COUNCIL MEETING

AGENDA

Wednesday 10 April 2024

Commencing at 7:00pm

Wycheproof Supper Room

367 Broadway, Wycheproof

Wayne O'Toole
Chief Executive Officer
Buloke Shire Council

ORDER OF BUSINESS

1. COUNCIL WELCOME AND STATEMENT OF ACKNOWLEDGEMENT

WELCOME

The Mayor Cr Alan Getley will welcome all in attendance.

STATEMENT OF ACKNOWLEDGEMENT

The Mayor Cr Alan Getley will acknowledge the traditional owners of the land on which we are meeting and pay our respects to their Elders and to the Elders from other communities who maybe here today.

2. RECEIPT OF APOLOGIES

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDATION:
That Council adopt the Minutes of the Council Meeting held on Wednesday, 13 March 2024 and Council adopt the Minutes of the Council Meeting held on Wednesday, 20 March 2024.

4. REQUESTS FOR LEAVE OF ABSENCE

5. DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

In accordance with Section 130 (2) of the Local Government Act 2020 Councillors who have a conflict of interest in respect of a matter being considered at this Meeting, must

a) Disclose the conflict of interest in the manner required by the Council's Governance Rules 2020; and

a) Exclude themselves from the decision making process in relation to that matter, including any discussion or vote on the matter at any Council meeting or delegated committee, and any action in relation to the matter.

Disclosure must occur immediately before the matter is considered or discussed.

6. QUESTIONS FROM THE PUBLIC

NIL

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NIL

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NIL

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NIL

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NIL

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NIL

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NIL

10. MEETING CLOSE

NEXT MEETING

THE NEXT MEETING OF COUNCIL WILL BE HELD IN WYCHEPROOF SUPPER ROOM, 367 BROADWAY, WYCHEPROOF ON WEDNESDAY, 8 MAY 2024 AT 7:00PM.

Wayne O'Toole
CHIEF EXECUTIVE OFFICER

6. QUESTIONS FROM THE PUBLIC

Nil

7. PROCEDURAL ITEMS

7.1 LETTERS OF CONGRATULATIONS AND RECOGNITION OF ACHIEVEMENT/AWARDS

Author's Title: Executive Assistant

Department: Office of the CEO ***File No:*** CR/13/01

PURPOSE

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

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

RECOMMENDATION

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

Attachments: Nil

RECOGNITION OF ACHIEVEMENT ITEMS

Provider	Recipient	Date	Purpose for Recognition

7.2 REPORT OF COUNCILLOR ASSEMBLIES

Author's Title: Executive Assistant

Department: Office of the CEO ***File No:*** GO/05/04

RECOMMENDATION

That the Council note the report of Councillor Assembly Meetings held 6 March and 20 March 2024.

Attachments:
1 Councillor Briefing Record - 6 March 2024
2 Councillor Briefing Record - 20 March 2024

KEY POINTS/ISSUES

Transparency is a fundamental principle of democratic governance.

The Local Government Act 2020 (The Act) Section 9 (2) (i) provides that the transparency of Council decisions, actions and information is to be ensured.

In accordance with Section 57 of The Act, Council at its September 2020 Ordinary Meeting, adopted a Public Transparency policy, designed to improve public transparency in Council's decision-making processes and to assist the community in understanding the information that is accessible to them.

As per the Council Meeting Schedules adopted 9 November 2022 and 8 November 2023, Councillor Briefings are held for Councillors to meet to consider matters that are likely to be the subject of a Council decision or for the exercise of delegation.

A record of the Councillor Briefings held on 6 March and 20 March 2024 is attached for public information.

Councillor Briefing Record

Build a Better Buloke – a healthy, connected, inclusive and prosperous community

Date:	6 March 2024	**Time**	5:00pm – 8:00pm
Location:	Nandaly Hall		
Attendees:	Cr Getley, Cr Simpson, Cr Milne, Cr Hogan, Cr Pollard, Wayne O'Toole, Travis Fitzgibbon, Jenna Allan, Daniel McLoughlan.		
Apologies:	Cr Warren, Cr Stewart		
Guests:	Sam Brady - Nandaly Progress Association; Reid Mather - Rail Freight Alliance; Andrew Rose – Manager Governance, Rodney Hotker – Senior Planning Officer; Roslyn Olle – Planning Officer		
Acknowledgement of Country:	The Mayor will acknowledge the traditional owners of the land on which we are meeting and pay our respects to their Elders and to the Elders from other communities who may be here today.		
Conflicts of Interest:	Cr Pollard for part of item 3.3.		

ITEMS

NO.	MATTER FOR DISCUSSION	
1.	**Councillor only time 5:00pm – 5:30pm**	
2.	**Confirmation of Councillor Briefing Minutes – 21 February 2024**	Confirmed
3.	**Presentations**	
3.1	Nandaly Progress Association Nandaly Hall discussion – Sam Brady	
3.2	Planning Scheme Review Report - Rodney Hotker & Roslyn Olle	
	Dinner Break	
3.3	Rail Freight Alliance - Reid Mather	
3.4	Fair Access Policy - Jenna Allan	
4.	**Councillor Matters**	
5.	**CEO Updates**	
5.1	Draft Council Meeting Agenda – 13 March 2024	
5.2	Budget Preparation	
5.3	Additional Meeting for March	

NEXT BRIEFING
20 March 2024, Charlton & District Offices, 5:00pm

Councillor Briefing Record

Build a Better Buloke – a healthy, connected, inclusive and prosperous community

Date:	20 March 2024	**Time**	5:00pm – 8:00pm
Location:	Charlton District Office		
Attendees:	Mayor Alan Getley, Cr David Pollard, Cr Bernadette Hogan, Cr Graeme Milne, Cr Darryl Warren Wayne O'Toole, Chief Executive Officer, Daniel McLoughlan, Director Infrastructure and Delivery, Jenna Allan, Acting Director Community Development		
Apologies:	Travis Fitzgibbon – Acting Director Corporate & Organisation Performance		
Guests:	Trevor Rumbold – Acting Manager Assets Youth Engage Students – NCLLEN Kayleen Cossar – Charlton Neighbourhood House Rosanna Lacorcia (AEMO),Geoff Caine (DEECA), Amy Pepper (Aurecon) and Victoria Envy (AEMO)		
Acknowledgement of Country:	The Mayor will acknowledge the traditional owners of the land on which we are meeting and pay our respects to their Elders and to the Elders from other communities who may be here today.		
Conflicts of Interest:	Cr Pollard – Item 3.4 Due to the presenter (VNI West) having an interest in land that Cr Pollard owns, for the proposed line.		

ITEMS

NO.	MATTER FOR DISCUSSION	
1.	**Councillor and CEO time 5:00pm – 5:30pm**	
2.	**Confirmation of Councillor Briefing Minutes – 6 March 2024**	
3.	**Presentations**	
3.1	Monthly Capital Project Update – Trevor Rumbold – Acting Manager Assets	**5:30pm**
3.2	Youth Engage Students – NCLLEN –to speak on OK Motels	**5:45pm**
	Visy – Cancelled	
3.3	Charlton Neighbourhood house – Kayleen Cossar	**6:00pm**
Dinner Break		**6:20pm**
3.4	VNI West – AEMO - via zoom - Rosanna Lacorcia	**6:35pm**
4.	**Councillor Matters**	**7:00pm**
5.	**CEO Updates -** No additional updates to provide	**7:20pm**
NEXT BRIEFING 3 April 2024, Birchip District Office - Council Chambers, 5:00pm		

7.3 CORRESPONDENCE INITIATED BY COUNCIL

Author's Title: Executive Assistant

Department: Office of the CEO ***File No:*** GO/06/06

PURPOSE

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

RECOMMENDATION

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

Attachments: Nil

TABLE OF CORRESPONDENCE

Council Initiative	Sent to	Sent	Response	Purpose of Letter/Response
Notice of Motion from	*Hon Melissa Horne MP Minister for Roads and Road Safety* *Copy sent to: Jade Benham MP Member for Mildura*	22 Feb 2024		Local Council Electoral Structure Review.

7.4 BUILDING PERMITS - MONTHLY UPDATE

Author's Title: Statutory Administration Support

Department: Community Development ***File No:*** DB14/01

EXECUTIVE SUMMARY

This report provides information on Building Permits approved by staff from 1 March 2024 to 31 March 2024.

RECOMMENDATION

That the Council note information contained in the report on Building Permits approved by staff from 1 March 2024 to 31 March 2024.

Attachments: Nil

LIST OF BUILDING PERMITS APPROVED BY COUNCIL SURVEYOR

Council Reference	Permit No.	Address	Project Description	Date Approved
20240002	2935720508422	Broadway Wycheproof VIC 3527	Extension	21/3/2024

LIST OF BUILDING PERMITS APPROVED BY PRIVATE BUILDING SURVEYOR

Council Reference	Permit No.	Address	Project Description	Date Approved
PBLD24015	3428803163288	Watchupga East ROAD Willangie VIC 3485	Construction of a storage shed	7/3/2024
PBLD24013	3085198955851	Calder Highway Nullawil VIC 3529	Carport	13/3/2024
PBLD23149	6867945031837	Cooks and Kerrs ROAD Narraport VIC 3483	Machinery Shed	21/3/2024

7.5 PLANNING APPLICATIONS RECEIVED - MONTHLY UPDATE

Author's Title: Planning Officer

Department: Community Development ***File No:*** LP/09/01

PURPOSE

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

RECOMMENDATION

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

Attachments: Nil

LIST OF PLANNING APPLICATIONS

Application No	Address	Date Rec	Summary of Proposal	Status
PA23026	Horace Street, Sea Lake	06/09/2023	Construct and display internally illuminated business identification sign (LED priceboard)	Review
PA24001	Yeungroon Road, Yeungroon East	13/12/2023	Use and development of land for rural worker accommodation (two two-bedroom units and carport)	Review
PA24002	Borung Highway, Wooroonook	10/01/2024	Use and development of land for a single dwelling on an allotment in the Farming Zone, create or alter access to a Transport Zone and build within a setback to a Transport Zone	Review
PA24003	Clifton Street, Charlton	22/01/2024	Construction of a dwelling and demolition of an outbuilding within a Heritage Overlay	Permit Issued
PA24004	Borung Highway, Gil Gil	28/01/2024	Use and development of land for a place of assembly to hold the Donald B & S on one occasion in 2024 and one occasion in 2025, including patron camping for the event.	Review
PA24005	Slocombe Road, Warmur	24/01/2024	Subdivision of land (boundary realignment)	Review
PA24006	Racecourse Road, Donald	29/01/2024	Use and development of land for retail (plant nursery) and restricted retail (plant and equipment hire)	Review

Application No	Address	Date Rec	Summary of Proposal	Status
PA24007	Jenkins Street, Charlton	29/02/2024	Two lot subdivision of land (boundary realignment)	Notice of Application Referral
PA24008	Railway Avenue, Sea Lake	26/02/2024	Use and development of land to construct four dwellings on a lot for workers accommodation	Notice of Application Referral
PA24009	Borung Highway, Gil Gil	29/02/2024	Alter access to a road in Transport Zone 2 (TRZ2)	Referral
VS23011	High Street, Wycheproof	31/11/2023	Construct a 2 metre fence in a Heritage Overlay	Application Lapsed
VS24001	Woods Street, Donald	11/01/2024	Carry out external works to a building in a Heritage Overlay (awning)	Permit Issued

The information published in the list provided, is in accordance with the *Privacy and Data Protection Act 2014* and the *Planning and Environment Act 1987*.

7.6 STATUS OF ACTION OF PAST COUNCIL MEETING RESOLUTIONS

Author's Title: Executive Assistant

Department: Office of the CEO ***File No:*** GO/05/04

PURPOSE

To provide Council with a list of the Status of Action (SOA) of Council Resolutions outstanding for completion of action, and the SOA for the 13 March 2024 Council Meeting and 20 March 2024 Special Meeting Resolutions.

RECOMMENDATION

Council to note the Status of Action Report for Council resolutions documented on this list.

Attachments: 1 ⇩SOA Outstanding CM resolutions 13 and 20 March 2024 Meetings

KEY POINTS/ISSUES

The Local Government Act 2020 (The Act) Section 9 (2) (i) provides that the transparency of Council decisions, actions and information is to be ensured.

In accordance with the Council's Governance Rules adopted August 2022, Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured and is a fundamental principle of democratic governance.

Attached to this report for public information is a list of the SOA of Council Resolutions outstanding for completion of action and introducing the SOA for the 13 March 2024 Council Meeting and 20 March 2024 Special Meeting Resolutions.

Summary of Action on Council Resolutions – Outstanding Items 13 March 2024 CM and Special Meeting 20 March 2024 – Tabled 10 April 2024 Council Meeting

Date	Directorate	Item	Resolution/Question	Actioning Officer/s	Status of Action	Complete or Commenced
02082023	Infrastructure and Delivery	8.2.1	That Council: 1. Notes following consultation process in accordance with its Community Engagement Policy, one submission was received to the proposed nine-lot subdivision sale of land at 110 Sutcliffe Street, Sea Lake; 2. Sells nine-lot subdivision surplus land at 110 Sutcliff St, Sea Lake by private treaty or auction in accord sec 114 of the Local Gov Act 2020 and Council's Sale of Land Policy; and 3. Authorises the CEO to execute the Transfer of Land documents and any other documents required to affect the sale of the land.	Dir Infra & Del	GWMWater approval obtained, procurement for works has commenced. Civil contractor has recommenced works.	Commenced
09082023	Infrastructure and Delivery	8.2.4	**Risk and Resilience Grants Program** That Council: 1. Approve a financial co-cont of $70,000 from $200,000 Grant Oppor Reserve FY24 in addition to a $180,000 Council cash commitment in FY25 for the purposes of a funding application towards the Risk and Resilience Grants Program 2023. 2. Delegate authority to the CEO to apply for the Risk and Resilience Grants Program 2023; and 3. Authorises the Chief Executive Officer to sign the funding agreement on behalf of the Council should the application be successful.	Dir Infra & Del	Expression of Interest submitted	Commenced

Tabled 10 April 2024 Council Meeting

Summary of Action on Council Resolutions – Outstanding Items 13 March 2024 CM and Special Meeting 20 March 2024 – Tabled 10 April 2024 Council Meeting

Date	Directorate	Item	Resolution/Question	Actioning Officer/s	Status of Action	Complete or Commenced
13122023	Community Development	8.2.1	That Council endorse the Draft Children, Youth and Families Plan to go out for community feedback.	Dir Comm Dev	Advertised and available on Council website. Direct contact with stakeholder groups underway, will come back to Council in April for adoption.	In progress
21122023	Infra & Delivery	4.1.1	Birchip Community Housing Growing Regions application stage 2 That Council: 1. Gives approval for Birchip Community Housing Incorporated to seek a bank loan of up to $350,000 to complete the construction, should their funding application be successful; 2. Provides in principle support to act as guarantor for a 10-year loan up to a maximum of $350,000; 3. Authorises the Chief Executive Officer to negotiation the terms and structure of the guarantor agreement with Birchip Community Housing Incorporated and the bank; 4. Allocate up to $100,000 over 2023/24 and 2024/25 financial years through the established Grant Opportunity Reserve. 5. Makes the land at 56 Cumming Avenue, Birchip available to implement the construction work proposed under the Project.	Dir Infra & Del	Correspondence supporting stage 2 application sent	Complete – awaiting outcome of stage 2 process

Tabled 10 April 2024 Council Meeting

Summary of Action on Council Resolutions – Outstanding Items 13 March 2024 CM and Special Meeting 20 March 2024 – Tabled 10 April 2024 Council Meeting

Date	Directorate	Item	Resolution/Question	Actioning Officer/s	Status of Action	Complete or Commenced
14022024	CEO	8.2.3	Visitor Economy Partnership 1. Authorise CEO to join the Grampians, Wimmera Mallee Visitor Economy Partnership which will be the recognised Visitor Economy Partnership for the Region. 2. Subject to Council's annual budgetary process allocate a financial contribution of $15,000 for the 2024/25 and 2025/26 years to the Grampians, Wimmera Mallee Visitor Economy Partnership. 3. Note that the funding allocation for the 2023/24 Financial Year was reallocated from Wimmera Mallee Tourism to the new Visitor Economy Partnership and increased to anticipate the change. 4. Note that the Wimmera Mallee Destination Management Plan, once developed, will be the key strategic document for the future entity to deliver, which will be informed by the Wimmera Mallee Tourism Strategy 2022-2027.	CEO Office	MoU signed	Completed
13032024	CEO	7.2	Council acknowledge & congratulate persons and/or groups mentioned in the report for their achievements.	CEO Office	Letters sent	Completed.
13032024	Infra & Delivery	8.2.1	Licence NRMA Electric Highways Pty Ltd 1. Grants a licence to NRMA Electric Highways Pty Ltd for part of the land being Lot 1 TP675994	Dir Infra & Delivery		

Tabled 10 April 2024 Council Meeting

Summary of Action on Council Resolutions – Outstanding Items 13 March 2024 CM and Special Meeting 20 March 2024 – Tabled 10 April 2024 Council Meeting

Date	Directorate	Item	Resolution/Question	Actioning Officer/s	Status of Action	Complete or Commenced
			contained in Certificate of Title Volume 5222 Folio 214, 381 Broadway, Wycheproof, Vic, 3527 on the following terms: a) A 5-year licence commencing 1 April 2024, including one further option of 5 years, and b) A licence fee of $1 per annum plus GST, if demanded 2.Authorise the Chief Executive Officer to undertake the administrative procedures necessary to execute the Licence agreement.			
13032024	Community Development	8.2.2	Buloke Planning Scheme Review: 1. Endorse the Buloke Planning Scheme Review Report – September 2023, and 2. Publish the endorsed Buloke Planning Scheme for public feedback.	Dir Comm Devl	This is available on Council's website and have been advertised in local papers, on social media and local radio.	Commenced.
20032024	Infrastructure and Delivery	4.1	That Council: **1.** Approve a financial co-contribution of $250,000 ($83,333p.a.) Council cash and $250,000 ($83,333p.a.) of in-kind support, to be funded over 3 financial years from Q3 2024 to Q3 2027 for the purposes of a funding application towards the Disaster Ready Fund 2024. **2.** Delegate authority to the Chief Executive Officer to apply for National Emergency Management	DID		

Tabled 10 April 2024 Council Meeting

Summary of Action on Council Resolutions – Outstanding Items 13 March 2024 CM and Special Meeting 20 March 2024 – Tabled 10 April 2024 Council Meeting

Date	Directorate	Item	Resolution/Question	Actioning Officer/s	Status of Action	Complete or Commenced
			Agency Disaster Ready Fund Round Two 2024-2025; and **3.** Authorises the Chief Executive Officer to sign the funding agreement on behalf of the Council should the application be successful.			
20032024	Infrastructure and Delivery	4.2 (See below as well)	That Council: **1.** Commit $266,486 over FY25 and FY26 Annual Budgets for the purposes of submitting an application to the Regional Community Sports Infrastructure Fund 2. Delegate authority to the Chief Executive Officer to apply for the Regional Community Sports Infrastructure Fund; and 3. Delegate authority to the Chief Executive Officer to underwrite a community contribution to the effect of $200,000; and **4.** Authorises the Chief Executive Officer to sign the funding agreement on behalf of the Council should the application be successful.	DID		

8. GENERAL BUSINESS

8.1 POLICY REPORTS

8.1.1 DRAFT FAIR ACCESS POLICY

Author's Title: Director Corporate and Organisational Performance

Department: Community Development ***File No:*** CM/14/16

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Community Wellbeing

PURPOSE

To present to Council the Draft Fair Access Policy and seek endorsement of the release of the draft policy and associated action plan, for further community feedback prior to a final Policy and action plan being presented at a future Council Meeting for adoption.

SUMMARY

The Buloke Shire Council Fair Access Policy has been developed in response to the Victorian Government's Fair Access Policy Roadmap, which was initiated in 2022 and seeks to address known barriers experienced by women and girls in accessing and using community sports infrastructure.

The scope of the Policy is to support Council to take positive action towards achieving gender equity in the access and usage of community sports infrastructure. This complies with the *Gender Equality Act 2020* and aligns with Municipal Public Health and Wellbeing Plans as well as Council's own Gender Equality Action Plan and the Buloke Shire Council Inclusiveness Plan.

RECOMMENDATION

That Council endorse the Draft Fair Access Policy to be distributed for community feedback and consultation.

Attachments:
1 ⇩Draft Fair Access Action Plan
2 ⇩Draft Fair Access Policy

DISCUSSION

This Policy establishes the expectation that gender equality is considered and prioritised in all of Council's current and future planning, policy, service delivery and practice as they relate to community sports infrastructure.

For the Buloke Shire Council, this policy applies to the community sports infrastructure that is owned or managed by Council and of which is a beneficiary of Council's recreation allocation funding program. Any infrastructure that is not owned or managed by Council falls outside of the scope of this policy.

Council acknowledges that the requirement to have a gender equitable access and use policy and action plan (or equivalent) in place, and the ability to demonstrate progress against that policy and action plan

(or equivalent), will form part of the eligibility criteria for Victorian Government funding programs relating to community sports infrastructure from 1 July 2024.

Council has also identified specific actions to progress gender equitable access and use of community sports infrastructure in its Fair Access Action Plan.

RELEVANT LAW

Gender Equality Act 2020
Local Government Act 2020
Equal Opportunity Act 2010

RELATED COUNCIL DECISIONS

This is a new policy, in response to the Victorian Government's reform agenda following the 2015 inquiry into Women and Girls in Sport and Active Recreation.

OPTIONS

Council can choose not to endorse the draft policy to go out for community feedback.

SUSTAINABILITY IMPLICATIONS

No Sustainability implications.

COMMUNITY ENGAGEMENT

This draft policy will be circulated throughout the community for feedback in line with Council's Community Engagement Policy before undertaking a review and then being presented for adoption at Council's June 2024 Meeting.

INNOVATION AND CONTINUOUS IMPROVEMENT

The introduction of the Fair Access Policy will ensure that Council are eligible for future funding opportunities which will strengthen our sporting infrastructure and the participation and social connection that is associated.

COLLABORATION

Throughout the education and review phases of the Victorian Government's Fair Access Roadmap, Council officers have worked with stakeholders including Sport and Recreation Victoria, the office of Women and Girls in Sport, regional sports assemblies, neighbouring Councils and consultants to ensure that this policy and action plan are well informed and aligned to the reform agenda and fair access principles.

FINANCIAL VIABILITY

This policy and action plan may over time result in initiatives or funding opportunities that will need to be considered in future Council budgets.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Victorian Government's Fair Access Roadmap

COUNCIL PLANS AND POLICIES

Gender Equality Action Plan
Inclusiveness Plan

TRANSPARENCY OF COUNCIL DECISIONS

Endorsing the Draft Fair Access Policy for community consultation allows the community and stakeholders an opportunity to provide feedback which will shape the final policy and further actions.

CONFLICTS OF INTEREST

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

Buloke Shire Council Fair Access – Action Plan

Draft: Circulated April 2024

Fair Access Roadmap: Principle One Community sport infrastructure and environments are genuinely welcoming, safe and inclusive				
Actions		**Responsibility**	**Timeframes**	**Indicator of Success**
	Community consultation and educational initiatives that encourage an increase in awareness for inclusive behaviours and actions taken by Volunteer leaders.	Council	12 Months	Distribution of educational material across broader social media and hard media communications channels. Direct communications to clubs, volunteers and committee members.
	Gender Impact Assessments undertaken for all individual masterplan projects for Recreation Reserves. GIA's included in RFQ and RFT documentation for all sporting and recreational infrastructure projects.	Council	6 Months	Inclusion of GIA's as a requirement in all RFQ and RFT Council documentation.
	Gender Impact Assessment undertaken for the current Buloke Recreation Strategy for all levels of organised sport and passive active recreation	Council	6 Months	GIA undertaken
	Gender Impact Assessments to be undertaken on all major Recreation Reserve Facilities in consultation with community and volunteers	Council	12 Months	3 Key Recreational Facilities undertaken in 2024/25. Another 2 to be undertaken as part of masterplan process via consultant
	Inclusive design principles adopted into Project Management Framework at initiation/consultation phase	Council	6 Months	Delivery of all capital works projects to meet gender inclusive design principles
Fair Access Roadmap: Principle Two				

DRAFT

Women and girls can fully participate in all aspect of community sport and active recreation, including as a player, coach, administrator, official, volunteer and spectator				
	Actions	**Responsibility**	**Timeframes**	**Indicator of Success**
	Undertake a review and consultation of existing sporting club leaders within the LGA and encourage their participation in a marketing campaign to help further promote the benefits of participation	Council Community Committees of Management	12 months	Increased uptake in participation
	Continue to collaborate with and sponsor the Mallee Sports Assembly for all programs and events	Council Sports Assembly	Ongoing	Increased participation levels through marketing/communications and support for MSA projects/events
	Work with community groups and volunteers to plan community led events which increase training and upskilling	Counicl Community Sports Assembly Committees of Management	12 months	Increase in number of opportunities for volunteer training and upskilling
Fair Access Roadmap: Principle Three **Women and girls will have equitable access to and use of community sport infrastructure** **a) Of the highest quality available and most convenient** **b) At the best and most popular competition and training times and locations** **c) To support existing and new participation opportunities, and a variety of sports**				
	Actions	**Responsibility**	**Timeframes**	**Indicator of Success**
	Partner and collaborate with relevant State Government sporting bodies and other stakeholders to provide opportunities for women and girls to try a new sport or recreational program	Council Community Sports Assembly Committees of Management	12 months	The facilitation of 'come and try' days ran across the Shire.
	Pursue funding opportunities to improve otherwise outdated and inappropriate	Council Committee of Management	12 Months	Applications to funding bodies submitted

DRAFT

	infrastructure that does not meet inclusive design guides.			
	Consultation is undertaken with various Clubs' membership bases to better understand their preference to the usage and times for usage of existing infrastructure. (Council to assist in facilitation and communication through educational materials)	Council Committee of Management Community	12 Months	Provision of materials and club meeting minutes outlining general discussions had with members regarding timing and use requirements
	Development of a new Recreation Strategy with embedded outcomes to strengthen the use of facilities for greater gender inclusivity and fair play.	Council Community Committee of Management	18 Months	Adoption of a new Recreation Strategy
Fair Access Roadmap: Principle Four **Women and girls should be equitably represented in leadership and governance roles**				
Actions		**Responsibility**	**Timeframes**	**Indicator of Success**
	Promotion and education campaign for women and girls in leadership positions at a local level to inspire more uptake.	Council Committee of Management	12 Months	Establishment of data set, network of key contacts and increase in participation
	Data collection regarding gender break up of committees via the recreation reserve allocations system via Smarty Grants Portal	Council	12 Months	Establishment of new data base
	Review of any paid sporting club roles and consultation to ensure there is an equal and fair process in place	Committees of Management	12 Months	Workshop attendance and education materials utilised in practice. Information and feedback.
Fair Access Roadmap: Principle Five **Encourage and support all user groups who access and use community sport infrastructure to understand, adopt and implement gender equitable access and use practices**				
Actions		**Responsibility**	**Timeframes**	**Indicator of Success**

DRAFT

	Facilitation of gender equity training for community group volunteers	Council	12 Months	Attendance rates
	Facilitation of gender equity training for internal Council Staff	Council	12 Months	Attendance rates
	Facilitation of training for access key use/development for internal staff	Council	18 Months	Attendance rates and establishment of access key documents
	Prioritised promotion of gender inclusive sporting club events through Council media	Council	6 Months	Increased social media engagement
	Community grants guidelines amended to offer higher level of support to those community groups/clubs demonstrating commitment to gender equitable practices	Council	12 Months	Development of new guidelines
	Aquatic facility booking guide amended to nominate community groups or businesses' commitment to gender inclusive practices	Council	6 Months	Development of new guidelines
	Council facilities booking guide amended to nominate community groups or businesses' commitment to gender inclusive practices	Council	6 Months	Development of new guidelines
Fair Access Roadmap: Principle Six **Prioritise access, use and support to all user groups who demonstrate an on-going commitment to gender equitable access and use of allocated community sport infrastructure.**				
	Actions	**Responsibility**	**Timeframes**	**Indicator of Success**
	Implementation of the Smarty Grants system and data collection for user groups	Council Community User Groups	6 Months	New system operational
	New booking system for recreation facilities with relevant information for users' accessibility and gender inclusivity needs	Council	18 Months	New system operational

DRAFT

ACTION PLAN DRAFT DOCUMENT DUE FOR REVIEW: April 2025

DRAFT

POLICY LOCATION	Community Development	**POLICY TITLE**	Fair Access Policy
POLICY NUMBER	1	**DATE ADOPTED**	DRAFT – MARCH 2024
REVISION NUMBER	Nil – New Policy	**REVISION DATE**	June 2025

Purpose

The Buloke Shire Council Fair Access Policy (the Policy) has been developed in response to the Victorian Government's Fair Access Policy Roadmap, which seeks to address known barriers experienced by women and girls in accessing and using community sports infrastructure. The Policy aims to progressively build capacity and capabilities of the Buloke Shire Council (Council) in the identification, and elimination of systemic causes of gender inequality in policy, programs, communications, and delivery of services in relation to community sports infrastructure.

