



# **AGENDA**

## **Ordinary Council Meeting Wednesday, 1 May 2024**

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

**Date: Wednesday, 1 May 2024**

**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 3 April 2024

## **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

### 9.1 PETITION - SPEED LIMIT REDUCTION OF BALLAN-EGERTON ROAD, MOUNT EGERTON

**Author:** Heidi Hamilton, Governance Support Officer

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

**Attachments:** Nil

#### PURPOSE

Council has received a petition containing 14 signatures from residents of Mount Egerton.

#### EXECUTIVE SUMMARY

The petition states:

*This petition is signed by the residents of Ballan Rd, Mt Egerton. Due to speeding drivers and a crest at Devlins Road, it has become a safety hazard for residents entering and exiting their properties. A proposed new speed limit of 60-70km would make the road safer for everyone. If you agree, please sign below.*

#### RECOMMENDATION

**That Council:**

- 1. Receives the petition containing 14 signatures in relation to a speed limit reduction on Ballan-Egerton Road, Mount Egerton.**
  - 2. Requests Officers prepare a report for Council's consideration pertaining to the petitioner's request.**
-



## **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 REVOCATION OF ELECTION (CARETAKER) POLICY 2019

**Author:** Angela Menzies, Governance Officer

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

**Attachments:** 1. Election (Caretaker) Period Policy 2019 (under separate cover)

#### PURPOSE

The purpose of this report is to recommend the revocation of the Election (Caretaker) Policy 2019.

#### EXECUTIVE SUMMARY

- The Election (Caretaker) Policy 2019 was developed in accordance with the *Local Government Act 1989*, the relevant sections of which have been revoked.
- *The Local Government Act 2020* requires a council's Election Policy to be within its Governance Rules.
- Part 8 of the current adopted Governance Rules includes an Election Period Policy.
- It is proposed to revoke the Election (Caretaker) Policy 2019 to allow Part 8 of the Governance Rules to act as the single source of direction for elections at Moorabool Shire Council.

#### RECOMMENDATION

**That Council resolves to revoke the Election (Caretaker) Policy 2019.**

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#### BACKGROUND

The Election (Caretaker) Policy (Attachment 1) was adopted by Council in November 2019 prior to the 2020 Local Government Election. The policy outlines the responsibilities placed on Councils specifically during the 2020 Election period to ensure that elections are conducted in an ethical, fair and equitable manner.

In August 2020 Council resolved to adopt the Governance Rules which included the Election Period Policy within Part 8 of the Governance Rules. All subsequent versions of the Governance Rules adopted by Council have included Part 8.

This inclusion is in compliance with section 69 of the *Local Government Act 2020*, which states:

- (1) *A Council must include an election period policy in its Governance Rules.*
- (2) *An election period policy must prohibit any Council decision during the election period for a general election that—*
  - (a) *relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or*

- (b) commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or*
  - (c) the Council considers could be reasonably deferred until the next Council is in place; or*
  - (d) the Council considers should not be made during an election period.*
- (3) An election period policy must prohibit any Council decision during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.*
- (4) A Council decision made in contravention of subsection (2)(a) or (b) is invalid.*
- (5) Any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is invalid by virtue of subsection (4) is entitled to compensation from the Council for that loss or damage.*

The current Governance Rules, which were adopted by Council in November 2023, are due to be reviewed by 31 August 2024, however no changes to Part 8 are expected to be recommended.

## **PROPOSAL**

The Election (Caretaker) Policy was developed prior to the implementation of the *Local Government Act 2020* and references now revoked sections of the *Local Government Act 1989*. Additionally, the Election (Caretaker) Policy references timelines applicable only to the 2020 Election.

Although the current Election Policy is incorporated within the Governance Rules, it is recommended that Council formally revoke the Election (Caretaker) Policy 2019 to ensure that Council has a single source of direction for future elections, and is compliant with the *Local Government Act 2020*.

Formal revocation of the policy would provide greater clarity for Council officers, Councillors and the community in relation to Moorabool Shire Council elections.

## **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 revoke the Election (Caretaker) Policy 2019 is consistent with the Council Plan 2021-2025.

## **FINANCIAL IMPLICATIONS**

There are no financial implications in revoking the Election (Caretaker) Policy 2019.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Legislative Compliance	Failure to adhere to legislative requirements may result in penalties and increased ambiguity of what must be adhered to.	Medium	Current Election Policy is in place in the Governance Rules for the 2024 Election. The revocation of the Election Policy 2019 will remove non-compliance.

