



# **ORDINARY COUNCIL MEETING**

## **MINUTES**

**Wednesday 10 February 2021**

**Commencing at 7.00pm**

**Held via Live Stream**

**Anthony Judd  
Chief Executive Officer  
Buloke Shire Council**



**3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING****MOTION:**

That Council adopt the Minutes of the Ordinary Meeting held on Wednesday, 9 December 2020.

**Moved:** CR DAVID POLLARD

**Seconded:** CR DAVID VIS

**CARRIED.  
(R884/21)**

**4. REQUESTS FOR LEAVE OF ABSENCE****5. DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST**

There were no declarations of interest.

**6. QUESTIONS FROM THE PUBLIC**

NIL

**7. PROCEDURAL ITEMS**

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NIL

**8.6 MATTERS WHICH MAY EXCLUDE THE PUBLIC 42**

The Meeting may be closed to members of the public to consider confidential matters.

8.6.1 AUDIT AND RISK COMMITTEE MEETING MINUTES 2 DECEMBER 2020

8.6.2 CONTRACT C80 2020-2021 - SUPPLY AND DELIVERY OF ONE (1) NEW TIPPING TRUCK AND QUAD DOG TRAILER

8.6.3 CONTRACT C81 2020-2021 - SUPPLY AND DELIVERY OF ONE (1) NEW MOTOR GRADER

8.6.4 CONTRACT C91 2020-2021 - ROADS TO REHABILITATION 2021/21 - PAVEMENT REHABILITATION WORKS

8.6.5 CONTRACT C88 2020-2021 - DONALD URBAN ROAD REHABILITATION - INDUSTRY DRIVE AND TOWER ROAD, DONALD

If the meeting has been closed it will be brought back into open session by resolution

**9. OTHER BUSINESS**

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NIL

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NIL

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NIL

**9.4 ANY OTHER BUSINESS 43**

NIL

**10. MEETING CLOSE**

**NEXT MEETING**

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN WYCHEPROOF SUPPER ROOM, 367 BROADWAY, WYCHEPROOF ON WEDNESDAY, 10 MARCH 2021 AT 7PM.

**Anthony Judd**  
**CHIEF EXECUTIVE OFFICER**

**6. QUESTIONS FROM THE PUBLIC**

Nil

**7. PROCEDURAL ITEMS****7.1 LETTERS OF CONGRATULATIONS AND RECOGNITION OF ACHIEVEMENT/AWARDS****Author's Title:** Executive Assistant**Department:** Office of the CEO**File No:** CR/13/01**PURPOSE**

This report acknowledges and congratulates community persons and/or groups for their success in being recognised for a significant achievement or for being a recipient of an honourable award.

The report also informs Council of any letters of congratulations or any particular recognition of achievement that Council has received or been awarded in the past month.

**MOTION:**

That the Council acknowledge and congratulate the persons and/or groups mentioned in the report for their achievements.

**MOVED:** CR DAVID POLLARD**SECONDED:** CR ALAN GETLEY**CARRIED.  
(R885/21)****Attachments:** Nil**RECOGNITION OF ACHIEVEMENT ITEMS**

<b>Provider</b>	<b>Recipient</b>	<b>Date</b>	<b>Purpose for Recognition</b>
Birchip P-12 School	Jonty Randall	30/12/20	Awarded 2020 Dux of Birchip P-12 School
Charlton College	Rose McGeown	30/12/20	Awarded 2020 Dux of Charlton College
Donald High School	Chloe Frank	30/12/20	Awarded 2020 Dux of Donald High School
Tyrrell College	Jenna Conlan	30/12/20	Awarded 2020 Dux of Tyrrell College
Wycheproof P-12 College	Andrew Mens	30/12/20	Awarded 2020 Dux of Wycheproof P-12 College
Advance Sea Lake Inc	Tasha Bailey and Lily McClelland "Green Lake Australia Day 2020"	26/1/21	Awarded Sea Lake District Community Event of the Year
Advance Sea Lake Inc	Jane and Gavin Stacey	26/1/21	In honour of Maggie Stacey being awarded the Sea Lake District Young Citizen of the Year

<b>Provider</b>	<b>Recipient</b>	<b>Date</b>	<b>Purpose for Recognition</b>
Advance Sea Lake Inc	Selina Cox	26/1/21	In honour of Dennis Cox being awarded the Sea Lake Citizen of the Year
Buloke Shire Council	Mrs Bev Cook OAM Nandaly	10/2/21	For her outstanding community service provided to the former Shire of Wycheproof, Nandaly, Wimmera and Mallee Districts, at the time of her intended departure from Nandaly.
Birchip Community Forum Inc	Joan Glenn	26/1/21	Awarded Birchip Citizen of the Year
Charlton Forum	Kevin Mathews	26/1/21	Awarded Charlton Citizen of the Year
Charlton Forum	Harrison Mulquiny	26/1/21	Presented with a "one-off" Charlton "Special Youth Achievement Award"
Donald 2000	Alison McEwen	26/1/21	Awarded Donald Citizen of the Year
Donald 2000	Will Noble, Jake Sullivan, Jet Adams, Zac Livingston and Tyson Coates Members of the Donald Skate Park Committee	26/1/21	Awarded Donald Young Citizens of the Year
Donald 2000	Esoteric Festival	26/1/21	Awarded Donald Event of the Year
Wychealive Inc	Lynda Rumbold	26/1/21	Awarded Wycheproof Citizen of the Year
Wychealive Inc	Amelia Ison	26/1/21	Awarded Wycheproof Young Citizen of the Year
National Australia Day Council Australian of the Year Awards 2021	Dr Kirby White Bendigo (past Charlton resident)	26/1/21	Awarded the Victorian Local Hero of the Year for her outstanding efforts of the initiative to develop a gown that could be laundered and re-used (Gowns for Doctors).

## 7.2 REPORT OF ASSEMBLY OF COUNCILLORS MEETINGS

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

**File No:** GO/05/04

**MOTION:**

That the Council note the report of Assembly of Councillor Meetings held on 3, 9 and 16 December 2020.

**MOVED:** CR DAVID VIS

**SECONDED:** CR BRONWYN SIMPSON

**CARRIED.**  
**(R886/21)**

- Attachments:**
- 1 Councillor Briefing Record - 3 December 2020
  - 2 Councillor Briefing Record - 9 December 2020
  - 3 Councillor Briefing Record - 16 December 2020

### KEY POINTS/ISSUES

The Local Government Act 1989 (the Act) provides that a record must be kept of any Meeting of Councillors and Staff deemed to be an Assembly of Councillors Meeting as defined in the Act.

In the Act, the definition of an Assembly of Councillors Meeting is a meeting of Councillors if the meeting considers matters that are likely to be the subject of a Council decision or the exercise of delegation and the meeting is:

A planned or scheduled meeting that includes at least half of the Councillors and a member of Council Staff; or

An Advisory Committee of the Council where one or more Councillors are present.

The Act also provides that the record of any Assembly of Councillors is to be reported to the next practicable Council Meeting and recorded in the Minutes.

A record of the Assembly of Councillors Meetings held on 3, 9 and 16 December 2020 are attached.

### 7.3 CORRESPONDENCE INITIATED BY COUNCIL

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

**File No:** GO/06/06

#### PURPOSE

This report notes and records correspondence initiated by Council and informs the Council of the responses received from this correspondence.

#### MOTION:

That the Council notes the record of correspondence initiated by Council and the responses received.

