



COUNCIL MEETING

MINUTES

Wednesday 11 October 2023

Commencing at 7:00pm

Wycheproof Supper Room

367 Broadway, Wycheproof

**Wayne O'Toole
Chief Executive Officer
Buloke Shire Council**

Minutes of the Meeting held on Wednesday, 11 October 2023 commencing at 7:00pm in the Wycheproof Supper Room, 367 Broadway, Wycheproof**PRESENT****CHAIRPERSON:**

Cr Alan Getley Mallee Ward

COUNCILLORS:

Cr Bernadette Hogan Mallee Ward
Cr Graeme Milne Mount Jeffcott Ward
Cr Bronwyn Simpson Mount Jeffcott Ward
Cr Daryl Warren Mount Jeffcott Ward

OFFICERS:

Wayne O'Toole Chief Executive Officer
Hannah Yu Director Infrastructure and Delivery
Travis Fitzgibbon Director Community Development
Michelle Stedman Director Corporate and Organisational Performance

AGENDA**1. COUNCIL WELCOME****WELCOME**

The Mayor Cr Alan Getley welcomed all in attendance.

STATEMENT OF ACKNOWLEDGEMENT

We acknowledge the traditional owners of the land on which we are meeting. We pay our respects to their Elders and to the Elders from other communities who maybe here today.

2. RECEIPT OF APOLOGIES

Cr Carolyn Stewart Lower Avoca Ward (leave of absence)
Cr David Pollard Lower Avoca Ward (leave of absence)

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

That Council adopt the Minutes of the Council Meeting held on Wednesday, 13 September 2023.

MOVED: CR DARYL WARREN

SECONDED: CR GRAEME MILNE

**CARRIED.
(R147/23)**

4. REQUESTS FOR LEAVE OF ABSENCE

Nil.

5. DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

There were no declarations of interest.

6. QUESTIONS FROM THE PUBLIC

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NEXT MEETING

THE NEXT COUNCIL MEETING WILL BE THE STATUTORY MEETING TO BE HELD 6:00PM IN THE WYCHEPROOF SUPPER ROOM, 367 BROADWAY, WYCHEPROOF ON WEDNESDAY, 8 NOVEMBER 2023, FOLLOWED BY THE COUNCIL MEETING AT 7:00PM.

Wayne O’Toole
CHIEF EXECUTIVE OFFICER

6. QUESTIONS FROM THE PUBLIC

6.1 COUNCIL PLAN PRIORITIES – WHY DID BSC VOTE AGAINST THIS MOTION? – ELLEN WHITE

BACKGROUND

It was brought to my attention in mid-September that at the Vic Councils meeting held in May 2023, the following motion was put to the assembled councils:

Substantive motion 100.2: That the MAV call on the Victorian Government to actively work with the local government sector and other relevant stakeholders to support councils and their communities to hold inclusive activities and events that celebrate our collective diversity of gender identity, sex, sexual orientation, religion, colour, disability, cultural and language backgrounds, and all protected attributes. We stand firmly behind the principle of equality as protected by human rights frameworks.

A division was called, and while the motion passed by 81%, a number of councils voted against this motion, the Buloke Shire Council being one of them.

Given that

The Vision, as described in the Buloke Shire Council Plan is “Building a better Buloke – A healthy, connected, inclusive and prosperous community” and

The Buloke Shire Council Values include “Working collaboratively with others” and

Priority 2: Our Community Well Being Vision is: “Our future Buloke is a welcoming, well connected and inclusive community built around social connections for all age groups and backgrounds and access to, as well as ongoing advocacy for, vital services

and that throughout the document, and other strategic documents written by Buloke Shire Council, a reliance on partnerships is underlined, and noted to be extremely important to the community health and well-being outcomes, I have two related questions.

The motion that was put to the meeting was supportive of diversity, of everyone in the community, including the most vulnerable, and was calling on the Victorian Government to actively work with local government to achieve the stated aims.

QUESTION: If Buloke wishes to achieve its priorities as stated in the council plan as outlined above, why did Buloke vote against this motion?

