Include Council's Heritage Advisor.
 - Reduce community members from three to two.
 - Remove honorary members.
 - Remove 14 listed historical societies, groups, committees and associations, and replace with eight members to be selected from appropriate community groups.

The reduction to eight community groups is to ensure a more manageable Committee size, whilst still ensuring membership of the Committee is able to be maintained by the existing community groups that have been attending over the past three years. The removal of specific reference to the groups allows for flexibility in membership as community groups change and evolve.

Next Steps

Following adoption of the new Terms of Reference, and consistent with the Terms of Reference, an expression of interest process would be advertised for the two community members, and an invitation for membership extended to appropriate community groups throughout the Shire.

Selection of members would be based on the criteria outlined in the new Terms of Reference, being:

- Skills and other attributes of the applicant.
- Qualifications of the applicant.
- The level of experience and interest in the work of the Committee.
- A broad distribution of applicants, in terms of the geographic and physical location within municipality.
- Broad representation of applicants that reflect the diversity of Moorabool.

Appointment of new community Committee members would be for the duration of the existing Council term consistent with the new Terms of Reference.

Appointment of new Committee members would be undertaken under delegation by the Executive Manager Community Planning and Development.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

Priority 3.1: Listen, analyse and understand community needs

The proposal to maintain an updated and relevant Terms of Reference to ensure effective governance of the Heritage Advisory Committee is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

There are no significant financial implications associated with this report. The appointment of a new committee can be accommodated within the 2022/23 budget associated with the Heritage Advisory Committee.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There is minor risk associated with the operation of the Heritage Advisory Committee under an outdated Terms of Reference that has been identified as requiring updating. There is also a minor risk that the Advisory Committee is not effectively representing the community through the outdated membership list, particularly where many do not attend.

COMMUNICATIONS & CONSULTATION STRATEGY

The current Committee is aware that a review of the existing Terms of Reference has been undertaken and that a new Terms of Reference has been drafted. The purpose and objectives of the new Terms of Reference were drafted by Council officers based on the feedback from the 2020 Committee workshop.

The new Terms of Reference will be made available as part of the expression of interest process.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

Executive Manager – Henry Bezuidenhout

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

Author – Sarah Kernohan

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

CONCLUSION

The existing Heritage Advisory Committee Terms of Reference are outdated. A review found that elements of the Terms of Reference, in particular the Role and Function, and Operation and Membership sections require updating. A new Terms of Reference has been drafted which addresses issues identified in the review. Following adoption of the new Terms of Reference a process would be undertaken to seek and appoint new members to the Committee.

13 COMMUNITY STRENGTHENING REPORTS

13.1 COMMUNITY ASSET COMMITTEES - REPORTS

Author: Kaylene Bowker, Executive Assistant

Authoriser: Leigh McCallum, General Manager Community Strengthening

- Attachments:**
1. Minutes - Bacchus Marsh Public Hall CAC - 24 October 2022 (under separate cover)
 2. Minutes - Bacchus Marsh Public Hall CAC - 28 November 2022 (under separate cover)

PURPOSE

Community Asset Committees are established by Council under section 65 of the *Local Government Act 2020* to manage and maintain Community Assets within the municipal district. By Instrument of Delegation, Council may delegate to the committees such functions and powers of the Council that it deems appropriate, utilising provisions of the *Local Government Act 2020*. The Council cannot delegate those powers identified in section 11(2) of the *Local Government Act 2020*.

EXECUTIVE SUMMARY

The following Community Asset Committees present the following reports of the Committee Meetings for Council consideration.

Committee	Meeting Date
Bacchus Marsh Public Hall Community Asset Committee	24 October 2022 28 November 2022

RECOMMENDATION

That Council receives the Bacchus Marsh Public Hall Community Asset Committee Minutes for 24 October 2022 and 28 November 2022.

