



# **ORDINARY COUNCIL MEETING**

## **MINUTES**

**Wednesday 11 March 2020**

**Commencing at 7.00pm**

**Wycheproof Supper Room**

**367 Broadway, Wycheproof**

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

**Minutes of the Ordinary Meeting held on Wednesday, 11 March 2020 commencing at 7.00pm in the Wycheproof Supper Room, , 367 Broadway, Wycheproof**

**PRESENT**

**CHAIRPERSON:**

Cr Carolyn Stewart    Mount Jeffcott Ward

**COUNCILLORS:**

Cr Ellen White    Mallee Ward  
Cr David Pollard    Lower Avoca Ward  
Cr Bronwyn Simpson    Lower Avoca Ward  
Cr Graeme Milne    Mount Jeffcott Ward  
Cr Daryl Warren    Mount Jeffcott Ward

**OFFICERS:**

Anthony Judd    Chief Executive Officer  
Wayne O’Toole    Director Works and Technical Services  
Hannah Yu    Director Corporate Services

**AGENDA**

**1. COUNCIL WELCOME**

WELCOME

The Mayor Cr Carolyn Stewart welcomed all in attendance.

STATEMENT OF ACKNOWLEDGEMENT

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

**2. RECEIPT OF APOLOGIES**

Cr David Vis    Mallee Ward (on approved leave of absence)

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

That Council adopt the Minutes of the Ordinary Meeting held on Wednesday, 12 February 2020 and Special Meeting held on Wednesday, 19 February 2020.

**MOVED: CR DARYL WARREN**

**SECONDED: CR DAVID POLLARD**

**CARRIED.  
(R722/20)**

**4. REQUESTS FOR LEAVE OF ABSENCE**

Nil.

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

There were no declarations of interest.

**6. QUESTIONS FROM THE PUBLIC**

NIL

**7. PROCEDURAL ITEMS**

7.1	CORRESPONDENCE INITIATED BY COUNCIL	6
7.2	REPORT OF ASSEMBLY OF COUNCILLORS MEETINGS	7
7.3	LETTERS OF CONGRATULATIONS AND RECOGNITION OF ACHIEVEMENT/AWARDS	8
7.4	BUILDING PERMITS - MONTHLY UPDATE	9
7.5	PLANNING APPLICATIONS RECEIVED - MONTHLY UPDATE	11

**8. GENERAL BUSINESS****8.1 POLICY REPORTS 13**

NIL

**8.2 MANAGEMENT REPORTS 14**

8.2.1	COMMUNITY GRANTS AND SPONSORSHIP	14
8.2.2	LAKE TYRRELL INFRASTRUCTURE DEVELOPMENT - INTERSECTION OF BAILEYS ROAD AND CALDER HIGHWAY	16
8.2.3	SPECIAL MEETING HELD ON WEDNESDAY 19 FEBRUARY 2020	19

**8.3 FINANCIAL REPORTS 21**

8.3.1	AUDIT COMMITTEE MEETING MINUTES 4 DECEMBER 2019	21
8.3.2	DRAFT AUDIT COMMITTEE MEETING MINUTES 5 FEBRUARY 2020	23
8.3.3	FINANCE PERFORMANCE REPORT AS AT 31 JANUARY 2020	25