ANSWER PROVIDED BY MAYOR: Buloke’s vote against, was one borne entirely of a budgetary standpoint and not one of exclusivity.

Council makes provision in each annual budget to support the implementation of the actions of our Municipal Health and Wellbeing Plan, our Inclusiveness Plan and Gender Equality Action Plan that are within the means of a small rural Council.

There was concern around statewide measures bringing state government mandates or expectations around what Council must deliver, rather than Council having control of its budget to support these important parts of our community.

6.2 MESSAGE TO RESIDENTS, STAKEHOLDERS AND PARTNER ABOUT BEING INCLUSIVE TO EVERYONE – ELLEN WHITE

QUESTION: What is the message that Buloke wishes to send to its residents, stakeholders and partners about being inclusive of everyone in the community?

ANSWER PROVIDED BY THE MAYOR: Buloke is an inclusive community and a community that continues to learn and become more diverse. Our message to everyone is absolutely true to our vision of a healthy, connected, inclusive and prosperous community.

Council is committed to flying the rainbow flag each IDAHOBIT and this year extended that commitment to provide an opportunity to learn as a workforce with a guest speaker to talk about lived experience growing up in Buloke Shire. This opportunity was also extended to senior students at Wycheproof P-12.

Council also engages closely with its Disability Support Network and recently held a hugely successful Disability Pride Month event in Donald which facilitated many great discussions around what some of the key factors are for people living with and caring for people with a disability in Buloke.

Council has and will continue to work with stakeholders and partners on inclusion and give a platform to all members of our community.

7. PROCEDURAL ITEMS**7.1 REPORT OF COUNCILLOR ASSEMBLIES**

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/05/04

MOTION:

That the Council note the report of Councillor Assembly Meetings held 6 and 20 September 2023.

MOVED: CR DARYL WARREN

SECONDED: CR BERNADETTE HOGAN

CARRIED.
(R148/23)

Attachments:

- 1 Councillor Briefing Record - 6 September 2023
- 2 Councillor Briefing Record - 20 September 2023

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 Schedule adopted 9 November 2022, 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 and 20 September 2023 is attached for public information.

7.2 CORRESPONDENCE INITIATED BY COUNCIL

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/06/06

PURPOSE

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

MOTION:

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

MOVED: CR DARYL WARREN

SECONDED: CR BRONWYN SIMPSON

CARRIED.

(R149/23)

Attachments: Nil

TABLE OF CORRESPONDENCE

Council Initiative	Sent to	Sent	Response	Purpose of Letter/Response
Notice of Motion from September 2023 CM to forward letter.	Hon Sonya Kilkenny MP Victorian Minister for Planning	3 Oct 2023		To outline Council's concerns with the impacts on small communities with the introduction of the Windfall Gains Tax (WGT).

7.3 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.

MOTION:

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

MOVED: CR BRONWYN SIMPSON

SECONDED: CR BERNADETTE HOGAN

CARRIED.
(R150/23)

Attachments: Nil

RECOGNITION OF ACHIEVEMENT ITEMS

Provider	Recipient	Date	Purpose for Recognition
North Central Football League	Bryan Hogan Birchip	17 September 2023	For being awarded a Life Membership for the North Central Football League and the third recipient to do so from his home club Birchip (Birchip-Watchem)
North Central Football League	Shane O'Shea Donald	17 September 2023	For being awarded a Life Membership for the North Central Football League.
Buloke Shire Council	Peter Vogel OAM Watchem		Peter is the retiring Chairman of GWM Water having served on that Board and Chairman for the past 28 years.
Buloke Shire Council	Caroline Welsh Berriwillock		Currently Deputy Chair of GWM Water, will replace Mr. Peter Vogel as Chair.

Provider	Recipient	Date	Purpose for Recognition
Buloke Shire Council	Hunter Wingfield Donald		Winning a Gold Medal in the Under 18 School Sport Australian Lawn Bowls Championships in Tweed Heads, Queensland. Hunter is currently the youngest player for the Donald Bowls Club.

7.4 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 September 2023 Council Meeting Resolutions.