**MOVED:** CR ALAN GETLEY

**SECONDED:** CR BRONWYN SIMPSON

**CARRIED.**  
**(R887/21)**

**Attachments:** Nil

#### TABLE OF CORRESPONDENCE

Council Initiative	Correspondence sent to	Date sent	Date of Response	Summary of Response
10 June 2020 Ordinary Meeting To advocate for action to improve the shoulders on the Wycheproof – Birchip Road	Graincorp  Regional Roads Victoria	24 June 2020		Meeting held on site with Graincorp, Regional Roads Victoria and local residents.  Council's engineers have developed and provided conceptual designs to Regional Roads Victoria for their progression.
10 June 2020 Ordinary Meeting To advocate that the Mode Shift Incentive Scheme be continued and funded at \$16M until 30 June 2022;	The Hon Melissa Horne  Minister for Public Transport; and Ports and Freight	22 June 2020  Letter re-sent 1/10/20		

## 7.4 BUILDING PERMITS - MONTHLY UPDATE

**Author's Title:** Statutory Administration Support

**Department:** Works and Technical Services

**File No:** DB/14/01

### EXECUTIVE SUMMARY

This report provides information on Building Permits approved by staff from 1 December 2020 to 31 January 2021.

#### MOTION:

That the Council note information contained in the report on Building Permits approved by staff from 1 December 2020 to 31 January 2021.

**MOVED:** CR GRAEME MILNE

**SECONDED:** CR CAROLYN STEWART

**CARRIED.**  
**(R888/21)**

**Attachments:** Nil

### LIST OF BUILDING PERMITS APPROVED BY COUNCIL SURVEYOR

Permit No.	BAMS Permit No.	Address	Project Description	Date Approved
20200212	9959285008762	18 Campbell Street, Birchip	Swimming Pool & Safety Barrier	26/11/2020
20200213	1495722654575	2-4 Messines Street, Nandaly	BBQ Shelter	03/12/2020
20200214	9794111626779	2A Walker Street, Donald (Donald Primary School)	Shade Sail Umbrella	10/12/2020
20200215	6663888946666	7 Armstrong Street, Charlton	Carport	10/12/2020
20200216	1329718409852	406 Stannard Road, Watchupga	Dry Sow Shed	17/12/2020
20200217	5092455836424	3256 Birchip-Wycheproof Road, Wycheproof	Shed / Boarding Kennel	17/12/2020
20200218	1163603685395	50 Hammill Street, Donald	Alterations to existing dwelling	17/12/2020
20200219	9410157608303	Mildura Way, Charlton	Demolition of Sheds	17/12/2020
20200220	9678880821218	152 Carron-Lawler Road, Carron	Swimming Pool & Safety Barrier	17/12/2020

**LIST OF BUILDING PERMITS APPROVED BY PRIVATE SURVEYOR**

<b>Permit No.</b>	<b>Address</b>	<b>Project Description</b>	<b>Date Approved</b>
20200221	303 Nyarrin South Road, Nyarrin	Hay Shed	26/11/2020
20200222	604 Massey-Bangerang Road, Watchem West	Farm Shed	01/12/2020
20200223	49-51 Wilkinson Street, Sea Lake	Confirm a Dwelling	01/12/2020
20200224	153 King Road, Kinnabulla	Farm Shed	02/12/2020
20200225	158 Doran Road, Watchupga	Hay Shed	04/12/2020
20200226	89 Cumming Avenue, Birchip	SES Shed	05/12/2020
20200227	179 Best Street, Sea Lake	Re-stump of dwelling	07/12/2020
20200228	3469 St Arnaud-Wycheproof Road, Jeffcott	Hay Shed	11/12/2020
20200229	20 Donald Street, Charlton	Re-stump of dwelling	21/12/2020
20200230	326 Sea Lake-Swan Hill Road, Sea Lake	Hay Shed	14/12/2020
20200231	31 Charles Street, Wycheproof	Hay Shed	19/12/2020

## 7.5 PLANNING APPLICATIONS RECEIVED - MONTHLY UPDATE

**Author's Title:** Planning Officer

**Department:** Works and Technical Services

**File No:** LP/09/01

### PURPOSE

This report provides information on planning applications under consideration by staff and the status of each of these applications.

### MOTION:

That the Council note information contained in the report on planning applications under consideration by staff and the status of each of these applications.

**MOVED:** CR DAVID VIS

**SECONDED:** CR DAVID POLLARD

**CARRIED.**  
**(R889/21)**

**Attachments:** Nil

### LIST OF PLANNING APPLICATIONS

Application No	Applicant	Address	Date Rec	Summary of Proposal	Status
PPA886/20	Mogas Holdings	148-150 High Street, Charlton	01/09/2020	Use and development of land for a service station (self-bunded fuel cell)	Permit issued
PPA889/20	G Bailey (Sea Lake Rec Res Committee)	15 Best Street, Sea Lake	03/09/2020	Installation of a cabin containing 4 self-contained units	Permit issued
PPA895/20	Cheetham Salt Ltd.	100 Cheetham Salt Road, Lake Tyrrell	16/11/2020	Construction of a weighbridge	Permit issued
PPA896/20	NL Harris	22 Racecourse Road, Donald	19/11/2020	Construction of an extension to existing food production facility	Permit issued
PPA897/20	Jeremy Clark (Petrogas)	31 Bunker Road, Donald	30/11/2020	Building and works to locate a service station (self-bunded fuel cell)	Permit issued
PPA898/20	Jeremy Clark (Petrogas)	31 Bunker Road, Donald	01/12/2020	Construction & display of internally illuminated sign with electronic price board	Permit issued

<b>Application No</b>	<b>Applicant</b>	<b>Address</b>	<b>Date Rec</b>	<b>Summary of Proposal</b>	<b>Status</b>
PPA899/20	Entegra Signature Structures	36 Tower Road, Donald	07/12/2020	Construction of a shed for machinery storage and servicing	Permit issued
PPA900/20	Grant Alday	224 Sea Lake – Lascelles Road, Sea Lake	11/12/2020	Construction of a second dwelling on a lot	Permit issued
PPA901/21	Action Steel Industries Pty Ltd	329 Jeruk River Road, Teddywaddy	14/01/2021	Construction of a farm shed	Awaiting report
PPA902/21	GWMWater	Turnbulls Road, Dumosa	20/01/2021	Removal of native vegetation	Referral
PPA903/21	Steven Schmidt (Future Cities)	34 Elliots Road, Bimbourie	22/01/2021	Use and development of land for two temporary dwellings (pop-up hotel)	Referral

## 8. GENERAL BUSINESS

### 8.1 POLICY REPORTS

#### 8.1.1 COUNCILLOR CODE OF CONDUCT

**Author's Title:** Director Corporate Services

**Department:** Corporate Services

**File No:** GO|06|01

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Support our councillors, staff, volunteers and the community to make informed and transparent decisions.

#### PURPOSE

To recommend the Council adopt a Councillor Code of Conduct incorporating requirements within the *Local Government Act 2020* (Act).

#### SUMMARY

Section 139 of the Act requires the Council to develop and approve a Councillor Code of Conduct. The Act specifies the components which must be included in the Councillor Code of Conduct.

#### MOTION:

That Council, having undertaken a review of the Councillor Code of Conduct, adopt the revised Code.

**MOVED:** CR DAVID VIS

**SECONDED:** CR DAVID POLLARD

**CARRIED.**  
**(R890/21)**

**Attachments:** 1 Councillor Code of Conduct

#### DISCUSSION

Section 139 of the Act requires the Council to review and adopt the Councillor Code of Conduct within 4 months of a general election.

The revised Councillor Code of Conduct addresses matters mandated by the Act relating to Standards of Conduct prescribed by the *Local Government (Governance and Integrity) Regulations 2020*. The Councillor Code of Conduct also deals with the role of the Councillors and the Mayor, Conflicts of interest, Access to and Use of Information and Resources, and Dispute Resolution Procedures.

#### RELEVANT LAW

The Councillor Code of Conduct is mandated by the Act and is an essential part of the practice of good governance.

**RELATED COUNCIL DECISIONS**

Not applicable.

**OPTIONS**

The Council may review and amend the Councillor Code of Conduct at any time.

**SUSTAINABILITY IMPLICATIONS**

Not applicable.

