



# **ORDINARY COUNCIL MEETING**

## **MINUTES**

**Wednesday 10 April 2019**

**Commencing at 7.00pm**

**Wycheproof Supper Room**

**367 Broadway, Wycheproof**

**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, 13 March 2019.

**MOVED: CR DARYL WARREN**

**SECONDED: CR ELLEN WHITE**

**CARRIED.  
(R516/19)**

**4. REQUESTS FOR LEAVE OF ABSENCE**

Nil.

**5. DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST**

There were no declarations of interest.

**6. QUESTIONS FROM THE PUBLIC**

NIL 5

**7. PROCEDURAL ITEMS**

7.1	REPORT OF ASSEMBLY OF COUNCILLORS MEETINGS	6
7.2	LETTERS OF CONGRATULATIONS AND RECOGNITION OF ACHIEVEMENT/AWARDS	7
7.3	CORRESPONDENCE INITIATED BY COUNCIL	8
7.4	PLANNING APPLICATIONS RECEIVED - MONTHLY UPDATE	10
7.5	BUILDING PERMITS - MONTHLY UPDATE	11
7.6	CHARLTON PARK COMMITTEE OF MANAGEMENT	12

**8. GENERAL BUSINESS**

**8.1 POLICY REPORTS 14**

NIL 14

**8.2 MANAGEMENT REPORTS 15**

8.2.1 COMMUNITY GRANTS AND SPONSORSHIPS 15

8.2.2 ECONOMIC DEVELOPMENT FUNDING 17

8.2.3 PLANNING PERMIT APPLICATION 779/19 CONSTRUCT AND DISPLAY A MAJOR PROMOTION SIGN 20

8.2.4 COMMUNITY LOCAL LAW 31

8.2.5 APPLICATION FOR PERMIT TO KEEP EXCESS NUMBER OF DOGS AT 7926 ROBINVALE - SEA LAKE ROAD, TYRRELL DOWNS 34

8.2.6 FORMER SEA LAKE SHIRE OFFICE LICENCE 36

8.2.7 PROPOSED TRANSFER OF COUNCIL LAND 38

8.2.8 MALLEE REGIONAL ECONOMIC GROWTH STRATEGY 40

8.2.9 ANNUAL PLAN UPDATE 42

8.2.10 RURAL COUNCILS TRANSFORMATION PROGRAM 44

<b>8.3</b>	<b>FINANCIAL REPORTS</b>	<b>47</b>
8.3.1	FINANCIAL PERFORMANCE AS AT 28 FEBRUARY 2019	47
8.3.2	DRAFT AUDIT COMMITTEE MEETING MINUTES 6 FEB 2019	50
<b>8.4</b>	<b>ORGANISATIONAL REPORTS</b>	<b>52</b>
8.4.1	BULOKE SHIRE COUNCIL CUSTOMER SERVICE CHARTER	52
8.4.2	DRAFT REVENUE AND RATING STRATEGY AND POLICY	54
<b>8.5</b>	<b>REPORTS FROM COUNCILLORS</b>	<b>57</b>
<b>9.</b>	<b>OTHER BUSINESS</b>	
<b>9.1</b>	<b>NOTICES OF MOTION</b>	<b>59</b>
9.1.1	MAV ACTION PLAN RECYCLING	59
<b>9.2</b>	<b>QUESTIONS FROM COUNCILLORS</b>	<b>61</b>
	NIL	61
<b>9.3</b>	<b>URGENT BUSINESS</b>	<b>61</b>
	NIL	61
<b>9.4</b>	<b>ANY OTHER BUSINESS</b>	<b>61</b>
	NIL	61
<b>9.5</b>	<b>MATTERS WHICH MAY EXCLUDE THE PUBLIC</b>	<b>61</b>
	NIL	61
<b>10.</b>	<b>MEETING CLOSE</b>	

## **NEXT MEETING**

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN WYCHEPROOF SUPPER ROOM, , 367 BROADWAY, WYCHEPROOF ON WEDNESDAY, 8 MAY 2019 AT 7.00PM.

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

**6. QUESTIONS FROM THE PUBLIC**

Nil.

## 7. PROCEDURAL ITEMS

### 7.1 REPORT OF ASSEMBLY OF COUNCILLORS MEETINGS

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

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

**Attachments:**

- 1 [⇒](#)Councillor Briefing Record - 6 March 2019
- 2 [⇒](#)Councillor Briefing Record - 20 March 2019
- 3 [⇒](#)Councillor Assembly Record - 26 March 2019

#### **MOTION:**

That the Council note the report of Assembly of Councillor Meetings held on 6, 20 and 26 March 2019.

**MOVED: CR DARYL WARREN**

**SECONDED: CR GRAEME MILNE**

**CARRIED.**

**(R517/19)**

#### **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.

An Assembly of Councillors Meeting is defined in the Act as 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 6, 20 and 26 March 2019 is attached.

## 7.2 LETTERS OF CONGRATULATIONS AND RECOGNITION OF ACHIEVEMENT/AWARDS

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

**File No:** CR/13/01

**Attachments:** Nil

### **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 DAVID VIS**

**CARRIED.**

**(R518/19)**

### 1. Executive Summary

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.

### 2. Recognition of Achievement Items

Provider	Recipient	Date	Purpose for Recognition
National Gallery of Victoria	Max Milne		For two Yr 12 Art Pieces being selected to exhibit in the Top Arts Exhibition, National gallery of Victoria
Longerenong College	Stuart Amos Sea Lake		Successfully graduated at the Longerenong College with a Certificate 1V in Agriculture/Agricultural Apprenticeship  Stuart was also awarded the Dux of the Certificate 1V Agriculture Course
Longerenong College	Zachary Cumming Donald		Successfully graduated at the Longerenong College with a Certificate 1V in Agriculture/Agricultural Apprenticeship
Longerenong College	Harrison Fawcett Wycheproof		Successfully graduated at the Longerenong College with a Certificate 1V in Agriculture  Stuart was also awarded the Dux of the Certificate 1V Agriculture Course

### 7.3 CORRESPONDENCE INITIATED BY COUNCIL

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

**File No:** GO/06/09

**Attachments:** Nil

**MOTION:**

That Council notes the record of correspondence sent and responses received.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR DAVID VIS**

**CARRIED.**

**(R519/19)**

**Table of correspondence**

Council Initiative	Correspondence sent to	Date sent	Date of Response	Summary of response
Opposition of Dual Gauge between Ballarat and Maryborough – Murray Basin Rail Project	Minister Allan Minister for Public Transport and Major Projects.	11 October 2018.		
Buloke communities are situated further north of Maryborough, and Council is of the position that the dual gauging of that track will impede existing freight services and also limit the extension of passenger rail.	Letter forwarded to new Minister for Ports and Freight, Melissa Horne.	18 December 2018.	6 March 2019	Minister Horne states the Murray Basin (MBRP) and Freight Passenger (FPRP) Rail Projects are critical for our freight industry and communities in Victoria's North West.  Stating the FP will allow both freight and passenger services to operate between Maryborough and Ararat, and pave the way for more services for Maryborough.  These works to provide faster/more reliable freight paths from Murray Basin region to central Ballarat.  Providing background to the current and future works and timelines and the expected outcomes and benefits.

Council Initiative	Correspondence sent to	Date sent	Date of Response	Summary of response
Proposed upgrades at the Calder Highway/Bailey Road intersection at Lake Tyrell	Minister for Roads, Road Safety and the TAC – Hon Jaala Pulford MP	14 January 2019	21 March 2019	Thanking Council for its letter. Stating Labor Govt has invested \$2.3 m to upgrade facilities at Lake Tyrell. RRV have advised her significant preliminary work for intersection has already begun, in partnership with Council. Any improvement proposals for intersection will be considered for funding in a future program. In meantime, VicRoads to continue to monitor this location.

## 7.4 PLANNING APPLICATIONS RECEIVED - MONTHLY UPDATE

**Author's Title:** Planning Officer

**Department:** Works and Technical Services

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

**Attachments:** Nil

### 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 ELLEN WHITE**

**SECONDED: CR GRAEME MILNE**

**CARRIED.**

**(R520/19)**

### 1. Executive Summary

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

### 2. List of Planning Applications

Application No	Applicant	Address	Date Rec	Summary of Proposal	Status
PPA779/19	Wes Randerson (Total Outdoor Media)	166-186 High Street, Charlton	29/01/2019	Construct and display a major promotion sign	Objections
PPA782/19	Rohan Fry	56-58 Racecourse Road, Donald	23/01/2019	Use and development of land for a biscuit factory	Further Info Requested
PPA783/19	Nick Pearse	Sunraysia Highway, Donald	08/02/2019	Use of land for a Car wash	Reporting
PPA784/19	North Vic Engineering	11-17 Cumming Avenue, Birchip	11/02/2019	Construction of open sided storage shed	Reporting
PPA786/19	Dean Rickard	18 Johnson Street, Birchip	05/03/2019	Use and development of land for a store	Reporting

## 7.5 BUILDING PERMITS - MONTHLY UPDATE

**Author's Title:** Compliance Administration Officer

**Department:** Works and Technical Services

**File No:** aaa

**Attachments:** Nil

### MOTION:

That the Council note information contained in the report on Building Permits approved by staff from 1 March 2019 to 31 March 2019.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR DAVID VIS**

**CARRIED.**

**(R521/19)**

### 1. Executive Summary

This report provides information on Building Permits approved by staff from 1 March 2019 to 31 March 2019.

### 2. List of Building Permits Approved by Council Surveyor

Permit No.	Address	Project Description	Date Approved
20190013	31 Houston Street, DONALD	New Building: Shed	14/03/2019
20190014	442 Broadway, WYCHEPROOF	Other: Storage Container	14/03/2019
20190015	20 Woods Street, DONALD	New Building: Shade Structure	14/03/2019

### 3. List of Building Permits Approved by Private Surveyor

Permit No.	Address	Project Description	Date Approved
Nil.			

## 7.6 CHARLTON PARK COMMITTEE OF MANAGEMENT

**Author's Title:** Governance Officer

**Department:** Corporate Services

**File No:** ED/05/15

**Attachments:** 1 [⇒ Charlton Park Committee of Management Minutes- 4 Feb 2019](#)

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

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

#### **MOTION:**

That Council notes the Minutes of the Ordinary Meeting of the Charlton Park Committee of Management for 4 February 2019.

**MOVED: CR DARYL WARREN**

**SECONDED: CR DAVID POLLARD**

**CARRIED.  
(R522/19)**

#### **1. Executive Summary**

Charlton Park Committee of Management is a Special Committee of Council under section 86 of the *Local Government Act 1989*. The minutes of meetings held by this Committee should be noted by Council.