The Buloke Shire Council will undertake take the necessary and proportionate steps towards implementation of the Fair Access Policy.

Background

Sport is a highly visible and valued feature of Buloke Shire Council's culture and identity. The sport and active recreation sector provide opportunities for enriching our communities through the promotion of respect and fair mindedness for all people, while also supporting the physical and mental wellbeing of all Victorians. Buloke Shire Council is well positioned to design and implement place-based, integrated action plans that progress gender equality in community sport.

Alongside the Victorian Government, Council is committed to developing an environment for all to live in a safe and equal society, have access to equal power, resources, and opportunities, and are treated with dignity, respect, and fairness. A reform agenda has been developed to change the systems that have perpetuated gender inequality by designing an enduring structure that requires implementation and tracking of progress over time.

This reform agenda includes addressing the traditional structures and the way community sport and recreation organisations operate through the implementation all nine (9) recommendations from the *2015 Inquiry into Women and Girls in Sport and Active Recreation*. This includes recommendation six (6):

> *"…encourage facility owners and managers to review access and usage policies to ensure women and girls have a fair share of access to the highest quality facilities at the best and most popular times"*

and

"facilitating a universal adoption of policies, strategies and audit tools that will drive change further"

As a defined entity of the *Gender Equality Act 2020*, from 31 March 2021 Council must conduct Gender Impact Assessments (GIA) on all new policies, programs, communications, and services, including those up for review, which directly and significantly impact the public (Gender Equality Act 2020). The access and use of community sports infrastructure is an example of policy that has a direct and significant impact on the public.

Definitions

Committees of Management

For the purposes of this document, refers to committees appointed by the Department of Land, Water, Environment and Planning under the *Crown Land (Reserves) Act 1978* to manage recreation reserves where community sport training and games are held.

Community Sports Infrastructure

Publicly owned local, rural, regional, or state level sport and recreation infrastructure operated and maintained primarily for the purpose of facilitating community sport activities, including sporting grounds, surfaces, facilities, and pavilions.

Gender

How you understand who you are and how you interact with other people. Many people understand their gender as being a man or woman. Some people understand their gender as a mix of these or neither. A person's gender and their expression of their gender can be shown in different ways, such as through behaviour or physical appearance.

Gender diverse

An umbrella term for a range of genders expressed in different ways. Gender diverse people use many terms to describe themselves. Language in this area is dynamic, particularly among young people, who are more likely to describe themselves as non-binary.

Gender equality

The equal rights, responsibilities and opportunities of women, men and trans and gender-diverse people. Equality does not mean that women, men and trans and gender diverse people will become the same but that their rights, responsibilities, and opportunities will not depend on their gender.

Gender equity

The provision of fairness and justice in the distribution of benefits and responsibilities based on gender. The concept recognises that people may have different needs and power related to their gender and these differences should be identified and addressed in a manner that rectifies gender related imbalances.

Gender Impact Assessment, or GIA

A requirement under the *Gender Equality Act 2020* to be carried out on policies, programs and services which have a direct and significant impact on the public. The assessment must evaluate the effects that a policy, program or service may have on people of different genders.

Public land management groups

For the purposes of this document, are the Committees of Management appointed under the *Crown Land (Reserves) Act 1978* and responsible for the management of recreation reserves where community sport training and games are held.

Transgender, or trans

Someone whose gender does not only algin with the one assigned at birth. Not all trans people will use this term to describe themselves.

Policy Statement

This Policy establishes the expectation that gender equality is considered and prioritised in all of Council's current and future planning, policy, service delivery and practice as they relate to community sports infrastructure.

a. Buloke Shire Council recognises that gender equality is the attainment of equal rights, responsibilities, and opportunities of women, men, trans and gender diverse people. Equality does not mean that women, men, trans and gender diverse people will become the same but that their rights, responsibilities, and opportunities will not depend on their gender.

b. Buloke Shire Council recognises that gender equity is the provision of fairness and justice in the distribution of benefits and responsibilities based on gender. The concept recognises that people may have different needs and power related to their gender and these differences should be identified and addressed in a manner that rectifies gender related imbalances.

Scope

The Policy enables effective and efficient integration of the requirements of the *Gender Equality Act 2020*, the *Local Government Act 2020* and the *Public Health and Wellbeing Act 2008* and other legislative frameworks.

The scope of the Policy is to support Council to take positive action towards achieving gender equity in the access and usage of community sports infrastructure. This complies with the *Gender Equality Act 2020* and aligns with Municipal Public Health and Wellbeing Plans.

This policy aims to build capacity and capabilities of Council in the identification and elimination of systemic causes of gender inequality in our policies, programs, communications and delivery of those services relating to community sport and recreation. It ensures an effective place-based response for gender equitable use and access to local community sports infrastructure.

For the Buloke Shire Council, this policy applies to the community sports infrastructure that is owned or managed by Council and of which is a beneficiary of Council's recreation allocation funding program. Any infrastructure that is not owned or managed by Council falls outside of the scope of this policy. Council is committed to working alongside the owners and managers (including the State Government via the Dept of Energy, Environment and Climate Action/DEECA) of any other recreational based facilities within the Buloke Shire to support compliance with the Fair Access Policy Roadmap and consistency for our community.

Appendix 1 sets out the infrastructure within the scope of this Policy.

Policy Framework

The Policy is designed to comply with the *Gender Equality Act 2020*, and the wider Victorian Government gender equality strategy.

Council acknowledges:

- the disadvantaged position some individuals have had in the sport and recreation sector because of their gender; and
- that achieving gender equality will require diverse approaches for women, men, trans and gender diverse people to achieve similar outcomes for people of all genders.

Council will:

- engage fairly and equitably with all staff, governance working groups, state sporting organisations, regional sport assemblies (where applicable) and members of our sport and recreation community, regardless of their gender, in a positive, respectful, and constructive manner; and
- engage in the process of gender impact assessments to assess the implications for women, men, trans and gender diverse people of any planned action, including policies and communications. This is a strategy for making all voices, concerns and experiences, an integral dimension of the design, implementation, monitoring of policies and programs.

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References

Fair Access Principles

The Fair Access Principles have been developed by the Office for Women in Sport and Recreation, Sport and Recreation Victoria and VicHealth, in consultation with representatives from local government and the state sport and recreation sector. This Policy and any resultant action plan are based on six (6) principles of inclusivity, full participation, equal representation, encouraging and supporting user groups, and prioritising user groups committed to equality.

Council considers that these principles provide clear direction, while also enabling adaption to the specific environment of *the* Buloke Shire area.

Other Related Legislation and Plans:
Gender Equality Act 2020
Local Government Act 2020
Equal Opportunity Act 2010
Gender Equality Action Plan (Buloke Shire Council)
Inclusiveness Plan (Buloke Shire Council)

Figure 1: Fair Access six (6) principles

Compliance and Monitoring

Actions

Council commits to undertake a GIA on all current community sports infrastructure access and use policies and processes, and to consider opportunities to strengthen gender equitable access and use of community sports facilities in alignment with the Fair Access Principles.

If the process of assessing current policies and processes identifies opportunities to develop or strengthen gender equitable access and use of community sports facilities in alignment with the Fair Access Principles, Council commits to developing and adopting a locally relevant gender equitable access and use policy and action plan no later than 1 October 2024.

Council acknowledges that the requirement to have a gender equitable access and use policy and action plan (or equivalent) in place, and the ability to demonstrate progress against that policy and action plan (or equivalent), will form part of the eligibility criteria for Victorian Government funding programs relating to community sports infrastructure from 1 July 2024.

Council has also identified specific actions to progress gender equitable access and use of community sports infrastructure in its Fair Access Action Plan.

Responsibility

Council's Senior Executive Team, the Coordinator Community Facilities and Manager Community Development are responsible for implementing the Buloke Shire Council's Fair Access Policy. All management personnel, staff, volunteers, and stakeholders within Council and the Buloke Shire local government area, have a shared responsibility to support the policy, as outlined in the table below.

Role	Responsibility
All Council personnel, volunteers and stakeholders, Community Leaders	• To promote a gender-aware and gender-responsive culture and community and championing the Fair Access Policy. • To promote, encourage and facilitate the achievement of gender equality and improvement in the status of women and girls in sport and active recreation.
Council Senior Officers and relevant Council personnel Nominated Committee members/ leaders within stakeholder groups	• Lead the review of sport and recreation policies and process • Develop and adopt gender equitable access and use policies • To communicate policy updates to all staff and members • To monitor compliance and issues • To promote, encourage and facilitate the achievement of gender equality and improvement in the status of women and girls • Support the undertaking of Gender Impact Assessment and submission of progress reports as per the *Gender Equality Act 2020* obligations
Council Senior Officers and relevant Council personnel Nominated Committee members/ leaders within stakeholder groups	• Support the review of sport and recreation policies and processes • Support the formal adoption process of a new or revised gender equitable policies • Undertake Gender Impact Assessment and submission of progress reports as per the *Gender Equality Act 2020* obligations
Council Senior Officers and relevant Council personnel Nominated Committee members/ leaders within stakeholder groups	• To communicate and educate sport and recreation infrastructure user groups and users.
Council Senior Officers and relevant Council personnel	• To adhere to and communicate the policy when required. • To attend training / awareness programs.

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Consultation

Council Consultation

Councillors have been briefed and consulted on the Fair Access Roadmap and are invited to contribute to the further development, review and progress of this draft Fair Access Policy.

Staff Consultation

The draft Fair Access Policy is to be circulated to Council staff with an offer to contribute and provide feedback on both the draft Policy and draft Fair Access Action Plan.

Community Consultation

Community groups, volunteers and the wider Buloke Shire community will be invited to review and contribute to the further development of Council's draft Fair Access Policy and draft Action Plan.

Policy Review

The draft Fair Access Policy and Fair Access Action Plan will be monitored and then reviewed over the period of the first year of its implementation with a due date of June 2025 for the completion of the review.

DRAFT

Appendix 1: Relevant Community Sports Infrastructure and Assets

Asset Category:
(note: this Policy excludes any school sporting facilities located on land controlled by the Department of Education and Training)

- Recreation and sporting social rooms/club houses
- Indoor sports stadiums
- Outdoor sporting fields/grounds and sporting reserves
- Tennis Courts
- Aquatic facilities
- Golf Courses & Golf precincts
- Skate Parks
- Cricket pitches and outdoor cricket practice net facilities
- Netball Courts
- Bowling Greens
- Bike/pump track facilities
- Croquet facilities
- Squash facilities
- Outdoor gym facilities
- Indoor gym facilities
- Racing and equestrian facilities

DRAFT

8.2 MANAGEMENT REPORTS

8.2.1 AUDIT AND RISK COMMITTEE CHAIR REPORT

Author's Title: Director Corporate and Organisational Performance

Department: Corporate and Organisational Performance ***File No:*** FM/02/09

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

To provide Council with the annual assessment of the Audit and Risk Committee's performance against the Audit and Risk Committee Charter and biannual audit and risk report from the Chair of the Audit and Risk Committee.

SUMMARY

The biannual audit and risk report from the Chair of the Audit and Risk Committee was provided to the Chief Executive Officer on 22 March 2022. It describes the activities of the Committee and includes its findings and recommendations.

RECOMMENDATION

That Council notes the report from the Chair of the Audit and Risk Committee.

Attachments: 1 ⇩Audit and Risk Committee - Chairs Biannual Report - March 2024

DISCUSSION

The *Local Government Act 2020* (the Act) provides that the Audit and Risk Committee (the Committee) must prepare a biannual audit and risk report that describes the activities of the Committee and includes its findings and recommendations.

The Act further provides that these reports must be provided to the Chief Executive Officer for tabling at the next Council meeting.

RELEVANT LAW

Section 54(5)(b) of the Act requires the Chief Executive Officer to provide a copy of the biannual audit and risk report to the Chief Executive Officer for tabling at the next Council meeting.

RELATED COUNCIL DECISIONS

The Committee was established by Council at its ordinary meeting held on 12 August 2020. The Audit and Risk Committee Charter was adopted on 9 November 2022.

OPTIONS

Not applicable

SUSTAINABILITY IMPLICATIONS

Not applicable

COMMUNITY ENGAGEMENT

Not applicable

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable

COLLABORATION

Not applicable

FINANCIAL VIABILITY

The Committee is required to monitor financial and performance reporting.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

COUNCIL PLANS AND POLICIES

Not applicable

TRANSPARENCY OF COUNCIL DECISIONS

The Audit and Risk Committee Charter's purpose and objectives are to ensure good governance and provide guidance on how Council will work with the Committee for the benefit of the organisation and the community.

CONFLICTS OF INTEREST

No staff member involved in the compilation of this report has a conflict of interest to declare.

Buloke Shire Council

AUDIT AND RISK COMMITTEE CHAIR'S REPORT

PURPOSE

To advise the Councillors and Chief Executive Officer at Buloke Shire Council of the activities of the Audit and Risk Committee over the past six months since the last Chair's report in September 2023

INTRODUCTION

The Buloke Shire Council Audit and Risk Committee Charter provides that the Chair will prepare a biannual audit and risk report that "describes the activities of the Audit and Risk Committee and includes it findings and recommendations." The Charter also provides that this report will be tabled at the next Council meeting by the Chief Executive Officer and that the Chair may present the report to Councillors at that meeting if desired.

The Audit and Risk Committee is established in accordance with s53 of the Local Government Act 2020 which provides that the Committee is not a delegated committee but rather fulfils an advisory role.

AUDIT AND RISK COMMITTEE CHARTER

The revised Audit and Risk Committee Charter was adopted by Council on 9 November 2022. The Committee regularly references its activities back to the Charter to ensure that it remains within its Scope of Authority.

COMMITTEE MEMBERSHIP

The current membership of the Committee has remained unchanged and comprises five members – the Mayor, a Councillor and three external, independent members.

The Committee has met in person on two occasions during this period. These meetings were held on:

- 6 December 2023
- 7 February 2024

The Committee continues to be ably supported by Council staff and acknowledges that despite staff vacancies timely updates and responses have been provided to issues and questions raised by the Committee.

AUDIT FUNCTIONS

The Committee continues to assist the Council in addressing financial, strategic and operational risks and also ensuring that the Council maintains a reliable system of internal controls. As is the usual practice, the Committee reviewed its Work Plan at the two meetings held during this reporting period.

GOVERNANCE

In order to ensure accountability, compliance and transparency, in addition to this biannual report, the minutes of each Committee meeting are presented to the next available Ordinary Council meeting.

The Committee also receives a report from the Chief Executive Officer at each Committee meeting regarding any legal, significant OH&S issues, fraud events, or any other events or issues affecting Council as an organisation at a strategic level.

EXTERNAL AUDITORS

In accordance with the Local Government Act, Council's Auditor is appointed by the Victorian Auditor General (VAGO). The external auditor is Crowe.

The Committee received the External Audit Final Management letter at its December 2023 meeting. It was reassuring to be advised that there were no open issues identified in the Management Letter and that all issues identified for previous periods had been resolved.

The Committee also receives the Victorian Auditor General's office status report at each meeting which provides a valuable update on audit matters being considered by various agencies at both a state and national level.

INTERNAL AUDITORS

Buloke Shire Council has continued the engagement of RSD Audit Bendigo as its Internal Auditors. The Committee receives a regular Internal Audit Progress report which provides not only a progress report on the Buloke internal audit program but also a very useful summary of recent reports from public bodies.

In my previous reports I have noted that the Committee has had a very keen interest in the ICT General Security Controls. It was pleasing that this Audit was reported to the December 2023 meeting. The Audit identified a large number of high risk issues and the Committee noted that cultural change, management focus and resources will be required to address these issues. The Committee was assured that the Council had prioritised resources and put in place a number of actions to commence addressing these issues.

Given the priority of this area, the Committee requested that it receive a regular update on the implementation of the actions arising from this audit, and the first Innovation and Technology Quarterly Update report was received at its February 2024 meeting. This was a very comprehensive report which was acknowledged by the Committee.

The second outstanding Audit report related to procurement processes, focusing on compliance with the relevant manuals, policies and procedures. This audit was also received at the December 2023 meeting. It identified a number of medium and low risk issues to be addressed.

With both of these audits, the delay in their finalisation was hampered by staff turnover and the Committee reflected on the challenges in ensuring that the risk issues remained relevant given the passage time from when the audit had commenced and also the organisation had the capacity for them to be addressed.

Whilst it is pleasing that these two Audits were received by the Committee, there are three audit reports that have been delayed and are awaiting completion and finalisations, being: Building Maintenance, Human Resources and Corporate Governance.

The Committee received the draft Strategic Internal Audit Plan 2024-2026 at its February 2024 meeting. Given the challenges identified above, and the number of outstanding audits, the Committee queried whether it was realistic for the Council to expect that it could complete three internal audits per annum, and this was acknowledged.

MANAGEMENT REPORTS

In addition to the Internal and External audit functions of the Committee, in order to meet its advisory functions, the Committee also receives regular management reports at each meeting which have incorporated the following:

- Progress on implementing outstanding actions arising from past internal and external audits and other regulatory reports. The ability of management to complete audit issues within due dates has been a constant concern for the audit Committee over many years, and it is noted that only one action was recorded as completed during this reporting period. Council officers are strongly encouraged to be more strategic in identifying whether actions remain relevant and if there are other opportunities to achieve the outcomes originally identified in the audits.
- An asset management update is received at each meeting, recognising its importance to Council. The Committee is particularly cognisant of the ongoing impact that the October 2022 floods has had on not only the operations of the Council but also its financial management/strategic planning.
- The regular updating of the legislative compliance register is an important tool for Council to be assured that it is meeting its legal obligations. It was noted in the two reports received during this reporting period that there has only been a partial compliance with the requirement for the ‘specified persons’ to lodge biannual interests returns.
- Financial Performance reports are received by the Committee for the preceding quarter enabling discussion on management reports, the statutory accounts, performance statements and forward looking reports such as the budget and strategic resource plan.
- The Committee also undertakes various management duties such as reviewing its annual work plan.

Specific reports and presentations were also received during this reporting period in relation to the following matters:

- Related Party Transaction Policy – revised

- Quarterly Investment report
- 2024/2025 budget timetable

As in past years, Councillors, officers and internal and external auditors were encouraged to participate in the annual Audit and Risk Self Assessment Survey. The Committee at its December 2023 meeting received the results of the survey.

Reflecting the matters that have been raised in this report, there was a general small decline in ratings including three areas where there was a noticeable decline. These were:

- Business Continuity and Disaster Recovery, where the Committee has noted the delay in implementation of audit recommendations;
- Various internal audit measures, reflecting the matters highlighted in this report; and
- Risk, in relation to whether the Council has identified and dealt with high risk areas.

Conversely, areas where the assessment rating had increased related to the Committee fostering an ethical environment and understanding the scope of internal and external reviews and monitoring their implementation.

CONCLUSION

The Committee acknowledges that it has been a challenging period for Council as a result of the continuing impact of the October 2022 floods and also the loss of senior staff. It is particularly conscious that the ongoing challenges of recruiting and retaining staff is having an impact upon the organisation's capacity across a range of areas.

Notwithstanding this, the work of the Audit and Risk Committee continues to be greatly assisted by the diligence and professionalism of both Councillors and officers. Therefore, the Committee encourages all Councillors to attend and participate in Committee meetings when they are able to do so.

In my September 2023 chairs report, I noted that it would be my last report. As a result of discussions, the Council resolved on 13 December 2023 to appoint me as Chair of this Committee until 14 November 2024. I thank the Council for their confidence in me being able to fulfil this role.

Margaret Abbey PSM

Chair

Audit and Risk Advisory Committee

Buloke Shire Council

8.2.2 DRAFT AUDIT AND RISK COMMITTEE MEETING MINUTES 7 FEBRUARY 2024

Author's Title: Manager Governance

Department: Corporate and Organisational Performance ***File No:*** FM/02/09

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

To provide Council with the confirmed minutes of the Audit and Risk Committee Meeting held on 7 February 2024.

SUMMARY

The 7 February 2024 Audit and Risk Committee minutes are attached for the information of Council.

RECOMMENDATION

That Council notes the confirmed Minutes of the Audit and Risk Committee meeting held on 7 February 2024.

Attachments: 1 ⇩DRAFT Audit and Risk Committee Minutes 7 Feb 2024

DISCUSSION

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

At the meeting held, the Committee considered the following matters:

- Outstanding Action Items
- Audit and Risk Committee Work Plan
- Legislative Compliance
- Innovation and Technology quarterly update
- Asset Management quarterly update
- Internal Audit – Draft Strategic Plan 2024-2026
- Internal Audit Status Report and update
- Victorian Auditor-General's Office Status Report – November 2023
- Related Party Transactions Policy
- 2024/25 Budget Timetable
- Councillor and CEO reimbursements
- Draft Finance Report as at 31 December 2023

RELEVANT LAW

Council is required under the *Local Government Act 2020* to establish and maintain an Audit and Risk Committee.

RELATED COUNCIL DECISIONS

The Committee was established by Council at its meeting held on 12 August 2020. The most recent Audit and Risk Committee Charter was adopted by Council on 9 November 2022.

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Not applicable.

INNOVATION AND CONTINUOUS IMPROVEMENT

The Committee provides guidance and recommendations that result in improvements to methods and systems of Council.

COLLABORATION

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

FINANCIAL VIABILITY

The costs associated with the Committee are considered in the Annual Budget.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

The Audit and Risk Committee Charter was adopted by Council on 9 November 2022.

TRANSPARENCY OF COUNCIL DECISIONS

The Audit and Risk Committee is considered an essential element of good governance, monitoring Council's financial and performance reporting, monitoring and providing advice on risk management and overseeing internal and external audit functions. The draft minutes are provided to Council to consider the activities undertaken by the Committee.

CONFLICTS OF INTEREST

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

AUDIT AND RISK COMMITTEE MEETING

MINUTES

Wednesday 7 February 2024

Commencing at 1:00 pm

Wycheproof Hall Supper Room
367 Broadway
Wycheproof

Wayne O'Toole
Chief Executive Officer
Buloke Shire Council

ORDER OF BUSINESS

1. WELCOME

The Chair opens the meeting and welcomes those present.

2. RECEIPT OF APOLOGIES

Cr Simpson

3. ATTENDEES

Margaret Abbey PSM (Chair), Dean Sleigh (Member), Bernard Young (Member), Cr Alan Getley (Mayor), Cr Bernadette Hogan, Wayne O'Toole (CEO), Dan McLoughlan (Acting Director Infrastructure and Delivery), Travis Fitzgibbon (Acting Director Corporate and Organisational Performance), Jenna Allan (Acting Director Community Development) Andrew Rose (Acting Manager Governance), Jen Hewett (Governance Officer), Rowan Gronlund (Manager Innovation and Technology), Rory White (Manager Children and Youth), Paul Harrison (RSD), Cr Warren (remote), Cr Milne.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION:

That audit and Risk Committee adopt the Minutes of the Audit and Risk Committee Meeting held on Wednesday, 6 December 2023.

MOVED: **BERNARD YOUNG**

SECONDED: **DEAN SLEIGH**

CARRIED.

Minutes were confirmed and signed by Chair.

5. CHIEF EXECUTIVE BRIEFING

Briefing by Chief Executive Officer to the Audit and Risk Committee Meeting including any legal matters.

The Chief executive briefed the committee on the following matters:

- Resignation of the Director Infrastructure and Delivery and Director Corporate and Organisational Performance and backfilling arrangements.
- Recruitment is underway for to fill the 2 vacant Director positions, Manager Finance and Strategy and Manager Governance.
- Two consultants have been engaged to assist with the preparation of the 2024-25 annual budget and to assist in day to day Finance function.
- The rate cap for 2024-25 has been set at 2.75%, and a ministerial direction has been made in regards to waste management which will have an impact to how Council budgets for waste management.
- Staff received a 4% pay increase that was back paid as part of the Enterprise Bargaining negotiations. Negotiations are continuing with an outcome expected soon.

6. DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

There were no declarations of interest.

7. MATTERS FOR DECISION / DISCUSSION / NOTING

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7.2	AUDIT AND RISK COMMITTEE WORK PLAN	6
7.3	LEGISLATIVE COMPLIANCE	7
7.4	INNOVATION AND TECHNOLOGY QUARTERLY UPDATE	8
7.5	ASSET MANAGEMENT QUARTERLY UPDATE	12
7.6	STRATEGIC INTERNAL AUDIT PLAN 2024-2026 DRAFT	14
7.7	INTERNAL AUDIT STATUS REPORT AND UPDATE	15
7.8	VICTORIAN AUDITOR-GENERAL'S OFFICE STATUS REPORT JANUARY 2024	16
7.9	RELATED PARTY TRANSACTION POLICY - REVISED	17
7.10	2024/25 BUDGET TIMETABLE	19
7.11	COUNCILLOR AND CEO REIMBURSEMENTS	21
7.12	QUARTERLY INVESTMENT REPORT AS AT 31 DECEMBER 2023	22
7.13	FINANCE REPORT AS AT 31 DECEMBER 2023 (DRAFT)	23

8. ANY OTHER BUSINESS

9. MEETING CLOSE

THE MEETING WAS CLOSED AT 2:06 PM

NEXT MEETING

THE NEXT AUDIT AND RISK COMMITTEE MEETING WILL BE HELD IN WYCHEPROOF HALL SUPPER ROOM

367 BROADWAY

WYCHEPROOF ON WEDNESDAY, 1 MAY 2024 AT 2:00 PM.

Wayne O'Toole
CHIEF EXECUTIVE OFFICER

7. MATTERS FOR DECISION / DISCUSSION / NOTING

7.1 OUTSTANDING ACTION ITEMS

Author's Title: Governance Officer

Department: Corporate and Organisational Performance ***File No:*** FM/09/09

PURPOSE

The purpose of the report is to provide the status on the progress of action items that have been identified in any Audits, reports made by regulatory authorities or at the request of the Audit and Risk Committee.

MOTION:

That the Audit and Risk Committee Meeting note:

1. The status of the outstanding action items
2. Approve item 31 as complete

MOVED: **DEAN SLEIGH**

SECONDED: **BERNARD YOUNG**

CARRIED.

Attachments: 1 Outstanding Action Items

KEY POINTS / ISSUES

The attachment to this report contains outstanding actions and their current status. It identifies the source of the action, whether from an audit or a direct request of the Audit and Risk Committee and also the timeframes on which it will be complete.

The Outstanding Actions report attached has been amended to include a reference number to each action item. A summary table has also been included to indicate the number of actions closed and added since the last meeting.

Officers are required to provide updated commentary and to advise when an action is complete. Once complete to the satisfaction of the Audit Committee, the action will be removed from the report.

Current comments are indicated by red font.