**COMMUNITY ENGAGEMENT**

While there is no statutory requirement for the Council to undertake community engagement in the development of the Councillor Code of Conduct, the Code will provide guidelines to the community as to the expected behaviour and responsibilities of Councillors.

**INNOVATION AND CONTINUOUS IMPROVEMENT**

Not applicable.

**COLLABORATION**

Not applicable.

**FINANCIAL VIABILITY**

Not applicable.

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

Not applicable.

**COUNCIL PLANS AND POLICIES**

Not applicable.

**TRANSPARENCY OF COUNCIL DECISIONS**

The Councillor Code of Conduct will be made available to the community through Council's website.

**CONFLICTS OF INTEREST**

I, Hannah Yu, have no conflicts to declare in relation to this report.

## 8.1.2 RATES AND CHARGES FINANCIAL HARDSHIP POLICY

**Author's Title:** Director Corporate Services

**Department:** Corporate Services

**File No:** CM|14|10

### **Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Support our councillors, staff, volunteers and the community to make informed and transparent decisions.

### **PURPOSE**

To present the proposed Rates and Charges Financial Hardship Policy to the Council for adoption.

### **SUMMARY**

The Rates and Charges Financial Hardship Policy provides for the deferring of payment of any rates or charges, or the granting of a waiver of outstanding interest on rates or charges, whether whole or in part to individual persons in accordance with the provisions of sections 170 and 171(a) of the *Local Government Act 1989* (the Act).

### **MOTION:**

That Council adopts the Rates and Charges Financial Hardship Policy from February 2021 to February 2025.

**Moved:** CR ALAN GETLEY

**Seconded:** CR DAVID VIS

**CARRIED.**  
**(R891/21)**

**Attachments:** 1 Rates and Charges Financial Hardship Policy

### **DISCUSSION**

Council's Rates Charges Financial Hardship policy (Policy) was adopted in June 2017. The Policy is now due for review in accordance with Council's policy review schedule.

There have been no material changes to the Policy which aims to:

- a) Provide a deferment of rates and charges or grant a waiver of interest on rates and charges to ratepayers experiencing demonstrated financial hardship;
- b) Provide guidelines, templates and establish principles to apply when a deferment or waiver of rates application is received;
- c) Identify the type and amount of assistance that may be granted prior to a deferment or waiver of rates application being approved;
- d) Ensure that council's debt collection practices are sensitive and responsive to ratepayer's financial hardship issues; and
- e) Alleviate the potential for rates to become a factor in domestic economic violence.

**RELEVANT LAW**

This Policy is in line with relevant sections of the *Local Government Act 1989*.

**RELATED COUNCIL DECISIONS**

Council adopted a revised COVID-19 Financial Hardship Policy at the September 2020 Council Meeting. The COVID-19 Financial Hardship policy will lapse in March 2021. While these 2 policies were developed using the same principles, the COVID-19 Financial Hardship policy will apply in the event of any inconsistencies between the 2 documents until March 2021.

**OPTIONS**

Not applicable.

**SUSTAINABILITY IMPLICATIONS**

Not applicable.

**COMMUNITY ENGAGEMENT**

The public will be made aware of the Policy through Council's website.

**INNOVATION AND CONTINUOUS IMPROVEMENT**

Not applicable.

**COLLABORATION**

Not applicable.

**FINANCIAL VIABILITY**

The continued implementation of this Policy will result in a loss of interest income. The Policy does not allow for waiving of rates or legal costs which have been incurred.

A report to the September 2020 Audit and Risk Committee (Committee) highlighted the outcomes of an aged rates debtor review undertaken by the Manager Finance. This review uncovered a variety of individual arrangements which had been made with rate debtors over a number of years. It is anticipated there may be some deviation from the Policy in addressing these debtors due to the complexity of arrangements entered into. Regular updates on this matter will be provided to the Committee regarding actions to address aged rate debtors will be provided during the next 12 months.

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

It is noted the Victorian Ombudsman has yet to present a report outlining her findings with respect to rates and financial hardship arrangements available to rate payers within councils. If after release of this report further review of the Policy is required a report, a revised Policy will be presented to the Council for consideration.

**COUNCIL PLANS AND POLICIES**

Not applicable.

**TRANSPARENCY OF COUNCIL DECISIONS**

The Policy provides clear guidelines to ratepayers about the process and action which will be taken upon receipt of a financial hardship application.

**CONFLICTS OF INTEREST**

I, Hannah Yu, have no conflicts to declare in relation to this report.

### 8.1.3 COMMUNITY ENGAGEMENT POLICY

**Author's Title:** Manager Customer Engagement

**Department:** Office of the CEO

**File No:** CM/14/05

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Support our councillors, staff, volunteers and the community to make informed and transparent decisions.

#### PURPOSE

The purpose of this report is to adopt the Community Engagement Policy as required by the Local Government Act 2020.

#### SUMMARY

The preparation of a Community Engagement Policy is a requirement of the Local Government Act 2020 with a policy to be adopted by 1 March 2021.

#### MOTION:

That Council adopts the Community Engagement Policy.

**MOVED:** CR DAVID VIS

**SECONDED:** CR DAVID POLLARD

**CARRIED.**  
**(R892/21)**

**Attachments:** 1 Community Engagement Policy

#### DISCUSSION

The Local Government Act 2020 has reformed community engagement on plans, policies and decision-making. The new legislation requires Council to develop and maintain a Community Engagement Policy. The Policy must, among other things, replace the public submission process prescribed by Section 223 of the previous Act (1989).

This is a major change for matters such as the Council Plan and Annual Budget. Council is required to adopt and implement a Community Engagement Policy by 1 March 2021.

The Draft Community Engagement Policy was adopted by Council at the 22 November 2020 Ordinary Meeting of Council for the purpose of community consultation.

#### RELEVANT LAW

The policy takes up the recommendations of the Victorian Auditor General on public participation; and applies the principles and other requirements as prescribed by section 55 of the Local Government Act 2020.

**RELATED COUNCIL DECISIONS**

The development of a new Community Engagement Policy is item 2.4 in the Council Plan 2017-21 Year 4 Annual Plan.

**OPTIONS**

Not applicable.

**SUSTAINABILITY IMPLICATIONS**

Not applicable.

**COMMUNITY ENGAGEMENT**

Council consulted with the community in the development of the draft policy with a survey on Council's engagement platform OurSay. The online platform was used due to the COVID-19 pandemic.

A second round of consultation was advertised and undertaken on Our Say after the adoption of the draft policy.

The results from the survey and consultation were considered in the preparation of this document.

**INNOVATION AND CONTINUOUS IMPROVEMENT**

Community engagement and participation is an important element of the democratic process. An empowered community is one that actively participates to influence decisions that affect their lives.

We understand our community is diverse and facing many geographical and demographical challenges.

By strengthening relationships and listening to our community, we ensure that we can make better, more informed decisions and therefore deliver value to the public in all aspects of our work.

This policy document provides the community engagement and public participation framework for engagement activities undertaken by Council.

**COLLABORATION**

Council collaborated with other Local Governments, State Government agencies and Aboriginals Victoria in the preparation of this draft policy.

**FINANCIAL VIABILITY**

Platforms listed within the policy for use during periods of community engagement have been factored into Council's budget, which is reported on monthly.

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

*Local Government Act 2020*

*Charter of Human Rights and Responsibilities Act 2006*

*Subordinate Legislation Act 1994*

*Public Administration Act 2004*

*Equal Opportunity Act 2010*

*Child Safe Safety Act 2015*

**COUNCIL PLANS AND POLICIES**

Council Plan 2017-21

Social Media Policy

Information Privacy Policy

Councillor Code of Conduct

Staff Code of Conduct

Customer Service Strategy

Inclusiveness Plan  
Project Management Framework

#### **TRANSPARENCY OF COUNCIL DECISIONS**

Deliberative engagement requires a higher level of participation and the policy is informed by the IAP2's Public Participation Spectrum.

