



ORDINARY COUNCIL MEETING

MINUTES

Monday 23 November 2020

Commencing at 7.00pm

Wycheproof Supper Room

367 Broadway, Wycheproof

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

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

That Council adopt the Minutes of the Ordinary Meeting held on Wednesday, 14 October 2020 and Thursday, 22 October 2020.

MOVED: CR DAVID VIS

SECONDED: CR CAROLYN STEWART

**CARRIED.
(R849/20)**

4. REQUESTS FOR LEAVE OF ABSENCE

Nil

5. DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

Cr Alan Getley declared a Conflict of Interest in Item 15.1 due to being a Real Estate Property Manager for properties in this street, and being a Bank Director and member of Charlton Forum.

6. MAYORAL AND DEPUTY MAYORAL TERM OF OFFICE AND ELECTIONS

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15. MATTERS WHICH MAY EXCLUDE THE PUBLIC

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

15.1 CONTRACT No. C82 2020-2021 PAVEMENT CONSTRUCTION AND DRAINAGE WORKS - DAVIES STREET.
TENDER EVALUATION REPORT

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

16. MEETING CLOSE

NEXT MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN WYCHEPROOF SUPPER ROOM, 367 BROADWAY, WYCHEPROOF ON WEDNESDAY, 9 DECEMBER 2020 AT 7.00PM.

Anthony Judd

CHIEF EXECUTIVE OFFICER

6. MAYORAL AND DEPUTY MAYORAL TERM OF OFFICE AND ELECTIONS

6.1 MAYORAL TERM OF OFFICE

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/07/06

Relevance to Council Plan 2017 - 2021

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

SUMMARY

Council is to determine the Mayoral Term as per the Council's Governance Rules 2020 (Clause 7) adopted 12 August 2020 in accordance with the *Local Government Act 2020*.

MOTION:

That pursuant to section 26 of the Local Government Act 2020, Council elect the Mayor for a term of 1 Year.

MOVED: CR BRONWYN SIMPSON

SECONDED: CR CAROLYN STEWART

CARRIED.
(R850/20)

Nil

DISCUSSION

Section 26(4) of the Local Government Act 2020 requires that Council must elect a Councillor to be the Mayor of the Council.

The Act also provides that before a Mayor is elected, the Council may resolve to elect a Mayor for a term of one or two years.

If the Mayor is elected for a 1 year term, the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the 1 year term as is reasonably practicable.

If the Mayor is to be elected for a 2 year term, the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the 2 year term as is reasonably practicable.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this report.

COST SHIFT CONSIDERATIONS

There are no cost shift considerations relevant to this report.

COMMUNITY CONSULTATION

No community consultation was required in writing this report.

INTERNAL CONSULTATION

No internal consultation was required in writing this report.

LEGISLATIVE / POLICY IMPLICATIONS

This report is compiled as per the Council's Governance Rules 2020 (Clause 7) adopted 12 August 2020 in accordance with the *Local Government Act 2020*.

ENVIRONMENTAL SUSTAINABILITY

There are no environmental sustainability considerations relevant to this report.

CONFLICT OF INTEREST CONSIDERATIONS

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

CONCLUSION

Council to determine the Mayoral Term as per the Council's Governance Rules 2020 (Clause 7) adopted 12 August 2020 in accordance with the *Local Government Act 2020*.

6.2 DEPUTY MAYORAL TERM OF OFFICE

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/07/06

Relevance to Council Plan 2017 - 2021

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

SUMMARY

Council is to determine the Deputy Mayoral Term as per the Council's Governance Rules 2020 (Clause 8) adopted 12 August 2020 in accordance with the *Local Government Act 2020*.

MOTION:

That pursuant to Council's Governance Rules 2020 (clause 8) in accordance with the *Local Government Act 2020*, Council elect the Deputy Mayor for a term of 1 Year.

MOVED: CR ALAN GETLEY

SECONDED: CR DAVID VIS

CARRIED.
(R851/20)

Nil

DISCUSSION

If the Deputy Mayor is elected for a 1 year term, the next election of the Deputy Mayor must be held on a day to be determined by the Council that is as close to the end of the 1 year term as is reasonably practicable.

If the Deputy Mayor is to be elected for a 2 year term, the next election of the Deputy Mayor must be held on a day to be determined by the Council that is as close to the end of the 2 year term as is reasonably practicable.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this report.

