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| **MINUTES**  **Ordinary Council Meeting**  **Wednesday, 1 September 2021** | |
| **Date:** | **Wednesday, 1 September 2021** |
| **Time:** | **6.00pm** |
| **Location:** | **Online** |

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1 Opening of Meeting and Prayer

The Mayor opened the meeting with the Council Prayer at 6.00pm

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 Governance Rules, the meeting is livestreamed.

4 Present

Cr Tom Sullivan, Mayor West Moorabool Ward

Cr Rod Ward, Deputy Mayor East Moorabool Ward

Cr Moira Berry East Moorabool Ward

Cr Tonia Dudzik East Moorabool Ward

Cr David Edwards East Moorabool Ward

Cr Ally Munari Woodlands Ward

Cr Paul Tatchell Central Moorabool Ward

**Officers:**

Mr Derek Madden Chief Executive Officer

Ms Caroline Buisson General Manager Customer Care & Advocacy

Mr Phil Jeffrey General Manager Community Assets & Infrastructure

Ms Sally Jones General Manager Community Strengthening

Mr Henry Bezuidenhout Executive Manager Community Planning & Economic Development

Mr Peter Smith Chief Financial Officer

Mr Anthony Smith Manager Governance Risk & Corporate Planning

Mr Chris Gardner Manager Connected Communities

Ms Belinda Stewart Manager Active Ageing & Diversity

Ms Chhavi Walia Coordinator Financial Services

Ms Jacinta Erdody Coordinator Revenue & Procurement

Mr Troy Delia Coordinator Governance & Risk

5 Apologies

Nil

6 Confirmation of Minutes

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| **Resolution**  **Moved:** Cr David Edwards  **Seconded:** Cr Moira Berry  **That the minutes of the Ordinary Council Meeting held on Wednesday 4 August 2021 be confirmed.**  **Carried** |

7 Disclosure of Conflicts of Interest

Nil

8 Public Question Time

6.03pm Cr Rod Ward left the meeting during Public Question Time.

6.10pm Cr Rod Ward returned to the meeting during Public Question Time.

| **Name** | **Question/Response** | **CEO/GM/EM** | **Read at Meeting**  **(Yes/No)** | **Taken on Notice**  **Yes/No** |
| --- | --- | --- | --- | --- |
| Mr John Kowarksy | Question 1:  Do Council’s plans for the Ballan Library Major Priority Project include incorporating the Ballan and District Community House adjacent to or within the same premises? | Sally Jones  General Manager Community Strengthening | Yes |  |
|  | **Response:**  Council does not currently have concept plans for a library facility in Ballan.  Community engagement on this project will begin in the current financial year. |  |  |  |
| Ms Rose De la Cruz | Question 1:  Whatis Council doing about the petition submitted (online and hard copies) with over 500 signatures protesting the removal of the Claret Ash in Fisken Street? | Henry Bezuidenhout  Executive Manager Community Planning & Economic Development | Yes |  |
|  | **Response:**  The petition was included as part of the application assessment. However, we have since been advised that Council’s Community Assets and Infrastructure is currently considering alternative design solutions which may result in withdrawal of the application. |  |  |  |
| Ms Rose De la Cruz | Question 2:  Is the MSC going to establish a significant tree register to protect significant trees in future as many progressive Councils have done? | Henry Bezuidenhout  Executive Manager Community Planning & Economic Development | Yes |  |
|  | **Response:**  Council has a number of planning controls in place to protect significant trees such as Heritage Overlay, the Environmental Significant overlay and Significant Landscape Overlays. The proposal for a significant tree register is noted and the Executive Manager, Community Planning and Economic Development will initiate internal discussions to consider the proposal. |  |  |  |
| Ms Michelle Kerr | Question 1:  Farm rates increased by 25.76% from last year. How can each individual Councillor feel this is a fair application, when urban residences and commercial property are receiving either a reduction, no, or very little increases to their rates. How is this able to occur with property prices soaring in regional towns? | Caroline Buisson –  GM Customer Care & Advocacy | Yes |  |
|  | **Response:**  Each year, the Valuer General (state authority) provides the land valuations that Council uses for the purposes of rating. State government undertook a rate review last year that did not change the system. The 2021 valuation which has resulted in an 8.7% increase in valuations on average and 19.5% increase for farm land (see budget document section 4.4.1).  To mitigate this impact, Council has maintained for farm land the lowest differential of any of the categories – which is 0.78 of the general rate. |  |  |  |
| Ms Michelle Kerr | Question 2:  How can you lump such a rate burden on one sector rather than spreading it fairly across all residences? | Caroline Buisson –  GM Customer Care & Advocacy | Yes |  |
|  | **Response:**  Depending on how each property valuation shifts compared to others, the level of rate decrease or increase experienced for each property owner willbe different.  To mitigate the impact of valuation increase in farm land, Council has maintained for farm land the lowest differential of any of the categories – which is 0.78 of the general rate.  On average over the past five years (including 21/22) the farm rate category has contributed 10% of the total rate revenue with the highest year being in 2017/18 at 11%. |  |  |  |
| Ms Michelle Kerr | Question 3:  Can you understand property valuation does not increase revenue and ability to pay higher rates? | Caroline Buisson –  GM Customer Care & Advocacy | Yes |  |
|  | **Response:**  Council have for many years had a Property Rate Debt Management Policy in place which enables a number of payment options and includes:  • Special payment arrangements – weekly, fortnightly or monthly payments at amounts set by the ratepayer; and  • Financial hardship for longer term financial changes which can include full or partial deferral of rates. |  |  |  |
| Ms Kate Sharkey | Question 1:  The farm business sector across the Shire has experienced outrageous rate rises in the order of 25% plus. Please explain if this is not discrimination then what do you call it? | Caroline Buisson –  GM Customer Care & Advocacy | Yes |  |
|  | **Response:**  Each year, the Valuer General (state authority) provides the land valuations that Council uses for the purposes of rating. State government undertook a rate review last year that did not change the system. The 2021 valuation which has resulted in an 8.7% increase in valuations on average and 19.5% increase for farm land (see budget document section 4.4.1)  To mitigate this impact, Council has maintained for farm land the lowest differential of any of the categories – which is 0.78 of the general rate. |  |  |  |
| Ms Allison Backhouse | Question 1:  We have received many finishing dates (for the redevelopment of the Bacchus Marsh Racecourse Reserve). When do you realistically expect completion? | Sally Jones  General Manager Community Strengthening | Yes |  |
|  | **Response:**  Council are currently awaiting the certificate of occupancy for the equestrian pavilion. The current hold up relates to the final Powercor connection to the pavilion and it is anticipated this will finalised by the end of September. |  |  |  |
| Ms Allison Backhouse | Question 2:  Does the woman (camping) at the Bacchus Marsh Racecourse Reserve have permission, and why were BMPC as a user group not notified? | Sally Jones  General Manager Community Strengthening | Yes |  |
|  | **Response:**  Council has not issued a permit to camp. Council are working with responsible agencies to find an appropriate resolution. |  |  |  |

9 Petitions

Nil

10 Presentations/Deputations

Nil

11 Chief Executive Officer Reports

11.1 2017-2021 Moorabool Shire Council Plan - Year 4 Final Report

**Author: Anthony Smith, Manager Governance, Risk & Corporate Planning**

**Authoriser: Derek Madden, Chief Executive Officer**

**Attachments: 1. Summary of Outcomes of 2017-2021 Council Plan Final Year Actions (under separate cover)**

**2. 2017-2021 Council Plan Actions Progress - Year 4 Final Report (under separate cover)**

Purpose

The 2017 – 2021 Moorabool Shire Council Plan (“Council Plan”) sits within the Council’s planning framework and identifies the main priorities and expectations over a four-year period.

This report provides an update on the status of actions in the final year of the four-year period, before the reporting cycle commences for the new 2021 – 2025 Moorabool Shire Council Plan.

Executive Summary

 47 Strategic Actions for Year 4 were identified for completion by 30 June 2021.

 Of these 47 Strategic Actions, 37 have been completed with 10 remaining ‘In Progress’. These actions will continue to be reported on until completion. Out of the 37 completed actions, 4 are captured in the new 2021 - 2025 Council Plan and have therefore been closed to prevent duplicate reporting.

 The continuing impacts of the COVID-19 pandemic through the 2020 – 2021 year, have seen projects requiring community engagement heavily affected by social distancing requirements, hence in some instances community engagement has been delayed and/or extended to ensure appropriate and meaningful engagement can be undertaken.

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| Resolution  **Moved:** Cr Moira Berry  **Seconded:** Cr David Edwards  **That Council receives the 2017-2021 Moorabool Shire Council Plan – Year 4 Final Report, including Attachments 1 and 2 of this report.**  **Carried** |

Background

The four strategic objectives outlined in the Council Plan that guide new initiatives and continuing services are:

1. Providing Good Governance and Leadership

2. Minimising Environmental Impact

3. Stimulating Economic Development

4. Improving Social Outcomes

Each Strategic Objective has a set of contexts, or desired outcomes, which sets out strategic actions to be undertaken over the planned four years to achieve the objectives.

A summary providing an overview of the outcomes and achievements of the 2020-2021 Strategic Actions as contained in the Council Plan has been provided in **Attachment 1**. These actions are considered the Year 4 actions of the overall 2017-2021 Council Plan. A full report including commentary against these actions is also provided in **Attachment 2** of this report.