The spectrum is designed to assist with the selection of the level of participation that defines the public's role in any community engagement program. It clarifies the role of the public (or community) in planning and decision-making, and how much influence the community has over planning or decision-making processes.

#### **CONFLICTS OF INTEREST**

No staff member involved in the preparation of this report has a conflict of interest.

## 8.2 MANAGEMENT REPORTS

### 8.2.1 REVIEW OF COUNCILLOR AND MAYORAL ALLOWANCES

**Author's Title:** Director Corporate Services

**Department:** Corporate Services

**File No:** GO|06|11

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Support our councillors, staff, volunteers and the community to make informed and transparent decisions.

#### PURPOSE

To recommend the Council confirm the level of Councillor and Mayoral allowances as proposed by the Review.

#### SUMMARY

Council undertook a review of allowances for the Mayor and Councillors, and gave notice of the review pursuant to section 223 of the *Local Government Act 1989*. No submissions were received during this review.

#### MOTION:

That Council having undertaken a review of allowances for the Mayor and Councillors, given notice of the review under section 223 of the *Local Government Act 1989* and having received no submissions, set the annual allowances for Councillors and the Mayor for the next 4 years as follows:

- Councillors: \$21,049
- Mayor: \$62,884

with the intention to adjust the above allowances in accordance with any adjustment factor determined by the Minister until such time as the Victorian Independent Remuneration Tribunal has made a determination under the *Local Government Act 2020*;

**MOVED:** CR GRAEME MILNE

**SECONDED:** CR DAVID POLLARD

**CARRIED.**  
**(R893/21)**

**Attachments:** Nil

#### DISCUSSION

Council has a legislative requirement under section 74 of the *Local Government Act 1989* (Act) to review and determine the level of the Councillor allowance and the Mayoral allowance within a period of 6 months after a general election or by next 30 June, whichever is later.

The review process includes a section 223 public consultation before the allowances can be set for the next four years.

Following completion of the review and consideration of any submissions received pursuant to the provisions of s223 of the Act Council can determine the allowance level which will stand for the next 4 years.

The review proposed the base rate for the term of this Council (4 years) for the Mayor and Councillors be as follows:

- Councillors: \$21,049
- Mayor: \$62,884

Allowances are paid to compensate Councillors for the duties performed as an elected local government Councillor. Mayoral and Councillor allowances are subject to an additional 9.5% superannuation guarantee.

An advertisement calling for submissions pursuant to section 223 of the Act was placed in local newspapers and on the Council's website. No submissions were received.

### **RELEVANT LAW**

Whilst the Councillor allowance provisions of the 1989 Act were revoked on 6 April 2020, and replaced with section 39 of the *Local Government Act 2020*, the Victorian Independent Remuneration Tribunal has yet to determine an allowance for Mayors, Deputy Mayors or Councillors.

Despite the repeal of the Councillor allowance provisions under the 1989 Act, section 39(6) of the *Local Government Act 2020* provides that the 1989 Act provisions continue to apply in respect of allowances payable to Mayors and Councillors until the first Determination is made by the Remuneration Tribunal.

Accordingly, section 74(1) of the 1989 Act requires that Councils must review and determine the level of Mayoral and Councillor allowances are governed by limits within the allocated categories as determined by the Minister of Local Government through an Order in Council.

Councils are designated either a category 1, 2 or 3. The categories are derived by Local Government Victoria from a formula based on an individual Council's population and annual revenue. Buloke is a Category 1 Council.

References to the applicable sections within the Act are outlined within this report.

### **RELATED COUNCIL DECISIONS**

The former Council set the Councillor and Mayoral allowance at 100% of the rate applicable to Category 1 Councils.

### **OPTIONS**

Council may determine to pay less than the uppermost allowance limit applicable under the 1989 Act. This option has not been recommended on the grounds that no increases to Councillor and Mayoral allowances have occurred since 2019. Additionally, the recommendation to pay allowances at 100% of the Category 1 rate reflects the workload associated with Councillor and Mayoral activities.

The Act provides a Council must pay a Councillor allowance or a Mayoral allowance in accordance with any review and determination made by Council under section 74. The Act further provides a Council does not have to pay an allowance to a Councillor or Mayor who does not want to receive an allowance.

### **SUSTAINABILITY IMPLICATIONS**

Not applicable

**COMMUNITY ENGAGEMENT**

Council has met its obligations to give public notice of its intention to set the Councillor and Mayoral Allowance. Any person had the right to make a submission in respect of the intended levels.

No submissions were received.

**INNOVATION AND CONTINUOUS IMPROVEMENT**

Not applicable.

**COLLABORATION**

Not applicable.

**FINANCIAL VIABILITY**

Upon the completion of the section 223 process and the setting of the allowances, the amount of the allocation will be confirmed as part of the 2021/22 Annual Budget.

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

Not applicable.

**COUNCIL PLANS AND POLICIES**

Estimations for Councillor and Mayoral allowance amounts are incorporated into the Council's Strategic Resource Plan and Long Term Financial Plan.

**TRANSPARENCY OF COUNCIL DECISIONS**

Payments of Councillor and Mayoral allowances are reported within the Council's Annual Report of Operations.

**CONFLICTS OF INTEREST**

The *Local Government (Governance and Integrity) Regulations 2020* state that for the purposes of section 129(g) of the *Local Government Act 2020* an exemption for conflicts of interest is applicable in determining the payment of Councillor and Mayoral allowances provided for under section 39(6) of the Act.

## 8.2.2 GOVERNANCE RULES 2021

**Author's Title:** Director Corporate Services

**Department:** Corporate Services

**File No:** LA|08|16

### **Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Support our councillors, staff, volunteers and the community to make informed and transparent decisions.

### **PURPOSE**

To recommend adoption of the Governance Rules 2021 (Rules).

### **SUMMARY**

Section 60 of the *Local Government Act 2020* (the Act) requires Council to adopt and apply Rules which describe the way it will conduct Council meetings and make decisions.

A review in December 2020 was undertaken to provide for the Mayor to call a Meeting of the Council.

### **MOTION:**

That Council adopt the Governance Rules 2021.

**MOVED:** CR ALAN GETLEY

**SECONDED:** CR DAVID POLLARD

**CARRIED.**  
**(R894/21)**

**Attachments:** 1 Governance Rules 2021

### **DISCUSSION**

A review of the Rules was undertaken in December 2020 to incorporate provisions enabling the Mayor, by written notice to the Chief Executive Officer, to call a Meeting of the Council.

A period of community engagement was undertaken following the December 2020 Council Meeting, inviting the public to make submissions on the proposed amendment.

No submissions were received.

It is now appropriate for the Rules to be considered for adoption by the Council.

### **RELEVANT LAW**

Section 60 of the Act requires Council to adopt and apply Governance Rules (Rules) which describe the way it will conduct Council meetings and make decisions.

Council must ensure that a process of community engagement is followed pursuant to Section 60(4).

**RELATED COUNCIL DECISIONS**

Council's Election Period policy was adopted at the June 2020 Council Meeting. No changes are proposed to the Election Period policy.

Council resolved to release its revised Rules at the December 2020 Council Meeting for the purposes of community engagement.

**OPTIONS**

Council may determine not to provide that the Mayor to call a meeting of the Council within its Governance Rules. This option is not recommended due to the previous provisions of the *Local Government Act 1989* for Special Meetings not being replicated within the *Local Government Act 2020*. Meetings outside of the adopted Meeting Schedule may be used for awarding of contracts and for the Mayor to present the Annual Report of Operations to the Buloke community, for example.

**SUSTAINABILITY IMPLICATIONS**

Not applicable.

**COMMUNITY ENGAGEMENT**

Council Officers undertook an engagement process in relation to the revised Rules following the Council Meeting held on 9 December 2020. Council invited public submissions in relation to any proposal contained within the revised Rules and invited the public to make presentations in support of any written submissions at its February 2021 Council meeting. A copy of the invitation and the revised Rules were made available on Council's website.

