

# AGENDA

**ADDITIONAL COUNCIL MEETING  
WARRNAMBOOL CITY COUNCIL  
5:45 PM - MONDAY 26 JUNE 2023**



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## **VENUE:**

**Reception Room  
25 Liebig Street  
Warrnambool**

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## **COUNCILLORS**

Cr. Debbie Arnott (Mayor)  
Cr. Otha Akoch  
Cr. Ben Blain  
Cr. Vicki Jellie AM  
Cr. Angie Paspaliaris  
Cr. Max Taylor  
Cr. Richard Ziegeler

Copies of the Warrnambool City Council's Agendas & Minutes  
can be obtained online at [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au)

**ANDREW MASON  
CHIEF EXECUTIVE OFFICER**

## **AUDIO RECORDING OF COUNCIL MEETINGS**

All Open and Special Council Meetings will be audio recorded, with the exception of matters identified as confidential items in the agenda. This includes public participation sections of the meeting. Audio recordings of meetings will be made available for download on the internet via the Council's website by noon the day following the meeting and will be retained and publicly available on the website for 12 months following the meeting date. The recordings will be retained for the term of the current Council, after which time the recordings will be archived and destroyed in accordance with applicable public record standards. By participating in Open and Special Council meetings, individuals consent to the use and disclosure of the information that they share at the meeting (including any personal/sensitive information), for the purposes of Council carrying out its functions.

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**ORDER OF BUSINESS**

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## 1. OPENING PRAYER & ORIGINAL CUSTODIANS STATEMENT

Almighty God  
Grant to this Council  
Wisdom, understanding and Sincerity of purpose  
For the Good Governance of this City  
Amen.

### ORIGINAL CUSTODIANS STATEMENT

I wish to acknowledge the traditional owners of the land on which we stand and pay my respects to their Elders past, present and emerging.

## 2. APOLOGIES

## 3. DECLARATION BY COUNCILLORS AND OFFICERS OF ANY CONFLICT OF INTEREST IN ANY ITEM ON THE AGENDA

Section 130 of the Local Government Act 2020 (Vic) (**the Act**) provides that a relevant person must disclose a conflict of interest in respect of a matter and exclude themselves from the decision making process in relation to that matter including any discussion or vote on the matter at any Council meeting or delegated committee meeting and any action in relation to that matter.

Section 126(2) of the Act sets out that a relevant person (Councillor, member of a delegated Committee or member of Council staff) has a conflict of interest if the relevant person has a **general conflict of interest** within the meaning of section 127 of the Act or a **material conflict of interest** within the meaning of section 128 of the Act.

A relevant person has a **general conflict of interest** in a matter if an impartial, fair minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty.

A relevant person has a **material conflict of interest** in a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken. Councillors are also encouraged to declare circumstances where there may be a perceived conflict of interest.

## 4. REPORTS

### 4.1. COUNCIL PLAN 2021-2025 (2023 REVISION)

**DIRECTORATE:** *Corporate Strategies*

**PURPOSE:**

*This report presents the Council Plan 2021-2025 (2023 revision) to Council and includes a recommendation that the Council Plan be adopted.*

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#### **EXECUTIVE SUMMARY**

Council is required under Section 90 of the Local Government Act to prepare and approve a four-year Council Plan by October 31 following a general election.

The Council Plan is the feature document in Council's suite of strategic planning documents, formulated to guide the work for which Council has responsibility. Although it is a four-year plan, it is reviewed annually to ensure it is relevant, has responded to significant events and/or remains aligned with the community wishes.

Council's vision for Warrnambool expressed in the Council Plan is for Warrnambool to be "A thriving city at the heart of coast and country."

The Council Plan supports the visions from the long-term community plan, Warrnambool 2040, which are.

- People: in 2040 Warrnambool will be a city where all people thrive.
- Environment: in 2040 Warrnambool will be most sustainable regional city in Australia.
- Place: in 2040 Warrnambool will be Australia's most liveable regional city.
- Economy: in 2040 Warrnambool will be Australia's most resilient and thriving regional economy.