**8.4 ORGANISATIONAL REPORTS 29**

8.4.1	ACTING CHIEF EXECUTIVE OFFICER	29
-------	--------------------------------	----

<b>8.5</b>	<b>REPORTS FROM COUNCILLORS</b>	<b>31</b>
	NIL	
<b>9.</b>	<b>OTHER BUSINESS</b>	
<b>9.1</b>	<b>NOTICES OF MOTION</b>	<b>34</b>
9.1.1	NOTICE OF MOTION - CLIMATE CHANGE BILL	34
<b>9.2</b>	<b>QUESTIONS FROM COUNCILLORS</b>	<b>36</b>
9.2.1	CR WHITE – MAXIMUM NUMBER ATTEND??	36
<b>9.3</b>	<b>URGENT BUSINESS</b>	<b>36</b>
	NIL	
<b>9.4</b>	<b>ANY OTHER BUSINESS</b>	<b>36</b>
	NIL	
<b>9.5</b>	<b>MATTERS WHICH MAY EXCLUDE THE PUBLIC</b>	<b>37</b>
	The Meeting may be closed to members of the public to consider confidential matters.	
9.5.1	CONTRACT C74 2019/2020 - SUPPLY AND DELIVERY OF TWO (2) NEW GENERAL PATROL TRUCKS.	
9.5.2	CONTRACT NO C72 2019/2020 SUPPLY OF ONE (1) NEW MOTOR GRADER	
	If the meeting has been closed it will be brought back into open session by resolution	
<b>10.</b>	<b>MEETING CLOSE</b>	

## **NEXT MEETING**

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN WYCHEPROOF SUPPER ROOM, 367 BROADWAY, WYCHEPROOF ON WEDNESDAY, 8 APRIL 2020 AT 7.00PM.

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

**6. QUESTIONS FROM THE PUBLIC**

Nil

## 7. PROCEDURAL ITEMS

### 7.1 CORRESPONDENCE INITIATED BY COUNCIL

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

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

**Attachments:** Nil

**Relevance to Council Plan 2017 - 2021**

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

**NO RESOLUTION REQUIRED.**

Nil records of correspondence sent and responses received.

**Table of Correspondence**

Council Initiative	Correspondence sent to	Date sent	Date of Response	Summary of Response

## 7.2 REPORT OF ASSEMBLY OF COUNCILLORS MEETINGS

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

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

**Attachments:** 1 Councillor Briefing Record - 5 February 2020  
2 Councillor Briefing Record - 19 February 2020

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

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

### **MOTION:**

That Council note the reports of the Assembly of Councillor Meeting held on 5 February and 19 February 2020.

**MOVED: CR DARYL WARREN**

**SECONDED: CR DAVID POLLARD**

**CARRIED.**

**(R723/20)**

### 1. 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 Meeting held on 5 February and 19 February 2020 is attached.

### **7.3 LETTERS OF CONGRATULATIONS AND RECOGNITION OF ACHIEVEMENT/AWARDS**

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

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

**Attachments:** Nil

**Relevance to Council Plan 2017 - 2021**

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

#### **NO RESOLUTION REQUIRED.**

Nil persons and/or groups mentioned in the report for their achievements.

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

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

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

#### **2. Recognition of Achievement Items**

<b>Provider</b>	<b>Recipient</b>	<b>Date</b>	<b>Purpose for Recognition</b>



## 7.4 BUILDING PERMITS - MONTHLY UPDATE

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

**Department:** Works and Technical Services

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

**Attachments:** Nil

**MOTION:**

That the Council note information contained in the report on Building Permits approved by staff from 1 February to 29 February 2020.

**MOVED: CR DARYL WARREN**

**SECONDED: CR DAVID POLLARD**

**CARRIED.**

**(R724/20)**

### 1. Executive Summary

This report provides information on Building Permits approved by staff from 1 February to 29 February 2020.

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

Permit No.	BAMS Permit No.	Address	Project Description	Date Approved
20200002	44005257455923	32 Racecourse Road, Donald	Factory	06/02/2020
20200003	8422176532373	17 Campbell Street, Birchip	Shed	30/01/2020
20200010	3566662556250	548 Watchem West School Road, Watchem West	Storage Shed	06/02/2020
20200013	1481235283422	6 Jolly Street, Wycheproof	Storage Shed	20/02/19

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

<b>Permit No.</b>	<b>Address</b>	<b>Project Description</b>	<b>Date Approved</b>
20200006	144 Kellys Road, Watchupga	Farm Shed	21/01/2020
20200007	18 Campbell Street, Birchip	Alfresco & Carport	22/01/2020
20200008	489 Brim East Road, Wilkur	Farm Shed	23/01/2020
20200009	662 Watchupga East Road, Willangie	Farm Shed	29/01/2020
20200011	343 Borung Highway, Charlton	Hay Shed	06/02/2020
20200012	Tower Road, Donald	Storage Shed (Extension)	14/02/2020

