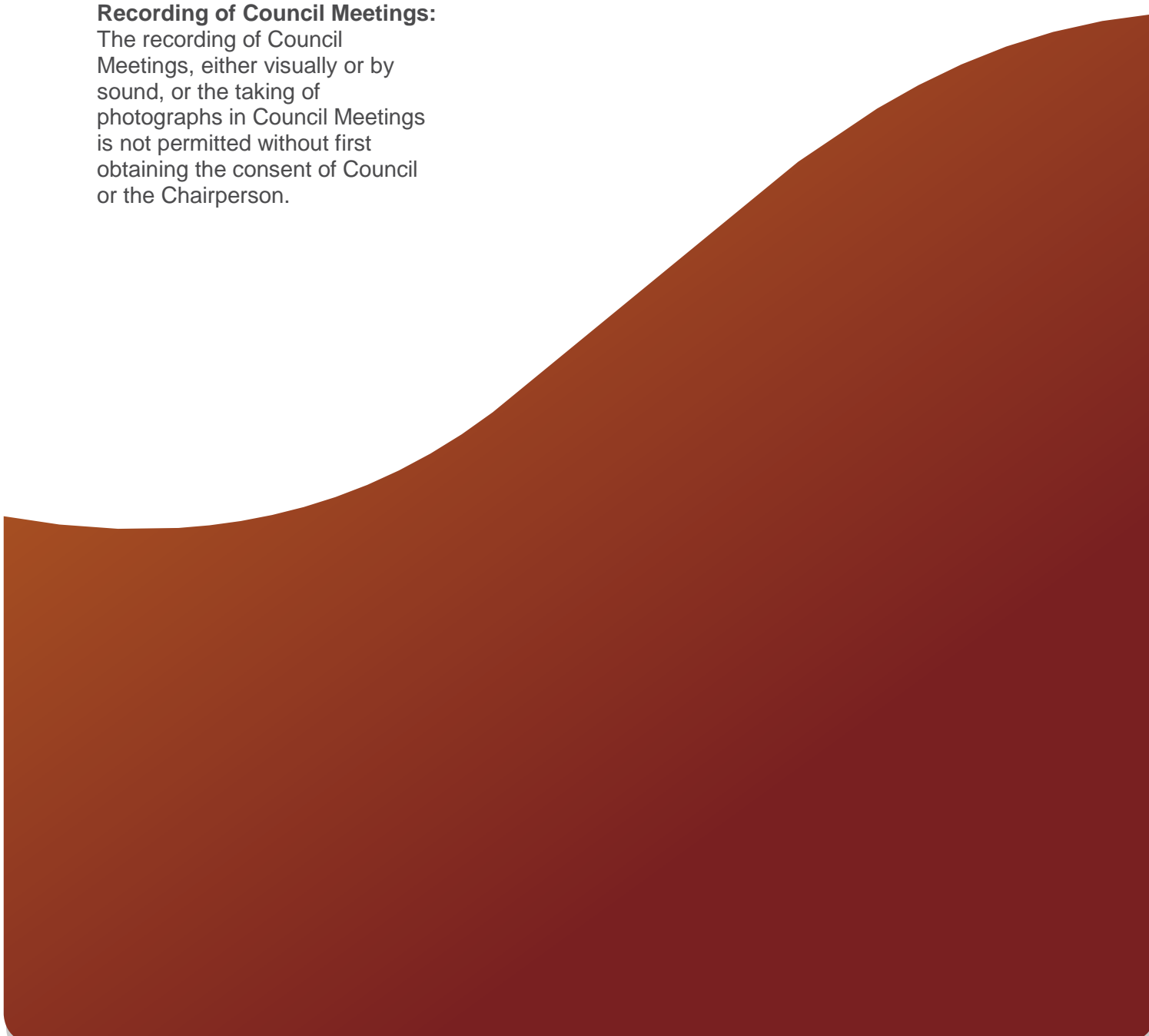


# Council Meeting Agenda

**Unscheduled Council Meeting  
Tuesday 11 May 2021 at 11am  
Gisborne Administration Centre**

**Recording of Council Meetings:**

The recording of Council Meetings, either visually or by sound, or the taking of photographs in Council Meetings is not permitted without first obtaining the consent of Council or the Chairperson.