No submissions were received.

**INNOVATION AND CONTINUOUS IMPROVEMENT**

Not applicable.

**COLLABORATION**

Not applicable.

**FINANCIAL VIABILITY**

There are no financial implications associated with the adoption of the Rules.

Penalty rates applicable under the Act in relation to inappropriate use of Council resources, and publicity which might influence the outcome of a Council election are outlined in Schedule 3 – Election Period Policy.

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

Not applicable.

**COUNCIL PLANS AND POLICIES**

Not applicable.

**TRANSPARENCY OF COUNCIL DECISIONS**

The Rules demonstrate Council continues to provide good governance through the performance of its role in accordance with the overarching governance principles and supporting principles of the Act.

**CONFLICTS OF INTEREST**

I, Hannah Yu, have no conflicts of interest to declare in relation to this report.

### 8.2.3 EXERCISE OF DELEGATION BY CHIEF EXECUTIVE OFFICER

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

**File No:** FM/03/01

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Responding to and enhancing our built and natural environment

#### PURPOSE

To notify Council of the use of the Chief Executive Officer's Exercise of Delegation for awarding contracts.

#### SUMMARY

The Chief Executive Officer, through his use of the Exercise of Delegation of awarding contracts, has approved the Tender Evaluation Panel's recommendation for the awarding of Contract C94 2020/2021 for the Birchip Leisure Centre – Change Room Redevelopment to JD Aspen Developments Pty Ltd for the lump sum price of \$199,052 (excluding GST).

#### MOTION:

That Council note the information provided in this report.

**MOVED:** CR CAROLYN STEWART

**SECONDED:** CR GRAEME MILNE

**CARRIED.**  
**(R895/21)**

**Attachments:** Nil

#### DISCUSSION

The purpose for awarding Contract No C94 2021/2021 is for the redevelopment of the Birchip Leisure Centre works, including but not limited to demolition, framing, brick laying, fit-out, tiling electrical, plumbing etc. This project has been long in the planning and funded through Sport and Recreation Victoria under the Female Friendly Facilities Program.

#### RELEVANT LAW

At the 14 March 2018 Ordinary Meeting, Council delegated certain powers and functions under section 98(1) of the *Local Government Act 1989* to the Chief Executive Officer, permitting the Chief Executive Officer to award contracts up to the value of \$250,000.

The administration of the tender process was in accordance with the requirements of the *Local Government Act 2020* and Council's Procurement Policy.

#### RELATED COUNCIL DECISIONS

Not applicable to this report.

**OPTIONS**

Not applicable to this report.

**SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications relevant to this report.

**COMMUNITY ENGAGEMENT**

Consultation with the members of the Birchip Leisure Centre occurred throughout the design phase of this project, and will continue during the construction works.

**INNOVATION AND CONTINUOUS IMPROVEMENT**

Not applicable to this report.

**COLLABORATION**

The Senior Leadership Team reviewed the Evaluation Panel recommendations.

**FINANCIAL VIABILITY**

The associated costs for this project works was included in Council's adopted Budget 2020/2021. This project is slightly over budget (10%), however those costs can be recouped through savings and delays to other projects.

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

Not applicable to this report.

**COUNCIL PLANS AND POLICIES**

The decision to upgrade the Birchip Leisure Centre Change Rooms is consistent with Council's Plan 2017 – 2021 to respond to and enhance our built and natural environment.

**TRANSPARENCY OF COUNCIL DECISIONS**

This report is to inform Council of the decision on the awarding of this contract, to comply with the use of Chief Executive Officer's Exercise of Delegation for awarding contracts up to the value of \$250,000.

**CONFLICTS OF INTEREST**

No officer involved in the evaluation of the tenders or preparation of this report, declared a conflict of interest.

## 8.2.4 BULOKE SHIRE COUNCIL 2017-21 - YEAR 4 ANNUAL PLAN PROGRESS REPORT

**Author's Title:** Chief Executive Officer

**Department:** Office of the CEO

**File No:** CM/13/06

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Deliver our service in a financially viable way

### PURPOSE

This report is presented to give Council a progress update on the actions taken against the Year 4 Annual Plan.

### SUMMARY

Council, at its Special Meeting 21 June 2017, adopted the Buloke Council Plan 2017-2021 and has subsequently developed and adopted a Year 1, Year 2, Year 3 and Year 4 Annual Plan for the implementation of the strategic objectives. Quarterly progress reports will be presented to Council throughout 2020/21.

### MOTION:

That Council note the progress made to deliver the strategic objectives noted in the adopted Year 4 Annual Plan for the Buloke Council Plan 2017-2021.

**MOVED:** CR CAROLYN STEWART

**SECONDED:** CR GRAEME MILNE

**CARRIED.**  
**(R896/21)**

**Attachments:** 1 Year 4 Annual Plan - January 2021 Report

### DISCUSSION

The purpose of these Annual Plans is for Council to develop a series of actions, projects, programs and initiatives to achieve on the Council Plan 2017-2021.

This is the second report against the 2020/21 adopted Annual Plan, with quarterly reports to follow for the remainder of the financial year.

Further to the reported actions in October 2021, progress has been made on the following:

- Draft of the Information Technology Strategy in partnership with Yarriambiack Shire Council delivered.
- Community Engagement Policy drafted and consulted on.
- Tenders called for on key road projects, including Berriwillock Birchip Road and Tower and Industrial Road, Donald.
- Majority of Councillor induction program delivered.
- Surplus land identified and linked to housing opportunities
- Secured funding for art activation, including night activation of Sea Lake Graincorp Silo Art and a street arts festival
- Report and presentation delivered on the State of Buloke Children report
- Tourism facilities completed and open at Lake Tyrrell.
- Commencement of the Climate Change Strategy, for completion in May.
- Significant progress with the Birchip Streetscape project.
- Commencement of upgrades to Birchip Netball Courts

Projects identified to be delayed and extend into the next financial year due to increased projects and funding received since adopting the plan include Wycheproof Library Upgrade and development of the Gender Equality Plan.

#### **RELEVANT LAW**

The Annual Plan forms part of the annual review of the Council Plan, required under the Local Government Act.

#### **RELATED COUNCIL DECISIONS**

This report responds directly to item '8.2.5 Shire Council 2017-21 – Year 4 Annual Plan'.

#### **OPTIONS**

Not applicable.

#### **SUSTAINABILITY IMPLICATIONS**

Projects such as the Climate Change Adaptation and Mitigation Strategy and Street Light Conversion are identified in the plan and will have enhanced sustainability outcomes for Council.

#### **COMMUNITY ENGAGEMENT**

There was significant consultation undertaken in the development of the Council Plan 2017- 2021, which is the basis of this document. Further actions have been developed through consultation with the community over the past two years.

Many of the actions have a high level of community engagement.

**INNOVATION AND CONTINUOUS IMPROVEMENT**

Not applicable.

**COLLABORATION**

Many actions rely on the collaboration with other Councils and also key peak bodies, local stakeholder groups and community.

**FINANCIAL VIABILITY**

The items listed in the Annual Plan have been factored into the Council budget, which is reported on monthly.

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

Not applicable.

**COUNCIL PLANS AND POLICIES**

This report responds directly to the implementation of the Council Plan 2017-21 and the adopted Annual Plan 20/21. Some actions will result in the development of new plans and policies (e.g. Gender Equality Action Plan, Community Engagement Policy)

**TRANSPARENCY OF COUNCIL DECISIONS**

The adoption and regular reporting of an Annual Plan provides good strong transparency to the community regarding the key focus areas of Council over the 20/21 year and how Council is tracking against those actions.

**CONFLICTS OF INTEREST**

No staff member involved in the preparation of this report has a conflict of interest.

## 8.2.5 WYCHEPROOF TURNTABLE LEASE

**Author's Title:** Chief Executive Officer

**Department:** Office of the CEO

**File No:** GS/04/02

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Diversify and enhance our local economy.