MOTION:

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

MOVED: CR GRAEME MILNE

SECONDED: CR BRONWYN SIMPSON

CARRIED.
(R151/23)

Attachments: 1 Action taken on Council Meeting Resolutions

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 September 2023 Council Meeting Resolutions.

QUESTION DIRECTED THROUGH THE MAYOR FROM CR MILNE – Is there a further update on the status of action regarding 110 Sutcliffe Street, Sea Lake ?

ANSWER FROM DIRECTOR INFRASTRUCTURE & DELIVERY – We have received direct contact details for representatives at GWM Water and will be contacting them in coming days to better understand any delay.

7.5 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 September to 30 September 2023.

MOTION:

That the Council note information contained in the report on Building Permits approved by staff from 1 September to 30 September 2023.

MOVED: CR BERNADETTE HOGAN

SECONDED: CR GRAEME MILNE

CARRIED.
(R152/23)

Attachments: Nil

LIST OF BUILDING PERMITS APPROVED BY COUNCIL SURVEYOR

Application No.	Address	Project Description	Date Approved
20230021	Sherwood Street Birchip VIC 3483	Construction of a new building shed	21/9/2023
20230023	Taverner Street Berrwillock VIC 3531	Installation of prefabricated BBQ shelter structure.	28/9/2023

LIST OF BUILDING PERMITS APPROVED BY PRIVATE SURVEYOR

Application No.	Address	Project Description	Date Approved
PBLD23109	Stevens Street Birchip VIC 3483	Construction of Dwelling & Garage	18/9/2023
PBLD23110	Three chain Road Birchip VIC 3583	Construction of Storage Shed	18/9/2023
PBLD23112	Broadway Wycheproof VIC 3527	Demolition of a dwelling	12/9/2023

7.6 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.

MOTION:

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

MOVED: CR DARYL WARREN

SECONDED: CR GRAEME MILNE

CARRIED.
(R153/23)

Attachments: Nil

LIST OF PLANNING APPLICATIONS

Application No	Address	Date Rec	Summary of Proposal	Status
PA23019	Borong Highway, Gil Gil	22/03/2023	Place of Assembly (Events Centre)	Withdrawn
PA23020	Church Street, Culgoa	10/05/2023	Use and development of land for a transfer station (install an RV dump point and septic holding tank)	Review
PA23023	Back St Arnaud Road, Charlton	16/07/2023	Place of assembly (campdraft events)	Review
PA23024	Calder Highway, Wycheproof	21/08/2023	Construction of a Farm Shed within a LSIO	Review
PA23025	Byrne Street, Donald	16/08/2023	Development of land for a Smoke House restaurant and cocktail bar including the construction of a new deck / entertainment area and amenities and the demolition of two buildings	Referral
PA23026	Horace Street, Sea Lake	06/09/2023	Construct and display internally illuminated business identification sign (LED priceboard)	Notice of application

Application No	Address	Date Rec	Summary of Proposal	Status
PA23027	Opie Road, Karyrie	04/09/2023	Use and development of land for a single dwelling	Notice of application
PA23028	Calder Highway, Berriwillock	08/09/2023	Development of a telecommunications facility	Review
PA23029	McLoughlans Road, Warmur	31/08/2023	Create or alter access to a road in a Transport Zone 2 for the construction of a single dwelling	Request for further information
PA23030	Borong Highway, Donald	15/09/2023	Creation of access to Borung Highway to an existing Powercor Regulator Site	Review
PA23031	Calder Highway, Wycheproof	15/09/2023	Creation of access to Borung Highway to an existing Powercor Regulator Sit	Review
PA23032	Boort- Wycheproof Rd, Wycheproof	15/09/2023	Creation of access to Borung Highway to an existing Powercor Regulator Site	Review
PA23033	Borong Highway, Gil Gil	15/09/2023	Creation of access to Borung Highway to an existing Powercor Regulator Site	Review
VS23009	Crescent Road, Watchem	27/09/2023	Building and works for the construction of a store (shed)	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*.

QUESTION DIRECTED THROUGH THE MAYOR FROM CR WARREN – Is there further information about the number of reviews that remain underway?

ANSWER FROM DIRECTOR COMMUNITY DEVELOPMENT – These application are all progressing through external authorities.