## 7.5 PLANNING APPLICATIONS RECEIVED - MONTHLY UPDATE

**Author's Title:** Planning Officer

**Department:** Works and Technical Services

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

**Attachments:** Nil

### MOTION:

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

**MOVED: CR BRONWYN SIMPSON**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R725/20)**

### 1. Executive Summary

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

### 2. List of Planning Applications

Application No	Applicant	Address	Date Rec	Summary of Proposal	Status
PPA832/20	Charlton Community Theatre	30-34 High Street, Charlton	07/01/2020	Extension to Rex Theatre for the provision of amenities and storage facilities	Request for further information
PPA835/20	Ronald White	7 Orr Street, Charlton	15/01/2020	Demolition of a dwelling and construction of new dwelling in an Urban Floodway Zone	Referral
PPA834/20	WA Boyle	Calder Highway, Wycheproof (CA 43 Sec A Parish of Bunguluke)	08/01/2020	Removal of native vegetation (4 small trees) for the construction of a dwelling	Permit issued

Application No	Applicant	Address	Date Rec	Summary of Proposal	Status
PPA836/20	Ashley Sheahan	224 Yeungroon-Woosang Road, Yeungroon East	20/01/2020	Amendment to PPA792/19 for the development of 4 accommodation units and a laundry facility in association with the Charlton Feedlot	Request for further information
PPA837/20	Pavjo Pty Ltd	77 Wilsons Road, Buckrabanyule	29/01/2020	Two lot subdivision of land (boundary re-alignment)	Awaiting report
PPA838/20	Revd. Judi Bird	7 Blair Street, Donald	23/01/2020	Construction of a accessibility ramp in a heritage overlay	Permit issued
PPA839/20	Jeruk Park Pty Ltd	2932 Boort-Wycheproof Road, Bunguluke	06/02/2020	Construction of a machinery shed	Permit issued
PPA840/20	JF Spain	11 Peel Street, Charlton	17/02/2020	Removal of 2.1 metres of hedge in a heritage overlay	Notice of application
PPA841/20	HR Mill	6 Mount Street, Wycheproof	13/02/2020	Construction of a carport in a Heritage Overlay	Permit Issued
PPA842/20	TL & JA Campbell	17 Camp Street, Donald	20/02/2020	Construction of a domestic shed in an overlay	Notice of application Referral
PPA843/20	CD & CJ Arnel	3256 Birchip-Wycheproof Road, Wycheproof	20/02/2020	Construction of a machinery shed within a setback and use and development of land for a boarding kennel	Notice of application
PPA844/20	Teys Australia (Ashley Sheahan)	224 Yeungroon-Woosang Road, Yeungroon East	21/02/2020	Construction of two hay sheds ancillary to cattle feedlot	New

**8. GENERAL BUSINESS**

**8.1 POLICY REPORTS**

Nil

## 8.2 MANAGEMENT REPORTS

### 8.2.1 COMMUNITY GRANTS AND SPONSORSHIP

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

**Department:** Community Development

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

**Attachments:** 1 Running Sheet 19-20

**Relevance to Council Plan 2017 - 2021**

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

#### **MOTION:**

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

- \$1000 Project Support Grant to Wycheproof Youth Group for Disturbing the Peace.

**MOVED: CR DAVID POLLARD**

**SECONDED: CR BRONWYN SIMPSON**

**CARRIED.**

**(R726/20)**

#### 1. Executive Summary

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

#### 2. Discussion

Council received the following grant application during the reporting period for the March grant award:

Project:	Disturbing the Peace
Organisation:	Wycheproof Youth Group
Amount Applied:	\$2,000 Project Support Grant
Funding Amount Recommended:	\$1,000
Total project cost:	\$14,450.00
Project Description:	"Disturbing the Peace" is a drug and alcohol free live music event for young people aged 12 – 18 from across the Buloke Shire and neighbouring communities. This annual FReeZa event is held by the Wycheproof Youth Group and a large amount of time is donated by volunteers to ensure it is a successful event.
Project Benefit:	The event benefits the youth community in Buloke with around 200 people usually in attendance, and addresses the needs of young people, supports local communities, arts and culture events, recognises and rewards our volunteers. This project will strengthen friendships between young people living in the Buloke Shire and surrounding areas.
To Be Noted	<i>This application was received by council officers after the reporting period for the February meeting, but before the event took place (held on the 22<sup>nd</sup> of February). There is no stipulation in the guidelines preventing retrospective awarding of funds.</i>

**3. Financial Implications**

This brings the allocation under the community grants scheme for the 2019 – 20 financial year to \$15,995.50 out of a total of \$20,000. The sustainability fund contributions so far totals \$10,000 out of \$50,000 available.

**4. Cost Shift Considerations**

There are no cost shift considerations in this report.

**5. Community Consultation**

Staff have sought clarification where necessary from community groups.

**6. Internal Consultation**

The internal assessment panel undertook the assessment process to reach this recommendation. Any areas of Council's internal operations affected by the application were also consulted.

**7. Legislative / Policy Implications**

Supporting youth events such as Disturbing the Peace, aligns closely with Council's strategic documents, including the Youth Strategy, Community Plan and Council Plan.

**8. Environmental Sustainability**

There are no environmental sustainability considerations in this report.

**9. Conflict of Interest Considerations**

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

**10. Conclusion**

That Council considers providing funding allocations as per the recommendations.

## **8.2.2 LAKE TYRRELL INFRASTRUCTURE DEVELOPMENT - INTERSECTION OF BAILEYS ROAD AND CALDER HIGHWAY**

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

**Department:** Office of the CEO

**File No:** GS/04/01

**Attachments:** Nil

**Relevance to Council Plan 2017 - 2021**

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

### **MOTION:**

That Council:

1. Write to the Minister for Infrastructure, Transport and Regional Development, the Hon Michael McCormack MP, to request that funding allocated for Calder Highway upgrades in the Federal Budget be released and prioritised for the intersection of Baileys Road and Calder Highway.
2. Provide a copy of the correspondence to Member for Mallee, Anne Webster MP, and request her support and advocacy for this release.
3. Provide a copy of the correspondence to the Calder Highway Improvement Committee and request their support and advocacy for this release.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R727/20)**

### **1. Executive Summary**

This report is presented to Council to consider advocating to the Federal Government for further investment into the intersection of Calder Highway and Baileys Road at Lake Tyrrell.

### **2. Discussion**

Since June 2017, the State and Federal Government have committed significant investment to boost tourism to the iconic Lake Tyrrell. The project included the development of a tourist hub at the lake with a viewing platform, boardwalk, tourist amenities and extensive development of a carpark. Council has recently let a tender for these works and preliminary site works have commenced with building works to commence in the coming months.

The project also involves a significant upgrade to the Calder Highway and Baileys Road intersection, to ensure safe access for all vehicles to the lake which is essential to support the increase patronage. The current intersection is extremely dangerous and requires turning lanes and enhanced sight distances, which is heightened given the predicted increase in tourist numbers over the coming years.



Given the intersection works will occur on the Calder Highway, Regional Roads Victoria have coordinated the design development of the intersection works, which have a cost estimate of \$2.7million.

Council has quarantined \$1.2million for the intersection works from existing state and federal government grants, however another \$1.5million is required to complete the project.

In the 2019/20 budget, the Federal Government committed \$60 million towards upgrades along the Calder Highway between Melbourne and Mildura through the Roads of Strategic Importance (ROSI) program. The upgrade of the intersection at Lake Tyrrell would align with this budget announcement. It is noted that the upgrade to intersections on the Calder Highway/Yeungroon Road (currently underway) and the Calder Highway/Sea Lake Patchewollock Road (recently completed) were funded through a similar Federal and State Government partnership arrangement.

It is understood that the State Government and Federal Government have commenced negotiations regarding the release of this funding and it is timely to write to the relevant Minister and the local Member of Parliament advocating for this project.