COST SHIFT CONSIDERATIONS

There are no cost shift considerations relevant to this report.

COMMUNITY CONSULTATION

No community consultation was required in writing this report.

INTERNAL CONSULTATION

No internal consultation was required in writing this report.

LEGISLATIVE / POLICY IMPLICATIONS

This report is compiled as per the Council's Governance Rules 2020 (Clause 8) adopted 12 August 2020, in accordance with the *Local Government Act 2020*

ENVIRONMENTAL SUSTAINABILITY

There are no environmental sustainability considerations relevant to this report.

CONFLICT OF INTEREST CONSIDERATIONS

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

CONCLUSION

Council to determine the Deputy Mayoral Term as per the Council's Governance Rules 2020 (Clause 8) adopted 12 August 2020, in accordance with the *Local Government Act 2020*.

6.3 ELECTION OF MAYOR REPORT

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/07/06

Relevance to Council Plan 2017 - 2021

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

SUMMARY

Council is required to elect a Mayor as per the Council's Governance Rules 2020 (Clause 7 and 8) adopted 12 August 2020 in accordance with the *Local Government Act 2020*.

Cr Warren nominated. Moved by Cr Milne, seconded by Cr Getley.

Cr Stewart nominated. Moved by Cr Pollard, seconded by Cr Stewart.

A vote was then called by the Chairperson and Cr Warren held the vote.

MOTION:

That Council elects Councillor Cr Daryl Warren as Mayor of the Shire of Buloke for the year commencing 23 November 2020 for a term of 1 year.

MOVED: CR GRAEME MILNE

SECONDED: CR ALAN GETLEY

CARRIED.
(R852/20)

Nil

DISCUSSION

The Governance Rules 2020 (Clause 8) states the Election of Mayor Meeting and process is to be conducted as follows:

- 1) At a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council;
- 2) Subject to section 167 of the Act, any Councillor is eligible for election or re-election to the office of Mayor;
- 3) The election of the Mayor must be chaired by the Chief Executive Officer;
- 4) Subject to subclauses (5) and (6), the Mayor must be elected by an absolute majority of the Councillors;
- 5) If an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date;

- 6) However, if only one Councillor is a candidate for Mayor, the meeting must declare that Councillor to be duly elected as Mayor;
- 7) In this clause, absolute majority means the number of Councillors which is greater than half the total number of the Councillors of a Council;
- 8) The Chief Executive Officer will invite nominations for the office of Mayor;
- 9) Every nomination shall require a seconder;
- 10) Any Councillor nominated may refuse nomination;
- 11) Where two or more nominations are received, the method of voting will be by show of hands;
- 12) If no candidate receives an absolute majority of votes where there are 3 or more candidates, the candidate with the least number of votes must be eliminated as a candidate and a further poll conducted between the remaining candidates;
- 13) If there are several candidates, the procedure must be repeated until a candidate receives an absolute majority of votes and that candidate shall be declared Mayor; and
- 14) If for the purpose of eliminating the candidate with the least number of votes, two or more candidates have the same least number of votes, the candidate to be eliminated shall be determined by simple majority vote.

Mayor to Take Chair

After the election of the Mayor is determined, the Mayor must take the Chair.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this report.

COST SHIFT CONSIDERATIONS

There are no cost shift considerations relevant to this report

COMMUNITY CONSULTATION

No community consultation was required for compiling this report.

INTERNAL CONSULTATION

No internal consultation was required for compiling this report.

LEGISLATIVE / POLICY IMPLICATIONS

This report enables Council to meet its obligations under the *Council's Governance Rules 2020 (Clause 7 and 8)* and the *Local Government Act 2020*.

ENVIRONMENTAL SUSTAINABILITY

There are no environmental sustainability considerations relevant to this report.

CONFLICT OF INTEREST CONSIDERATIONS

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

CONCLUSION

Council to elect a Councillor to be the Mayor as per the Council's Governance Rules 2020 (Clause 7 and 8) adopted 12 August 2020 in accordance with the *Local Government Act 2020*.

CR WARREN ASSUMED THE CHAIR

6.4 ELECTION OF DEPUTY MAYOR

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/07/06

Relevance to Council Plan 2017 - 2021

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

EXECUTIVE SUMMARY

Council is required to elect a Deputy Mayor as per the Council's Governance Rules 2020 (Clause 9) adopted 12 August 2020 in accordance with the *Local Government Act 2020*.