### PURPOSE

This report is presented for Council to consider a lease of the Wycheproof turntable.

### SUMMARY

This report proposes that Council enter into a lease with Steamrail Victoria for the Wycheproof Turntable for a period of 10 years.

### MOTION:

That Council having undertaken a community consultation process and considered the submission, authorise the CEO to negotiate a lease or licence with Steamrail Victoria with the following conditions/clauses:

- Steamrail Victoria provides access to other tourism and rail providers during the term of the lease;
- Steamrail Victoria be responsible for undertaking the required works and maintenance to ensure the turntable is operable;
- A nominal or peppercorn rental given the investment Steamrail will need to make to ensure the turntable is operable; and
- 10-year lease.

**MOVED:** CR DAVID POLLARD

**SECONDED:** CR CAROLYN STEWART

**CARRIED.**

**(R897/21)**

**Attachments:** 1 Wycheproof Turntable Lease - Confidential Attachment -  
**Confidential**

### DISCUSSION

At the December Ordinary Meeting, Council considered a request from Steamraile Victoria to lease the Council-owned (railway) turntable and sought community feedback on the initiative.

One submission was received during the community consultation process.

The submission did not object to the lease of the turntable, it does request that Council consider the following:

1. That the turntable and approach track from the main line be made available to other organisations.
2. That should the Sea Lake branch line be converted to Standard Gauge; the turntable and approach track from the main line be gauge converted to permit continued use of the asset.

With respect to the submission, Council intends to include a clause that provides access to other rail operators in the lease, which will allow maximum tourism opportunities into the future. Council has also in the past advocated to the State Government to include the turntable and approach track in any works to standardise the Sea Lake line. Council will continue to advocate for this project.

#### **RELEVANT LAW**

Not applicable.

#### **RELATED COUNCIL DECISIONS**

At the December 2020 Ordinary Meeting, Council called for community feedback into the proposal to lease the turntable.

#### **OPTIONS**

Council can decide not to lease the turntable. In this instance, it would restrict future tourism rail operators.

#### **SUSTAINABILITY IMPLICATIONS**

The Steamrail Victoria proposal would reap social and economic benefits and promote tourism and economic development further within the Shire.

#### **COMMUNITY ENGAGEMENT**

Council received one submission in the community engagement process, which has been summarised in this report.

#### **INNOVATION AND CONTINUOUS IMPROVEMENT**

This proposal is an innovative and creative opportunity to promote rail-based tourism on the Kulwin (Calder Highway) railway line, the unique identity of the railway line going through the main street (Broadway) in Wycheproof, the amazing silo art in Nullawil and Sea Lake, and provides continued improvement on tourism opportunities and economic development in the Shire.

#### **COLLABORATION**

Council would commit to working with Steamrail Victoria to seek State and Federal grants to assist with the development of this initiative.

#### **FINANCIAL VIABILITY**

There would be very minimal financial implications direct to Council as the intention is to enter into a lease at a peppercorn rent (i.e. \$1 per year); and Steamrail Victoria would be responsible for the associated costs for the required upgrades, maintenance and insurance.

#### **REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

The Loddon Mallee Regional Economic Growth Plan, developed in partnership between local government and state agencies, provides Council broad direction for regional land use and development in the region. This plan considers a range of land uses including tourism.

#### **COUNCIL PLANS AND POLICIES**

In line with the Council Plan 2017 – 2021, this proposal provides Council an opportunity to capitalise on any possible and viable tourism opportunities.

**TRANSPARENCY OF COUNCIL DECISIONS**

Publically advertising Council's intention to lease the Wycheproof Railway Turntable is in line with Council's Plan 2017 – 2021 to support our Councillors, Staff, Volunteers and Community to make informed and transparent decisions.

**CONFLICTS OF INTEREST**

There were no Conflict of Interest considerations applicable to this report.

## 8.2.6 BUILDING BETTER REGIONS FUND APPLICATIONS

**Author's Title:** Chief Executive Officer

**Department:** Office of the CEO

**File No:** GS/03/04

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Responding to and enhancing our built and natural environment

### PURPOSE

This report is presented to Council to consider making applications under the Federal Government Building Better Regions Fund.

### SUMMARY

That Council makes applications under the Federal Government Building Better Regions Fund for new cabins across caravan parks and upgrades to the Wycheproof Saleyards

### MOTION:

That Council:

1. Submit funding applications under the Building Better Regions Fund for new cabins at the Charlton Traveller's Rest; Donald and Wycheproof Caravan Parks; and Tchum, Wooroonook, and Watchem Lake Caravan Parks; and for upgrades to the Wycheproof Saleyards; and
2. Considers a co-contribution from the 21/22 Budget for the applications of \$150,000 for the new cabins and \$160,000 towards the saleyards upgrade.

**MOVED:** CR GRAEME MILNE

**SECONDED:** CR DAVID POLLARD

**CARRIED.  
(R898/21)**

**Attachments:** Nil

### DISCUSSION

The \$1.04 billion Building Better Regions Fund (BBRF) supports the Australian Government's commitment to create jobs, drive economic growth and build stronger regional communities into the future. Grant funding is available through two funding streams:

- The Infrastructure Projects Stream: Supports projects that involve construction of new infrastructure, or the upgrade or extension of existing infrastructure; and
- The Community Investments Stream: Funds community development activities including, but not limited to, new or expanded local events, strategic regional plans, leadership and capability building activities.

The Australian Government announced \$200 million in the 2020-21 Budget for a fifth round of the BBRF.

Round Five which includes:

- \$100 million to support tourism related infrastructure projects which are focussed on mitigating the economic impact of the COVID 19 pandemic on a region's tourism industry; and
- The other \$100 million will support regional remote Australia more broadly, by funding general infrastructure projects and community investment projects.

Council has previously had funding through this fund for the Birchip Streetscapes, Roads of Strategic Importance and the Amenity Blocks at the Lakes.

#### Construction of Cabins at Caravan Parks and Lakes

The construction of new cabins at the Charlton Traveller's Rest; Donald and Wycheproof Caravan Parks; and Tchum, Wooroonook, Green and Watchem Lakes Caravan Parks; would provide further tourist accommodation, as well as potential short-term accommodation for seasonal employees.

A range of strategies have outlined suitable accommodation being a key gap for growth in tourism for the Buloke and broader Wimmera Mallee Region.

Buloke is well positioned to be a base for tourists to explore Lake Tyrrell, the Grampians, the Silo Art Trail and the Murray, as well the range of recreational lakes and other emerging tourism products within our Shire.

Our very popular and picturesque caravan parks located on the various rivers and lakes throughout the Shire, promote the opportunity and necessity to construct the cabins to encourage and cater for a more diverse section of the tourism market.

The erection of cabins would also address the issue of the identified lack of available short-term accommodation for seasonal workers across the Shire.

It is proposed the cabins will be designed to complement the natural landscape of the surrounding lakes and rivers of where they will be located.

These cabins are critical to bring to life the full potential of previous tourism investment into Lake Tyrrell, the Silo Art Trail, Charlton and Donald riverfronts and the ongoing development at recreational lakes.

The costing for this project is still being completed, however initial estimates to complete works to register the lakes and install cabins over the seven sites is approximately \$2,000,000.

#### Saleyards

In 2019, Council completed a Masterplan for the Wycheproof Saleyards, which outlined a range of infrastructure works required. The works proposed include:

- New ramps, races and gates;
- Roofing over the northern draft and scanner facilities (note roof doesn't cover entire facility); and
- Ram selling pens and drive through unloading area.

These works are costed at \$320,000 and this is a good opportunity to secure external funds to support this important upgrade.

#### **RELEVANT LAW**

Not applicable.

**RELATED COUNCIL DECISIONS**

This follows the Council decision to fund the Masterplan for the Saleyards in previous budgets and also fits within relevant strategies including the Economic Development and Tourism Strategy.