13.2 CENTRAL HIGHLANDS VISITOR ECONOMY PARTNERSHIP

Author: Bec Carey-Grieve, Coordinator Arts and Economic Development

Authoriser: Leigh McCallum, General Manager Community Strengthening

Attachments: 1. Statement of Purposes and Rules (under separate cover)

PURPOSE

The purpose of this report is to present a future structure for the Central Highlands Visitor Economy Partnership (VEP) and seek approval for Moorabool Shire Council's participation and investment in the Partnership.

EXECUTIVE SUMMARY

- In 2019 the State Government commissioned the Visitor Economy Recovery and Reform Plan. The plan was commissioned by the Victorian Government to ensure the regions get the support and opportunities they need to grow in the tourism market.
- A key outcome from this Plan was to transition the existing network of Regional Tourism Boards into a new network of Visitor Economy Partnerships (VEPs).
- Moorabool Shire Council (MSC) has an opportunity to participate in one of the first newly formed VEPs.
- Since October 2021 Moorabool Shire Council has been part of a project working group along with the State Government and other neighbouring councils to explore what a structure for a new VEP entity may look like.
- Membership of a new VEP entity has the potential to unlock significant benefits and opportunities for Council in realising the economic benefits of the visitor economy, with strong linkages between the proposed VEP model and Council's strategic priorities, including the Community Vision, Council Plan and the Art & Culture Strategy. Each of these strategic documents identify the contribution of tourism and the visitor economy in achieving a strong and thriving local economy.
- It is anticipated that Council would benefit from membership to the new VEP entity which would apply a more coordinated approach for the region in relation to advocacy, sustainable destination development, marketing support and capacity building.

RECOMMENDATION

That Council:

1. Approves supporting the formation of a new Visitor Economy Partnership for the region.
2. Provides in principle support to commit the base level financial commitment of \$30,000 annually for the next four years to become a paid member of the new Visitor Economy Partnership.
3. Note the attached Statement of Purpose and Rules.

BACKGROUND

In October 2021 MSC entered into a Memorandum of Understanding (MOU) with City of Ballarat and Pyrenees Shire Council in response to the Victorian State Government Visitor Economy Recovery and Reform Plan. The plan was commissioned by the Victorian Government in March 2019 to ensure these regions receive the support and opportunities they need to grow in the tourism market.

A key outcome from this plan was to transition the existing network of Regional Tourism Boards into a new network of Visitor Economy Partnerships. Under the new partnership model, Visitor Economy Partnerships will:

- Have a clear sense of purpose and defined responsibilities;
- Encourage local and industry leadership, with senior local Council, industry and skills-based board membership;
- Include all regions, with boundaries co-designed and agreed in collaboration with local Councils;
- Leverage benefits of scale; and
- Have local ownership and flexibility with the broad geographic coverage to deliver region-wide initiatives.

The purpose of the MOU was to outline cooperative arrangements between the City of Ballarat, Moorabool Shire Council and Pyrenees Shire Council to work collaboratively to explore a proposed structure for a new VEP and to establish visitor economy outcomes in preparation for the implementation of the Victorian Visitor Economy Partnerships managed by Tourism Events and Visitor Economy (TEVE) Branch of Business Victoria, and the execution of the Visitor Economy Recovery and Reform Plan.

A potential structure is being developed which is based on the following pillars:

- Influence & Unite – A strong and united visitor economy
- Supply – Sustainable destination development
- Demand – Marketing activities

PROPOSAL

It is proposed that Council support the formation of a new VEP and provides in principle support to commit the base level financial commitment (\$30k annually for the next four years) to become a paid member of the new entity.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

Strategic Objective 2: Liveable and thriving environments

Priority 2.5: Create a viable offering to attract visitors, tourists and investment

The proposal to support the development of the Central Highlands Visitor Economy Partnership and for Council to become a member is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

Council’s financial contribution to become a member of the new VEP entity will be \$30,000 annually. It is proposed that Council commits this funding for the next four years through the annual budget process, following this time the membership will be reviewed.

