



# **COUNCIL MEETING**

## **AGENDA**

**Wednesday 14 June 2023**

**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, 10 May 2023 and Council adopt the Minutes of the Council Meeting held on Wednesday, 7 June 2023.

### **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**

- |     |  |   |
|-----|--|---|
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### **8. GENERAL BUSINESS**

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<b>8.5</b>	<b>REPORTS FROM COUNCILLORS</b>	<b>49</b>
	NIL	
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	NIL	
<b>9.2</b>	<b>QUESTIONS FROM COUNCILLORS</b>	<b>50</b>
	NIL	
<b>9.3</b>	<b>URGENT BUSINESS</b>	<b>50</b>
	NIL	
<b>9.4</b>	<b>ANY OTHER BUSINESS</b>	<b>50</b>
<b>9.5</b>	<b>MATTERS WHICH MAY EXCLUDE THE PUBLIC</b>	<b>50</b>
	NIL	
<b>10.</b>	<b>MEETING CLOSE</b>	

#### **NEXT MEETING**

THE NEXT MEETING OF COUNCIL WILL BE HELD IN WYCHEPROOF SUPPER ROOM, 367 BROADWAY, WYCHEPROOF ON WEDNESDAY, 12 JULY 2023 AT 7:00PM.

**Wayne O'Toole**  
**CHIEF EXECUTIVE OFFICER**

**6. QUESTIONS FROM THE PUBLIC**

**6.1 MARTIN SCHOONDERWOERD – ITEM 8.2.1 - PLANNING PERMIT APPLICATION 23012**

**6.2 MARIE WITTE – ITEM 8.2.1 – PLANNING PERMIT APPLICATION 23012**

## 7. PROCEDURAL ITEMS

### 7.1 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 3 and 17 May 2023.

**Attachments:** 1 [Councillor Briefing Record - 3 May 2023](#)  
2 [Councillor Briefing Record - 17 May 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 3 and 17 May 2023 is attached for public information.



## Councillor Briefing Record

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

<b>Date:</b>	3 May 2023	<b>Time</b>	5:00pm – 8:00pm
<b>Location:</b>	Charlton District Office Council Chambers		
<b>Attendees:</b>	Cr Getley, Cr Pollard, Cr Simpson, Cr Hogan, Cr Milne, Cr Warren, Wayne O’Toole, Hannah Yu, Michelle Stedman, Travis Fitzgibbon, Nathan Cutting and Kerrie Mulholland.		
<b>Apologies:</b>	Cr Stewart (Leave of Absence).		
<b>Acknowledgement of Country:</b>	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 maybe here today.		
<b>Conflicts of Interest:</b>	Nil		

### ITEMS

NO.	MATTER FOR DISCUSSION
<b>1.</b>	<b>Councillor Only Time 5:00pm</b>
<b>2.</b>	<b>Confirmation of Councillor Briefing Minutes – 19 April 2023</b>
<b>3.</b>	<b>Presentations</b>
3.1	East Wimmera Health Service – Trevor Adem (CEO) <b>5:30pm</b>
3.2	Charlton Forum
3.3	Charlton Beautification
3.4	Donald Mineral Sands – Paul Atherton <b>6:25pm</b>
3.5	Mallee Regional Partnership Update – Win Scott (MRP Chair) <b>6:45pm</b>
3.6	Mt Wycheproof Emu Working Group – Travis Fitzgibbon <b>7:00pm</b>
3.7	Proposed Budget – Nathan Cutting <b>7:15pm</b>
<b>4.</b>	<b>Discussion</b>
<b>5.</b>	<b>Councillor Matters</b>
	Cr Milne
	Cr Simpson
	Cr Warren
<b>6.</b>	<b>CEO Updates</b>
6.1	Draft Agenda for Council Meeting 10 May 2023
6.2	Visitor Economy Partnership (VEP)



6.3	VNI West Update
<b>NEXT BRIEFING</b> 17 May 2023, Berriwillock Community Centre, 5:00pm	



## Councillor Briefing Record

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

<b>Date:</b>	17 May 2023	<b>Time</b>	5:00pm – 8:00pm
<b>Location:</b>	Berrillock Community Centre		
<b>Attendees:</b>	Cr Getley, Cr Simpson, Cr Milne, Cr Warren, Cr Pollard, Cr Hogan, Wayne O’Toole, Travis Fitzgibbon, Hannah Yu, Michelle Stedman.		
<b>Apologies:</b>	Nil		
<b>Acknowledgement of Country:</b>	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 maybe here today.		
<b>Conflicts of Interest:</b>	Nil		

### ITEMS

NO.	MATTER FOR DISCUSSION
<b>1.</b>	<b>Councillor and CEO Only Time 5:00pm</b>
<b>2.</b>	<b>Confirmation of Councillor Briefing Minutes – 3 May 2023</b>
<b>3.</b>	<b>Presentations</b>
3.1	Engage Youth Prog – Tyrrell College – Agricultural Prog <b>5:30pm (cancelled due to COVID)</b>
3.2	Homes Victoria – Hannah Duncan-Jones, Dir – Local Govt & Regional Priorities <b>5:45pm</b>
3.3	Monthly Capital Project Update – Trevor Rumbold <b>6:05pm</b>
<b>4.</b>	<b>Discussion</b>
<b>5.</b>	<b>Councillor Matters</b>
	<b>Cr Milne</b>
	<b>Cr Pollard</b>
	<b>Cr Warren</b>
	<b>Cr Simpson</b>
	<b>Cr Hogan</b>
<b>6.</b>	<b>CEO Updates</b>
6.1	VNI West Update
6.2	Community Forum Summit Reflections
6.3	IDAHOBIT – 17 May 2023
6.4	Flood Recovery/DRFA Process
6.5	Charlton Childcare
	<b>NEXT BRIEFING</b>
	7 June 2023, Birchip District Office – Council Chambers, 5:00pm

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

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

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

**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

### 7.3 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
Concerns over the closure of Bendigo Bank – Sea Lake Branch	Marnie Baker, Chief Exec Officer Head Office Bendigo & Adelaide Bank	18.04.2023		Letter sent to find out what the Bank's intentions are and if they would consider continuing provision of service to the Sea Lake community.
VNI West Proposed Transmission Line	Write to: Minister for Climate Action, Energy and Resources;  State Electricity Commission; and  CEO of Australia Energy Market Operator	12.05.2023		Imploring them to: 1. Consult with the community in a genuine and deliberative manner, ensuring transparency is at the forefront of all consultation; and 2. Listen in a genuine and sympathetic manner to the concerns of the community and relevant subject matter experts and respond in a respectful and considered fashion.
VNI West Project	Write and advocate to the Minister for Energy & Resources Lilly D'Ambrosio	12.05.2023		To suspend the installation of the VNI West Project within the Buloke Shire, and implore her to consult in a genuine and open manner to those to be potentially impacted by the installation of the proposed project.

## 7.4 BUILDING PERMITS - MONTHLY UPDATE

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

**Department:** Community Development

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

### EXECUTIVE SUMMARY

This report provides information on Building Permits approved by staff from 1 May 2023 to 31 May 2023.

### RECOMMENDATION

That the Council note information contained in the report on Building Permits approved by staff from 1 May 2023 to 31 May 2023.

