



AGENDA

Special Council Meeting Wednesday, 12 June 2024

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

Date: Wednesday, 12 June 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 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 AND CORPORATE SERVICES REPORTS

7.1 CONSIDERATION OF SUBMISSIONS - DRAFT 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 update) (under separate cover)

PURPOSE

This report is presented to Council at the conclusion of the public submission period for the draft Council Plan 2021-2025 (2024 update). This marks the final year of the four-year Council Plan.

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.
- The Draft Council Plan 2021-2025 (2024 update) was placed on public exhibition from 2 May 2024, concluding 30 May 2024, allowing submissions to be made by members of the public (in the prescribed manner).
- No submissions were received at the conclusion of the public submission period.

RECOMMENDATION

That Council:

- 1. Notes that no submissions were received for consideration.**
- 2. Recommends that the final report for consideration of the Council Plan 2021-2025 (2024 update) be presented for adoption at a Special Meeting of Council to be held Wednesday 26 June 2024.**

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 2021-2025 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. 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 2021-2025 (2024 update) was placed on public exhibition from 2 May April 2024 concluding on 30 May 2024 allowing submissions to be made by members of the public (in the prescribed manner).

PROPOSAL

At the close of the public submission period on 30 May 2024, Council did not receive any submissions to the draft Council Plan 2021-2025 (2024 update).

It is proposed that the Council Plan 2021-2025 (2024 update) be referred to a Special Meeting of Council to be held Wednesday 26 June 2024 for adoption.

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 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

Details regarding the 2021-2025 Council Plan (2024 update) consultation period were published on our have your say page on 2 May 2024 and advertisements were placed in the Moorabool News on 10, 17 and 24 May 2024 editions. Residents were invited to make submissions in writing up until 5pm on Thursday 30 May 2024 via the have your say page, email or post. The consultation was also promoted on Council's social media.

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

As no submissions were received for consideration and the additional proposed changes are minor, it is then proposed that the 2021-2025 Council Plan (2024 update) be referred to a Special Meeting of Council to be held Wednesday 26 June 2024 for adoption.

7.2 CONSIDERATION OF SUBMISSIONS TO THE PROPOSED 2024/25 ANNUAL BUDGET**Author:** Aaron Light, Senior Accountant**Authoriser:** David Jackson, General Manager Customer & Corporate Services**Attachments:** 1. Submission 4 - Wallace Rec Res - Business Case (under separate cover)**PURPOSE**

This report relates to the process for Council to adopt the 2024/25 Annual Budget in accordance with the *Local Government Act 2020*. The process includes giving public notice to allow 28 days for submissions to be made by members of the public and such submissions to be heard prior to Council adopting the 2024/25 Annual Budget.

EXECUTIVE SUMMARY

- Four written submissions have been received.

RECOMMENDATION**That Council:**

1. Receives the following submissions:

No.	Submission From	Main Points
1.	Steve Venditti-Taylor	<p>Works on Roads within the Shire</p> <p>All roads in Moorabool need a full audit on construction, within weeks they are destroyed, before any future works are undertaken a full investigation into why follow ups are never done, why the works don't meet any Australian standards, why when construction at Stonehill has major stormwater issues why it is still proceeding, why the money allocated to roads can't be spent on fixing issues within the Bacchus Marsh, Maddingley Darley areas.</p> <p>The roads fixed in Ballan basically using rocks are doing nothing to improve the image and is embarrassing why spend millions of dollars to have a sub-Australian standard finish.</p>
2.	Peter Le Lievre – Ballarat Cricket Association	<p>Turf Cricket Wickets at Darley Park and Maddingley Park</p> <p>On behalf of the rapidly growing sport of cricket and of two of the Ballarat Cricket Association (BCA) largest clubs we make a submission for a small amount of annual expenditure to be included in the budget for 2024/25.</p> <p>The increasing size of Darley and Bacchus Marsh cricket clubs administered and operated by volunteers is reflected in the following table:</p>