Membership of the VEP enables Council to access additional ‘Pay to Play’ activities to be delivered by the future entity. Any costs associated with the VEP will be submitted as part of Council’s annual budget process.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Participation in the Central Highland’s VEP not supported by Council.	If Council does not support participation in the Central Highland’s VEP it will significantly hamper delivering a Visitor Economy Strategy across the Shire.	High	Participation in the Central Highlands VEP will ensure MSC is able to leverage opportunities offered by the partnership to benefit the Shire and grow the visitor economy in the Shire.
Financial – Inadequate funds to participate in the partnership.	Inadequate financial management.	High	Secure confirmed budget from Council to ensure we are able to participate as a paid member in the partnership.
Reputation – Negative response from Moorabool Shire businesses and residents.	The Central Highlands VEP receives negative feedback from tourism businesses within the Shire.	Medium	Participation in the Central Highland’s VEP supports Council’s strategic priorities including the Community Vision, Council Plan and the Art & Culture Strategy. Each of these strategic documents identify the contribution of tourism and the visitor economy in achieving a strong and thriving local economy. Engagement with local businesses will be undertaken.

COMMUNICATIONS & CONSULTATION STRATEGY

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Collaborate	Participating Councils, State Government, Ballarat Regional Tourism	Fortnightly project working group meeting	Various	October 2021 - current	A proposed model has been developed for the formation of a Central Highland's VEP
Consult	Councillors Council Executive	Council /Executive Briefing	Ballan Bacchus Marsh	March 2023	Feedback received and incorporated

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

General Manager – Community Strengthening - Leigh McCallum

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

Author – Coordinator Arts and Economic Development - Bec Carey-Grieve

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

CONCLUSION

Membership of the new VEP entity has the potential to unlock significant benefits and opportunities for Council in realising the economic benefits of the visitor economy. There are strong linkages between the proposed VEP model with Council's strategic priorities, including the Community Vision, Council Plan and the Art & Culture Strategy. Each of these strategic documents identify the contribution of tourism and the visitor economy in achieving a strong and thriving local economy.

It is recommended that Council support the formation of a new VEP and provide in principle support to commit the base level financial commitment to become a paid member of the new entity.

14 CUSTOMER CARE AND ADVOCACY REPORTS

14.1 CONSIDERATION OF THE PROPOSED 2023/24 ANNUAL BUDGET

Author: James Hogan, Coordinator Financial Services

Authoriser: Caroline Buisson, General Manager Customer Care and Advocacy

Attachments: 1. Moorabool Budget 2023-24 - Proposed (under separate cover)

PURPOSE

This report relates to the commencement of the process for Council to adopt the 2023/24 Annual Budget, in accordance with the requirements of the *Local Government Act 2020*.

The proposed budget 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 four-year Strategic Financial Plan that aims to secure a viable and sustainable path to achieve the Shire's objectives.

EXECUTIVE SUMMARY

This report highlights the important points for consideration in the 2023/24 budget. These include:

- Proposed Rate Increase and Annual Waste Service Charges;
- Proposed New Initiatives and Capital Improvement Program;
- Public Consultation Period.

RECOMMENDATION

That Council:

- 1. In accordance with section 94 of the Local Government Act 2020, place the Draft 2023/24 Annual Budget on public exhibition.**
- 2. Authorise the Chief Executive Officer to give public notice and make available for public inspection the Draft 2023/24 Budget.**
- 3. Invite submissions and feedback on the 2023/24 Proposed Budget in accordance with Council's Community Engagement Policy, until 5pm on Thursday 4 May 2023.**
- 4. Invite submissions and feedback on the composition of proposed rates and charges included in the Draft 2023/24 Annual Budget in accordance with Council's Community Engagement Policy, until 5pm on Thursday 4 May 2023.**
- 5. Considers any submissions at a Special Meeting of Council to be held on Wednesday 10 May 2023, at a venue to be determined; and**
- 6. Endorses, subject to changes to the proposed Annual Budget 2023/24 after consideration of all submissions, to notify and place on public notice its intention to adopt the 2023/24 Annual Budget on Wednesday 17 May 2023 at a Special Meeting of Council, at a venue to be determined.**

BACKGROUND

This report relates to the commencement of the process for Council to adopt the 2023/24 Annual Budget, in accordance with the requirements of the *Local Government Act 2020*.