The Deputy Mayor is able to take the chair during periods of absence of the Mayor.

Cr Vis nominated. Moved Cr Pollard, seconded Cr Stewart.
No further nominations were received.

MOTION:

That Council elects Councillor Cr David Vis as Deputy Mayor of the Shire of Buloke for the year commencing 23 November 2020 for a term of 1 year.

MOVED: CR DAVID POLLARD

SECONDED: CR CAROLYN STEWART

CARRIED.
(R853/20)

Nil

DISCUSSION

The Governance Rules 2020 (Clause 8) states the Election of Deputy Mayor process is to be conducted as follows:

- 1) At a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Deputy Mayor of the Council;
- 2) Subject to section 167 of the Act, any Councillor is eligible for election or re-election to the office of Deputy Mayor;
- 3) The election of the Deputy Mayor must be conducted in accordance with the Governance Rules 2020;
- 4) Subject to subclauses (5) and (6), the Deputy Mayor must be elected by an absolute majority of the Councillors;

- 5) If an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date;
- 6) However, if only one Councillor is a candidate for Deputy Mayor, the meeting must declare that Councillor to be duly elected as Deputy Mayor;
- 7) In this clause, absolute majority means the number of Councillors which is greater than half the total number of the Councillors of a Council;
- 8) The Chief Executive Officer will invite nominations for the office of Deputy Mayor;
- 9) Every nomination shall require a seconder;
- 10) Any Councillor nominated may refuse nomination;
- 11) Where two or more nominations are received, the method of voting will be by show of hands;
- 12) If no candidate receives an absolute majority of votes where there are 3 or more candidates, the candidate with the least number of votes must be eliminated as a candidate and a further poll conducted between the remaining candidates;
- 13) If there are several candidates, the procedure must be repeated until a candidate receives an absolute majority of votes and that candidate shall be declared Deputy Mayor; and
- 14) If for the purpose of eliminating the candidate with the least number of votes, two or more candidates have the same least number of votes, the candidate to be eliminated shall be determined by simple majority vote.

After the election of the Deputy Mayor is determined, the Deputy Mayor is able to take the Chair During any periods of absence of the Mayor.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this report.

COST SHIFT CONSIDERATIONS

There are no cost shift considerations relevant to this report

COMMUNITY CONSULTATION

No community consultation was required in writing this report.

INTERNAL CONSULTATION

No internal consultation was required in writing this report.

LEGISLATIVE / POLICY IMPLICATIONS

This report enables Council to meet its obligations under the *Council's Governance Rules 2020 (Clause 9)* and the *Local Government Act 2020*.

ENVIRONMENTAL SUSTAINABILITY

There are no environmental sustainability considerations relevant to this report.

CONFLICT OF INTEREST CONSIDERATIONS

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

CONCLUSION

Council to elect a Councillor to be the Deputy Mayor, as per the Council's Governance Rules 2020 (Clause 9) adopted 12 August 2020, in accordance with the *Local Government Act 2020*.

7. STATEMENTS FROM THE MAYOR ELECT AND DEPUTY MAYOR ELECT

The Mayor and Deputy Mayor were provided the opportunity to make a statement.

The Mayor Cr Warren and Deputy Mayor Cr Vis both made statements.

8. MOTION OF THANKS TO PREVIOUS MAYOR AND DEPUTY MAYOR**MOTION:**

That Cr Stewart and Cr Pollard be thanked for their service as Mayor and Deputy Mayor of the Shire of Buloke for the period 14 November 2019 to 13 November 2020.

MOVED: CR DARYL WARREN

SECONDED: CR CAROLYN STEWART

CARRIED.

(R854/20)

9. QUESTIONS FROM PUBLIC

Nil.

10. REPORT OF COUNCIL MEETING SCHEDULE 2020/2021**Author's Title:** Executive Assistant**Department:** Office of the CEO**File No:** GO/O5/02**Relevance to Council Plan 2017 - 2021****Strategic Objective:** Support our councillors, staff, volunteers and the community to make informed and transparent decisions.**PURPOSE**

The Council's Governance Rules 2020 adopted 12 August 2020 in accordance with the Local Government Act 2020, states that at the Council Meeting to elect the Mayor, Council must fix the date, time and place of all Meetings of Council and Delegated Committees for the following year, which may be amended where the circumstances require.