Proposal

In setting the Strategic Actions for Year 4, 47 Actions were identified for completion by 30 June 2021.

Of those 47 Strategic Actions, 37 have been completed with 10 remaining ‘In Progress’. These actions will continue to be reported on until completion. Out of the 37 completed actions, 4 are captured in the new 2021 - 2025 Council Plan and have therefore been closed to prevent duplicate reporting. Where this has occurred, these actions are identified with an asterisk in the attached summary of all Year 4 Actions, provided as **Attachment 1**.

**Impacts of COVID-19**

Various actions remaining ‘In Progress’ can be attributed to the continual impacts of the COVID-19 pandemic. Since March 2020, Council officers have been required to re-prioritise activities, particularly those activities directly associated with community contact and the need to modify or restrict Council services and operations to meet social distancing requirements. This has resulted in significant increase in workload due to the unexpected and shifting impacts of COVID-19.

Communications in terms of engagement have needed to be reviewed, including the transition from face to face engagement to digital platforms. Importantly, those projects requiring community engagement have been heavily affected by social distancing requirements, hence in some instances community engagement has been delayed and/or extended to ensure appropriate and meaningful engagement can be undertaken.

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 receive the 2017-2021 Moorabool Shire Council Plan – Year 4 Final Report is consistent with the Council Plan 2021-2025.

Financial Implications

There are no financial implications from this report.

Risk & Occupational Health & Safety Issues

There are no Risk or Occupational Health & Safety issues in relation to this report.

Communications & Consultation Strategy

Specific projects are the subject of their own communications strategy, nevertheless this report will be displayed on Council’s website and the end of year progress will be reported in Council’s Annual Report.

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 80C of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

*Chief Executive Officer – Derek Madden*

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

*Author – Anthony Smith*

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

Conclusion

Overall, Year 4 of the Council Plan 2017 – 2021 has seen 47 Strategic Actions reported on with 37 actions having been completed and 10 remaining in progress. These actions will continue to be reported on until completion. Out of the 37 completed actions, 4 are captured in the new 2021 - 2025 Council Plan and have therefore been closed to prevent duplicate reporting.

11.2 Instrument of Delegation from Council to the Chief Executive Officer

**Author: Anthony Smith, Manager Governance, Risk & Corporate Planning**

**Authoriser: Derek Madden, Chief Executive Officer**

**Attachments: 1. Instrument of Delegation from Council to the Chief Executive Officer (under separate cover)**

Purpose

The purpose of this report is to enable Council to revoke the Instrument of Delegation to the Chief Executive Officer that was authorised at the Ordinary Meeting of Council held on 6 May 2020, and to remake the Instrument of Delegation to the Chief Executive Officer (CEO) in order to ensure compliance with section 11(7) of the *Local Government Act 2020* (the Act), whereby Council is required to review, within a period of 12 months after a general election, all delegations which have been made under this section and are still in force.

Executive Summary

 Pursuant to section 11(1)(b) of the *Local Government Act 2020,* and in order to comply with section 11(7) of the Act, it is recommended that Council authorise the attached Instrument of Delegation to the CEO, which is unaltered from the current Instrument of Delegation.

 The proposed Instrument of Delegation meets the requirements contained in the *Local Government Act 2020*.

 In accordance with section 47(1) of the Act, the attached Instrument continues to empower the Chief Executive Officer to delegate a power, duty or function that has been delegated to the Chief Executive Officer by the Council to a member of council Staff.

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| Resolution  **Moved:** Cr Paul Tatchell  **Seconded:** Cr Rod Ward  **That Council, in the exercise of the powers conferred by section 11(1) of the *Local Government Act 2020* (the Act) and the other legislation referred to in the attached Instrument of Delegation, resolves that:**  **1. There be delegated to the person holding the position, acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.**  **2. The Instrument of Delegation - Council to the Chief Executive Officer be signed under the common seal of the Council.**  **3. The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.**  **4. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.**  **5. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**  **6. It is noted that the Instrument includes a power of delegation to members of Council staff, in accordance with section 47(1)(a) of the Act.**  **Carried** |

Background

The current Instrument of Delegation from Council to the Chief Executive Officer was authorised at the Ordinary Meeting of Council held on Wednesday 6 May 2020.

In accordance with section 11(7) of the *Local Government Act 2020* (**the** **Act**), a Council must review, within a period of 12 months after a general election, all delegations which have been made under this section and are still in force.

Additionally, in view of recent significant legislative changes, specifically the commencement of the *Environment Protection Act 2017* on 1 July 2021, it is recommended to revoke and remake the Instrument of Delegation from Council to the Chief Executive Officer.

Proposal

The proposed Instrument of Delegation, provided as **Attachment 1** to this report, has been prepared for Council consideration and is unaltered from the existing Instrument of Delegation from Council to the Chief Executive Officer.

The proposed Instrument reflects the requirements contained in the *Local Government Act 2020,* including continuing to empower the Chief Executive Officer to delegate a power, duty or function that has been delegated to the Chief Executive Officer by the Council to a member of Council staff, in accordance with s.47(1) of the Act, and it also takes into account the matters that cannot be delegated to the Chief Executive Officer pursuant to section 11(2) of the Act.

It is appropriate the existing Instrument of Delegation authorised by Council on 6 May 2020 be revoked and remade in order to comply with the requirements of section 11(7) of the Act. This will enable Council to continue to delegate powers pursuant to section 11(1)(b) of the *Local Government Act 2020* to its Chief Executive Officer.

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 3.5: Be recognised for demonstrating a culture of excellence, creativity and inclusiveness**

The proposal to authorise the Instrument of Delegation to the Chief Executive Officer is consistent with the Council Plan 2021-2025.

Financial Implications

Whilst there are no direct financial implications associated with the preparation of this report, the proposed Instrument of Delegation retains the business continuity exception of the current Instrument of Delegation, which allows the CEO to award contracts up to the value of $3,000,000 in a declared State of Emergency.

Risk & Occupational Health & Safety Issues

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| **Risk Identifier** | **Detail of Risk** | **Risk Rating** | **Control/s** |
| Professional Liability | Decision Making | Low | Insurance to cover the decisions of staff and transparency in decision making through the use of public registers of key decisions made under delegation |

Communications & Consultation Strategy

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

Victorian Charter of Human Rights & Responsibilities Act 2006

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

Officer’s Declaration of Conflict of Interests

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

*Chief Executive Officer – Derek Madden*

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

*Author – Anthony Smith*

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

Conclusion

In accordance with section 11(1) of the *Local Government Act 2020* the Instrument of Delegation – Council to the Chief Executive Officer is placed before Council for consideration. This Instrument grants delegated powers for and on behalf of Council to the Chief Executive Officer under section 11(1) of the *Local Government Act 2020* as set out in the Instrument of Delegation.

It is recommended that Council revoke the existing Instrument of Delegation from Council to the Chief Executive Officer and authorise the attached Instrument of Delegation from Council to the Chief Executive Officer to ensure compliance with section 11(7) of the *Local Government Act 2020*.

11.3 Instrument of Appointment and Authorisation and Sub-Delegation from Council to Staff under the Environment Protection Act 2017

**Author: Anthony Smith, Manager Governance, Risk & Corporate Planning**

**Authoriser: Derek Madden, Chief Executive Officer**

**Attachments: 1. Instrument of Delegation from EPA to Council (under separate cover)**

**2. Instrument of Direction from EPA to Council (under separate cover)**

**3. Instrument of Appointment and Authorisation (Environment Protection Act 2017) (under separate cover)**

**4. Instrument of Sub-Delegation from Council to Members of Staff (Environment Protection Act 2017 only) (under separate cover)**

Purpose

The purpose of this report is to appoint authorised officers under section 242(2) of the *Environment Protection Act 2017* (**Act**)and delegate provisions under the Act to the appointed authorised officers to enable regulation of the Act.

Executive Summary

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

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

 An Instrument of Appointment and Authorisation and Instrument of Sub-Delegation is presented for consideration by Council, which will enable Council officers to regulate specific provisions of the *Environment Protection Act 2017.*

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| Resolution  **Moved:** Cr David Edwards  **Seconded:** Cr Rod Ward  **That Council:**  **1. in the exercise of the power conferred by s.242(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the *Environment Protection Act 2017* dated 4 June 2021, resolves that:**  **(a) The members of Council staff referred to in the Instrument (provided as Attachment 3) be appointed and authorised as set out in the Instrument.**  **(b) The Instrument of Appointment and Authorisation be signed under the common seal of Council.**  **(c) The Instrument comes into force immediately the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.**  **2. in the exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the *Environment Protection Act 2017*, dated 4 June 2021, resolves that:**  **(a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Sub-Delegation to members of Council staff* (provided as Attachment 4 to this report), the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.**  **(b) The Instrument of Sub-Delegation be signed under the common seal of Council.**  **(c) The instrument comes into force immediately the common seal of Council is affixed to the instrument.**  **(d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**  **Carried** |

Background

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

With the commencement of the new *Environment Protection Act 2017,* there are changes to the laws and powers of local governments, including a new delegation of powers from EPA to councils, made pursuant to section 437(1) of the Act.