DISCUSSION

The committee suggested that items that are near completion and are just awaiting final approval or adoption could be marked as complete, the indicated that items, 2, 4, 9 may be in this category. It was also suggested that it is possible a status comment has dropped from one of the Business Continuity Action items regarding RSD's engagement to assist in the review of the policy and framework. They were informed that this will be investigated and updated if appropriate.

The Committee noted the status of the report and approved the completion of item 31.

7.2 AUDIT AND RISK COMMITTEE WORK PLAN

Author's Title: Governance Officer

Department: Corporate and Organisational Performance ***File No:*** FM/02/09

PURPOSE

The purpose of this report is to show the status of the current adopted work plan that provides a timetable for the delivery of identified matters for reporting to the Audit and Risk Committee.

RECOMMENDATION

That the Audit and Risk Committee Meeting note the status of the Audit and Risk Committee Work Plan

NOTED

Attachments: 1 Work Plan

KEY POINTS / ISSUES

The Audit and Risk Committee adopted the 2024 Annual Work Plan at its meeting held on 5 December 2023. The work plan incorporates matters to be considered by the Audit Committee over a twelve month period, including matters outlined in the Audit Committee Charter adopted by Council on 9 November 2022.

The attached annual work plan has been populated to reflect matters that have been or will be considered by Audit and Risk Committee within the current meeting schedule, that was adopted by the Committee on 5 December 2023. The work plan is a dynamic document and adjusted to include items, remove items, or change the schedule of items and reviewed by the Committee at each meeting of the Audit and Risk Committee.

DISCUSSION

The committee noted that two Audit Scope were due at this meeting, but acknowledged that the given the timeframes, the May meeting is more likely.

The Committee noted the report.

7.3 LEGISLATIVE COMPLIANCE

Author's Title: Governance Officer

Department: Corporate and Organisational Performance ***File No:*** FM/02/09

PURPOSE

To provide the Audit and Risk Committee with the current status of legislative obligations.

RECOMMENDATION

That the Audit and Risk Committee Meeting note the status of Compliance to Legislation

NOTED

Attachments: 1 20240131_Compliance_Report

KEY POINTS / ISSUES

Internal Audit undertook an Audit for Legislative Compliance and how Council manages it regulatory compliance framework, with a focus on compliance with the *Local Government Act 1989*. A number of actions were identified for Council to improve, identify and measure compliance to legislation.

The Legislative Compliance Policy and Framework was developed resulting from an Internal Audit that was undertaken in 2018. The purpose was for Council to identify legislative obligations and ensure Councils compliance to the legislation in order to mitigate any risks associated with missing obligations and/or their deadlines. The Policy and Framework was last endorsed by the Audit and Risk Committee on 20 September 2022.

In order to identify the legislative obligations, Council has subscribed to a system that monitors legislation and provides legislative updates, so that obligations arising out of changed legislation are identified and assigned to a relevant staff member to ensure appropriate actions are undertaken. In addition to this, the system will automatically send email reminders to the relevant staff. Council's Governance team also regularly monitors the status of the obligations and undertakes random audits.

DISCUSSION

The Committee Noted the status of the report.

7.4 INNOVATION AND TECHNOLOGY QUARTERLY UPDATE

Author's Title: Manager Innovation and Technology

Department: Corporate and Organisational Performance ***File No:*** FM/02/09

PURPOSE

To update the Audit and Risk Committee on recent improvement actions associated with management of the Council's IT Services and Infrastructure, including an overview of emerging issues.

RECOMMENDATION

That the Audit and Risk Committee Meeting note the information contained in the quarterly update.

NOTED

Attachments: Nil

KEY POINTS / ISSUES

Council Officers prepare a summary of Innovation and Technology initiatives and activities to the Audit and Risk Committee each quarter.

Since the hiring of the Manager Innovation and Technology, the following matters have commenced, progressed, or concluded:

The key focus since I have started has been creating a secure and stable IT environment for Buloke Shire Council. This has been due to the fact of poor documentation, incomplete setup of services, core services are out of date, and over-complicated setup of controls. As we move forward and clarity is achieved on the services provided, appropriate changes and documentation will be developed to allow for easy understanding of the operations of IT. Although there will be some expenditure to fix some of the problems that exist, there is also potential for savings in cloud services and managed services as we simplify and have better controls in place to ensure effective IT services for BSC.

Reporting will improve as services are reviewed, updated and better aligned to business requirements.

Incidents:

- UPS failure at Wycheproof Office – Units over 5 years old – Both UPS's replaced,
- Firewall failure at Wycheproof Office – Unknown and unrecoverable – Firewall replaced,
- Sea Lake WAN link failure – Power outage, Dumosa mid-point failed to recover and site access restricted as GrainCorp have sublet site – Replacing link with Star Link and Ubiquiti Site to Site link (week of the 5/2),
- Multiple Power Outages,
- Charlton power is rather dirty and we continue to see ongoing fluctuations in the supply,
- Donald Network services are problematic with rolling outages to various part of the building,

Activities:

- Investigating setup of IT facilities at BSC,

- Uninterruptable Power Supplies (UPS) replaced in the Wycheproof server room,
- Old server equipment removed from service at Wycheproof and Birchip – no data is held onsite on servers,
- Firewall replaced at Wycheproof – After failure of existing firewall,
- Monitoring of servers and networks implemented,
- Backup implemented for Microsoft 365 Services (OneDrive, Email, SharePoint, Teams, etc),
- Draft of Change Management Policy provided to DCOP for consideration,
- Implementation of appropriate controls for iPhones and iPads via Microsoft Intune, including the development of documentation for use of service,
- Clean up of security issues with CouncilWise and Financial teams to limit access to only those that require access for their positions,
- Administrative access to Active Directory and Microsoft 365 reduced significantly. Still some work to be done in Active Directory,
- Removed account that have not been accessed for more than six months,
- Fixed security holes in file storage,
- Fixed security (access) to CouncilWise – all staff could see rate payer personal information prior to the change,

Current and Future Works

- Appropriate setup of Intune to manage all BSC computers, this will allow for the meeting of many of the categories within the Essential 8 Maturity Model at level 1 and level 2 for others,
- Setup of Star Link connection for Sea Lake Depot to replace Wave1 microwave link,
- Updated most servers to Windows 2022, investigating the shutdown/removal of 2 servers that cannot be updated (Broadway, wygis01),
- Replacement of printers at MCH clinics,
- Reviewing and completing Microsoft Intune setup for appropriate management of staff computers,
- Removing of personal accounts being used on business devices (iPads, iPhones),
- Appointment of a Systems Administrator,
- Training Desktop Support Officer (Michael White),
- Review of what servers and where they are being run in the cloud (vendor) – potential saving of over $100k/annum,
- Changed switch over at Donald which seems to have fixed the part of the network problems at site. Will be transitioning Wireless across in the near future,
- Ordering of new laptops to replace a third of the fleet to maintain a 3-year cycle for equipment,
- Implementation of remote-control software for computing to reduce travel.

RSD Audit

Findings	**Comments**
ICT Policy Documents	Awaiting ratification of Change Management Policy
ICT Procedure Documentation	Documentation being created as procedures are created/reviewed
Location of Formal Documentation	Under Development, currently in Teams in IT only area
Business Transformation Strategy	See Below
ICT Physical Security	Cleanup of old asset underway and appropriate tools being completed to track IT assets
Physical Security (Assets)	Need to create on-boarding/off-boarding/transition processes
Reporting Requirements (OVID)	Review for August
Privileged Access	Many accounts removed
External IT Support Contract	Review once Systems Administrator appointed
Essential 8 Review	Meeting 8/38 requirement, up 4 since starting

Business Strategy Transformation – Current Activities

No.	Name	Action to date
1.01	Governance for ICT Systems is not strong and needs to be improved with implementation of a complete Governance Framework.	Change Management Policy has been provided to DCOP for consideration as the starting point for generating effective ICT Governance and providing visibility into strategic and service delivery
1.02	ICT Structure	Employment of staff is ongoing, with the Systems Administrator role being advertised and the Service Desk Officer being trained up to provide appropriate support
1.03.01	Data Management Framework	An investigation is required on what data sets we have and the interconnectivity between them is and have this formally documented
2.02.01	Website Development	In conversation with the Manager Customer Engagement about next steps for website delivery.
3.03.01	Records Management System	Current examination of OPUS via AvePoint as a replacement of RecFind is occurring
4.01	Mobile Capabilities Deployment	Mobile phones and iPad being transitioned fully into Microsoft Intune. Setup of Intune for Laptops being developed.
4.04	Deployment of Collaboration Spaces	Ongoing activity with the removal of server drives being actively engaged (eg. Q: Drive). Finance move complete
5.01	ICT Managed Services Contract Renewal	Once the employment of a Systems Administrator is completed then this will allow assessment of relationship with MSP. Sys Admin role has been advertised
6.01	WAN Network Update	Design Reviewed, implementation requires removal of last onsite services (phones) to initiate
6.02.01	Microsoft/365 Base Deployment	Microsoft 365 has been implemented at a basic level. Ongoing efforts are being made to make better use of this service and the functionality we are paying for. Intune is the current focus for better device management
6.02.02	Windows AD Cleansing and Management	Cleaning AD is a part of effective on-boarding, transition and off-boarding of staff. This process has begun, with accounts that haven't been accessed for 6 months being disabled. Standard Operating Procedures need to be developed for the aforementioned processes to ensure accounts and data are appropriately managed.
6.02.03	Manage Data and Data Storage (Ex-staff member profile)	This process has begun, with accounts that haven't been accessed for 6 months being disabled. Standard Operating Procedures need to be developed for the effective on-boarding, transition and off-boarding of staff
6.02.04	Mobile Device Management	Intune and Apple Business Management fixed with ongoing transition of accounts and devices to the appropriate services. All new iPhones/iPads added to services.
~~6.03~~	~~Printing Contract Renewal~~	~~Printing contract renewed with EFEX~~
6.04	Extend Server Warranties	Servers have been moved to the cloud and voided this requirement

~~6.05.01~~	~~Transition to Backup as a Service~~	~~Backup Services in cloud~~
6.05.02	Cloud Transition of Server Infrastructure	All Service in the cloud except phone. This will need to be reviewed as the existing option is expensive.
6.06.01	Out of Date Infrastructure	Reviewing
6.06.02	Development and Implementation of Asset Management Plans	Investigation into Confirm replacement is underway
6.07.03	Security Upgrades	Servers up to date, Investigating personal computers and software.
6.08	Telephony Upgrade/Replacement	Investigating Cloud Options
6.09	ICT Policy Management	Change Management Policy under review

DISCUSSION

The Committee indicate that the report was comprehensive and informative, and in response to a question regarding cyber-attacks, were informed that there has been no instances of attacks in recent months or anything else out of the ordinary, other than spam emails. The Committee noted the report.

7.5 ASSET MANAGEMENT QUARTERLY UPDATE

Author's Title: Manager Assets

Department: Infrastructure and Delivery ***File No:*** FM/02/09

PURPOSE

To update the Audit and Risk Committee on Council's flood response and recovery activities, and progress on business-as-usual asset management programs.

RECOMMENDATION

That Council:

1. That the Audit and Risk Committee note the information contained in the quarterly update.

NOTED

Attachments: Nil

KEY POINTS/ISSUES

Council Officers prepare a summary of Asset Management initiatives and activities to the Audit and Risk Committee each quarter in view of the size of its asset base, and the challenges associated with sustainable management of its assets.

Since presenting the Asset Management Report to the Audit and Risk Committee at its September 2023 Meeting, the following matters have commenced, progressed, or concluded:

October 2022 Flood Event (AGRN 1037)

Council staff and its consultant engineers are working towards submission of approximately 30 Reconstruction of Essential Public Asset (REPA) packages with an estimated total value of $20M. Crucially, submission of all packages for final approval is due on 31 March 2024.

Council staff have worked with the Department of Transport and Planning (DOTP) to form part of a statewide request for an extension of time to the Federal Government. DOTP have indicated verbally that they will request the extension of time at the end of February.

The sheer volume of packages being submitted to DOTP for assessment remains the greatest risk to Council. Considering at least two neighbouring councils have a similar number of packages yet to be approved the extension of time is vital.

In response to its immediate resourcing issues, Council have engaged Ahmed Elmohandis (CT Management) to fulfill the role of Senior Flood Recovery Project Manager. Ahmed comes with significant experience in flood recovery, having led Southern Grampians recovery post 2018.

December 2023 Flood Event (AGRN 1096)

Council staff led Counter Disaster Operations in Charlton on Boxing Day 2023. Specifically, the Gordon Park section of the Charlton Caravan Park had to be evacuated on Boxing Day evening in response to a

forecasts Avoca River height of 6.5m overnight. Council's Community Recovery Team have reported considerable agricultural loss as result of three localised rain events.
Council have inspected all accessible roads and infrastructure at the time of report writing it is estimated damage of $300,000 to the road network.

Road Shoulder rehabilitation and maintenance program

In line with the implementation of Council's Road Services Preventative Maintenance Program (PMP), Council will concentrate on the rehabilitation and maintenance of our road shoulder network for the first three months of each Calander year.

Repetitive flood events and multiple large harvests have contributed to the decline of our shoulders, and Council have committed to investing any cost recovery associated with the engaging of internal road staff in emergency works on our network from AGRN 1037.

The first round of Inspections for the PMP will commence in February with the view to start all other maintenance activities in April.

DISCUSSION

The committee noted that there is works to be undertaken that is equivalent to 4 years roads budget to be delivered within 14 months, and if an extension is not obtained, Buloke as well as other Councils will be at risk. They were advised that prioritisation needs to occur which can delay other community projects given that the flood projects must be delivered within specific timeframes. The committee suggested that community engagement to explain the priorities is needed to manage community expectations.

Work on the Building Asset Management Plan was suspended pending outcome from the internal audit for Building Maintenance, which is due for tabling at the next meeting, and revision to the organisational structure for Building Management.

7.6 STRATEGIC INTERNAL AUDIT PLAN 2024-2026 DRAFT

Author's Title: Governance Officer

Department: Corporate and Organisational Performance ***File No:*** FM/02/09

PURPOSE

To provide the Audit and Risk Committee with the Draft Internal Audit Plan for 2024-2026.

RECOMMENDATION

That the Audit and Risk Committee Meeting endorses the draft Strategic Internal Audit Plan 2024-26.

NOTED

Attachments: 1 Draft-Strategic-Internal-Audit-Plan-2024-26

KEY POINTS / ISSUES

In December 2020 Council appointed RSD Audit to provide internal audit services to Council for a three year period. Council has exercised the option to extend the Contract for one year, the new end date being December 2024.

As part of this appointment RSD are required to provide a Strategic Audit Plan for presentation to the Audit and Risk Committee at its February 2024 meeting.

The Annual Plan 2024-26 includes projects to be undertaken within the current financial year.

The Strategic Internal Audit Plan is reviewed annually.

DISCUSSION

There was discussion regarding the proposed audit on Corporate Governance which has been deferred, given that it appears to be a focus of a number of Council and remains relevant. The Audit and Risk Committee considered that the auditor should consider also talking to the members of the committee as part of the audit. With respect to the Data Analytics that is scheduled, the committee were informed that they to use a tool to undertaken fieldwork, and in relation to the Payroll Audit, Council does use well recognised software application that is compliant to Victorian and Australian legislation.

Further discussion around, given delays that have occurred with audits in the recent past and the current resourcing levels within Council if 3 audits per year was still appropriate, and suggested that less may be better, but acknowledged that it would be contingent should circumstances change in the next few months.

7.7 INTERNAL AUDIT STATUS REPORT AND UPDATE

Author's Title: Governance Officer

Department: Corporate and Organisational Performance ***File No:*** FM/02/09

PURPOSE

To provide the Audit and Risk Committee with a report from Council's Internal Auditors on the status of the Internal Audit Program and the Internal Audit Update Report that provides a list of recent reports and publications that may be of interest.

RECOMMENDATION

That the Audit and Risk Committee note:

1. the status of the Internal Audit program,
2. the internal audit update report advising of recent publications of interest.

NOTED

Attachments: 1 Internal Audit Status Report
2 Internal Audit - Update Report

KEY POINTS / ISSUES

RSD Audit has provided a status update of the Internal Audit Program and Risk Management project that has been undertaken outside of the strategic audit plan.

A summary of recent reports and publications by government agencies and other sources that may impact on public sector agencies has also been provided.

The Internal Audit Status Report and Update Report are attached.

DISCUSSION

The Audit and Risk Committee were advised that the draft report for the Building Maintenance Audit is currently awaiting management comments, and is expected to be tabled at the next meeting, the HR audit is still awaiting some information from Council but is expected to be tabled at the next meeting.

The Committee commented that the Arbiter Report on Councillors at City of Darebin may be an interesting read as it shows a fine line between robust discussion and aggression.

7.8 VICTORIAN AUDITOR-GENERAL'S OFFICE STATUS REPORT JANUARY 2024

Author's Title: Acting Manager Finance

Department: Corporate and Organisational Performance ***File No:*** FM/02/09

PURPOSE

To provide the Audit and Risk Committee with status reports from the Victorian Auditor-General's Office for January 2024.

RECOMMENDATION

That the Audit and Risk Committee note the Victorian Auditor-General's Office Status Reports for January 2024.

NOTED

Attachments: 1 VAGO Status Report January 2024

DISCUSSION

The Victorian Auditor-General's Office has provided the recent Status Report that contains information relating to VAGO activities and matters specific to the local government sector, both in Victoria and around Australia. The content of the Status Reports include:

- VAGO Publications
- VAGO Annual Plan
- Planned Performance Audit Engagements
- Ongoing Performance Audit Engagements
- Financial Audit
- Recently Tabled Reports
- Active Governance Matters
- Other Integrity Bodies.

The January 2024 Status Report is attached.

DISCUSSION

The Audit and Risk Committee noted the report.

7.9 RELATED PARTY TRANSACTION POLICY - REVISED

Author's Title: Acting Manager Finance

Department: Corporate and Organisational Performance ***File No:*** FM/02/09

PURPOSE

For the Audit and Risk Committee (Committee) to consider the revised Related Party Transaction Policy.

SUMMARY

The Related Party Transaction Policy is to provide guidance and define the parameters for Related Party transactions and the level of disclosure and reporting required for Council to achieve compliance with the Australian Accounting Standard AASB 124 – *Related Party Disclosures*.

Council, in complying with disclosure requirements in AASB 124, will:

- Identify Key Management Personnel
- Identify related party relationships and related party transactions, other than ordinary citizens transactions as defined
- Establish and maintain systems to identify and capture related party transactions, including the required information about those transactions
- Identify the circumstances in which disclosures of transactions identified are required
- Assess the transactions to be material or significant, and
- Determine the category of disclosure to be made about transactions in the Financial Statements of the Annual Report of Operations for the purpose of complying with AASB 124.

RECOMMENDATION

That the Audit and Risk Committee:

1. endorse the revised Related Party Transaction Policy.

2. recommend to Council the adoption of the Related Party Transaction Policy.

NOTED

Attachments: 1 Related Part Transaction Policy

COMMUNITY ENGAGEMENT

No community engagement was required for this policy development.

CONFLICTS OF INTEREST

No conflicts of interest were identified.

DISCUSSION

The Audit and Risk Committee were advised that the changes to the policy were minor to update position names, they were also advised that a pro-forma is used to gather the information.

7.10 2024/25 BUDGET TIMETABLE

Author's Title: Acting Manager Finance

Department: Corporate and Organisational Performance ***File No:*** FM/02/09

PURPOSE

To inform the Audit and Risk Committee of the proposed timetable for the development of the 2024/25 Budget.

RECOMMENDATION

That the Audit and Risk Committee Meeting note the proposed 2024/25 budget timetable.

NOTED

Attachments: 1 2024-25 Budget Timetable

KEY POINTS / ISSUES

The 2024-28 budget encompasses the year commencing 1 July 2024 to 30 June 2025 and projections for the following three years. It is prepared in accordance with the *Local Government Act 2020*, *Local Government (Planning and Reporting) Regulations 2020*, the *Local Government Act 1989*, Better Practice Guides and the Australian Accounting Standards.

The budget documents include:

- Comprehensive Income Statement,
- Balance Sheet,
- Statement of Changes in Equity,
- Cash Flows,
- Capital Works, and
- Human Resources.

Council provides an annual budget timetable to enable stakeholders to meet key timeframes and obligations in regards to reviewing the current budget year end forecasts and the following year's budget development.

The proposed forecast and budget timetable has been prepared to allow sufficient time for Councillor briefings and input.

The timetable also provides the opportunity to ensure the community has time to consider the key initiatives proposed within the 2024/25 Annual Budget in accordance with the community engagement principles enshrined within the *Local Government Act 2020* and the requirements under Council's Community Engagement policy.

DISCUSSION

The Audit and Risk Committee suggested that cost monitoring must occur, and acknowledged the challenges with recruitment and retention and suggested consideration of shared services, they were

advised that shared services options are being investigated as an option, however consideration for maintaining culture, productivity and how it could work for Buloke. More consideration is required to assess the benefit or detriment of a shared services model.

Further discussion focused on the assumptions for the budget such as CPI, wage price indicators, rates and charges, etc. Also the consideration of services, whilst Council has recently withdrawn from providing Aged Care Services, the withdrawal from other services is not being considered.

7.11 COUNCILLOR AND CEO REIMBURSEMENTS

Author's Title: Acting Manager Finance

Department: Corporate and Organisational Performance ***File No:***

PURPOSE

To note the report on the reimbursement of Councillor expenses in accord with section 40(2) of the *Local Government Act 2020* and reimbursements to the Chief Executive Officer for the period 1 October 2023 to 31 December 2023.

RECOMMENDATION

That the Audit and Risk Committee note the report of the reimbursement of Councillor and CEO expenses for the period 1 October 2023 to 31 December 2023.

NOTED

Attachments: 1 Councillor Reimbursements - October to December 2023

KEY POINTS / ISSUE

Section 40 of the *Local Government Act 2020* requires Council to reimburse Councillors or members of a delegated committee for out-of-pocket expenses, and to provide details of all reimbursements under this section to the Audit and Risk Committee.

Council has adopted a Councillor Expenses Policy that provides information on what expenses can be reimbursed, and the conditions of the reimbursement:

- Must be a bona fide expense.
- Have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and
- Are reasonably necessary for the Councillor or member of a delegated committee to perform that role.

The attached report itemises all reimbursements to Councillors for the period 1 October 2023 to 31 December 2023.

The CEO received no reimbursement of expenses for the period 1 October 2023 to 31 December 2023.

DISCUSSION

The Audit and Risk Committee noted the report.

7.12 QUARTERLY INVESTMENT REPORT AS AT 31 DECEMBER 2023

Author's Title: Acting Manager Finance

Department: Corporate and Organisational Performance ***File No:*** FM/02/09

PURPOSE

The purpose of this report is to provide the Audit and Risk Committee with the investment report as at 31 December 2023.

RECOMMENDATION

That the Audit and Risk Committee notes the investment report as at 31 December 2023 presented as Attachment (1) to this report.

NOTED

Attachments: 1 Investment Report 1 July - 31 December 2023

KEY POINTS / ISSUE

This report has been extracted from Council's investment platform (Imperium) and provides information relating to:

- Portfolio valuation.
- Individual investment issuer (authorised deposit taking institutions, i.e. banks).
- Credit quality ratings.
- Interest rates.
- Purchase and maturity dates.
- Investment policy compliance relating to the spread of risk between banks. The proposed draft investment policy has outlined an individual limit of 40% allowed to be invested in each bank. Once the investment policy is endorsed by Council, the breach according to the system will be corrected.
- New trades in the reporting period.
- Matured trades in the reporting period.

The investment report package is attached and is for the two quarters, 1 July to 30 September 2023 and 1 October to 31 December 2023.

DISCUSSION

The Audit and Risk Committee noted the report.

7.13 FINANCE REPORT AS AT 31 DECEMBER 2023 (DRAFT)

Author's Title: Acting Manager Finance

Department: Corporate and Organisational Performance ***File No:*** FM/19/01

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

To present to the Audit and Risk Committee the draft financial reports for the period ending 31 December 2023.

SUMMARY

The year-end surplus in the 2023/24 adopted budget was $6.2M. The current forecasted year-end surplus for the financial year is $3.4M, anticipating no significant capital project delays impacting capital grant income recognition.

The Actuals vs. Approved (Budget) reporting year-to-date includes timing variances which relate to the months in which the income or expenditure is incurred. Timing differences are anticipated to be resolved throughout the financial year and are not expected to impact the Full Year Forecast result. As at 31 December 2023, Council has achieved an actual surplus of $857K which is less than the year-to-date budget for this period.

The Finance Report as at 31 December 2023 will be presented to Council at its meeting to be held Wednesday, 14 February 2024.

Further discussion around non-timing variances in financial reports is outlined below.

RECOMMENDATION

That the Audit and Risk Committee:

1. receives and notes the Financial Performance Report (Draft) for the period ending 31 December 2023.

2. receives and notes the Capital Works Statement (Draft) for the period ending 31 December 2023, consisting of the carry forward projects and current financial year capital projects.

3. notes the statement by the Chief Executive Officer that a revised budget will not be required for the 2023-24 financial year.