The Draft Council Plan also lists key activities and initiatives to deliver on the five objectives described in the Plan.

These actions and initiatives demonstrate to the community important areas of effort in the delivery of the plan's key objectives.

These objectives are:

1. **A HEALTHY COMMUNITY:** To be a healthy, inclusive, and thriving community with equitable access to services, cultural opportunities and recreational activities.
2. **A SUSTAINABLE ENVIRONMENT:** To protect and strengthen local ecosystems, enhance biodiversity and enable sustainable communities.
3. **A STRONG ECONOMY:** Support a resilient local and self-sustaining regional economy that encourages economic growth and provides increased employment opportunities attracting ongoing investment.
4. **A CONNECTED, INCLUSIVE PLACE:** Provide quality places that all people value and want to live, work, play and learn in.
5. **AN EFFECTIVE COUNCIL:** To be recognised as a collaborative Council and a high-performing organisation that enables positive outcomes for Warrnambool's community, environment and economy and Victoria's South West.

At the 1 May 2023 meeting of Council a decision was made to release the revised draft of the Council Plan for public comment. The call for submissions was advertised in The Standard, on Council’s website and on Council’s social media.

One submission was received from a resident interested and concerned about Council’s environmental commitments. This submission was tabled at the 5 June meeting of Council.

The submission and Council’s response is below.

| Submission   | Council officer’s response   |
|--|--|
| <p>Whilst present the environmental effort seems to be very flimsy and lacking detail.</p> <p>What is strikingly noticeable having returned to Warrnambool after 40 years of living away is the loss of natural habitat and vegetation, in particular native trees! Our street doesn't even have trees on nature strips!</p> <p>Areas such as Albert Park (noted it has been flagged), along the Merri River and in particular St James Park (my relatives original farm) remains untouched and would be great areas to invest in native plantations and the development of a nature reserve.</p> <p>Warrnambool Council does not appear to have a commitment to native flora and fauna, which is very disappointing in light of climate change etc.</p> | <p>Council’s goals in relation to the natural environment are contained in Council’s Green Warrnambool strategy.</p> <p>The Green Warrnambool overview states that:</p> <p><i>In coming years we will protect our coast’s environmental values and ensure it remains undeveloped. We will increase the number of indigenous plant and animal species in the municipality and ensure that none become extinct. This will include creating an urban forest and vegetation corridors that support indigenous fauna and help nature adapt to climate change. Our rivers, creeks and estuaries will be healthy, thriving, natural ecosystems. Pest plants and animals will be controlled. Our residents will be active stewards of the natural environment, increasing their knowledge and participation in environmental activities and providing individual and social health benefits. By working with and learning from Traditional Owners we will gain a deeper understanding of Warrnambool’s long cultural history and its strong connection to country.</i></p> <p>The South of the Merri River Precinct Plan and Landscaping Guidelines provide a strategic approach to revegetation and landscaping along the Merri River to ensure that good ecological and social outcomes are achieved.</p> <p>The Albert Park Revegetation Plan outlines areas suitable for revegetation and makes recommendations for planting to improve ecological outcomes and increase biodiversity.</p> |

**RECOMMENDATION**

That Council, pursuant to Section 90 of the Local Government Act 2020, adopt the Council Plan 2021-2025 (2023 Revision) and make a copy of the plan available for public inspection at the Warrnambool Civic Centre, 25 Liebig Street, Warrnambool, and on Council’s website, [www.warrnambool.vic.gov.au](http://www.warrnambool.vic.gov.au) .

## **BACKGROUND**

The Community Vision, Warrnambool 2040, was developed over two years and involved thousands of Warrnambool residents and numerous clubs, groups, schools, businesses and community organisations who shared their 'Wishes for Warrnambool' and their aspirations for the future of the city.

The plan is owned by the community and the W2040 network partners including Warrnambool City Council.