**COMMUNICATIONS & CONSULTATION STRATEGY**

No consultation is required as it is a limited policy dedicated to the 2020 Election.

**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 – 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 revokes the Election (Caretaker) Policy 2019 to allow Part 8 of the Governance Rules to stand as the single source of direction regarding how Moorabool Shire Council manages elections.

## **11.2 PROPOSED RENAMING PART OF BACCHUS STREET, MADDINGLEY - COMMEMORATING THE STEWART FAMILY**

**Author:** Kate Pryor, Governance Officer

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

**Attachments:** 1. Letter from Bacchus Marsh and District Historical Society - Support for naming a road after the Stewart Family (under separate cover)

### **PURPOSE**

The purpose of this report is to present Council with a proposal to rename the eastern section of the road Stewart Close, in commemoration of George and Bertha Stewart.

Council is recommended to approve the public consultation process as outlined in this report.

Consultation will ascertain support to name the road as proposed.

### **EXECUTIVE SUMMARY**

- Council is requested to approve the consultation process as outlined in this report.
- Consultation will ascertain support to name the road as proposed.

### **RECOMMENDATION**

**That Council, with regards to the proposal to amend the boundary of Bacchus Street, Maddingley to remove the name from chain 425 to chain 427.5 of the road and rename the eastern section of the road from chain 427.5 to chain 655, to Stewart Close, Maddingley in commemoration of George and Bertha Stewart:**

- 1. Approves the commencement of the 30 day public consultation process with all stakeholders affected by the proposal.**
- 2. Notes that once feedback is collated, a summary of the feedback be brought back to Council for consideration.**

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### **BACKGROUND**

Council has received a request from a resident of Bacchus Marsh to have a road named in commemoration of her family, the Stewart Family.

Multiple requests from Councillors and the public have been received to rename the eastern section of Bacchus Street, Maddingley to address public safety concerns.

Bacchus Street, Maddingley is a sealed road up until it intersects with Powlett Street, which does not continue through to the remainder of Bacchus Street. The remaining eastern section is unsealed and blocked by traffic bollards (figures 1 and 2) to prevent through traffic to and from Werribee Vale Road.

This has caused issues for emergency services, postal services and motorists attempting to use Bacchus Street as a thoroughfare to Werribee Vale Road.

Figure 1 – Map view of Bacchus Street

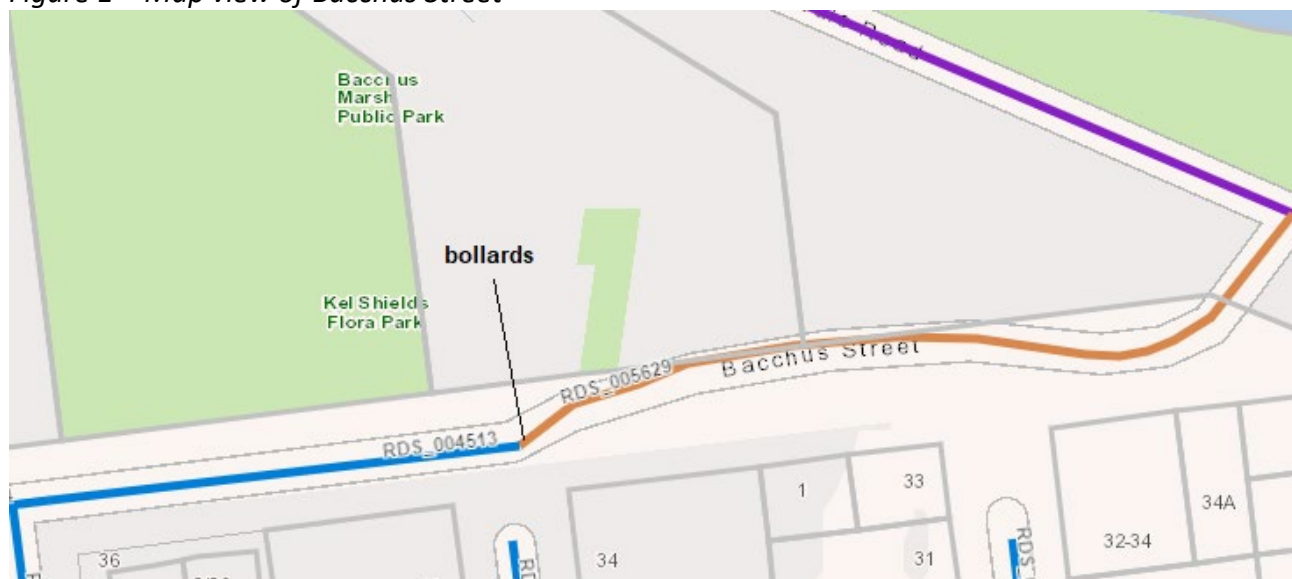


Figure 2 – Street view of Bacchus Street



**PROPOSAL**

It is proposed that the naming boundary of Bacchus Street (highlighted in black, figure 3) be amended to remove the name from chain 425 to 427.5 and rename the eastern segment of Bacchus Street (highlighted in orange, figure 3 – chain 427.5 to 655) be renamed to Stewart Close, in commemoration of George and Bertha Stewart.