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

The limited exercise of powers is stipulated in the Instrument of Direction of the Environment Protection Authority under the *Environment Protection Act 2017*, provided as **Attachment 2** to this report.

Whilst using the new powers under the delegation is not mandatory, the EPA recommend Councils that have onsite wastewater management systems less than or equal to 5000 litres, exercise powers under delegation. This provides authorised officers the powers listed in Schedule 1 of **Attachment 1**, including the powers of entry and inspection, and issuing and enforcing the notice ordering maintenance of onsite wastewater management systems.

Proposal

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

The proposed Instrument of Appointment and Authorisation, provided as **Attachment 3** to this report, has been prepared for Council consideration and enables the officers authorised to be delegated provisions of the *Environment Protection Act 2017*.

Accordingly, the proposed Instrument of Sub-Delegation, provided as **Attachment 4** to this report, has been prepared for Council consideration and empowers Council officers to regulate specific provisions of the *Environment Protection Act 2017.*

Accordingly, an Instrument of Appointment and Authorisation and Instrument of Sub-Delegation are now presented to Council, as attachments 3 and 4, respectively, requesting that the officers named in the Instrument of Appointment and Authorisation be hereby appointed under s.242(2) of the Act and that the relevant positions stipulated in the Instrument of Sub-Delegation, in accordance with s. 437(2), be delegated the provisions outlined in the Instrument.

Council Plan

The Council Plan 2021-2025 provides as follows:

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

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

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

Financial Implications

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

Risk & Occupational Health & Safety Issues

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

Communications & Consultation Strategy

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

Victorian Charter of Human Rights & Responsibilities Act 2006

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

Officer’s Declaration of Conflict of Interests

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

*Chief Executive Officer – Derek Madden*

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

*Author – Anthony Smith*

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

Conclusion

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

Accordingly, it is recommended that Council consider the Instrument of Appointment and Authorisation and Instrument of Sub-Delegation, provided as Attachments 3 and 4, respectively, and appoint the relevant officers as authorised officers under the Act, and delegate the provisions contained in the Instrument of Sub-Delegation to the positions stated.

11.4 Adoption "In principle" of the 2020/21 Performance Statement for Submission to the Victorian Auditor-General for Certification

**Author: Anthony Smith, Manager Governance, Risk & Corporate Planning**

**Authoriser: Derek Madden, Chief Executive Officer**

**Attachments: 1. 2020-21 Performance Statement (under separate cover)**

Purpose

The purpose of this report is to present to Council the 2020/21 Performance Statement for “in principle” adoption and submission to the Auditor-General for certification.

Executive Summary

* The 2020/21 Performance Statement has been prepared to meet the requirements of the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

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| Resolution  **Moved:** Cr Ally Munari  **Seconded:** Cr Paul Tatchell  **That Council, in accordance with section 99 of the *Local Government Act 2020*:**   1. **Adopts “in principle” the 2020/21 Performance Statement and submits the Performance Statement, subject to no material change, to the Victorian Auditor General for certification.**   **2. Authorises Council’s Audit and Risk Committee representatives, Councillor Dudzik and Councillor Munari, to certify the 2020/21 Performance Statement in its final form, after any changes recommended, or agreed to by the Auditor, have been made.**  **Carried** |

Background

Since 2014, Councils have been required to report on their performance through their Annual Report to their community.

Pursuant to Section 98 (4) of the *Local Government Act 2020*, The Performance Statement in the Annual Report must contain the following:

(a) the prescribed indicators of service performance for the services provided by the Council and funded in the budget for the financial year, the prescribed measures relating to those indicators and the results achieved in relation to those performance indicators and measures;

(b) the prescribed indicators of financial performance, the prescribed measures relating to those indicators and the results achieved in relation to those performance indicators and measures;

(c) the prescribed indicators of sustainable capacity performance, the prescribed measures relating to those indicators and the results achieved in relation to those performance indicators and measures;

(d) any other information prescribed by the regulations.

Proposal

In accordance with Council’s governance practices, the Performance Statement as attached to this report, will have been presented to Council’s Audit and Risk committee on Tuesday, 31 August 2021 for review and recommendation to Council for “in principle” adoption and authorisation by two Audit and Risk Committee Councillor members, and the Chief Executive Officer to sign the audited statements.

The Performance Statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results for the 2020/21 financial year.

Overall, there are 28 performance indicators that have been mandated for an independent audit. Of these indicators seven (7) relate to sustainable capacity, ten (10) relate to service performance and eleven (11) relate to financial performance.

The Local Government (Planning and Reporting) Regulations 2020 requires explanation of any material variations in the results contained in the Performance Statement. The performance indicator results for 2020/21 will be compared to the results for the previous three financial years.

The forecast figures included in the Performance Statement are those adopted by Council in its Strategic Resource Plan at an Ordinary Meeting of Council on 15 July 2020 and which forms part of the 2020/21 Annual Budget and the Council Plan 2017 – 2021. The Strategic Resource Plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term.

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 for Adoption "In principle" of the 2020/21 Performance Statement for Submission to the Victorian Auditor-General for Certification is consistent with the Council Plan 2021-2025.

Financial Implications

There are no financial implications from this report. The preparation and presentation of the 2020/21 Performance Statement has been performed within the allocated budget.

Risk & Occupational Health & Safety Issues

|  |  |  |  |
| --- | --- | --- | --- |
| **Risk Identifier** | **Detail of Risk** | **Risk Rating** | **Control/s** |
| Inadequate performance by Council | Inability to meet attainable levels of performance | Medium | Systems, processes and measures to provide comprehensive performance information that meets the needs of a number of audiences |

Communications & Consultation Strategy

The Performance Statement will be presented to the Victorian Auditor General’s Office for review and certification. The Performance Statement will form part of Council’s annual Report which will be lodged with the Minister for local Government prior to 30 September 2021. The Annual Report will be made publicly available on Council’s website and at all office locations early in October 2021.

Victorian Charter of Human Rights & Responsibilities Act 2006

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

Officer’s Declaration of Conflict of Interests

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

*Chief Executive Officer – Derek Madden*

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

*Author – Anthony Smith*

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

Conclusion

The 2020/21 Performance Statement has been prepared to meet the requirements of the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020 for adoption “in principle” by Council for submission to the Auditor-General for certification.

At the time of preparing this report, Council’s Performance Statement was included on the Agenda for consultation at the Audit and Risk Committee Meeting on Tuesday 31 August 2021, with a recommendation that the Audit and risk Committee recommend that Council adopts the statement “in principle”.

Following a resolution, the Performance Statement will then be submitted to the Auditor General for certification. Council is also required to authorise two Councillors to sign the Performance Statement on behalf of Council, as required under the *Local Government Act 2020*.

It is practice for the Councillor members of the Audit and Risk Committee to sign the certified statements on behalf of Council.

11.5 2020/21 Governance & Management Checklist

**Author: Anthony Smith, Manager Governance, Risk & Corporate Planning**

**Authoriser: Derek Madden, Chief Executive Officer**

**Attachments: 1. 2020-21 Governance and Management Checklist (under separate cover)**

Purpose

The purpose of this report is to present the 2020/21 Governance and Management Checklist (Checklist) for Council adoption.

Executive Summary

 The Governance and Management Checklist is a component of the Local Government Performance Reporting Framework (LGPRF) and is a requirement of Section 98(3)(c) of the *Local Government Act 2020* (the Act) and Regulation 9 of the Local Government (Planning and Reporting) Regulations 2020.

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| Resolution  **Moved:** Cr Tonia Dudzik  **Seconded:** Cr Moira Berry  **That Council adopts the 2020/21 Governance and Management Checklist and approves its inclusion in the 2020/21 Annual Report and submission to Local Government Victoria for publication on the “Know Your Council” website.**  **Carried** |

Background

Section 98(3)(d) of the Act provides that Council must contain in its report of operations the results, in the prescribed form, of the Council’s assessment against the prescribed governance and management checklist and indicators. The checklist is then certified by the Mayor and Chief Executive Officer.

Proposal

The Governance and Management Checklist contains 24 items relating to Council plans, policies, strategies, frameworks and reporting. This checklist is reviewed by the Chief Executive Officer and presented to both the Audit and Risk Committee and Council for adoption prior to its incorporation into Council’s 2020/21 Annual Report and submission to Local Government Victoria and published on the ‘Know your Council’ website.

Overall, from the 24 listed items on the Checklist, 24 items are established and in operation.

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 regarding the 2020/21 Governance & Management Checklist is consistent with the Council Plan 2021 - 2025.

Financial Implications

There are no financial implications relating to the 2020/21 Governance and Management Checklist.

Risk & Occupational Health & Safety Issues

There are no Occupational Health and Safety issues in relation to this report.

Communications & Consultation Strategy

The Governance and Management Checklist will be published in Council’s Annual Report and available for review on the Local Government Victoria “Know Your Council” 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.

*Chief Executive Officer – Derek Madden*

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

*Author – Anthony Smith*

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

Conclusion

The Governance and Management Checklist has been prepared and certified by the Mayor and Chief Executive Officer in accordance with *Local Government Act 2020*.

Council’s Audit and Risk Committee has reviewed the Checklist and recommends that Council adopts the Governance and Management Checklist, prior to its submission to the 2020/21 Annual Report and submission to Local Government Victoria for publication on the “Know Your Council” website.