Warrnambool's Council Plan seeks to align with and contribute towards achieving the objectives contained in Warrnambool 2040.

The annual review of the Council Plan is typically a "fine-tune" rather than a major overhaul to ensure that the views of the community expressed during extensive consultation in 2021 for the Council Plan remain embedded in the plan.

As a result of the review a number of changes have been made to activities and initiatives in the Council Plan. These include the delivery of a Neighbourhood House for West Warrnambool, the development of a Community Services Infrastructure Plan and the development of a new strategic plan for Warrnambool Art Gallery.

## **FINANCIAL IMPACT**

The Draft 2023-2024 Budget describes the allocation of resources required to deliver on the activities and initiatives contained in the Council Plan.

## **LEGISLATION/POLICY/COUNCIL PLAN CONTEXT**

Section 90 of the Local Government Act (2020) instructs Council to prepare and adopt a Council Plan for a period of at least four financial years after a general election. The Act also states that Council must review the plan in accordance with its deliberative engagement practices.

## **COMMUNITY IMPACT/CONSULTATION**

Council undertook an extensive community engagement effort in 2021 as part of the development of the four-year Council Plan which is used to direct allocation of resources as described in Council's annual budgets.

Any resident who makes a written submission to the Council Plan also has an opportunity to speak at an open Council meeting in support of their submission however this option was not taken up by the respondent to the Council Plan.

## **OFFICERS' DECLARATION OF INTEREST**

No conflict of interest.

## **CONCLUSION**

The 2023 review of the 2021-2025 Council Plan has been completed and the final draft Plan is now ready for Council to consider.

## **ATTACHMENTS**

1. Council Plan 2021-2025 (2023 Revision) [4.1.1 - 35 pages]

## **4.2. WARRNAMBOOL CITY COUNCIL 2023-24 BUDGET**

### **DIRECTORATE: Corporate Strategies**

#### **PURPOSE:**

***This report presents the proposed Warrnambool City Council 2023-24 Budget for adoption by Council.***

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#### **EXECUTIVE SUMMARY**

- The Warrnambool City Council 2023-24 Budget has been prepared for adoption by Council in line with Section 94 of the Local Government Act. The budget must be adopted by Council by the 30th of June. The budget has been prepared for the 2023-24 financial year and the following three financial years in line with the act.
- The Warrnambool City Council 2023-24 Budget proposes a 2.95% increase in rates, lower than the 3.5% rate cap declared for the 2023-24 financial year under the Victorian Government's "Fair Go Rates" system.
- The Warrnambool City Council 2023-24 Budget proposes a new allocation of \$13.8m to new Capital Works, and \$0.76m to non-capital projects.
- Council placed the draft budget on public exhibition on Monday 1 May 2023, calling for public submissions, and held a hearing of public submissions on Monday, 5 June 2023. 6 budget submissions indicated that they wished to be heard at the meeting, from a total of 11 submissions received.
- Councillors met to review and consider submissions at an informal meeting on Monday 19 June 2023. The submissions and responses are contained in Attachment 3 of this report.
- Amendments to the draft exhibited budget based on new information, minor technical changes and Councillor considerations of submissions are contained in the final proposed budget Attachment 1. A summary of these changes is outlined in attachment 4.

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#### **RECOMMENDATION**

##### **That Council:**

- 1. Adopts the Warrnambool City Council 2023-24 Budget as presented in Attachment 1 to this report.**
- 2. Approve the Council Fees and Charges for the 2023-24 financial year as set out in Attachment 2 to this report.**
- 3. Notes the 11 public submissions were received in relation to the Draft 2023-24 Budget per attachment 3 to this report.**
- 4. Notes the changes to the Warrnambool City Council 2023-24 Draft Budget per Attachment 4 to this report.**
- 5. Increase the Warrnambool City Council rates hardship rebate to \$250. And make the hardship rebate available to ratepayers who qualify for help under Council's Hardship provisions.**



