



AGENDA

Special Council Meeting Wednesday, 22 June 2022

I hereby give notice that a Special Meeting of Council will be held on:

Date: Wednesday, 22 June 2022

Time: 6.00pm

Location: Council Chamber, 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 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 ADOPTION OF THE 2021-2025 COUNCIL PLAN (2022 UPDATE)

Author: Amy Gloury, 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 2022 update of the 2021-2025 Council Plan for Council adoption.

EXECUTIVE SUMMARY

- The draft Council Plan 2021-25 (2022 update) was placed on public exhibition from 11 May 2022 concluding on 9 June 2022 allowing submissions to be made by members of the public.
- No submissions were received at the conclusion of the public submission period, however one late submission was received and noted at the Special Meeting of Council held 15 June 2022
- Since the consultation period, a final internal review conducted by Council officers identified that several additional minor updates to the Council Plan 2021-25 (2022 update) were needed following the recent adoption of various Council policies and reports.
- At the Special Meeting of Council held 15 June 2022, Council resolved to receive a final report for consideration to formally adopt the 2021-25 Council Plan (2022 update).

RECOMMENDATION

That Council adopt the Council Plan 2021-25 (2022 update) included in Attachment 1 of this report, that includes all updates noted at the Special Meeting of Council held 15 June 2022.

BACKGROUND

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.

Through the initial review of the document minor grammar and formatting edits were 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.

On Wednesday 11 May 2022, Council resolved to place the draft 2021-25 Council Plan (2022 update) on public exhibition. At the close of the public submission period, Council did not receive any submissions to the draft 2021-25 Council Plan (2022 update).

Since the consultation period, a final internal review by Council officers identified several additional minor updates needed to ensure that the document accurately reflected Council policies and was current following the recent adoption of various Council policies and reports.

Following the close of the consultation period for submissions to the Council Plan 2021-2025 (2022 update) on 9 June 2022, we received one late submission on Tuesday 14 June 2022 at 6:09 PM from the Victorian Pride Lobby.

No.	Submission From	Main Points	Proposed Council Response
1.	Victorian Pride Lobby	<p>“Inclusion of LGBTIQ+ Statistics”</p> <p>According to the Victorian Health Information Agency’s report on The Health and Wellbeing of the Lesbian, Gay, Bisexual, Transgender, Intersex and Queer Population in Victoria, 4% of Moorabool residents identify as LGBTIQ+.</p> <p>We believe that this statistic should be reflected on page 15 of the Council Plan headed “Our diverse and growing community” alongside statistics on cultural diversity.</p>	<p>It is proposed that we accept this late submission and that the statistic be included on page fifteen of the Council Plan 2021-2025 (2022 update).</p> <p>This will align with the work being done as part of Moorabool’s Health Wellbeing Plan 2021-2025 and the Disability Access and Inclusion Plan 2021-2024.</p>

At the Special Meeting of Council held 15 June 2022, council noted their acceptance of the minor changes identified by Council Officers and the inclusion of the LGBTIQ+ Statistic. They also resolved to receive a final report for consideration to formally adopt the 2021-25 Council Plan (2022 update).

PROPOSAL

The Council Plan 2021-25 (2022 update) has been thoroughly reviewed by Council Officers and now incorporates the LGBTIQ+ Statistic requested by the Victorian Pride Lobby via their submission and the minor updates identified by Council Officers. It is now proposed that the 2021-2025 Council Plan (2022 update) be adopted by Council.

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

The 2021-2025 Council Plan (2022 update) was published on Council's have your say page on 11 May 2022 and advertisements were placed in the Moorabool News in the 17 May 2022 and 24 May 2022 editions. Residents were invited to make submissions in writing up until 5.00pm on Thursday 9 June 2022 via the have your say page, email or post.

Following the adoption of the Council Plan (2022 update) will be placed on Council's website.

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 – Amy Gloury

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

CONCLUSION

As the proposed changes were accepted by Council at the Special Meeting of Council held 15 June 2022 and all changes have been incorporated into the document, it is recommended that Council adopts the Council Plan 2021 – 2025 (2022 update) as shown in Attachment 1 of this report.

7.2 ADOPTION OF 2022/23 BUDGET

Author: James Hogan, Coordinator Financial Services

Authoriser: Caroline Buisson, General Manager Customer Care & Advocacy

Attachments: 1. 2022/23 Annual Budget (under separate cover)

PURPOSE

In accordance with Section 94 of the *Local Government Act 2020* (the Act) Council is required to formally adopt the 2022/23 Annual Budget by 30 June 2022.