George and Bertha along with their young family moved to Bacchus Marsh in 1921. In approximately 1926 George Stewart pioneered the first daily bus service between Bacchus Marsh and Melbourne. Both George and Bertha along with their children were also keen cyclists, footballers and were well known for servicing their local community.

Bacchus Street is commemoratively named in honour of Captain William Henry Bacchus, who was an early pioneer settler of Bacchus Marsh. The name will be retained on the remaining sealed segment of the road, preserving the heritage of the area.

Figure 3 – Proposed road name deletion and renaming



**PLACE NAMING PRINCIPLES**

The proposal has been assessed against the Place Naming Principles outlined in Council’s Place Naming Policy and the Place Naming Rules for Victoria 2022 (the Naming Rules):

Principle	Assessment
<p><b>Principle A - Ensuring public safety</b> Geographic names and boundaries must not put public and operational safety for emergency response at risk; or cause confusion for transport, communication and mail services.</p>	<p><input checked="" type="checkbox"/> <b>Compliant</b> - The proposal will address public safety concerns that are associated with discontinuous roads.</p>
<p><b>Principle B - Recognising the public interest</b> Cultural heritage names should be enduring. When naming or adjusting the geographic boundary of a place, Council must consider the long-term benefits and short-term effects on the wider community.</p>	<p><input checked="" type="checkbox"/> <b>Compliant</b> - The proposal is in the short and long-term interest of the Bacchus Marsh community</p>
<p><b>Principle C - Linking the name to place</b> Names should have a link to place to ensure the preservation of our cultural heritage.</p>	<p><input checked="" type="checkbox"/> <b>Compliant</b> – The proposal links to the place to ensure preservation of cultural heritage and in commemoration of a local family of the area.</p>
<p><b>Principle D - Ensuring names are not duplicated</b> Names must not duplicate another name within a locality. Duplication is not allowed within the same locality within a 15-</p>	<p><input checked="" type="checkbox"/> <b>Compliant</b> - The names are not duplicated elsewhere within the Shire.</p>

<b>Principle</b>	<b>Assessment</b>
kilometre radius (regional)	
<p><b>Principle E - Recognition and use of Traditional Owner languages</b></p> <p>The use of Traditional Owner languages in the naming of roads, features and localities is encouraged, and is subject to agreement from the relevant Traditional Owner group(s).</p>	<p><input type="checkbox"/> <b>Not applicable</b> - The proposal does not recommend the use of Traditional Owner languages in this instance.</p>
<p><b>Principle F - Names must not discriminate or be offensive</b></p> <p>Place names must not discriminate or cause offense.</p>	<p><input checked="" type="checkbox"/> <b>Compliant</b> - The proposal is not offensive or discriminatory in nature.</p>
<p><b>Principle G - Gender equality</b></p> <p>Gender equality in the naming of roads, features and localities is encouraged.</p>	<p><input checked="" type="checkbox"/> <b>Compliant</b> – the proposal is in commemoration of both George and Bertha Stewart.</p>
<p><b>Principle H - Dual names</b></p> <p>Dual names may only be assigned to geographic features. Dual names cannot be assigned to roads or localities. Dual names with Traditional Owner place names are encouraged as a transitional step toward the adoption of the Traditional Owner name.</p>	<p><input type="checkbox"/> <b>Not applicable</b> - Applies to geographic features only.</p>
<p><b>Principle I - Using commemorative names</b></p> <p>When deciding on the assignment of a commemorative name after a person, Council will consider the person’s achievements, relevant history and association to the area and the significance of the family/person to the area/land. Commemoration of a living person is strongly discouraged.</p>	<p><input checked="" type="checkbox"/> <b>Compliant</b> – George and Bertha Stewart (d. 1958 and 1946 respectively) had significant history and connection to Bacchus Marsh. See Attachment 1.</p>
<p><b>Principle J - Using commercial and business names</b></p> <p>Places should not be named after commercial businesses, trade names, estate names (which are solely commercial in nature) or not-for-profit organisations.</p>	<p><input checked="" type="checkbox"/> <b>Compliant</b> - The proposal is not a commercial or business name.</p>