**Attachments:** Nil

### LIST OF BUILDING PERMITS APPROVED BY COUNCIL SURVEYOR

Council Ref.	Permit No.	Address	Project Description	Date Approved
NIL				

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

Council Ref.	Permit No.	Address	Project Description	Date Approved
PBLD23064	7601708366844	Richards Road (Srubbery Lane), Litchfield	Proposed Managers Residence	08/05/2023
PBLD23074	7635017479634	Austerbery Road, Sea Lake	Machinery Shed	24/05/2023
PBLD23075	2568776571224	Borong Highway, Gil Gil	Storage Shed	20/05/2023

## 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
PA23010	Broadway, Wycheproof	16/01/2023	Six-lot subdivision of land and the development of land for six dwellings	Objection
PA23012	Main Street, Culgoa	01/02/2023	Extend hours of trade for existing food and drinks premises	Report to Council
PA23013	Hannon Street, Sea Lake	06/02/2023	Five-lot subdivision of land	Objection
PA23014	Hannon Street, Sea Lake	31/01/2023	Five-lot subdivision of land and the use and development of land for five dwellings	Permit Issued
PA23015	Birchip-Wycheproof Road, Narraport	16/02/2023	Two-lot subdivision of land, use and development of land for a veterinary clinic and associated dwelling and create or alter access to a road in the Principle Road Network (TRZ2)	Permit Issued
PA23016	Jenkins Street, Charlton	06/03/2023	Building and works for the extension of carport and construction of verandah	Permit Issued
PA23017	Donald Street, Charlton	23/03/2023	Use and development of the land for a store (domestic shed) within the Township Zone Buildings and works within the Land Subject to Inundation Overlay	Permit Issued

<b>Application No</b>	<b>Address</b>	<b>Date Rec</b>	<b>Summary of Proposal</b>	<b>Status</b>
PA23019	Borong Highway, Gil Gil	22/03/2023	Place of Assembly (Events Centre)	Request for Further Information
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)	Notice of Application Referral
PPA928/21	Campbell Street, Birchip	14/02/2023	Development of land for a service station (fuel cell), construct and display a business identification sign and alter access to a Road Zone, Category 1	Report to Council
VS23007	Mildura Way, Charlton	15/05/2023	Demolish a section of masonry fence, works to reconstruct, and make gate opening wider	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 action and the SOA for the 10 May 2023 Council Meeting Resolutions.

### RECOMMENDATION

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

**Attachments:** 1 [↓](#) Actions Taken on Council Resolutions - On Outstanding items and 10 May 2023 Council Meeting

### 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 and introducing the SOA for the 10 May 2023 Council Meeting Resolutions.

**Summary of Action on Council Resolutions – Outstanding Previous Months Items to 10 May 2023 Council Meeting**

Date	Directorate	Item	Resolution/Question	Actioning Officer/s	Status of Action	Complete or Commenced
10052023	CEO Office	7.3	Letters of Congratulations and Recognition of Achievement/Awards.	EA	Letters have been sent.	Complete
10052023	Corp and Org Performance	8.4.1	That Council: <ol style="list-style-type: none"> <li>1. Having prepared the Draft 2023/24 Annual Budget and schedule of fees in accordance with the <i>Local Government Act 2020</i>, gives notice of its endorsement;</li> <li>2. Invites submissions in relation to any proposal contained with the Draft 2023/24 Annual Budget until 12 noon, 1 June 2023; and</li> <li>3. Allows presentations in support of submissions to be heard at the Council Meeting to be held on 14 June 2023.</li> </ol>	DCOP	Notice was given to the public – submissions have been received and will be reported on at the 14 June 2023 CM.	Complete
10052023	Dir Comm Dev	9.1.1	Notice of Motion – VNI West Proposed Transmission Line  That Council write to the Minister for Climate Action, Energy and Resources and the State Electricity Commission as well as the Chief Executive Officer of Australian Energy Market Operator, Daniel Westerman, imploring them to: <ol style="list-style-type: none"> <li>1. Consult with the community in a genuine and deliberative manner, ensuring transparency is at the forefront of all consultation; and</li> <li>2. Listen in a genuine and sympathetic manner to the concerns of the community and relevant subject matter experts and respond in a respectful and considered fashion.</li> </ol>	CEO Office	EA noted letter to be sent in Corr Init Corr Report for 14 June 2023 Council Meeting.  Letters sent 12052023.	Complete.
10052023	Dir Comm Dev	9.3.1	Matter of Urgency – VNI West Project  That Buloke Shire Council advocate to the Minister for Energy and Resources Lilly D'Ambrosio to suspend the installation of the VNI West Project within the Buloke Shire, and implore her to consult in a genuine and open	CEO Office	EA noted letter to be sent in Corr Init Corr Report for 14 June 2023 Council Meeting.  Letters sent 12052023.	Complete.

Tabled 14 June 2023 Council Meeting

**Summary of Action on Council Resolutions – Outstanding Previous Months Items to 10 May 2023 Council Meeting**

			manner to those to be potentially impacted by the installation of the proposed project."			
12042023	Community Development	6.	<p>QUESTION FROM TRADITIONAL OWNERS – MT WYCHEPROOF – PROPER COSTINGS RE: SACRED EMUS</p> <p>Traditional Owners now request on an urgent basis from the Shire a detailed, formal response and to advise the proper costings for the Sacred Emus and their enclosure on Mount Wycheproof.</p> <p>INITIAL RESPONSE FROM MAYOR: Council will take this question on notice, but as per a resultant conversation during a follow up phone placed by your representative Sherrill O'Connor to Council's Director Community Development today, active participation in the Mount Wycheproof Emu Working Group would address the veracity of the costings in the plan and understand what is required and how best to access funds to provide for the emu population together. My understanding from our meeting on country is that we are all pulling in the same direction.</p>	DCD	<p>Answered on the night.</p> <p>The veracity of the costings of the Emu Management Plan will be the focus of the working group being formed.</p>	Commenced.
12042023	Community Development	8.2.2	<p>That Buloke Shire Council:</p> <p>(a) Notes that since 2011 the Commonwealth has progressed implementation of a consistent and integrated national aged care service system based on increased consumer choice and control and competition between providers to drive quality improvements and service efficiencies with a final transition date of 1 July 2024.</p> <p>(b) Accepts that due to inherent service cost, financial constraints, the National competition policy and other structural challenges, Buloke Shire Council will not be able to play a meaningful future role in service delivery.</p>	DCD	<p>Council officers have commenced working with the Commonwealth Government on the transition.</p> <p>Notification of the final decision to, and appropriate consultation with: (i) Clients and families (ii) Staff and union representatives (iii) Media &amp; other communications (iv) Broader community has been undertaken.</p>	Commenced.

Tabled 14 June 2023 Council Meeting

**Summary of Action on Council Resolutions – Outstanding Previous Months Items to 10 May 2023 Council Meeting**

			<p>(c) Confirms that it will not accept the service agreement extension for the 2023/24 year and will instead transition out of direct service delivery roles in the following programs:</p> <ul style="list-style-type: none"> <li>(i) All funded Commonwealth Home Support Programme services</li> <li>(ii) All HACC-PYP funded services</li> </ul> <p>(d) Commits to working with the Clth and Vic govts to negotiate timing and transition processes that will protect the interests of clients, their families, much valued staff, and the broader community.</p> <p>(e) Notes that under its service agreements all processes and matters related to the transition process (i.e., names of future providers) will remain confidential until the Cth and Vic govts provide consent for release of information.</p> <p>(f) Reaffirms in taking this decision it will continue to play an active role in ensuring its community will receive high-quality aged care services and will advocate for the needs of vulnerable members of the community.</p> <p>(g) Commits to the values and principles outlined in Appendix A to the report to underpin and support decision making through the transition process.</p> <p>(h) Notes that the appointment of a successor provider is the responsibility of the Commonwealth and Council is bound to confidentiality under its service agreement and cannot release any information about the appointment and transition process.</p> <p>(i) Realigns its policy direction towards future investment in age-friendly or positive-ageing initiatives and ensuring that Council’s universal services and facilities are designed to meet the needs of a growing population of older residents.</p>		<p>Transition documentation submitted to Commonwealth Government.</p>	
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Tabled 14 June 2023 Council Meeting