NOTED

Attachments:
1 December 2023 Capital Works Carried Forward
2 December 2023 Capital Works 2023/24
3 December 2023 Quarterly Finance Report

DISCUSSION

Report:	Report explanation:	Year to date (YTD) performance to budget and forecast commentary
Income Statement	*The **Income Statement** provides a summary of the total income and total expenditure relating to Council's annual operations for the reporting period.* *Capital grant income is included in this statement, but any related expenditure is not reflected as this is reported as increased assets on the Balance Sheet. To exclude potential distortion of underlying operations in the Income Statement, capital income is reported separately to identify the Operating Net Surplus/(Deficit).*	**Rates & charges** Favourable variance of $10K YTD, mainly due to supplementary rates notices. Full year forecast has been varied upward slightly to $15.03M. **Statutory fees and fines** Unfavourable variance of $46K YTD, mainly due to lower than anticipated permit applications. Full year forecast has been varied downward slightly to $211K. **Grants – operating** Unfavourable variance of $1.7M YTD, mainly due to the timing of Financial Assistance Grant payments. 100% of the 2023/24 grant allocation was paid in the 2022/23 financial year. As we near the end of financial year we will await the decision on the early payment of 2024/25 grants. Full year forecast has been varied downward slightly to $8.9M. **Contributions** Unfavourable variance of $30K YTD, mainly due to timing of capital project completion and the associated community contribution invoicing. Full year forecast has remained unchanged at this stage. **Other income** Favourable variance of $159K YTD, mainly due to the unbudgeted receipt of funds relating to native vegetation works which Council will conduct on behalf of the Department of Transport. Full year forecast has been varied upward to $904K to reflect this and other reimbursements relating to WorkCover insurance. **Employee costs** Unfavourable variance of $48K YTD, mainly due to the EBA negotiations and processing of the Back Pay. Full year forecast has been varied downward to $11.69M to reflect the processing of the Back Pay. **Materials and services** Favourable variance of $486K YTD, mainly due to the procurement timing of several budgeted operational projects. Full year forecast has been varied upward to $13.1M, which is a $1.7MK forecast overspend. This is mainly related to flood recovery expenditure, and the recognition of operating expenditure that was originally treated as capital expenditure. **Depreciation & amortisation** Unfavourable variance of $167K YTD, mainly relating to variances in budget estimates. Full year forecast has been

Income Statement (Continued)	*Prescribed expenditure of **Capital Income** is not included in the Income Statement, and this can distort the analysis of the financial performance which is better reflected by the Operating Net Surplus /(Deficit).* *Capital expenditure against capital grant income is provided in the Capital Work Program report and as additional assets on the balance sheet.*	varied upward and will continue to be reviewed particularly in relation to asset purchases which are below the $5,000 asset capitalisation threshold for plant and equipment. **Bad and doubtful debts/Borrowing costs** Traditionally these expense accounts will see actuals in the second half of the financial year. **Other expenses** Favourable variance of $115K YTD, mainly due to the timing of membership payments and community contributions. Full year forecast has been varied upward slightly to $849K, mainly due to unbudgeted association membership costs. **Capital income** Capital grants are currently forecasting to the approved budget amount. As capital projects progress, this should result in the associated revenue being released to Council soon after. Full year forecast for Other Capital Income has been varied upward by $41K due to the Nullawil Streetscape contribution. Full year forecast for Profit/(Loss) Disposal of Assets has been varied upward by $43K due to the sale of multiple Council owned vehicles that have reached the end of their useful life.
Balance Sheet	*The **Balance Sheet** summarises the value of Assets (what Council owns) and our Liabilities (what Council owes), and the difference between assets and liabilities (Net Assets or Equity) reflects Council's net worth as at the end of the month reported.*	**Cash and cash equivalents** Cash balances (incl. investments) are at $32M, which is a $8.3M decrease since 30 June 2023. This is mainly due to the payment of 30 June 2023 creditor balances, resulting in a decrease in Trade and other payables liability. **Trade and other receivables** Rates debtors are the main contributor to the $11M increase in Trade and other receivables, resulting from annual rates notices being generated and sent. **Property, infrastructure, plant and equipment** There has been a $1.4M decrease in this area since 30 June 2023, mainly relating to depreciation of assets which partially offsets capital expenditure year-to-date. **Trade and other payables** There has been a $1.6M decrease since 30 June 2023, mainly due to the volume of creditor payments which occurs prior to end of financial year. **Trust funds and deposits**

		There has been a $1.1M increase since 30 June 2023, mainly due to the fire services levy amounts which are held on behalf of the State Revenue Office (SRO) when rates notices are initially generated. This is then paid to the SRO on a quarterly basis.
Cashflow Statement	*The **Cashflow Statement** reflects actual results for the reporting period in line with statutory financial reporting.*	There has been $3.4M used to support the capital works program as at 30 September 2023. Overall, there has been a reduction in cash of $8.2M since 30 June 2023.
Cashflow Forecast	*The **Cashflow Chart** visually depicts the cashflow forecast and the updated format is illustrated in a dual design, based on best practice reporting.* *The **P & L Forecast** is a projection of cashflow for the remainder of the year based on the month-end cash balance, the monthly budgets, specified timing parameters (such when BAS/super are due and quarterly rate receipts) and capital expenditure.*	Timing assumptions have been made regarding capital project income and expenditure for 2023/24. While this is still being confirmed in accordance with capital project delivery, all income and expenditure is reported in June 2024 by default unless otherwise specified. The cashflow forecast across the 12 months results in an increase of approximately $3.4M. This is however highly dependent on decisions that will be made around the timing of the Financial Assistance Grants, expected in May/June 2024.
Capital Works Program	*The **Capital Works Statement** lists the expenditure for each project incurred to date.*	**The total capital works program for 2023/24 is $24.3M,** which includes: • 2022/23 carry forward project budget $10.7M • 2022/23 night art activation project, originally listed as a carry forward $0.4M • 2023/24 budgeted capital projects $13.2M The total delivery as at 31 December 2023 was $3.52M, representing 14.5% of the total capital works program including carry forwards. A number of large value capital projects are currently in early procurement stages and it is expected that much progress will occur in the March 2024 quarter.
Statement by the Chief Executive Officer	***CEO Statement*** *Section 95 of the Local Government Act 2020*	• Based on the analysis and review of the budget, actual year to date result and other known financial factors as at 31 December 2023, it is considered that a revised budget for the purposes of s95 of the *Local Government Act 2020* is not required.

RELEVANT LAW

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

RELATED COUNCIL DECISIONS

The Council adopted its Annual Budget 2023/24 on 27th June 2023.

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Not applicable.

INNOVATION AND CONTINUOUS IMPROVEMENT

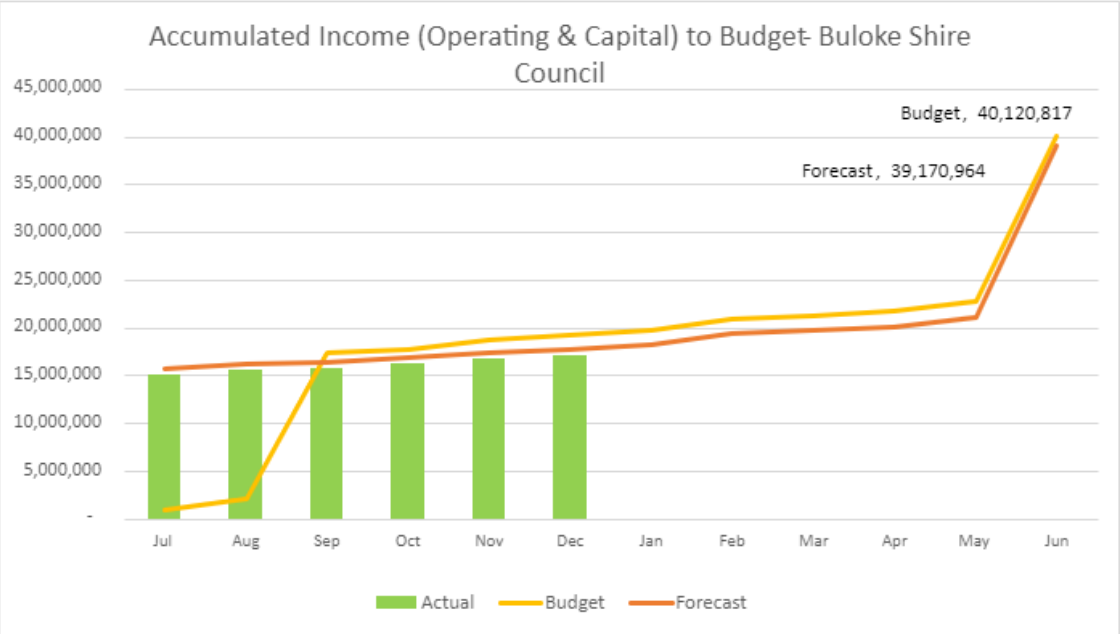
Not applicable.

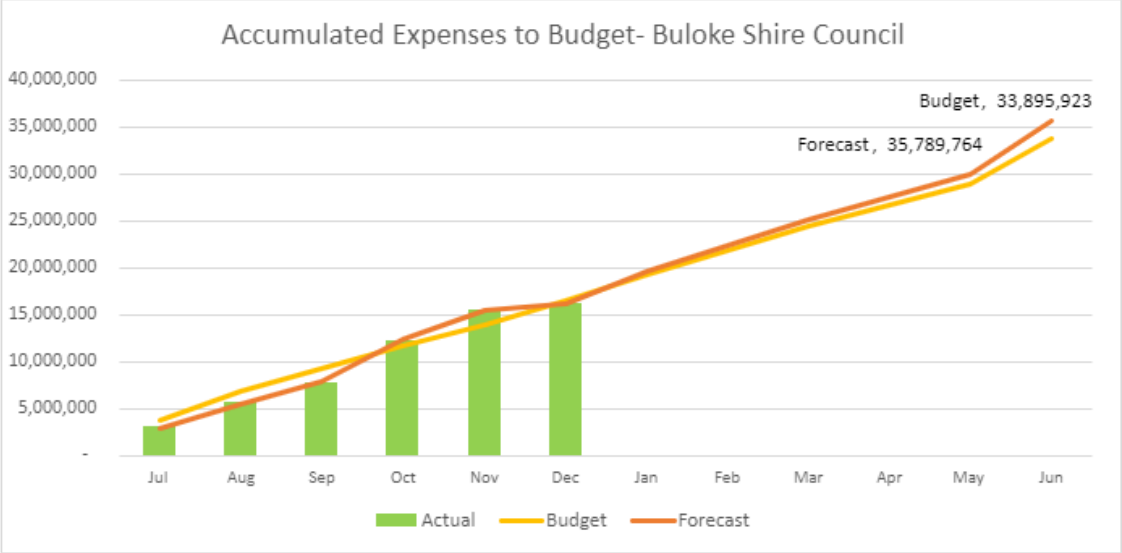
COLLABORATION

Not applicable.

FINANCIAL VIABILITY

The tables below provide an overview of Council's financial performance against Adopted budget income and expenses at 31 December 2023.





REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

Council adopted its Annual Budget 2023/24 on 27th June 2023. The Buloke Shire Council Plan 2021-2025 outlines Council's commitment to developing responsible cash flow budgets to achieve long term financial sustainability and reporting quarterly against their delivery.

TRANSPARENCY OF COUNCIL DECISIONS

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

CONFLICTS OF INTEREST

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

DISCUSSION

The Audit and Risk Committee complimented the report.

- total delivery of the capex program is low, due mainly due to the flood recovery situation.
- $3m of the roads forecast is packages no yet approved, carry forward was forecast in the previous budget.
- Increased forecast in the materials and services budget is due in part to the design and scoping of projects relating to betterment from 2022 flooding. On the most part, these costs may not be recoverable, however the risk on investing in design and scoping of projects may reduce future costs.

The Committee noted the report.

8. ANY OTHER BUSINESS

9. MEETING CLOSE

The meeting was closed at 2:06 pm

8.2.3 CHILDREN YOUTH AND FAMILIES PLAN

Author's Title: Manager of Children & Youth

Department: Community Development ***File No:*** CS/10/11

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Community Wellbeing

PURPOSE

For Council to consider and adopt the Children, Youth and Families Plan (the Plan) that sets the strategic direction for the shire over the coming years.

SUMMARY

Council is well placed to work with the community and other levels of government to enhance the liveability of Buloke for children, young people, and their families.

This Plan outlines a framework and strategic objectives to guide Council in working for and with children and young people, from birth through to 25 years, and their families.

RECOMMENDATION

That Council adopt the Children, Youth and Families Plan.

Attachments: 1 ⇩Buloke Children, Youth and Families Plan

DISCUSSION

The Children Youth and Families Plan combines the Buloke Shire Council Children & Youth Strategy 2016-2019 and Buloke Shire Council Municipal Early Years Plan 2015-2019 into a single ten-year plan to address the needs of children, young people, and families. The Plan focuses on planning, advocacy, and the delivery of services, programs, events, and spaces for children, young people, and their families 2024 – 2034.

The Plan will encompass two age groups.

Early Years: Birth - 8 Years Old.
Young People: 8 – 24 Years old.

This is a ten-year plan that provides a strategic direction for Children, Youth and Families in the Buloke Shire. The Plan will under pin the 3-year operational work plans that will be established in conjunction with staff and stakeholders. These work plans will ensure each of the outcomes is achieved and tracked.

Throughout the development of the Plan officers actively sort feedback from the community.

Feedback strategies were broken down into four categories.

- Primary Aged Children (4 - 12) - Through primary schools, children were invited to draw/write the things they loved the most about where they live.

- Young People (12 – 25) – An online Youth Survey was developed in line with the online Mission Australia Survey and promoted through all schools, key stakeholder organisations, through social media and promoted by 'youth researchers'. Further to this secondary school student leadership groups were invited to participate in focus groups to share their thoughts and ideas.

- Parents and Caregivers - The online parent/carer survey was promoted through service providers, community groups, and on social media. Further to this we spoke with Playgroups and Early Learning Centre Parent Advisory Groups.

- Service Providers - Service providers were invited to a workshop to hear consultation results and to share their thoughts for what Council should be doing in the Children, Youth and Families space. There was also an online service provider survey circulated broadly and promoted through our networks.

Following the consultation with children, young people, parents, and service providers we have identified four overarching priority areas for the Buloke Shire Council Children, Youth and Families Plan:

- Health and Wellbeing
- Connected Communities
- Learning and Earning
- Engaging Spaces and Places

RELEVANT LAW

Not applicable.

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

Council can choose not to adopt the Children, Youth and Families Plan.

SUSTAINABILITY IMPLICATIONS

No environmental implications.

COMMUNITY ENGAGEMENT

After being adopted in draft form at the 13 December 2023 Council Meeting the Draft Children Youth and Families plan was presented to the community seek community feedback.

A broad range of communication channels were used including direct email, media release published in local publications, advertising in local media publications, social media and the Buloke Shire website.

One written submission was received in addition to conversation feedback.

As a result of the engagement elements of the action plan were improved, and an additional action was included in the Learning and Earning actions. Along with the addition of a new front cover image, taken by Buloke Young Citizen of the Year Blake Lee.

INNOVATION AND CONTINUOUS IMPROVEMENT

Combining the Children & Youth Strategy and the Municipal Early Years Plan offers several benefits for the community and the council, these include; Continuity of Services, Prevention and Early Intervention, Collaboration and Partnership.

COLLABORATION

Throughout the consultation process Council staff have consulted widely with the community and a number of different community stakeholders to ensure the plan responds to the community's needs and outlines key opportunities to continue collaboration.

FINANCIAL VIABILITY

This Plan contains initiatives that will need to be considered in future Council budgets or investigation of external funding opportunities.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

- Victoria's Youth Strategy
- Victorian Early Years Learning and Development Framework

COUNCIL PLANS AND POLICIES

- Long-Term Community Vision and Council Plan 2021-2025
- Council Plan 2021-2025 Year 3 Annual Plan
- Staff Code of Conduct
- Councillor Code of Conduct
- Inclusiveness Plan
- Gender Equality Action Plan.

TRANSPARENCY OF COUNCIL DECISIONS

Endorsing this Children, Youth and Families Plan for community consultation allows the community and stakeholders further opportunity to provide feedback to shape the how the Council serve Children, Youth and Families across the Buloke Shire.

CONFLICTS OF INTEREST

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

BULOKE SHIRE COUNCIL

CHILDREN, YOUTH AND FAMILIES PLAN

Buloke Shire Council acknowledges the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagalk Nations and the Dja Dja Wurrung people as the Traditional Owners of parts of the land now known as Buloke.

We pay our respects to Elders past and present, and value their ongoing contribution to our heritage and our community.

TRANSLATING AND INTERPRETING SERVICE

If you need an interpreter, please call TIS National on 131 450 and ask them to call Buloke Shire Council on 1300 520 520.

Our business hours are Monday to Friday 8:30am-5:00pm.

You can also visit the TIS National website for translated information about the service TIS National provides. Visit: www.tisnational.gov.au

RELAY SERVICE

If you are deaf, or have a hearing impairment or speech impairment, contact us through the National Relay Service (NRS):

TTY users phone 133 677, then ask for 03 5478 0100 or 1300 520 520 (local calls only)

SMS relay number 0423 677 767, then then ask for 03 5478 0100 or 1300 520 520

Speak and Listen users phone 1300 555 727, then ask for 03 5478 0100 or 1300 520 520

Internet relay users connect to www.relayservice.com.au, then ask for 03 5478 0100 or 1300 520 520. Everyone who uses the National Relay Service (NRS) to make calls needs to first register as an NRS user, visit Accesshub: www.relayservice.com.au.

STRATEGIC RISK ASSESSMENT:

✓	Operational/Business
✓	Sustainability
✓	Financial Viability
✓	Occupational Health and Safety
✓	Compliance, Governance and Legal
✓	Public Image and Reputation

RELEVANCE TO LONG-TERM COMMUNITY VISION AND COUNCIL PLAN 2022-2025

✓	Priority 1: Our Built and Natural Environment
✓	Priority 2: Our Community Wellbeing
✓	Priority 3: Our Economy
✓	Priority 4: Our Council and Community Leadership

COMPREHENSIVE OVERVIEW

Directorate: Community Development

Responsible Manager: Manager Customer Engagement

Date adopted: July 2023

Date to be reviewed: July 2025

Front Cover image supplied by Blake Lee – Buloke Young Citizen of the Year 2024

INTRODUCTION

Child and adolescent development plays a key role in setting the stage for life success in adulthood.

There is increasing understanding that early childhood offers a crucial 'window of opportunity' for investment and early intervention, not only to prevent or reduce adverse outcomes but to maximise the life chances of children and young people so that they can thrive (Emerson, Fox and Smith, 2015)[1].

The Children, Youth and Families Plan (CYFP) is that the Buloke Shire Council is well-placed to facilitate positive outcomes for both younger residents and their families. The plan will guide planning, advocacy, and Council's delivery of services, programs, events, and spaces for children, young people, and their families over the next ten years.

Council is committed to supporting positive child, youth and family outcomes in collaboration with community, partner organisations and State and Federal governments. The Building a Better Buloke vision identifies the community's vision for and focus on a healthy, connected, inclusive and prosperous community.

The Children, Youth and Families Plan (CYFP) supports and links with key directions of the Buloke Shire Council Long-Term Vision and Council Plan 2021-2025; specifically:

- Quality, safe and accessible infrastructure
- Social connections, service access and advocacy for services
- Strong economy, employment and population stability
- Active partnerships, community engagement and authentic advocacy

Buloke Shire Council's Children, Youth and Families Plan is focussed on Council's roles and responsibilities. The four key strategic directions were shaped by the community consultation process:

Priority Area 1: Health and Wellbeing

Priority Area 2: Community Engagement

Priority Area 3: Learning and Earning

Priority Area 4: Engaging Places and Spaces

The CYFP will strengthen strategic focus and support improved outcomes across key life stages from birth to 24-years

[1] Emerson, L., Fox, S & Smith, C, 2015. Good Beginnings: Getting it right in the early years. The Lowitja Institute, Melbourne.

4 CHILDREN, YOUTH AND FAMILIES PLAN

OUR CHILDREN, YOUTH PEOPLE AND FAMILIES

AS THE TIME OF THE 2021 CENSUS THERE WERE 6,178 RESIDENTS LIVING IN THE BULOKE SHIRE

1.5% were Aboriginal and/or Torres Strait Islander (Victoria 1.0%)

83.7% were born in Australia (Victoria 65.0%)

571 children aged 0-9 years (9.3%)

690 children/young people aged 10-19 years (11.2%)

246 young people aged 20-24 years (4%)

CHILDREN (0 – 8 YEARS)

1.9 ASR per 100 of children aged 0-14 years reported they had a mental health condition (including depression or anxiety) (Victoria 2.0)

4.2 ASR per 100 of children aged 0-14 years reported that they had any other long term health condition (Victoria 3.8)

45.1% of children were developmentally on track on all five domains (Victoria 57.2%)

33.3% of children were developmentally vulnerable on one or more domains (Victoria 19.9%)

14.0% of children were developmentally vulnerable on two or more domains (Victoria 10.2%)

YOUNG PEOPLE (9 - 24)

84.6% were participating full-time in secondary school education at age 16 (Victoria 88.5%)

36.4% of school leavers were participating in higher education (Victoria 57.5%)

84.2% of young people aged 15-24 years were learning or earning (Victoria 87.5%)

6.3% of young people were receiving Youth Allowance (Victoria 4.2%)

FAMILIES

34.3% were couple families with children (Victoria 45.5%

12.4% were one parent families (Victoria 15.2%)

20.5% of families were single parent families with children aged less than 15 years (Victoria 18.2%)

9.2% of families with children under 15 years were jobless (Victoria 9.9%)

4.6% female sole parent pensioners (Victoria 2.5%)

4.8% of families were low income, welfare dependant (Victoria 4.3%)

6 CHILDREN, YOUTH AND FAMILIES PLAN

COMMUNITY ENGAGEMENT

The Children, Youth and Families Plan Consultation Summary report draws upon community feedback and engagement sought through surveys, key stakeholder workshops and focus group conversations. The information gathered represents the views of those who responded to the opportunity to provide feedback to Council.

Our engagement activities were mixed and varied and included:

Children's Drawing Activity

Through primary schools, children were invited to draw/write the things they loved the most about where they live.

Youth Survey

The Buloke Shire Youth Survey was promoted through schools, key stakeholder organisations, through social media and promoted by 'youth researchers'. The survey was completed by over 30% of all young people aged 12-24 years in the Buloke Shire.

Youth Focus Groups

Secondary school student leadership groups were invited to share their thoughts and ideas for the strategy.

Parent/Carer Survey

Secondary school student leadership groups were invited to share their thoughts and ideas for the strategy.

Parent Focus Groups

The researcher attended a playgroup to speak with parents and spoke with a parent advisory group of an Early Years Centre.

Service Provider Workshop

Service providers were invited to a workshop to hear consultation results and to share their thoughts for what Council could be doing.

Service Provider Survey

The service provider survey was circulated broadly and promoted through networks.

PRIORITY AREAS

Consultation with children, young people, parents and service providers has informed the four overarching Priority Areas for the Buloke Shire Council Children, Youth and Families Plan:

1. Health and Wellbeing
2. Connected Communities
3. Learning and Earning
4. Engaging Spaces and Places

8 CHILDREN, YOUTH AND FAMILIES PLAN

Health and Wellbeing
You told us....

Children/Young People

Children most loved:
home, family, friends, pets, playing, outdoors and nature.

Buloke Youth Survey

79% rate their mental health as good, very good or excellent

84% of young people play sport

50% of young people are using social media

39% spend 3-4 hrs/day on social media

35% are gaming

35% are going to parties

Top Five Concerns:

Boredom (44%)

Mental health (39%)

Body image (38%)

Friendship problems (32%)

Verbal bullying (19%)

You told us you want:

More events, activities and programs

Access to support services

Better access to mental health services

Community gyms

Parents/Carers

Key Issues/Challenges

Access to Pediatricians

Availability of Childcare

Access to Antenatal, Postnatal and Midwifery Care

Access to medical services

Access to disability, Maternal and Child Health, Speech and Occupational services

Parent/Carer Survey:

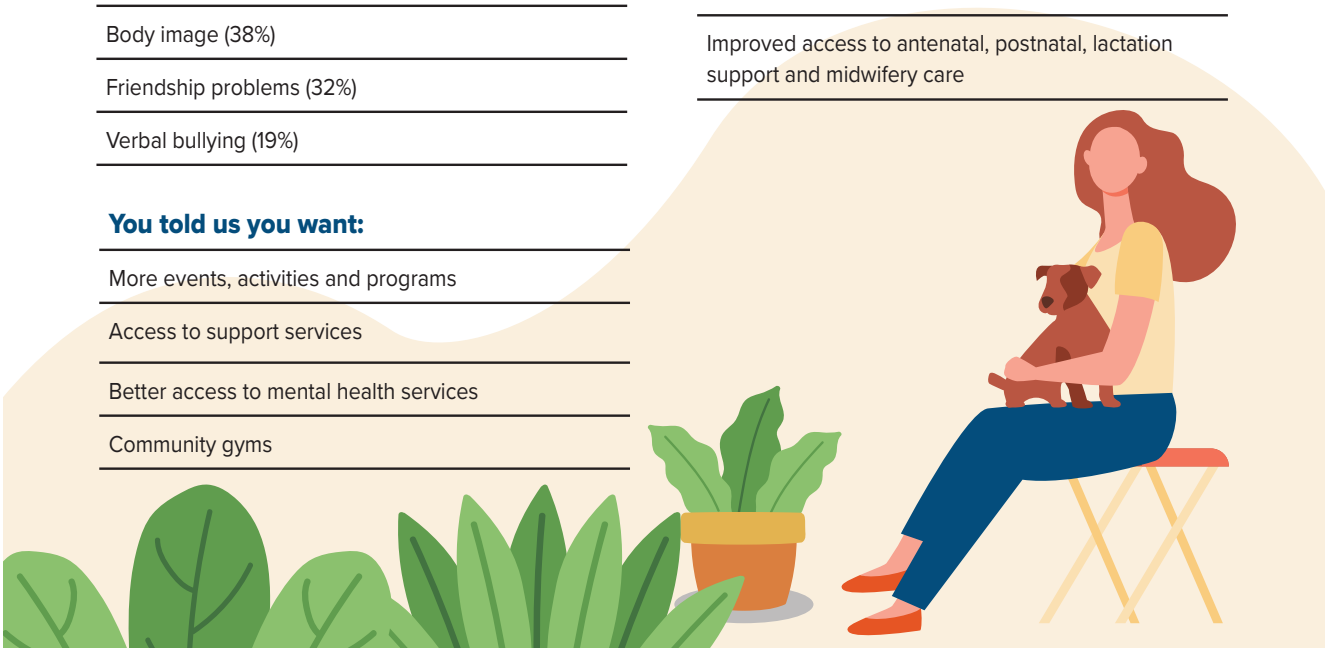
66% of parents couldn't access a service/support in the past 12 months

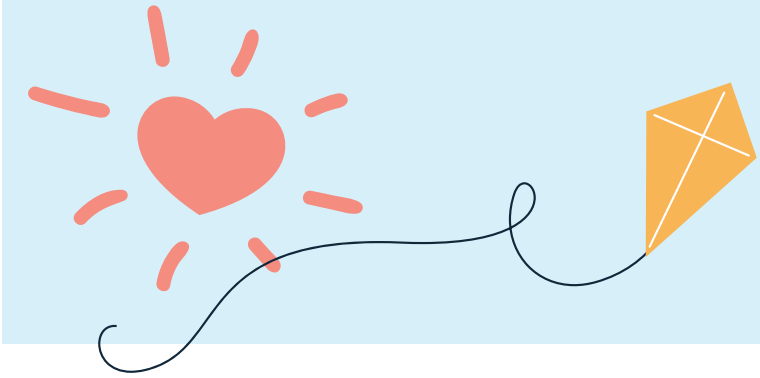
You told us you want:

Medical and Allied Health Support

More local access to medical services to cut down on travel

Improved access to antenatal, postnatal, lactation support and midwifery care





Service Providers

Key Issues/Challenges

- Program sustainability
- Underage drinking
- Drug use in 18-24 year olds
- Vaping
- Access to alcohol/drug programs for young people
- Duplication/overlapping services
- Communication across services/organisations
- Access to services is a challenge
- Families have to travel: service access
- Youth mental health service access
- 9-5 service availability
- Access to allied health services
- Speech therapy services are lacking
- Access to dental checks
- Understanding local data

You told us you want:

- Wellbeing Networks - Council to join so they hear from schools
- “Red Frog’ volunteers for FReeZA
- Service directory
- Lobby/advocate for services to come into the municipality
- Advocate for mental health services for young people
- Youth support worker at council

Buloke Shire Council will:

1. Continue to provide quality Maternal and Child Health and Immunisation Services.
2. Collect, share and use key community data to plan for and advocate for the health and wellbeing needs of children, young people and their families.
3. Work together with key stakeholders to increase community knowledge of available support services, programs and referral pathways for children, youth and families.
4. Advocate for increased locally available mental health services for children and young people.
5. Advocate for improved access to paediatricians and general practitioners.
6. Together with key stakeholders develop and lead an early years and youth network.
7. Work with key stakeholders to advocate for improved local access to an allied health model which better supports children, young people, and families to reduce travel.
8. Attend school wellbeing networks to strengthen relationships and collaboration with schools to support improved outcomes for children, young people and their families.

Connected Community's You told us....

Children/Young People

Children most loved:
home, family, friends, pets, playing, outdoors and nature.