The proposed budget 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 four-year Strategic Financial Plan that aims to secure a viable and sustainable path to achieve the Shire's objectives.

The proposed rate increase is 3.50 per cent, in line with the order by the Minister for Local Government under the Fair Go Rates System. Council resolved to not apply for a rate cap variation for the 2023/24 year and is very aware of cost pressures on individuals and businesses.

The rate increase is to fund the Capital Improvement Program, New Initiatives, service growth and Council operations. The budget document appended to this report (Appendix A) provides detailed information with regard to the major impacts for 2023/24. It also provides details with regard to Council's financial management principles to ensure a financially sustainable future.

PROPOSAL

- Total recurrent income of \$62.591million;
- Total recurrent expenses of \$62.745 million.

In addition to the planned delivery of recurrent services, the 2023/24 Annual Budget is proposing to fund a small number of New Initiatives. These being:

- Central Highlands Visitor Economy Partnership (\$0.030 million net cost);
- Service Reviews (\$0.030 million net cost);
- Increase to works maintenance budgets (\$0.036 million net cost).
- Civil Maintenance Investigation Officer (\$0.085 million net cost).

In total, Council will invest \$0.181 million in new service initiatives across service areas. The investment in New Initiatives of \$0.181 million will be delivered whilst at the same time achieving minimal growth in overall expenditure.

Capital Projects

Council's Capital Works program maintains a mix between the need to maintain existing infrastructure and build new assets to meet community expectations. Included in the 2023/24 budget is \$41.413 million for new capital works. Some of the projects proposed as part of the 2023/24 Capital Program include:

- Bacchus Marsh Racecourse Recreation Reserve Pavilion (\$6.000 million);
- Ballan Library Facility (\$5.980 million);
- West Maddingley Early Years Facility (\$5.200 million);
- Bacchus Marsh Bowls Club Pavilion & Bowling Green (\$3.400 million);
- Hogan Road and Densley Street, Ballan - Reconstruction (\$1.842 million);
- Bald Hill Redevelopment (\$1.680 million);
- Annual Reseal Program (\$1.507 million);

- Bacchus Marsh Racecourse and Recreation Reserve - Stage 2 (\$0.950 million);
- Ballan-Egerton Road, Mount-Egerton - Reconstruction (\$0.856 million);
- Bungaree Oval Renovation (\$0.643 million); and
- BMRRR Cricket Training Nets (\$0.563 million).

Waste Service Charges

The Waste Management Service Charge will increase from \$110.00 to \$120.00, and the overall Waste Collection Charge will increase from \$224.00 to \$258.00. The State Landfill Levy will increase from \$68.00 to \$69.00, and the optional Kerbside Green Waste service will increase from \$90.00 to \$101.00 for 2022/23.

Cash Management

Overall, total cash and investments of \$36.625 million are forecast as 30 June 2024.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

The proposal Consideration of the Proposed 2023/24 Annual Budget is consistent with the Council Plan 2021-2025.

FINANCIAL IMPLICATIONS

The 2023/24 Budget contains details of the financial resources required to deliver the Council Plan.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no known risk and occupational health and safety issues associated with this report.

COMMUNICATIONS & CONSULTATION STRATEGY

Subject to Council endorsing the Proposed 2023/24 Budget, an advertisement will be placed in local newspapers and on social media. The process includes giving public notice to allow submissions to be made by members of the public and such submissions will be heard prior to Council adopting the 2023/24 Annual Budget.

Copies of the Proposed 2023/24 Annual Budget can also be viewed on Council's website: www.moorabool.vic.gov.au with physical copies mailed out on request.

Residents are invited to make submissions in relation to the Proposed 2023/24 Annual Budget until 5.00pm on Thursday 4 May 2023.