Principle	Assessment
<p><b>Principle K – Language</b></p> <p>Geographic names, except when they are proper nouns, must be written in standard Australian English or a recognised format of a Traditional Owner language local to the area of the road, feature or locality (etc.).</p>	<p><input checked="" type="checkbox"/> <b>Compliant</b> - The proposal is written in standard Australian English and complies with the character limit and grammatical rules of this principle.</p>
<p><b>Principle L - Directional names to be avoided</b></p> <p>Cardinal directions (north, south, east and west) must be avoided.</p>	<p><input checked="" type="checkbox"/> <b>Compliant</b> - The proposal does not include cardinal directions.</p>
<p><b>Principle M - Assigning extent to a road, feature or locality</b></p> <p>A naming proposal must clearly define the area and/or extent to which the name will apply.</p>	<p><input checked="" type="checkbox"/> <b>Compliant</b> – The proposal clearly defines the area and extent to which the name will apply.</p>

**COUNCIL PLAN**

The proposal is not provided for in the Council Plan 2021-2025 and can be actioned by utilising existing resources.

**FINANCIAL IMPLICATIONS**

The financial implications associated with this report can be managed within the current year’s budget allocations.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

There are potential risks associated with public safety due to emergency services not being able to access the dwellings in these areas.

**COMMUNICATIONS & CONSULTATION STRATEGY**

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consultation	Adjoining landowners and residents	Direct letters	NA	May to June 2024	To ascertain support for the proposed road renaming
Submission process	General community	Call for written submissions over a 30 day period	Website and local newspapers	May to June 2024	To ascertain community support for the proposed road renaming

Figure 4 - Direct Consultation Area - Landowners



**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 – Celeste Gregory*

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

*Author – Kate Pryor*

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

**CONCLUSION**

The consultation process as recommended in this report will identify whether the proposed road renaming is supported by the relevant stakeholders and the greater Moorabool community. On conclusion of the consultation process, a further report will be presented to Council.

## 12 COMMUNITY STRENGTHENING REPORTS

### 12.1 ADVISORY COMMITTEES OF COUNCIL - REPORTS

**Author:** Kaylene Bowker, Executive Assistant

**Authoriser:** Leigh McCallum, General Manager Community Strengthening

**Attachments:** 1. Minutes - Public Art and Collections Advisory Committee Meeting - 14 November 2023 (under separate cover)

#### PURPOSE

Advisory Committees are established to assist Council with executing specific functions or duties.

Advisory Committees of Council currently have no delegated powers to act on behalf of Council or commit Council to any expenditure unless resolved explicitly by Council following recommendation from the Committee. Their function is purely advisory.

Advisory Committees are required to report to Council at intervals determined by the Council.

#### EXECUTIVE SUMMARY

Councillors, as representatives of the following Advisory Committees of Council, present the reports of the Committee Meetings for Council consideration.

Committee	Meeting Date	Council Representatives
Public Art and Collections Advisory Committee (PACAC)	Tuesday 14 November 2023	Cr Ally Munari Cr Tonia Dudzik (Sub)

#### RECOMMENDATION

**That Council receive and note the following Advisory Committee Minutes:**

- Public Art and Collections Advisory Committee Meeting Minutes for Tuesday 14 November 2023.**

## **13 CUSTOMER AND CORPORATE SERVICES REPORTS**

### **13.1 CUSTOMER EXPERIENCE STRATEGY REVIEW 2024**

**Author:** Angela Koya, Acting Manager Customer Experience and Innovation

**Authoriser:** David Jackson, General Manager Customer & Corporate Services

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

#### **PURPOSE**

As per Council Plan 2021 - 2025, item 1.3.1.18 Review the Customer Experience Strategy is now due for action.

To evaluate the strategy and progress made so far, it is recommended we consult the community by way of a survey. This will ensure our Customer Experience Strategy is consistent with current and future needs and preferences.

The purpose of this report is to seek approval from Council to proceed with the associated community engagement.

#### **EXECUTIVE SUMMARY**

- The Customer Experience Strategy (2020) is due for review.
- Public engagement is required to guide the Customer Experience Strategy review and ensure actions meet needs of Moorabool Shire community.