Buloke Youth Survey

79% rate their mental health as good, very good or excellent

84% of young people play sport

20% are involved in youth groups

17% volunteer

13% are involved in SRC's

8% are involved in arts/culture activities

Top Five Concerns:

- Boredom/nothing to do (44%)
- Money problems (14%)
- Lack of transport (12%)
- Fitting in (22%)
- Discrimination (4%)

You told us you want:

- More events, activities and programs
- Festivals and events
- Play spaces
- Youth Spaces
- Freezas
- Access to support services
- More non-competitive sport/recreation options

Parents/Carers

Positives

- Caring people/community spirit
- Infrastructure-sports, playgrounds, education
- Playgroups/Kindergartens
- Services: MCH, Library, - Limited places to meet safely for childcare
- Safe Community Sports

Key Issues/Challenges

- Access to entertainment for children/youth **(60%)**
- Access to activities/recreation **(48%)**
- Geographic isolation **(42%)**
- Financial issues **(34%)**

You told us you want:

- Youth spaces and support
- Parent groups/supports
- Entertainment for young people
- Free/low cost family friendly activities/events
- More opportunities for young people to have a say
- Promotion of activities and events

Service Providers

Key Issues/Challenges

Cost of transport makes it difficult to bring children/ young people into activities
Need transport to go out and be social
Limited places and spaces for young people to meet safely in the evenings

You told us you want:

Young people involved in planning events
Yearly calendar of events
A session to understand data
Drop in sessions for children/youth
Acknowledging/celebrating youth volunteers
Youth support worker at Council
More opportunity for youth voice

Buloke Shire Council will:

1. Celebrate, promote and acknowledge the achievements of young volunteers.
2. Seek further funding for an ongoing Buloke Shire Council Youth Support Worker position. Council to allocate ongoing resources to a youth worker position.
3. Offer activities, programs and events that strengthen social, intergenerational and cross community connections.
4. Work together with key stakeholders to create a calendar of events for children, young people and families and regularly promote to the community.
5. Offer school holiday activities, 'pop-up' events and programs for children, young people and families.
6. Advocate for improved transportation funding to better support children, young people and families to attend events and programs.
7. Strengthen engagement with the 19-25 age group to better understand and support their needs and aspirations.
8. Consult, engage and involve children and young people in matters that are important to them.
9. Support families and young people with educational opportunities to improve health and learning outcomes.
10. Facilitate a genuine youth voice in Council and Community Planning to achieve better outcomes for young people's health and wellbeing.

Learning & Earning
You told us....

Children/Young People

Children most loved:
home, family, friends, pets, playing, outdoors and nature.

Buloke Youth Survey

24% are working part time

49% of young people plan to go to university

49% of young people plan to go to work

12% plan to attend TAFE

11% plan to do a trade

Top Five Concerns:

School or study problems **(34%)**

Money problems **(14%)**

Lack of transport **(12%)**

Career/employment opportunities **(9%)**

You told us you want:

Better transport

Good schools

Job opportunities

Parents/Carers

Positives

Education, Playgroups/Kindergartens

Services: Maternal Child Health, Library, Childcare

Key Issues/Challenges

Lack of access to childcare

Early Childhood Education. Model needs work to better support kindergarten changes and ensure access to childcare

Parent/Carer Survey:

46% of parents said their childcare needs were not met by existing services

61% of parents said the lack of childcare access has greatly affected a parent's ability to work

You told us you want:

Childcare

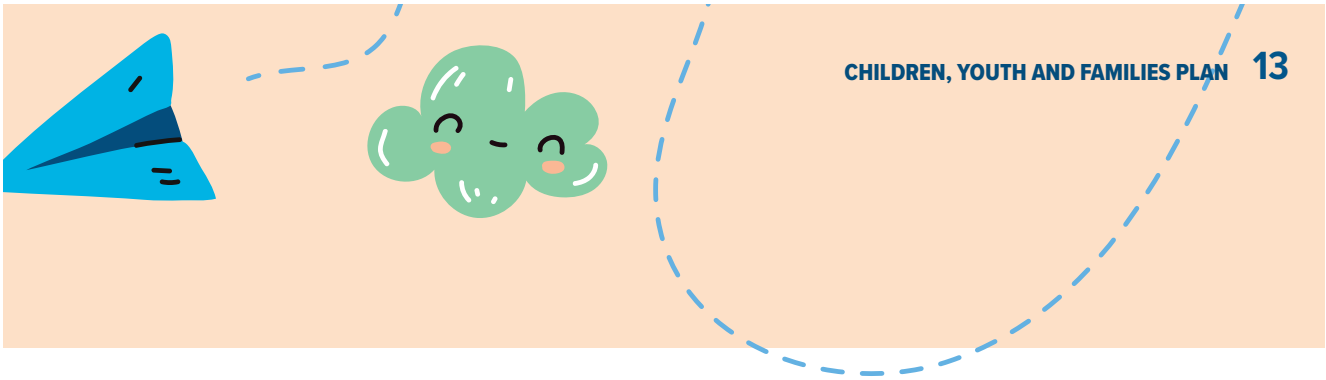
Parent groups/supports

Playgroups

Early years focus

Advocacy so Buloke children have the same level of access to services as urban children

Jobs, career pathways and further education



Service Providers

Key Issues/Challenges

Lack of childcare is a big issue - impacting on employment
Transportation between towns for work and work placements
Less businesses providing training opportunities for young people

You told us you want:

Smoother transition for parents through the early years and onwards
Better support for parents
Lobby/advocate for childcare
Council involved in careers week
More work placements/traineeships and employment opportunities for young people at Council

Buloke Shire Council will:

1. Continue to support families with young children (birth-to-school age) through providing and sustaining quality facilitated playgroups and community led playgroups.
2. Work together with communities and the Federal and State governments to support place based infrastructure planning for early childhood education and care.
3. Actively advocate for childcare policy, service models, infrastructure and funding to increase access to high quality childcare and after school care to enable greater workforce participation and ensure that families have access to the same level of childcare that is afforded to their regional and metro counterparts.
4. Partner with the Department of Education and key community stakeholders to create a five-year workforce plan to support three and four year old kindergartens.
5. Increase opportunities for work placements, traineeships, cadetships and employment pathways for young people across the municipality.
6. Partner with schools to promote working in Local Government as a career option.
7. Advocate for improved public transport and ride sharing options.
8. Support and connect Young Professionals Networks and address skills training gaps as identified in the 2019 Nous Workforce Development and Training Needs in the Buloke Shire report.
9. Promote the education facilities and opportunities across the municipality.

Engaging Spaces and Places You told us....

Children/Young People

Children most loved:
home, family, friends, pets, playing, outdoors and nature.

Buloke Youth Survey

84% of young people play sport

33% enjoy camping and the outdoors

Young people valued:

- Public pools
- Sport and Recreation facilities
- Outdoor spaces
- Natural environment

Concerns:

- Boredom
- Lack of meeting places
- Body image

You told us you want:

- Great recreation infrastructure
- Play spaces
- Youth Spaces

Parents/Carers

Parents Value

- Sporting clubs
- Playgrounds
- Public pools
- Walkable footpaths
- Natural landscapes
- Libraries
- Community gym

Key Issues/Challenges

- Geographic isolation **(42%)**
- Population decline **(32%)**
- Parks & play spaces **(27%)**
- Youth friendly spaces **(34%)**
- Social isolation **(21%)**

You told us you want:

- Youth spaces and support
- Great playgrounds
- Improved recreation facilities
- Family friendly spaces

Service Providers

Positives

Recreation facilities

Playgrounds - open space

Key Issues/Challenges

Geographic isolation **(50%)**

Parks and play spaces **(17%)**

Population decline **(25%)**

Social isolation **(67%)**

You told us you want:

More appealing recreation spaces

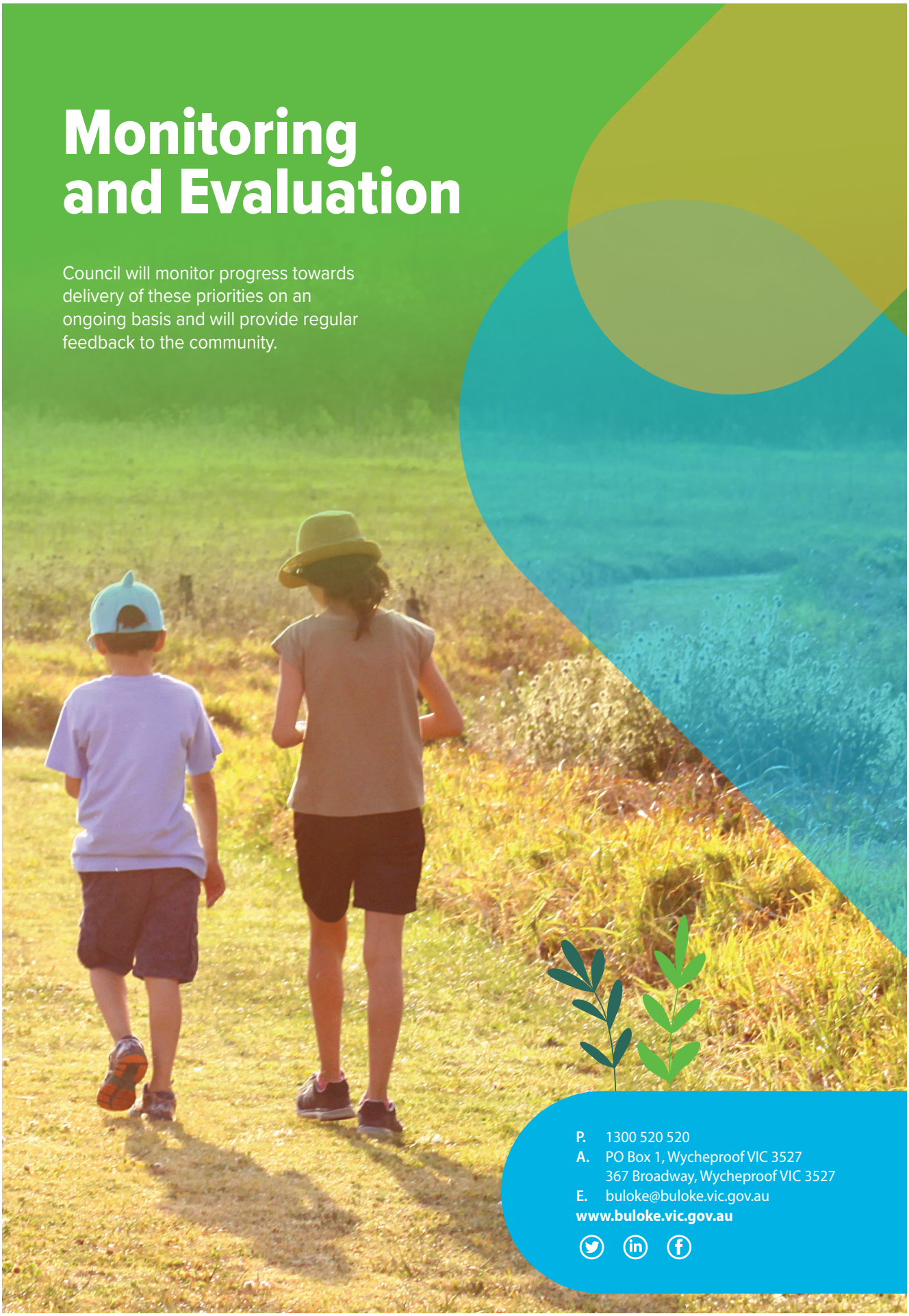
Walkable public spaces - family friendly spaces

Buloke Shire Council will:

1. Collaborate with young people and key service providers to identify and develop 'youth friendly spaces' for young people to socialise across the Buloke Shire.
2. Ensure Early Years Centres meet population and demographic needs.
3. Work together with communities and sporting and recreation groups to maintain, improve and plan for sport and recreation infrastructure.
4. Offer engaging and safe playgrounds and play spaces.
5. Ensure public facilities and spaces are child, family and all-ability friendly, with change tables, seating, disabled toilets and shade available.

Monitoring and Evaluation

Council will monitor progress towards delivery of these priorities on an ongoing basis and will provide regular feedback to the community.



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www.buloke.vic.gov.au

8.2.4 COMMUNITY GRANTS

Author's Title: Director Community Development

Department: Community Development ***File No:*** GS/09/42

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Community Wellbeing

PURPOSE

To present to Council the Community Grant applications recommended for funding under the Community Grants Program.

SUMMARY

Each year, Council allocates funds in the Annual Budget to support community initiatives that align with Council's priorities and vision as outlined in the Council Plan.

In the 2023-24 Annual Budget, Council allocated $20,000 to the **Community Grants Program** and $50,000 to the **Community Sustainability Grants Program**. The purpose of these programs are:

- **Community Grants** support the strengthening of the capacity and capability of local organisations, assist with the organisation and management of events, or help with the purchase of small capital items.

- **Sustainability Grants** assist projects that contribute to reducing the community's carbon footprint, improve the environment or effectively conserve resource usage.

RECOMMENDATION

That Council:

1. Considers the following allocation of funds under the Community Grants Program:

   $2,000 Dignity of the Fallen (*Charlton Neighbourhood House Inc - Auspice for the Charlton RSL Sub-Branch)*

2. Considers the following allocation of funds under the Community Sustainability Grants Program:

   $10,000 Donald Golf Bowls Tractor Replacement (*Donald Golf & Bowls Club Inc*)

Attachments: Nil

DISCUSSION

A further two Community Grants applications have been received since the Council Meeting held in February 2024.

As per the current Community Grant Guidelines, each application was assessed by an Assessment Panel. The Panel of three assessors consisted of one Council officer and two external consultants.

Based on their assessment against the selection criteria, the Panel recommends the following grants for Council's consideration and final decision on the budget allocations.

Project:	**Dignity of the Fallen**
Organisation:	Charlton Neighbourhood House Incorporated - Auspice for the Charlton RSL Sub-Branch
Grant Type	Community Grant (*Project Support*)
Amount Applied:	$2,000
Funding Amount Recommended:	$2,000
Full project cost:	$2,000
Project Description:	The Charlton RSL Sub-Branch would like to support a visit to Charlton by two prominent guest speakers: 1. **Lambis Englezos AM** - will discuss the discovery, identifying and reburying of the Diggers buried at the Pheasant Wood Military Cemetery in Fromelles, including local Maurice James Claxton. 2. **Ross McMulllin** - will discuss the life of local hero Major General Harold Edward 'Pompey' Elliott.
Project Benefit:	Hosting two renown historians to talk about local connections to the First World War will provide a unique event for the community as well as potentially generate interest from tourists and visitors to Charlton. The project will also be supporting local bus services and providing a catered lunch for all attendees.
Assessment Panel Scoring	Average Score = 14.8 out of 20. All members of the Assessment Panel recommended the '*Dignity of the Fallen*' project be funded for the full amount requested ($2,000).

Project:	**Donald Golf and Bowls Tractor Replacement**
Organisation:	Donald Golf & Bowls Club Incorporated
Grant Type	Community Sustainability Grant
Amount Applied:	$10,000
Funding Amount Recommended:	$10,000
Full project cost:	$35,000
Project Description:	The Donald Golf & Bowls Club Incorporated would like to replace two of their +50 year old tractors with one more environmentally friendly second-hand tractor.
Project Benefit:	The replacement tractor aims to provide a safer and more sustainable approach to maintaining the course/grounds of the Donald Golf and Bowls Club. This proactive approach to improving their environmental footprint demonstrates the club leading by example in reducing their greenhouse gas emissions and providing a sustainable healthy environment for their members, visitors and volunteers as well as their local community.
Assessment Panel Scoring	Average Score = 18.0 out of 20. All members of the Assessment Panel recommended the '*Donald Golf Bowls Tractor Replacement*' project be funded for the full amount requested ($10,000).

RELEVANT LAW

Not applicable to this report.

RELATED COUNCIL DECISIONS

Not applicable to this report.

OPTIONS

Council has the option to not to allocate the funds as recommended by the Assessment Panel however, such amendments to the proposed funding recommendations may undermine the integrity and fairness of the assessment process.

SUSTAINABILITY IMPLICATIONS

Not applicable to this report.

COMMUNITY ENGAGEMENT

Applicants were contacted by either a Council officer and/or an external consultant if their application required additional information or clarification.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable to this report.

COLLABORATION

Not applicable to this report.

FINANCIAL VIABILITY

The allocation of funds for the two applications recommended for funding will come from the Community Grants budget ($20,000) and the Community Sustainability Grants budget ($50,000) in Council's Annual Budget 2023-24.

There is currently $14,000 remaining in the adopted Community Grants budget and $50,000 remaining in the adopted Community Sustainability Grants budget for the 2023-24 financial year.

Community Grants and Sponsorship 2023-2024

Organisation	Type	Amount in application	Recommended	Granted by Council
Charlton Neighbourhood House Incorporated	Project Support	$2,000	$2,000	$2,000
Birchip Community Forum Inc.	Project Support	$2,000	$2,000	$2,000
Charlton Forum Inc.	Project Support	$2,000	$2,000	$2,000
Totals		$6,000	$6,000	$6,000

Community Sustainability Grants 2023-2024

Organisation	Type	Amount in application	Recommended	Granted by Council
Totals				$0

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable to this report.

COUNCIL PLANS AND POLICIES

Buloke Shire Council Plan 2021-2025 and Long-Term Community Vision.
Community Grant Guidelines.
Community Engagement Policy.

TRANSPARENCY OF COUNCIL DECISIONS

Not applicable to this report.

CONFLICTS OF INTEREST

No officer involved in the compilation of the report has any conflicts of interest to disclose.

All members of the Assessment Panel have no conflict of interest to disclose in relation to their recommendations or this report.

8.2.5 BULOKE PLANNING SCHEME REVIEW

Author's Title: Senior Planning Officer

Department: Community Development ***File No:*** LP/09/01

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Built and Natural Environment

PURPOSE

This report provides Council with a review of the Buloke Planning Scheme and recommends that the review be adopted by Council and submitted to the Minister for Planning.

SUMMARY

The Council, as the planning authority for the Buloke Planning Scheme, is required to undertake a review of its planning scheme every four years under Section 12B of the Planning and Environment Act 1987.

The Buloke Planning Scheme Review Report 2023 (the planning scheme review) has been prepared in partnership with the Buloke Shire Council and the Regional Planning Partnerships (RPP) team at the Department of Transport and Planning (DTP), at the request of the Council.

If the Council resolves to adopt the planning scheme review, it will be forwarded to the Minister for Planning as required under section 12(B) of the PE Act.

RECOMMENDATION

That Council:

1. Adopt the Buloke Planning Scheme Review Report – September 2023, and
2. In accordance with Section 12B (5) of the Planning and Environment Act 1987 forward a copy of the adopted Buloke Planning Scheme Review Report – September 2023 to the Minister for Planning.

Attachments: 1 ⇩Buloke Planning Scheme Review Report

DISCUSSION

Regular reviews of the planning scheme are required under Section 12B of the Planning and Environment Act 1987. Councils should undertake a planning scheme review within 12 months of the Council Plan being adopted.

The objective of the planning scheme review is to enhance the effectiveness and efficiency of the planning scheme in achieving the objective of planning in Victoria and ensuring the planning scheme makes best use of the Victorian Planning Provisions and the planning framework established by the Act.

At Section 12B (4) of the Act the planning scheme review must evaluate the planning scheme to ensure that it:

- is consistent in form and content with the directions or guidelines issued by the Minister, and

- sets out effectively the policy objectives for use and development of land in the area to which the planning scheme applies, and
- makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

The planning scheme review also provides an opportunity to:

- Align the Council's broader policy position with the planning scheme.
- Update out of date or redundant information.
- Educate and inform stakeholders about how the planning scheme works and the process by which to improve it.

The Council last reviewed the scheme in 2018. Between 2018–2022, the scheme was progressively updated to reflect the recommendations of the 2018 review, including correcting zoning and mapping errors and removing redundant provisions.

The planning scheme review was prepared in partnership with the Council and the RPP team at DTP, at the Council's request.

This review has also been prepared in accordance with the following directions and guidance provided by DTP:

Ministerial directions:

- Ministerial Direction on the Form and Content of Planning Schemes
- Ministerial Direction No. 11 Strategic Assessment of Amendments

Planning practice notes and advice:

- A Practitioner's Guide to Victoria's Planning Schemes
- PPN32 Review of planning schemes
- PPN46 Strategic Assessment Guidelines

The planning scheme review has found that overall, the scheme is operating effectively.

This review has identified several opportunities to update and improve the local content of the scheme to ensure council's vision for land use and development, as expressed in the Council Plan, is reflected by the policy and planning controls of the scheme.

The review has identified a small number of policy neutral changes that should be made to the scheme to bring it into alignment with the Ministerial Direction on the Form and Content of Planning Schemes (MDFC).

The review has identified the following key land use planning priorities for the council:

- Resourcing required to undertake and implement a strategic work program within the planning scheme review cycle.
- Small town settlement planning to coordinate existing mixed land uses, plan for future housing, tourism opportunities, environmental management, movement and infrastructure networks, and streetscape and urban design improvements.
- Improving the drafting of existing planning controls and schedules in the scheme to clarify objectives, strategies, and requirements.
- Implementing key tasks from the Rural Land Use and Settlement Strategy (2019).
- Review of the application and intent of the Environmental Significance Overlay and Vegetation Protection Overlay
- Policy direction for open space and pedestrian networks, climate change adaptation, gaming machines and, protecting significant landscapes.

It is recommended that a planning scheme amendment is undertaken by the Council to implement the findings of this review that relate to administrative matters and to incorporate Council or State adopted strategic planning work into the scheme.

RELEVANT LAW

Planning and Environment Act 1987

RELATED COUNCIL DECISIONS

Nil

OPTIONS

The Council has the option to resolve not to adopt the Buloke Planning Scheme review.

SUSTAINABILITY IMPLICATIONS

The Planning Scheme review has made recommendations to update the planning scheme to comply with Ministerial Directions and to provide recommendations for further strategic work and planning scheme amendments to have beneficial impacts on economic, social, and environmental sustainability.

COMMUNITY ENGAGEMENT

The Planning Scheme Review Report has been made available for public submissions. Notification of the invitation to make a submission has been placed in locally circulating newspapers, on the Buloke Shire Council webpage, and on Council's social media pages. Internal and external stakeholders have been consulted. The strategic projects in the recommendations will undergo consultation as required.

INNOVATION AND CONTINUOUS IMPROVEMENT

The purpose of undertaking a planning scheme review is to enhance the scheme's effectiveness and efficiency in achieving the planning objectives in Victoria and the planning framework established in the PE Act.

COLLABORATION

External referral authorities have been consulted as part of the planning scheme review and received the following responses:

- North Central CMA recommends changes to flood controls due to construction of flood mitigation levees.
- Mallee CMA – no change suggested.
- Department of Health and Human Services (now Department of Health) – update name of referral authority to Department of Health (clerical change).
- CFA – no change suggested.
- Department of Transport and Planning (Transport) – no change suggested.
- Department of Energy, Environment and Climate Action – Minor changes to Environmental Significance Overlay Schedule 1 (ESO1)

FINANCIAL VIABILITY

Council was successful in engaging assistance for the planning scheme review from the Regional Planning Hub with the Department of Transport and Planning.
Future strategic work has been identified as part of the planning scheme review. This work may involve engaging consultants.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The Buloke planning scheme incorporates state and regional policy.

COUNCIL PLANS AND POLICIES

Planning scheme reviews provide the opportunity to align the Council's broader policy position with the planning scheme.

TRANSPARENCY OF COUNCIL DECISIONS

To promote transparency, Council will consider this resolution in an open meeting.

CONFLICTS OF INTEREST

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

Buloke Planning Scheme Review Report

Buloke Shire Council

September 2023

Department of Transport and Planning

Unofficial

Planning and Environment Act 1987 (PE Act)

Planning Scheme Review pursuant to Section 12B of the PE Act

Buloke Planning Scheme

Version	Author	Issue date
1.0 First draft	KW	July - August 2023
1.1 Review by RPP	MS / SH	9 August 2023
1.2 Draft for review by the council	KW	11 August 2023
1.3 Final draft	KW	28 September 2023

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Buloke Planning Scheme Review

Acronyms

Abbreviation	Meaning
ABS	Australian Bureau of Statistics
BSC	Buloke Shire Council
DEECA	Department of Energy, Environment and Climate Action
DoH	Department of Health
DTP	Department of Transport and Planning
GWMWC	Grampians Wimmera Mallee Water Corporation
MDFC	Ministerial Direction on the form and content of planning schemes
MPS	Municipal Planning Strategy
NCCMA	North Central Catchment Management Authority
PE Act	Planning and Environment Act 1987
PPV	Planning Panels Victoria
PPARS	Planning Permit Activity and Report System
PG	Practitioner's Guide to Victoria's Planning Schemes
PPF	Planning Policy Framework
RPH	Regional Planning Hub
RPP	Regional Planning Partnerships
VCAT	Victorian Civil and Administrative Tribunal
VIF	Victoria in Future

Buloke Planning Scheme Review

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1. Executive summary

1.1. Why is the planning scheme being reviewed?

The Buloke Planning Scheme Review Report 2023 (the planning scheme review) has been prepared in partnership with the Buloke Shire Council (the council) and the Regional Planning Partnerships (RPP) team at the Department of Transport and Planning (DTP), at the request of the council.

The RPP Regional Planning Hub program was established to support rural and regional councils with peak workloads, build land use planning capacity and capability, and assist councils with key strategic planning projects.

The council, as the planning authority for the Buloke Planning Scheme (the scheme), is required to review its scheme every four years under section 12(B) of the Planning and Environment Act 1987 (PE Act).

The council last undertook a review of the scheme in 2018. Between 2018 – 2022 the scheme has been progressively updated to reflect the recommendations of the 2018 review, including the correction of zoning and mapping errors and removal of redundant provisions.

Once adopted by the council, the planning scheme review will be forwarded to the Minister for Planning as required under section 12(B) of the PE Act.

A planning scheme amendment or amendments to implement the findings of the planning scheme review will be required. The marked-up ordinance to support two amendment pathways forms Appendix Two of this report.

1.2. Health check and findings

Overall, the scheme is operating effectively.

In 2021 the scheme was restructured to insert a new Municipal Planning Strategy (MPS), reformat local planning policies to replace the former Local Policy Planning Framework (LPPF), and update local schedules. These changes were policy neutral and did not result in the introduction of new content.

The MPS contains high level strategic directions to guide settlement, environmental risks and values, natural resource management, built environment and heritage, economic development, transport, and infrastructure across the municipality.

However, there is limited local policy in the Planning Policy Framework (PPF) to give the MPS strategy effect. For example, the PPF lacks local content to guide settlement planning and contains limited content to support council's aspirations for tourism, industrial diversification, climate change adaptation, and the protection of environmental values.

This review has identified a number of opportunities to update and improve the local content of the scheme to ensure council's vision for land use and development, as expressed in the Council Plan, is reflected by the policy and planning controls of the scheme.

It is recommended that the council focus on developing policy and implementing updates to the scheme that will bring the most community benefit, such as settlement planning and the reviewing of planning controls to reduce administrative burden on the planning unit and applicants.

Buloke Planning Scheme Review

These matters are further addressed in the following sections.

1.3. Top priorities for Buloke Shire Council

- Has

1.4. Consolidated recommendations

This section of the report outlines the recommendations and next steps for this planning scheme review. Recommendations are grouped as follows:

- Planning scheme recommendations
- Further strategic work recommendations
- Process improvement recommendations
- Minister for Planning recommendation

1.4.1. Planning scheme amendment

It is recommended that a planning scheme amendment is undertaken by the council to implement the findings of this review that relate to administrative matters and to incorporate council or State adopted strategic planning work into the scheme.

The review has identified a small number of policy neutral changes that should be made to the scheme to bring it into alignment with the Ministerial Direction on the Form and Content of Planning Schemes (MDFC).

These are administrative matters, such as corrections to ABS data, and do not change the policy intent of the scheme.

It is also recommended that the MPS refer to the Traditional Owners of the land in which Buloke Shire sits – the people and lands of the Wotjobaluk, Jaadwa, Jadawadjali, Wergaia and Jupagulk, and Dja Dja Wurrung.

The planning permit activity data audit (Appendix One) and consultation with council staff and referral agencies identified that local overlay and zone schedules should be reviewed and updated to remove or reduce permit requirements for minor works.

Updates to permit requirements would reduce the number of permits processed by the council and enable the redirection of resources to other planning priorities, such as strategic work.

An audit of local and regional strategies and policies that have been completed since the last planning scheme review (Appendix One) has identified new policy that has the strategic justification to be incorporated into the scheme.

These recommended changes are marked up on the supporting draft Ordinance (Appendix Two). The council should liaise with DTP Loddon Mallee Regional Planning Services team to determine the appropriate amendment pathway to progress the findings of this report.