**Summary of Action on Council Resolutions – Outstanding Previous Months Items to 10 May 2023 Council Meeting**

			<p>Further policy work and recommended directions will be referred to the 2023/24 budget process for review and approval.</p> <p>(j) Notes that Council’s policy objective of ensuring that older adults seeking to live independently in the community will be provided with quality home support services will not be compromised by this decision. Services will continue to be provided and Council will be able to reinvest its current ratepayer subsidy into alternative strategic priorities.</p> <p>(k) Provides delegated authority to the CEO, or their nominee, to undertake or commission all tasks and activities related to the implementation of this council decision.</p> <p>(l) Appoints Mayor and CEO as spokespersons for all matters related to the Home Support Transition process.</p> <p>(m) Approves immediate notification of its final decision to, and appropriate consultation with:</p> <p>(i) Clients and families  (ii) Staff and union representatives  (iii) Media &amp; other communications  (iv) Broader community</p>			
12042023	Infrastructure and Delivery	8.2.4	<p>That the Council:</p> <ol style="list-style-type: none"> <li>1. Approve a financial co-contribution of \$200,000 from the Grant Opportunity Reserve FY23 for the purposes of a funding application towards the Changing Places Funding Round 2023.</li> <li>2. Delegate authority to the Chief Executive Officer to apply for the Changing Places funding round 2023; and</li> <li>3. Authorises the Chief Executive Officer to sign the funding agreement on behalf of the Council should the application be successful.</li> </ol>	DID	Application submitted	Commenced

Tabled 14 June 2023 Council Meeting

**Summary of Action on Council Resolutions – Outstanding Previous Months Items to 10 May 2023 Council Meeting**

08022023	Infrastructure and Delivery	8.2.1	That Council: 1. Notes that following the 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 the nine-lot subdivision surplus land at 110 Sutcliff Street, Sea Lake by private treaty or auction in accordance section 114 of the Local Government Act 2020 and Council's Sale of Land Policy; and 3. Authorises the Chief Executive Officer to execute the Transfer of Land documents and any other documents required to affect the sale of the land.	DID	Letters sent. (Amended following resolution of CM 08032023)	Commenced
14122022	Infrastructure and Delivery	8.2.4	That Council: 1. Enter into a Management Agreement for the Wycheproof Caravan Park with Wyche Alive Inc. for up to forty-eight (48) months. 2. Authorise the Chief Executive Officer to finalise negotiations and execute the Management Agreement on behalf of Council.	DID	Management Agreement executed	Complete



**8. GENERAL BUSINESS**

**8.1 POLICY REPORTS**

Nil

## 8.2 MANAGEMENT REPORTS

### 8.2.1 PLANNING PERMIT APPLICATION PA23012 - FOR A CHANGE OF USE TO EXTEND BUSINESS HOURS - 6 MAIN STREET, CULGOA

**Author's Title:** Planning Officer

**Department:** Community Development

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

**Relevance to Council Plan 2021 - 2025**

**Strategic Objective:** Our Economy

#### PURPOSE

For Council to consider the information in this report and, as the Responsible Authority, resolve to issue a Notice of Decision to grant a Permit or Notice of Refusal.

#### SUMMARY

A Planning permit application has been received by Council on the 1<sup>st</sup> of February 2023 for an extension of trading hours for a food and drinks premises in the Township Zone. A food and drink premises in the Township Zone is a Section 2 – permit required – land use. The application is to extend the hours of operation to allow trading from 6.00am to 6.00pm Monday to Thursday and from 7.00am to 10.00pm Friday, Saturday, and Sunday.

The business is a long-established use and is operating under existing use rights, no planning permit exists. A use in Section 2 of a zone for which an existing use right is established may continue provided any restriction to the use continues to be met. This includes any implied restriction on the extent of activities within the use.

As the proposal is to extend the operating hours outside of the existing extent of the use, a requirement for a planning permit is triggered.

#### RECOMMENDATION

That Council:

Having caused notice of Planning Application No. PA23012 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Grant a Notice of Decision to Grant a Permit under the provisions of 32.05-2 of the Buloke Planning Scheme in respect of the land known and described as 6 Main Street, Culgoa (Lot 1 TP751938), for the extension of trading hours in accordance with the endorsed plans, with the application dated 1st February 2023, subject to the following conditions:

Draft permit conditions:

*General conditions*

1. The use of the land must only occur between the hours of:

- 6.00am – 6.00pm Monday- Thursday
- 7.00am – 10.00pm Friday – Sunday

unless these hours are varied with the written consent of the responsible authority.

*Amenity*

2. The use and development must be managed so that the amenity of the area is not detrimentally

affected, through the:

- a) Transport of materials, goods or commodities to or from the land
- b) Appearance of any building, works or materials
- c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
- d) Presence of vermin, or
- e) in any other way

to the satisfaction of the responsible authority.

3. The use and development of the land must not interfere with surrounding existing uses, including residential.

*Permit expiry*

This permit will expire if:-

- The use does not start within two (2) years of the date of this permit; or
- The use is discontinued for a period of two (2) years.

In accordance with section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the period referred to in this condition

**Attachments:** Nil

## DISCUSSION

A Planning permit application has been received by Council on the 1<sup>st</sup> of February 2023 for an extension of trading hours for a food and drinks premises in the Township Zone. A food and drink premises in the Township Zone is a Section 2 – permit required – land use.

### **Proposal**

The application is to extend the hours of trade at an existing food and drinks premises. The proposal is to extend the hours of trading to:

- 6.00am – 6.00pm Monday- Thursday
- 7.00am – 10.00pm Friday – Sunday

### **Subject site and locality**

An inspection of the site and the surrounding area has been undertaken.

The site has a total area of 1651m<sup>2</sup> and currently contains:

- The existing food and drink premises (café)
- The shop frontage adjoins Main Street.
- Angle parking out the front of the shop
- Minor outbuildings

The main site/locality characteristics are:

- The area is mostly flat
- Directly opposite over Main Street are residential properties, comprising free standing single dwelling per lot uses.
- Diagonally opposite to the north is a 1982m<sup>2</sup> allotment used for a park.

- Adjoining the property to the north is a Hotel
- Adjoining the property to the south is a CFA property
- Along Main Street there exists a mix of buildings including buildings that in the past were used for commercial purposes now used for residential purposes, the town hall, single storey dwellings, a park, and a disused bowling green
- The property is located in the centre of Culgoa township. Culgoa township had a population of 86 in the 2021 census
- Culgoa is located on the Calder highway 34km south of Sea Lake and 43km north of Wycheproof

### **Assessment**

The land is zoned Township Zone (TZ). The purpose of the Township zone includes:

- To provide for residential development and a range of commercial, industrial and other uses in small towns.

The Heritage Overlay is applied to the property. No permit is required under the Heritage Overlay as no building and works are proposed.

A planning permit is required at Clause 32.05-2. The land use 'food and drink premises' is a Section 2 use, planning permit required, in the Township Zone. As the food and drink premises land use was lawfully carried out prior to the approval date of the Buloke planning scheme, the premises are operating under existing use rights. No planning permit exists.

A use in Section 2 of a zone for which an existing use right is established may continue provided any restriction to the use continues to be met. This includes any implied restriction on the extent of activities within the use.

As the proposal is to extend the operating hours outside of the existing extent of the use, a planning permit is required.