#### **2. Discussion**

Charlton Park Committee of Management held an Ordinary Meeting on 4 February 2019. The meeting minutes have been attached to this report.

#### **3. Financial Implications**

Council is required to report on financial reports of Special Committees of Council.

#### **4. Cost Shift Considerations**

There are no cost shift considerations.

#### **5. Community Consultation**

No community consultation is necessary for the purposes of this report.

#### **6. Internal Consultation**

Senior Management has been consulted in preparation of this report.

#### **7. Legislative / Policy Implications**

Council's noting of the meeting minutes of Special Committees meets the requirements under the *Local Government Act 1989*.

#### **8. Environmental Sustainability**

There are no environmental sustainability matters arising from this Report.

**9. Conflict of Interest Considerations**

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

**10. Conclusion**

It is recommended Council notes the minutes of the Ordinary Meetings of Charlton Park Committee of Management held on 4 February 2019.

**8. GENERAL BUSINESS**

**8.1 POLICY REPORTS**

Nil

## 8.2 MANAGEMENT REPORTS

### 8.2.1 COMMUNITY GRANTS AND SPONSORSHIPS

**Author's Title:** Community Development Officer

**Department:** Community Development

**File No:** GS/09/42

**Attachments:** 1 [☞](#)Community Grants and Sponsorships to Council

**Relevance to Council Plan 2017 - 2021**

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

#### **MOTION:**

That Council:

1. Allocates \$2500 to the Donald Scout Hall Committee of Management for solar panels from the Sustainability fund;
2. Allocates \$5675 to the Tchum Lake Aquatic Club Inc for solar panels from the Sustainability fund;
3. Allocates \$200 of community funds for the North West Croquet Association Inc.;
4. Not support the application for funding from OK Motels; and
5. Not support the Charlton 2020 application for sustainability funds.

**MOVED: CR GRAEME MILNE**

**SECONDED: CR ELLEN WHITE**

**CARRIED.**

**(R523/19)**

#### 1. Executive Summary

The purpose of this report is to allow Council to consider the above regarding the distribution of funds from the Community Grants, Sustainability Grants and Sponsorship Program to the projects listed above.

#### 2. Discussion

Significantly more applications are being received for community grants and sponsorships. The Community Grant fund has \$600 remaining in reserve prior to this round. The Sustainability fund still has approximately \$25,000 left out of \$50,000.

**Donald Scout Hall** solar panels will contribute to containing the Donald community carbon footprint and save the group money in power bills.

**Tchum Lake** solar panels will contribute to containing the Birchip community carbon footprint save the group money on their power bills.

**North West Croquet Association** would like support for their event. While the event is in Swan Hill, Charlton Croquet Club is the *host* of the event. The event brings together six regional clubs and it is hoped many will visit, stay and spend in Buloke Shire

**OK Motels** has sought a Community Grant for \$5000.00 with the aim of bringing entertainment acts to country venues, in this instance Charlton. This application appears to be a commercial for profit event and also exceeds the maximum amount that can be applied for under the current guidelines.

**Charlton 2020** Sustainability Grant application for \$16,950.00 was not supported despite the good aims of the plan. Council has supported the building of the facility to the amount of \$500,000. The evaluation panel also concluded that the application did not meet the funding criteria by not meeting the matching requirements.

### **3. Financial Implications**

This brings the allocation under the community grants scheme for the 2018-19 financial year to \$19,600 out of a total of \$20,000. The sustainability fund contributions (including the above) totals \$24,950 out of \$50,000 available for 2018-19.

### **4. Cost Shift Considerations**

There are no cost shift implications associated with this report.

### **5. Community Consultation**

Discussions have taken place with some applicants.

### **6. Internal Consultation**

Council officers have reviewed all documentation in line with the criteria associated community and sustainability grants and provided the recommendations accordingly.

### **7. Legislative / Policy Implications**

The community grants and sponsorship program has been developed in response to the Local Government Investigations and Compliance Inspectorate guidelines

### **8. Environmental Sustainability**

Environmental sustainability factors are a key consideration in the evaluation.

### **9. Conflict of Interest Considerations**

In regards to the Charlton Park 2020 project, Paul Fernee declared an indirect conflict of interest as the project manager for the construction work and removed himself from the consideration of this grant application.

### **10. Conclusion**

It is recommended that Council consider providing funding allocations to the Donald Scout Hall Committee of Management Inc., the Tchum Lake Aquatic Club Inc and the North West Croquet Association Inc.

## 8.2.2 ECONOMIC DEVELOPMENT FUNDING

**Author's Title:** Economic Development & Tourism Lead

**Department:** Community Development

**File No:** ED/08/09

**Attachments:** Nil

**Relevance to Council Plan 2017 - 2021**

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

### MOTION:

That Council:

1. Endorse an application under the Regional Jobs and Infrastructure Fund's Stronger Regional Community Plan (SRCP) Program for \$45,000 and consider the contribution of \$15,000 in matched funds in the budget process; and
2. Endorse an application under the Regional Jobs and Infrastructure Fund's Stronger Regional Community Plan (SRCP) Program for \$37,500 and consider the contribution of \$12,500 in matched funds.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR GRAEME MILNE**

**CARRIED.  
(R524/19)**

### 1. Executive Summary

This report is presented to Council to consider endorsing two applications under the Victorian Government's Stronger Regional Community Plan (SRCP) program, and contributing matched funds to both projects:

#### Building the Buloke Brand Project

- Application for \$45,000 funding
- Council matched funds to the value of \$15,000

#### Buloke Industry, Products & Services Gap Analysis

- Application for \$37,500 funding
- Council matched funds to the value of \$12,500

### 2. Discussion

The Stronger Regional Communities Plan (SRCP) aims to support rural and regional towns in attracting families and young people to live and work. It will do so by investing in community-led initiatives and partnerships that create or enhance the conditions for economic growth and build resilient, diversified and sustainable economies.

Under projects geared towards Population Attraction in the funding guidelines, rural councils can apply for projects requiring up to \$50,000.

Based on actions outlined in the Economic Development & Tourism Strategy 2018-2021 and the criteria for applying for funding, both the 'Building the Buloke Brand' project and the 'Buloke Industry, Product and Service Gap Analysis' have been selected.

#### Building the Buloke Brand Project

This projects aim to attract new residents and investment to the Buloke Shire by:

- Developing a regional Buloke tourism brand, and
- Increasing awareness of Buloke as a region.
- Developing a marketing plan and media campaign to attract new residents and investment to the Buloke Shire

#### Building Industry, Product & Service Gap Analysis

This projects aim to attract investment to the Buloke Shire by:

- Identifying evidence-based opportunities for targeted investment attraction in the Buloke Shire, and
- Developing an investment attraction plan for the Buloke Shire.

### **3. Financial Implications**

The projects require matching on a \$3:\$1 basis, which would require a cash contribution of:

- \$15,000 for the Building the Buloke Brand project, and
- \$12,500 for the Buloke Industry, Product & Services Gap Analysis project.

The total contribution would be \$27,500.

### **4. Cost Shift Considerations**

There are no cost shift implications associated in this report.

### **5. Community Consultation**

Extensive community consultation was undertaken in the preparation of the Economic Development & Tourism Strategy 2018-2021 which identifies this project as an action in the implementation of the strategy.

### **6. Internal Consultation**

Staff from the Community Development department and Senior Leadership Team have discussed this project.

## **7. Legislative / Policy Implications**

The 'Building the Buloke Brand' project aligns with Strategy 7 'Tourism Experience Development'.

The 'Buloke Industry, Product and Service Gap Analysis' project aligns with Strategy 2 'Build community capacity to facilitate economic development and tourism'.

These two projects are both identified as actions in the Economic Development and Tourism Strategy 2018-2021.

## **8. Environmental Sustainability**

There are no environmental sustainability considerations in this report.

## **9. Conflict of Interest Considerations**

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

## **10. Conclusion**

It is recommended that Council:

1. Endorse an application under the Regional Jobs and Infrastructure Fund's Stronger Regional Community Plan (SRCP) Program for \$45,000 and contribute \$15,000 in matched funds; and
2. Endorse an application under the Regional Jobs and Infrastructure Fund's Stronger Regional Community Plan (SRCP) Program for \$37,500 and contribute \$12,500 in matched funds.

### **8.2.3 PLANNING PERMIT APPLICATION 779/19 CONSTRUCT AND DISPLAY A MAJOR PROMOTION SIGN**

**Author's Title:** Planning Officer

**Department:** Works and Technical Services

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

**Attachments:** 1 [⇒](#) Planning Permit Application 779/19 - Major Promotional Sign - High St Charlton

**Relevance to Council Plan 2017 - 2021**

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

#### **PRESENTATION BY MEMBER OF THE PUBLIC – Robin McRae**

Spokesperson for 'beautify Charlton' community group.

Group do not agree with the planning permit, with a view the sign should outside the township. Beautify Charlton 3 stage program undertaken in collaboration with the Shire. The first stage includes the eastern entrance to Charlton, and the community believe the sign will have a detrimental effect on the township.

Urge Councillors to vote unanimously to reject the permit.

#### **MOTION:**

That Council consider the planning permit application 779/19 and determine to issue a Notice of Decision to Refuse a Planning Permit for the display of a major promotion sign at Lot 1 on PS45146, known as 166-168 High Street, Charlton on the following grounds:

1. The proposed sign is excessive in scale and is inappropriate at this entry point into the Charlton township;
2. The proposed sign is incompatible with the amenity and visual appearance of the area; and
3. The proposed sign does not complement or enhance the character of the area.

**MOVED: CR DAVID POLLARD**

**SECONDED: CR GRAEME MILNE**

**CARRIED.**

**(R525/19)**

#### **1. Executive Summary**

An application for a planning permit was received by Council on the 25<sup>th</sup> January 2019 for the construction and display of a major promotion sign at 166-186 High Street Charlton.

## 2. Discussion

### ***Site and Surrounds***

The application is for the property 166-186 High Street Charlton (Lot 1 LP45146). The property is 8037m<sup>2</sup>, flat and level. The property is used for a service station and truck parking area. The service station supplies eat-in and takeaway food, as well as being a popular fuel supply stop for trucks, tourists and locals. The land is zoned Commercial 2 Zone (C2Z) and a Land Subject to Inundation Overlay (LSIO) applies.