**OPTIONS**

Council can decide not to apply for these funds, or consider a smaller co-contribution.

**SUSTAINABILITY IMPLICATIONS**

Designs will be undertaken with environmental sustainability principles in place.

**COMMUNITY ENGAGEMENT**

Engagement has been undertaken (and is continuing to be undertaken) on both of these projects. If funding is successful, final siting and designs would be completed in consultation with community committees.

**INNOVATION AND CONTINUOUS IMPROVEMENT**

Both the saleyards and the caravan park projects will provide exciting and continued improvements to Council's wonderful assets and to its levels of service to the community and abroad.

**COLLABORATION**

Other Wimmera Councils are looking at alternative funding also for cabin style accommodation. In the event more than one Council is successful, joint procurement is an option.

**FINANCIAL VIABILITY**

This report considers the allocation of funding from the 2021/22 budget. Officers consider this to be available through reviewing the long term financial plan, and leveraging funding is a viable way to approach these important projects.

One of the key principles in applying for this funding is that the ongoing management (booking, cleaning, etc) of the cabins is conducted by the community.

Importantly, this investment may develop and help our caravan park businesses (managed by lease or community committee) to be more financially viable into the future and provide the opportunity for proprietors to reinvest funds back into the improvement of the parks.

**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

This project is identified in the Loddon Mallee Regional Economic Strategy and the Silo Art Gap Analysis.

**COUNCIL PLANS AND POLICIES**

This investment is in accordance with the:

- Council Plan 2017 - 2021;
- Economic Development and Tourism Strategy; and
- Community Plans 2030.

**TRANSPARENCY OF COUNCIL DECISIONS**

This report is to be considered in open Council.

**CONFLICTS OF INTEREST**

No officer involved in the development of this report has a conflict of interest.

## 8.3 FINANCIAL REPORTS

### 8.3.1 FINANCIAL PERFORMANCE REPORT AS AT 31 DECEMBER 2020

**Author's Title:** Manager Finance

**Department:** Corporate Services

**File No:** FM/19/01

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Deliver our service in a financially viable way

#### PURPOSE

To present to the Council the financial statements for the period ending 31 December 2020.

#### SUMMARY

The anticipated year-end surplus has been forecast down from the approved budget mostly due to confirmations of capital project timing.

The forecasted year-end surplus is \$8.757m which is less \$1.413m less than the approved budget adopted at the start of the financial year.

In accordance with the requirements under the *Local Government Act 2020* this report confirms that a revised 2020/21 Annual Budget is not required.

#### MOTION:

That Council receives and notes the Financial Performance Report for the month ending 31 December 2020.

**MOVED:** CR DAVID VIS

**SECONDED:** CR ALAN GETLEY

**CARRIED.**  
**(R899/21)**

- Attachments:**
- 1 Cashflow Forecast
  - 2 Cashflow Forecast Chart
  - 3 Balance Sheet
  - 4 Income Statement
  - 5 Cashflow Statement

#### DISCUSSION

The **Income Statement** provides a summary of the total income and total expenditure relating to Council's annual operations. Capital grant income is included in the calculation of the Council's total surplus/ (deficit) but is presented separately to distinguish operational activities. Capital grant income is specifically used to fund expenditure on Council assets which is reported on the balance sheet.

The reported deficit as at 31 October 2020 is \$1.011m. Excluding capital grant income of \$6.938m, the operating result is a deficit of \$7.948m. These results are better than anticipated at this stage of the year due to adjustments in the timing of annual expenditure between months in the financial year.

As highlighted in the Full Year Budget and Forecast columns, little variation is anticipated in operating income and expenditure following reforecasting in December. However, a reduction of \$1.533m capital income is anticipated from the confirmation of capital grant receipt timing which unfavourably impacts the overall anticipated year end result. Further confirmation of the Dec 18 Flood Event project and Streetscape projects is still in progress to be reported next month.

The **Balance Sheet** summarises the value of Assets (what Council owns) and our Liabilities (what Council owes), and the difference between assets and liabilities (Net Assets or Equity) reflects Council's net worth. Council's net worth as at this accounting period is \$284.220m.

The **Cashflow Statement** reflects actual results for the year to date (July–December) in line with statutory financial reporting.

At 31 December 2020, Council's Cash and Cash Equivalents were \$19.285m of which \$2.456m is grant funding received in advance (restricted cash).

The **Cashflow Forecast** is a projection of cashflow for the remainder of the year based on the cash balance as at 31 December 2020, the monthly budgets, specified timing parameters (such when BAS/super are due and quarterly rate receipts) and capital expenditure.

The **Cashflow Chart** visually depicts the cashflow forecast and the updated format is illustrated in a dual design, based on best practice reporting.

The bank balance is expected to remain positive throughout the 2020-21 financial year and adequate to cover predicted current liabilities.

The **Capital Works Program** has been held over whilst the timing of multi-year capital projects is being finalised.

#### **RELEVANT LAW**

This report is consistent with the requirements of the *Local Government Act 2020*.

#### **RELATED COUNCIL DECISIONS**

The Council adopted its Annual Budget 2020/21 on 1 July 2020. Variations identified at the July Council Meeting have been incorporated into the Council's current budget. Council's current budget will be used for financial report comparison for the remainder of the 2020/21 financial year.

#### **OPTIONS**

Not applicable.

#### **SUSTAINABILITY IMPLICATIONS**

Not applicable.

#### **COMMUNITY ENGAGEMENT**

Not applicable.

#### **INNOVATION AND CONTINUOUS IMPROVEMENT**

Not applicable.