<b>Decision Guideline – Township Zone</b>	<b>Comments</b>
The Municipal Planning Strategy and the Planning Policy Framework.	<i>These have been considered, please refer to details below.</i>
The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.	<i>The proposed extension of trading hours will not have a negative impact on town character.</i>
The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.	<i>Services are connected. The proposal will not have a significant effect on services</i>
The effect that existing uses on adjoining or nearby land may have on the proposed use.	<i>The adjoining existing uses will not have an impact on the proposed use</i>
The scale and intensity of the use and development.	<i>The scale and intensity of the use will have no impact on the immediate amenity of the area</i>
The safety, efficiency and amenity effects of traffic to be generated by the proposal.	<i>The extended operating hours will not generate additional traffic movements to the extent that there will be a significant detrimental effect on amenity. There is ample provision for on street parking at the location.</i>

**Municipal Planning Strategy (MPS)**

The following Municipal Planning Strategies have been considered as part of this application:

<b>02 MUNICIPAL PLANNING STRATEGY</b>
<b>02.03 STRATEGIC DIRECTIONS</b> <b>02.03-6 Economic development</b> Council's strategic directions in this clause relevant to this application include: <ul style="list-style-type: none"> <li>Encouraging economic development and activity that increases opportunities for the community.</li> </ul>
<u>Comments:</u> <i>The proposal is consistent with Municipal Planning Strategy.</i>

**Planning Policy Framework (PPF)**

The following Planning Policy Framework have been considered as part of this application:

<b>17 ECONOMIC DEVELOPMENT</b>
<b>17.01-1S Diversified economy</b> Objective: to strengthen and diversify the economy Strategies include supporting rural economies to grow. <b>17.02-1S Business</b> Objective: to encourage development that meets the community's needs for retail, entertainment, office and other commercial services. Strategies include providing small scale shopping opportunities that meet the needs of local residents and workers in convenient locations. <b>17.04-1L Tourism</b> Strategy in this local policy includes encouraging use and development that facilitates tourism experiences including natural and cultural heritage, landscapes, events and culinary products with a local focus.
<u>Comments:</u> <i>The proposed extension of trading hours is consistent with the planning policy framework.</i>
<b>15.03 HERITAGE</b> <b>15.03-1S Heritage conservation</b> <b>Objective</b> To ensure the conservation of places of heritage significance.
<u>Comments:</u> <i>The Heritage Overlay applies to the subject land and is specified in the Schedule to the Overlay.  The building is of LOCAL significance and has been identified in the Shire of Buloke Heritage Study.  No building and works are proposed; there will be no impact on the heritage significance of the property.</i>

**The decision guidelines of Clause 65**

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate

<b>Decision Guidelines</b>	<b>Comments</b>
Any significant effects the environment, including the contamination of land, may have on the use or development.	<i>The subject land is not likely to be contaminated and is not highlighted on the EPA Register.</i>
The Municipal Planning Strategy and the Planning Policy Framework.	<i>These have been considered in more detail above.</i>
The purpose of the zone, overlay or other provision.	<i>The proposed extension of trading hours is consistent with the purpose of the zone. The Township zone provides for a range of commercial uses in small towns.</i>
Any matter required to be considered in the zone, overlay or other provision.	<i>These have been addressed earlier in the Report.</i>
The orderly planning of the area.	<i>The proposed extension of trading hours is considered to be orderly planning</i>
The effect on the environment, human health and amenity of the area.	<i>The proposed extension of trading hours is not likely to have a negative impact on the environment, human health or amenity of the area.</i>
The proximity of the land to any public land.	<i>The nearest public land is the Council owned park opposite and the Council owned Bowling Club land.  There is substantial public land reserve on the watercourse to the west of the subject land.  The proposal will have no impact on public land in the immediate area.</i>



Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	<i>The proposed extension of trading hours will not have an impact on land degradation or reduce water quality.</i>
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	<i>The proposed extension of trading hours will not have an impact to existing stormwater discharge.</i>
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.	<i>The proposed extension of trading hours will not increase any hazard.</i>
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	<i>The extension of trading hours will not generate additional traffic and delivery movements to an extent that will affect traffic flow and road safety.</i>
The impact the use or development will have on the current and future development and operation of the transport system.	<i>The extension of trading hours will not generate additional traffic and delivery movements or make any changes to the road reserve that may affect the future development of the transport system.</i>

**Summary of Key Issues**

A permit is required to extend the hours of operation of the business as the business is operating in the Township Zone and the operation of a retail business in the TZ is a permit required land use.

Fifteen (15) objections were received to the application. The objections did not raise any planning issues but focused on their belief that the town is not large enough for two businesses to provide meals in the evening and that this may have a social and economic impact. Generally, objections relating to commercial advantage would not be considered by the responsible authority. However, under Section 60 of the Planning and Environment Act 1987, the responsible authority must consider any significant social effects and economic effects which the responsible authority considers the use or development may have. Section 60 says that the responsible authority must (where appropriate) have regard to the number of objectors in considering whether the use or development may have a significant social effect.

Food and drink providers in the township of Culgoa rely on through traffic on the Calder Highway in addition to custom from local residents in the immediate area to sustain their businesses. An additional food and drink provider provides a further dining option for both locals and through travellers and may therefore generate further economic activity and opportunities for employment, as well as opportunities for further social interaction and engagement in Culgoa. Council planning officers consider that the proposed extended operating hours will not have a significant detrimental social effect.

### **Conclusion**

Council planning officers recommend that a Notice of Decision to Grant a Permit for the extension of operating hours for the food and drink premises be issued.

### **RELEVANT LAW**

The application is being assessed in accordance with the Planning and Environment Act 1987 (the Act)

### **RELATED COUNCIL DECISIONS**

Planning permit A46/04 – for business signage

### **OPTIONS**

Council has the option to resolve to issue a Notice of Refusal to Grant a Permit. (motion below)

*That Council having caused notice of Planning Application No. PA23012 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to issue a Notice of Refusal to Grant a Permit under the provisions of 32.05-2 of the Buloke Planning Scheme in respect of the land known and described as 6 Main Street, Culgoa (Lot 1 TP751938), for the extension of trading hours with the application dated 1st February 2023.*

The Notice must state the grounds on which the application was refused.

### **SUSTAINABILITY IMPLICATIONS**

There are no significant environmental sustainability implications.

### **COMMUNITY ENGAGEMENT**

The application has been advertised pursuant to Section 52 of the *Planning and Environment Act 1987*, by:

- Sending 2 notices to the owners and occupiers of adjoining land.
- Placing a sign on site

The notification has been carried out correctly.

Council has received 15 objections. The key issues that were raised in the objections are:

- That the town is unable to sustain two food and drink premises due to the small township population.

Council has received in excess of 70 signed submissions of support from within the township, the surrounding townships and districts, and through travellers.

Consultation was undertaken and included:

- A mediation meeting was held on the 9<sup>th</sup> May 2023 at 10.30am in the Culgoa Bowling Club facility. An invitation to attend was sent to all 15 objectors. In attendance were the applicants, and two of the objectors. No agreement was able to be reached on alterations to the proposal that would result in the withdrawal of any objections

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

n/a

#### **COLLABORATION**

External Referrals/Notices Required by the Planning Scheme: n/a

#### **FINANCIAL VIABILITY**

n/a

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

n/a

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

n/a

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

In order 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 in the subject matter of this report.

## 8.2.2 CLIMATE CHANGE MITIGATION AND ADAPTATION STRATEGY PROGRESS REPORT

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

**Department:** Community Development

**File No:** EM/13/20

**Relevance to Council Plan 2021 - 2025**

**Strategic Objective:** Our Built and Natural Environment

### PURPOSE

The purpose of this report is for Council to be given an update on progress against the Climate Change Mitigation and Adaptation Strategy and Plan.

### SUMMARY

Buloke Shire Council adopted a 10-year Climate Change Mitigation and Adaptation Strategy and Plan in October 2021. The Plan outlines 50 actions categorised into 13 goals for climate action. This is the first progress report against those actions.

### RECOMMENDATION

That Council notes the progress made against the Climate Change Mitigation and Adaptation Strategy and Plan.

**Attachments:** 1 [Climate Change Mitigation and Adaptation Actions](#)

### DISCUSSION

Buloke Shire Council adopted a 10-year Climate Change Mitigation and Adaptation Strategy and Plan in October 2021.