The eastern boundary of the property adjoins the Back St Arnaud Road, further east the land across the Back St Arnaud Road is zoned Farming Zone (FZ) and contains a residence. Adjoining the southern boundary is a vacant block with a carport present, this land is zoned Township Zone (TZ). The northern boundary adjoins the Calder Highway (High Street). Part of the land opposite the subject site to the north contains an agricultural supplies business, this property is zoned C2Z. The other part of the land opposite the subject site is zoned TZ. The western boundary adjoins the Charlton Motel, this land is zoned C2Z.

The land is located at the entrance to the township when travelling from the east on the Calder and from the north when approaching from Boort. The property is at the eastern edge of the town and this area is a mixed use area. Commercial use and Residential uses exist in the area with both commercial and residential zones in the immediate proximity. On the southern side of the Calder Highway the entrance to the town is characterised by single storey buildings of a commercial nature that are not densely spaced. The buildings are set back from the road and significant vegetation is present. On the northern side of the highway there exists a single storey commercial building, vacant residential land and single storey dwellings. Current business identification signage is of a relatively modest nature that is proportional to the buildings and identifies the businesses set out spaciouly along the road. A smaller 'town information' sign is also present.

### ***Proposal***

The proposal is to erect and display a major promotion sign on and parallel to, the western boundary of the subject land, close to the Calder Highway. The advertising panel is proposed to be 12.66 metres wide and 3.35 metres high giving a display area of 42.21m<sup>2</sup>. The structure is to be mounted on three steel columns elevating the bottom edge of the sign to three metres above the natural ground level and the overall height of the structure is to be 7 metres. The advertising panel is to be illuminated by four 400-watt flood lights affixed to the top of the structure. The sign will display static imagery and will be changed from time to time at the discretion of Total Outdoor Media (the applicant).

### ***Planning Scheme Provisions***

A planning permit is required at Clause 52.05-11 – Category 1- Commercial areas. The sign does not meet the criteria of Section 1 – Permit not required, and therefore becomes Section 2 – Permit required.

The purpose of Clause 52.05 Signs is:

- To regulate the development of land for signs and associated structures.
- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

The purpose of Clause 52.05-11 Category 1 – Commercial areas is

- To provide for identification and promotion signs that add vitality and colour to commercial areas.

### *Planning Policy Framework*

#### Clause 11 – Settlement

This clause outlines that planning is to recognise the need for, and as far as practicable contribute towards achieving a number of key principles, including achieving a high standard of urban design and amenity.

#### Clause 15.01-1S Urban design

This clause has the objective to assist in creating urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity by;

- requiring development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.
- by ensuring that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.
- promoting good urban design along transport corridors.

#### Clause 15.01-5S Neighbourhood character

The objective of this clause is to recognise, support and protect neighbourhood character, cultural identity, and sense of place by;

- Ensure development responds to cultural identity and contributes to existing neighbourhood character.
- Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the built form that reflects community identity.

#### Clause 15.01-6 Design for rural areas

The objective of this clause is to ensure development respects valued areas of rural character by;

- Ensuring that the siting, scale and appearance of development protects and enhances rural character.
- Protecting the visual amenity of character areas along township approaches by ensuring new development is sympathetically located.

#### Clause 18.01-2S Transport system

This clause includes strategy to regulate new development of land near an existing transport route to avoid detriment to and where possible enhance, the service, safety and amenity desirable for that transport route in the short and long terms

#### Clause 18.02-1S Sustainable personal transport

This clause has the objective of promoting the use of sustainable personal transport by encouraging the use of walking and cycling by creating environments that are safe and attractive.

Clause 18.02-3S Road system

This clause includes strategy to regulate the design of transport routes and nearby areas to achieve visual standards appropriate to the importance of the route with particular reference to landscaping and the control of outdoor advertising.

*Local Planning Policy Framework*

## Municipal Strategic Statement

Clause 21.01-1 Snapshot of Buloke Shire

This clause recognises one of the features of the Buloke Shire's (and the region's) towns is the way in which sympathetic rural, urban commercial and industrial land uses are interspersed. While the main towns do have distinct commercial and industrial areas, historic patterns of development have created urban areas with mixed land uses.

Clause 21.01-2 Key influences

One of the key influences in relation to the municipality is the viability, character and heritage of existing rural townships.

Clause 21.01-3 Key issues

One of the key issues recognised in this clause is the importance of enhancing the viability of townships by encouraging appropriate development and maintaining and / or improving urban character, amenity and services.

Clause 21.02-2 Townships

Objective 1 is to provide high quality, attractive, functional and efficient townships by;

- Considering local heritage values, built character and streetscape of towns when designing and siting development.
- Requiring that the design of new buildings and works in addition to existing buildings must be in keeping with the streetscape character and built form of the area.
- Recognising that the design of buildings, their mass and scale is important in preserving the historical attributes and visual character of towns.
- Consider the presentation of town entrances and streetscapes and their capacity to attract tourism, encourage development and demonstrate civic pride in determining applications for land use and development.

*Particular Provisions*Clause 52.05 Signs

The purpose of this clause includes:

- To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Clause 52.05-8 includes extensive decision guideline specific to the assessment of application

for signs. These include:

- The character of the area
- Impacts on views and vistas
- The relationship to the streetscape, setting or landscape
- The relationship to the site and buildings
- The impact of any structure associated with the sign
- The impact of any illumination
- The impact on road safety

In addition to these decision guidelines, further decision guide lines relating to major promotion signs apply. These include the effect of the major promotion sign on:

- Significant streetscapes, buildings and skylines
- The visual appearance of a significant view corridor, view line, gateway location or landmark site identified in a framework plan or local policy
- Residential areas and heritage places

When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:

- Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
- Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
- Major promotion signs are discouraged within open space reserves or corridors and around waterways.
- Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant view lines.
- In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.

#### Clause 65 Decision guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

- To regulate the development of land for signs and associated structures.
- To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.

- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

The purpose of Clause 52.05-11 Category 1 – Commercial areas is

- To provide for identification and promotion signs that add vitality and colour to commercial areas.

### *Planning Policy Framework*

#### Clause 11 – Settlement

This clause outlines that planning is to recognise the need for, and as far as practicable contribute towards achieving a number of key principles, including achieving a high standard of urban design and amenity.

#### Clause 15.01-1S Urban design

This clause has the objective to assist in creating urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity by;

- requiring development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.
- by ensuring that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.
- promoting good urban design along transport corridors.

#### Clause 15.01-5S Neighbourhood character

The objective of this clause is to recognise, support and protect neighbourhood character, cultural identity, and sense of place by;

- Ensure development responds to cultural identity and contributes to existing neighbourhood character.
- Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the built form that reflects community identity.

#### Clause 15.01-6 Design for rural areas

The objective of this clause is to ensure development respects valued areas of rural character by;

- Ensuring that the siting, scale and appearance of development protects and enhances rural character.
- Protecting the visual amenity of character areas along township approaches by ensuring new development is sympathetically located.

#### Clause 18.01-2S Transport system

This clause includes strategy to regulate new development of land near an existing transport route to avoid detriment to and where possible enhance, the service, safety and amenity desirable for that transport route in the short and long terms

Clause 18.02-1S Sustainable personal transport

This clause has the objective of promoting the use of sustainable personal transport by encouraging the use of walking and cycling by creating environments that are safe and attractive.

Clause 18.02-3S Road system

This clause includes strategy to regulate the design of transport routes and nearby areas to achieve visual standards appropriate to the importance of the route with particular reference to landscaping and the control of outdoor advertising.

*Local Planning Policy Framework*

## Municipal Strategic Statement

Clause 21.01-1 Snapshot of Buloke Shire

This clause recognises one of the features of the Buloke Shire's (and the region's) towns is the way in which sympathetic rural, urban commercial and industrial land uses are interspersed. While the main towns do have distinct commercial and industrial areas, historic patterns of development have created urban areas with mixed land uses.

Clause 21.01-2 Key influences

One of the key influences in relation to the municipality is the viability, character and heritage of existing rural townships.

Clause 21.01-3 Key issues

One of the key issues recognised in this clause is the importance of enhancing the viability of townships by encouraging appropriate development and maintaining and / or improving urban character, amenity and services.

Clause 21.02-2 Townships

Objective 1 is to provide high quality, attractive, functional and efficient townships by;

- Considering local heritage values, built character and streetscape of towns when designing and siting development.
- Requiring that the design of new buildings and works in addition to existing buildings must be in keeping with the streetscape character and built form of the area.
- Recognising that the design of buildings, their mass and scale is important in preserving the historical attributes and visual character of towns.
- Consider the presentation of town entrances and streetscapes and their capacity to attract tourism, encourage development and demonstrate civic pride in determining applications for land use and development.

*Particular Provisions*Clause 52.05 Signs

The purpose of this clause includes:

- To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

### ***Assessment of application***

There are a number of state planning policies that emphasise the need for quality urban design, the need for minimising detrimental impacts on amenity, particularly along transport corridors. State planning policy also aims to protect and support neighbourhood character and recognises in 'design for rural areas' policy the need to ensure that the siting, scale and appearance of development protects and enhances rural character. The design for rural areas policy specifically highlights protecting the visual amenity of character areas along township approaches by ensuring new development is sympathetically located. Road system state policy highlights the importance of considering the design of transport routes and nearby areas to achieve visual standards appropriate to the importance of the route with particular reference to landscaping and the control of outdoor advertising.

One of the focal points of local planning policy is the distinct character of the Shire's rural townships. The townships policy emphasises requiring that new building and works must be in keeping with the streetscape character and built form of the area the built character and streetscape of towns, their mass and scale is important in preserving the visual character of towns. The township policy specifically mentions the presentation of town entrances and streetscapes and their capacity to attract tourism, encourage development and demonstrate civic pride in determining applications for land use and development.

It is acknowledged that the Commercial 2 Zone is one of the least restrictive for signs, but signs must still be established in a manner that respects the township character and scale of the surrounds. The proposed site is part of the town entrance to Charlton. The town entrance character at this location consists of low rise, single storey commercial buildings, set back from the highway, low density spacing and generous vegetation, leading into residential buildings. The proposed major promotion sign will not enhance the approach and entry to Charlton. The intended location is not comparable to the context that may be found in a highway approach to a regional city where the outskirts of town may have larger scale 'big box' stores and other large scale developments. The size and scale of the proposed sign will dominate the location, is excessive in scale to the surroundings and has no regards to the existing character that is currently providing a welcoming entrance to Charlton.

### **Clause 52.05 Signs assessment**

Decision guidelines relevant to this proposal:

The character of the area including:

- The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
- The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
- The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
- The consistency with any identifiable outdoor advertising theme in the area.

*The proposed sign is not compatible with the existing character of the area, it is not aligned with the character of signs along the route in rural area, and is not consistent with the current outdoor advertising in the area.*

Impacts on views and vistas including:

- The potential to dominate the skyline.