#### **RECOMMENDATION**

**That Council:**

- 1. Endorse community engagement of the Customer Experience Strategy for a period of 30 days.**
- 2. Notes that once feedback is collated, a summary of the feedback and any changes to the Customer Experience Strategy be brought back to Council for consideration.**

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#### **BACKGROUND**

In 2020, Council engaged a consultant and developed the Customer Experience Strategy. Council officers spoke to over 300 residents to better understand their experience of our services, as well as perceptions and expectations of these services.

Through this exercise Council developed an action plan incorporated within the Customer Experience Strategy to address common pain points and work towards delivering services to meet community needs. Since the strategy was adopted, we have completed 55% of the action items, with the remaining 45% currently underway.

We have positive trends through our Voice of the Customer program results that signify real improvement in Customer Experience at Moorabool Shire since strategy adoption.

**PROPOSAL**

To ensure our strategy continues to reflect the needs of our community, it is recommended we consult the community as outlined in the communications and consultation strategy below.

**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 is consistent with the Council Plan 2021-2025.

**FINANCIAL IMPLICATIONS**

There are no financial implications.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

There are no risks to occupational health and safety.

**COMMUNICATIONS & CONSULTATION STRATEGY**

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Survey	Residents Moorabool Shire customers	Email survey to individuals who have contacted us over previous 9 months. Have Your Say engagement site online with access to survey for completion.	Online/Digital Engagement	May 2024	Survey findings and verbatim to inform future action plans on review of Customer Experience Strategy.
Survey	Residents Moorabool Shire customers	Hard copy survey available at all customer service centres and libraries, including on the regional library bus.	In person	May 2024	Survey findings and verbatim to inform future action plans on review of Customer Experience Strategy.
Survey	Residents Moorabool Shire customers	Residents and other customers will be offered to take part in the survey over the phone when they call into	Over the phone	May 2024	Survey findings and verbatim to inform future action plans on review of

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
		Council.			Customer Experience Strategy.
Advertising of the survey	Residents Moorabool Shire customers	Council advertisement within Moorabool News. Social media posts. Posters and tv screens at customer service. Noticeboard posters. Regional library bus. Public hall flyers/posters.	Multiple	May 2024	Increased reach for survey participants.

**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 – David Jackson*

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

*Authors – Angela Koya and Casey Peldys*

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

**CONCLUSION**

It is requested Council approve the proposed community engagement to ensure the Customer Experience Strategy and our future actions adequately meet the community needs. We will report back to Council providing an update on the outcomes of the community engagement.

**13.2 CONSIDERATION OF THE PROPOSED 2024/25 ANNUAL BUDGET**

**Author:** James Hogan, Coordinator Financial Services

**Authoriser:** David Jackson, General Manager Customer & Corporate Services

**Attachments:** 1. Draft Budget 2024/25 (under separate cover)

**PURPOSE**

This report relates to the commencement of the process for Council to adopt the 2024/25 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 2024/25 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 2024/25 Annual Budget on public exhibition.
2. Authorise the Chief Executive Officer to give public notice and make available for public inspection the Draft 2024/25 Budget.
3. Invite submissions and feedback on the 2024/25 Proposed Budget in accordance with Council's Community Engagement Policy, until 5pm on Thursday 30 May 2024.
4. Invite submissions and feedback on the composition of proposed rates and charges included in the Draft 2024/25 Annual Budget in accordance with Council's Community Engagement Policy, until 5pm on Thursday 30 May 2024.
5. Considers any submissions at a Special Meeting of Council to be held on Wednesday 12 June 2024 to be held in the Council Chambers, 15 Stead Street, Ballan commencing at 6pm; and
6. Endorses, subject to changes to the proposed Annual Budget 2024/25 after consideration of all submissions, to notify and place on public notice its intention to adopt the 2024/25 Annual Budget on Wednesday 26 June 2024 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 2024/25 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 2.75 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 2024/25 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 regarding the major impacts for 2024/25. It also provides details regarding Council's financial management principles to ensure a financially sustainable future.

## PROPOSAL

- Total recurrent income of \$64.625 million
- Total recurrent expenses of \$66.168 million.

### Capital Projects

In addition to the planned delivery of recurrent services, the 2024/25 Annual Budget is proposing a significant capital improvement program.