## **UNSCHEDULED MEETING COUNCIL SUMMONS**

Pursuant to section 61 of the Local Government Act 2020 and Rule 10(c)(ii) of the adopted Macedon Ranges Shire Council Governance Rules, I, Councillor Jennifer Anderson, Mayor of Macedon Ranges Shire Council, give notice that I call an unscheduled meeting of Macedon Ranges Shire Council to be held at 11.00am on Tuesday 11 May 2021 for the purpose of considering the following business:

1. Recording and Live Streaming of this Council Meeting
2. Present
3. Apologies
4. Declaration of Conflicts of Interest
5. Adopt the Draft 2021/22 Budget for the purpose of public consultation
6. Adopt the Draft Revenue and Rating Plan for the purpose of public consultation



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Councillor Jennifer Anderson

Mayor  
Macedon Ranges Shire Council

Dated: 7 May 2021

## **ACKNOWLEDGEMENT OF COUNTRY**

To start the official proceedings I would like to acknowledge that Macedon Ranges Shire Council is on Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Country whose ancestors and their descendants are the traditional owners of this Country. We acknowledge that they have been custodians for many centuries and continue to perform age old ceremonies of celebration, initiation and renewal. We acknowledge their living culture and their unique role in the life of this region.

### **1. RECORDING AND LIVE STREAMING OF THIS COUNCIL MEETING**

This meeting is being recorded and streamed live on the internet in accordance with Council's Live Streaming and Publishing Recording of Meetings Policy, which can be viewed on Council's website. The recording will be bookmarked, archived and made available on Council's website 48 hours after the meeting.

As COVID density quotients are no longer in place, we are in the process of transitioning back to our pre-COVID seating arrangements in the gallery which will allow space for members of the public to return to attend meetings in person.

We hope to have this arrangement in place for the scheduled Council Meeting on Wednesday 26 May and we will keep local residents up-to-date via our website and social media channels.

I also remind everyone that local government decision making, unlike state and federal government, does not afford the benefit of parliamentary privilege and hence no protection is afforded to Councillors and Council officers for comments made during meetings which are subsequently challenged in a court of law and determined to be slanderous.

Thank you

### **2. PRESENT**

### **3. APOLOGIES**

#### **4. DECLARATION OF CONFLICT OF INTERESTS**

Councillors' attention is drawn to Division 2 Sections 126-131 of the *Local Government Act 2020* and Part 5, Rule 48 of Council's Governance Rules regarding conflicts of interest.

Councillors are reminded that conflicts of interest must be disclosed in the manner required by Council's Governance Rules. The Councillor must make a full disclosure of the interest by either advising:

- the Council at the meeting immediately before the matter is considered at the meeting; or
- the CEO in writing before the meeting;

and

- whether the interest is a general conflict of interest or a material conflict of interest; and
- the nature of the interest

(If a Councillor advised the CEO in writing before the meeting, the Councillor must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting)

<b>5.</b>	<b>DRAFT BUDGET 2021/22</b>
<b>Officer</b>	<b>Travis Harling, Manager Finance and Reporting</b>
<b>Council Plan Relationship</b>	<b>Deliver strong and reliable government</b>
<b>Attachment</b>	<b>Draft Annual Budget 2021/2022</b>

### **Purpose and Overview**

The Local Government Better Practice Guide Planning Model Budget 2021-22, issued by the Victorian Government, states that:

*“The budget is a short-term plan which specifies the resources required to fund a council’s services and initiatives over the next 12 months and subsequent 3 financial years and should be consistent with the first four years of the Financial Plan. The budget includes both strategic and operational information. At the strategic level, the budget details how the services and initiatives to be funded will contribute to the achievement of the strategic objectives in the council plan as well as the indicators and measures to monitor service performance outcomes. It must also contain major initiatives which have been identified by council as priorities. At the operational level it should express the funding of services and initiatives through financial statements describing in detail the income, expenditure, assets, liabilities, equity, cash and capital works required.”*

The 2021/22 draft Budget has been prepared consistent with the requirement of Section 94 of the *Local Government Act 2020* and forms part of the Integrated Strategic Planning and Reporting Framework developed as Part 4 of the *Local Government Act 2020*.