The Plan outlines 50 actions categorised into 13 goals for climate action:

- Integrate climate into Council operations
- Robust emissions measurement
- Ongoing emergency management
- Waste and landfill emissions reductions
- Council building improvements
- Community building improvements
- Energy security and technology switching
- Low emission transport
- Transport infrastructure improvements
- Improve septic tank management
- Enhance biodiversity, conservation, and revegetation
- Adaptive agriculture
- Shared community vision

Highlights in the progression of the plan include:

- Commitment to reach net zero emissions by 2050
- Successful staging and support of the MASH Program
- Three resilience building projects delivered with a fourth about to be implemented
- Partnership with Yarriambiack Shire Council to deliver a glass crushing program
- Implementation of 'Quick Action' Sustainability Grants as part of Council's Community Grants Program
- Donald and Tarnagulla Microgrid Feasibility Study
- Successful grant application for the updating of Council's Onsite Domestic Wastewater Management recording system.

Whilst implementation of such an ambitious plan will take time and progress can be incremental, progress has been made against the vast majority of the actions.

It is worth noting that the plan was devised and adopted during the COVID-19 pandemic and that some internal resources have also been otherwise focused on the October 2022 flood event.

The attached table outlines a status update on each of the actions of the plan.

#### **RELEVANT LAW**

Federal Government - The Paris Agreement

State Government - Victoria's Climate Change Act 2017

Victoria's Climate Change Strategy 2021-2025

Local Government - The *Local Government Act* 2020 (Vic)

#### **RELATED COUNCIL DECISIONS**

Council adopted the Buloke Shire Council Climate Change Mitigation and Adaptation Strategy and Plan on 13 October 2021.

#### **OPTIONS**

Not applicable.

#### **SUSTAINABILITY IMPLICATIONS**

The plan contains a high-level Action Plan that outlines achievable actions categorised into 13 goals for climate action.

#### **COMMUNITY ENGAGEMENT**

Whilst community engagement has been undertaken around projects such as MASH and the Donald and Tarnagulla Microgrid Feasibility project as this is a progress report no additional engagement has been required.

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

Council has many roles in the delivery of the Action Plan including:

- Leader. Planning and providing direction
- Provider. Delivering services and projects
- Partner. Forming partnerships with other stakeholders in the interest of the community
- Facilitator. Bringing groups and interested parties together
- Supporter. To support and advocate for the community
- Regulator. Regulating some activities through legislation

**COLLABORATION**

Key collaborative bodies in the progression of this plan include the Central Victorian Greenhouse Alliance, Landcare groups and the Victorian State Government.

During the compilation of the plan key partners engaged included:

- Birchip Cropping Group
- Central Victorian Greenhouse Alliance
- Victorian Government Department of Environment, Land, Water and Planning (DELWP)
- Sustainability Victoria
- South-East Mallee, Buloke and Northern Grampians Landcare
- North Central Catchment Management Authority
- Victorian Government Department of Jobs, Precincts and Regions (DJPR)

**FINANCIAL VIABILITY**

Most outlined actions aim to utilise internal staff resourcing for advancement. Other actions require securing of funding from other levels of government or inclusion in Council's long term financial planning and budgeting.

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

The Paris Agreement is an agreement within the United Nations Framework Convention on Climate Change (UNFCCC) which seeks to avoid a global temperature increase of more than 2°C above preindustrial levels, and ideally keep them below 1.5°C. Under the Paris Agreement, countries must set climate change targets. Australia currently has a target to achieve between 26-28% emissions reduction on 2005 levels by 2030.

**State Government**

Victoria's Climate Change Act 2017 and The *Local Government Act 2020* (Vic) identifies several overarching governance principles which create obligations for councils in the context of climate change.

**COUNCIL PLANS AND POLICIES**

Long-Term Community Vision and Council Plan 2021-2025  
Municipal Emergency Management Plan

**TRANSPARENCY OF COUNCIL DECISIONS**

This report is brought to an open Council Meeting in the interests of transparency.

**CONFLICTS OF INTEREST**

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

Goals	Actions	Progress
<b>Integrate climate into Council operations</b>	Include climate scenario and risk profile in Councillor briefing packs and staff induction.	Climate Scenario and risk profile will be an inclusion in the Councillor Induction Program after the 2024 Local Government Elections.
	Ensure climate mitigation and adaptation is represented in all relevant documents, policies, and procedures. Continue reporting on sustainability implications in Reports to Council.	Buloke's Climate Change Mitigation and Adaptation Strategy and Plan is now a key consideration in devising strategic documents for our community. From infrastructure to health planning, climate change is central to any planning.
	Develop climate mitigation and adaptation guidance through the local planning scheme.	Buloke Shire Council Planning Scheme is being reviewed with any update to include climate change considerations.
	Provide professional development training to planning staff on how to educate residents on climate ready developments.	Whilst no such training has been identified at this stage, Council continues to grow its relationship with the Central Victorian Greenhouse Alliance through Councillor Briefings, Council Delegates and regular meetings with officers.
	Use the How Well Are We Adapting tool to monitor impacts of climate change on Council services and develop responses.	This tool is currently focussed on metropolitan councils and doesn't have information relating to rural councils.  Relevance of the tool will be monitored.
<b>Robust emissions measurement</b>	Measure baseline corporate and community emissions in line with robust standards.	Whilst Council's electricity is 100% renewable our baseline corporate and community emissions were last measured in 2017.
	Consider setting a reduced emissions target and interim targets.	Council has undertaken the Take 2 pledge which includes an initiative to reach net zero emissions by 2050.
	Annual measurement and reporting.	Council reports usage of electricity, fuels, and water annually with results published in the Annual Report.
<b>Ongoing Emergency Management</b>	Continue with the Municipal Emergency Management Plan – review and update regularly, develop community champions.	Council has a revised Municipal Emergency Management Plan in draft form. It has also appointed four community members to its Municipal Emergency Management Planning Committee.
	Include planning for alternative transport routes in MEMP and protection of shelters.	Being considered as part of the revised Municipal Emergency Management Plan.
	Ongoing community education campaigns and training on MEMP.	At the time of reporting a training schedule has been commenced with Council staff. Extensive community consultation and education was

		undertaken in response to the October 2022 flood event.
	Assist community groups and businesses with business continuity planning during times of emergency or extreme events.	Council worked directly with local businesses in response and recovery phases of the October 2022 flood event. 14 events were recorded that were cancelled due to floods at a loss of \$5.2m revenue. Council worked with local businesses directly on the Paddock Run flood initiative. Council has been successful in receiving the Business Victorian Mental Wellbeing of Business Communities grant. Training to commence to develop a plan to roll out to small businesses.
	Implement the Safer Together project between CFA and DELWP in the Buloke Shire.	The Safer Together Project has proved difficult to staff and otherwise resource. Buloke and Gannawarra are committed to delivering the project in the 2023-24 Financial Year.
	Identify further community resilience building opportunities.	Council is partnering with the Birchip Cropping Group to deliver an Agriculture Dependent Communities Resilience project and continues to seek funding to support similar initiatives. Council has also delivered a Building Resilience in Volunteerism project, Building Resilience in Business project and Building Resilience in Community Wellbeing project. Council continues to deliver Building Resilience in Young People project with VicHealth and has funding to deliver a Resilience in Community Response and Leadership project (Safer Together project). Council continues to seek funding for resilience projects for climate, sport and recreation, and events and tourism.
<b>Waste and landfill emissions reductions</b>	Develop composting program to divert green and food organic waste from landfill	At present, Buloke Shire Council is collecting green waste (typical of household vegetation) and mulches this material. There is currently no active program for the collection and regenerative processing of food and organic waste.
	Support partnership opportunities to develop a Container Deposit Scheme and Soft Plastic Recycling for the region.	The Victorian State Government is currently working with Scheme Coordinators and Network Operators following the September 2022 Community survey, on the CDS initiative. This initiative is operating in conjunction with Councils Glass Out recycling initiative, to be implemented June 2023.
	Investigate feasibility of recycle and/or compost processing plant in Buloke. Explore partnership options such as BCG for FOGO circular economy	Buloke Shire Council and Yarriambiack Shire Council have entered into an agreement, for the provisions of crunching recycled glass. Buloke is currently undertaking industry research into the Victorian State Government recycling initiative, for Glass Out 2027 - reducing comingled recycling, and for FOGO 2030.