SUMMARY

The proposed Council Meeting Schedule for the following year is tabled for Council review and consideration.

MOTION:

That Council adopts the following Council Meeting Schedule for the following year:

Month	Briefing Commencing 5 pm	Ordinary Meeting Commencing 7 pm	Briefing Commencing 3 pm
November 2020		Wycheproof (13)	-
December 2020	Wycheproof (3)	Wycheproof (9)	Wycheproof (9) (4:00pm – 6:00pm) Wycheproof (16)
January 2021	-	-	-
February 2021	Birchip (3)	Wycheproof (10)	Donald (17)
March 2021	Sea Lake (3)	Wycheproof (10)	Wycheproof (17)
April 2021	Donald (7)	Wycheproof (14)	Watchem (21)
May 2021	Charlton (5)	Wycheproof (12)	Berriwillock (19)
June 2021	Birchip (2)	Wycheproof (9)	Wycheproof (16)
July 2021	Sea Lake (7)	Wycheproof (14)	Wycheproof (21)
August 2021	Birchip (4)	Wycheproof (11)	Charlton (18)

September 2021	Sea Lake (1)	Wycheproof (8)	Nullawil (15)
October 2021	Culgoa (6)	Wycheproof (13)	Nandaly (20)
November 2021	Donald (3)	Wycheproof (10) (Ordinary meeting commencing 7:00pm and Statutory Meeting, commencing 6.30pm)	
MOVED: CR DAVID VIS			
SECONDED: CR GRAEME MILNE			
			CARRIED. (R855/20)

Nil

DISCUSSION

The proposed Schedule continues to list an Ordinary Meeting on the second Wednesday of each month and a Councillor Briefing on the first and third Wednesday to consider strategic issues, future agendas and hear presentations.

Councillors cannot make decisions at Councillor Briefings but can be briefed on matters being tabled for Council consideration at Ordinary Council Meetings. Councillors can also obtain clarification on issues from staff, address strategic issues and hear presentations from the community and other parties.

The Council's Governance Rules 2020 states the Meeting for the Election of the Mayor is to be held:

- a) no later than one month after the date of a general election; or
- b) within one month after any vacancy in the office of Mayor occurs

FINANCIAL IMPLICATIONS

Nil.

COST SHIFT CONSIDERATIONS

Nil.

COMMUNITY CONSULTATION

The adopted Meeting Schedule will be published in the "Community Matters" in the local papers and placed on Council's website.

The Governance Rules 2020 states that Council must provide at least 7 days' notice on Council's website of meetings of the Council and Delegated Committees unless urgent or extraordinary circumstances prevent Council from doing so in which case Council must give notice that is practicable for the

circumstances which includes advice of the reasons why the 7 days' notice of the meeting could not be given.

Community presentations at the Councillor Briefings will allow key stakeholders, individuals, regional and community organisations to address or present to Councillors on new initiatives, matters before Council, comment on draft policies, strategies, local laws, etc.

Advice will be sent to community forums and development groups to notify them of the adopted Schedule, and invite representatives from their group to address Councillors at the Councillor Briefing scheduled for their district.

LEGISLATIVE / POLICY IMPLICATIONS

The proposed Council Meeting schedule has been developed in accordance with the Council's Governance Rules 2020 adopted 12 August 2020 and the Local Government Act 2020.

ENVIRONMENTAL SUSTAINABILITY

Nil.

CONFLICT OF INTEREST CONSIDERATIONS

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

CONCLUSION

It is recommended that Council adopts the meeting schedule as listed.

11. REPORT OF APPOINTMENT OF COUNCIL DELEGATES**Author's Title:** Executive Assistant**Department:** Office of the CEO**File No:** GO/06/06**PURPOSE**

To appoint Councillors as the Organisations Delegated Representative from Council.

SUMMARY

A list of organisations is provided for Council to consider allocating its Councillor representative(s) for appointment.

MOTION:

That Council adopts the following list of Council Delegates for appointment.