This report is presented to seek endorsement of the draft Budget 2021/22, for the purposes of public display.

### **Recommendation**

#### **PART A - ENDORSEMENT OF DRAFT BUDGET FOR PUBLIC DISPLAY**

- A1. That, for the purposes of the *Local Government Act 2020* *Government Act 1989* and the Local Government Planning and Reporting Regulations 2020, Council endorse, the draft Budget 2021/22 for the purposes of public display.**
- A2. That the draft Budget 2021/22 be placed on public display on Council's website and at the Council Offices from Wednesday 12 May 2021 and remain on public display until Tuesday 8 June 2021.**
- A3. That a public notice be placed in the local newspapers advising that the draft Budget 2021/22 is on public display and written**

**submissions are invited (and will be considered in accordance with Section 223 of the *Local Government Act 1989*).**

- A4. That, whilst the draft Budget 2021/22 is on public display, Councillors and officers be available for discussion, by mutual agreement and prior arrangement, with Ratepayers, Residents, community groups and local businesses, both within and outside normal business hours.**
- A5. That the period for any person to make a written submission shall close at 5.00pm on 8 June 2021.**
- A6. That all submissions received by 5.00pm on 8 June 2021 are to be attached to the Agenda for the Submitters Committee meeting to be held on Wednesday 16 June 2021.**
- A7. That a Submitters Committee meeting be held online and livestreamed via Council's website at 7.00pm on Wednesday 16 June 2021 to provide an opportunity for any person who wishes to make a verbal presentation in support of their submission on the draft Budget 2021/22 to be heard.**
- A8. That Council call an Unscheduled Council Meeting on 29 June 2021 at 11.00am, to be held online and livestreamed via Council's website, at which a report and recommendations be presented to enable Council to consider submissions and to adopt the Budget 2021/22, with or without amendment.**
- A9. That the Chief Executive Officer be authorised to carry out all administrative procedures necessary to enable Council to carry out its functions under the *Local Government Act (1989 and 2020)*, in relation to the finalisation and publication of the Budget.**

## **PART B - DECLARATION OF RATES AND CHARGES**

**That for the period 1 July 2021 to 30 June 2022 and in accordance with Sections 158, 158A, 159, 162, 167, 169 and 172 of the *Local Government Act 1989*, Council hereby declares:**

- B1. That the amount intended to be raised by rates, the municipal charge and various waste charges will be \$55.0m.**
- B2. That the valuation system to be used for rating purposes will be the Capital Improved Value.**
- B3. That five Differential Rates on the Capital Improved Value of rateable land will be applied as follows –**
  - 1. General Rate of 0.23310 cents in the dollar.**
  - 2. Agricultural Land Rate of 0.18648 cents in the dollar.**
  - 3. Commercial/Industrial Rate of 0.27972 cents in the dollar.**
  - 4. Recreational Land Rate of 0.11655 cents in the dollar.**