As resolved by Council on 11 May 2022, the Proposed Budget was placed on public exhibition from Thursday 12 May 2022 to Thursday 9 June 2022 inclusive, calling for submissions as required under the Act. This was advertised in The Moorabool News on 17 May 2022.

The Act requires Council to follow a process of enabling submissions to be received. There were 4 written submissions received by 9 June 2022. Council considered submissions at the Special Meeting of Council on 15 June 2022 and resolved as follows:

1. That the 4 submissions be received;
2. That Council takes into consideration the matters raised within the submissions in consideration of the 2022/23 Annual Budget at the Special Meeting of Council on 22 June 2022; and
3. That following the adoption of the 2022/23 Annual Budget, responses are provided to each Submitter.

Having completed all statutory requirements, the 2022/23 Annual Budget can now be considered for adoption.

EXECUTIVE SUMMARY

This report highlights the important points for consideration in adopting the 2022/23 budget.

These include;

- Responses to Budget Submissions
- Amendments since the Proposed Budget was presented at the May Ordinary Meeting of Council

Also, the attached Budget document which outlines the;

- Proposed Rate Increase
- Differential Rate Categories and Cents/\$CIV
- Proposed Annual Waste Service Charges
- Detailed Capital Improvement Program
- Record levels of grant funding received amounting to \$15.782m

RECOMMENDATION**That Council:**

1. Note the verbal and written submissions received and considered at 15 June 2022 Special Meeting of Council as shown in Table 1.1.
2. Adopt the 2022/23 Budget, shown as Attachment 1 to this report, for the purpose of Section 94 of the *Local Government Act 2020*.
3. Adopts the fees and charges as attached.
4. Adopts that the rate in the dollar for each type of rate to be levied for the 12-month period from 1 July 2022 to 30 June 2023 are:

Differential Type or class of land	2022/23 Cents/\$CIV
Commercial & Industrial Rate	0.375100
Commercial & Industrial Vacant Land	0.500100
Extractive Industry Rate	0.780100
Farm Rate	0.195000
General Rate	0.250000
Vacant Land General	0.500100
Vacant Land FZ and RCZ	0.250000
Vacant Land GRZ	0.500100
Residential Retirement Villages	0.225000

5. Adopts the below service charges as per section 162 of the Act:

Type of Charge	Per Rateable Property 2022/23
Waste Management	\$110.00
Domestic Waste Collection	\$224.00
Kerbside Green waste	\$90.00
State Landfill Levy Charge	\$68.00

6. Make the 2022/23 Budget publicly available on its website.

BACKGROUND

The Proposed 2022/23 Annual 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 financial plan that aims to secure a viable and sustainable path to achieve the Shire's objectives.

The budget includes a rate increase of 1.75%, which is in line with the Fair Go Rates System (FGRS) which has capped rates increases by Victorian Councils. Despite the cap on rates, Council has been able to minimise the rate burden on residents through the use of stringent budget and fiscal controls.

PROPOSAL**Budget Submissions**

Council commenced statutory procedures for the 2022/23 Annual Budget at the Ordinary Meeting of Council held on Wednesday, 5 May 2021. At that meeting, Council resolved to put on public display the Proposed 2022/23 Annual Budget that was considered at the meeting.

A public notice was published in The Moorabool News on Tuesday 11 May, 2021 which called for submissions to the proposed budget.

As a result of this advertising process, a total of 16 written submissions were received by the stated cut-off date of 8 June 2021. The table below shows the Council responses and recommendations for the submissions received.