Organisation	Representative(s)
Audit Committee	Mayor (or Deputy Mayor)
Australian Livestock Saleyards Association Inc.	Cr Pollard
Buloke and Northern Grampians Landcare Network	Cr Getley
Buloke Tourism Board	Cr Vis
Calder Highway Improvement Committee	Cr Pollard
Central Murray Regional Transport Forum	Cr Getley
Central Vic Greenhouse Alliance	Cr Pollard
Charlton Park Committee of Management	Cr Stewart
Charlton Stadium Committee	Cr Pollard
CFA – Municipal Fire Management Planning Committee	Cr Milne, Cr Getley, Cr Simpson
Donald 2000 Inc	Cr Warren
Economic Development and Tourism Committee	Cr Vis, Cr Getley, Cr Milne
Loddon Mallee Waste and Resource Recovery Group	Cr Milne
Library Advisory Committee	Cr Simpson, Cr Vis
Municipal Association of Victoria	Mayor (or Deputy Mayor)
Municipal Emergency Management Planning Committee	Cr Pollard
Municipal Flood Management Committee	Cr Warren, Cr Pollard
North Central Local Learning Employment Network	Cr Simpson
North West Municipalities Association	Mayor (or Deputy Mayor)
Rail Freight Alliance	Cr Milne
Recreational Water Users Alliance	Cr Stewart

Rural Councils Victoria	Cr Pollard
Sunraysia Highway Improvement Committee	Cr Milne
Watchem Progress Association	Cr Milne
Wimmera Mallee Tourism Association	Cr Milne, Cr Simpson (Deputy)
Wimmera Southern Mallee Transport Group	Cr Getley
Workspace Australia	Cr Warren
Wycheproof Recreation Reserve Committee of Management	Cr Pollard

MOVED: CR DAVID POLLARD

SECONDED: CR ALAN GETLEY

**CARRIED.
(R856/20)**

Attachments: Nil

DISCUSSION

Council is represented on a diverse range of community, state, regional and local organisations. Some of these organisations are established by state statute, or under the *Associations Incorporation Reform Act 2012* or are effectively informal gatherings of individuals.

The distinctions are important in terms of the status of a Councillor as a member of the respective organisation, the nature of the appointment and their powers to commit Council to expenditure or other action.

The role of councillors at these committees is to represent Council, share information and contribute to the success of both the committees and Council.

RELATED COUNCIL DECISIONS

Council elects delegates to committees on an annual basis.

OPTIONS

Council can choose which groups to send delegates to and which individual councillors it wishes to appoint to each committee

SUSTAINABILITY IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

INNOVATION AND CONTINUOUS IMPROVEMENT

Nil

COLLABORATION

Appointment to these committees form a key part of our partnership work and the collaboration with community and other stakeholder groups.

FINANCIAL VIABILITY

Nil.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Local Government Act 2020

COUNCIL PLANS AND POLICIES

This report enables Council to meet its obligations under the *Council's Governance Rules 2020* and the *Local Government Act 2020*.

ENVIRONMENTAL SUSTAINABILITY

Nil

TRANSPARENCY OF COUNCIL DECISIONS

Councillors typically report back to Council Meetings on activities surrounding the operations of these committees and are tasked with providing the organisation with updates.

CONFLICTS OF INTEREST

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

12. COUNCILLOR OATH OF OFFICE**Author's Title:** Executive Assistant**Department:** Office of the CEO**File No:** GO/07/06**Relevance to Council Plan 2017 - 2021****Strategic Objective:** Support our councillors, staff, volunteers and the community to make informed and transparent decisions.**SUMMARY**

This report is presented to Council as a requirement of Section 30 of the Local Government Act 2020 and the Local Government Regulations 2020 in regards to the induction of the Councillors Elect.

Council is required to note and record that at the Councillor Induction held Monday 16 November 2020 at 5.00pm, the Councillors Elect for Buloke Shire Council have:

- a) Taken the Oath or Affirmation of Office;
- b) Read the Council's Councillor Code of Conduct; and
- c) Made declaration that he or she will abide by the Council's Code of Conduct;

before the Chief Executive Officer, Anthony Judd.

MOTION:

Council to note and record that the Councillors Elect for Buloke Shire Council, including Alan Getley, Graeme Milne, David Pollard, Bronwyn Simpson, Carolyn Stewart, David Vis and Daryl Warren, have:

- a) Taken the Oath or Affirmation of Office;
- b) Read the Council's Councillor Code of Conduct; and
- c) Made declaration that he or she will abide by the Council's Code of Conduct.

before the Chief Executive Officer, Anthony Judd, on Monday 16 November 2020.