Buloke Planning Scheme Review

Recommendations:

To implement the findings of the Buloke Planning Scheme Review Report 2023 it is recommended that the council:

1. **Prepare a planning scheme amendment or amendments using the marked-up ordinance at Appendix Two to:**
   a) **Incorporate the policy neutral changes identified in Chapter 5 to align the ordinance with the Ministerial Direction on the Form and Content of Planning Schemes.**
   b) **Amend the Municipal Planning Strategy at Clause 02.01 Context to include appropriate reference to Traditional Owners and Country.**
   c) **Include new policy to implement the:**
      - ***Buloke Council Plan 2021 – 2025, including the Municipal Health and Wellbeing Plan*** **(Buloke Shire Council, 2021)**
      - ***Buloke Shire Council Inclusiveness Plan (Buloke Shire, 2018)***
      - ***Interim Economic Development and Tourism Strategy 2022-2023 (Buloke Shire, 2022)***
   d) **Update existing Clause 74.02 Further Strategic Work to include the prioritised strategic work program.**

1.4.2. Further strategic work

Section 8 and Appendix 3 of this report outlines future strategic planning work that has been identified through an audit of planning permit activity data, feedback from council staff, and a review of scheme ordinance.

The highest priority tasks for the council to undertake over the next four years are listed below. The list represents a work program that, if implemented, will deliver a positive impact for the community and efficiencies for the council's planning function and users of the scheme.

It is recommended that the council prioritise the following further strategic work over the next four years:

Recommendations:

2. **Finalise strategic work that is in progress to implement the Rural Land Use and Settlement Strategy.**
3. **Progress the proposed anomalies and corrections planning scheme amendment.**
4. **Prepare township settlement plans for Donald, Birchip, Charlton, Sea Lake, and Wycheproof.**
5. **Undertake a permit trigger review.**
6. **Prepare and implement a review of the application and intent of the Environmental Significance Overlay and Vegetation Protection Overlay.**

Buloke Planning Scheme Review

7. **Review and update heritage policy and controls in the scheme to meet Planning Practice Note 01: Applying the Heritage Overlay requirements.**
8. **Prepare policy for insertion into the scheme to guide the siting of rural dependant enterprises in the Farming Zone.**
9. **Develop and implement local policy for climate change adaptation in urban and rural areas.**
10. **Develop and implement local policy for walking, cycling and open space networks.**
11. **Prepare policy for insertion into the scheme at Clause 02-03-3 Amenity and a schedule to Clause 52.28 Gaming to guide assessment of gaming machines to ensure compatibility with the amenity of the local area and provide a net community benefit.**

Documents **R3: Further Strategic Work Prioritisation** and the ***'A Good Practice Guide to Planning Scheme Reviews'*** include instructions for preparing a prioritised further strategic work list for Clause 74.02 Further Strategic Work.

Only the work that can be completed in the next four years should be listed in Clause 74.02 of the planning scheme. A recommended Clause 74.02 is included in the marked-up ordinance at Appendix Two that contains six items from the above list.

1.4.3. Process improvements

Process improvement recommendations are drawn from analysis of the planning scheme, permit activity data, consultation with council staff and referral authorities.

Recommendations:

It is recommended that the council:

12. **Use the DTP Better Planning Approval templates to develop a suite of resource material to support planning scheme users and streamline planning processes. Publish on Greenlight platform on the council's webpage and in hardcopy at Buloke Shire Council customer service centres.**

1.4.4. Minister for Planning

The council, with assistance from the RPP team at DTP, has prepared a planning scheme review as required by section 12B(1) of the PE Act.

In accordance with section 12B(3) of the PE Act, this review identifies opportunities to enhance the effectiveness and efficiency of the scheme in achieving the objectives of planning in Victoria and the objectives of the planning framework established in the PE Act.

In accordance with section 12B(4) of the PE Act, the review evaluates the scheme to ensure that it:

- Is consistent with Ministerial Direction on the Form and Content of Planning Schemes.
- Sets out the policy objectives for the use and development of land.
- Makes effective use of state and local provisions to achieve state and local planning policy objectives.

Buloke Planning Scheme Review

Recommendation:

13. **That the Buloke Shire Council accept this planning scheme review and forward to the Minister for Planning as evidence the Buloke Shire Council, as the planning authority for the Buloke Planning Scheme, has met its obligations in accordance with Section 12B of the Planning and Environment Act 1987 to review the planning scheme every four years.**

2. Introduction

2.1. Purpose

The council, as the planning authority for the scheme, is required to review its scheme every four years under Section 12(B) of the PE Act.

The scope of a planning scheme review is established under Section 12(B) of the PE Act and should focus on:

- The effectiveness and efficiency of the planning scheme in achieving the objectives of planning and the planning framework in Victoria.
- Aligning the planning scheme with the Ministerial Direction on the Form and Content of Planning Schemes (MDFC).
- Ensuring the planning scheme contains a clear narrative about the way use and development of land will be managed to achieve the planning vision or objectives of the area.

Planning scheme reviews also provide the opportunity to:

- Align the council's broader policy position with the planning scheme.
- Update out of date or redundant information.
- Educate and inform stakeholders about how the planning scheme works and the process by which to improve it.

This review will be forwarded to the Minister for Planning as required under section 12(B) of the PE Act once complete. A planning scheme amendment or amendments to implement the findings of the review is recommended.

2.2. Methodology

The planning scheme review has been prepared in partnership with the council and the RPP team at DTP, at the request of the council.

The RPP Regional Planning Hub (RPH) program was established to support rural and regional councils with peak workloads, build land use planning capacity and capability, and assist councils with key strategic planning projects.

Many rural and regional councils have requested assistance under the RPH program to prepare planning scheme reviews.

To support this, the RPP team partnered with Redink Planning to develop a five-stage methodology to guide the preparation of planning scheme reviews, as shown in Figure 1 below.

This methodology is supported by the '*Good Practice Guide to Planning Scheme Reviews*' and templates that have been developed to assist with each stage of the process.

Buloke Planning Scheme Review

Figure 1: Planning scheme review methodology

1 Initiate	2 Analyse	3 Engage	4 Report	5 Consult & implement
Establish timelines	Audit the planning scheme	Statutory and strategic planners	Planning scheme review report	Test findings with community
Collate materials	Review strategic documents and new policy	Internal referrals	Further strategic work plan	Test further strategic work with community
Survey planners and key staff	VCAT decisions	External referrals	Marked – up ordinance	Develop a shortlist of priority further strategic work
Contact referral authorities	Planning panel recommendati ons	Registered Aboriginal Parties		Planning scheme review to Minister for Planning
Inform DTP	Previous planning scheme review	Other identified stakeholders		Planning Scheme Amendment
	Planning permit activity			Budgeting for further strategic work
	Survey results			Process improvements & advocacy

The planning scheme review followed this five-step methodology with the following timeline:

Stage	Timing
Initiate	February 2023
Analyse	March – May 2023
Engage	June 2023
Report	August 2023
Implement (Consult – TBC)	TBD by council

This review has also been prepared in accordance with the following directions and guidance provided by DTP:

Ministerial directions:

- Ministerial Direction on the Form and Content of Planning Schemes
- Ministerial Direction No. 11 Strategic Assessment of Amendments

Planning practice notes and advice:

- A Practitioner's Guide to Victoria's Planning Schemes
- PPN32 Review of planning schemes
- PPN46 Strategic Assessment Guidelines

3. What's driving change

3.1. Population, growth, and economy

The Australian Bureau of Statistics (ABS) Estimated Resident Population for the Buloke Shire LGA estimates that in 2021 6,134 people resided in the municipality, which decreased to 6,114 in 2022.

Victoria in Future (VIF), the official State government projection of population and households, predicts a further loss in population, estimating that by 2036 the population will reduce by approximately 1,170 persons to 5,020.

In 2021, VIF estimated that the Buloke Shire LGA comprised 2,765 individual households, with approximately 910 households occupied by a 'couple without children' and 964 occupied by a lone person. Comparatively, only 588 households were occupied by a 'couple with children' or 194 as a 'one parent family'. The dwelling structure in 2021 was recorded as 2,399 separate houses, 80 semi-detached houses, 44 flats or apartments, and 27 other dwellings.

The median age of residents in the Shire is increasing, from 45 years old in 2006 to 52 years old in 2021. The average household size remained the same between the 2011 and 2021 Census periods at 2.2 people per household (ABS, 2021 Census). The high proportion of lone or child-free households is not unique to Buloke, with nearby rural shires recording similar household occupancy and demographic trends.

The *Buloke Shire Interim Tourism and Economic Strategy* (2022 – 2023) identifies that changing population and development patterns may disrupt assumptions about ongoing population decline and points to 'progress towards population stability over the next 15 years', in contrast to the 1.1 percent decrease rate per annum predicted by VIF data.

Although Buloke Shire has recorded higher than predicted population retention and some inward migration since the last census, demographic projections are unlikely to change and the need to plan for an ageing population remains a priority.

From a land use planning perspective, the challenge for Buloke Shire is ensuring its ageing population and key workers can access suitable housing options, including compact housing. In 2021, 52 percent of all dwellings in the Shire comprised three bedrooms.

The Council Plan and Tourism and Economic Strategy includes objectives to increase housing diversity, including social and affordable housing, key worker housing, higher densities in established urban areas, and increasing the supply of rural residential lots.

At present, the scheme lacks settlement frameworks that direct where new housing development should occur to achieve the diversity of residential land use and development sought by the council.

Donald is the Shire's primary population centre, accommodating 1,472 residents in 2021. A network of small centres including Charlton, Wycheproof, Sea Lake, and Birchip accommodate smaller urban populations.

Agriculture is the key economic driver for the municipality. Broadacre cropping is the predominant land use, with lamb and wool production and some extractive and rural industries. Most industrial land is located in and around the five main urban centres.

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In Buloke Shire agriculture is the largest employer, followed by health care and social assistance, local government administration, and education (ABS, 2021 Census). Buloke Shire has an annual economic output of approximately $705 million.

Tourism is a growing sector and the municipality's significant landscapes, lakes, trails, and heritage attractions draw regional and inter-state visitors for recreation and cultural tourism.

3.2. Climate change and other environmental risks

Buloke Shire is situated in the Murray-Mallee region of Victoria and its geographic and environmental values are characterised by highly modified agricultural plains, Mallee dunes, sedimentary hills (in the south of the municipality), and the Avoca and Avon Richardson River systems.

It is predicted that Buloke Shire will be subject to increased and extreme temperatures, reduced annual rainfall, and an increase in heavy rainfall events from the effects of climate change.

The Shire is subject to major flood events, impacting Charlton, Donald, Wycheproof and Culgoa, and rural areas. Other natural disasters and environmental hazards such as heatwaves, bushfires, and storms are likely to become more severe.

The *Council Plan 2021 – 2025* includes several objectives that seek to address climate impacts through the implementation of the Buloke Shire Climate Change Adaptation Plan (2020).

From a land use planning perspective, the plan includes the following relevant actions:

- Investigate preparing and implementing *Environmentally Sustainable Design* (ESD) and *Council Alliance for a Sustainable Built Environment (CASBE)* Environmentally Sustainable Development policy into the scheme.
- Identify and protect significant native vegetation.
- Strengthen planning policy and requirements for stormwater capture, potable water supply protection, ground water impacts, soil erosion and salinity, and protection of agricultural land from inappropriate uses and unsustainable practices.

For a small rural council with limited residential subdivision activity, the preparation of local Environmentally Sustainable Development policy may be costly to achieve without support from the Victorian government or a regional partnership approach.

Findings:

A. Develop local policy to guide climate change adaptation in urban and rural areas to capture the strategies in the Buloke Climate Change Adaption and Mitigation Strategy 2023 – 2030 (Ndevr Environmental Pty Ltd, 2020).

3.3. Victorian government amendments and advice

The Victoria Planning Provisions are constantly being reviewed and updated at a State level with numerous VC and GC amendments occurring each year. The State also provides advice to planners in the form of updates to the Practitioner's Guide to Victoria's Planning Schemes (the PG) and new

Buloke Planning Scheme Review

planning practice notes. The full list of amendments to the Victoria Planning Provisions that have been gazetted and practice notes that have been released since the last review form Appendix Four.

The way in which the scheme should respond at a local level to these changes to the Victoria Planning Provisions and how they should be applied has been considered in this review and includes:

Applying the Buffer Area Overlay

Amendment VC175 introduced the Buffer Area Overlay (BAO). The BAO is a new amenity buffer that is designed to ensure sensitive land uses like schools, hospitals, and residences, are not affected by off-site impacts such as noise, dust, odour, and hazardous air pollutants from industries operating nearby.

This control may be suitable for application to a range of infrastructure assets located on public land including declared water storages, water supply and treatment infrastructure, transfer stations, landfill sites.

It is recommended that the council investigates the application of the BAO over council owned assets and those operated by relevant agencies (such as the water authority) within proximity to sensitive uses, in the first instance.

Reduced permit requirements in the Rural Living, Farming and Rural Activity Zones

Amendment VC231 amended planning permit exemption thresholds for dwelling extensions, out-buildings, and buildings used for agriculture in the Rural Living Zone (RLZ), Farming Zone (FZ) and Rural Activity Zone (RAZ). It did so by increasing the floor area for which a planning permit was not required for the following building and work categories; alterations or extensions to existing dwellings, out-buildings associated with a dwelling and alterations or extensions to an existing building used for agriculture. It also introduced the ability to vary the distance by which a planning permit is required for buildings within a setback of a waterway, wetland or designated floodplain through a schedule to a zone.

The new exemption thresholds are designed to reduce unnecessary planning permit triggers, delays, and workloads at rural and regional councils, to make it easier for rural and regional households to make extensions to their households, and to make it easier for farmers to construct low impact buildings that contribute to agricultural productivity.

While the council does not currently utilise schedules to the RLZ, FZ or RAZ to specify localised permit exemptions for dwelling extensions, out-buildings or buildings used for agriculture, it is recommended that permit activity continue to be monitored and opportunities for a reduction in permit requirements for low impact buildings in rural areas be explored where possible.

Flood mapping assistance for local government

On 30 May 2023, the Victorian government announced a $22.2 million funding package to support councils to accelerate flood mapping data studies.

This assistance will support councils to update their planning schemes to identify suitable locations for new development outside of high flood-risk areas.

The Minister has appointed a Flood-related Amendments Standing Advisory Committee to provide advice on the implementation of flood studies and associated proposed planning scheme amendments.

It is recommended that the council take advantage of any opportunity to secure funding and resource support to update its flood mapping in partnership with the relevant catchment management authority.

4. Previous planning scheme review

4.1. Buloke Planning Scheme Review 2018

The planning scheme was last reviewed in 2018. This review was carried out as an internal desktop assessment by the planning unit.

The review contained 11 primary recommendations for improvements to the scheme, including:

- Review and update the content and structure of the Municipal Strategic Statement (MSS).
- Review and update the content and structure of LPPF, specifically:
    - Clause 22.01 Discretionary use in Township Zone.
    - Clause 22.02 Rural Land and Sustainable Agriculture.
    - Clause 22.03 Intensive animal husbandry.
    - Clause 22.04 Heritage conservation.
- Rezone publicly owned land at Tchum Lakes, Watchem Lake, and Wooroonook Lakes from FZ to Public Park and Recreation Zone (PPRZ) or Public Conservation and Resource Zone (PCRZ).
- Remove Schedule 2 to Environmental Significance Overlay (ESO2).
- Prepare a Rural Land Use Strategy to identify opportunities to introduce the Rural Living Zone to Farming Zone land adjacent to township boundaries.
- Prepare township settlement plans for Donald, Charlton, Wycheproof, Sea Lake, and Birchip.
- Implement the recommendations of the *Loddon Mallee Waste & Resource Recovery Implementation Plan – Land Use Planning Project Report* (Centrum Town Planning, 2017).
- Review the Economic *Development Strategy (Buloke Shire Council, 2018)* to incorporate a planning response to:
    - Diversify agriculture that capitalises on water supply and intensive animal husbandry.
    - Intensify tourism opportunities.
- Review Incorporated Documents contained in Clause 72.04 for relevance.
- Publish permit applications on public notice on the council's webpage.
- Participate in professional development training to learn about permit assessment under provisions for Clause 52.17 Native Vegetation, Clause 52.29 Land Adjacent to a Road Zone, and 52.31 Broiler Farms.

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4.2. Progress since last review

Since the 2018 review, the council has completed the following further strategic work and scheme amendments:

- C43 to introduce a MPS to replace the former Municipal Strategic Statement and local Planning Policies and Amendment C39 to correct local schedules as part of the Smart Planning Local Schedules.
- C42 to delete the Environmental Significance Overlay, Schedule 2 (ESO2 - Channel and Reservoir Protection) from land throughout the Shire of Buloke and amend the MSS to delete references to the ESO2.
- C36 to rezone publicly owned land at Tchum Lakes, Watchem Lake and Wooroonook Lakes from FZ to Public Park and Recreation Zone (PPRZ) or Public Conservation and Resource Zone (PCRZ).
- C027 to apply the Land Subject to Inundation Overlay (LSIO) and Floodway Overlay (FO) to land in the townships and surrounds of Charlton and Donald and update the schedules to the FO and LSIO.
- C037 to facilitate the 'Bringing Water back to Green Lake Project' including rezoning land from Public Conservation and Resource Zone to Public Park and Recreation Zone and introducing an incorporated document.

The most significant change to the scheme was via Amendments C43 and C39. This work addressed the 2018 review recommendations to update local policies for heritage, rural land and sustainable agriculture, intensive animal husbandry, township zone, and review of Incorporated Documents for relevance.

In 2021 the scheme was restructured to insert a new MPS and local planning policies to replace the former Local Policy Planning Framework. A second project updated local schedules as part of the Smart Planning Local Schedules Update. This was done by planning scheme amendments C43blok and C39blok as policy neutral amendments led by the Victorian government.

The former Clause 52.31 Broiler Farms provision has been replaced with a new Clause 53.09 Poultry Farm provision and with it the V*ictorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018) were introduced which addresses permits associated with free range poultry farms. The Clause 36.04 Road Zone categories 1 and 2 and Clause 36.01 Public Use Zone 4 were also replaced with a new Clause 36.04 Transport Zone, which had subsequent administrative changes to Clause 52.29 Land Adjacent to the Principal Road Network (Transport Zone 2).

The Victorian government has also introduced training programs, online mapping and offsetting tools, and guideline documents for assessing permit applications under the new Clause 52.17 Native Vegetation provisions.

4.3. Projects underway

The 2018 further strategic work items that relate to the commissioning of new strategies and studies remain priorities for the council today. In particular, Section 9 provides a discussion on the implementation of the Buloke Shire Rural Land Use and Settlement Strategy: Planning Report (2019) and a proposed amendment to correct zoning, mapping, and schedule anomalies.

The council has also prepared an Interim Economic Development and Tourism Strategy (2022 – 2023) and will commence an Integrated Community Planning Framework comprising community plans for ten townships in mid to late 2023.

5. Audit and assessment of current scheme

5.1. Methodology

An audit of each local provision (policies and schedules) in the planning scheme has been undertaken. This audit has compared the drafting and application of each local provision against the MDFC, the PG (Version 1.5, April 2022) and relevant planning practice notes.

Findings on improvements that could be made are listed below. Some of these can occur as part of a planning scheme amendment based on the findings in this report and are included in the marked-up ordinance at Appendix Two. Others require further strategic work to justify the change and are instead listed as findings.

5.2. Municipal Planning Strategy

As well as the assessment outlined above, the MPS was cross referenced against all the other local provisions in the scheme to ensure that there is a link to all local policies.

Clause no and name	Compliance or changes required	Action PSR complies PSR further strategic work PSR policy neutral amendment PSR full amendment
Word count (5000 or less)	Yes	Complies
02.01 Context	Make minor amendments to include important factual contextual information, appropriate First Nations recognition, and updated economic and population data.	Policy neutral amendment
02.02 Vision	Update to reflect 2021 - 2025 Council Plan vision	Policy neutral amendment
02.03-1 Settlement and housing	Amend wording for clarity. Delete dot point six and insert new direction to reflect new Council Plan and Inclusion Plan strategic directions for housing diversity. Further strategic work required to: • Identify locations to achieve housing diversity within urban	Policy neutral amendment Further strategic work

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	centres. This work should also include a policy statement and strategies that could be inserted at Cl02.03-6 Housing. • Expand settlement directions relating to the key urban centres of Birchip, Charlton, Donald, Sea Lake, and Wycheproof following the preparation of small township settlement plans.	
02.03-2 Environmental values and landscapes	No change. Further strategic work required to review extent of the Environmental Significance Overlay and Vegetation Protection Overlay to identify and protect Wooroonook Lakes, Green Lake, Tchum Lakes, and Watchem Lake to give effect to the strategic directions of Clause 02.03-2, based on advice from relevant agencies including GWMWC, DEECA, and NCCMA.	Complies Further strategic work
02.03-3 Environmental risks and amenity	Amend wording for clarity. Further strategic work required to prepare policy directions that clarify how council will mitigate climate change risks based on the adopted Climate Change Adaptation Plan. Further strategic work required to prepare policy directions for Clause 02-03-3 Amenity and a schedule to Clause 52.28 Gaming to guide assessment of gaming machines to ensure compatibility with the amenity of the local area and provide a net community benefit.	Policy neutral amendment Further strategic work Further strategic work
02.03-4 Natural resource management	Amend wording for clarity, update land use terms and remove duplication.	Policy neutral amendment
02.05 Built environment and heritage	Correct error.	Policy neutral amendment
02.03-6 Economic development	Amend wording for clarity. Introduce new strategic direction to implement and give effect to Council Plan and Tourism and Economic Development Strategy regarding agriculture based tourism.	Policy neutral amendment Policy neutral amendment

	Further strategic work required to provide direction for tourist infrastructure operations in urban centres as part of proposed settlement planning.	Further strategic work
02.03-7 Transport	No change.	Complies
02.03-8 Infrastructure	Amend wording improve clarity and readability. Introduce new strategic direction to implement and give effect to Council Plan and Inclusion Plan direction on active transport.	Policy neutral amendment Policy neutral amendment
Buloke Shire Settlement Structure Plan	Existing map complies but contains limited strategic direction. Following the preparation of settlement plans for Birchip, Donald, Wycheproof, Charlton, and Sea Lake, there is opportunity to enhance the map with further short term and long term settlement strategies for key towns.	Complies Further strategic work

5.3. Planning Policy Framework

All the Local PPF policies that are included in the scheme are included in the table below. Changes may be required to align with the MDFC, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no and name	Compliance or changes required	Action PSR complies PSR further strategic work PSR policy neutral amendment PSR full amendment
Settlement No local policies	Following the preparation of small town settlement plans insert relevant strategies for: Birchip, Donald, Wycheproof, Charlton, and Sea Lake and include individual framework maps and insert at Clause 11.03-6L Local Places	Further strategic work
12.01-2L Native Vegetation	Amend wording for clarity and remove duplication of directions. Update name of policy document.	Policy neutral amendment
12.03-1L Waterways and wetlands	Clause 12.03-1L identifies (ESO1) as applying to Wooroonook Lakes,	Further strategic work

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	however the ESO1 map does not reflect this. Further strategic work is required to identify the extent of land required to protect the values and amenity of all significant lakes and wetlands and to determine if a new schedule is required or the extended mapping of ESO1.	
Clause 13.03-1L Floodplain Management	Amend strategy wording for clarity.	Policy neutral amendment
13.04-2L Land Degradation	Amend strategy wording for clarity.	Policy neutral amendment
13.07-1L-01 Amenity protection - General	Amend strategy wording for clarity and remove two items due to duplication.	Policy neutral amendment
13.07-1L-02 ~~Township amenity protection~~ Amenity protection - Townships	Amend heading for consistency with Cl13.07-1L-01. Amend strategy wording for clarity.	Policy neutral amendment
14.01-1L-01 Protection of agricultural land	Amend strategy wording for clarity and remove 1 item due to duplication.	Policy neutral amendment
14.01-1L-02 Rural dependant enterprises	Amend wording for clarity.	Policy neutral amendment
14.01-1L-03 small lot subdivision	Amend wording for clarity. Further strategic work is required to increase the maximum excision size from 2 hectares to a larger curtilage, such as 5 or 6 hectares.	Policy neutral amendment Further strategic work
14.01-2L Sustainable agriculture and rural industry	Amend wording for clarity.	Policy neutral amendment
14.03-1L Extractive industry	Update wording to provide more clarity for meeting application requirement.	Full amendment
15.01-2L-02 Industrial building design	Amend wording for clarity. Suggested change to clarify wording to ensure all hard surface areas are designed to reduce visual impact, not just for spaces with a capacity of 10 cars or more.	Policy neutral amendment Full amendment
15.03-1L Heritage	Complies, no changes required.	Complies
16.01-1L Housing diversity in Buloke	Amend strategy to clarify wording and reflect adopted council policy. Following the preparation of small town settlement plans insert	Full amendment Further strategic work

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	relevant strategies that identify housing types and densities to be promoted and achieved across different towns e.g. worker housing, infill development, social housing and compact housing.	
17.03-1L Industry	Update to remove duplication of strategies.	Policy neutral amendment
18.01-1L Integrated transport	Amend wording for clarity.	Policy neutral amendment
19.01-2L Renewable energy in Buloke	No change.	Complies
19.03-2L Development infrastructure	Update to remove duplication of strategies with State policy and local policy. The Infrastructure Design Manual (Local Government Infrastructure Design Association, 2020) to be inserted at Clause 72.08 as it is refenced in scheme but not included in schedule.	Policy neutral amendment

5.4. Zones

All the zone schedules that are included in the scheme are in the table below, alongside a notation about whether they comply or require changing due to recommendations of this review. Changes may be required to align with the MDFC, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no and name	Compliance or changes required	Action PSR complies PSR further strategic work PSR policy neutral amendment PSR full amendment
32.05 Township Zone Schedule	No change required, no content.	Complies
33.03 Industrial 3 Zone Schedule	No change required, no content.	Complies
34.01 Commercial 1 Zone Schedule	No change required, no content.	Complies
35.07 Farming Zone Schedule	Update to correct change of policy name and Clause number following PPF translation.	Policy neutral amendment
36.01 Public Use Zone Schedule	Complies, no change required.	Complies
36.02 Public Park & Recreation Zone	Update Clause 3.0 to include existing Incorporated Document applying to land in PPRZ as per MDFC.	Policy neutral amendment
36.03 Public Conservation and Resource Zone	Complies, no change required.	Complies
37.03 Urban Floodway Zone	Complies, no change required.	Complies

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5.5. Overlays

All the overlay schedules that are included in the scheme are in the table below, alongside a notation about whether they comply or require changing due to recommendations of this review. Changes may be required to align with the MDFC or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no and name	Compliance or changes required	Action PSR complies PSR further strategic work PSR policy neutral amendment PSR full amendment
42.01s1 Environmental Significance Overlay – Waterway Protection	Update to clarify wording and meet MDFC. Remove policy document and move to Clause 12.01-2L. Update Clause 5.0 to ESO1 to remove reference to *Remnant Vegetation Survey and Botanical Inventory of part of the Shire of Buloke* (Department of Natural Resources and Environment. 1996).	Policy neutral amendment
	Further strategic work is required to: Update clause 1.0 statement of environmental significance to meet MDFC. Update clause 2.0 to meet MDFC and reduce the 11 objectives listed to a single objective as is allowed under the MD.	Further strategic work
	Further strategic work is required to introduce further permit exemptions and update existing permit requirements under clause 3 to reflect the recommendations of DEECA and in consultation with the relevant water authority.	Further strategic work
	Investigate applying the Environmental Significance Overlay on and around the Wooroonook Lakes, Green Lake, Tchum Lakes, and Watchem Lake to give effect to the strategic directions of Clause 02.03-2 Environmental and Landscape Values, based on advice from relevant	Further strategic work

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	agencies including GWMWC, DEECA, and NCCMA.	
42.02s2 Vegetation Protection Overlay – Roadside and Corridor Protection Area	Update to clarify wording and meet MDFC. Further strategic work is required to update sub clause 2.0 to meet MDFC to combine two objectives to create a single objective. Review the application and intent of the Vegetation Protection Overlay – Schedule 1 (VPO1), based on advice from relevant agencies including DEECA.	Policy neutral amendment Further strategic work
43.01 Heritage Overlay Schedule	Review and update the content and format of the ten precinct *Heritage Design Guidelines, Buloke Shire Council, May 2021,* listed at Clause 43.01 Application requirements & in the Schedule to the HO.	Further strategic work
43.02s1 Design & Development Overlay – Hospital emergency medical services helicopter flight path protection (inner area)	Update decision guidelines to correct naming convention and update format to meet MDFC. Further work is required to update sub clause 2.0 of DDO1 which can be addressed as part of the proposed permit trigger review.	Policy neutral amendment Further strategic work
43.02s2 Design & Development Overlay – Hospital emergency medical services helicopter flight path protection (outer area)	Update decision guidelines to correct naming convention and update format to meet MDFC. Further work is required to update sub clause 2.0 of DDO2 which can be addressed as part of the proposed permit trigger review.	Policy neutral amendment Further strategic work
44.03 Floodway Overlay Schedule	Insert schedule name. Update wording clarity to meet MDFC. Strategic work required to review FO in collaboration with CMA to determine if permit exemptions can be introduced for minor works.	Policy neutral amendment Further strategic work
44.04 Land Subject to Inundation Overlay Schedule	Insert schedule name. Update wording clarity to meet MDFC. Further strategic work required to review LSIO in collaboration with CMA to determine if permit exemptions can be introduced for minor works.	Policy neutral amendment Further strategic work

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45.12 Specific Controls Overlay Schedule	Complies, no change required.	Complies

5.6. Particular provisions

All the particular provision schedules that are available to be applied in the planning scheme are included in the table below, alongside a notation about whether they comply or require changing due to recommendations of this review. Changes may be required to align with the MDFC, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no. and name	Is it applied? Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
51.01s Specific sites and inclusions	Complies, no change required.	Complies
52.02s Easements, restrictions, and reserves	Complies, no change required.	Complies
52.05s Signs	Complies, no change required.	Complies
52.16s Native vegetation precinct plan	Complies, no change required.	Complies
52.17s Native vegetation	Complies, no change required.	Complies
52.27s Licenced premises	Complies, no change required.	Complies
52.28s Gaming	Complies, no change required. Further strategic work required to prepare policy directions for Clause 02-03-3 Amenity and a schedule to Clause 52.28 Gaming to guide assessment of gaming machines to ensure compatibility with the amenity of the local area and provide a net community benefit.	Complies Further strategic work
52.32s Wind energy facility	Complies, no change required.	Complies
52.33 Post boxes and drystone walls	Complies, no change required.	Complies
53.01s Public open space contributions and subdivision.	Complies, no change required.	Complies
53.06s Live music entertainment venues	Complies, no change required.	Complies
53.15s Statement of underlying provisions	Complies, no change required.	Complies
59.15s Local VicSmart applications	Complies, no change required.	Complies

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Clause no. and name	Is it applied? Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
Schedule 1 to Clause 59.16 Information requirements and decision guidelines for local VicSmart applications	Complies, no change required.	Complies

5.7. General provisions

There are two general provisions that have a schedule available. They are included in the table below with a notation about whether they comply or require changing due to recommendations of this review. Changes may be required to align with the MDFC, or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause no. and name	Is it applied? Changes required (if relevant)	Action PSR complies. PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
66.04s Referral of permit applications under local provisions	Update to reflect correct name of determining authority, based on consultation advice.	Policy neutral amendment
66.06s Notice of permit applications under local provisions	Complies, no change required.	Complies

5.8. Operational provisions

All the operational provision schedules that are available to be applied in the planning scheme are included in the table below, alongside a notation about whether they comply or require changing due to recommendations of this review. Changes may be required to align with the MDFC or they may be suggested to clarify the policy as identified through the analysis and engage stages of the review.