**6. Declares the amount of rates and charges to be raised as follows:**

| <b>Rating Differential</b> | <b>Amount Raised</b> | <b>Cents/\$CIV</b> |
|----------------------------|----------------------|--------------------|
| General Residential        | \$ 24,076,093        | .002580            |
| Farm Land                  | \$ 467,098           | .001557            |
| Commercial                 | \$ 5,531,116         | .005552            |
| Industrial                 | \$ 1,963,431         | .005215            |
| Vacant                     | \$ 1,494,407         | .004146            |
| Recreational Category 1    | \$ 23,293            | \$22,293.00        |
| Recreational Category 2    | \$ 53,463            | .002074            |
| <b>Total</b>               | <b>\$ 33,608,900</b> |                    |

| <b>Charges</b>          | <b>Amount Raised</b> | <b>Charge per property</b> |
|-------------------------|----------------------|----------------------------|
| Municipal Charge        | \$ 5,431,932         | \$294.65                   |
| Waste Management Charge | \$ 7,520,324         | \$427.00                   |
| <b>Total</b>            | <b>\$ 12,952,256</b> |                            |

7. Declares that rates, rating differentials and charges for the period 1 July 2023 to 30 June 2023 align with Council’s Revenue and Rating Plan and will be applied as outlined in section 4.1 of the Warrnambool City Council 2023-24 Budget (per Attachment 1).
8. Notes that rates and charges must be paid by four instalments made on or before the following dates:
  - i) Instalment 1 – 30 September 2023
  - ii) Instalment 2 – 30 November 2023
  - iii) Instalment 3 – 29 February 2024
  - iv) Instalment 4 – 31 May 2024
9. Requires that any person pays interest on any amounts of rates and charges which:
  - i) That person is liable to pay; and
  - ii) Have not been paid by the dates specified for their payment; and
  - iii) Are not specifically waived as part of Council’s Hardship Provisions.
10. Authorises the Manager Financial Services to levy and recover the rates and charges in accordance with the Local Government Act.
11. That Cultural and Recreational Land be levied in accordance with section 4(1)(3) of the Cultural and Recreational Lands Act 1963, the amounts payable in respect of recreational lands under this act shall be in accordance with the Warrnambool City Council 2023-24 Budget per attachment 1.
12. That no incentives be offered or declared for early payment of rates or charges.

**BACKGROUND**

At the Scheduled Council Meeting held on 1 May 2023, Council considered the 2023/2024 Proposed Budget and resolved to give public notice of the Proposed Budget and call for written submissions in accordance with Councils Community Engagement policy.

1. Public notice was published on Council’s website on Tuesday 2 May 2022 and in the Warrnambool Standard on Wednesday 4 May 2022. The Draft Budget was also posted on Council’s “our say” submission portal and copies made available at the Civic Centre Customer Service desk.

2. The Warrnambool City Council 2023/2024 Budget is attached – refer Attachment 1.

The budget allocates resources on an annual basis to support the delivery of the objectives of the Council Plan whilst continuing to provide quality services to all sections of our community.

The Local Government Act 2020 and the Regulations prescribe the information and format of the Budget, now commonly referred to as the “Model Budget”. The Model Budget 2023-2024 includes a range of information including:

- Financial Statements.
- Services and initiatives funded in the budget.
- Fees and charges.
- Rating and borrowing details.
- Financial performance indicators.

The Warrnambool City Council 2023-24 Budget is the third in this term of Council. In this budget, Council has increased its rates hardship rebate from \$200 to \$250, to provide further relief to those ratepayers that need support in the community.

### **FINANCIAL IMPACT**

The Draft 2023-2024 Budget describes the allocation of resources required to deliver on the activities and initiatives contained in the Council Plan.

A number of matters have arisen since the draft budget was prepared, leading to necessary adjustments in the budget document. These matters have not had a material impact on the 2023-24 cash result, and are included in appendix 4. These include Commonwealth announcements on next year’s grants commission allocation, and updates from the state government on Council’s workers compensation premium for 2023-24.