**5. Not for Profit Housing Rate of 0.11655 cents in the dollar.**

- B4.** That rates will be separately levied in respect of each portion of rateable land for which the Council has a separate valuation and each rate will be determined by multiplying the Capital Improved Value of each portion of land by the applicable cents in the dollar according to the use of the land or if the land is unused according to the zoning of the land under the planning scheme.
- B5.** That a municipal charge of \$212 will be levied on each portion of rateable land – unless that land is exempt.
- B6.** That an annual service charge will be levied for the collection and disposal of garbage and for the collection and sorting of recyclable materials in respect of premises to which the service is available - whether or not the owner or occupier of any such premises avails himself or herself of the service. The service charges will be:
- \$465 for properties that have a food organics garden organics bin (4 bins). Ratepayers who are entitled to and have been granted a pension concession will be able to obtain a rebate of \$69 on this charge; and
- If the owner or occupier requires and is able to be supplied with additional bin(s) or a larger refuse bin, the additional/larger bin(s) will be charged annually as follows in addition to the service charges:
1. Additional (140L) refuse bin \$240 per bin.
  2. Additional recycle bin \$113 per bin.
  3. Additional glass recycling bin \$62 per bin.
  4. Additional food organics garden organics (FOGO) bin \$82 per bin.
  5. Larger (240L) refuse bin (replacing a 140L bin) \$170 per bin.
- B7.** That it be noted the Victorian Environment Protection Amendment (Landfill Levies) Act 2011 (which came into operation on 1 July 2011) requires Council to collect the Environment Protection Authority Landfill Levy (EPA Levy). The EPA Levy equates to \$33 per refuse bin in 2021/22.  
This is the amount that will be shown separately on each Rate Notice – in those instances where the Ratepayer has a refuse bin. Local councils throughout Victoria are required to collect the EPA Levy on behalf of the Victorian State Government and because it does not form part of Council's revenue, it is shown separately on Council's Rate Notice.
- B8.** That a rebate will be provided to areas of high environmental significance that are registered by the Trust for Nature. The rebate will be calculated on the proportion of the land, which is subject to the covenant, applied to the Site Value of the land.

- B9. That the rates and charges will be levied by sending rate notices to the persons who are liable to pay them.**
- B10. That the rates and charges will be payable by four equal instalments on the date fixed by the Minister for Local Government, that is:**
- 30 September 2021**
  - 30 November 2021**
  - 28 February 2022**
  - 31 May 2022**
- B11. That penalty interest may be payable on rates and charges that have not been paid by the due date and the penalty interest will be calculated at the rate fixed under Section 2 of the *Penalty Interest Act 1983*.**

## **PART C - DIFFERENTIAL RATES**

**That for the period 1 July 2021 to 30 June 2022 Council considers that Differential Rates will contribute to the equitable and efficient carrying out of its functions and therefore declares:**

- C1. In accordance with Section 161 of the *Local Government Act 1989*, Council specifies the following objectives and characteristics in relation to the General Rate:**
- 1. The types and classes of land to which the rate applies is all rateable land other than agricultural land, recreational land, commercial/industrial land and land used by Not for Profit Organisations to provide low-income residential housing;**
  - 2. The Differential Rate is considered fair and equitable having regarded:**
    - (a) The amount of revenue required to be raised is in accordance with the Council Plan and Budget; and**
    - (b) The range of infrastructure, physical services, health services and community services available to the owners and occupiers of residential and vacant land.**
- C2. In accordance with Section 161 of the *Local Government Act 1989* Council specifies the following objectives and characteristics in relation to the Agricultural Land Rate:**
- 1. The types and classes of land to which the rate applies is agricultural land which means any rateable land defined as farm land under Section 2 of the *Valuation of Land Act 1960* on the condition that the owner or occupier of the land is a person carrying on the activities defined by the *Valuation of Land Act 1960*, who is regarded as a Primary Producer by the Australian Taxation Office.**
  - 2. The Differential Rate is considered fair and equitable having regarded:**



- (a) The amount of revenue required to be raised is in accordance with the Council Plan and Budget;
- (b) The range of infrastructure, physical services, health services and community services available to the owners and occupiers of agricultural land;
- (c) The restrictions upon the use and development of agricultural land in the Planning Scheme; and
- (d) The need to encourage the retention of viable agricultural land for agricultural purposes.

The Agricultural Land rate will be 20% less than the General rate.