Feedback should be made in writing and be addressed to:

The Chief Executive Officer
Budget Submission
Moorabool Shire Council
PO Box 18
Ballan VIC 3342

Alternatively, submissions can be emailed to info@moorabool.vic.gov.au or submitted online at <https://moorabool.engagementhub.com.au/>

Any person requesting that he or she be heard in support of a submission is entitled to appear before the Special Meeting of Council either personally or by a person acting on his or her behalf. Any person who wishes to be heard in support of a submission should indicate this request in their written submission. A meeting to hear submissions is scheduled to occur on Wednesday 10 May 2023, at a venue to be determined.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

General Manager – Caroline Buisson

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

Author – James Hogan

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

CONCLUSION

The Proposed 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 2023/24 financial year and beyond.

14.2 CONSIDERATION OF THE 2021-2025 COUNCIL PLAN (2023 UPDATE)**Author:** Leanne Manton, Manager Brand and Advocacy**Authoriser:** Caroline Buisson, General Manager Customer Care and Advocacy**Attachments:** 1. Draft Council Plan 2021 - 2025: 2023 edition (under separate cover)**PURPOSE**

The purpose of this report is to present the draft 2023 update of the 2021-2025 Council Plan and to seek Council endorsement to place the document on public exhibition for public inspection and inviting submissions for consideration.

EXECUTIVE SUMMARY

- As part of the annual planning process, the Council Plan is checked to ensure it remains relevant and that the annual actions for the forthcoming financial year continue to reflect strategic priorities.
- This report highlights some minor edits to the Council Plan 2021-25 (2023 update) including formatting and statistical updates and adjustments to a small number of Council Plan actions.

RECOMMENDATION**That Council:**

1. Approves the draft 2021-25 Council Plan (2023 update) to be made available for public inspection.
2. Authorises the Chief Executive Officer to give public notice of the draft 2021-25 Council Plan (2023 update) and allow 28 days for submissions to be made by member of the public (in the prescribed manner).
3. Resolves to hear submissions (if required) on Wednesday 10 May 2023 at a Special Meeting of Council, at a venue yet to be determined.
4. Resolves to notify and place on public notice its intention to adopt the Council Plan 2021-25 (2023 update) on Wednesday 17 May 2023 at a Special Meeting of Council, at a venue to be determined.

BACKGROUND

In accordance with Section 90 of the *Local Government Act 2020*, Council must prepare and adopt a Council Plan for a period of at least the next four financial years after a general election in accordance with its deliberative engagement practices and adopt the Council Plan by 31 October in the year following a general election. Council met this requirement when it adopted the Council Plan 2021-25 on 30 June 2021 at a Special Meeting of Council.

Council's Community Engagement Policy outlines that the development and review of the Council Plan must follow a deliberative community engagement approach. Prior to adoption of the Council

Plan in 2021, an extensive deliberative process was undertaken to develop and inform the Community Vision and Council Plan.

As part of the annual planning process, the Council Plan is checked to ensure it remains relevant and that the annual actions for the forthcoming financial year continue to reflect strategic priorities.

PROPOSAL

The Council Plan 2021-25 has been checked by Council officers to determine if there is a need for a full review in line with the deliberative engagement requirements per Council's Community Engagement Policy and the Local Government Act 2020. The plan was developed in 2021 following an extensive community engagement process, and as such the strategic objectives and priorities continue to be highly relevant to deliver on the 2030 Community Vision.

Minor grammar and formatting edits have been identified, together with updates to statistical information and adjustments to a small number of Council Plan actions to reflect the proposed actions for 2023/24. The Council Plan has 32 actions listed for completion in 2023/24. Amended actions include minor wording and date changes to reflect that:

- New actions have been identified and incorporated into the plan, including the development of a new Young Communities Strategy (which combines the Municipal Early Years Plan and a youth strategy).
- Eight actions have been updated, mainly to reflect title changes.
- Three actions are to be removed, including the development of a hike and bike strategy (to be incorporated into the action 'Review the Recreation and Leisure Strategy'), the seeking of funding for Stage 3 (BMRRR) (which is to be informed by the outcomes of action 'Review the Recreation and Leisure Strategy') and the development of the Sustainable Buildings Strategy (which is to be incorporated in action 'Commence the Sustainable Environment Strategy').
- Based on current project status and resourcing constraints, 14 actions due to commence in 2022/23 are proposed to commence in 2023/24.
- All actions have been reviewed, with minor wording changes to some actions for clarity and consistency, and changes to completion dates for a small number of actions.