8. GENERAL BUSINESS

8.1 POLICY REPORTS

Nil

8.2 MANAGEMENT REPORTS

8.2.1 2023/24 SWIMMING POOL SEASON

Author's Title: Manager Community Services

Department: Community Development

File No: CP|19|01

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Built and Natural Environment

PURPOSE

The purpose of this report is to seek Council approval to confirm the opening date of 18 November 2023 and the closing date of 18 March 2024 for the 2023/2024 swimming pool season.

SUMMARY

The Council reviews the season dates and operational times of its aquatic facilities on an annual basis.

MOTION:

That Council:

1. Sets the 2023/2024 swimming pool season to operate from Saturday 18 November 2023 until Monday 18 March 2024 for all seven swimming pools;
2. Make no change to opening days and hours across all seven swimming pools;
3. Advertises the 2023/2024 pool season dates through its media platforms and displays them at each pool for the duration of the season;
4. Continue to waive the Lifeguard fee of \$50.00 per hour for all swimming pool hire bookings in the 2023/2024 swimming pool season; and
5. Ceases the practice of 'banking' cold weather days for use at the end of the 2023/2024 season to minimise the impact of waiving fees to Council's budgeted position.

MOVED: CR BRONWYN SIMPSON

SECONDED: CR DARYL WARREN

CARRIED.

(R154/23)

Attachments: Nil

DISCUSSION

Council has historically opened all seven swimming pools in mid-November and closed them in mid-March. The recommendation is consistent with last year, with the proposed opening and closing dates being 18 November 2023 and 18 March 2024.

Council Officers conducted a community survey at the conclusion of the 2022/2023 season, with results showing a majority satisfaction level for all categories of operations surveyed. Following delays and

emergency maintenance works resulting from the October 2022 flood event, the commencement of Council's Aquatic Strategy was delayed. It is anticipated that the development of this strategy will inform future discussion regarding any changes to the current structure of Council's pool season and the operations of the seven aquatic facilities.

RELEVANT LAW

Not applicable.

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

Alternative options in relation to pool season opening and closing dates, and hours of operation, have been discussed internally; these alternative options have not pursued.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Information in relation to pool operations will be made available to the community via traditional and social media channels.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

The 2023/24 Annual Budget provides for operational and capital expenditure required for effective aquatic service delivery. The proposal not to proceed with banking cold weather days during the 2023/24 season will allow the Council to offset any costs associated with waiving pool and lifeguard hire fees for not-for-profit community groups.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

Not applicable.

TRANSPARENCY OF COUNCIL DECISIONS

Not applicable.

CONFLICTS OF INTEREST

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

QUESTION DIRECTED THROUGH THE MAYOR FROM CR MILNE – How many cold weather days were banked in the last pool season?

ANSWER FROM DIRECTOR COMMUNITY DEVELOPMENT – No days were banked in the last season as Council resolved not to bank cold weather days in the 2022/2023 pool season to offset lifeguard fee waivers.

QUESTION DIRECTED THROUGH THE MAYOR FROM CR HOGAN - Can I request information from officers regarding access to the Birchip Pool during construction activity of the nearby Play Space?

ANSWER FROM DIRECTOR INFRASTRUCTURE AND DELIVERY – Question taken on notice.

8.2.2 AUDIT AND RISK COMMITTEE CHAIR'S REPORT

Author's Title: Director Corporate and Organisation Performance

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

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

To provide the Council with the Biannual Audit and Risk Report (Biannual Report) from the Chair of the Audit and Risk Committee (Audit Committee).

SUMMARY

The Biannual Report from the Chair of the Audit Committee was provided to the Chief Executive Officer on 20 September 2023. It describes the activities of the Audit Committee and includes its findings and recommendations.

ORIGINAL MOTION:

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

Moved: CR BRONWYN SIMPSON

Seconded: CR BERNADETTE HOGAN

CR WARREN MOVED AN AMENDED MOTION:

That Council notes the Biannual Audit and Risk Report from the Chair of the Audit and Risk Committee and writes to the retiring Chair of the Audit and Risk Committee, Ms Margaret Abbey, to thank her for her dedicated and professional service as Chair of this Committee.

