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| **AGENDA**    **Special Council Meeting**  **Wednesday, 11 May 2022** | |
| **I hereby give notice that a Special Meeting of Council will be held on:** | |
| **Date:** | **Wednesday, 11 May 2022** |
| **Time:** | **6.00pm** |
| **Location:** | **Council Chambers, 15 Stead Street, Ballan & Online** |
| **Derek Madden**  **Chief Executive Officer** | |

**Order Of Business**

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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 Present

4 Apologies

5 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.

6 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.

7 Customer Care and Advocacy Reports

7.1 Consideration of the Proposed 2022/23 Annual Budget

**Author: Aaron Light, Senior Accountant**

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

**Attachments: 1. 2022/23 Proposed Budget Document (under separate cover)**

Purpose

This report relates to the commencement of the process for Council to adopt the 2022/23 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 2022/23 budget. These include:

 Proposed Loan Borrowings and Loan Redemption;

 Proposed Rate Increase;

 Proposed Changes to Annual Waste Service Charges;

 Public Consultation Period.

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| Recommendation  **That Council:**  **1. In accordance with section 94 of the *Local Government Act 2020*, place the Draft 2022/23 Annual Budget on public exhibition.**  **2. Authorise the Chief Executive Officer to give public notice and make available for public inspection the Draft 2022/23 Budget.**  **3. Invite submissions and feedback on the 2022/23 Proposed Budget in accordance with Council’s Community Engagement Policy, until 5pm on Thursday 9 June 2022.**  **4. Invite submissions and feedback on the composition of proposed rates and charges included in the Draft 2022/23 Annual Budget in accordance with Council’s Community Engagement Policy, until 5pm on Thursday 9 June 2022.**  **5. Considers any submissions at the Special Meeting of Council to be held on Wednesday 15 June 2022, at a venue to be determined; and**  **6. Endorses, subject to changes to the proposed Annual Budget 2022/23 after consideration of all submissions, to notify and place on public notice its intention to adopt the 2022/23 Annual Budget on Wednesday 22 June 2022 at the 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 2022/23 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 1.75 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 2022/23 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 2022/23. It also provides details with regard to Council’s financial management principles to ensure a financially sustainable future.

Proposal

 Total recurrent income of $57.913 million;

 Total recurrent expenses of $57.846 million.

In addition to the planned delivery of recurrent services, the 2022/23 Annual Budget is proposing to fund a small number of New Initiatives. These being:

 Integrated Transport Plan for Ballan ($0.090 million net cost);

 Implementation of the Annual Actions of the Waste and Resource Recovery Strategy ($0.035 million net cost);

 Develop a Hike and Bike Strategy ($0.025 million net cost).

In total, Council will invest $0.140 million in new service initiatives across service areas. The investment in New Initiatives of $0.140 million will be delivered whilst at the same time achieving minimal growth in overall expenditure and ensuring a sustainable operating budget surplus.

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 2022/23 budget is $61.482 million (includes $35.545 million in estimated carry overs from 2021/22) in funds set aside for the delivery of the Capital Improvement Program. Some of the projects proposed as part of the 2022/23 Capital Program include:

 Bacchus Marsh Indoor Recreation Facility ($2.879 million);

 Annual Reseal Program ($1.488 million);

 Ballan Library Facility ($0.770 million);

 Taverner Street, Maddingley - Rehabilitation ($1.400 million);

 Bacchus Marsh Racecourse and Recreation Reserve - Stage 2 ($6.000 million);

 Bald Hill Redevelopment ($1.117 million);

 Bacchus Marsh Bowls Club and Bowling Green ($0.970 million);

 Butlers Road, Navigators – Gravel Road Resheet ($0.292 million);

 Yendon-Egerton Road, Lal Lal - Rehabilitation ($0.507 million);

 Faheys Road, Gordon – Gravel Road Resheet ($0.127 million);

 Albert Street, Darley - Rehabilitation ($0.576 million).