	Support grass-roots initiatives to reduce single use economy, such as local Op Shops and repair sheds	Investigations recommend undertaking a feasibility study linked to Southern Grampians Shire Council waste - re-use facility.
	Investigate feasibility of Emissions Reduction Fund landfill gas capture project and implement if successful.	No report on this initiative.
<b>Council building improvements</b>	Conduct facility assessments, targeting high emitting or at-risk Council-owned facilities first	Sustainability audits were done in 2016 under the LG Energy Savers program at the Birchip Leisure Centre, Sea Lake Community Centre, and Nullawil Recreation Reserve. No funding available at this stage to progress further audits.
	Install Motion Sensors in offices and community buildings	A recent audit showed that 80% of council owned buildings have at least one single external sensor light. Most facilities, such as toilet blocks, have internal and external sensors such as PPE and timers. Old lighting solutions such as fluorescents, are being replaced by LED as needed. There is no register to report on any upgrades that are sustainable.
	Identify specific reduction/adaptation measures for each facility and implement	Council will continue to work towards a more strategic implementation of such measures. Currently these measures are considered project by project.
	Consider a Sustainable Building Policy for new buildings and refurbishments	Whilst energy ratings are considered as part of all new dwelling builds and dwelling upgrades no such policy has yet been developed.
	Keep track of assessments and improvements in line with asset management	Register to be initiated to keep a record of all sustainable upgrades already undertaken on Council owned buildings such as solar panels and LED light replacement.
<b>Community building improvements</b>	Encourage community to participate in schemes and programs that help them to understand their energy bills and seek advice/funding on how to reduce energy consumption and make their buildings more resilient	Buloke Shire Council supports the MASH program and has hosted information sessions for the community in Charlton, Donald, and Wycheproof. At this stage the program is on hold until mid-2023. Small Business Energy Saver Program was available to small businesses from Sustainability Victoria to apply for sustainable upgrades.
	Continue to promote the uptake of Council's Sustainability Grant Program.	Ongoing. Council reviews its Community Grant Guidelines annually and in the 2022-23 financial year implemented "Quick Action Sustainability Grants" which were available with no matching contribution by applicants.
<b>Energy security and technology switching</b>	Advocate for suitable transmission and distribution infrastructure to support renewable energy projects	Council continues to advocate for appropriate and sustainable transmission and distribution infrastructure. This includes calling on the Minister for Climate Action, Energy and Resources and the State Electricity Commission to suspend the installation of the VNI West

		Project within the Buloke Shire and implore her to consult in a genuine and open manner to those to be potentially impacted by the installation of the proposed project.
	Complete Microgrid Feasibility Study and implement upon successful study	Underway is the Donald and Tarnagulla Microgrid Feasibility Study with C4NET undertaking the study, with partners, RMIT, Federation University, Powercor, CVGA, Loddon and Buloke Shires. To be completed by 2024 and will inform the practicalities of using microgrids to address energy needs. Exploring multiple option for solar and storage. There will also be an assessment tool available for any community to use to advance energy needs.
<b>Low emission transport</b>	Look for partner opportunities to conduct a feasibility study and transition planning to electrify fleet vehicles.	Ongoing and an agenda item with Central Victorian Greenhouse Alliance. Buloke has two, double fast chargers located in Sea Lake and Wycheproof.
	Raise community awareness of EVs and encourage community to take up State packages (e.g., grant for EV purchase)	Ongoing with Council utilising its media platforms to promote local EV charging stations. This is also an agenda item with Central Victorian Greenhouse Alliance.
	Continue to assess community EV use and advocate for State to (co-)fund chargers and electricity costs	In April, BSC, Mildura and Bendigo Council were approached by NRMA to host potential sites for EV chargers as part of their national EV charging network. They were keen to have EV charger in Sea Lake and Wycheproof. Council has suggested a charging station at the Travellers Rest in Charlton. They are investigating this option.
	Collaborate with the Mallee Hydrogen Technology Cluster to identify opportunities as they arise.	Continue to investigate opportunities.
	Encourage and support car-pooling projects and community solutions towards low emission transport.	Staff are encouraged to share pool vehicles when travelling where possible and when safe to do so. The COVID-19 pandemic slowed progress on this action.
	Continue investing in footpath maintenance to encourage walking instead of driving within small town reach.	Council invests in footpath renewal in each Annual Budget and is currently devising a Footpath Strategy and partnering with the Charlton Neighborhood House in the TAC funded Safer Charlton Pathway Project. Council is also advocating for \$300,000 to develop a walking path loop network throughout Sea Lake.

<b>Transport infrastructure improvements</b>	Update asset management in line with mitigating climate risks	Council's Asset Plan 2022-2032 was adopted in September 2022 and provides an overview of Council's fixed assets, the strategic challenges it faces in responsible asset management, and the strategies Council is pursuing over the next 10 years.
	Advocate for public transport infrastructure	Council is advocating for the completion of the Murray Basin Rail Project and has this included in its Advocacy Strategy.
	Advocate for rail freight	Council has an appointed Rail Freight Alliance Delegate and regularly attends meetings. Council is also advocating for the completion of the Murray Basin Rail Project and has this included in its Advocacy Strategy.
<b>Improve septic tank management</b>	Re-new community education on correct septic tank management to reduce risk of health and financial risks to community	Council has been successful in securing funding of \$20,000 from the Department of Environment, Energy and Climate Action to update its Onsite Domestic Wastewater Management recording system. The project is due to be implemented by May 2024.
	Better resource Environmental Health to increase frequency of inspections	Council has utilised the Municipal Association of Victoria Resource Program to strengthen its Environmental Health Officer impact and continues to partner with the EPA in the OPLE Program.
	Advocate for improved domestic wastewater management in townships currently without formal sewerage systems	No complaints.
<b>Enhance biodiversity, conservation and revegetation</b>	Strengthen relationships with local Landcare Groups.	Buloke Shire Council partners with all the Landcare groups within the shire. These groups are; Birchip, Nullawil, Wycheproof, Donald, Culgoa, Sea Lake Charlton, Berriwillock, Curyo/Watchupga, Lalbert, and Friends of Mt Wycheproof. The groups apply for a variety of grant funding and projects are undertaken, especially in weed and rabbit control on roadsides. These projects complement the weed and rabbit control Council undertakes on our roadside through the funding received through the Victorian State Government.
	Ecological mapping and planning	No funding available at this stage.
	Continue use of tools and tree asset management and undertake a priority tree audit	Planting was done in 2020 from the Cool It stage 2 project - 17 trees planted in Charlton - 25 in Donald - 11 in Wycheproof - 16 in Sea Lake in addition to planting undertaken by the Parks and Urban team. Council continues to work toward tree audits. Procurement of such professionals can be difficult.