Moved: CR DARYL WARREN

Seconded: CR GRAEME MILNE

CR SIMPSON AND CR HOGAN AGREED TO THIS AMENDMENT TO THE ORIGINAL MOTION.

AMENDED MOTION BECOMES THE MOTION:

That Council notes the Biannual Audit and Risk Report from the Chair of the Audit and Risk Committee and writes to the retiring Chair of the Audit and Risk Committee, Ms Margaret Abbey, to thank her for her dedicated and professional service as Chair of this Committee.

Moved: CR DARYL WARREN

Seconded: CR GRAEME MILNE

CARRIED.

(R155/23)

Attachments: 1 Audit and Risk Committee Biannual Chair Report September 2023

DISCUSSION

The *Local Government Act 2020* (Act) provides that the Audit Committee must prepare a Biannual Report which describes the activities of the Audit 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 scheduled Council Meeting.

RELEVANT LAW

Section 54(5)(b) of the Act requires the Chief Executive Officer provide a copy of the Biannual Report to the Council.

RELATED COUNCIL DECISIONS

The Audit Committee was established by the Council at the Council Meeting held on 12 August 2020.

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Not applicable.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

The Audit and Risk 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 Committee is an Advisory Committee to the Council and its role is to ensure good governance and provide guidance on how the Council will work with the Audit Committee for the benefit of the organisation and the community.

CONFLICTS OF INTEREST

In providing this advice to the Council as the Director Corporate and Organisational Performance, I, Michelle Stedman, have no interests to disclose in this provision of this report.

8.2.3 ACTIVITIES OF CHARLTON PARK COMMUNITY ASSET COMMITTEE

Author's Title: Chief Executive Officer

Department: Office of the CEO

File No:

PURPOSE

To inform Council of the activities of the Charlton Park Community Asset Committee (Committee).

SUMMARY

An annual report to Council in relation to the activities and performance of the Committee is provided to Council in accord with Council's legislative requirements.

MOTION:

That Council notes the Annual Report of activities and performance of the Charlton Park Community Asset Committee.

MOVED: CR GRAEME MILNE

SECONDED: CR BRONWYN SIMPSON

CARRIED.
(R156/23)

Attachments:

- 1 Charlton Park Comm Asset Cttee AGM Minutes - 7 Aug 2023
- 2 C7 Instrument of Delegation by CEO to Charlton Park Community Asset Committee

DISCUSSION

Council established the Committee under section 65 of the *Local Government Act 2020* (Act) on 12 August 2020. Under the authority of s5 Instrument of Delegation authorised by resolution of Council, the Chief Executive Officer has sub-delegated powers to the Committee in accordance with the attached C7 Instrument of Delegation as made on 25 October 2021.

The Act requires the Chief Executive Officer to submit an annual report to the Council in relation to the activities and performance of all Community Asset Committees. A copy of the Committee's Annual General Meeting minutes is attached for the information of the Council.

RELEVANT LAW

This report enables the Council to meet its requirements under the Act.

RELATED COUNCIL DECISIONS

Information in relation to the establishment of the Committee under the Act is set out in the Discussion section of this report.

OPTIONS

Not applicable to this report.

SUSTAINABILITY IMPLICATIONS

Not applicable to this report.

COMMUNITY ENGAGEMENT

Not applicable to this report.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable to this report.

COLLABORATION

Not applicable to this report.

FINANCIAL VIABILITY

Not applicable to this report.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable to this report.

COUNCIL PLANS AND POLICIES

Not applicable to this report.

TRANSPARENCY OF COUNCIL DECISIONS

Information in relation to the Committee performance and activities is considered at a public Meeting of the Council.

CONFLICTS OF INTEREST

No Officer has a conflict of interest in relation to the annual report of operations of the Committee.

QUESTION DIRECTED THROUGH THE MAYOR FROM CR WARREN – With the current chair of this committee being Cr Pollard, and Cr Pollard being on a leave of absence, can further clarification be provided as to undertaking roles as Council Delegate during approved leaves of absence; noting that the meeting schedule of this committee was not apparent in this report?