MOVED: CR GRAEME MILNE**SECONDED:** CR BRONWYN SIMPSON**CARRIED.****(R857/20)**

- 1 Declaration by Oath - Cr David Pollard
- 2 Declaration by Affirmation - Cr Carolyn Stewart
- 3 Declaration by Oath - Cr Alan Getley
- 4 Declaration by Oath - Cr David Vis
- 5 Declaration by Affirmation - Cr Graeme Milne
- 6 Declaration by Affirmation - Cr Daryl Warrem

DISCUSSION

On the Monday 2 November 2020, following the Victorian Local Government Elections held 24 October 2020, the Victorian Electoral Commission declared the following Councillors to be duly elected for Buloke Shire Council.

Lower Avoca Ward

Cr David Pollard
Cr Carolyn Stewart

Mallee Ward

Cr Alan Getley
Cr David Vis

Mount Jeffcott Ward

Cr Graeme Milne
Cr Bronwyn Simpson
Cr Daryl Warren

In accordance with the Local Government Regulations 2020 a person elected to be a Councillor is not capable of acting as a Councillor until the person has:

- a) Taken the Oath or Affirmation of Office;
- b) Read the Council's Councillor Code of Conduct; and
- c) Made a declaration that they will abide by the Council's Code of Conduct.

The Oath or Affirmation of Office must be—

- a) Administered by the Chief Executive Officer;
- b) Dated and signed before the Chief Executive Officer; and
- c) Recorded in the Minutes of the Council, whether or not the Oath or Affirmation was taken at a Council Meeting.

At 5:00pm on Monday 16 November 2020, each Councillor elect, took the Oath or Affirmation of Office and signed the following declarations which are attached to this report:

- a) Declaration by form of Affirmation; or
- b) Declaration by form of Oath; and
- c) Declaration to abide by the Code of Conduct for Councillors.

The Victorian Government has amended the COVID-19 (Emergency Measures) and Other Act 2020 to enable Councillors to undertake the oath by electronic means.

Cr Bronwyn Simpson took the oath via electronic means, therefore there is not a signed Declaration by Oath for Cr Simpson attached to this report.

FINANCIAL IMPLICATIONS

There are no financial implications applicable to this report.

COST SHIFT CONSIDERATIONS

There are no cost shift considerations applicable this report.

COMMUNITY CONSULTATION

No community consultation was required for this report.

INTERNAL CONSULTATION

No internal consultation was required for this report.

LEGISLATIVE / POLICY IMPLICATIONS

This report enables Council to meet its obligations according to Section 30 of the *Local Government Act 2020* and the *Local Government Regulations 2020*.

ENVIRONMENTAL SUSTAINABILITY

There are no environmental sustainability considerations applicable to this report.

CONFLICT OF INTEREST CONSIDERATIONS

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

CONCLUSION

It is recommended for Council to note and record that the Councillors Elect for Buloke Shire Council have:

- a) Taken the Oath or Affirmation of Office;
- b) Read the Council's Councillor Code of Conduct; and
- c) Made declaration that he or she will abide by the Council's Code of Conduct.

before the Chief Executive Officer, Anthony Judd, on Monday 16 November 2020.

13. PROCEDURAL ITEMS

13.1 REPORT OF ASSEMBLY OF COUNCILLORS MEETINGS

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/05/04

MOTION:

That the Council note the report of Assembly of Councillor Meetings held on 7 October 2020 and 21 October 2020.

MOVED: CR GRAEME MILNE

SECONDED: CR DAVID POLLARD

CARRIED.
(R858/20)

- Attachments:**
- 1 Councillor Briefing Record - 7 October 2020
 - 2 Councillor Briefing Record - 21 October 2020

KEY POINTS/ISSUES

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

An Assembly of Councillors Meeting is defined in the Act as a meeting of Councillors if the meeting considers matters that are likely to be the subject of a Council decision or the exercise of delegation and the meeting is:

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

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

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

A record of the Assembly of Councillors Meetings held on 7 October 2020 and 21 October 2020 are attached.

14. MANAGEMENT REPORTS

14.1 DRAFT COMMUNITY ENGAGEMENT POLICY

Author's Title: Manager Customer Engagement

Department: Office of the CEO

File No: CM/14/05

Relevance to Council Plan 2017 - 2021

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

PURPOSE

The purpose of this report is to have Council endorse the draft Community Engagement Policy so it can be placed on exhibition for community consultation purposes.