Table 1.1 - Council Responses to Budget Submissions

No	SUBMISSION	COUNCIL RESPONSE
1	Reseal Program Budget - Tracey Brewer	<p><i>The Draft 2022/23 budget includes considerable investment in improving Council's road network, including \$8.37 million in road capital projects (\$61.48 million total capital works) and \$4.94 million for Road Maintenance activities. Council undertakes regular condition assessments of the local road network to help inform the development of the capital works program, including determining the appropriate treatment type for each road based on the pavement condition, surface condition and traffic data. In addition to this, routine maintenance is undertaken in accordance with Council's adopted Road Management Plan on an ongoing basis.</i></p> <p><i>It is also important to note that some roads within the shire are managed by Regional Roads Victoria. We have provided your feedback to Regional Roads Victoria for consideration, as many of the major routes for truck traffic are arterial roads, managed and maintained by them, including Gisborne Road/Grant Street, Geelong-Bacchus Marsh Road and Parwan Road Street.</i></p>
2	Ballan Road Maintenance - Melissa Gardner	<p><i>Council manages a large local road network of over 1,450km, with a current replacement value of over \$382M. To assist in prioritising maintenance and capital works within the resources available, ongoing condition inspections and proactive maintenance is undertaken in accordance with Council's asset management and maintenance management documentation. In addition, it is anticipated that the development of a road and path improvement program for Ballan will be considered as part of the preparation of a Ballan Transport Strategy during 2022/23. Acknowledging the varying layouts of roads within the Ballan township, the plan would consider items such as seal width, parking, kerb and channel, pedestrian connections etc. In relation to the specific locations identified:</i></p> <p><i>- Following a petition submitted to Council requesting road upgrades along both Hogan Road and Densley Street, a preliminary design has been completed which incorporates road widening and drainage upgrades. Although construction is not included in the draft 2022/23 budget, the project has been referred to the Long Term Capital Improvement Program for future funding consideration, along with other priority projects around the Shire. Whilst Council is unable to control rabbits within private property, if there are specific areas where rabbits are inhabiting an area of road reserve, this should be reported</i></p>

		<p><i>for further investigation.</i></p> <ul style="list-style-type: none"> - <i>In relation to Spencer Road, between Berry Street and McMahon Drive, as future development of the adjacent property occurs, road upgrades and the construction of the connecting footpath would be required, completing that section of the network.</i> - <i>Upgrades to Simpson Street and the construction of additional footpath connections would be considered as part of a broader assessment of roads within the Ballan township as mentioned above, to allow for a consistent approach in designing capital upgrades.</i> - <i>This section of Old Melbourne Road/Inglis Street is the responsibility of Regional Roads Victoria and this feedback has been provided to them for consideration.</i>
3	Rate Increase and Infrastructure Spend - Robert Reid	<p><i>We acknowledge that the current economic climate puts pressure on some of our residents. As a result, it has been a priority for Council to advocate and secure external funding for projects. In recent years Council has been successful in attracting unprecedented levels of external funding to help deliver much needed infrastructure. The 2022/23 Capital Program is partially funded by \$14.40 million in grant funding. Council will continue to advocate for grant funding from all levels of government to minimise the burden of new infrastructure on our ratepayers.</i></p>
4	Rate Increase - Craig Woods	<p><i>Rates increases borne by individual ratepayers are influenced by (1) the rate increase set by Council at the local level and (2) changes in property values as determined by the Valuer General at the State level. In 2021/22 and in 2020/21 Council increased rates by 1.50% and 2.00% respectively. By contrast in 2021/22, the average property value would have increased by 25% across the Shire, with some areas experiencing up to 35.2% increase. In that case, most of the rates' increase is actually driven by an increase in valuation.</i></p> <p><i>Council acknowledge that rates affordability is a significant issue for many residents. For this reason, Council has continued to not seek rate cap variations and have continued to operate within the confines of the rate cap as set down by the Minister for Local Government.</i></p>

Budget Amendments and related matters

Since the Proposed Budget was presented to Council there have only been minor formatting amendments to the budget.

COUNCIL PLAN

The Council Plan 2021-2024 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

FINANCIAL IMPLICATIONS

The 2022/23 Annual Budget has been prepared within the adopted four-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.

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

There are no risk or occupational health and safety issues identified in relation to this report.

COMMUNICATIONS & CONSULTATION STRATEGY

In accordance with the Act, Council considered submissions on 15 June 2022. Council received 4 written submissions.

The following outlines the timetable for the communication and adoption of the 2022/23 Annual Budget:

Timetable for the Proposal and Adoption of the 2022/23 Annual Budget	
Proposed 2022/23 Annual Budget presented for Council adoption and Public Notification	8 May 2022
Advertise Proposed 2022/23 Annual Budget, inviting public inspection and submissions according to the <i>Local Government Act 2020</i> , in Council's nominated newspapers	12 May to 9 June 2022
Consider public submissions per the <i>Local Government Act 2020</i> for the Proposed 2022/23 Annual Budget	15 June 2022
Formally adopt 2022/23 Annual Budget	22 June 2022
Submit 2022/23 Budget to the Minister for Local Government	1 July 2022
Public Notice – Adoption of 2022/23 Annual Budget	5 July 2022

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Author – James Hogan

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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 2022/23 financial year and beyond.

8 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*:

8.1 Insurance Broking & Risk Management Services 2022/2024

This matter is considered to be confidential under Section 89(2) - (d) 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 contractual matters.

9 MEETING CLOSURE