ANSWER FROM DIRECTOR CORPORATE AND ORGANISATIONAL PERFORMANCE – Taken on Notice.

8.3 FINANCIAL REPORTS

8.3.1 FINANCIAL AND PERFORMANCE STATEMENTS 2022/23

Author's Title: Manager Financial Strategy

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

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

The purpose of this report is to seek Council's approval in principle of the Draft Financial Statements and Performance Statement (the Statements) for the 2022/23 financial year as presented, noting their pre-audit status. This report also seeks to authorise two Councillors to certify by signature these final form Statements on behalf of the Council, in conjunction with the Chief Executive Officer and Principal Financial Officer. This process is in accordance with Section 99 (3) (a) and (b) of the *Local Government Act 2020* (the Act), and Sections 13 and 15 of the *Local Government (Planning and Reporting) Regulations 2020* (the Regulations).

SUMMARY

The preparation of the annual Financial and Performance Statements is a legislative requirement.

To enable the final form Statements to be submitted to the auditor in accordance with Section 99 (3) (a) and (b) of the Act and Sections 13 and 15 of the Regulations, Council is required to pass a resolution to give the Statements its approval in principle, and to authorise two Councillors to sign the Statements in conjunction with the Chief Executive Officer and the Principal Accounting Officer. Councillors are requested to consider the Statements, noting that they are in the process of being reviewed by the Victorian Auditor General's Office (VAGO) and are as such considered to be in draft.

Once the Statements are returned from the auditor, they will form part of Council's 2022/23 Annual Report which will be considered by Council in late October.

MOTION:

That Council:

1. Approves in principle the draft Financial Statements and Performance Statement for the 2022/2023 Financial Year, ahead of the Statements' submission to the auditor; and
2. Authorises Mayor Cr Getley and Cr Hogan, to certify the final form Financial Statements and Performance Statement on behalf of, and with full authority of, the Council.

MOVED: CR GRAEME MILNE

SECONDED: CR BRONWYN SIMPSON

CARRIED.
(R157/23)

Attachments:

- 1 Draft Financial Statements 2022/23 - Buloke Shire Council
- 2 Draft Performance Statement 2022/23 - Buloke Shire Council

DISCUSSION

Under Section 98 of the *Local Government Act 2020* a Council must in respect of each financial year, prepare an Annual Report that includes audited Statements for the financial year. These Statements must be prepared in the prescribed manner and form and be certified by the Auditor General.

This year the Victorian Auditor General's Office agents Crowe acted as Council's auditors. The Statements have been reviewed by the Victorian Auditor General's Office.

Council is required to approve, in principle, the Statements prior to receiving certification from the Auditor General. The Council must also authorise two Councillors to certify the Statements in their final form; historically the Mayor and the Deputy Mayor. However, in this instance it is proposed that Mayor Cr Getley and Cr Hogan be authorised to sign with the Deputy Mayor on a leave of absence and Cr Hogan being the Councillor currently appointed as Delegate to Council's Audit and Risk Committee.

RELEVANT LAW

The Statements have been prepared in accordance with Australian Accounting Standards and Interpretations, the *Local Government Act 2020* and the Regulations.

Council's Statements must be audited to meet the requirements as set out under the *Local Government Act 2020*.

RELATED COUNCIL DECISIONS

Not applicable to this report.

OPTIONS

Not applicable to this report.

SUSTAINABILITY IMPLICATIONS

Not applicable to this report.

COMMUNITY ENGAGEMENT

Community consultation was not required in the preparation of the Statements. However, the Statements will be made available as public documents following the Auditor-General's approval. Once fully audited and approved, the Statements will be published in Council's upcoming Annual Report.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable to this report.

COLLABORATION

Not applicable to this report.

FINANCIAL VIABILITY

The Statements are a report back to the community on Council's performance against the adopted 2022/23 Annual Budget, along with performance against measures and targets for Key Strategic Activities specified in the 2022/23 Annual Budget.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable to this report.