*The sign has the potential to dominate the skyline in the immediate area*

The relationship to the streetscape, setting or landscape including:

- The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
- The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
- The ability to screen unsightly built or other elements.

*As discussed in this report the proposed sign is not in proportion or scale to the signs setting. The sign will protrude above the nearest building. The sign will not screen unsightly elements, but will block the view to established vegetation and trees*

The impact on road safety. A sign is a safety hazard if the sign:

- Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.

*There are a large number of trucks entering the Calder highway from the service station at this location. However, we believe that the sign does not pose an obstruction to a driver's line of sight.*

#### Clause 52.05-6 Major Promotion Sign

In addition to the basic purpose and decision guidelines of *Clause 52.05 Advertising Signs* which are applicable to all signage, at *Clause 52.05-6 Major Promotion Sign* the policy includes additional objectives and decision guidelines which are specific to the high impact nature of Major Promotion Signs. The proposed sign is a major promotion sign because of its size.

The effects of the proposed major promotion sign on:

- Significant streetscapes, buildings and skylines
- The visual appearance of a significant view corridor, view line, gateway location or landmark site identified in a framework plan or local policy

*The intended location is a significant street scape and gateway location as it is located at the main entrance to Charlton. The proposed sign has the potential to visually dominate the entrance to town.*

When determining the effect of a proposed major promotion sign, specified locational principles must be taken into account, including:

- Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.

*This is a commercial zoned area, but the sign does not complement or enhance the area*

- Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant view lines.

*It is acknowledged there are no residential buildings immediately opposite. But the land immediately opposite the intended location is zoned Township Zone indicating the intended use of the area.*

- In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.

*The proposed major promotion sign will be a dominant element in the streetscape*

### **Referrals**

The application was referred to Vicroads. Vicroads did not object to the application but supplied nine conditions to be included on the permit if the Council regarded the proposal favourably.

The application was referred internally to the building surveyor department. The building surveyor replied that the proposed sign would require a building permit.

### **3. Financial Implications**

The applicant may appeal the Notice to Refuse to VCAT. There may be cost associated with this appeal. There may be legal costs if Council seeks legal advice in regard to this matter

### **4. Cost Shift Considerations**

There are no known cost shift considerations to Council.

### **5. Community Consultation**

Notice of Application was undertaken in accordance with the *Planning and Environment Act 1987* by placing an advertisement in the locally circulating newspaper (North Central News) on the 13<sup>th</sup> February 2019 and by sending letters to adjoining owners (three). A Notice of Application was also placed on the subject site.

Two letters of objection were received in relation to the application. The objections were forwarded to the applicant who provided a response. After considering the available information, it was decided mediation would not be conducted. Following is a summary of the concerns raised by the objectors.

- The sign will be visually dominant and out of scale in comparison to the surrounding area.
- Unattractive first impression of Charlton.
- Impact of illumination on the amenity of nearby residents.
- Impacts of overshadowing.
- Located where particular concentration is required, i.e. traffic, especially b-double trucks turning in and out of site

The applicant responded to the objection as follows:

- The sign meets industry standards and the applicant does not consider that the sign will be a dominant feature.
- The light source has been designed to illuminate only the sign and minimize light spillage. Regardless, the applicant has proposed a condition specifying that illumination must cease at 11pm.
- The applicant believes the potential of overshadowing on the Charlton Motel are false and unfounded.
- Due to experience and strict site selection, the applicant is confident that Vicroads will not object to the application in regards to driver distraction.

**6. Internal Consultation**

Internal consultation was undertaken within the planning office and with the Director Works and Technical services

**7. Legislative / Policy Implications**

The actions are in accordance with the *Planning and Environment Act 1987*.

**8. Environmental Sustainability**

There are no known environmental sustainability considerations.

**9. Conflict of Interest Considerations**

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

**10. Conclusion**

An assessment of the proposal has been undertaken and it is considered that the application does not accord with relevant policy, nor achieve compliance with the purpose and decision guidelines of Clause 52.05 *Advertising Signs* and more specifically Clause 52.05-6 *Major Promotion Signs*.

A Council determination is sought for the application as the Council's Planning Officer recommends that a Notice of Refusal to grant a planning permit be issued.

Council must determine a position on the application for a planning permit and take one of the following options:

- i. Approve a planning permit and issue a Notice of Decision to Grant a Planning Permit for the proposal (with conditions prepared by the planning office)
- ii. Issue a Refusal to Grant a Planning Permit for the proposal – appeal rights apply to the applicant

**RECOMMENDATION:**

That Council consider the planning permit application PPA779/19 and determine to issue a Notice of Decision to Refuse a Planning Permit for the display of a major promotion sign at Lot 1 on PS45146, known as 166-168 High Street, Charlton on the following grounds:

1. The proposed sign is excessive in scale and is inappropriate at this entry point into the Charlton township.
2. The proposed sign is incompatible with the amenity and visual appearance of the area.
3. The proposed sign does not complement or enhance the character of the area.

## 8.2.4 COMMUNITY LOCAL LAW

**Author's Title:** Planning Officer

**Department:** Works and Technical Services

**File No:** LA/08/16

**Attachments:** 1 [⇒Community Local Law](#)

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

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

### **MOTION:**

That Council:

1. Having had regard to the Ministerial Guidelines for making Local laws issued under section 111A of the *Local Government Act 1989*, makes the Buloke Community Local Law 2019;
2. In accordance with Section 119 of the Local Government Act 1989, gives notice in the Victoria Government Gazette, and the locally circulating newspapers that it has made the Buloke Community Local Law 2019 (attached), specifying the purpose and general purport of the local law and that a copy of the local law is available on Council's website and may be inspected at Council's Wycheproof office; and
3. Sends a copy of the Buloke Community Local Law 2019 (attached) to the Minister for Local Government.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR DAVID POLLARD**

**CARRIED.**

**(R526/19)**

### **1. Executive Summary**

The purpose of this report is for Council to consider making the final draft Buloke Community Local Law 2019, under Section 111 of the *Local Government Act 1989 (the Act)*.

The current Buloke Shire Council Community Local Law commenced on 8 June 2011 and, taking into account recent changes in legislation, Council is undertaking the process of drafting and adopting a new Local Law well ahead of the expiry date.

It is proposed to replace the Buloke Shire Council Community Local Law No. 10 2011 with the new Buloke Community Local Law 2019. Section 119 of the Act requires Council, before making a local law, to conduct a community consultation and statutory notification process under section 223 of *the Act*.

Following a community consultation program conducted on a draft of the proposed local law for 60 days in August/September 2018, a draft Buloke Community Local Law 2019 was prepared. At the Ordinary Council meeting on Wednesday 12<sup>th</sup> December Council endorsed the draft Local Law for community consultation.

## 2. Discussion

The draft Community Local Law has been exhibited for the purpose of Community Consultation in accordance with Section 223 of the *Local Government Act 1989* from the 19<sup>th</sup> December 2018 to the closing of submissions on the 14<sup>th</sup> March 2019. No submissions have been received from the public in this consultation period.

The key changes included in the final draft local law are outlined below and are as a result of the consultation process, further reviews of the local law and consideration of the Ministerial Guidelines for making local laws issued under Section 111A of the Act as required by section 111(5) of *the Act* include:

- Updating the penalty schedule
- Updating the camping on private and council land clauses to introduce controls to assist in the protection of the environment.
- Clauses relating to shipping containers have been removed to avoid duplication with building regulations.
- The introduction of a subclause to protect Council trees and vegetation.
- The introduction of a subclause to regulate patrons drinking alcohol in the street at the front of licensed premises outside of the redline area.
- The introduction of a specific dangerous land clause.
- The introduction of a filming on council land clause.
- The introduction of a clause to prevent the dismantling of vehicles in a public place.
- The introduction of a clause to manage abandoned and unregistered vehicles in public places.
- The introduction of a subclause to manage the storage of unregistered vehicles on private property.

A range of minor amendments have also been made throughout the final draft local law to improve clarity.

Administration of the Local Law will be undertaken principally by Council's compliance department.

## 3. Financial Implications

The draft document has been prepared in house. Legal advice will be required to ensure the final document complies with requirements under the Local Government Act. Any legal fees incurred will be paid for from the existing budget allocation for legal advice.

Fees have been incurred in formatting the document.

## 4. Cost Shift Considerations

There are no cost shift considerations in relation to the preparation of the Local Law.

## 5. Community Consultation

An initial round of community consultation was conducted over a sixty day period with submissions closing the 14<sup>th</sup> September 2018. The draft local law was made available on the Buloke Shire Council webpage with instructions for making a submission, and notices were placed in the local newspapers. One external submission and one internal submission were received relating to the keeping of animals.

The draft Community Local Law was sent to Victoria Police and to the CFA welcoming submissions. Victoria Police made a submission regarding the possession and consumption of alcohol.

A second round of community consultation has been conducted in accordance with Section 223 of the *Local Government Act 1989* from the 19<sup>th</sup> December 2018 to the closing of submissions

on the 14<sup>th</sup> March 2019. Notice was placed in the Victorian Government Gazette, in the locally circulating newspapers and on the Council's News and Consultation webpage. No submissions have been received from the public in this consultation period.

#### **6. Internal Consultation**

Internal consultation has taken place within the Development Services Department.

#### **7. Legislative / Policy Implications**

This report has been prepared in accordance with *the Act*.

#### **8. Environmental Sustainability**

The draft Local Law addresses a number of environmental sustainability considerations, including firewood collection, open air burning, waste requirements for camping, disposal of waste and protection of Council trees.

#### **9. Conflict of Interest Considerations**

No officer involved with the preparation of this report has a conflict of interest.

#### **10. Conclusion**

That Council make final draft Buloke Community Local Law 2019, under Section 111 of the *Local Government Act 1989 (the Act)*.

## 8.2.5 APPLICATION FOR PERMIT TO KEEP EXCESS NUMBER OF DOGS AT 7926 ROBINVALE - SEA LAKE ROAD, TYRRELL DOWNS

**Author's Title:** Compliance Team Leader

**Department:** Works and Technical Services

**File No:** LA/08/06

**Attachments:**

- 1 [⇒Application](#)
- 2 [⇒Objection 1](#)
- 3 [⇒Objection 2](#)
- 4 [⇒Objection 3](#)
- 5 [⇒Objection 4](#)

### **MOTION:**

That Council:

1. Refuses the application for a permit under Council's Community Local Law No. 10 Clause 14(1) to keep seven (7) additional dogs at 7926 Robinvale-Sea Lake Road, Tyrrell Downs;
2. Issues a Notice to Comply to the permit holder to reduce the number of dogs on the property to the number permitted under the Community Local Law No.10 within 30 days of being notified of Council's decision; and
3. Determines, pursuant to clause 14 of Local Law No 10, only six (6) cats and six (6) dogs may be kept at 7926 Robinvale-Sea Lake Road, Tyrrell Downs.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR DAVID POLLARD**

**CARRIED.**

**(R527/19)**

### 1. Executive Summary

Council has received a Local Laws application for a permit to allow the keeping of seven (7) additional dogs at 7926 Robinvale-Sea Lake Road, Tyrrell Downs.