		<table border="1"> <thead> <tr> <th></th> <th>Darley CC</th> <th>B/Marsh CC</th> </tr> </thead> <tbody> <tr> <td>Junior Boys & Girls</td> <td>7</td> <td>10</td> </tr> <tr> <td>Senior Women</td> <td>1</td> <td>1</td> </tr> <tr> <td>Senior Men</td> <td>5</td> <td>6</td> </tr> <tr> <td>Total Teams</td> <td>13</td> <td>17</td> </tr> <tr> <td>Blasters Introduction level players</td> <td>35</td> <td>60</td> </tr> </tbody> </table>		Darley CC	B/Marsh CC	Junior Boys & Girls	7	10	Senior Women	1	1	Senior Men	5	6	Total Teams	13	17	Blasters Introduction level players	35	60	<p>In line with the population growth of the Moorabool Shire Council (MSC) and community expectations of the sport of cricket the MSC based cricket clubs have moved from the Gisborne Cricket Association to the BCA turf-based competition. This has involved the considerable investment in capital equipment and in the case of the Darley CC the earthworks and transportation to install the initial turf wicket square. We note the installation of the turf square has been undertaken by MSC as part of the development of the racecourse reserve precinct.</p> <p>The BCA has a 5-year agreement with the City of Ballarat to leverage the use of club volunteers to:</p> <ul style="list-style-type: none"> • Support the growth in participation in cricket at grass roots level and provide pathways for juniors including the upskilling of junior coaches. • Maximize the use of active spaces, upskill volunteers and obtain specialist turf wicket preparation skills. • Provide the best possible turf facilities for use by all sections of the club (women, men and juniors) • Maintain and update cricket capital equipment of rollers, mowers etc. • Undertake turf wicket preparation to support the outstanding success and economic benefit of conducting events such as the Australian National Under 17 titles in January 2024. • Provide the governance structure to ensure funds provided are used only for agreed activities. <p>To support a fair and equitable competition and leverage the efforts and commitments of club volunteers the BCA seeks a similar annual contribution from the MSC of \$17,000 (\$8,500 per club).</p>
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<p>3.</p>	<p>Thomas Shaw – Bacchus Marsh Baseball Association</p>	<p>Refurbishment of Baseball Field at Masons Lane</p> <p>The Bacchus Marsh Baseball Association (Bacchus Marsh Tigers), is based at Masons Lane, Bacchus Marsh and was established in 1986. The Tigers enter teams in the Geelong Baseball Association each winter. Our club has a proud past with success across all age groups and has been the home club for players who have gone on to play in the Major League Baseball in the USA, Australian National Team, New Zealand National Team, as well as Victorian State Teams over the years. Since COVID we have struggled to maintain volunteers and players resulting in less income and ultimately less works conducted on the field and facilities. We have annually raised funds from members and sponsors to</p>																			