Council has elected to implement a 2.95% rate increase in the 2023-24 Budget. This is lower than the 3.5% rate cap announced by the state government. This results in lower revenue of \$208,000 than attributed at the exhibition of the draft budget. The lower revenue will be offset by organisational savings to be identified by management in a future report to Council.

The revised proposed budget also allows for an extension of the outdoor swimming season at Aquazone by 4 weeks.

### **LEGISLATION/POLICY/COUNCIL PLAN CONTEXT**

The Warrnambool City Council 2023-24 Budget was prepared in line with Section 94 of the Local Government Act. The budget must be adopted by Council by the 30th of June

### **COMMUNITY IMPACT/CONSULTATION**

Council undertook an extensive community engagement effort in 2021 as part of the development of the four-year Council Plan and 2021-2022 Budget.

In recent months Council has sought the community’s involvement in the preparation of the 2023-2024 Budget and annual review of the Council Plan. This has included calling for online and written submissions.

Those making written submissions also had an opportunity to speak at an open Council meeting in support of their submissions. Council welcomed feedback from the community about its draft budget and thanks all those that made a submission. Feedback will be provided to all submitters following adoption of the budget.

## LEGAL RISK/IMPACT

Section 94 of the Local Government Act 2020 states that:

(2) A Council must prepare and adopt a budget for each financial year and the subsequent 3 financial years by

- a. 30 June each year; or
- b. Any other date fixed by the Minister by notice published in the Government Gazette.

(3) A Council must ensure that the budget gives effect to the Council Plan and contains the following

- a. Financial statements in the form and containing the information required by the regulations;
- b. A general description of the services and initiatives to be funded in the budget;
- c. Major initiatives identified by the Council as priorities in the Council Plan, to be undertaken during each financial year;
- d. For services to be funded in the budget, the prescribed indicators and measures of service performance that are required to be reported against by this Act;
- e. The total amount that the Council intends to raise by rates and charges;
- f. A statement as to whether the rates will be raised by the application of a uniform rate or a differential rate;
- g. A description of any fixed component of the rates, if applicable;
- h. If the Council proposes to declare a uniform rate, the matters specified in section 160 of the Local Government Act 1989;
- i. If the Council proposes to declare a differential rate for any land, the matters specified in section 161(2) of the Local Government Act 1989;
- j. Any other information prescribed by the regulations.

Section 96 of the Local Government Act 2020 states that:

- (1). A Council must develop the budget and any revised budget in accordance with
  - a. The financial management principles; and
  - b. Its community engagement policy.

Section 11 (m) Power of Delegation of the Local Government Act 2020 states that: Subject to

section 181H(1)(b) of the Local government Act 1989, the power to declare general rates, municipal charges, service rates and charges and special rates and charges.

Section 158 (1) of the Local Government Act 1989 states that:

A Council must at least once in respect of each financial year declare by 30 June the following for that year—

- (a) the amount which the Council intends to raise by general rates, municipal charges, service rates and service charges;
- (b) whether the general rates will be raised by the application of—
  - (i) a uniform rate; or
  - (ii) differential rates (if the Council is permitted to raise such rates under section 161(1)); or
  - (iii) urban farm rates, farm rates or residential use rates (if the Council is permitted to raise such rates under section 161A).

## OFFICERS' DECLARATION OF INTEREST

No conflict of interest has been declared.

## CONCLUSION

The Warrnambool City Council 2023-24 Budget is presented to Council for consideration. It has been prepared in line with the Local Government Act 2020.

## **ATTACHMENTS**

1. Warrnambool City Council 2023 2024 Budget for adoption [**4.2.1** - 58 pages]
2. 2023-24 Fees and Charges for adoption [**4.2.2** - 26 pages]
3. Budget submissions and Council responses [**4.2.3** - 9 pages]
4. internal changes to 2022-23 Budget [**4.2.4** - 1 page]

## **5. CLOSE OF MEETING**