### 2. Discussion

Local Law No 10 allows for the keeping of six (6) cats and six (6) dogs at a rural address, any additional animals to this require an excess animal permit. Council has received an application requesting that (13) thirteen dogs be kept at 7926 Robinvale-Sea Lake Road, Tyrrell Downs.

Surrounding landowners and residents were advised in writing to consider the application and also submit any objections to Council by the 17 August 2018. Council has received four (4) signed objections from landowners/residents who state that they are already experiencing issues with animals from the applicant's address.

The objectors feel that they would be impacted by the keeping of additional animals and therefore it is inappropriate to grant the permit and that it would interfere with the general amenity of the area. (Refer attachments)

As per the objections and several previous interactions with Council Compliance there are concerns about the animals being secured appropriately on site as well as amenity concerns about the number of animals.

Council has also had multiple interactions with the applicant regarding the keeping of excess animals on the property and there has been continual inaction of the owner to comply with requests of Council.

### **3. Financial Implications**

There are no financial implications in this report.

### **4. Cost Shift Considerations**

There are no cost shift considerations in this report.

### **5. Community Consultation**

Following normal Local Laws procedures, Council has undertaken a notification process and advertising of the application that involved nine (9) neighbouring properties that may or could be affected by the activity.

### **6. Internal Consultation**

No internal consultation has taken place.

### **7. Legislative / Policy Implications**

The application and decision making are in keeping with Council's Community Local Law No. 10 Clause 14(1)

### **8. Environmental Sustainability**

There are no environmental sustainability considerations in this report.

### **9. Conflict of Interest Considerations**

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

### **10. Conclusion**

It is recommended that Council:

1. Refuses the application for a permit under Council's Community Local Law No. 10 Clause 14(1) to keep seven (7) additional dogs at 7926 Robinvale-Sea Lake Road, Tyrrell Downs;
2. Issues a Notice to Comply to the permit holder to reduce the number of dogs on the property to the number permitted under the Community Local Law No.10 within 30 days of being notified of Council's decision; and
3. Determines, pursuant to clause 14 of Local Law No 10, only six (6) cats and six (6) dogs may be kept at 7926 Robinvale-Sea Lake Road, Tyrrell Downs.

## 8.2.6 FORMER SEA LAKE SHIRE OFFICE LICENCE

**Author's Title:** Manager Community Facilities

**Department:** Works and Technical Services

**File No:** GR/11/15

**Attachments:** Nil

**Relevance to Council Plan 2017 - 2021**

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

### **MOTION:**

That Council:

1. Rescind recommendations 2 & 3 of the Sea Lake Shire Office report presented to Council at its Ordinary Meeting on 12 September 2018;
2. Readvertise for expressions of interest for the lease or licence of the former Sea Lake Shire Office building; and
3. Refocus the expression of interest to include not only tourism and economic development opportunities but also consider proposals for local community use of the building.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR DAVID VIS**

**CARRIED.**

**(R528/19)**

### 1. Executive Summary

Council resolved at its September 2018 Ordinary meeting to licence the former Sea Lake Shire Office building for a tourism venture which included art gallery and café. The proposed licensee has advised of no intention in the short term of occupying the facility or finalising a licence of the building, therefore it is suggested Council consider readvertising an expression of interest for lease or licence of the building.

### 2. Discussion

Since Council's decision at its Ordinary meeting in September 2018 to licence the building, officers have had difficulty in contacting the proposed licensee. Council resolved the following at the September 2018 meeting:

1. Notes that a 28 day consultation period was undertaken for the intention to licence the former Sea Lake Shire Office and no submissions were received;
2. Enter into a 2 -year licence with 2 options of 2 years with Robby Knight T/A Lake Tyrrell Art subject to Ministerial approval for the operation of an art gallery and studio and affixes the Common Seal.
3. Authorise the Chief Executive Officer to negotiate a licence fee below market value based on Valuer advice, and taking into consideration the shared services within the building.

Recently Officers have been in contact with the proposed licensee, specifically on 19 February 2019 with a response being that he was involved in other business interests. Subsequent emails in March 2019 have not been responded to.

Noting this, the original expression of interest received two submissions, with limited data provided in the second submission.

Based on the lack of interest in the proposed licensee to utilise the facility in the short to medium term it is suggested that Council readvertise the expression of interest for occupation of the building and rescind its motions from the September 2018 Ordinary meeting.

The original expression of interest focussed on Tourism ventures, but officers believe a greater level of applications may be received if the focus of the expression of interest is extended to include community based groups or ventures.

### **3. Financial Implications**

Whilst the building remains empty, Council still has maintenance requirements and outgoings associated with the upkeep of the building.

### **4. Cost Shift Considerations**

There are no cost shift considerations as a part of this report.

### **5. Community Consultation**

The community has not been consulted in the proposed readvertising of the expression of interest, but will have opportunity to comment at a subsequent Section 223 process should Council receive a preferred expression of interest.

### **6. Internal Consultation**

Senior Management have been consulted in the preparation of this report.

### **7. Legislative / Policy Implications**

The licence /lease agreement including fee still requires Ministerial approval considering the facility resides on Crown Land, with Council the appointed Committee of Management under the Crown Land (Reserves) Act 1978.

### **8. Environmental Sustainability**

There are no considerations of environmental sustainability in this report.

### **9. Conflict of Interest Considerations**

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

### **10. Conclusion**

It is recommended Council rescind its decisions from its September 2018 Ordinary Meeting recommending that it enter into a licence of the Former Sea Lake Shire Office and readvertise an expression of interest seeking interest for use of the building focussing on tourism, economic development and/or community opportunities.

## 8.2.7 PROPOSED TRANSFER OF COUNCIL LAND

**Author's Title:** Manager Community Facilities

**Department:** Works and Technical Services

**File No:** LP/10/03

**Attachments:** 1 [⇒](#) Internal Valuation and supporting documents

**Relevance to Council Plan 2017 - 2021**

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

### MOTION:

That Council:

1. Commence the statutory procedures pursuant to section 189 and 223 of the Local Government Act 1989, and gives public notice of its intention to transfer surplus land at Borung Highway, Donald, and invites written submissions until 17 May 2019;
2. Publish notices of its intention to transfer surplus land in the local print media, and on Council's social media pages;
3. Write to land owners adjoining the properties advising them of the proposed transfer of land and invites them to make submissions on the matter;
4. Considers any submissions received in accordance with the provisions of s223 of the Local Government Act 1989; and
5. Receives a further report, outlining any submissions received, presenting a recommendation for consideration.

**MOVED: CR DARYL WARREN**

**SECONDED: CR ELLEN WHITE**

**CARRIED.**

**(R529/19)**

### 1. Executive Summary

The purpose of this Report is to advise Council of the intention to transfer Council property and seek approval from Council under Section 189 of the Local Government Act 1989 ('Act') to undertake the required public consultation process as outlined in Section 223 of the Act.

### 2. Discussion

Following a review of Council's Asset Register, Officers have identified a property asset which is no longer required. The property is a vacant farming zoned allotment fronting the Borung Highway on the outskirts of Donald.

The property adjoins a residential farmlet holding and has been informally occupied by the adjoining owners for many decades. Internal investigation indicates the land may have been part of an informal historic arrangement to transfer the land to the adjoining owners, however the title has never formally been transferred (pre-amalgamation agreement).

Council has no foreseeable use for this parcel of land and therefore it is recommended to be transferred as initially intended. The adjoining owners were previously (prior to inspection and

initial discussions with Council Officers) under the assumption that the land was in their ownership.

An internal valuation and inspection of the property has been conducted by a qualified Property Valuer registered with the Australian Property Institute. The report and conclusion can be found within the attached document along with other supporting documentation.

Section 189 of the Local Government Act 1989 requires Councils to do certain things before selling or exchanging land:

- to give at least four weeks public notice of an intention to sell or exchange land before selling or exchanging this land (section 189(2)(a));
- obtain a valuation of the land which is made not more than 6 months prior to the sale or exchange from an appropriately qualified person (section 189(2)(b)); and
- allow interested persons to make a submission under section 223 on the proposed sale or exchange (section 189(3)).

Initially, Council will conduct a 28-day consultation process throughout all local media and on Council's social media pages to enable any public submissions to be made. This includes writing to adjoining property owners.

A further report will be tabled once the consultation process has been completed.

### **3. Financial Implications**

There are minimal financial implications to Council as the suggested transfer recipients have agreed in principle to pay legal fees associated with the transfer of land. The property has been identified as having minimal market value and due to a historical anomaly, this land rests in Council's name, therefore the transfer to the adjacent property owners is in the best interest to both parties.

### **4. Cost Shift Considerations**

The property will become rateable, of which the recipients of the proposed transfer would then pay rates and fire services levy on the land.

### **5. Community Consultation**

There has been no community consultation but, should Council adopt this report, the community will have the opportunity to make comment through submissions under Section 223 of the Local Government Act 1989.

### **6. Internal Consultation**

Senior management and relevant officers have been consulted on the proposed asset sales.

### **7. Legislative / Policy Implications**

The Local Government Act 1989 has specific requirements of Council for the process of selling, transferring and exchanging land.

### **8. Environmental Sustainability**

There are no environmental sustainability implications.

### **9. Conflict of Interest Considerations**

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

### **10. Conclusion**

It is recommended that Council commence the public consultation process (required under the Local Government Act 1989) for transferring of the identified parcel of land.

## 8.2.8 MALLEE REGIONAL ECONOMIC GROWTH STRATEGY

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

**Department:** Office of the CEO

**File No:** ED/05/01

**Attachments:** 1 [⇒ Mallee Regional Economic Growth Strategy](#)

**Relevance to Council Plan 2017 - 2021**

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

### MOTION:

That Council

1. Endorse the Mallee Regional Economic Growth Strategy as a strategy designed to assist in focussing action and advocacy efforts on activities that will support the Mallee's Economy; and
2. Distribute the Strategy to the Economic Development and Tourism Advisory Committee.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR GRAEME MILNE**

**CARRIED.  
(R530/19)**

### 1. Executive Summary

This report is presented to Council to consider endorsing the Mallee Regional Economic Growth Strategy

### 2. Discussion

The Mallee Regional Economic Growth Strategy has been jointly prepared by the Loddon Mallee Regional Development Australia (RDA) Committee and the Mallee Regional Partnership. It is one of two Regional Economic Growth Strategies (Mallee and Loddon Campaspe) covering the Loddon Mallee region.