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 2024/25 budget is \$22.007 million for new capital works. Some of the projects proposed as part of the 2024/25 Capital Program include:

- Yendon No. 2 Road, Yendon - Reconstruction (\$2.450 million)
- Reseal Program (\$2.165 million)
- Woolpack Road, Bacchus Marsh - Bridge replacement (\$1.500 million)
- Ballan-Meredith Road, Ballan – Re-sheet/Reseal (\$1.099 million)
- Bacchus Marsh Bowls Club Pavilion & Bowling Green (\$0.730 million)
- Ballan Library Facility (\$0.975 million)
- Ingliston Road, Ingliston (\$0.934 million)
- Clarendon-Lal Lal Road, Lal Lal (\$0.750 million)
- Doyles Road, Elaine - Gravel road re-sheet (\$0.688 million)
- Ballan-Meredith Road, Fiskville - Shoulder renewal (\$0.580 million)
- Clarendon Lal Lal Road, Lal Lal - Path renewal (\$0.550 million)
- Lyndhurst Street, Gordon – Gravel road resheet and seal (\$0.234 million)
- Madderns Road, Clarkes Hill – Shoulder renewal (\$0.125 million)

### Waste Service Charges

The Waste Management Service Charge will decrease from \$120.00 to \$118.00, and the overall Waste Collection Charge will decrease from \$258.00 to \$256.00. The State Landfill Levy will decrease from \$69.00 to \$65.00, and the optional Kerbside Green Waste service will decrease from \$101.00 to \$95.00 for 2024/25.

### Cash Management

Overall, total cash and investments of \$28.983 million are forecast as at 30 June 2025.

## **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 2024/25 Annual Budget is consistent with the Council Plan 2021-2025.

## **FINANCIAL IMPLICATIONS**

The 2024/25 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 2024/25 Budget, a public notice will be placed. 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 2024/25 Annual Budget.

Copies of the Proposed 2024/25 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 2024/25 Annual Budget until 5.00pm on Thursday 30 May 2024.

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 12 June 2024, to be held in the Council Chambers, 15 Stead Street, Ballan commencing at 6pm.

**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 – David Jackson*

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 2024/25 financial year and beyond.

**13.3 CONSIDERATION OF THE COUNCIL PLAN 2021-2025 (2024 UPDATE)**

**Author:** Leanne Manton, Manager Brand and Advocacy

**Authoriser:** David Jackson, General Manager Customer & Corporate Services

**Attachments:**

1. Draft Council Plan 2021-2025 (2024 edition) (under separate cover)
2. Changes to Council Plan for Year 4 edition (under separate cover)

**PURPOSE**

The purpose of this report is to present the draft Council Plan 2021-2025 (2024 update) and to seek Council endorsement to place the document on public exhibition for public inspection and invite submissions for consideration.

**EXECUTIVE SUMMARY**

- In accordance with section 90 of the *Local Government Act 2020* (the Act), Council must consider whether the Council Plan requires any adjustment.
- This report does not propose to amend the statutory elements of the Council Plan, however, it does propose to update statistical information and updates on the delivery of identified actions associated with the three Council Plan objectives including a change to the wording of one action.
- It is recommended that Council give public notice, inviting submissions during the prescribed period under section 223 of the *Local Government Act 1989*.

**RECOMMENDATION**

That Council, having undertaken a review of the Council Plan 2021-2025 in accordance with section 90 of the *Local Government Act 2020* (the Act):

1. Endorse the attached draft Council Plan 2021-2025 (2024 update) noting:
  - (a) There are no amendments to the strategic objectives, strategies and indicators contained within the Plan;
  - (b) The minor amendments made to wording, statistical data and progress updates.
2. Authorise the Chief Executive Officer to give public notice of the draft Council Plan 2021-2025 (2024 Review), make available for public inspection and invite submissions under section 223 of the *Local Government Act 1989* from 2 May to 5pm 30 May 2024.
3. Resolve to hear submissions (if required) on Wednesday 12 June 2024 at the Special Meeting of Council to be held in the Council Chambers, 15 Stead Street, Ballan commencing at 6 pm.
4. Resolves to notify and place on public notice its intention to adopt the Council Plan 2021-2025 (2024 update) on Wednesday 26 June 2024 at a Special Meeting of Council to be held in the Council Chambers, 15 Stead Street, Ballan, commencing at 6pm.

**BACKGROUND**

In accordance with section 90 of the *Local Government Act 2020* (the Act), Council, at least once in each financial year, must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan and may make any adjustment it considers necessary to the Council Plan.

In doing so, a person has a right to make a submission under section 223 of the *Local Government Act 1989* on a proposed adjustment to a Council Plan which relates to the following aspects:

- (a) the strategic objectives of the Council
- (b) the strategies for achieving the objectives and
- (c) the strategic indicators for monitoring the achievement of the objectives.