SUMMARY

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

MOTION:

That Council:

1. Having prepared the Draft Community Engagement Policy in accordance with section 55 of the Local Government Act commences community engagement in relation to the Draft Community Engagement Policy and make the policy available on Council's website; and
2. Allows persons to make submissions in writing in relation on any proposal within the Draft Community Engagement Policy.

MOVED: CR DAVID POLLARD

SECONDED: CR CAROLYN STEWART

CARRIED.
(R859/20)

Attachments: 1 Draft Community Engagement Policy

DISCUSSION

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

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

The policy documents were developed promptly in order to provide timely guidance on the forthcoming community engagement on a range of other budgets, plans and policies, also prescribed by the Act.

In developing the policy, Council undertook a survey and was informed by previous consultation experiences undertaken by the organization. Once the Policy is endorsed in draft form, a further consultation process will commence, including direct mail out to town forums and calling for submissions through social media.

Feedback from the community will be considered prior to presentation of the final Policy to Council in February 2021.

RELEVANT LAW

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

RELATED COUNCIL DECISIONS

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

OPTIONS

Not Applicable

SUSTAINABILITY IMPLICATIONS

Not Applicable

COMMUNITY ENGAGEMENT

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

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

INNOVATION AND CONTINUOUS IMPROVEMENT

Community engagement and participation is an important element of the democratic process. An empowered community is one that actively participates to influence decisions that affect their lives. We understand our community is diverse and facing many geographical and demographical challenges.

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

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

COLLABORATION

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

FINANCIAL VIABILITY

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

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Local Government Act 2020

Charter of Human Rights and Responsibilities Act 2006

Subordinate Legislation Act 1994

Public Administration Act 2004

Equal Opportunity Act 2010

Child Safe Safety Act 2015

COUNCIL PLANS AND POLICIES

Council Plan 2017-21

Social Media Policy

Information Privacy Policy

Councillor Code of Conduct

Staff Code of Conduct

Customer Service Strategy

Inclusiveness Plan

Project Management Framework

TRANSPARENCY OF COUNCIL DECISIONS

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

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

CONFLICTS OF INTEREST

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

14.2 COMMUNITY GRANTS AND SPONSORSHIPS

Author's Title: Community Development Officer

Department: Community Development

File No: GS 09 42

Relevance to Council Plan 2017 - 2021

Strategic Objective: Build a healthy and active community

PURPOSE

This report is presented to Council to consider the allocation of funds from the Community Grants and Sponsorship Program

SUMMARY

Three Project Support applications and one application presented for Sustainability Grants Stream.

MOTION:

That Council allocates the following funding under the Community Grants and Sponsorship program:

- \$1,000 Project Support Grant to Charlton Lions;
- \$2,000 Project Support Grant to the Sea Lake Golf and Bowls Club; and
- \$10,000 Sustainability Grant to Charlton Park.

MOVED: CR DAVID VIS

SECONDED: CR DAVID POLLARD

CARRIED.
(R860/20)

Attachments: 1 2020-2021 Community grants
2 Conflict of Interest Statement

DISCUSSION

Project: Charlton Large Print Telephone Directory	
Organisation:	Charlton Lions Club
Amount Applied for:	\$2,000.00
Funding Amount Recommended:	\$1,000.00
Total Project Cost:	\$8,232.00
Project Description:	Charlton Lions Club requests \$2,000 to update the 2017 Charlton Large Print Telephone Directory. Council supported the project in 2016 with a \$2,000 grant. Lions have accessed other funding sources that will compliment Council's support. The project can proceed with a \$1,000 grant from Council.
Project Benefit:	The current directory is out of date. Many Charlton residents rely on the Large Print Directory as a key reference point for the town. The directory also lists local businesses in alphabetical order. The directories are provided free of charge to residents and businesses. This will also offer new businesses the opportunity to become part of the directory since the last update.
To Note:	Given the previous support of this project through this grants stream and the provision in the guidelines that "In addition, organisations who have received funding in any one grant category for three consecutive years will be ineligible to apply in that category the following year. This is to ensure money is available to as many organisations as possible and that no organisation becomes dependent on Council for its existence ". The Manager Community Services confirmed the project could still proceed if the recommended amount of \$1,000 is granted. The Manager Community Services has also offered to work with the club to source sustainable funding avenues for this project going forward.
Project: Safe Bowling in Sea Lake	
Organisation:	Sea Lake Golf and Bowls Club Inc - Bowls Division
Amount Applied for:	\$2,000.00
Funding Amount Recommended:	\$2,000.00
Total Project Cost:	\$13,502.00
Project Description:	The project is to install a plinth around the perimeter of each of the two greens to support the lawn edges from crumbling and breaking down. This will assist in preventing possible falls or injuries to participants when on, or stepping onto the green. This also allows for the bowl to continue on its path to a true finish and not be impeded by an uneven surface or divots. Importantly, it also provide for a level edge thus preventing possible falls or injuries to participants when on, or stepping onto the green. This is the first time this club has applied for a grant through Council's Community Grant Scheme.