The purpose of the Mallee Regional Economic Growth Strategy is to focus actions towards those activities that will provide the greatest benefit to the region's economy. The document could also provide a platform for coordinated regional advocacy.

The Strategy is a successor to the Loddon Mallee Regional Strategic Plan 2015-18 that was prepared by the Loddon Mallee RDA. In comparison to its predecessor, the Regional Economic Growth Strategy has a tighter economic focus.

This new Strategy has been prepared using inputs from several workshops held across the region and the two Regional Partnership Assemblies held in 2018. The Strategy was authored by REMPLAN and is underpinned by a technical document prepared in August 2018.

It is proposed that this Strategy is owned by the region. We are seeking your endorsement of the Strategy along with the endorsement of all other LGAs in the region as well as other core economic focused regional bodies.

The Regional Economic Growth Strategy has a 10-year planning horizon. Once the Strategy is endorsed, work will commence on an implementation plan and production of an Investment

Prospectus that will highlight those shovel-ready investments that need to be made to realise the vision within the Strategy. We will be seeking input in the development of this Investment Prospectus.

Like earlier Regional Strategic Plans, it is envisaged that this Regional Economic Growth Strategy could be used by all the region's stakeholders to demonstrate where a proposed investment is aligned with regional priorities. The Strategy will also be used by the Loddon Mallee RDA and Regional Partnership Committees to focus their efforts.

### **3. Financial Implications**

There are no direct financial implications in this report, however the strategy aims to grow the prosperity of the region for years to come.

### **4. Cost Shift Considerations**

There are no cost shift considerations in this report

### **5. Community Consultation**

The strategy was developed following consultation by the Regional Partnerships and Loddon Mallee RDA with a range of Councils and industry stakeholders.

### **6. Internal Consultation**

The Senior Leadership Team have considered and reviewed the strategy

### **7. Legislative / Policy Implications**

This Strategy complements some of Councils key strategies, such as the Council Plan and Economic Development and Tourism Strategy

### **8. Environmental Sustainability**

There are no environmental sustainability considerations in this report.

### **9. Conflict of Interest Considerations**

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

### **10. Conclusion**

It is recommended that Council endorse the Mallee Regional Economic Growth Strategy as a strategy designed to assist in focussing action and advocacy efforts on activities that will support the Mallee's Economy.

## 8.2.9 ANNUAL PLAN UPDATE

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

**Department:** Office of the CEO

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

**Attachments:** 1 [⇒](#)Annual Plan report

**Relevance to Council Plan 2017 - 2021**

**Strategic Objective:** Build a healthy and active community

### **MOTION:**

That Council note the progress against the Council Plan 2017-2021 Annual Plan Year 2.

**MOVED: CR DAVID POLLARD**

**SECONDED: CR ELLEN WHITE**

**CARRIED.**

**(R531/19)**

### 1. Executive Summary

This report is provided to Council to note the progress made against the 2018/19 Annual Plan. It is the third update for the financial year.

### 2. Discussion

Following the adoption of the 2018/19 budget, Council also adopted the 2018/19 Annual Plan. This plan provides for the key strategic work for the year in ensuring we meet the strategic priorities established in the 2017-2021 Council Plan. The Annual Plan will be reported against quarterly.

The attached table highlights the progress made under the Annual Plan and shows a number of actions completed or in progress.

Some of the key highlights since the 13 February Update include:

- Successful funding for three mobile blackspots in the area
- Progression of rating strategy
- Submission of funding application for shared service corporate system
- Adoption of long term financial plan
- Economic Development Advisory Committee established and met.
- Lake amenity facilities completed
- Additional funding sought for key freight routes
- Completion of Charlton drainage designs
- Contracts let for e-waste sites at Birchip and Sea Lake
- Progress against partnership and stakeholder review

A further report will be provided to the July 2019 Council meetings.

### 3. Financial Implications

The table highlights the financial commitments made to achieving the Annual Plan, which was also a key consideration in the development of the 2018/19 budget.

**4. Cost Shift Considerations**

There are no cost shift considerations associated with this report.

**5. Community Consultation**

Many of the projects and actions listed have had a significant amount of community consultation.

**6. Internal Consultation**

Staff from the management team have provided input into this report.

**7. Legislative / Policy Implications**

This report provides key status updates against Council's key strategy/policy, being the Council Plan.

**8. Environmental Sustainability**

There are no environmental sustainability considerations in this report.

**9. Conflict of Interest Considerations**

No staff involved in the preparation of this report have a conflict of interest

**10. Conclusion**

Council is making solid progress against the Annual Plan, with a significant amount of items completed and underway. It is recommended that Council note this report.

## 8.2.10 RURAL COUNCILS TRANSFORMATION PROGRAM

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

**Department:** Office of the CEO

**File No:** GR/17/08

**Attachments:** 1 [⇒](#)RCCC business case

**Relevance to Council Plan 2017 - 2021**

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

### MOTION:

That Council:

1. Notes that Buloke Shire Council is a participant in a grouping of Councils that have made an application for funding under the Victorian Government Rural Councils Transformation Program (RCTP) for the following initiative:
  - (a) Rural Council Corporate Collaboration in conjunction with several other Councils and Horsham Rural City Council (as lead)
2. Notes that for an RCTP application to be eligible for consideration, the following criteria must be met:
  - (a) Submission of a joint business case by 31<sup>st</sup> March 2019.
  - (b) Each Council must pass an accompanying resolution committing to implement the business case, if approved for funding. The resolution must be lodged with Local Government Victoria by 30<sup>th</sup> April 2019.
3. Approves the submission of the business case by Horsham Rural City Council on behalf of Buloke Shire Council.
4. Approves implementation of the project initiatives within the submitted business case by Buloke Shire Council, subject to the application being approved for RCTP funding.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R532/19)**

### 1. Executive Summary

This report is presented to Council to consider endorsing an application under the Victorian Government Rural Councils Transformation Program (RCTP) for the Rural Council Corporate Collaboration in conjunction with several other Councils.

### 2. Discussion

The Victorian Government through its Rural Councils Transformation Program has committed \$20 million of funding in the 2018-19 financial year for the implementation of large-scale transformation projects at a regional level. The program aims to improve the sustainability of

rural and regional councils who would otherwise not be able to invest in large-scale transformative projects.

Council has partnered with a number of municipalities (West Wimmera, Hindmarsh, Yarriambiack, Horsham, Loddon, Central Goldfields, Pyrenees and Golden Plains) on the Rural Council Corporate Collaboration (RCCC) project which is being led by Horsham Rural City Council.

The concept behind RCCC is three fold;

1. The ability to collaborate through utilisation of cloud based technology
2. An IT operating model with unified implementation beginning with finance and payroll
3. A transformational program office for best practice to uplift local council capabilities.

The intention is that through unified platform, process and applications Council will be better positioned to share resources where there are current skill gaps, increase efficiencies through business intelligence and automation as well as better customer experience through interface and streamlined access.

The nine rural and regional councils within the Rural Councils Corporate Collaboration (RCCC) are important contributors to the liveability and productivity of regional and rural communities across western Victoria. Through their role in the provision of local services, infrastructure, governance, leadership, as well as in the facilitation of community wellbeing, they play the most foundational role across areas of Victoria that are significantly impacted by drought and other environmental factors, economic uncertainty and population decline as Victorians become increasingly metro-centric.

Additionally, many of these councils are important partners with the State Government and other organisations in the provision of services and infrastructure to rural Victoria and carry the burden of large geographies with a small rate paying base. As such, these rural and regional councils face a range of barriers that will limit their sustainability over the longer term - limited by financial pressures and constraints, relatively high infrastructure and service delivery costs, as well as organisational human capital capability constraints and operational capacity issues.

The Rural Council Transformation Program (RCTP) submission seeks to alleviate some of this through the seed funding of a transformation program that will see the nine councils combine to share their corporate service functions. They will achieve this in the first phase through the introduction of a new finance and payroll platform that will harmonise these functions and enable simplification, leading to an increased automation of council corporate functions, whilst facilitating the sharing of human capital resources across the region, thus alleviating the individual burdens upon single rural councils. If successful the collaboration project will move in to developing a scope and tender for the agile IT products required to ensure we have appropriate, affordable and up to date technology.

### **3. Financial Implications**

This project aims to improve Councils financial management technology and be a key enabler of shared services going forward.

In addition, Council has in the past had substantial funding set aside for purchasing a corporate system. This project has been put on hold whilst the outcomes of the RCCC application is considered.

### **4. Consultation**

Extensive consultation has occurred between the participating Councils and staff, Local Government Victoria and KPMG

The eight other participating Central Highlands Councils Victoria members are also considering the business case and project at this time.

**5. Environmental Sustainability**

No applicable to this report.

**6. Conflict of Interest Considerations**

Council Officers affirm that no direct or indirect interests need to be declared in relation to the matter of this Report.

**7. Legislative / Policy Implications**

- Charter of Human Rights and Responsibilities Act 2006
- Buloke Shire Council Plan 2017-2021
- Buloke Shire Council Annual Plan – Year 2
- Local Government Act 1989

**8. Conclusion**

It is recommended that Council endorse the business case and submission to Local Government Victoria.

## 8.3 FINANCIAL REPORTS

### 8.3.1 FINANCIAL PERFORMANCE AS AT 28 FEBRUARY 2019

**Author's Title:** Manager Finance

**Department:** Corporate Services

**File No:** FM/19/03

**Attachments:**

- 1 [Income Statement](#)
- 2 [Balance Sheet](#)
- 3 [Cash Flow Statement](#)
- 4 [Cash Flow Graph](#)
- 5 [Capital Works Program](#)
- 6 [Capital Works Graph](#)

**Relevance to Council Plan 2017 - 2021**

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

#### **MOTION:**

That Council receives and notes the Financial Performance Report for the month ending 28 February 2019.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR GRAEME MILNE**

**CARRIED.**

**(R533/19)**

#### 1. Executive Summary

The **Income Statement** provides a summary of the total income and total expenditure relating to Council's annual recurrent operations. It also specifically includes capital income but does not include capital works expenditure. The surplus/(deficit) is disclosed at item B on the Income Statement (Attachment 1). So as operating revenues can be compared to operating expenditures, an adjustment is made to exclude all capital income. The presentation of this income statement and resultant surplus/(deficit) is reported at item A.