**PROPOSAL**

The Council Plan 2021-2025 has been reviewed by Council officers to determine a need to amend strategic objectives, strategies and indicators. As such, officers confirm there are no requirements to amend these components of the Council Plan. However, officers have updated the introduction from the Mayor and CEO, non-prescribed elements of the Council Plan such as statistical information pertaining to the shire’s population and business profile, minor wording changes and updates on the delivery of identified actions associated with the three Council Plan objectives. No new actions have been identified for inclusion in the Council Plan 2021-2025 (2024 update).

**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 2021-2025 (2024 update) is consistent with the Council Plan 2021-2025.

**FINANCIAL IMPLICATIONS**

The 2024/25 draft Budget contains details of the financial resources required to deliver the Council Plan.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

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

**COMMUNICATIONS & CONSULTATION STRATEGY**

A community engagement plan to support the Council Plan review process has been developed in line with Council’s Community Engagement Policy.

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Moorabool Shire residents	Notification of revised Council Plan on public exhibition	Online and print	Thursday 2 May to 5pm Thursday	Residents invited to provide submissions

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
		(website, newspaper advertisements, social media)		30 May 2024	

**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 – David Jackson*

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**

In accordance with section 90 of the *Local Government Act 2020*, the Council Plan 2021-2025 (2024 update) is presented for Council’s consideration.

## 14 COMMUNITY PLANNING AND DEVELOPMENT REPORTS

### 14.1 DRAFT HERITAGE STRATEGY 2024-2028

**Author:** Sarah Kernohan, Manager Growth & Development

**Authoriser:** Henry Bezuidenhout, Executive Manager Community Planning & Development

**Attachments:**

1. Draft Heritage Strategy 2024-2028 (under separate cover)
2. Background Report (under separate cover)

#### PURPOSE

To present the draft Heritage Strategy 2024-2028 to Council, seeking support to undertake community consultation.

#### EXECUTIVE SUMMARY

- The draft Heritage Strategy 2024-2028 has been developed.
- The draft Strategy reflects the outcomes of community engagement and a review of the existing Moorabool Heritage Strategy 2024-2028.

#### RECOMMENDATION

**That Council:**

1. Undertake community consultation of the draft Heritage Strategy 2024-2028 (Attachment 1) for a period of four weeks.
2. Notes that once feedback is collated, a summary of the feedback and any changes to the draft Strategy be brought back to Council for consideration.

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#### BACKGROUND

A Heritage Strategy is a document that sets out how Council will meet its heritage obligations as set out in the *Planning and Environment Act 1987*, the State Planning Policy Framework, *Heritage Act 2017*, and the *Aboriginal Heritage Act 2006*.

##### Moorabool Heritage Strategy 2016-2020

Council's existing Heritage Strategy was prepared in 2015. It outlines Council's vision and role for heritage, and lists a number of heritage challenges, opportunities and achievements. It also outlines an action plan for implementation of the new Heritage Strategy.

##### Previous Engagement

In order to inform the development of the Strategy, engagement was undertaken with Registered Aboriginal Parties, local heritage groups, landowners whose properties are covered by the Heritage Overlay, and the broader community. Through the engagement, feedback was sought in relation to the existing Heritage Strategy and to identify views on a range of heritage topics and themes to support the drafting of a new Heritage Strategy.

## PROPOSAL

### Background Report

As part of the preparation of the new Heritage Strategy, a review of the existing Heritage Strategy was undertaken. The purpose of the review was to understand what content is still relevant and can be carried forward to the new Heritage Strategy, and what content is outdated e.g. completed actions or reference to outdated or redundant legislation or policy. The full review is outlined in the Background Report (Attachment 2)

As part of this review, it was also noted that much of the legislative and policy content of the existing Heritage Strategy is out of date or redundant. In addition, significant new legislation or policy has been introduced, such as the new *Heritage Act 2017*.

In considering the challenges and opportunities identified in the existing Heritage Strategy, three out of 11 were no longer considered to be a challenge/opportunity, whilst the remaining eight were considered appropriate to carry forward to the new Heritage Strategy.

An audit of the action plan found that of the 18 actions, 14 had been completed, two were in progress, and two had not been commenced. The Background Report recommends that those actions that are in progress, or have not yet commenced, be carried forward to the new Heritage Strategy. Some of the notable achievements from the action plan include establishment of a regular Heritage Advisory Service (available to landowners, permit applicants and internal departments), and completion of the West Moorabool Heritage Study.