**C3.** In accordance with Section 161 of the *Local Government Act 1989*, Council specifies the following objectives and characteristics in relation to the Commercial/Industrial Rate:

- 1. The types and classes of land to which the rate will apply is all rateable land which is not agricultural land and which is used predominantly for carrying on one or more of the following activities for the purpose of generating income – commercial, industrial, business, wholesale trade, retail trade, manufacturing, professional or administrative; and
- 2. The Differential Rate is considered fair and equitable having regarded:
  - (a) The amount of revenue required to be raised in accordance with the Council Plan and Budget; and
  - (b) The range of infrastructure, physical services (including car parking, street lighting and street cleaning) and facilities available to the owners and occupiers of land described in paragraph 1.

The Commercial/Industrial rate will be 20% more than the General rate.

**C4.** In accordance with Section 161 of the *Local Government Act 1989*, Council specifies the following objectives and characteristics in relation to the Not for Profit Housing Rate:

- 1. The types and classes of land to which the rate will apply are properties containing low-income residential housing owned and/or managed by a volunteer, charitable or not-for-profit organisation for which the organisation is responsible for the payment of rates and for which a State Government pension concession is not claimed.
- 2. The Differential Rate is considered as fair and equitable having regarded:
  - (a) The amount of revenue required to be raised is in accordance with the Council Plan and Budget; and
  - (b) The public service that volunteer, charitable or not-for-profit organisations are delivering to the

**community by providing low-income residential housing.**

**The Not for Profit Housing Rate is 50% of the General Rate.**

**C5. In accordance with Section 2 of the *Cultural and Recreational Lands Act 1963*, Council declares all rateable Cultural and Recreational Land (Recreational Land Rate) at 50% of the General Rate.**

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## **Background**

The draft Budget 2021/22 discloses major initiatives and ensures Council meets its legislative obligations under Section 94 of the *Local Government Act 2020*. Under Section 94(1) (a) Councils are required to adopt a budget by 30 June each year.

## **Context**

The draft Budget contains a continuation of quality works and services and includes Councillor input (via five workshops) to the capital works and new initiatives in the draft Budget.

Some of the key inclusions in the budget are:

- Ongoing funding for several large projects that are being completed across a number of financial years including the Macedon Ranges Regional Sports Precinct and Macedon Ranges Shared Trail.
- Buffalo Stadium Woodend change room upgrade.
- Ongoing support for the Business sector to recover from the impacts of COVID-19.
- Romsey Park main sports field drainage playing surface works.
- Gisborne Tennis Courts Lighting Replacement.
- Kyneton Museum urgent roof works.
- Gisborne Fields Landscape Plan Stage 4 Implementation.
- Ash Wednesday Park Landscape Plan Implementation – Stage 2.
- Funding for a number of plans to guide Council in the future including a Thematic Environmental History, Stanley Park Infrastructure Master Plan and a Romsey Sport Master Plan.

The average rate increase will be within the 1.5% rate cap. The rate cap is based on the average rate increase for the average property. Rate movements for individual properties are not capped. The 2021/22 rates are based on the 2021 General valuation (draft figures). There is a potential that the rate per property specified in recommendation B3 above may need to be adjusted as part of the adoption of the final 2021/22 Budget which will be presented to Council on 29 June 2021.

Council's kerbside collection charges are calculated to recover the full cost of the collection and disposal of refuse, recycling and FOGO waste in the Shire. The proposed increase in kerbside collection charges per property is around 10.7% for most properties. The increase is mainly due to higher levels of contamination that are being experienced with the recycling waste that is being processed by the Shire

and with an increase in the EPA levy, which is a compulsory State Government Charge.

### Integrated Strategic Planning

The draft 2021/22 Budget is an important part of Council's integrated strategic planning, as outlined to Council on 16 December 2020. The Budget forms one of the key elements to Councils overall Integrated Strategic Planning and Reporting Framework.

Council continues work on the preparation of other key integrated strategic planning documents the Community Vision, Council Plan and Financial Plan. Deliberative engagement has been completed and a report received from the Community Assembly. This report is being used to draft documents that will in the future, be presented to the community for their feedback.

### **Consultation and Engagement**

Pursuant to Sections 223 of the *Local Government Act 1989* the draft Budget 2021/22 will be placed on public display and submissions will be invited from the public.