For the first eight months of the financial year ending 28 February 2019, the surplus disclosed was \$598k. *Excluding* capital grants income of \$3.5m, a deficit of \$2.9m was recorded. See notes 2 and 7 on the income statement for the reasons behind this deficit, but in summary, Flood monies of \$4.8m have not been received as at 28 February due to State Government change in disbursement policy. However, \$2.141m has now been received in March.

The **Balance Sheet** effectively shows a summary of the value of Assets (what we own) and our Liabilities (what we owe), both of which balance off against each other to show Net Assets or Equity (our net worth). Council's net worth as at this accounting period was \$206m.

The **Cash Flow Statement** has been updated to include the cashflow projections based on the Forecast Budget. The actual to budget comparisons for July to December has been consolidated. The corresponding cash flow chart maps actual cash alongside budgeted cash and restricted funds. At 28 February 2019, Council's Cash and Cash Equivalents were \$17.5m.

The **Capital Works Program** depicts \$4.895m of capital works having been expended to the end of this accounting period. The Annual Budget for capital works is \$14.454m to be funded by Capital Grants of \$7.5M. However, delays in some projects result in a lower Annual Forecast of \$12.790m. Forecasted contributions has reduced to \$1.2M (from \$2.3M) but Council Cash of \$4.6M remains unchanged. Council has let a number of large scale contracts in the first half of the 2018/19 financial year (i.e. Charlton Park, Donald Community Precinct, Road Rehabilitation) and expenditure will increase over the coming four months.

## 2. Financial Implications

The table below provides an overview of Council's financial performance as at 28 February 2019.

Income Statement - Excluding Capital Grants and Contributions	YTD	YTD	YTD	Annual	Annual
	Actuals	Budget	Variance	Budget	Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000
Total Income	20,563	24,848	(4,284)	26,603	26,783
Total Expenses	23,518	25,038	1,521	32,936	33,242
<b>Surplus/(Deficit)</b>	<b>(2,954)</b>	<b>(191)</b>	<b>(2,764)</b>	<b>(6,332)</b>	<b>(6,459)</b>
Add back Capital Grants Income and Contributions	3,552	7,256	(3,704)	9,812	9,038
<b>Surplus/(Deficit) including Capital Grants Income and Cont.</b>	<b>598</b>	<b>7,065</b>	<b>(6,467)</b>	<b>3,479</b>	<b>2,579</b>
<b>Capital Works Program</b>	<b>4,895</b>	<b>7,697</b>	<b>(3,500)</b>	<b>14,454</b>	<b>12,709</b>
Cash and Cash Equivalents		Restricted	Un-Rest.	Total	
		1,374	16,125	17,499	

The following commentary is provided:

### a. Total income excluding capital grants and contributions

The negative variance of \$4.464m occurs largely as a result of Flood Natural Disaster Funding (\$5m variance) not having been received (see note 2 per Income Statement for further detail). \$2.141m of this delayed funding has since been received in March and the balance is expected before 30 June.

### b. Total expenses

Favourable variance of \$1.79m materially explained by flood restoration works under budget expectations by \$1.27m (see note 7).

### c. Capital Grant Income and Contributions

Roads to Market and Heavy Vehicle Safety Productivity Program funding are yet to be received (\$1.15m). Funding for Lake Tyrell (\$952k) not received in full.

### d. Capital Works Program Expenditure

Council has expended \$4.895m on capital works YTD this period, with significant large contracts let.

### e. Cash and Cash Equivalents

Council has cash of \$17.499m of which \$1.374m is restricted being committed to capital projects.

## 3. Community Consultation

No consultation with the community was required for the production of this report.

**4. Internal Consultation**

The reports have been prepared in consultation with the budget managers directly responsible for Council budgets.

**5. Legislative / Policy Implications**

The report is consistent with the requirements of the *Local Government Act 1989*.

**6. Environmental Sustainability**

This report has no direct impact on environmental sustainability.

**7. Conflict of Interest Considerations**

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

**8. Conclusion**

Grant income for both operating and capital are behind where Council planned to be on a year to date basis. However, \$2.141m of this outstanding funding has been received in March due to proactive effort in attaining these funds especially with the Natural Disaster Funding Authority (Treasury and Finance). The remaining monies are forecasted to come in before the end of the financial year.

Forecasting has been finalised in the reports provided and incorporated in Cashflow and Capital Expenditure charts to indicate 30 June positions.

### **8.3.2 DRAFT AUDIT COMMITTEE MEETING MINUTES 6 FEB 2019**

**Author's Title:** Governance Officer

**Department:** Corporate Services

**File No:** FM/02/09

**Attachments:** 1 [⇒](#)Draft Audit Committee Minutes 6 February 2019

**Relevance to Council Plan 2017 - 2021**

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

#### **MOTION:**

That Council notes the draft Minutes of the Audit Committee meeting held on 6 February 2019.

**Moved:** **CR DARYL WARREN**

**Seconded:** **CR ELLEN WHITE**

**CARRIED.**

**(R534/19)**

#### **1. Executive Summary**

The Audit Committee is a statutory committee of Council which considers matters of governance, finance and risk management. The Committee is comprised of three independent members and the Mayor. The Committee provides advice on the integrity and effectiveness of Council's financial reporting and risk management system.

#### **2. Discussion**

At its 6 February 2019 meeting, the Committee considered the following matters:

- Outstanding Actions
- Audit Committee Work Plan
- Legislative Compliance status
- Risk Management status
- Draft Sundry debtor management and debt collection policy
- Internal Audit Draft Scope for Children's Services Audit
- Internal Audit schedule changes.
- 2019/20 Draft Budget Timetable
- Financial Report as at 31 December 2018
- Audit Committee Self-Assessment Survey

#### **3. Financial Implications**

The cost of the Audit Committee function is incorporated into the 2018/19 Annual Budget.

#### **4. Cost Shift Considerations**

There are no cost shift implications associated with the Committee.

#### **5. Community Consultation**

Not applicable

**6. Internal Consultation**

Councillors and senior staff are invited to attend, and present as required to at Committee meetings. Recommendations from the Committee are communicated to relevant staff members for action.

**7. Legislative / Policy Implications**

Council is required under the *Local Government Act 1989* to create and maintain an Audit Committee.

**8. Environmental Sustainability**

Not applicable

**9. Conflict of Interest Considerations**

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

**10. Conclusion**

The draft Audit Committee minutes are attached for the information of Council.

## 8.4 ORGANISATIONAL REPORTS

### 8.4.1 BULOKE SHIRE COUNCIL CUSTOMER SERVICE CHARTER

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

**Department:** Office of the CEO

**File No:** CM/14/22

**Attachments:** 1 [⇒Buloke Shire Council Customer Service Charter](#)

**Relevance to Council Plan 2017 - 2021**

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

#### **MOTION:**

That Council adopts the Customer Service Charter.

**MOVED: CR DAVID POLLARD**

**SECONDED: CR DAVID VIS**

**CARRIED.**

**(R535/19)**

#### 1. Executive Summary

This report is presented to Council for consideration of the adoption of the Buloke Shire Council Customer Service Charter.

The Charter is an action of the Buloke Shire Council Customer Service Strategy, adopted by Council in September of 2018, which set out the organisation's commitment to customer service excellence, both internally and externally, and outline the key actions to be taken to achieve related Strategic Objectives outlined in the Council Plan 2017-2021.

#### 2. Discussion

The Customer Service Charter outlines Council's commitment to its customers and builds on the 'all of organisation' approach to customer service outlined in the strategy.

The charter sets out clearly the contact standards Council adheres to for the numerous ways customers engage Council.

If adopted, this charter would replace the existing Customer Service Charter. An education program will roll out across the organisation once the Charter is adopted.

#### 3. Financial Implications

Any costs associated with the delivery of the Customer Service Charter are included within Council's operational budget.

#### 4. Cost Shift Considerations

Nil.

#### 5. Community Consultation

There was no external consultation for the Customer Service Charter.

**6. Internal Consultation**

The Customer Service Charter has undergone significant internal consultation with the Customer Service Officers and Executive Management. After an initial draft document was devised by Manager Customer Engagement on the back of this consultation some final edits were made around the inclusion contact standards for Requests for Services.

**7. Legislative / Policy Implications**

Nil.

**8. Environmental Sustainability**

Nil.

**9. Conflict of Interest Considerations**

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

**10. Conclusion**

That Council adopts the Customer Service Charter and promotes the charter via local media and social media channels.

## 8.4.2 DRAFT REVENUE AND RATING STRATEGY AND POLICY

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

**Department:** Corporate Services

**File No:** RV|11|01

**Attachments:** 1 [⇒Draft Revenue and Rating Strategy 2019-23](#)  
2 [⇒Draft Rating Policy](#)

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

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

### **MOTION:**

That Council:

1. Having prepared a draft Revenue and Rating Strategy, and aligned draft Rating policy, places the documents on public exhibition;
2. Invites submissions from the community on the proposal contained in the draft Revenue and Rating Strategy, and draft Rating policy; and
3. Allows presentations in support of written submissions to be heard at Council's Ordinary Meeting to be held on 8 May 2019 at the Wycheproof District Council Offices.

**MOVED: CR DAVID VIS**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R536/19)**

### 1. Executive Summary

This report is for Council to consider the proposed Revenue and Rating Strategy 2019-23, and the Rating policy, for approval to exhibit and call for public submissions.

### 2. Discussion

Council made a commitment in the 2018/19 Annual Budget to develop a four year Rating and Revenue Strategy setting out the system of rates and charges to be adopted by Council for the purpose of distributing the rates burden across the Buloke municipality on a fair and equitable basis.