11.6 Advisory Committees of Council - Reports

**Author: Anthony Smith, Manager Governance, Risk and Corporate Planning**

**Authoriser: Derek Madden, Chief Executive Officer**

**Attachments: 1. Local Business Advisory Committee Minutes 13 July 2021 (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.

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| --- | --- | --- |
| Committee | Meeting Date | Council Representatives |
| Local Business Advisory Committee | Tuesday 13 July 2021 | Cr Paul Tatchell  Cr Tonia Dudzik (Sub) |

|  |
| --- |
| **Resolution**  **Moved:** Cr Paul Tatchell  **Seconded:** Cr Tonia Dudzik  **That Council receive the following Advisory Committee reports:**  **1. Local Business Advisory Committee Meeting Minutes for Tuesday 13 July 2021.**  **Carried** |

12 Community Planning and Economic Development Reports

Nil

13 Community Strengthening Reports

13.1 Draft Health and Wellbeing Plan 2021-2025

**Author: Belinda Stewart, Manager Active Ageing & Diversity**

**Authoriser: Sally Jones, General Manager Community Strengthening**

**Attachments: 1. Draft Health and Wellbeing Plan 2021 - 2025 (under separate cover)**

Purpose

To seek Council approval to release the proposed Moorabool Municipal Health and Wellbeing Plan 2021 – 2025 for public exhibition and feedback for a four week period.

Executive Summary

 Council has undertaken a deliberative engagement process between February 2021 and June 2021 to identify the current challenges, issues and strengths pertaining to community health and wellbeing.

 The deliberative engagement program included community feedback via the ‘Have your Say’ portal, postcard feedback, phone survey feedback and hard copy survey feedback.

 A number of stakeholder consultations and workshops were also facilitated with a range of local service providers, local sports providers, Djerriwarrh Health Services, Ballan and District Care, Women’s Health Grampians, State Government, Victoria Police, Councillor representatives and internal stakeholders.

 Key data pertaining to local Moorabool Shire demographics and regional data sets have been reviewed and considered by the stakeholder consultation groups.

 The development of the proposed Health and Wellbeing Plan 2021 – 20215 has been informed by the recently adopted Community Vision 2030 and Council Plan 2021 – 2025 in addition to a review of data, feedback from stakeholder consultations and community feedback and contains the measures required to deliver the strategic objectives over the next four years.

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| **Resolution**  **Moved:** Cr Moira Berry  **Seconded:** Cr Tonia Dudzik  **That Council:**  **1. In accordance with Section 26 of the Public Health and Wellbeing Act 2008, endorses the proposed Moorabool Health and Wellbeing Plan 2021 – 2025, shown as Attachment 1 for community consultation.**  **2. Approves the release of the proposed Moorabool Health and Wellbeing Plan 2021 – 2025 via the Moorabool Shire Council website and invite community feedback between Thursday 2 September 2021 to Thursday 30 September 2021.**  **3. Proposes to adopt the final Moorabool Health and Wellbeing Plan 2021 – 2025 at a Special Meeting of Council in October 2021 at a date to be confirmed.**  **Carried** |

Background

The Public Health and Wellbeing Act 2008 recognises the significant role of Councils in improving the health and wellbeing of people who live, work, study and play in their municipality. The Act requires Councils to develop a municipal public health and wellbeing plan every four years, within 12 months of each general election of the Council. Council’s current Health and Wellbeing Plan (HWP) is in its fourth and final year of implementation, with planning underway to develop the next HWP which is due in October 2021.

The proposed Moorabool Health and Wellbeing Plan 2021-2025 has been developed to align with the Community Vision 2030, Council Plan 2021-2025 and the Municipal Strategic Statement to form Council’s Strategic Planning Framework for the next four years.

The State Government has provided Council with advice in relation to the key requirements and themes that must be considered by the new Health and Wellbeing Plan (HWP). Section 26(3) of the Public Health and Wellbeing Act requires Councils to have regard to the Victorian Public Health and Wellbeing Plan in developing Municipal Public Health and Wellbeing Plans. The Victorian Public Health and Wellbeing Plan 2019–2023 is the overarching policy framework for improving public health and wellbeing in Victoria.

Following community and stakeholder consultation, the key themes for inclusion in Moorabool’s proposed Health and Wellbeing Plan 2021–2025 are:

 Healthy minds;

 Keeping ourselves safe;

 The food we eat;

 Our changing climate;

 Being active;

 Reducing harmful addictions.

**Current Status - Community and Stakeholder Consultation**

The proposed Health and Wellbeing Plan 2021 – 2025 provides a strategic direction for Council, local health providers and community organisations in improving the overall health of the Moorabool community. Whilst Council has the primary lead role in developing the plan, the delivery of strategies and actions are undertaken in partnership with organisations and the community. This ensures that a collective impact approach is taken to improving the health and wellbeing of the community.

**Next Steps**

Following the public consultation period, a final review of feedback and submissions received will be considered by Council, the Health and Wellbeing Committee and key stakeholders before preparing a final proposed Moorabool Health and Wellbeing Plan 2021 – 2025 for Council’s consideration and adoption.

Proposal

It is recommended that the proposed Moorabool Health and Wellbeing Plan 2021 – 2025 be approved for public exhibition. Following public exhibition and the incorporation of public feedback obtained during the exhibition period, the Moorabool Health and Wellbeing Plan 2021 – 2025 will be finalised for Council adoption.

The proposed Health and Wellbeing Plan 2021 – 2025 provides a strategic direction for Council, local health providers and community organisations in improving the overall health of the Moorabool community. Whilst Council has the primary lead role in developing the plan, the delivery of strategies and actions are undertaken in partnership with organisations and the community. This ensures that a collective impact approach is taken to improving the health and wellbeing of the community.

**Development of the Health and Wellbeing Plan**

In developing this Plan, consultation with internal and external stakeholders was conducted from February through to June and included:

 Community feedback via the ‘Have your Say’ portal, postcard feedback, phone and hard copy survey feedback;

 The development and distribution of infographics which highlighted key data, issues and themes for consideration by the community and stakeholders;

 Four online community consultation sessions were held with a range of internal and external stakeholders;

 Two consultation workshops were held with local service providers, local sports providers, Djerriwarrh Health, Ballan and District Care, Women’s Health Grampians, Victoria Police, 2 Councillor representatives and internal stakeholders;

 A review and assessment of local and regional data and current research by peak bodies to inform the development of the strategies and actions.

A total of 192 people participated in the surveys and consultations. Key findings from these consultations indicated that:

 70% of respondents said making healthy food cheaper than unhealthy food would support increased health food intake;

 53% of respondents reported that having more access to affordable healthy foods, would help them eat more healthy fresh food;

 72% of respondents believe dedicated paths and trails would encourage them to walk more often;

 37% of respondents cited safety as a barrier to participating in physical activity​;

 Approximately 50% of respondents didn’t know where to get help with drug, alcohol or family violence issues;

 Lighting, police presence and inclusive community building activities were seen as important for improving safety;

 78% of respondents would speak to a professional for mental health concerns;

 34% of respondents were not sure what community groups were available;​

 Recycling and reducing electricity usage were amongst a range of ways locals are contributing reducing impacts on the environment;​

 77% of respondents would like to know more about the health impacts of climate change.

Council is a key community planner, provider of services, advocate and partner for local businesses and services in the Moorabool Shire.

As part of the proposed Moorabool Health and Wellbeing Plan 2021 – 2025, Council’s Leadership Roles will include:

**Planner:** Plans for future services and community needs through a range of policies, strategies and plans aimed at delivering greater community outcomes.

**Provider:** Takes responsibility for funding and delivering services to the community, delivering on its statutory responsibilities and monitoring of its progress.

**Advocate:** Promotes the interests and needs of the community to other decision-making organisations including the State and Federal Governments.

**Partner:** Funds and carries out services in formal partnership with other organisation and facilitates partnerships by bringing parties together to progress identified issues.

To ensure Council achieves the goals presented in the Moorabool Health and Wellbeing Plan 2021 – 2025, a Health and Wellbeing Steering Committee will be established to monitor and deliver on the actions detailed.

Council Plan

The Council Plan 2021 – 2025 provides as follows:

**Strategic Objective 4: Improve Social Outcomes**

**Context 4A: Health & Wellbeing**

The recommendation to place Moorabool’s Health and Wellbeing Plan 2021 – 2025 for public exhibition in September 2021 is consistent with the Council Plan 2021 – 2025.

Financial Implications

The proposed Moorabool Health and Wellbeing Plan 2021 – 2025 has been produced with funds allocated within the 2020/21 budget. A further allocation of $5,000 has been allocated within the 2021/22 budget to support the implementation of this Plan. Further resources will be proposed as part of the 2022/23 budget process.