### **Strategic Alignment**

The preparation of the budget supports Council's priority of strong and reliable government. The 2021/22 budget includes funding for the services outlined in the Council Plan.

### **Implications**

#### **Financial, Resource, Information Technology and Asset Management Implications and Risks**

The draft budget includes all currently known financial and resourcing requirements for Council in 2021/22. As the Community Vision, Council Plan and Financial Plan are not due to be completed until after the 2021/22 Budget (31 October 2021) there is a risk that the Budget may need to be reviewed and updated later in the year.

Whilst the Financial Plan must be a direct representation of the Budget (the first 4 years of the budget make up the Financial Plan), the finally adopted Community Vision and Council Plan may have budgetary implications not yet considered in the production of the 2021/22 Budget. If required, the 2021/22 budget can be updated when these documents are completed, either through a revised budget or the 2021/22 mid year budget review.

### **Policy and Legislative Implications and Risks**

Section 94 of the *Local Government Act 2020* requires councils in Victoria to prepare a budget for each financial year. *The Local Government (Performance Reporting and Accountability) Act 2014* and the *Local Government (Planning and Reporting) Regulations 2020* specify the requirement for a budget to include major initiatives and the Regulations prescribe the relevant information disclosure requirements.

### **Sustainability Implications and Risks (Social and Environmental)**

Council funding of services continues at similar levels to previous years.

### **Charter of Human Rights Implications and Risks**

The 2021/22 Budget does not limit rights set out in the Charter of Human Rights.

### **Officer Declaration of Conflict of Interest**

No officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

It should be noted that a number of Council officers are rate payers of the Macedon Range Shire Council.

### **Conclusion**

Officers have provided recommendations in three parts. Part A deals with the approval of the draft Budget for public display. Part B deals with the Declaration of Rates and Charges and Part C deals with the Application of Differential Rates. These recommendations are now presented to Council for adoption.

<b>6.</b>	<b>DRAFT REVENUE AND RATING PLAN</b>
<b>Officer</b>	<b>Travis Harling, Manager Finance and Reporting</b>
<b>Council Plan Relationship</b>	<b>Deliver strong and reliable government</b>
<b>Attachments</b>	<b>Draft Revenue and Rating Plan 2021-2025</b>

### **Purpose and Overview**

The Revenue and Rating Plan is a new requirement under the *Local Government Act 2020*. It will be a four-year plan starting on 1 July 2021. The Plan describes the sources of Council revenue (property rates, waste service charges, fees, grants and contributions) and describes Council's rationale and policy decisions to inform the medium-term approach on how Council will generate the income it needs to deliver on the commitments in the Council Plan and the programs, services and capital works in the Budget. The purpose of this report is to endorse the Draft Revenue and Rating Plan for public exhibition and feedback in preparation for adoption in June 2021.

### **Recommendation**

#### **That Council:**

- 1. Endorses the Draft Revenue and Rating Plan 2021-2025 in accordance with Section 93 of the Local Government Act 2020 for the purpose of public display;**
- 2. That the draft Revenue and Rating Plan be placed on public display on Council's website and at the Council Offices from Wednesday 12 May 2021 and remain on public display until Tuesday 8 June 2021.**
- 3. That a public notice be placed in the local newspapers advising that the draft Revenue and Rating Plan is on public display and written submissions are invited (and will be considered in accordance with Section 223 of the *Local Government Act 1989*).**
- 4. That, whilst the draft Revenue and Rating Plan is on public display, Councillors and Officers be available for discussion, by mutual agreement and prior arrangement, with Ratepayers, Residents, community groups and local businesses, both within and outside normal business hours.**
- 5. That the period for any person to make a written submission shall close at 5.00pm on Tuesday 8 June 2021.**
- 6. That all submissions received by 5.00pm on Tuesday 8 June 2021 are to be attached to the Agenda for the Submitters Committee meeting to be held on Wednesday 16 June 2021.**