Council appointed an external consultant to support the development of the Revenue and Rating Strategy, in consultation with a Council-appointed Rating and Revenue Strategy Reference Group (the Reference Group) and the wider Buloke community. Consultation on a propositions paper was undertaken, with a particular focus on reviewing:

- The appropriateness of the current residential rate
- The appropriateness of the current commercial/industrial rates
- The appropriateness of the current farm land differential rate

- The municipal charge in the context of a broader rating strategy
- Other rates and charges
- Comparisons/benchmarking with rating strategies of comparable councils, taking into account the type and property dispersal patterns within the Buloke Shire
- Modelling and impact of various scenarios

The attached draft Revenue and Rating Strategy, and draft Rating policy has been developed incorporating feedback received from consultation with the Reference Group, the community and Councillors. Further information on these draft documents has been set out below:

### **Draft Revenue and Rating Strategy**

Key proposals within the draft Revenue and Rating Strategy for 2019-23 years include:

- General rates levied using differential rates on Capital Improved Valuations:
  - Residential rates at 100% of the General rate
  - Farm rates at 82% of the General rate
  - Commercial rates at 100% of the General rate
  - Industrial rates at 100% of the General rates
- Municipal Charge levied on all rateable properties maintained at \$170
- Service rates and charges levied for kerbside garbage and recycling for eligible properties on the basis of full cost recovery
- Deferments and/or waivers of rates and charges in specific hardship cases
- Rebates and concessions offered in some circumstances as set out in legislation, such as for the State funded Pensioner Rebate Scheme and as per Council policy and other agreements
- Rates may be paid by quarterly instalment or as a yearly lump sum payment in February.

### **Draft Rating Policy**

The purpose of the proposed Rating policy is to establish the framework for setting Council's four year Revenue and Rating Strategy. It provides for an annual review and possible adjustment in intervening years where Council is of the opinion that the Revenue and Rating Strategy does not provide for the equitable imposition of rates and charges.

A summary of the policy is set out below:

- Council will give consideration to the good practice taxation principles where determining equitable imposition of rates and charges
- Council will use the capital improved value valuation method to satisfy equity principles and utilise differential rates
- Council will prove a differential rate for farms in recognition of the changes to property values relative to other categories, the high value of land as an input to farm operations, the contribution that the farm sector makes to the economic activity of the Shire and the lower level of service usage associated with their rural isolation
- Council will levy a municipal charge on the grounds that all properties should contribute to its administrative costs
- Council will levy a charge for kerbside garbage and recycling services on the basis of full cost recovery
- Council will levy special rates and charges wherever it believes these may be appropriate
- Council will allow payment of rates and charges by lump sum in February, as well as quarterly instalments.

Additionally, the following parameters have been proposed for the purposes of determining when a detailed review of the Revenue and Rating Strategy is required in any budget year:

- The 2019-20 rate burden for any differential rate category changes by +/- 1% or greater following a general revaluation of properties
- Any change in the legislative framework that materially impacts the equitable imposition of rates and charges.

### **3. Financial Implications**

Council has set aside funds within the 2018/19 Annual Budget to support the development of the Revenue and Rating Strategy.

The Revenue and Rating Strategy will be a key source document in the preparation of the 2019/20 Annual Budget and the long term financial plan.

### **4. Cost Shift Considerations**

There are no new cost shift considerations relevant to this report.

### **5. Community Consultation**

The development of the Revenue and Rating Strategy included consultation with the Council-appointed Revenue and Rating Strategy Reference Group, and consultation with the wider Shire community.

This report recommends formal consultation commence with the community with respect to the draft Strategy.

### **6. Internal Consultation**

Councillors have attended two briefings in relation to the development and content of the proposed Revenue and Rating Strategy, and the Rating policy.

### **7. Legislative / Policy Implications**

The Revenue and Rating Strategy, and Rating policy, will allow Council to meet best practice guidelines for Local Government, but is not currently a legislative obligation. The Local Government Bill 2018 identifies that Local Government will be required to adopt a Revenue and Rating Strategy.

The Rating Strategy will be undertaken within the following context:

- *Local Government Act 1989*
- Local Government Bill 2018
- Ministerial Guidelines for Differential Rating
- Local Government Better Practice Guide 2014 'Revenue and Rating Strategy'
- Council Plans

### **8. Environmental Sustainability**

Not applicable.

### **9. Conflict of Interest Considerations**

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

Interests of Councillors and Officers who reside in the Buloke municipality do not exceed the interest generally held by Buloke Shire ratepayers.

### **10. Conclusion**

The draft Revenue and Rating Strategy 2019-23, and the draft Rating policy has been prepared for endorsement by Council and consultation with the Buloke community.

## 8.5 REPORTS FROM COUNCILLORS

### Cr Daryl Warren (Deputy Mayor)

13 March 2019	Wimmera Migration Workshop Horsham
15 March	Wimmera Southern Mallee Transport Meeting Horsham
18 March	Funding Announcement Swan Hill
20 March	Council Briefing Wycheproof
21 March	Drought Funding Announcement Charlton
26 March	CEO and Mayor Meeting Wycheproof Drought Meeting Wycheproof Corack Hall AGM
27 March	Donald 2000 Meeting
28 March	Wimmera Mallee Tourism Meeting Rainbow
1 April	Environment Protection Authority Public Meeting Sea Lake
3 April	Council Briefing Donald
4 April	Rex Committee Meeting Charlton
4 April	Loddon Mallee WRRG Meeting in Bendigo
10 April	Council Meeting Wycheproof

### Cr Pollard

15 March 2019	Land Use Planning training
19 March	With the Charlton Community meet with Cecilia Moar in Charlton, an Independent candidate for Mallee
21 March	Loddon Mallee Regional Emergency Management Planning Committee
20 March	Council Briefing
25 March	Participated in Murray Darling Association Meeting using Zoom video conference facilities in Charlton Office
26 March	Partnering with Hannah Yu we delivered Meals on Wheels in Wycheproof community
29 March	Calder Highway Improvement Committee meeting in Wedderburn Later in the evening attended Longerenong College graduation ceremony with Mayor Stewart
3 April	Council Briefing

### Cr White

#### Delegate Meetings

#### Central Murray Regional Transport Forum

No meeting held this month

#### Municipal Emergency Management Planning Committee

No meeting held this month

#### Mallee Local Transport Forum

- \$20,000 received for the project to promote local transport options in Gannawarra, Buloke and Swan Hill Shires
- Steering group formed for the project, and project plan adopted.
- Met with Charlton Neighbourhood House to discuss their ideas for a flexible local transport project

#### Lake Tyrrell Project Control Group

No meeting held this month

Buloke Library Steering Committee

The next meeting to be held in May

Economic Development and Tourism Advisory Group

No meeting this month

**Highlights of the month**

1. Nandaly Progress Association meeting:
  - Community met with Ali Cupper to discuss their ideas for 'The Pitch'
  - The re-opening of the Nandaly pub has been excellent in raising the spirits of the community. In 2 weekends, they did between 80 to 100 meals. They aim to maintain this at least in the future, by attracting tourists from the Silo Art Trail and Lake Tyrrell projects
  - Discussion of the Buloke Shire Revenue and Ratings Strategy
2. Buloke Women's Network Wine Women and Song event in Wycheproof. Over 100 women from across the Shire attended the event. Funding support from the 'Look Over the Farm Gate' program
3. Environment Protection Authority community meeting in Sea Lake to discuss the Bottom Pub site. The owner is responsible for the site clearance.
4. Culgoa Community Development Group meeting. The community are busy working on their walking trail project.
5. Nullawil Progress Association meeting. They are working on various projects, including their Pick My Project Silo Art Project, which is due to be commissioned by June.
6. Advance Sea Lake meeting

Art project started April 1<sup>st</sup> and is almost finished (murals on walls in town)

**Cr Stewart (Mayor)**

13 March 2019	Ordinary Meeting of Council, Wycheproof
14 March	ABC Radio interview
18 March	Our region our river funding announcement, Swan Hill
19 March	Mayor and CEO meeting Making the most of it - Beau Vernon, Charlton
20 March	Councillor Briefing Wycheproof
21 March	Drought Funding announcement, Charlton Harmony Day event, Donald Learning Centre
22 March	Wimmera Mayoral Gathering ABC Radio interview
24 March	Chinese Investment discussion, Donald
26 March	Mayor and CEO meeting Councillor Drought Funding Discussion, Wycheproof
27 March	Dja Dja Wurrung Natural Resource Management Annual Forum, Bendigo
28 March	Buloke Hobsons Bay Bowling Tournament, Donald
29 March	Longerenong College Graduation, Longerenong
1 April	Charlton Parks Committee Meeting, Charlton
2 April	Mayor and CEO meeting North Central Local Learning Employment Network AGM, Wycheproof
3 April	Tour of Donald Stadium Councillor Briefing, Donald
4 April	Rex Theatre Meeting
5 April	Seasonal Conditions Meeting, Horsham
7 April	Charlton RSL Centenary
10 April	Mayor and CEO Meeting Meeting with Local Government Minister, Wycheproof Councillor Drought Funding Discussion

## 9. OTHER BUSINESS

### 9.1 NOTICES OF MOTION

#### 9.1.1 MAV ACTION PLAN RECYCLING

**Author's Title:** Cr Daryl Warren

**Department:**

**File No:** WM/16/01

**Attachments:** 1 [⇒](#) MAV Proposed Action Plan

#### **MOTION:**

That Council:

1. Endorse the Municipal Association of Victoria's 'Rescue Our Recycling' Action Plan;
2. Commit to undertaking the steps required by local governments outlined in the Action Plan;
3. Write to our local state and federal government MPs calling on them to urgently undertake the required steps outlined in the Action Plan;
4. Engage with providers of recycling services in the region to identify opportunities to enhance local recycling; and
5. Explore options for stream separation in kerbside recycling collections to reduce contamination rates and maximise the value of recyclable material including paper and cardboard, glass, and aluminium.

**MOVED: CR DARYL WARREN**

**SECONDED: CR DAVID VIS**

**CARRIED.**

**(R537/19)**

#### 1. Background

Recycling is a key component of waste management in Buloke Shire. The public are strong supporters of recycling and the principles that underpin it. However, the recycling industry, and indeed the whole country, is currently in crisis. This is a result of under investment in the industry, reduced options for exporting our recyclable materials, and a variety of market failures. These issues, coupled with unsustainable levels of waste generation, have meant that significant amounts of potentially recyclable material could go into landfill.

In order to resolve the crisis, a range of short, medium and long-term strategies are required, and cooperation between the public and all three tiers of government is essential. The Municipal Association of Victoria has developed an Action Plan – 'Rescue our Recycling' – that outlines key steps that must be taken by relevant stakeholders (see Attachment 1). This motion is a public endorsement by Buloke Shire of this action plan, a commitment to undertake the steps required by local governments, and an agreement to lobby our state and federal government

counterparts to work with local government to address the recycling crisis as a matter of urgency.

This motion aligns with our Council Plan, and our Economic and Tourism Development Strategy.

**9.2 QUESTIONS FROM COUNCILLORS**

Nil

**9.3 URGENT BUSINESS**

Nil

**9.4 ANY OTHER BUSINESS**

Nil

**9.5 MATTERS WHICH MAY EXCLUDE THE PUBLIC**

Nil

**10. MEETING CLOSE**

Meeting closed at 7.57pm.