	Work with key community groups to link with funded opportunities to promote community understanding of biodiversity, conservation and revegetation.	Council is advocating for \$500,000 annually over five years for the Greening Buloke Project s to improve its sustainability performance and provide a more liveable community for residents and tourists. Council has worked closely with the CVGA to identify priority tree canopy deficiencies and aims to improve tree canopy cover and provide an appealing and cooler township.
	Strengthen relationships with Traditional Owners in biodiversity, conservation, and revegetation projects.	Council's CEO and Director Community Development are working directly with both Barengi Gadjin and Dja Dja Wurrung Council has also formed a working group in relation to the Mount Wycheproof Emu Management Plan with incudes traditional owners. Key Council staff have attended and participated in a Traditional Owner Flood Recovery Forum.
<b>Adaptive agriculture</b>	Organise educational events with key partners, such as building on the success of the BCG Climate Change.	An educational event is being planned for delivery in the middle of 2023.
	Collaborate with State and farming/agriculture groups to provide co-funding opportunities to small farmers that are not eligible for other schemes	Council's Economic Development Lead promotes funding availability broadly and directly with local small farmers.
<b>Shared community vision</b>	Develop a communication strategy to encourage positive discussion and acceptance of climate change	Climate Change is a theme included in Council's Communication Strategy, endorsed in August of 2022.
	Encourage community networking through participation in existing programs	Council supports the promotion and participation in programs via its Community Update weekly advertisements in local papers, its Customer Service Update bulletin compiled and distributed weekly and via its well renowned social media channels.
	Link this plan strongly with Local Community Plans and Council Plan and Long-Term Community Vision to collectively work towards "Building a Better Buloke".	Council is developing a Community Planning Framework ahead of updating all ten Community Plans. This will pave the way for the updating of the Community Vision, Council Plan and Community Health and Wellbeing Plan after the next Council Elections in late 2024.

## 8.2.3 SUMMARY OF PUBLIC BUDGET SUBMISSIONS - DRAFT ANNUAL BUDGET 2023/24

**Author's Title:** Manager Financial Strategy

**Department:** Corporate and Organisational Performance **File No:** FM/05/02

**Relevance to Council Plan 2021 - 2025**

**Strategic Objective:** Our Council and Community Leadership

### PURPOSE

The purpose of this report is to present a summary of public submissions in relation to the Buloke Shire Council Draft Annual Budget 2023/24.

### SUMMARY

At the Council Meeting held on 10 May 2023, Council resolved for the Draft Annual Budget 2023/24 to be publicly advertised in accordance with the Council's Community Engagement Policy. On 11 May 2023, the community was invited to make budget submissions over the three-week advertisement period, which ceased at 12 noon on 1 June 2023.

Council has received five submissions to the Draft Annual Budget 2023/24, two of which were received prior to the advertisement period. Two recent submissions relate to feedback and comments of support for Council's Draft Annual Budget. Council received one late submission which has been included for consideration.

People who have made a submission have been invited to attend the 14 June 2023 Council Meeting to present on their submissions.

Councillors will have a further opportunity to discuss submissions at the 21 June 2023 Councillor briefing and will seek to consider the Annual Budget 2023/24 at its special meeting on 27 June 2023.

### RECOMMENDATION

That Council receives and notes each public budget submission made in relation to Buloke Shire Council's Draft Annual Budget 2023/24 as endorsed for advertisement on 10 May 2023.

- Attachments:**
- 1 [Public Budget Submissions 2023-24 - Martin Duke – Friends of Mt Wycheproof](#)
  - 2 [Public Budget Submissions 2023-24 - David Bell](#)
  - 3 [Public Budget Submissions 2023-24 - Martin Duke \(feedback and questions\)](#)
  - 4 [Public Budget Submissions 2023-24 - Ricky Allan - Wycheproof-Narraport Football Club \(feedback\)](#)
  - 5 [Public Budget Submissions 2023-24 - De-Anne Ferrier](#)

**DISCUSSION**

Prior to and over the course of the community engagement period for the Draft Annual Budget 2023/24, four submissions were received from members of the Buloke community. One further submission was received after the engagement period. A summary of these submission is tabled below and further detail is included in the attachments to this report. Three of the submissions will have budget implications if they are to be pursued by Council.

**Submissions received in relation to the Draft Annual Budget 2023/24:**

<b>Submission date, person, presentation preference</b>	<b>Description of request</b>	<b>Officer comment</b>
21/10/2022  Mr Martin Duke – Friends of Mt Wycheproof  <i>Elected to present at Council Meeting? No.</i>	Spot spraying of weeds on the Mount Wycheproof by contractor.  Budget implications: \$10,000 per annum, ongoing	Following consultation with the Environmental Compliance team, this would require an additional budget allocation.
20/02/2023  Mr David Bell  <i>Elected to present at Council Meeting? Yes.</i>	Electric vehicle charging stations in Birchip.  Budget implications: Costings TBC	This project was considered during the 2023/24 capital projects prioritisation process however did not proceed to the final list of projects recommended.
01/06/2023  Mr Martin Duke  <i>Elected to present at Council Meeting? No.</i>	Provision of feedback and general questions regarding details displayed in the Draft Annual Budget 2023/24.  Budget implications: Nil	Answers to all queries to be provided to the submitter.
01/06/2023  Mr Ricky Allan  <i>Elected to present at Council Meeting? No.</i>	Acknowledgement and thank you to Council for the inclusion of budget relating to the development of the Wycheproof Recreation Reserve Master Plan.  Budget implications: Nil – project included in Draft Budget subject to external funding.	Project included in Draft Budget subject to external funding. Response to be provided to submitter.
09/06/2023  De-Anne Ferrier  <i>Elected to present at Council Meeting? Yes.</i>	Feasibility study and concept designs relating to an additional building at the Birchip Early Learning Centre.  Budget implications: \$15,000	This project is in the feasibility stage and has not been included in the Draft Budget at this point. More information to be provided to Councillors.

All submitters to the Draft Budget have been invited to address Council with two electing to take up this opportunity. These presenters will be allowed 15 minutes for their presentation, consisting of 10 minutes for the presentation and 5 minutes for any questions from Councillors.

**RELATED COUNCIL DECISIONS**

Council endorsed to advertise the Draft Annual Budget 2023/24 for community consultation at the Council Meeting on 10 May 2023.

**COMMUNITY ENGAGEMENT**

The Draft Budget engagement process comprised media information across print, social and radio media. A copy of the Draft Budget was placed on the Council's website. A presentation was also made to community forums at the Community Forum Summit on 16 May 2023. The process of community engagement is consistent with the Council's community engagement policy.

**TRANSPARENCY OF COUNCIL DECISIONS**

Council's engagement approach provided for receipt and consideration of submissions to the Draft Budget at the 14 June 2023 Council Meeting which is open to the public. Private information has been excluded from this report and attachments.

**CONFLICTS OF INTEREST**

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

### Public Budget Submissions 2023/24

<b>Date submitted</b>	21/10/2022
<b>Submitted by</b>	Martin Duke – Friends of Mt Wycheproof
<b>Summary</b>	Request for an annual budget allocation for spot spraying of weeds on the Mount Wycheproof by a contractor.
<b>Budget implications</b>	\$10,000 per annum, ongoing

#### Detailed Submission

Hi Folks,

At a recent meeting with Travis Fitzgibbon, he suggested we needed to submit an application for future budgets in around October this year. So I forward this submission for the Council to consider allowing an annual allocation for a contractor to spot spray on Mt Wycheproof in the 2023/24 financial year.

Please let me know if you need any more information on this matter.

To the Mayor and Councillors of Buloke Shire Council.

2023/24 financial year budget submission.

Summary - This letter is on behalf of the Friends of Mt Wycheproof. And is an application to Council to establish in the 2023/24 financial year draft budget a \$10,000 per year allocation for the spot spraying of weeds on the Mount Wycheproof.

Supporting background information.

In the 2020/21 financial year the Council was kind enough to grant the FoMW \$6,600 under the Community Sustainability Grant program, to have a contractor undertake the spot spraying of weeds on the Mt Wycheproof Reserve, and to some extent the road reserves adjoining.