Risk & Occupational Health & Safety Issues

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| --- | --- | --- | --- |
| **Risk Identifier** | **Detail of Risk** | **Risk Rating** | **Control/s** |
| Moorabool Health and Wellbeing Plan 2021 – 2025 is not adopted by Council | Council will not meet its legislated responsibilities of developing a Municipal Health and Wellbeing Plan.  Community expectations will be unmet. | High | Adoption of the Moorabool Health and Wellbeing Plan 2021 – 2025 |
| Reputation –  A negative perception of the Moorabool Health and Wellbeing Plan 2021 – 2025 | The draft Plan receives negative feedback during public exhibition | Medium | Extensive public consultation and communication has been undertaken to ensure the Plan meets community expectations |

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| --- | --- | --- | --- |
| Financial – Future resource requirements may not be approved within future budget processes. | There are not enough resources to implement the Plan in its entirety | Medium | The Health and Wellbeing Steering Committee meetings will monitor the resource requirements and report to Council where issues arise |

Communications & Consultation Strategy

| **Level of Engagement** | **Stakeholder** | **Activities** | **Location** | **Date** | **Outcome** |
| --- | --- | --- | --- | --- | --- |
| Inform | Moorabool Community | Promotion and Communication  Social Media Posts  Posters  Flyers  Newsletters  Newspaper advertising  Direct Emails  Have Your Say Portal  Postcard Feedback | Across the Shire | February – June 2021 | Engagement opportunity promoted broadly to the Moorabool Community.  Moorabool Social Media Posts |
| Councillor Briefings | An overview of the legislated requirements and process to be undertaken to develop the Moorabool Health and Wellbeing Plan 2021 – 2025 | Darley Civic Centre | 10 March 2021 | Briefing provided overview of legislative requirement for Council to develop a Health and Wellbeing Plan (HWP) in addition to overview of engagement and development process of new plan |
| Councillor Briefing | An overview of key findings from the surveys and research were presented | Darley Civic Centre (virtual) | 26 May 2021 | Briefing provided key data and findings following consultations, community feedback and data review |
| Engage | Consultations with key stakeholders | Stakeholder Consultations undertaken | 4 Online sessions  2 face to face workshops held | 10 March 2021  11 March 2021  17 March 2021  18 March 2021  14 April 2021  5 May 2021 | 46 internal and external stakeholder participants  2 Councillor representatives |
| Public Survey | A survey was published on Moorabool’s ‘Have Your Say’ Engagement portal | Have Your Say Moorabool web page | March 2021 | 111 surveys and 34 postcards were received, and responses were collated to inform the Plan |
| Deliberative Surveys | Hard copy and phone surveys were made available to specific population cohorts to ensure feedback was received from key diverse groups | Phone calls to key residents who were unable to participate virtually but expressed an interest to be involved. Hard copy surveys sent out to specific community groups who were unable to participate virtually | March 2021 | In depth data was collected from respondents who were not able to participate or complete a survey virtually or online |
|  | Councillor Workshop | Workshop to seek feedback from Councillors on proposed draft HWP. | Face to face workshop held | 17th August 2021 | Feedback was provided by Council to refine and develop the proposed HWP. |

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 – Sally Jones*

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

*Author – Belinda Stewart*

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

Conclusion

Delivering on the Moorabool Health and Wellbeing Plan 2021 – 2025 will support the Shire to become a thriving and vibrant place with healthy and inclusive communities. It will also demonstrate Council’s commitment to health and wellbeing within the Shire, whilst meeting Council’s legislative requirements.

13.2 Bacchus Marsh Racecourse Recreation Reserve Stages 2 and 3 Master Plan

**Author: Chloe Beech, Senior Community Recreation Planner**

**Authoriser: Sally Jones, General Manager Community Strengthening**

**Attachments: 1. BMRRR Stages 2 and 3 Master Plan (under separate cover)**

Purpose

The purpose of this report is to recommend that Council endorse the Stages 2 and 3 Bacchus Marsh Racecourse Recreation Reserve (BMRRR) Master Plan.

Executive Summary

Council Officers engaged a principal consultant to progress finalisation of the Stages 2 and 3 Master Plan including the Active Sports Precinct. The Master Plan has been developed with input from BMRRR user groups, State Sporting Associations (SSA’s) and internal Council service units. The Plan aligns with the Moorabool Shire Council Plan 2017-2021 as an identified action item within the strategic objective of ‘Improving Social Outcomes’ under ‘Health & Wellbeing’.

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| --- |
| Resolution  **Moved:** Cr David Edwards  **Seconded:** Cr Moira Berry  **That Council:**   1. **Approves the stage 2 and 3 Bacchus Marsh Racecourse Recreation Reserve Master Plan as provided as Attachment 1 to this report, for the purpose of a public exhibition period of four (4) weeks; and** 2. **Receives a further report at the conclusion of the exhibition period for consideration of feedback and finalisation of the Bacchus Marsh Racecourse Recreation Reserve Stage 2 and 3 Master Plan.**   **Carried** |

Background

In November 2014, Council resolved to progress functional and schematic design of the active sport precinct at BMRRR and authorised officers to make applications for grants for the active sports precinct at the Reserve as opportunities arise.

Stage 1 of this project is concluding, and Council have actively been engaging and consulting with stakeholders to review the existing Master Plan prior to commencing Stage 2. Consultation sessions were held on 8 December 2020 and 9 February 2021 for stakeholders to review the current Master Plan and put forward proposed changes to be endorsed by Council. Feedback from the initial session formed the resolution adopted by Council, at the Ordinary Meeting of Council, 3 February 2021, to proceed preparation and planning for the commencement of constructing Stage 2 and ensure Moorabool Shire Council is utilising every opportunity to seek external funding for major community infrastructure projects.

Informed by stakeholder feedback, it has been identified the scope of the Stage 2 Master Plan to align with construction of Stage 2 of the Active Sport Precinct at BMRRR will include:

 Multipurpose oval providing for AFL and Cricket including 100 lux LED lighting, perimeter fencing and players’ shelters;

 Two Netball and two Tennis courts with compliant LED Lighting (100 lux & 350 lux);

 Two Soccer pitches witch Cricket overlay;

 All Abilities Adventure Playground;

 Multi Sport Pavilion; and

 Carparking

Stage 3 will see the development of a community oval, community pavilion and gravel overflow parking.

The Master Plan retains the general layout of the field of play identified in the original Master Plan. The road network is consolidated to remove separation between the junior and senior soccer pitches. A centralised carpark is provided for the AFL/Cricket and Soccer/Cricket fields. The all abilities playground is relocated to the heart of the precinct, nestled between the main car park, main pavilion and wetland. The features of the playground are dispersed across 1.0 hectare of open parkland to create a broad open and uninhibited space which caters for the wider community. The Netball and Tennis courts are located directly off the main carpark and adjacent to the main pavilion. This will enable good sight lines between the change amenities and the courts. A 200x50m space has been designated for future use by the Golf Club. The space has been identified as a driving range, however this will not be funded under Stage 2 developments.

Consideration will need to be given to effects of the Hillview South development which proposed the construction of retarding basin to the south east corner of the Golf course. This will require the alignment of the existing Golf course road and affect the entry proposed from the sports reserve. Additional consideration will need to be given to the stormwater overflow directed onto the sports reserve site.

Proposal

It is proposed Council endorse the BMRRR Stages 2 and 3 Master Plan.

Council Plan

The Council Plan 2021-2025 provides as follows:

**Strategic Objective 1: Healthy, inclusive and connected neighbourhoods**

**Priority 1.1: Improve the health and wellbeing of our community**

The proposed Bacchus Marsh Racecourse Reserve Stages 2 and 3 Master Plan is consistent with the Council Plan 2021-2025.

Financial Implications

The development of the BMRRR Master Plan and active sports precinct will be referred to the future budgeting process as part of the Capital Improvement Program and the Strategic Financial Plan.

The total cost of Stage 2 is estimated to be $14.49m. To-date council have been successful is receiving $4 million in Sport and Recreation Victoria (SRV) funding to attribute towards the Master Plan implementation of the active sports precinct.  This  $4 million state government funding will contribute towards funding the AFL/Cricket oval with perimeter fencing, players benches and 100 lux LED lighting, 2 netball and 2 tennis hardcourts with lighting, All Abilities Adventure Playground, Construction of two new full-sized soccer pitches with a cricket overlay including installation of a hard cricket wicket and 100 lux LED lighting, as well as irrigation and drainage.

Council will continue to seek additional external funding to secure the delivery of the masterplan.

Risk & Occupational Health & Safety Issues

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| --- | --- | --- | --- |
| **Risk Identifier** | **Detail of Risk** | **Risk Rating** | **Control/s** |
| Community need and reputation | Exposes Council to a  number of service gaps if  priorities in master plan  not implemented | High | Value management and applications for future funding explored |
| Financial – Inadequate funds to finish project | Inadequate financial management | High | Close supervision and pursue external funding options |

Communications & Consultation Strategy

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Level of Engagement** | **Stakeholder** | **Activities** | **Location** | **Date** | **Outcome** |
| Consult | BMRRR user groups | Engagement sessions with groups | Various | December 2020 – February 2021 | Understanding of group requirements required to be reflected in Master Plan |
| Consult | SSA’s | Engagement sessions with associations | Online | February 2021 | Expertise input into development of precinct received |

Council has adopted a partnership approach and commitment for the active sports precinct, between the Reserve user groups and governing bodies, ensuring that participation opportunities are maximised to meet the growing demand of the Shire.  Council utilises IAP2’s ‘best practice’ Spectrum of Public Participation which has driven regular consultation with key stakeholders since the initial project concept, and there is a real enthusiasm by all stakeholders for the project to succeed and achieve its positive outcomes.  Stakeholder input and associated discussions have influenced and determined the proposed project design, priorities and outcomes.