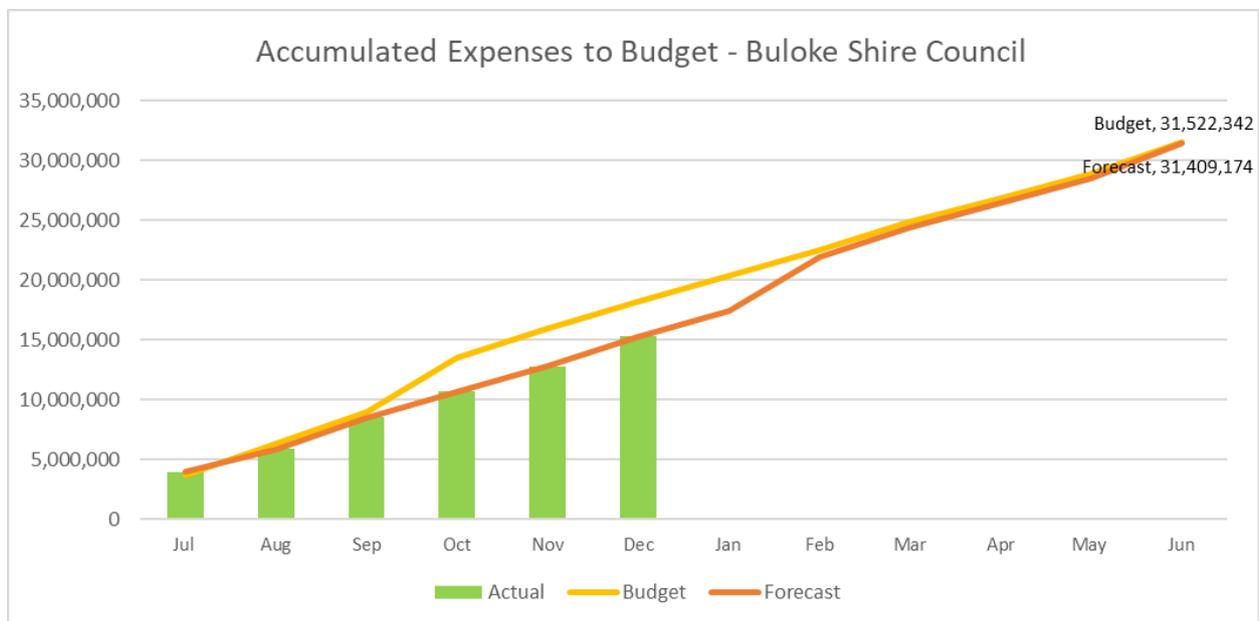
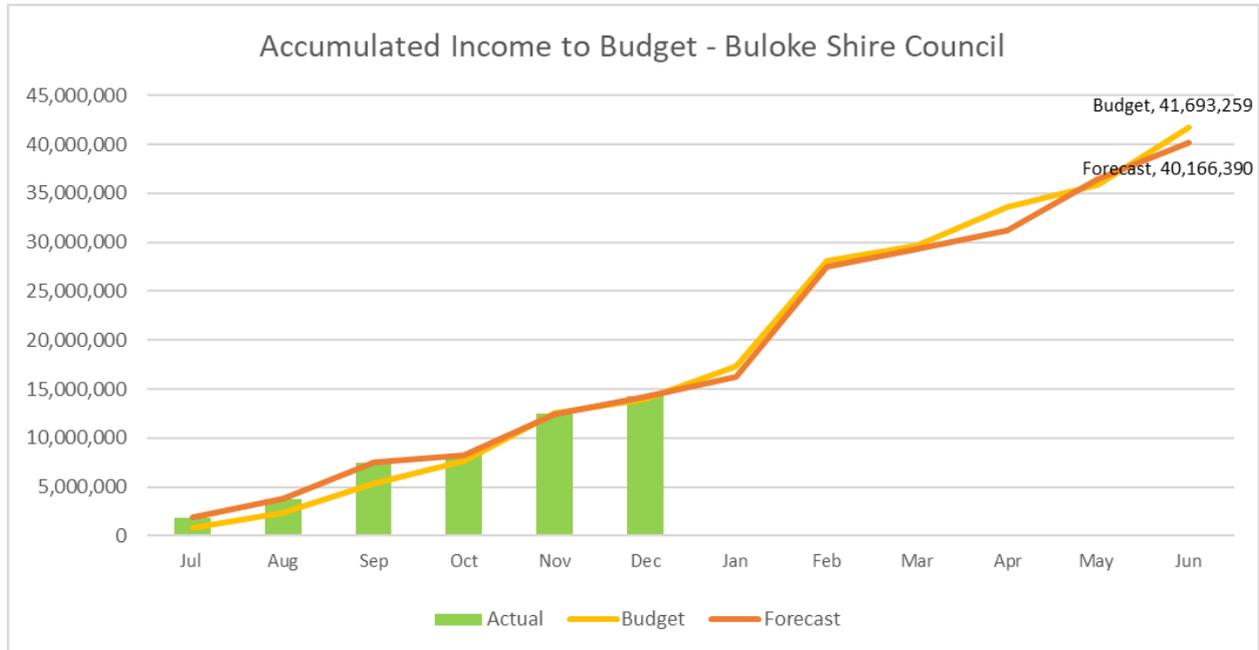
#### **COLLABORATION**

Not applicable.

**FINANCIAL VIABILITY**

The tables below provide an overview of Council’s financial performance against Approved budget income and expenses as at 31 December 2020. An analysis of Council’s financial position confirms that a revised 2020/21 Annual Budget is not required.

Following reforecasting completed during December, the year-end total income is predicted to be down due to less capital income on confirmation of funding projects. Total year-end Operating Expenditure is anticipated to remain on budget.



**REGIONAL, STATE AND NATIONAL PLANS AND POLICIES**

Not applicable.

**COUNCIL PLANS AND POLICIES**

Council adopted its Annual Budget 2020/21 in July 2020. The Buloke Shire Council Plan 2017-21 outlines Council’s commitment to providing clear and concise reporting on a monthly basis to Council meetings.

**TRANSPARENCY OF COUNCIL DECISIONS**

Financial reporting ensures the Council and the Buloke community are aware of financial implications of decisions and actions. Reporting Council's financial position allows the Council to monitor and respond to financial risk.

**CONFLICTS OF INTEREST**

No officer involved in the preparation of this report had a conflict of interest.

## 8.4 ORGANISATIONAL REPORTS

Nil

## 8.5 REPORTS FROM COUNCILLORS

### Cr David Pollard

10 December 2020	Traveller's Rest discussion Charlton Weir Management discussion Central Victorian Greenhouse Alliance Board Zoom Meeting
16 January 2021	Discussion on Internet of Things to learn how data collection could assist improving farming practice in Buloke
2 February 2021	Friends of Mt Wycheproof Meeting
3 February 2021	Council Finance Training
9 February 2021	WycheAlive Annual General Meeting & Meeting

### Cr Bronwyn Simpson

I had attended the Australia Day events at Nullawil and Nandaly.  
Made very welcome at Nandaly and also visited the new Lake Tyrrell infrastructure.

### Cr Daryl Warren (Mayor)

10 December 2020	ABC Radio Interview Workspace Meeting Bendigo
11 December	Friends of Mt Wycheproof Event Radio Broadcast from the Mount
14 December	LGA Implementation Briefing via Zoom Charlton College Awards via Zoom East Wimmera Health AGM via Zoom Donald Men's Shed Christmas Function
15 December	Koondrook Retreat Official Opening Donald Chamber Business Awards evening
16 December	Council Inductions/Briefing/ Mayors Christmas Dinner
18 December	Loddon Mallee Waste Group Meeting via Zoom
21 January 2021	Meeting with Mary Ann Thomas MP Meeting with Ali Cupper MP & Fiona Patten MLC
25 January	Buloke Shire Australia Day Eve Event Nullawil
26 January	Attendance at Wycheproof and Donald Australia Day events
3 February	Finance Training Works Wycheproof Councillor Briefing at Birchip
5 February	Meeting with Minister of Local Government via Zoom
10 February	Audit and Risk Meeting via Zoom Monthly Council Meeting via Zoom

## 8.6 MATTERS WHICH MAY EXCLUDE THE PUBLIC

### MOTION:

That pursuant to section 66(1) and (2)(a) of the *Local Government Act 2020* the meeting be closed to the public to consider the following reports that are considered to contain confidential information on the grounds provided in section 3(1) of the *Local Government Act 2020* as indicated:

- |       |   |   |
|-------|---|---|
| 8.6.1 | AUDIT AND RISK COMMITTEE MEETING MINUTES 2 DECEMBER 2020  | (g(ii)) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage |
| 8.6.2 | CONTRACT C80 2020-2021 - SUPPLY AND DELIVERY OF ONE (1) NEW TIPPING TRUCK AND QUAD DOG TRAILER    | (g(ii)) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage |
| 8.6.3 | CONTRACT C81 2020-2021 - SUPPLY AND DELIVERY OF ONE (1) NEW MOTOR GRADER                          | (g(ii)) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage |
| 8.6.4 | CONTRACT C91 2020-2021 - ROADS TO REHABILITATION 2021/21 - PAVEMENT REHABILITATION WORKS          | (g(ii)) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage |
| 8.6.5 | CONTRACT C88 2020-2021 - DONALD URBAN ROAD REHABILITATION - INDUSTRY DRIVE AND TOWER ROAD, DONALD | (g(ii)) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage |

**MOVED: CR DAVID POLLARD**

**SECONDED: CR BRONWYN SIMPSON**

**CARRIED.  
(R900/21)**

### MOTION:

That Council reopens the meeting to the public pursuant to section 66(1) and (2)(a) of the *Local Government Act 2020*.

**MOVED: CR DAVID VIS**

**SECONDED: CR DAVID POLLARD**

**CARRIED.  
(R906/21)**

**9. OTHER BUSINESS**

**9.1 NOTICES OF MOTION**

Nil

**9.2 QUESTIONS FROM COUNCILLORS**

Nil

**9.3 URGENT BUSINESS**

Nil

**9.4 ANY OTHER BUSINESS**

Nil

**10. MEETING CLOSE**

Meeting closed at 8.26pm.