There has been a number of delays due to some interpretations of the order by First People – State Relations group prohibition of works on the Mount. And we have had challenges with seasons of the year and getting the contractor on site.

In the period June to August 2022, we have had TMC (an approved Birchip contractor) undertake spot spraying of weeds on the Mount Reserve and some surround edges of road reserves, on three separate occasions. This was after a 2 year or so hiatus of no spot weed spraying on the Mount Reserve.

The contractor and FoMW know that we have contained perhaps 90% of majority of the weeds with the present works, and feel this has been a good outcome. And the feeling is that regular 6 monthly visits by the contractor would hopefully keep the weeds under control.

However we do face a challenge with the gazania invasion. The 2 year hiatus has given them an opportunity to spread a bit more than initially appreciated. And we feel that in the next few years

extra visits will be necessary in the spring season as the gazanias show them-selves. Hopefully after the first 2 years this will back off.

The initial days' work by TMC cost \$4,400 , and the next two days are expected to be similar. TMC have charged FoMW \$1,250 a day per subsequent visit.

This has not included any allowance for rabbit and warren controls on the Mount, which are seen to be needed

Thus FoMW believe that the Council should allocate approximately \$10,000 per annum for the work to have a contractor undertake the spot spraying of the Mount Reserve and some surrounds.

A recent meeting of FoMW suggested that if successful with this extra funding for the Mount, we also offer to address the gazanias in the Wycheproof Shire Depot, which from a distance seems to have a lot of infestation, and could be a cause of the re-seeding on the Mount Reserve

Please let us know if you need any more information in support of this budget bid.

Regards,

Martin Duke

Chair - Friends of Mount Wycheproof

21st October 2022

### Public Budget Submissions 2023/24

<b>Date submitted</b>	20/02/2023
<b>Submitted by</b>	David Bell
<b>Summary</b>	Request for electric vehicle charging stations in Birchip.
<b>Budget implications</b>	TBC

#### Detailed Submission

The Buloke Shire Council

I am petitioning the council to take immediate steps to install Electric Vehicle Charging Stations in Birchip.

I am aware that such stations were included in the masterplan for the Birchip shopping precinct, but that will be a long way off.

Recent news reports indicate that there are currently 83,000 EV's on the road in Australia and the number is growing exponentially.

Recently I hired an EV for a weekend and got to know the blessings and the banes of these cars. The blessings are the quietness and the almost negligible cost of public charging.

The banes are entirely related to lack of charging stations, and the maintenance of such.

An EV driver has to plan a trip to make sure that there is enough battery life to get where he/she is going. In the country this planning is extra important, but EV drivers will still want to visit towns all over the state.

When a driver arrives at a town they will spend 30 to 40 minutes charging the car; they will also spend 30 to 40 minutes in the shops, at least having a cup of coffee.

At the moment Birchip does not attract EV drivers because we do not offer the thing that they need most.

While the public awaits Buloke's deliberations on the masterplan it seems to me that charging stations cannot wait given the exploding uptake of electric vehicles.

In a related matter I would like to say how delighted I am with the recent improvements to the main street of Birchip. There is a very clearly marked bike lane on either side of the median strip, and I ride my electric bike along those lanes every day. I have a heightened sense of safety because of those lanes.

David Bell

### Public Budget Submissions 2023/24

<b>Date submitted</b>	01/06/2023
<b>Submitted by</b>	Martin Duke
<b>Summary</b>	Feedback and questions regarding details displayed in the Draft Annual Budget 2023/24 document. A formal response is to be provided.
<b>Budget implications</b>	NIL

#### Detailed Submission

Dear Mayor and Councillors,

Thank you for the opportunity to submit comments to the 2023/24 Draft Annual Budget 2023/24 as shown on your website, and shared at the recent Forum Summit.

I give compliments to the format for the Fees and Charges section, as it is easier to see the changes proposed than the 2022/23 edition.

Comments are as follows:-

Page 9 - In the Municipal Emergency Management category for 2023/24. How is it philosophically possible to have a surplus of income? I would have thought the state and federal grants would only match expenditure. Is this a reflection of the delay in receiving the due amounts for the other levels of government?

Page 11 – In the Saleyard category for 2023/24. What is the large expenditure for, larger than the previous and subsequent years?

Page 12 – Office of CEO and Executive Management for 2022/23 versus 2023/24. There is a dramatic drop in expenditure, for what reason? Human Resources for 2022/2023 versus 2023/24. There is a very large increase, for what reason?

Page 16 - Comprehensive Income Statement. The overall figures give me an impression that the Capital grants are supporting the achievement of a surplus in 2023/24. If so, this is not good. And the subsequent three years of losses is a worry.

Page 17 – Balance Sheet. From the above does this show that the reduction in total asset value over the 2024/25 to 2026/27 period is being used to try and balance the books?

Page 20 – Statement of Capital Works. The New Assets expenditure is shown to be increasing dramatically for 2023/24 versus 2022/23. I do hope the planning and staffing of the management of these expenditure is well in train for such a big year. I assume from the note on page 35 that the planning should be in place, from the 2022/23 year.

Pages 46 to 49 - Fees and Charges. I am not sure why there are so many increases that are less than 3.5 percent. Nowadays, I imagine most of these fees are paid for by fund transfers and not cash, and so trying to round to the nearest 10 or 50 cents is not as necessary.

Lastly, thank you for the offer of being able to present my comments and perhaps get direct feedback from the Council meeting on 14 June, however I have commitments in other places on that day.

I hope the budgeting process brings a satisfactory outcome for the Council for the 2023/24 year and for subsequent years.

Yours Sincerely,

Martin Duke

**Public Budget Submissions 2023/24**

<b>Date submitted</b>	01/06/2023
<b>Submitted by</b>	Ricky Allan - Wycheproof-Narraport Football Club
<b>Summary</b>	Acknowledgement and thank you to Council for the inclusion of budget relating to the development of the Wycheproof Recreation Reserve Master Plan.
<b>Budget implications</b>	N/A

**Detailed Submission**

Dear Mayor, Councillors and Mr O'Toole

I write today to acknowledge and thank you, and your staff for the inclusion of funding to support the development of the Wycheproof Rec Reserve Master Plan.

This funding will go a long way to ensure our community facilities continue to be fit for purpose and serve all of our community.

We look forward to working with your staff to ensure a positive outcome for the Wycheproof Rec Reserve and the wider community.

Ricky Allan

Wycheproof-Narraport Football Club President.

### Public Budget Submissions 2023/24

<b>Date submitted</b>	09/06/2023
<b>Submitted by</b>	De-Anne Ferrier
<b>Summary</b>	Feasibility study and concept designs relating to an additional building at the Birchip Early Learning Centre.
<b>Budget implications</b>	\$15,000

#### Detailed Submission

Dear Buloke Shire Councillors,

Following Councillor Hogan's presentation at the Council Briefing in Wednesday 7 June 2023, the Birchip Early Learning Centre Parents Advisory Group (BELC PAG) committee would like Council to consider a late Budget submission of approximately \$15 000 for a feasibility study to be conducted for improvements to the existing Birchip Early Learning Centre and to investigate the feasibility of increasing the services at this facility.

Please find attached three proposals that I sourced late last year. These are all from architects only.

Each architect was consulted and provided information to ensure the quotes were suitable.

The BELC PAG committee believes the group from Echuca, Brandrick, offer the best value for money and were the most impressive in their consultation. Their quote was for \$7 700 and the highest quote was for \$15 000.

We believe a feasibility study for this nature is generally conducted by an architect and a consultant and we would like the budgeted amount to reflect this requirement.

We would like to take the opportunity to provide more information and to present to Council in person to assist you in making your decision.

Thank you for considering this submission and please feel free to contact me if you require more information,

Yours faithfully,

De-Anne Ferrier

Birchip Early Learning Centre PAG Committee President

**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**