Consultation with stakeholders will be ongoing throughout Stage 2 and 3 developments at the Reserve. Once the design process has concluded, there will be a shift of focus onto the operating model of the facilities. Council Officers will continue to engage with all user groups involved.

The original BMRRR Master Plan adopted in 2015 was publicly exhibited and extensive community and stakeholder consultation was conducted. The Stages 2 and 3 Master Plan is focussing on the functional layout of the Reserve and implementing State Sporting Association’s best practice outcomes, not fundamentally changing the original Master Plan. As a result, only Reserve user groups and governing bodies were consulted for the Stages 2 and 3 Master Plan.

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 – Sally Jones*

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

*Author – Chloe Beech*

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

Conclusion

The Stages 2 and 3 Master Plan for the active sport precinct at BMRRR has been prepared that provides a shared vision and framework for the Reserve’s future use and integrated development. Extensive consultation with BMRRR representatives/user groups has occurred, including input from the community. Needs analysis has informed the active sports requirements, and the services investigation has taken into consideration future requirements and/or key infrastructure upgrades required to support the proposed facilities.

13.3 Darley Park Master Plan

**Author: Chloe Beech, Senior Community Recreation Planner**

**Authoriser: Sally Jones, General Manager Community Strengthening**

**Attachments: 1. Draft Darley Park Master Plan (under separate cover)**

Purpose

The purpose of this report is to recommend that the Council endorses the draft Darley Park Recreation Reserve Master Plan for the purposes of public exhibition for a period of four (4) weeks.

Executive Summary

* The draft Darley Park Recreation Reserve Master Plan (draft plan) has been developed to align with the Moorabool Shire Council Plan 2017-2021 as an identified action item within the strategic objective of ‘Improving Social Outcomes’ under ‘Health & Wellbeing’.
* The draft plan has been developed by the appointed consultant @ Leisure Planners in partnership with the Darley Park Recreation Reserve stakeholders, and Moorabool Shire Council staff.
* The draft plan follows the directions of the Project Brief which have been approved by the Project Control Group (PCG) which includes representatives from various units within Council.

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| Resolution  **Moved:** Cr David Edwards  **Seconded:** Cr Tonia Dudzik  **That Council:**   1. **Approves the draft Darley Park Recreation Reserve Master Plan as provided as Attachment 1 to this report for the purpose of a public exhibition period of four (4) weeks; and**   **2. Receives a further report at the conclusion of the exhibition period for consideration of feedback and finalisation of the Darley Park Recreation Reserve Master Plan.**  **Carried** |

Background

The draft plan provides strategic direction for future development and investment at the reserve over the next 10 years and identifies potential longer term uses of the Reserve to serve the community. The draft plan provides rationale for the recommendations made based on a needs assessment at the Reserve to provide justification for future developments.

The priorities outlined within the draft plan are provided with an implementation plan for the short, medium and long term development of the Reserve. The priorities are key components within the Reserve which have been identified by the user groups to assist with club sustainability in the short-medium term, whilst also having a vision for future uses of the Reserve in the broader context of recreation facilities within the Darley community.

Cost estimates have been provided against the priorities identified. The plan provides guidance and recommendations for future strategic financial planning by Council to leverage the required funds, and direction for the user groups with regards to fundraising initiatives.

The draft plan captures and integrates relevant strategy and policy documents across Council including previous reserve master plans, Recreation & Leisure Strategy 2015-2021, Recreation Reserve Management Framework, Sport Facility Demand Analysis and the Community Infrastructure Framework. Strategic documents from peak sporting bodies such as the AFL Goldfields Regional Strategy have also been considered to ensure alignment with priorities.

The draft plan includes:

 Review and audit of current facilities and usage of the Reserve’s components

 Analysis of future population growth to understand the impact on future uses and role of the Reserve within the community

 Analysis of tenant club strategic plans and requirements at the Reserve

 Needs assessment completed to provide rationale for the short, medium and long term development and investment priorities at the reserve

 Implementation plan for staged capital improvements based on the needs assessment including indicative costs and timeframes around the identified priorities

 Recommendations in master plan and implementation plan to consider but not limited to:

 Analysis of requirements of sport specific playing surfaces

 Investigation of site services

 Playground infrastructure and play spaces

 Reserve entrance(s)

 Walking paths and fitness stations

 Vehicle and pedestrian movement

 Onsite car parking

 Landscaping

 Accessibility, female friendly and multipurpose use

 Site fencing

 Site lighting

 Passive recreation opportunities

 Public toilets

 Adapting to climate change

 Asset renewal vs asset improvement vs asset rationalisation

The draft plan has been developed in consultation with the Darley Park Recreation Reserve user groups, local and state sporting bodies and the Darley community as key stakeholders.

As part of the consultation as per the project community engagement plan, a community survey was open for a period of four (4) weeks and had a positive response rate with 77 submissions received. These survey results have provided key information on the Reserve which have helped inform the draft plan. Phone calls were also held with each of the Reserve user groups to gain a thorough understanding of their usage of the Reserve, current issues and their priorities moving forward. These findings formed part of the preliminary site analysis and have informed the draft master plan.

The community will have another opportunity to provide input into the project when the draft plan is endorsed to go on public exhibition for a period of four (4) weeks. The feedback from this public exhibition period will then help inform the final master plan which will be presented for Council adoption.

Proposal

It is proposed that Council endorse the draft Darley Park Recreation Reserve Master Plan for the purposes of public exhibition for a period of four (4) weeks.

Following the exhibition period and consideration of feedback, the final master plan will then be presented to Council on 1 December 2021 for adoption.

The draft Darley Park Recreation Reserve Master Plan is contained in **Attachment 1**.

Council Plan

The Council Plan 2021-2025 provides as follows:

**Strategic Objective 1: Healthy, inclusive and connected neighbourhoods**

**Priority 1.1: Improve the health and wellbeing of our community**

The proposed draft Darley Park Master Plan is consistent with the Council Plan 2021-2025.

Financial Implications

Council’s 2020/21 adopted budget includes an allocation of $200,000 to the master plan implementations.

The draft master plan has identified the need for significant financial investment in site services, landscaping and facility upgrades at the Reserve over the coming 10 years. These priorities have been recommended as either short term (1-2 years), medium term (2-5 years), long term (5-10 years) or future directions (10+ years) outcomes and cost estimates have been provided against each priority item.

External funding opportunities through Sport and Recreation Victoria (SRV) grant programs have also been identified as potential sources to leverage funds against to help deliver identified projects.

A strategic approach towards project funding will be required to implement the priorities outlined in the draft master plan. The priority projects and costings will need to be considered in Council’s Strategic Financial Plan and Capital Improvement Program to allow for external funding applications to be prepared and funding contributions to be sourced from the Reserve user groups and the community.

Risk & Occupational Health & Safety Issues

| **Risk Identifier** | **Detail of Risk** | **Risk Rating** | **Control/s** |
| --- | --- | --- | --- |
| Financial – Inadequate funds to finish project | Funding required to implement any of the infrastructure priorities outlined within the master plan | High | Financial resources will need to be allocated within Council’s Strategic Financial Plan to allow for grant applications to be made to provide the external funding required to deliver such projects |
| Community needs | User groups required to have a strong business model in place to ensure the community outside the tenant clubs has access to the facilities | Medium | User agreements in place with strict parameters |

Communications & Consultation Strategy

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Level of Engagement** | **Stakeholder** | **Activities** | **Location** | **Date** | **Outcome** |
| Consult | Community groups | Meetings with groups | Online | January 2021 | Community survey open to be completed via the ‘Have Your Say Moorabool’ online community engagement portal |
| Consult | Reserve user groups | Interviews with groups | Telephone | December 2021 | Meeting outcomes summarised and form part of the site analysis and draft plan |
| Consult | Council service units | Meetings with groups | Online | April 2021 | Feedback from various service units compiled to form part of the site analysis and draft plan |

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 – Sally Jones*

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

*Author – Chloe Beech*

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

Conclusion

The draft Darley Park Recreation Reserve Master Plan will provide a framework and strategic approach for the future provision, development and usage of the reserve to meet the long term needs of all users and the community. The draft plan has been developed in partnership with the Reserve user groups and broader community input has been gathered via the strong community survey response rate and through the upcoming four week public exhibition period. The feedback received from the exhibition period will help inform the final master plan which will go back to Council for adoption.

14 Customer Care and Advocacy Reports

14.1 Proposed road renaming - Section of Duncan Street, Ballan off Simpson Street

**Author: Tim Warfe, GIS Officer**

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

**Attachments: Nil**

Purpose

The purpose of this report is to present Council with a proposal to rename the northern section of Duncan Street, Ballan off Simpson Street to meet the needs of Australia Post and Emergency Services Victoria.

Executive Summary

 Council is requested to approve the consultation process as outlined in this report.