Clause	Name	Considerations	Recommendations Complies PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
72.01s	Schedule to Responsible Authority for this Planning Scheme	Complies, no change required.	Complies
72.02s	Schedule to What Area is Covered by this Planning Scheme?	Complies, no change required.	Complies

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Clause	Name	Considerations	Recommendations Complies PSR further strategic work. PSR policy neutral amendment. PSR full amendment.
72.03s	Schedule to What Does this Scheme Consist of?	Complies, no change required.	Complies
72.04s	Schedule to Documents Incorporated in this Planning Scheme	Correct error from Amendment C43blok resulting in the omission of the ten precinct *Heritage Design Guidelines, Buloke Shire Council, May 2021,* from the Schedule to Clause 72.04 Incorporated Documents.	Policy neutral amendment
72.08s	Schedule to Background Documents	Update to insert missing background documents: *Infrastructure Design Manual* (Local Government Infrastructure Design Association, 2020).	Policy neutral amendment
74.01s	Schedule to Application of Zones, Overlays and Provisions	Update to insert missing provisions.	Policy neutral amendment
74.02s	Schedule to further strategic work	Update to insert new further strategic work list.	Policy neutral amendment

Findings

The review of local provisions has identified minor updates to ensure the schemes consistency with the MDFC, the PG (Version 1.5, April 2022) and relevant planning practice notes.

The main areas of focus for further strategic work include the preparation of new policy and the review of overlay schedules.

The review of overlay schedules is required to clarify what the controls are seeking to achieve, the extent of land to which the schedule applies, and to amend the list of objectives or strategies in order to remove repetition or to conform to the MDFC number limit. For schedules to the Floodway Overlay, Land Subject to Inundation Overlay and Design and Development Overlay there is also opportunity to investigate permit exemptions for minor works.

A range of further strategic work items are also recommended, including the preparation of township framework plans, infill housing policy, rural zone policy and environmental management strategies.

B. Findings: Amend the MPS, local PPF policies and schedules to include changes identified in the audit of the planning scheme review and shown on the marked up ordinance at Appendix Two.

6. Planning scheme performance

This section contains an analysis of planning permit activity for the review period between the 2017/2018 financial year and the 2021/2022 financial year.

It draws on publicly available Planning Permit Activity and Reporting System (PPARs) data and feedback received from the planning unit.

6.1. Planning permit activity

6.1.1. Number of permits assessed

Evidence

Table 1 below indicates the number of permit applications received between the 2017/2018 financial year and the 2021/2022 financial year.

284 permit applications were lodged, comprising 281 new permit applications and 3 amended permit applications.

Table 1: PPARs report for permits issued between the 2018/2019 financial year and the 2021/2022 financial years.

Permits (including refusals)	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022
Received	40	57	63	65	59
Processed	38	56	64	65	50
Issued	33	55	64	62	47
Refused	1	1	0	1	0
No permit issued	0	0	1	0	2
Withdrawn, lapsed, not required	2	0	0	2	3

Discussion

Permit activity has been largely consistent across the review period. The highest number of permits processed was in the 2020 – 2021 financial year, which is likely to reflect the general trend across the State of increased development activity in regional areas, attributed to the COVID-19 pandemic.

Of the 273 permits processed, 3 permits were refused, and 10 permits were recorded as withdrawn, lapsed or no permit issued.

It is recommended that the planning department continue to monitor the number of applications that are withdrawn, lapsed, or lodged but don't require a permit.

Planning staff have indicated an interest in developing a suite of application resource material to provide greater certainty to applicants regarding planning controls and application requirements.

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Making this material publicly available on the new Greenlight platform on the council's webpage or in hardcopy at its customer service centre may also enhance customer service.

6.1.2. Service performance

Discussion

The data shows that the planning unit has consistently decided planning permit applications within the required statutory timeframes for standard permit applications.

PPARs data supports this and over the review period the average processing days to determine a permit was 41.26 days, with 92 percent of 'VicSmart' and 82 percent of 'standard' permit applications meeting the statutory assessment timeframe of 10 and 60 days respectively.

Although the time taken to determine a permit has increased from 41 to 60 days, this is still below requisite timeframes set out in the *PE Act*. These figures represent excellent results given the increase in permit activity and the staffing arrangements of the planning unit during this period.

Table 2: Comparison of service performance against comparable councils. **Source**: www.knowyourdata.vic.gov.au

Measure description	Council	2018-2019	2019-2020	2020- 2021	2021 - 22
Time taken to decide planning applications	Buloke	30 days	38 days	41 days	60 days
	Ararat	57 days	33 days	31 days	41 days
	Northern Grampians	79 days	66 days	89 days	109 days
	Yarriambiack	16 days	18 days	18 days	49 days
Cost of statutory planning service per planning application	Buloke	$1886	$2308	$3025	$3554
	Ararat	$2976	$2056	$1685	$2340
	Northern Grampians	$6503	$4543	$3606	$3370
	Yarriambiack	$1731	$2423	$4725	$4206
Council planning decisions upheld at VCAT	Buloke	N/A	100%	N/A	N/A
	Ararat	N/A	N/A	N/A	100%
	Northern Grampians	N/A	N/A	N/A	N/A
	Yarriambiack	N/A	N/A	N/A	N/A

Source: www.knowyourcouncil.vic.gov.au.

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6.1.3. Most common permit triggers

Discussion

Between 2018/2019 and 2021/2022, the category of permits generating the highest activity has been 'one or more new buildings'.

PPARs and council supplied data indicates that these permits are typically for:

- Agricultural sheds and outbuildings in the rural zones (45).
- Domestic outbuildings located in the township zone (27).

Council officers have confirmed that overlay controls such as the Land Subject to Inundation Overlay (LSIO), Flood Overlay (FO), Heritage Overlay (HO), and Design Development Overlay (DDO) trigger a high number of permits in township areas.

It was also noted that the number of residential subdivision and single dwelling approvals grew during the review period.

Application type	2018/2019	2019/2020	2020/2021	2021/2022
Change or extension of use	4	7	9	8
Demolition	2	1	1	1
Extension to an existing dwelling or structure associated with a dwelling	2	1	1	4
Extension to an existing building or structure (other than a dwelling)	2	4	1	2
Liquor licence	3		1	2
Multi-dwelling		1	4	2
Native vegetation removal	1	5	2	1
Other	3			1
One or more new buildings	24	31	33	17
Other buildings and works (including septic tanks, dams, earthworks)	8	13	6	4
Signage	2	2	5	5
Single dwelling	1	3	5	4
Subdivision (realignment of boundary)	4	4	3	3
Subdivision of land	5	3	2	8
Telecommunications facility	1	2	1	

6.1.4. VCAT matters

Two (2) permit applications were subject to a review by the Victorian Civil and Administrative Tribunal (VCAT) in the 2018 – 2022 review period.

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As the council received approximately 284 planning permit applications in the last 5 years, it is positive that only two of these have been challenged through VCAT (see Table 4).

Table 4 – VCAT Outcome from 2018-2021 calendar years

Affirmed	Varied	Set aside	Withdrawn
1	1		

Source: Council supplied data

6.1.5. Geographic spread of applications

Planning permit activity is not distributed evenly across the municipality. Table 5 shows that permit applications are concentrated within the townships of Charlton, Donald, Wycheproof, Sea Lake, and Birchip. This is not unexpected as these townships represent Buloke Shire's primary urban centres, providing a focus for residential, commercial, retail, and industrial opportunities.

Whilst the MPS acknowledges the importance of these townships, the scheme lacks up-to-date policy to assist council to achieve its strategic goals for sustainable growth, housing diversity, economic development, and infrastructure and community service provision targeted to the unique attributes of each town.

While population data does not reflect the need to increase residential land supply in the Shire, the council's 2012 - 2025 Council Plan and other key strategic documents identify a desire to increase the diversity of housing and accommodation options, providing a quality urban environment for residents to 'age in place' and support the growth of the tourism sector. As referenced in Section 10, it is recommended that the council prepare a small town structure plan for Charlton, Donald, Birchip, Wycheproof, and Sea Lake to ensure the planning scheme aligns with the councils broader policy position.

Table 5 – Key permit action areas from 2018 – 2022 calendar years

Location	Number of applications	% of total
Charlton	52	18.5%
Donald	50	17.8%
Wycheproof	34	12.1%
Sea Lake	26	9.2%
Birchip	20	7.1%
Berriwillock	7	2.5%
Culgoa	6	2.1%

Yeungroon East	6	2.1%
Gil Gil	5	1.8%

Other areas such as Berriwillock, Culgoa, Gil Gil, and Yeungroon East represent the next most active areas for permit activity, with between five and seven applications per place. Many of these smaller areas are agricultural areas and are well supported by agricultural policy within the PPF and appropriate zoning (Farming Zone).

Findings:

C. **Use the DTP Better Planning Approval templates to develop a suite of resource material to support planning scheme users and streamline planning processes. Publish on Greenlight platform on the council's webpage and in hardcopy at Buloke Shire Council customer service centres.**

6.2. Planning Panels Victoria

6.2.1. Summary of planning scheme amendments

The council has undertaken six planning scheme amendments since the 2018 planning scheme review, including:

- C43 - Replaced the LPPF of the Buloke Planning Scheme with a new MPS at Clause 02, local policies within the Planning Policy Framework at Clauses 12 to 19 and selected local schedules to an overlay and operational provisions.
- C42 - Deleted the Environmental Significance Overlay, Schedule 2 (ESO2 - Channel and Reservoir Protection).
- C39 - Corrections amendment that removed inconsistencies in local schedules with the Victorian Planning Provisions as part of the Smart Planning Local Schedules Update.
- C036 - Rezoned various parcels of publicly owned land at Tchum Lakes, Watchem Lake, and Wooroonook Lakes from Farming Zone to Public Park and Recreation Zone or Public Conservation and Resource Zone
- C037 - Facilitated the 'Bringing Water back to Green Lake Project' to rezone land from Public Conservation and Resource Zone to Public Park and Recreation Zone, with an incorporated document to specify relevant land use, land management, and environmental requirements for the Green Lake recreational precinct.
- C027 - Applied the Land Subject to Inundation Overlay and Floodway Overlay to land in the townships and surrounds of Charlton and Donald, amends the Schedule to Clause 44.03 and Schedule to Clause 44.04) to update the permit exemptions for buildings and works.

The only amendment from the list above that was subject to a Planning Panel hearing was for Amendment C027, prepared by the council and North Central Catchment Management Authority to

implement the findings of the Charlton Flood and Drainage Management Plan, 2013 and the Donald Flood and Drainage Management Plan.

Twenty-two (22) submissions were received to the exhibition of the amendment, all relating to the proposed flood controls affecting the township of Charlton.

The panel report did not raise any further strategic work that was required in relation to flood controls and environmental risk and report recommended that the amendment *'be adopted as exhibited, subject to amending Map 40LSIO-FO (Charlton) to apply the flood mapping revised to take into account recent road works on Charlton-St Arnaud Road'*.

6.3. Victorian Civil and Administrative Tribunal

6.3.1. VCAT cases reviewed

Council officers provided the following list of VCAT cases to review:

- LH Perry & Sons Freehold Properties Pty Ltd v Buloke SC [2022] VCAT
- Total Outdoor Media Pty Ltd v Buloke SC [2019] VCAT 1766
- Buloke SC v Bell & MAMF Functions Pty Ltd [2016] VCAT 797
- Buloke SC v Bell [2016] VCAT 335
- MAMF v Buloke SC [2016] VCAT 289 (Red Dot)

6.3.2. Policy issues raised at VCAT

The issues raised with policy implications at VCAT over the past four years related to:

- Major Promotion Signage locations at township entrances.
- Visual amenity in township areas.
- Clause 71.02-3 Integrated decision making.
- Land owner consent (including from Crown Land manager consent) is required prior to commencement of works and use of land.
- Commencement of works and use without planning approval.
- Place of Assembly is a relevant trigger for the requirement of a Cultural Heritage Management Plan.

6.3.3. Major Promotion Sign and gateway amenity

Summary

In Total Outdoor Media Pty Ltd v Buloke SC [2019] VCAT 1766, the council issued a refusal to grant a permit for the proposed installation and display of a two-sided major promotion sign at the entrance to Charlton. The council refused the application on the grounds that:

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

The tribunal supported the council's decision, stating that: "*whilst State policy recognises that signs can add vitality and colour to business areas, I am not persuaded that this sign is acceptable when assessed against the whole suite of State and local policy and controls dealing with advertising signs, particularly having regard to the specific site context… When assessed on that basis, I am not persuaded that the net community benefit test contained at Clause 71.02-3 of the Planning Scheme has been satisfied".*

This case demonstrates that the council would benefit from the preparation of policy to guide township entrance treatments and urban design in township areas. There is opportunity to prepare policy as part of the proposed township framework settlement plans for insertion into Clause 15.01-1L Urban Design that provides specific gateway signage policy to clarify acceptable signage outcomes.

7. Stakeholder engagement

This section contains an overview and analysis of stakeholder engagement that has informed the planning scheme review. It includes data collected as part of a council planner survey, responses from key referral agencies and external stakeholders as well as feedback provided by planning staff, key internal staff, and councillors through a series of workshops.

7.1. Planners' feedback

Council planning officers were asked to respond to a survey about the use and performance of the Buloke Planning Scheme. Survey questions ranged from queries about common permit triggers and timelines for assessing applications, to the role and relevance of policy, controls and the identification of policy gaps.

Survey feedback provided the basis for a workshop with council planners held on 28 April 2023. The workshop expanded on the issues raised in the planners' survey and analysed planning scheme performance more broadly.

Key issues discussed at the meeting included:

Residential Development and the township zone

- Township Zone (TZ) is the primary residential zone in the municipality. There is no Rural Living (RLZ) or Low Density Residential Zones (LDRZ) to provide greater diversity for housing options / larger land parcels.

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- It was identified that there is a low uptake of vacant land in the TZ to construct new residential development, infill development, or higher density development such as units or town houses.
- Shortage of quality housing stock, but refurbishment of aged housing stock and retrofitting to improve environmental conditions / sustainability is impacted by poor return-on-investment for capital improvements.
- Low property value equates to low return-on-investment for new dwellings or multi-dwelling development.
- Transport 2 Zone (TR2Z) applies on major routes within township boundaries (including high streets) and results in high number of permits for new vehicle crossovers and access that must be referred to Regional Roads Victoria.

Agricultural Zones

- Lack of local policy to guide decision making on appropriate locations for siting renewable energy projects, such as solar farms.
- Small lot subdivision in FZ - strategic work required to increase minimum lot size for dwelling excision from 2 ha to 5 ha to allow for effective amenity buffer and wastewater management.
- Sheds & outbuildings in the FZ identified as generating highest permit application activity. Optimistic that updates to permit requirements introduced via VC231 (gazetted 3/4/2023) should reduce permit numbers for agricultural sheds, domestic outbuildings, and dwelling extensions in FZ.

Signage

- Signage policy or application guidelines would benefit decision making for new advertising signage in heritage streetscapes and promotional signage at townships gateway areas.

Policy gaps

- No local policy in scheme regarding climate change mitigation in urban and rural areas.
- No local policy in scheme regarding the siting of gaming machines and how to assess applications against matters such as amenity, cumulative impact, and community net benefit.

Heritage

- Heritage Overlay mapping requires updating to correct anomalies.
- Heritage precinct guidelines are listed in the Schedule to Clause 43.01 but due to an administrative error were omitted from the Schedule to Clause 74.02 at the gazettal phase of Amendment C43blok.
- A review and update of heritage policy and controls in the scheme (including supporting documents such as the heritage guidelines and permit exemption documents) is required to meet Planning Practice Note 01: Applying the Heritage Overlay (PPN01).
- A review of the Buloke Heritage Study Stage 1 & 2 is required to assess and protect places of local heritage significance identified by the study.

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Overlays

- Some local schedules to overlays require review and drafting to remove permit requirements for minor or inconsequential works, clarification of application requirements, improvements to wording, and potential expansion or reduction of mapping.

Refer to Chapter 10 for a more detailed discussion about the matters raised.

7.2. Councillors and executive team

The Executive team and councillors participated in a workshop on 7 June 2023. The workshop introduced the planning scheme review, discussed the objectives of planning in Victoria, and included a summary of analysis findings to date.

The councillors raised several matters, including:

- Implementation of the Rural Land Use and Settlement Strategy via the rezoning of FZ parcels to create RLZ is a priority.
- Desire to increase housing diversity options and supply of lifestyle lots to increase housing choice and attract new residents.
- In small towns affected by the TZ, permit requirements for non-residential uses (such as those associated with retail, liquor licencing, signage, etc) are creating uncertainty for applicants due to potential amenity impacts.

7.3. Referral and notice agencies

Input to the planning scheme review process was sought from the referral authorities that are listed under the Schedule to Clause 66.04 to ensure that any necessary changes to the local policy setting for the Buloke Planning Scheme are identified.

Other referral authorities with statutory referral responsibilities were also contacted.

The substantive issues raised by agency or authorities are summarised below:

North Central Catchment Management Authority (NCCMA)

- Reduce flood controls from sites in Donald due to recent flood mitigation works, as per Flood Plain Management Strategy (2018).

Department of Transport and Planning (DTP)

- Identifies policy gaps or opportunities to include policy to encourage the design and construction of cycling and pedestrian networks in townships, infrastructure for ageing populations and heavy vehicle through-traffic.

Department of Energy, Environment and Climate Action (DEECA)

- Proposed changes to Schedule 1 to Environmental Significance Overlay (ESO1) to update wording, reduce permit requirements, and remove redundant policy.

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- Update Clause 5.0 to ESO1 to remove reference to *Remnant Vegetation Survey and Botanical Inventory of part of the Shire of Buloke* (Department of Natural Resources and Environment. 1996).

Department of Health (DoH)

- Update Clause 1.0 to schedule to Clause 66.04 and Clauses 6.0 of schedule 1 to Clause 43.02 (DDO1) and schedule 2 to Clause 43.02 (DDO2) to change "Department of Health and Human Services" to reflect the Department's correct name "Department of Health".

Country Fire Authority (CFA)

- Ensure future settlement planning for small townships include clearly defined separation or hard edges / buffers that restrict the passage of wildfire from surrounding agricultural land uses.

Refer to Appendix Three for a copy of Referral Agency feedback.

7.3.1. Summary of issues raised through engagement

Issue	Planners	Crs and Executive	Referral Agencies
Drafting, permit requirements and intent of local schedules	✔		✔
Flood controls and mapping	✔		✔
Clarify policy for house excision and small lot development in the Farming Zone	✔		
Housing diversity	✔	✔	
Implementation of Rural Land Use and Settlement Strategy	✔	✔	
Settlement planning for key townships to address land compatibility, zoning and define future township boundaries	✔	✔	✔
Permit triggers for access to Transport 2 Zone	✔		
Climate change adaptation	✔		
Signage policy and township gateway precincts	✔		
Gaming policy to guide amenity and community net benefit	✔		

Issue	Planners	Crs and Executive	Referral Agencies
Heritage controls, mapping, supporting documents and a further stage of the Buloke Heritage Study.	✔		

Findings

D. **Prepare policy for insertion into the scheme at Clause 02-03-3 Amenity and a schedule to Clause 52.28 Gaming to guide assessment of gaming machines to ensure compatibility with the amenity of the local area and provide a net community benefit.**

8. New strategic work

New strategic work that has been adopted by the council and prepared for the Loddon Mallee Region was reviewed to identify whether any new policy may be incorporated into the scheme.

The intention of this part of the review process is to incorporate policy that may have been developed by another part of council (for example, Economic Development, Sustainability, Community Planning etc.) and that is unlikely to be incorporated into the scheme through a stand-alone amendment.

The scope of this does not include significant strategic land use planning projects such as Structure Plans, or Housing Strategies, which should go through a separate, dedicated planning scheme review process.

Regional documents, such as Catchment Management Plans, are also reviewed, to identify if there are any land use planning proposals that should be reflected in the scheme (for example, the construction of a new wetland).

8.1. Council projects and documents

The council provided seven documents that have been prepared and adopted by the council since the last planning scheme review. A detailed assessment is included in Appendix One.

There is strategic justification for the objectives and policies outlined in the Council Plan to be translated and inserted in the scheme.

Further strategic work is required to prepare the strategic justification to implement the strategic directions contained in the Rural Land Use & Settlement Strategy or draft applicable local policy to introduce new policy based on actions in the Buloke Climate Change Mitigation and Adaption Plan, Inclusiveness Plan and Asset Plan.

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8.1.1. Documents reviewed

- *Buloke Shire Council Plan 2021 – 2025 including the Municipal Health and Wellbeing Strategy (Buloke Shire Council, 2021)*
- *Buloke Shire Council Inclusiveness Plan (Buloke Shire, 2018)*
- *Buloke Asset Plan (Buloke Shire, 2022)*
- *Draft Transport Asset Management Plan (Buloke Shire, 2022)*
- *Rural Land Use & Settlement Strategy (PLN Planning, 2019)*
- *Buloke Climate Change Mitigation and Adaption Plan (Ndevr Environmental, 2020)*
- *Interim Economic Development and Tourism Strategy 2022-2023 (Buloke Shire, 2022)*
- *Buloke Shire Council Advocacy Strategy (Buloke Shire, 2023).*

8.2. Regional projects and documents

- *Mallee Regional Catchment Management Strategy 2022-2028*
- *North Central Regional Catchment Management Strategy 2021-2027*
- *Dja Dja Wurrung Country Plan 2014-2034 (Dja Dja Wurrung Clans Aboriginal Corporation, 2014)*
- *Growing what is Good Country Plan (Barengi Gajin Land Council, 2017).*

A detailed assessment of the above strategies is included in Appendix One.

It is recommended that the scheme should be amendment to acknowledge First Nations people in the MPS and further work undertaken in partnership with Registered Aboriginal Parties to ensure the planning scheme considers and reflects First Nations land and cultural values within the Buloke Shire.

8.2.1. Findings

E. Prepare a planning scheme amendment or amendments using the marked-up ordinance at Appendix Two to:

e) Amend the Context (02.01) to include appropriate reference to Traditional Owners and Country.

f) Amend the Vision (02.02) to reflect the current Council Plan (2021 – 2025).

g) Include new policy to implement the:

- ***Buloke Council Plan 2021 – 2025, including the Municipal Health and Wellbeing Plan* (Buloke Shire Council, 2021).**
- ***Buloke Shire Council Inclusiveness Plan (Buloke Shire, 2018).***
- ***Interim Economic Development and Tourism Strategy 2022-2023 (Buloke Shire, 2022).***

9. Work underway

9.1. Implementation of Buloke Rural Land Use and Settlement Strategy

The *Buloke Shire Rural Land Use and Settlement Strategy (PLN Planning, 2019)* was adopted by the council in August 2019.

The strategy comprises two parts. Part 1 'Rural Land Use' establishes directions to support existing industries such as agriculture and intensive animal industries and emerging opportunities in rural tourism, extractive industries, and renewable energy.

Part 2 'Settlements' establishes directions for the future planning of the Shire's key urban centres. The strategy found limited demand to justify an expansion to the TZ and identified opportunity to create a greater mix of residential development options through the intensification of subdivision development in existing township boundaries with proximity to community services and facilities.

It also recommended that TZ land at the edge of township boundaries should be investigated for use as larger lifestyle lots. The study identified the lack of Rural Living Zone (RLZ) lots in the municipality and recommended further work to identify suitable FZ land that may be rezoned.

The council has commenced work to investigate opportunities to increase rural living opportunities, including the introduction of RLZ lots and investigation of existing vacant land in the Township Zone.

An Issues and Opportunities Paper has been prepared and community consultation is underway.

9.1.1. Findings:

F. Finalise strategic work that is in progress to implement the Rural Land Use and Settlement Strategy, including the investigation of rural living opportunities.

G. Review the minimum excision size in Clause 14.01-1L on land in the Farming Zone to provide adequate curtilage to contain wastewater and amenity buffer for proposed rural dwelling excisions as part of the implementation of the Rural Land Use Strategy.