COUNCIL PLANS AND POLICIES

The Statements are a report back to the community on Council's performance against the performance against measures and targets for Key Strategic Activities specified in the 2022/23 Annual Budget.

TRANSPARENCY OF COUNCIL DECISIONS

The availability of Council's audited financial and performance reporting to the community essential for ensuring transparency and accountability to the community and other levels of government.

CONFLICTS OF INTEREST

In providing this advice to the Council as the Manager Financial Strategy, I, Nathan Cutting, have no interests to disclose in this report.

8.4 ORGANISATIONAL REPORTS

Nil

8.5 REPORTS FROM COUNCILLORS

CR ALAN GETLEY (MAYOR) – MALLEE WARD

Weekly meetings with CEO Wayne O’Toole

Monthly Briefings

Ordinary Council meeting

TCV next steps meeting

Wimmera Southern Mallee Transport Group

Transmission lines shire meeting

MAV Regional meeting

The Paddock the goals Grand Final edition

BCG Breakfast meeting

ABC interview Swan Hill Pool Season

Flow FM Shire Issues

ABC National radio Wemba Wamba claim

Advance Sea Lake AGM

Advance Sea Lake General Meeting

Attend State Government Flood Enquiry Panel Melbourne With CEO

ABC Statewide interview (Flood Enquiry)

Charlton Forum meeting

CR BERNADETTE HOGAN – MALLEE WARD

17/09/2023	Birchip Show & Shine – Birchip Birchip-Watchem Football Club Vote count - Birchip
18/09/2023	Birchip Forum – Birchip
20/09/2023	Councillor Briefing – Nullawil
03/10/2023	Birchip Early Learning Group Meeting - Zoom
04/10/2023	Berriwillock Bowls Club – visit repairs progress Councillor Briefing – Birchip
05/10/2023	BCG Chair’s Breakfast (Future Farming Presentation) – Birchip
10/10/2023	Nullawil Progress Association Annual General Meeting – Nullawil
11/10/2023	Council Meeting - Wycheproof

CR DARYL WARREN – MOUNT JEFFCOTT WARD

14/9/23	Workspace meeting Bendigo
20/9/23	Council briefing Nullawil
22/9/23	GWM Water Community meeting Horsham
25/9/23	Buloke Tourism meeting (Zoom)
27/9/23	Donald Community Precinct meeting Donald 2000 meeting & AGM
2/10/23	Judging Mt Alexander Shire Business Awards Castlemaine
3/10/23	Judging Mt Alexander Shire Business Awards Castlemaine
4/10/23	Council Briefing Birchip
5/10/23	Judging Mt Alexander Business Awards Castlemaine
6/10/23	Rural Councils Victoria AGM (Zoom)
11/10/23	Council meeting Wycheproof

9. OTHER BUSINESS

9.1 NOTICES OF MOTION

9.1.1 STATE GOVERNMENT GUARANTEE ONE- PERSON POLICE STATIONS REMAIN OPEN

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/09/01

PURPOSE

For the Council to consider a Notice of Motion to write to the Minister for Police calling on the State Government to guarantee that one-person police stations will not close.

SUMMARY

Clause 184.8 of the Victoria Police Enterprise Agreement 2019 currently states that one-person station employees can only be rostered away from their response zone in emergencies or critical situations and only if the employee's area does not suffer in terms of provision of service to his or her local community.

Victoria Police has lodged claims with the Police Association that would amend clause 184, increasing the mobility for deployment and rostering of one-person station employees. If successful, employees from 98 one-person stations in small towns across Victoria including those in Wycheproof, Culgoa, and Birchip, may be rostered out to larger regional centres and cities, which would undermine the safety and security of rural communities.

MOTION:

That Council write to the Minister for Police calling on the State Government to guarantee that one-person police stations will not close.

MOVED: CR GRAEME MILNE

SECONDED: CR BRONWYN SIMPSON

CARRIED.

(R158/23)

Attachments: Nil

DISCUSSION

One-person police stations provide an assurance of safety to the regional communities they serve and ensure people don't have to travel long distances to larger, busier stations. This provides communities with peace of mind and reassurance to feel safe and secure in their homes.

RELEVANT LAW

Not applicable.