Project Benefit:	The project is essential if the club is to offer participation in bowling activities in a safe and responsible manner whilst continuing to offer all other supportive and inclusive aspects of the Club.
Project:	Future Proofing Renewable Energy for Charlton Park
Organisation:	Charlton Park 2020 Association Inc
Amount Applied for:	\$10,000.00
Funding Amount Recommended:	\$10,000.00
Total Project Cost:	\$15,130.00
Project Description:	Charlton Park requests \$10,000 to install an 8.58km solar system consisting of 26x30W 1690x1002 mm Monocrystalline panels. Estimated annual production 12,427 KWh. In addition to carbon footprint implications the Committee believes that financial savings can be reallocated to local community projects.
Project Benefit:	The whole of the Charlton community will benefit from the project, but more specifically the six major users of the Charlton Community Bank Complex. By reducing the costs of the clubs and organisations, they will be able to devote more of their funds for programs that will benefit the youth of the town as well as people of other ages (over 1,100 people). The Charlton Pacing Cup for example will be able to attract further patrons. It already attracts over 1,000 people and has a growing membership of about 700 members.

RELEVANT LAW

Not applicable

RELATED COUNCIL DECISIONS

Not applicable

OPTIONS

Not applicable

SUSTAINABILITY IMPLICATIONS**Economic**

Local sporting facilities contribute to the Buloke community through money spent by visiting competitors and social players. Buloke communities are also promoted as great places to live.

Social

Local sporting clubs and facilities provide an important element of social connectedness for Buloke residents.

Environmental

Use of solar panels for power generation and grid feed contributes to a lower carbon footprint for facilities

COMMUNITY ENGAGEMENT

The Manager Community Services has been in contact with the applications for more information where necessary.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable

COLLABORATION

Not applicable

FINANCIAL VIABILITY

Within allocated budget and within guidelines of the Community Grant Stream.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable

COUNCIL PLANS AND POLICIES

Buloke Shire Council Plan 2017-21

Buloke Shire Council Inclusiveness Plan

Community Grant Guidelines

TRANSPARENCY OF COUNCIL DECISIONS

Not applicable

CONFLICTS OF INTEREST

All officers involved in the preparation of this report have signed a written declaration that they do not have a conflict of interest in the subject matter of this report.

15. MATTERS WHICH MAY EXCLUDE THE PUBLIC

Cr Alan Getley declared a Conflict of Interest in Item 15.1 due to a Real Estate Property Manager for properties in this street, and being a Bank Director and member of Charlton Forum.

Cr Getley left the Ordinary Meeting at 7.25pm.

MOTION:	
That pursuant to section 66(1) and (2)(a) of the <i>Local Government Act 2020</i> the meeting be closed to the public to consider the following reports that are considered to contain confidential information on the grounds provided in section 3(1) of the <i>Local Government Act 2020</i> as indicated:	
15.1	CONTRACT NO. C82 2020-2021 PAVEMENT CONSTRUCTION AND DRAINAGE WORKS - DAVIES STREET. TENDER EVALUATION REPORT
	(g(ii)) private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage
MOVED:	CR DAVID POLLARD
SECONDED:	CR DAVID VIS
	CARRIED. (R861/20)

MOTION:	
That Council reopens the meeting to the public pursuant to section 66(1) and (2)(a) of the Local Government Act 2020.	
MOVED:	CR DAVID VIS
SECONDED:	CR GRAEME MILNE
	CARRIED. (R862/20)

Cr Alan Getley returned to the Ordinary Meeting at 7.31pm.

16. MEETING CLOSE

Meeting closed at 7.33pm.