7. That a **Submitters Committee meeting be held online and livestreamed via Council's website at 7.00pm on Wednesday 16 June 2021 to provide an opportunity for any person who wishes to make a verbal presentation in support of their submission on the draft Revenue and Rating Plan to be heard.**
8. That a **report and recommendations be presented to an Unscheduled Council Meeting on 29 June 2021 to enable Council to consider submissions and to adopt the Revenue and Rating Plan with or without amendment.**
9. That the **Chief Executive Officer be authorised to carry out all administrative procedures necessary to enable Council to carry out its functions under the *Local Government Act (1989 and 2020)*, in relation to the finalisation and publication of the Rating and Revenue Plan.**

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### **Background**

Under section 93 of the Local Government Act 2020, Council is required to prepare a Revenue and Rating Plan by 30 June following a general election. The plan covers a period of four financial years, with the document describing how Council intends to raise revenue and distribute the rating burden over that period.

### **Context**

Council has a legislative responsibility to review and develop a Revenue and Rating Plan in accordance with Section 93 the *Local Government Act 2020*. It provides a medium-term plan for how Council will generate income to deliver on the Council Plan, program and services and capital works commitments over a 4-year period. It establishes the revenue raising framework within which the Council proposes to work.

Council provides a number of services and facilities to our local community, and in doing so, must collect revenue to cover the cost of providing these services and facilities.

- Council's revenue sources include:
- Rates and Charges (\$44.9M)
- Waste and garbage charges (\$10.1M)
- Grants (\$26.2M)
- Statutory Fees and Fines (\$4.3M)
- User Fees (\$7.2M)
- Cash and non-cash contributions from other parties (\$8.2M)
- Sale of Assets (\$485k)
- Interest from investments (\$180k)

Rates are the most significant revenue source for Council and account for 43% of its annual income.

The introduction of rate capping under the Victorian Government's Fair Go Rates System (FGRS) has brought a renewed focus to Council's long-term financial sustainability. The FGRS continues to restrict Council's ability to raise revenue above the rate cap unless application is made to the Essential Services Commission for a variation. Maintaining service delivery levels and investing in community assets remain key priorities for Council.

#### Integrated Strategic Planning and Reporting Framework

This Revenue and Rating plan is an important part of Council's integrated strategic planning, as outlined to Council on 16 December 2020. The Revenue and Rating Plan forms one of the key elements to its overall Integrated Strategic Planning and Reporting Framework. This document has a direct correlation to the 2021/22 Budget as it outlines the approach taken to generate revenue.

#### **Consultation and Engagement**

Pursuant to Section 223 of the *Local Government Act 1989* the draft Revenue and Rating Plan will be placed on public display and submissions will be invited from the public.

The Revenue and Rating Plan and Budget under the requirements of the *Local Government Act 2020* are not required to be prepared via deliberative engagement methods.

#### **Strategic Alignment**

The Revenue and Rating supports Council's priority of strong and reliable government. The Revenue and Rating Plan is medium term financial plan that outlines strategies on how Council intends to raise revenue. The Revenue and Rating Plan is one of the documents required as part of the Integrated Strategic Planning and Reporting Framework.

#### **Implications**

##### **Financial, Resource, Information Technology and Asset Management Implications and Risks**

The Revenue and Rating Plan sets out Council's medium term financial resourcing requirements.

##### **Policy and Legislative Implications and Risks**

Section 93 of the *Local Government Act 2020* requires councils in Victoria to prepare and adopt a Revenue and Rating Plan for a period of at least 4 financial years representing a block period starting on 30 June in the year after the general election.

##### **Sustainability Implications and Risks (Social and Environmental)**

Nil

##### **Charter of Human Rights Implications and Risks**

The Rating and Revenue does not limit rights set out in the Charter of Human Rights.

##### **Officer Declaration of Conflict of Interest**

No officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

It should be noted that a number of Council officers are rate payers of the Macedon Range Shire Council.

**Conclusion**

Officers recommend that the draft Revenue and Rating Plan, be placed on exhibition in conjunction with the draft Council 2021/22 Budget.