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

The potentially impacted Buloke communities have provided considerable input on the need for all one-person Police Stations to be resourced to maintain their safety.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

FINANCIAL VIABILITY

Not applicable.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

The availability of access to vital services to ensure our community wellbeing is a common theme identified in the Council Plan 2021-2025.

TRANSPARENCY OF COUNCIL DECISIONS

Not applicable.

CONFLICT OF INTEREST

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

QUESTION DIRECTED THROUGH THE MAYOR FROM CR SIMPSON – Should the motion refer to the proposed re-distribution of one-person station staff to larger regional stations?

ANSWER FROM CR MILNE – No, that would not affect the motion as proposed but may be considered down the track if amendment to Victoria Police EBA proceeded.

9.2 QUESTIONS FROM COUNCILLORS

9.2.1 PALM TREES – TRACK OF STONES – BIRCHIP TOWN CENTRE – CR HOGAN

QUESTION: Cr Hogan enquired about the request for the track of stones to be put between palm trees in the Birchip town centre to formalise the path after a person has fallen over.

ANSWER FROM DIRECTOR INFRASTRUCTURE AND DELIVERY: Question was taken on notice.

9.2.2 ROAD RUNNING ALONGSIDE BIRCHIP MEDIAN STRIP – CR HOGAN

QUESTION: Cr Hogan enquired about the request to repair the road running alongside the Birchip Median strip.

ANSWER FROM DIRECTOR INFRASTRUCTURE AND DELIVERY: Question was taken on notice.

9.2.3 NULLAWIL STORE SITE – CR HOGAN

QUESTION: Cr Hogan noted the current dilapidated status of the Nullawil Store, requesting expedition of the process to clean up the site.

ANSWER FROM DIRECTOR COMMUNITY DEVELOPMENT: Question was taken on notice.

9.2.4 BIRCHIP STREETScape PROJECT – CR SIMPSON

QUESTION: Cr Simpson understood the Birchip Streetscape Project had been signed off; and was asked to be informed who is responsible for garden beds that now have a number of dead plants.

ANSWER FROM DIRECTOR INFRASTRUCTURE AND DELIVERY: The responsibility for rectification needs to be clarified as to whether this is Council's or the Contractor's responsibility.

9.2.5 MUNICIPAL FIRE PREVENTION COMMITTEE MEETING ENQUIRY – SLASHING PROGRAM – CR MILNE

QUESTION: Cr Milne referred to a query he had at the Municipal Fire Prevention Committee meeting on the slashing program and whether it would also address requirements around Country Fire Authority use, including works required for earth roads, which would not form part of standard slashing program.

ANSWER FROM DIRECTOR INFRASTRUCTURE AND DELIVERY: Question was taken on notice.

9.2.6 COMMUNITY ASSISTANCE – SLASHING PROGRAM – NEAR THEIR PROPERTIES - CR MILNE

QUESTION: Cr Milne enquired if there is an opportunity for community to be able to assist with the slashing program near their respective properties.

ANSWER FROM DIRECTOR INFRASTRUCTURE AND DELIVERY: Question was taken on notice.

9.2.7 TAX ON VACANT PROPERTIES AND LAND – CR MILNE

QUESTION: Cr Milne asked if Council Officers have further information available regarding recent announcements on Tax on Vacant Properties and Land.

ANSWER FROM CHIEF EXECUTIVE OFFICER: This information is intended to be brought to an upcoming Councillor Briefing.

9.2.8 RESIDENT – ACCESS TO AND EGRESS FROM THEIR PROPERTY – CR WARREN

QUESTION: Cr Warren asked if Council staff could investigate the matter for a resident who is having issues for access to, and egress from their property having been advised by Regional Roads Victoria that the road in question was Council's responsibility.

ANSWER FROM DIRECTOR INFRASTRUCTURE AND DELIVERY: Question taken on notice.

9.3 URGENT BUSINESS

Nil

9.4 ANY OTHER BUSINESS

Nil

9.5 MATTERS WHICH MAY EXCLUDE THE PUBLIC

Nil

10. MEETING CLOSE

Meeting closed at 8.05pm.