 Consultation will ascertain support to rename the northern section of Duncan Street, Ballan.

|  |
| --- |
| Resolution  **Moved:** Cr Paul Tatchell  **Seconded:** Cr David Edwards  **That Council approves the commencement of the consultation process with all stakeholders affected by the proposed renaming of the northern section of Duncan Street, Ballan to become Shamrock Court, Ballan.**  **Carried** |

Background

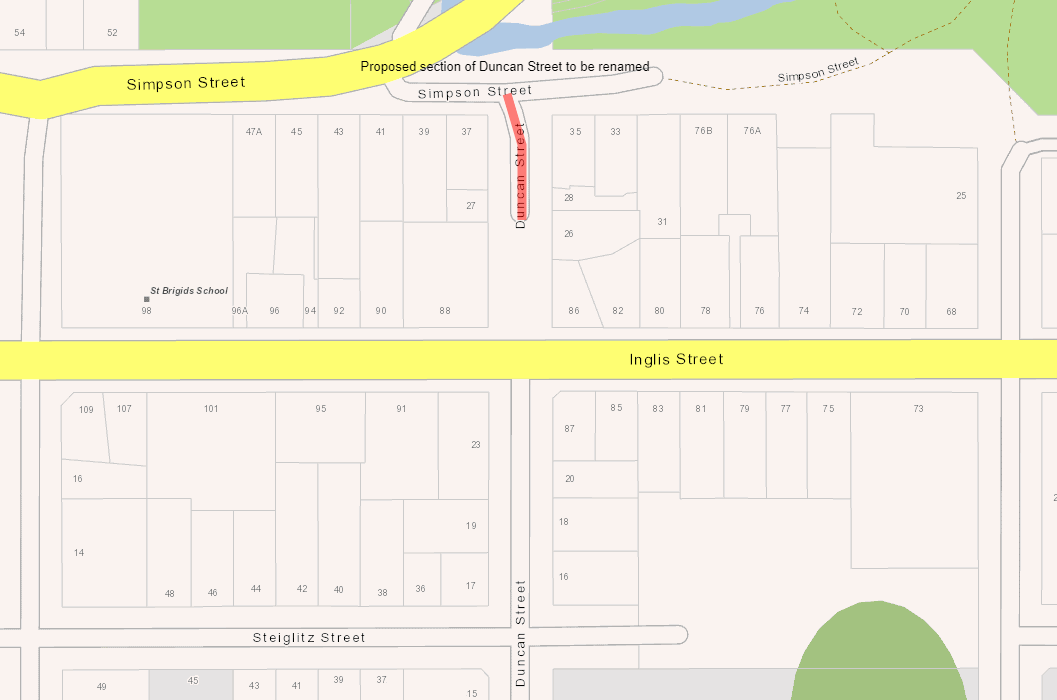
There has been a request from the landowner at 26 Duncan Street, Ballan for Council to rename the section of road where her property is located. Duncan Street, Ballan is currently not contiguous, causing her property to be difficult to locate due to vehicles not being able to access this section of road via Inglis Street.  Potential issues for mail delivery and emergency service delays have also been raised as by the landowner.

There are 3 houses currently addressed to this section of Duncan Street. When it is officially renamed these property owners will need to have their addresses changed with their associates and Australia Post.

Proposal

To rename the northern section of Duncan Street to “Shamrock Court”, as per the suggestion from the applicant. The section of road as shown in Figure 1 is the road in question. Council will need to consult with the ratepayers and surrounding community as per the requirements set out by the Geographic Names Victoria guidelines.

Figure 1.



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 section of Duncan Street in a timely manner.

Communications & Consultation Strategy

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Level of Engagement** | **Stakeholder** | **Activities** | **Location** | **Date** | **Outcome** |
| Consult | Affected property owner/s | Direct Mail | N/A | 1 Oct 2021 | To ascertain support for the proposed road renaming |
| Submission process | General community | Call for written submissions over a 28 day period | N/A | 1 Oct 2021 | To ascertain community support for the proposed road renaming |

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 – Tim Warfe*

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.

14.2 10-Year Financial Plan 2021-2031

**Author: Chhavi Walia, Coordinator Financial Services**

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

**Attachments: 1. Draft Long Term Financial Plan 2021-2031 (under separate cover)**

Purpose

The *Local Government Act 2020* requires Council to formally adopt a Long-Term Financial Plan in accordance with Section 91 by 31 October 2021.

To update Councillors on the Long-Term Financial Plan for the Shire and to present the details for the 10-Year Financial Plan 2021-2031 and ensure compliance with requirements of the Local Government Act 2020 in respect to adopting the Long-Term Financial Plan.

Executive Summary

 Update Councillors on the Long-Term Financial Plan for the Shire and to present the details for the 10-Year Financial Plan 2021-2031.

 Ensure compliance with the requirements to the *Local Government Act 2020* for adopting the Long-Term Financial Plan.

|  |
| --- |
| Resolution  **Moved:** Cr Tonia Dudzik  **Seconded:** Cr Rod Ward  **That Council endorses the Long Term Financial Plan** **provided as attachment 1 to this report, for the purpose of public consultation, for a period of 28 days.**  **Carried** |

Background

Section 91 of the new *Local Government Act 2020* requires that by 31 October 2021, Council must develop, adopt and keep in force a 10-Year Financial Plan.

The Financial Plan provides a long-term view of the resources Council will raise and the proposed/predicted use of those resources to meet its social objectives. The Plan is informed by the Revenue & Rating Plan and defines the broad fiscal boundaries for the Council Plan, Asset Plan, other subordinate policies and strategies and budget processes.

Council will leverage off its existing 10-Year Financial Plan and it is anticipated that the Plan will be updated on a rolling basis to maintain financial sustainability.

Proposal

The new *Local Government Act 2020* Long Term Financial Plan (LTFP) is a key component for the integrated planning and reporting framework that requires the engagement of Council in adopting the Plan.

Council has been using an LTFP as a key tool of financial management for its operation for the last eight years, however, due to the change in the Local Government Act, it becomes mandatory to have the Plan adopted by Council and present it to the community as an informing plan.

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**

Financial Implications

There are no immediate financial implications envisaged and when preparing the Annual Budget for 2022-2023, and subsequent years, the expectation is that adopted budgets will align with underlying principles and statements of the LTFP.

Risk & Occupational Health & Safety Issues

The Long-Term Financial Plan is a new requirement as part of the *Local Government Act 2020* and is required to be adopted by 31 October 2021. The draft Long Term Financial Plan seeks to ensure legislative compliance and reduce the risk of non-compliance with the *Local Government Act 2020*.

Communications & Consultation Strategy

A Council must develop, adopt and keep in force a Financial Plan in accordance with its deliberative engagement practices; Deliberative engagements take place at the highest three levels of influence on the IAP2 spectrum, ‘Involve’, ‘Collaborate’ or ‘Empower’. It often involves a smaller, descriptively representative group of people considering an issue in depth.

Given the level of consultation that Council entered into as part of the preparation of the Community Vision and Council Plan earlier in 2021, in accordance with the Local Government Act, 2020, a *collaborate* model with the broader community eliciting opinions via Have Your Say, newsletter, social media and leaflet drops to local points of community contact appears warranted.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Level of Engagement** | **Stakeholder** | **Activities** | **Location** | **Date** | **Outcome** |
| Consult | Community | Document will be made available on the ‘have your Say’ page and publicly advertised on website and social media posts and available in libraries and customer offices (if open) or leaflet drops to local points of community contact | Council Offices and Library | 2nd September – 28th September | Community supported to submit applications and feedback. |

This will detail the extent of communication that has been carried out leading to the writing of the report and the communication that will occur following Council’s adoption or otherwise of any recommendation arising from the report.

It would be advantageous if any press release issued is prepared at the same time the report is written and included as one of the attachments to the report.

In terms of consultation, any planned consultation should be in line with Council's Community Engagement Framework. If consultation has occurred as part of the written report then details of it should be included.

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 – Chhavi Walia*

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

Conclusion

The Long Term Financial Plan will allow Council to set priorities within its resourcing capabilities to sustainably deliver the assets and services required by the community, in a fiscally responsible manner.

14.3 Adoption "in principle" of the 2020/21 Financial Statements for Submission to the Victorian Auditor-General for Certification

**Author: Aaron Light, Senior Accountant**

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

**Attachments: 1. 2020/2021 Financial Statements (under separate cover)**

Purpose

To present the 2020/21 Financial Statements to Council for adoption “in principle” and authorisation of two Councillors, being the Councillor members of the Audit and Risk Committee, to sign the audited statements, before being submitted to the Auditor-General for certification.

Executive Summary

The following report presents the 2020/21 Financial Statements for adoption “in principle” by Council for submission to the Auditor-General for certification.

|  |
| --- |
| Resolution  **Moved:** Cr Paul Tatchell  **Seconded:** Cr Moira Berry  **That Council, in accordance with section 98 of the *Local Government Act 2020:***   1. **Adopts in principle and submits the 2020/21 Financial Statements to the Auditor-General for certification.**   **2. Authorises Council’s Audit and Risk Committee representatives, Councillor Dudzik and Councillor Munari, to certify the 2020/21 Financial Statements in their final form, after any changes recommended, or agreed to by the Auditor, have been made.**  **Carried** |

Background

*The Local Government Act 2020* requires that Council complete the following at the end of each financial year with respect to producing an Annual Report.

**S. 98 Annual report**

(1) A Council must prepare an annual report in respect of each financial year.

(2) An annual report must contain the following —

(a) a report of operations of the Council;

(b) an audited performance statement;

(c) audited financial statements;

(d) a copy of the auditor's report on the performance statement;

(e) a copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994;

(f) any other matter required by the regulations.