9.2. Corrections amendment

The 2018 planning scheme review identified land zoning and mapping errors to be corrected via a planning scheme amendment. The planning unit has continued to add this list and is in the process of preparing a planning scheme amendment to correct the identified errors.

A review of the MPS and PFF has identified further updates that council may wish to include in the corrections amendment.

Findings:

H. Progress the proposed anomalies and corrections planning scheme amendment to:

a. **Insert heritage precinct guidelines for the ten precincts listed in Clause 43.01 to the Heritage Overlay as Incorporated Documents in the Schedule to Clause 72.04.**

b. **Correct Heritage Overlay mapping errors and anomalies.**

c. **Correct land zoning and mapping errors identified in the anomalies register maintained by the planning unit.**

d. **Correct land zoning for landfill sites and transfer stations identified in the *Loddon Mallee Waste & Resource Recovery (LMWRR) Implementation Plan – Land Use Planning Project Report* (Centrum Town Planning, 2017).**

e. **Apply the Environmental Overlay Schedule to Wooroonook Lakes to give effect to Clause 12.03-1L of the Planning Policy Framework.**

10. Key issues

This section expands on the key issues and strategic themes that have emerged through the review:

10.1. Settlement planning

The planning scheme MPS recognises the role of Donald, Birchip, Charlton, Sea Lake, and Wycheproof as the Shire's main focus for residential, commercial, industrial, and public land uses.

The five urban centres comprise a mixture of interspersed land uses, which follow historic settlement patterns along major transport routes and linear waterways.

Clause 02.03-1 encourages a '*flexible approach to land use and development*' within township boundaries and the MPS and PPF includes policy directions to promote adaptation, such as:

- Adaptive re-use of vacant housing for non-residential land uses in town centres (Clause 13.07-1L-02 and 15.01-2L-01).
- Consolidation of land and construction of higher density housing types in township boundaries (Clause 16.01-1L).
- Locating new developments on land connect to existing infrastructure services and transport networks (19.03-2L) over out-of-town greenfield sites.

Clause 02.03-1 also directs that '*flexibility should not prejudice the amenity of the towns, the efficient use of infrastructure or the continuation of agriculture on the fringe of the townships*'.

The preparation of settlement plans (or small-town structure plans) will assist council to coordinate development in appropriate locations, guide existing and future industrial land uses (including appropriate setbacks or buffers) to minimise potential land use conflicts and to guide amenity and built form outcomes for new development.

The plans should also implement the recommendation from the *Buloke Shire Rural Land Use and Settlement Strategy (2019)* to identify appropriate locations to achieve a greater mix of housing types,

especially opportunities for infill development and the use of vacant TZ zone land for larger lifestyle lots.

It is recommended that settlement plans for Donald, Birchip, Charlton, Sea Lake, and Wycheproof address the following matters:

- **Land Use -** identify locations where urban development or change may occur, considering flood risk, physical infrastructure, community services, and facilities, including appropriate controls to minimise potential land use conflicts between sensitive land uses. Strengthen policy in Clause 13.07-1L-02.
- **Housing** – support the intensification and/or diversification of residential development in appropriate locations, including infill development opportunities identified in the Buloke Shire Rural Land Use & Settlement Strategy (2019).
- **Movement and infrastructure network** – identify infrastructure requirements and opportunities to increase active transport linkages and routes.
- **Tourism accommodation and infrastructure** – identify opportunities to increase tourist infrastructure operations on public and private land.
- **Streetscapes and urban design** – identify opportunities to increase streetscape amenity and safety, reinforce heritage character, provide age-friendly environments, and enhance gateways and town entrances.

Due to the resourcing and time commitment for settlement planning it is recommended that the council consider a staged approach and prepare 2 plans in this review cycle and 3 plans in the next cycle. Findings:

I. **Prepare township settlement plans for Donald, Birchip, Charlton, Sea Lake, and Wycheproof.**

10.2. Permit trigger review

A review of planning permit activity data for the 2019 – 2022 period shows that the 'one or more new buildings' and 'other buildings and works' categories receive the highest number of permit applications.

Permit data and council feedback indicates that these permits are typically for:

- Outbuildings and agricultural sheds in the rural zones.
- Minor structures and outbuilding associated with existing buildings on land affected by the Land Subject to Inundation Overlay, Flood Overlay and Design and Development Overlay.
- Building and works on land affected by the HO.
- New vehicle access for subdivision of land adjacent to the Transport Zone 2

Flood overlays

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A large portion of the permits processed from the above categories are 'low risk', meaning that the proposed development will have little planning consequence due to the minor nature of the work and compatibility with the existing use of the land. For example, these include permits for carports, garages, and decking. High numbers of low risk building and works permits can place administrative burdens on planning units, as they are time consuming to assess and if notice or referral to an external agency is required, the issuing of permits can be delayed.

Feedback received from DEECA has identified opportunities to introduce permit exemptions for low risk *'building and works scenarios associated with existing structures or dwellings, particularly in Township zone areas such as Donald or Charlton where residential or commercial allotments are affected by ESO1'*. This recommendation is consistent with planning unit feedback that identified the need to streamline permit requirements for this class of permit application. This is discussed further in Section 10.3 below.

There is also an opportunity to consult with the NCCMA to review the LSIO and FO to determine if a local VicSmart application requirement or permit exemptions can be introduced for minor works.

The NCCCAM has also highlighted the opportunity to reduce flood controls from sites in Donald due to recent flood mitigation works, as per NCCCAM *Flood Plain Management* Strategy (2018).

Design and Development Overlays

Council's planning unit has identified the need to review overlay schedules, including the Design and Development Overlay - schedule 1 & 2 (DDO1/DDO2) to update the wording at Clause 2.0 from:

> *'A permit is not required to construct or carry out buildings and works in relation to an existing dwelling that exceeds the heights specified in Table 1'*
>
> to: *'A permit is not required to construct or carry out buildings and works in relation to an existing building that exceeds the heights specified in Table 1'*.

This proposed change would introduce an exemption for a greater range of buildings, provided the building height does not exceed the limits specified in the table to Clause 2.0. Any change to DDO1 & 2 ordinance would be subject to consultation with the Department of Health.

New vehicle access

The high number of permits triggered under Clause 52.29 for applications to create or alter vehicle access or subdivide land adjacent to a TRZ2 road was also raised. Permit applications triggered by Clause 52.29 are required to be referred to Regional Roads Victoria (Vic Roads).

A review of land subject to the TRZ2 in the scheme indicates that all township 'main streets' or 'high streets' are zoned TRZ2. Rather than back zoning this land to reflect the relevant land use – ie. TZ or C1Z, it is recommended engage with the local DTP Regional Road Victoria Loddon Mallee branch to discuss the design of a local VicSmart schedule with targeted application requirements and agreed design standards for permit applications. An example can be found in Corangamite Planning Scheme which has introduced schedule 2 to Clause 59.16 for applications affecting land adjacent to the Principal Road Network.

Findings:

J. Undertake a permit trigger review to:

- **Review Land Subject to Inundation Overlay and Flood Overlay in collaboration with the relevant CMAs to determine if local VicSmart application requirements or permit exemptions can be introduced for minor works. Update mapping to remove controls from sites in Donald due to recent flood mitigation works, as per NCCCAM *Flood Plain Management* Strategy (2018).**
- **Assess Schedules 1 & 2 to the Design and Development Overlay to investigate reducing permit requirements under subclause 2.0 buildings and works.**
- **Engage with DTP Regional Road Victoria Loddon Mallee branch to discuss the design of a local VicSmart schedule with targeted application requirements and agreed design standards for permit applications to create standard vehicle access on land adjacent to the principal road network within township areas.**

10.3. Environmental values

The Environmental Significance Overlay and the Vegetation Protection Overlay identify and protect landscape and biodiversity values specific to a municipal area.

Schedule 1 to the ESO and Schedule 1 to the VPO were introduced into the scheme as part of the new format planning scheme in 1999. The content and application of the controls remain relatively untouched, including the use of: *'Remnant Vegetation Survey and Botanical Inventory of part of the Shire of Buloke'* (Department of Natural Resources and Environment, 1996) as the key policy document.

Environmental Significance Overlay

ESO1 applies to public and private land along the shire's key rivers and creeks, including a buffer area of approximately 250 metres of river frontage that captures native vegetation. It also applies to significant waterbodies including Lake Buloke, Lake Cope Cope, Lake Tyrrell, and Lake Wahpool.

Clause 12.03-1L states that the objective of ESO1 is to '*conserve the environmental values of waterways and wetlands'* by preventing '*vegetation removal, waste water disposal and earthworks that detrimentally affect waterways and wetlands*'.

A review of the mapping and content of the schedule has identified opportunities for improvement, including:

- Investigate the expansion of ESO1 or the application of a new schedule (ESO2 / ESO3) to identify and protect Green Lake, Tchum Lakes, and Watchem Lake.
- Update clauses 1.0 and 2.0 to meet Ministerial Direction on the Form and Content of Planning Schemes requirements, clarify wording and amend according to feedback from DEECA.
- Investigate expanding ESO1 mapping over significant waterbodies to provide an adequate curtilage to ensure new development and infrastructure has regard for landscape amenity, native vegetation retention, effluent and stormwater treatment, and to minimise earthworks that may impact on environmental values.
- Work with DEECA to determine if an up-to-date biodiversity mapping or a species survey document that can replace *'Remnant Vegetation Survey and Botanical Inventory of part of the Shire of Buloke'* (Department of Natural Resources and Environment, 1996)

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Vegetation Protection Overlay

VPO1 applies to native vegetation on roadsides managed by the Buloke Shire Council and on private land that supports vegetation corridors adjacent to road reserves.

Although the scheme includes a VPP provision a Clause 52.17 that triggers a permit for the removal, destruction and lopping of native vegetation, this particular provision but does not target specific species or values particular to Buloke Shire. Therefore, it is proposed that the VPO be retained as it offers stronger vegetation protection controls than Clause 52.17, which includes some permit exemptions for roadside vegetation management.

The Buloke Shire Climate Change Adaptation Strategy identifies the need to retain remnant vegetation to improve soil and ground water quality, mitigate erosion, and support habitat corridors.

A review of the mapping and content of the schedule is required to determine if the VPO should be expanded to include local road reserves in the south and north of the municipal area, in collaboration with agencies such as DEECA and NCCMA.

Findings:

K. **Assess the Schedule 1 to the Environmental Significance Overlay for relevance and clarity, update wording, and consider introducing permit exemptions of minor works based on advice from relevant agencies.**

L. **Investigate applying the Environmental Significance Overlay to Green Lake, Tchum Lakes and Watchem Lake to give effect to the strategic directions of Clause 02.03-2 Environmental and landscape values, based on advice from relevant agencies.**

M. Review the spatial application of Schedule 1 to the Vegetation Protection Overlay and consider expanding, based on advice from relevant agencies.

10.4. Heritage

The Buloke Shire Heritage Study Stages 1 and 2 (Jacobs, Taylor, Rowe, Johnson and Ballinger, 2011) was undertaken between 2001 – 2011 and implemented into the planning scheme via Amendment C025 in 2016.

Amendment C025 inserted 205 individual and nine precincts of local heritage significance to the Schedule to the Heritage Overlay, local heritage policy and an Incorporated Document: *Buloke Shire Heritage Precincts Incorporated Plan 2012.*

In 2021, Amendment C43 updated the Schedule to the HO and intended to insert ten heritage design guideline documents into the scheme as Incorporated Documents. However due to an administrative error at the gazettal stage, the guideline documents were omitted from Clause 72.04.

Council's planning unit has identified the need to review the heritage planning framework in the scheme to ensure it meets the requirements of Planning Practice Note 01: Applying the Heritage Overlay.

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In consultation with the planning unit, this review has identified an opportunity to:

- Examine the places included in the Schedule to the Heritage Overlay to confirm accuracy of mapping, address details, status and controls.
- Insert the statements of significance for the current precincts of local heritage significance into the scheme as Incorporated Documents, including an updated table that identifies the grading of properties (according to significant, contributory and non-contributory).
- Update the existing Buloke Shire Heritage Precincts Incorporated Document to remove the precinct statements of significance to avoid confusion and clarify the permit exemptions that apply to non-contributory places located within precincts.
- Update the ten Heritage Design Guidelines to include guidance on a broader range of topics such as alterations and additions, conservation of historic shopfronts, new buildings, demolition, subdivision, sustainability and services, signage, paint colours and significant trees.
- Prepare a planning scheme amendment to correct the errors and anomalies to the HO schedule and HO maps captured in the list maintained by the planning unit.
- Review the findings of the *Buloke Shire Heritage Study Stages 2 (Jacobs, Taylor, Rowe, Johnson and Ballinger, 2011)* and prepare further heritage assessment work in the broader municipal area.

Findings:

N. **Prepare and implement a review of heritage policy and controls in the scheme to meet Planning Practice Note 01: Applying the Heritage Overlay requirements, including:**

- **Update the content and format of the ten precinct *Heritage Design Guidelines, Buloke Shire Council, May 2021***
- **Update the content and format of the *Buloke Planning Scheme Heritage Controls, Incorporated Plan, Buloke Shire Council, 2012***
- **Review the list of places included in the Schedule to the Heritage Overlay and the accuracy of HO mapping.**
- **Review the *Buloke Shire Heritage Study Stages 1 and 2* (Jacobs, Taylor, Rowe, Johnson and Ballinger, 2011) study findings and advance the identification and assessment of further significant local heritage places across the municipal area.**

10.5. Dwelling excision in the Farming Zone

The council has indicated a preference to increase the maximum lot size to be provided around an existing dwelling to subdivide the dwelling from a larger rural property.

Clause 14.01-1L-03 Small lot subdivision sets out council's policy to guide the excision of rural dwellings located in the Farming Zone. The policy includes a provision that rural dwellings must be contained on a maximum lot size of 2 hectares, that the excised dwelling is to be in a habitable condition, and that the planting of buffer vegetation is encouraged.

The council has indicated that the 2ha maximum lot size may not be large enough to accommodate the services required for a dwelling in a rural area (such as shedding, wastewater effluent disposal field, access, bore water buffers) and to enable the planting of an adequate windbreak and vegetation buffer. A lot size of 5 – 6 hectares has been proposed.

It is recommended that the planning unit consult with council's Environmental Health Officer, the Agriculture Victoria statutory referral service and review relevant Environmental Protection Authority (EPA) guidance documents regarding wastewater treatment regulations. The preparation of updated Clause 14.01-1L-03 policy is also recommended.

There is also opportunity to prepare an application checklist - refer to examples from Colac Otway Shire and Horsham Rural City Council.

Findings:

O. Review the minimum excision size in Clause 14.01-1L on land in the Farming Zone to provide adequate curtilage to contain wastewater and amenity buffer for proposed rural dwelling excisions as part of the implementation of the Rural Land Use Strategy.

11. Further strategic work

Appendix Three of this report includes a list of the further strategic planning work items identified through this review based on:

- Council planning strategies that have been recently adopted.
- The previous planning scheme review in 2018.
- Further work already listed within the planning scheme.
- The audit of the planning scheme outlined in Section 5 of this report and included in Appendix One.
- Key stakeholder engagement.

Through the review process, the highest priority tasks for the council to undertake over the next four years to improve the planning scheme has been identified and is included in the recommendations below.

Only work that can be completed in the next four years should be included in Clause 72.04 of the planning scheme. A recommended Clause 72.04 is included in the marked-up ordinance at Appendix Two.

It is recommended that the council use the following list of tasks to prioritise a further strategic work over the next four years:

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1. **Finalise strategic work that is in progress to implement the Rural Land Use and Settlement Strategy:**
   - **Review the minimum excision size in Clause 14.01-1L on land in the Farming Zone to provide adequate curtilage to contain wastewater and amenity buffer for proposed rural dwelling excisions.**
2. **Progress the proposed anomalies and corrections planning scheme amendment to:**
   - **Insert heritage precinct guidelines for the ten precincts listed in Clause 43.01 to the Heritage Overlay as Incorporated Documents in the Schedule to Clause 72.04.**
   - **Correct Heritage Overlay mapping errors and anomalies.**
   - **Correct land zone and mapping errors identified in the anomalies register maintained by the planning unit.**
   - **Correct land zoning landfill sites and transfer stations identified in the *Loddon Mallee Waste & Resource Recovery (LMWRR) Implementation Plan – Land Use Planning Project Report* (Centrum Town Planning, 2017).**
   - **Apply an Environmental Overlay Schedule to the Wooroonook Lakes to give effect to Clause 12.03-1L of the Planning Policy Framework.**
3. **Prepare township settlement plans for Donald, Birchip, Charlton, Sea Lake, and Wycheproof.**
4. **Undertake a permit trigger review to:**
   - **Assess the Design and Development Overlay - Schedule 1 & 2 (DDO1/DDO2) and investigate reducing permit requirements under subclause 2.0 buildings and works.**
   - **Review the Land Subject to Inundation Overlay and Flood Overlay in collaboration to discuss the design of a local VicSmart schedule with targeted application requirements and agreed design standards for minor works.**
   - **Update mapping to remove controls from sites in Donald due to recent flood mitigation works, as per the *Flood Plain Management Strategy* (2018).**
   - **Engage with DTP Regional Roads Victoria (Loddon Mallee) to discuss the design of a local VicSmart schedule with targeted application requirements and agreed design standards for permit applications to create new access on land adjoining TRZ2 within the Shire's main urban centres.**
5. **Prepare and implement a review of the application and intent of the Environmental Significance Overlay and Vegetation Protection Overlay to:**
   - **Assess the Schedule 1 to the Environmental Significance Overlay for relevance and clarity, update wording, and consider introducing permit exemptions of minor works based on advice from relevant agencies.**
   - **Investigate applying the Environmental Significance Overlay to Green Lake, Tchum Lakes and Watchem Lake to give effect to the strategic directions of**

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Clause 02.03-2 Environmental and landscape values, based on advice from relevant agencies.

- **Review the spatial application of Schedule 1 to the Vegetation Protection Overlay and consider expanding, based on advice from relevant agencies.**

6. **Review and update heritage policy and controls in the scheme to meet Planning Practice Note 01: Applying the Heritage Overlay requirements, including:**
   - **Update the content and format of the ten precinct *Heritage Design Guidelines, Buloke Shire Council, May 2021***
   - **Update the content and format of the *Buloke Planning Scheme Heritage Controls, Incorporated Plan, Buloke Shire Council, 2012***
   - **Review the individual places and precincts of local significance in the Schedule to the Heritage Overlay and the accuracy place information and HO mapping.**
   - **Review the *Buloke Shire Heritage Study Stages 1 and 2* (Jacobs, Taylor, Rowe, Johnson and Ballinger, 2011) study findings and advance the identification and assessment of further significant local heritage places across the municipal area.**
7. **Prepare policy for insertion into the scheme to guide the siting of rural dependant enterprises in the Farming Zone.**
8. **Develop and implement local policy for climate change adaptation in urban and rural areas to capture the strategies in the Buloke Climate Change Adaption and Mitigation Strategy (Ndevr Environmental Pty Ltd, 2020).**
9. **Develop and implement local policy for walking, cycling and open space networks to capture the strategies in both the Council Plan (Buloke Shire Council, 2021-2025) and Inclusiveness Plan (Buloke Shire Council, 2021).**
10. **Prepare policy for insertion into the scheme at Clause 02-03-3 Amenity and a schedule to Clause 52.28 Gaming to guide assessment of gaming machines to ensure compatibility with the amenity of the local area and provide a net community benefit.**

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Appendix One

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Appendix Two

Marked up ordinance with policy neutral and strategically justified changes to the planning scheme.

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Appendix Three

Comprehensive list of further strategic work

The following list of work is a comprehensive list of all the further strategic work that has been identified through this planning scheme review.

The highest priorities have been identified (in bold text) and included in Chapter 9 and 10 of the report. The remaining projects on this list need to be prioritised by council.

Refer to project documents **R3: Further Strategic Work Prioritisation** and the ***'A Good Practice Guide to Planning Scheme Reviews, March 2023'*** for instructions for preparing a prioritised further strategic work list for Clause 74.02 Further Strategic Work schedule.

	Project Name	Project Source
1	**Finalise strategic work that is in progress to implement the Rural Land Use and Settlement Strategy.** – **Review the minimum excision size in Clause 14.01-1L on land in the Farming Zone to provide adequate curtilage to contain wastewater and amenity buffer for proposed rural dwelling excisions.**	RLUSS 2018 PSR 2023 PSR
2	**Progress the proposed anomalies and corrections planning scheme amendment to:** – **Insert heritage precinct guidelines for the ten precincts listed in Clause 43.01 to the Heritage Overlay as Incorporated Documents in the Schedule to Clause 72.04.** – **Correct Heritage Overlay mapping errors and anomalies.** – **Correct land zone and mapping errors identified in the anomalies register maintained by the planning unit.** – **Correct land zoning landfill sites and transfer stations identified in the *Loddon Mallee Waste & Resource Recovery (LMWRR) Implementation Plan – Land Use Planning Project Report* (Centrum Town Planning, 2017).** – **Apply an Environmental Overlay Schedule to the Wooroonook Lakes to give effect to Clause 12.03-1L of the Planning Policy Framework.**	2018 PSR 2023 PSR Clause 74.02
3	**Prepare township settlement plans for Donald, Birchip, Charlton, Sea Lake, and Wycheproof (staged over current and next review cycle)**	2018 PSR 2023 PSR Clause 74.02
4	**Undertake a permit trigger review to:**	2018 PSR

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	– **Assess the Design and Development Overlay - Schedule 1 & 2 (DDO1/DDO2) and investigate reducing permit requirements under subclause 2.0 buildings and works.** – **Review the Land Subject to Inundation Overlay and Flood Overlay in collaboration to discuss the design of a local VicSmart schedule with targeted application requirements and agreed design standards for minor works.** – **Update mapping to remove controls from sites in Donald due to recent flood mitigation works, as per the *Flood Plain Management Strategy* (2018).** – **Engage with DTP Regional Roads Victoria (Loddon Mallee) to discuss the design of a local VicSmart schedule with targeted application requirements and agreed design standards for permit applications to create new access on land adjoining TRZ2 within the Shire's main urban centres.**	2023 PSR Stakeholder engagement
5	Prepare and implement a review of the application and intent of the Environmental Significance Overlay and Vegetation Protection Overlay to: – Assess the Schedule 1 to the Environmental Significance Overlay for relevance and clarity, update wording, and consider introducing permit exemptions of minor works based on advice from relevant agencies. – Investigate applying the Environmental Significance Overlay to Green Lake, Tchum Lakes and Watchem Lake to give effect to the strategic directions of Clause 02.03-2 Environmental and landscape values, based on advice from relevant agencies. – Review the spatial application of Schedule 1 to the Vegetation Protection Overlay and consider expanding, based on advice from relevant agencies.	2023 PSR Stakeholder engagement
6	Review and update heritage policy and controls in the scheme to meet Planning Practice Note 01: Applying the Heritage Overlay requirements, including: – Update the content and format of the ten precinct *Heritage Design Guidelines, Buloke Shire Council, May 2021* – Update the content and format of the *Buloke Planning Scheme Heritage Controls, Incorporated Plan, Buloke Shire Council, 2012* – Review the individual places and precincts of local significance in the Schedule to the Heritage Overlay and the accuracy place information and HO mapping. – Review the *Buloke Shire Heritage Study Stages 1 and 2* (Jacobs, Taylor, Rowe, Johnson and Ballinger, 2011) study findings and advance the identification and assessment of further significant local heritage places across the municipal area.	2023 PSR Stakeholder engagement

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7	Prepare policy for insertion into the scheme to guide the siting of rural dependant enterprises in the Farming Zone.	2018 PSR 2023 PSR
8	Develop and implement local policy for climate change adaptation in urban and rural areas to capture the strategies in the Buloke Climate Change Adaption and Mitigation Strategy (Ndevr Environmental Pty Ltd, 2020).	2023 PSR Stakeholder engagement
9	Develop and implement local policy for walking, cycling and open space networks to capture the strategies in both the Council Plan (Buloke Shire Council, 2021-2025) and Inclusiveness Plan (Buloke Shire Council, 2021).	2023 PSR Stakeholder engagement
10	Prepare policy for insertion into the scheme at Clause 02-03-3 Amenity and a schedule to Clause 52.28 Gaming to guide assessment of gaming machines to ensure compatibility with the amenity of the local area and provide a net community benefit.	2023 PSR Stakeholder engagement

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Appendix Four

State and regional planning scheme amendments and planning practice notes issued since last planning scheme review

VC (Victorian) and GC (group of council) amendments.

Since the last planning scheme review in 2010, several VC and GC amendments have introduced new policy into the Buloke Planning Scheme and are directly relevant to this review:

VC083: Introduced a raft of changes to bushfire policy and provisions to implement the recommendations of the 2009 Victorian Bushfires Royal Commission.
VC103: Introduced the reformed rural zones.
VC105: Implemented reforms to Victoria's native vegetation and biodiversity provisions.
VC134: Introduced the Municipal Planning Strategy (MPS).
VC138: Updates to the Native Vegetation Framework
VC140: Provisions for the Planning Policy Framework transition
VC142: Update to the Ministerial Direction on From and Content and clean-up of permit triggers.
VC144: Introduced VicSmart provisions.
VC147: Enabled the online publishing of planning schemes through the DTP Amendment Tracking System (ATS).
VC148: Planning Policy Framework introduction
VC150: Implemented actions outlined in the Victorian Government's Planning for Sustainable Animal Industries Report.
VC154: Implemented of the integrated water management reforms.
VC169: Updated State policy to direct balanced outcomes for housing growth and built form, while also clarifying and consolidating housing policy.
VC175: Buffer Area Overlay introduction
VC200, VC 204 and VC205: Transport planning reforms
VC203: Introduced the new environment protection framework into the Victoria Planning Provisions
VC216: Changed the Planning Policy Framework (PPF) to support Environmentally Sustainable Development (ESD).
VC231: Reduced permit requirements in the Rural Living, Farming and Rural Activity Zones in rural and regional municipalities.

11.1.1. New Planning Practice Notes

Since the last planning scheme review in 2010, Several Planning Practice Notes (PPNs) have been introduced which may impact on the future development of the Buloke Planning Scheme.

PPN03 - Applying the Special Use Zone
PPN23 - Applying the Incorporate Plan and Development Plan Overlays
PPN24 - Shipping Container Storage
PPN30 - Potentially Contaminated Land
PPN58 - Structure Planning for Activity Centres
PPN59 - The Role of Mandatory Provisions in Planning Schemes
PPN60 - Height and Setback Controls for Activity Centres
PPN61 - Licensed Premises – Assessing Cumulative Impact
PPN63 - Applying for a Planning Permit to Farm Chickens
PPN74 - Making Planning Documents Available to the Public
PPN81 - Live Music and Entertainment Noise
PPN84 - Applying the Minimum Garden Area Requirement
PPN85 - Applying the Commercial 3 Zone
PPN86 - Applying for a Planning Permit for a Pig Farm
PPN87 - Preparing a Planning Permit Application for Animal Production
PPN88 - Planning for Domestic Rooftop Solar Energy Systems
PPN89 - Extractive Industry and Resources
PPN90 - Planning for Housing

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PPN91 - Using the Residential Zones
PPN92 - Managing Buffers and Land Use Compatibility
PPN94 - Land Use and Transport Integration
PPN95 - Local Heritage Provisions
PPN96- Glint and reflectivity

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Appendix Five

Responses from referral authorities and other stakeholders

8.3 FINANCIAL REPORTS

Nil

8.4 ORGANISATIONAL REPORTS

Nil

8.5 REPORTS FROM COUNCILLORS

Nil

9. OTHER BUSINESS

9.1 NOTICES OF MOTION

Nil

9.2 QUESTIONS FROM COUNCILLORS

Nil

9.3 URGENT BUSINESS

Nil

9.4 ANY OTHER BUSINESS

Nil

9.5 MATTERS WHICH MAY EXCLUDE THE PUBLIC

Nil

10. MEETING CLOSE