Waste Service Charges

The Waste Management Service Charge will increase from $85.00 to $110.00, and the overall Waste Collection Charge will increase from $205.00 to $224.00. The State Landfill Levy will increase from $53.00 to $68.00, and the optional Kerbside Green Waste service will increase from $77.00 to $90.00 for 2022/23.

The cost to Council of delivering waste collection services to the community has been materially impacted by significant increases in recent years to the disposal cost for recyclables, and the Victorian State Government proposal to increase the State Landfill Levy from $105.90 per tonne in 2021/22 to $125.90 per tonne for 2022/23.

Loan Funding

The 2022/23 budget includes borrowings of $14.000 million (includes $12.778 million of deferred borrowings from prior years) which will be used to help fund the 2022/23 CIP Program.

The 2022/23 budget also includes loan principal repayments of $0.950 million.

Cash Management

Overall, total cash and investments of $38.627 million are forecast as 30 June 2023.

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 2022/23 Annual Budget is consistent with the Council Plan 2021-2025.

Financial Implications

The 2022/23 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 2022/23 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 2022/23 Annual Budget.

Copies of the Proposed 2022/23 Annual Budget can also be viewed on Council’s website: [www.moorabool.vic.gov.au](http://www.moorabool.vic.gov.au) with physical copies mailed out on request.

Residents are invited to make submissions in relation to the Proposed 2022/23 Annual Budget until 5.00pm on Thursday 9 June 2022.

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](mailto: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 15 June 2022, 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 – Aaron Light*

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 2022/23 financial year and beyond.

7.2 Consideration of the 2021-2025 Council Plan (2022 update)

**Author: Troy Watson, Senior Corporate Planning Lead**

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

**Attachments: 1. Council Plan 2021-2025 - 2022 edition (under separate cover)**

Purpose

The purpose of this report is to present the draft 2022 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 (2022 update) including formatting and statistical updates and adjustments to a small number of Council Plan actions.

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| Recommendation  **That Council:**  **1. Endorse the draft 2021-25 Council Plan (2022 update) to be made available for public inspection.**  **2. Authorise the Chief Executive Officer to give public notice of the draft 2021-25 Council Plan (2022 update) and allow 28 days for submissions to be made by members of the public (in the prescribed manner).**  **3. Resolves to hear submissions (if required) on Wednesday 15 June 2022 at a Special Meeting of Council, at a venue to be determined.**  **4. Resolves to notify and place on public notice its intention to adopt the Council Plan 2021-25 (2022 update) on Wednesday 22 June 2022 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, data sources for some performance indicators, and adjustments to a small number of Council Plan actions to reflect the proposed actions for 2022/23. The Council Plan has 38 actions listed for completion in 2022/23. Based on current project status and resourcing, this has been amended to 30 actions for completion in 2022/23. The amended actions include minor wording and date changes to reflect that:

 New actions have been identified and incorporated into the plan, including the construction of Ballan Library and Community Hub

 Two actions have been completed ahead of schedule with the Community Engagement Policy developed in 2021, and accessibility of online Council meetings in 2021/22

 Two actions are to be removed, including the sustainable building strategy which will be incorporated into the work on the sustainable environment strategy, and removal of the annual actions of the integrated water management strategy

 Based on current project status and resourcing constraints, six 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 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 (2022 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 2022/23 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 (2022 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 (2022 update).

Copies of the Council Plan 2021-25 (2022 update) can also be viewed on Council’s website: [www.moorabool.vic.gov.au](http://www.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 (2022 update) until 5.00pm on Tuesday 7 June 2022.

Feedback should be made in writing and be addressed to:

The Chief Executive Officer

Council Plan 2021-25 (2022 update)

Moorabool Shire Council

PO Box 18

Ballan VIC 3342

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

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Officer’s Declaration of Conflict of Interests

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*General Manager – Caroline Buisson*

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

*Author – Troy Watson*

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 (2022 update) for community consultation.

8 Meeting Closure