		<p>continually upgrade and maintain the field and facilities, but we cannot keep up with this increasing costs which is leading to unsafe conditions and players not wanting to play at our club for risk of injury. The field and rooms belong to Council and have had minimal input in recent years and is on the brink of being usable. Our club has reached out to Council on multiple occasions and are now at risk of not having a team and uncertain about the future of the club. The Bacchus Marsh Baseball Club supports the Moorabool Shire Council's strategic objectives by providing a safe, family friendly, uni-sex sporting club and volunteer space. We attract players and visitors from all across Ballarat, Melton, Werribee, and Geelong each week. Baseball is a great past time as it is very inclusive of all athletic abilities, sex, and social backgrounds. The field has been deemed unsafe to play and this season the majority of players were not willing to risk time off work and time away from their family if they were to get injured playing on our ground. This is unacceptable that we cannot provide an even playing surface that is risk free to our players and visiting players.</p> <p>We have met with the Moorabool Shire Council's parks team and we appreciate being a small club that a lower end of funding is expected but currently we do not even get basic seasonal maintenance as there are no sprinklers on the field. No other sport is treated this way in the Council. WE NEED YOUR SUPPORT We cannot continue without help. We have spent thousands of dollars on the field which should have been spent on playing equipment and kitchen appliances so we can continue to grow. We desperately need the field, the edges, and the scoria area topped up, levelled out, and re-seeded ahead of the 2025 season (before March 2025) or risk losing a choice for locals to get healthy. I cannot stress how urgent this is. We need a plan in place and works to begin this year. I estimate the field can be refurbished and made safe for under \$20,000 with the help of Council park's team.</p>
<p>4.</p>	<p>Jacob White – Wallace Recreation Reserve CoM</p>	<p>Wallace Recreation Reserve Oval Redevelopment</p> <p>The Wallace Recreation Reserve Oval Redevelopment is the highest priority project identified in the recently completed Wallace Recreation Reserve Master Plan 2024-2033.</p> <p>The oval deteriorates rapidly in wet weather, resulting in the Springbank Football Netball Club having to cancel on-ground training sessions and to sometimes relocate home matches to other reserves. The poor condition of the oval is well-known amongst the players and supporters of all clubs within the Central Highlands Football League, and as a consequence it is now impacting the club’s ability to both recruit and retain players, and to establish a Senior Women’s team.</p> <p>Moorabool Shire Council has requested the Wallace Recreation Reserve Committee of Management prepare this Business Case</p>

		<p>in support of a Council funding contribution of \$709,060 ex-GST towards the project. The Business Case will enable officers and Councillors to fully consider the project, and determine whether funding will be allocated in Council's 2024-2025 Capital Works Budget.</p> <p>The completion of this project in readiness for the 2025 season will be a highlight in the planned 100th Year Anniversary Celebrations for the football club.</p> <p>This report includes the following important project information:</p> <ol style="list-style-type: none"> 1. Project scope 2. Strategic need for project 3. Community need for project 4. Project budget 5. Project management and project plan <p>The Business case (attached) has been prepared by Jacob White (member of the Reserve Committee), on behalf of the Wallace Recreation Reserve Committee of Management and the Springbank Football Netball Club.</p>
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2. **Takes into consideration the matters raised within the submissions in its consideration of the 2024/25 Annual Budget at the Special Meeting of Council on Wednesday 26 June 2024.**
3. **Provides a response to each Submitter following the adoption of the 2024/25 Annual Budget.**

BACKGROUND

Council commenced statutory procedures dealing with the 2024/25 Annual Budget at the Council Meeting held on Wednesday 1 May 2024. At this meeting, Council resolved to put on public display the Proposed 2024/25 Annual Budget.

The proposed 2024/25 budget has been prepared in accordance with the *Local Government Act 2020*.

As a result of this advertising process, a total of 4 written submissions were received by the closing date of 30 May 2024.

All four of the submitters have indicated their intention to be heard in support of their written submission.

The bank account summaries provided as part of the submission made by Jacob White – Wallace Recreation Reserve CoM have been received by Council, but are not included in the attachment to this report.

PROPOSAL

That Council considers the four submissions received before the budget is adopted at the Special Meeting of Council on Wednesday 26 June 2024.

COUNCIL PLAN

The Council Plan 2021-2025 provides as follows:

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

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

RISK & OCCUPATIONAL HEALTH & SAFETY ISSUES

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

COMMUNICATIONS & CONSULTATION STRATEGY

The Proposed Budget was available for submissions and public comment from Thursday 2 May 2024 to 5.00pm on Thursday 30 May 2024.

Following adoption of the 2024/25 Annual Budget, a public notice will be published in the local newspapers and the 2024/25 Annual Budget will be published on Council's website.

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General Manager – David Jackson

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Author – Aaron Light

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CONCLUSION

Following the conclusion of the community consultation period in relation to the proposed 2024/25 Annual Budget and having completed all statutory requirements, it is recommended that Council consider the submissions received.

8 ANY OTHER BUSINESS

9 MEETING CLOSURE