The Background Report also summarises outcomes of the engagement undertaken to inform the development of the new Heritage Strategy. The engagement showed strong support for heritage, particularly around the themes:

- Knowledge Sharing – desire for increased knowledge and awareness of heritage sites, including education and guidance.
- Celebrating and Storytelling – increase in heritage signage, storytelling and promotion.
- Heritage-based tourism – celebration of heritage places through events, tourism and arts.
- First Nations people and stories – opportunities for increased traditional owner engagement, and improved undertaking of shared Aboriginal and non-Aboriginal heritage and values.
- Sense of place and identity – opportunities for recognition and interpretation of heritage in growth areas, and balancing growth pressures with retention of existing heritage sites.
- Protecting important places – protection of heritage places via Heritage Overlays and maintaining accuracy of existing Heritage Overlays.

A full summary of the engagement is outlined in the Background Report.

### Moorabool Heritage Strategy 2024-2028

Moorabool is one of Victoria's fastest growing regional municipalities. Over the next 20 years, the Shire's population will increase, from 40,339 people to 65,693. As Moorabool Shire grows, it is important that heritage values remain front of mind, particularly as development progresses into previously rural areas.

The draft Heritage Strategy has been created based on the outcomes of the review and engagement outlined in the Background Report. It outlines Council's heritage vision statement, and how it will be achieved. It does this through identifying heritage challenges and opportunities which are reflected in the action plan. The action plan responds to the four themes: knowing,



protecting, supporting and communicating/promoting. The vision statement was developed with the assistance of the Moorabool Heritage Advisory Committee, and reflects the feedback gained from the initial engagement.

A copy of the draft Heritage Strategy is attached (Attachment 1).

**COUNCIL PLAN**

The Council Plan 2021-2025 provides as follows:

**Strategic Objective 2: Liveable and thriving environments**

**Priority 2.1: Develop planning mechanisms to enhance liveability in the Shire**

The Heritage Strategy is consistent with Council Plan priorities to enhance liveability within the Shire.

**FINANCIAL IMPLICATIONS**

The Heritage Strategy was prepared by Council Officers. Costs associated with engagement are minimal and are provided for within the Growth and Development budget.

**RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES**

No specific risks have been identified in undertaken community consultation on the Strategy.

**COMMUNICATIONS & CONSULTATION STRATEGY**

Level of Engagement	Stakeholder	Activities	Location	Date	Outcome
Consult	Community Groups/Historical Societies Heritage Advisory Committee General Public Landowners within Heritage Overlay Registered Aboriginal Parties	Letters sent to owners of properties within the Heritage Overlay, along with local historical societies, the Moorabool Heritage Advisory Committee and Registered Aboriginal Parties. Advertisement in the Moorabool News and Council’s social media channels	Various	May/June 2024	Feedback provided by the community and stakeholders

**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 Heritage Strategy is an important document that will inform how departments across Council identify, work with and protect the Shire's heritage. The document actively responds to engagement findings, reflecting achievable actions for Council to deliver in partnership with community and stakeholders. It recognises the substantial heritage assets and opportunities available for Moorabool Shire to better understand and leverage.

The previous document laid a foundation for the conservation of Moorabool Shire's heritage and the new Heritage Strategy will build on this, providing a more holistic direction for the next four years. In the context of significant population growth projected for Moorabool Shire, the Heritage Strategy positions heritage as something that can be used to inspire change rather than seen as something to prevent it.

**15 OTHER REPORTS**

Nil

**16 NOTICES OF MOTION****16.1 NOTICE OF MOTION - MOORABOOL SHIRE'S FUTURE INVOLVEMENT IN THE COMMITTEE FOR BALLARAT****Attachments: Nil**

I, Councillor Tom Sullivan, give notice that at the next Ordinary Meeting of Council to be held on 1 May 2024, I intend to move the following motion:

**MOTION**

**That Council request the CEO Mr Derek Madden to bring back a report to Council on the future involvement of Moorabool Shire with the Committee for Ballarat, and the process of withdrawal of Moorabool Shire from the Committee.**

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**RATIONALE**

At an event attended by the Mayor Cr Ally Munari and myself, views were expressed by the CEO of the Committee for Ballarat which are significantly at odds with the position that Council has adopted on the construction of transmission lines that cross our Shire.

These views expressed by the CEO of the Committee for Ballarat are counter to the views of Moorabool Shire and to continue to be involved with the Committee for Ballarat would invite criticism from Moorabool Shire landholders and residents of having sold them out.

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.**

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**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 Microsoft Enterprise Licensing Agreement**

This matter is considered to be confidential under Section 3(1) - 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 Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

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## **22 MEETING CLOSURE**