(5) The financial statements must —

(a) include any other information prescribed by the regulations; and

(b) be prepared in accordance with the regulations.

**S. 99 Preparation of annual report**

(1) As soon as practicable after the end of the financial year, a Council must cause to be prepared in accordance with section 98, the performance statement and financial statements of the Council for the financial year.

(2) The Council, after passing a resolution giving its approval in principle to the performance statement and financial statements, must submit the statements to the auditor for reporting on the audit.

(3) The Council must ensure that the performance statement and financial statements, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by —

(a) 2 Councillors authorised by the Council for the purposes of this subsection; and

(b) any other persons prescribed by the regulations for the purposes of this subsection.

(4) The auditor must prepare a report on the performance statement.

Note: The auditor is required under Part 3 of the Audit Act 1994 to prepare a report on the financial statements.

(5) The auditor must not sign a report under subsection (4) or under Part 3 of the Audit Act 1994 unless the performance statement or the financial statements (as applicable) have been certified under subsection (3).

(6) The auditor must provide the Minister and the Council with a copy of the report on the performance statement as soon as is reasonably practicable.

Note: The auditor is required under Part 3 of the Audit Act 1994 to report on the financial statements to the Council within 4 weeks and to give a copy of the report to the Minister.

Proposal

The 2020/21 Financial Statements have been prepared in accordance with the requirements of the Local Government Act 2020, Local Government (Planning and Reporting) Regulations 2020 and Australian Accounting Standards.

In accordance with Council’s Governance protocols, the reports will be presented to Council’s Audit and Risk Committee for review and recommendation to Council for adoption “in principle” and authorisation of two Councillors, being the Councillor members of the Audit and Risk Committee, to sign the audited statements.

In summary, the statements indicate the following results for 2020/21:

1. Financial Statements: reflect the comparative performance to the previous financial year.

 Comprehensive Income Statement – The result reflects a total comprehensive gain of $42.372 million. Included within this result are the following significant items:

 $33.442 million increase in ‘Net asset revaluation increment’ mainly due to the revaluation of Land and Buildings.

 $4.929 million increase in ‘Employee costs’ primarily due to the Working for Victoria Program. This State Government funded COVID initiative created approximately 50 temporary positions during the 2020/21 financial year.

 $1.967 million increase in ‘Rates and charges’ mainly due to significant growth in rating assessments during the 2020/21 financial year.

 $7.757 million decrease in ‘Contributions - Non-Monetary’ due a lower level of completion of subdivision development in 2020/21 compared to 2019/20. This is expected to increase in 2021/22.

 $3.020 million increase in ‘Grants - operating’ due to a number of new non-recurrent grants being received. A significant portion of this funding relating to the Working for Victoria Program.

 Balance Sheet – The movement in net assets reflects the total operating gain of $42.372 million. Included within this result are the following significant items:

 $10.505 million increase in ‘Current assets’ mainly attributed to higher overall levels of cash and term deposits as at the 30th June 2021.

 $47.219 million increase in ‘Property, infrastructure, plant and equipment’ mainly due to the revaluation of Land and Buildings, and also the Capital Improvement Program and Assets Gifted from Subdivision.

 $15.338 million increase in ‘Trade and other payables’ due to a significant amount of capital grants received in advance.

 Cash Flow Statement – The movement in cash held at the end of the year is an increase of $3.853 million. Included within this result are the following items:

 Net cash flows from operating activities increased by $16.206 million from last year to $35.464 million. This is mainly due to a significant increase in ‘Grants - capital’.

 Net cash used in investing activities has increased by $0.315 million to $29.559 million.

 Net cash flows from financing activities has decreased overall by $8.775 million to negative $2.050 million due to the deferral of $3.728 million in new borrowings to the 2021/22 financial year.

 Statement of Capital Works – In comparison to the 2019/20 financial year, overall capital expenditure for 2020/21 is $0.219 million less than the previous year, made up of the following items;

 Total capital expenditure on ‘Property’ in 2020/21 was $1.072 million more than 2019/20 mainly due preplanning and design works for Bacchus Marsh Indoor Stadium.

 Expenditure on ‘Plant and equipment’ was $0.828 million less than 2019/20, mainly due to the deferral of some significant plant purchases to the 2021/22 financial year.

 ‘Infrastructure’ was $0.463 million less than last year due to some projects being incomplete and carried over to 2021/22.

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 2020/21 financial statements are consistent with the 2021-2025 Council Plan.

Financial Implications

The financial statements detail Council’s financial performance and position for 2020/21. They demonstrate that over time Council has steadily improved its financial position but indicates that there are still numerous financial challenges that lay ahead which will require responsible fiscal stewardship.

Risk & Occupational Health & Safety Issues

There are no Risk and Occupational Health & Safety Issues

Communications & Consultation Strategy

The Annual Financial Statements and Performance Statements are reported to Council to adopt “in principle” for submission to the Auditor-General for certification. Audited Statements are then incorporated into Council’s Annual Report, which is completed by Council by 30 September each year.

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 – Peter Smith*

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

Conclusion

The attached Financial Statements for 2020/21 have been prepared in accordance with the requirements of the Local Government Act 2020. Council’s Audit and Risk Committee has reviewed the statements and recommended that Council adopt the statements “in principle”. The Statements will then be submitted to the Auditor-General for certification. Council is also required to authorise two Councillors to sign the statements on behalf of Council, as required under the Local Government Act.

It is practice for the Councillor members of the Audit and Risk Committee to sign the certified statements on behalf of Council.

15 Community assets & infrastructure reports

Nil

16 Other Reports

Nil

17 Notices of Motion

Nil

18 Notices of Rescission

Nil

19 Mayor’s Report

19.1 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.

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| **Cr Tom Sullivan – Mayor’s Report** | |
| ***Date:*** *1 September 2021* | |
| 6 August | * Meeting with Deputy Commissioner Michelle Young, Fire Rescue Victoria |
| 11 August | * Councillor Briefings: Review of the draft DAC Agenda; General Business |
| 16 August | * Regional Roads Victoria Update Meeting |
| 17 August | * Health and Wellbeing Workshop |
| 18 August | * Councillor Briefings: Draft Financial Statements 2020-2021; Proposed Road Renaming, Section of Duncan Street, Ballan off Simpson Street; Review of the OMC Agenda; General Busines * Development Assessment Committee Meeting |
| 19 August | * Timber Towns Victoria Annual General Meeting |
| 25 August | * Councillor Briefings: Car Parking Study Consultation; Health and Wellbeing Plan; End of Financial Year Results Update; Darley Park Masterplan; Bacchus Marsh Racecourse Recreation Reserve Stage 2 Masterplan; Year in Review (presentation by General Managers); Any Other Business |
| 1 September | * Councillor Briefings: Presentation by Chair Audit & Risk Committee; General Business * Moorabool Growth Management Committee Meeting * Ordinary Meeting of Council |

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| Resolution  **Moved:** Cr Paul Tatchell  **Seconded:** Cr Moira Berry  **That Council receives the Mayor’s Report.**  **Carried** |

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20 Councillors’ Reports

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| **Cr Tonia Dudzik** | |
| ***Date:*** *1 September 2021* | |
|  | * Advised that Mr Mike Said is retiring from his role as Independent Member of Council’s Audit and Risk Committee |

|  |  |
| --- | --- |
| **Cr Ally Munari** | |
| ***Date:*** *1 September 2021* | |
|  | * Attended the Peri Urban Group Meeting |

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| **Motion** |
| Resolution  Moved: Cr Tonia Dudzik  Seconded: Cr Ally Munari  That Council recieves the Councillors’ reports.  **Carried** |

21 Urgent Business

Cr Dudzik raised an item of Urgent Business in relation to the retirement of Mr Mike Said from his role as an Independant Member on Council’s Audit and Risk Committee.

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| --- |
| 21.1 Admission of Urgent Business |
| **Resolution**  **Moved:** Cr Ally Munari  **Seconded:** Cr Rod Ward  **That Council resolves to admit the item of urgent business in relation to Mr Mike Said.**  **Carried** |

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| --- |
| 21.2 Urgent Business - Retirement of Mr Mike Said |
| **Resolution**  **Moved:** Cr Tonia Dudzik  **Seconded:** Cr Ally Munari  **That Council write a letter of thanks under common seal and signed by the Mayor to recognise and thank Mr Mike Said for his many years of service and contribution to Moorabool Shire Council, on Council’s Audit and Risk Committee.**  **Carried** |

22 Closed Session of the Meeting to the Public

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| --- |
| Resolution  **Moved:** Cr Moira Berry  **Seconded:** Cr Paul Tatchell  **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*:**  **22.1 Revenue and Rating Plan - Rate Review**  **22.2 C03-2021/2022 Yendon No.1 Road & Longs Hill Road Rehabilitation**  **22.3 C05-2021/2022 Old Geelong Road, Ballan Rehabilitation**  **22.4 C06-2021/2022 Old Melbourne Rd, Gordon & Millbrook Rehabilitation**  **22.5 C42 2020-2021 Bald Hill, Darley 1000+ Steps**  **Carried** |

23 Meeting Closure

The Meeting closed at 7.05pm.

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**CHAIRPERSON**