The majority of the proposed changes to the Council Plan relate to grammar, statistics, formatting, data sources and small amendments to actions. As the changes identified are minor, and there has been no change to the vision, strategic objectives and priorities, it has been determined that this does not trigger the requirement for a review through a deliberative engagement process. Instead, a consultative process has been determined to provide an opportunity for the community to comment on the proposed minor amendments to the Council Plan.

The draft Council Plan 2021-25 (2023 update) is shown in Attachment 1.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

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

FINANCIAL IMPLICATIONS

The 2023/24 Budget contains details of the financial resources required to deliver the Council Plan.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no known risk and occupational health and safety issues associated with this report.

COMMUNICATIONS & CONSULTATION STRATEGY

Subject to Council endorsing the proposed Council Plan 2021-25 (2023 update), an advertisement will be placed in local newspapers. The process includes giving public notice to allow 28 days for submissions to be made by members of the public and such submissions will be heard prior to Council adopting the Council Plan 2021-25 (2023 update).

Copies of the Council Plan 2021-25 (2023 update) can also be viewed on Council's website: moorabool.vic.gov.au with physical copies mailed out on request.

Residents are invited to make submissions in relation to the Council Plan 2021-25 (2023 update) until 5pm on Thursday 4 May 2023.

Feedback should be made in writing and be addressed to:

The Chief Executive Officer
Council Plan 2021-25 (2023 update)
Moorabool Shire Council
PO Box 18
Ballan VIC 3342

Alternatively, submissions can be emailed to info@moorabool.vic.gov.au or submitted online at <https://moorabool.engagementhub.com.au/>

Any person requesting that they be heard in support of a submission is entitled to appear before the Special Meeting of Council either personally or by a person acting on their behalf. Any person who wishes to be heard in support of a submission should indicate this request in their written submission. A meeting to hear submissions is scheduled to occur on Wednesday 10 May 2023, at a venue to be determined.

VICTORIAN CHARTER OF HUMAN RIGHTS & RESPONSIBILITIES ACT 2006

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

OFFICER'S DECLARATION OF CONFLICT OF INTERESTS

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

General Manager – Caroline Buisson

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

Author – Leanne Manton

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

CONCLUSION

As part of the annual planning process, the Council Plan 2012-25 has been checked to ensure it the annual actions for the forthcoming financial year continue to reflect strategic priorities. The strategic objectives and priorities in the plan remain relevant to deliver on the 2030 Community Vision. This report has highlighted minor edits to the plan including adjustments to a small number of Council Plan actions. It is recommended that Council endorses the draft Council Plan 2021-25 (2023 update) for community consultation.

15 OTHER REPORTS

Nil

16 NOTICES OF MOTION**16.1 NOTICE OF MOTION - DARLEY BRIDGE SAFETY RAILS****Attachments: Nil**

I, Councillor Tonia Dudzik, give notice that at the next Ordinary Meeting of Council to be held on 5 April 2023, I intend to move the following motion:

MOTION

That Council writes to Regional Roads Victoria requesting that safety rails be erected on the Darley bridge overpass.

RATIONALE

A parent of a Darley teenager has requested that safety rails similar to those on the Halletts Way Bridge be erected on the Darley bridge on Gisborne Road to prevent youth suicide. Young people have attempted to harm themselves by jumping off this bridge. A young person has told me that they are drawn to the Darley bridge and feel the need to jump off it.

I commend this Notice of Motion to Council.

17 NOTICES OF RESCISSION

Nil

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.

RECOMMENDATION

That Council receives the Mayor's Report.

19 COUNCILLORS' REPORTS

20 URGENT BUSINESS

21 CLOSED SESSION OF THE MEETING TO THE PUBLIC

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 66(2)(a) of the *Local Government Act 2020*:

21.1 Appointment of the Chief Executive Officer

This matter is considered to be confidential under Section 89(2) - (a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters.

22 MEETING CLOSURE