If this intersection project remains underfunded, the Department of Transport have advised that speed reductions may need to be implemented, which would be an unacceptable community outcome given the importance of the Calder Highway to freight and light-vehicle movements.

This request is supported by the Loddon Mallee Regional Development Australia Committee and the Mallee Regional Partnerships.

### **3. Financial Implications**

The Lake Tyrrell Infrastructure Program is Council's largest single project and there are two funding agreements in place. Council requires additional funds to complete the project to its entirety and satisfy the funding agreements and Regional Roads Victoria.

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

Council is working closely with the State and Federal Government to fund this project. A majority of the intersection works are on the arterial (state controlled) road.

### **5. Community Consultation**

The Lake Tyrrell Project Control Group have been consulted on this project and are aware of the current status of the project.

### **6. Internal Consultation**

Council's project managers have met to discuss this project and request.

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

The upgrades to Lake Tyrrell are highlighted through a range of strategies and plans, including the Council Plan, Economic Development Plan, draft Investment Prospectus and Sea Lake Community Plan.

This project is supported by the Regional Economic Growth Plan, in particular, this project supports Priority Action 3.5.5 - *Bring access roads to Lake Tyrrell and the expanding Silo Art Trail up to a safe and appropriate standard.*

### **8. Environmental Sustainability**

There are no environmental sustainability considerations in this report.

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

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

**10. Conclusion**

It is recommended that Council write to the Minister for Infrastructure, Transport and Regional Development, Michael McCormack MP and Member for Mallee, Anne Webster MP, to request the release of budget funds to improve this intersection. It is also recommended that Council ask the Calder Highway Improvement Committee support this request and advocate on our behalf.

### **8.2.3 SPECIAL MEETING HELD ON WEDNESDAY 19 FEBRUARY 2020**

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

**Department:** Office of the CEO

**File No:** RO/26/07

**Attachments:** Nil

**Relevance to Council Plan 2017 - 2021**

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

#### **MOTION:**

That Council note the report Special Meeting held on Wednesday 19 February 2020.

**MOVED: CR BRONWYN SIMPSON**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R728/20)**

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

A Special Meeting was called at short notice on Wednesday 19 February 2020. This report provides an outline of the circumstances giving rise to the Special Meeting.

#### **2. Discussion**

A Special Meeting was held by Council on Wednesday 19 February 2020. The meeting was called by the Mayor at short notice pursuant to s 84 of the *Local Government Act 1989* (the Act) during the holding of an assembly of Councillors.

The purpose of the meeting was to partly rescind the decision made by Council at its Ordinary meeting on 12 February 2020. The Special Meeting was also for the awarding of Contract No. C71 2019/2020 Charlton Swan Hill Road & Prater's Road Intersection, Glenloth to Bitu-mill (Civil) Pty Ltd for the works specified in Charlton Swan Hill Road & Prater's Road Intersection - Seal Pavement Widening & Safety Improvement Works for the tendered lump sum price of \$242,439.90 (excl. GST) (which was what occurred at the Special Meeting).

The Act requires the giving of public notice at least 7 days prior to a Special Meeting being held, however if urgent circumstances exist, then that requirement does not apply. The urgent circumstances were that Council was required to ensure that Contract No. C71 2019/2020 was awarded to the correct tenderer otherwise there would be possible financial loss to Council. The Special Meeting was closed to the public due to the nature of the matter being considered, namely that it was a contractual matter and due to the matter being considered in camera at the earlier Ordinary meeting held on 12 February 2020.

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

Council has avoided any possible financial loss through the resolution made at the Special Meeting on Wednesday 19 February 2020.

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

There are no cost shift considerations.

**5. Community Consultation**

No community consultation has been undertaken in relation to this report.

**6. Internal Consultation**

The Senior Leadership team have been consulted in relation to the preparation of this report.

**7. Legislative / Policy Implications**

Council has acted in accordance with s 84 and s 89 of the *Local Government Act 1989* and in accordance with its Meeting Procedure and Common Seal Local Law 2019.

**8. Environmental Sustainability**

There are no environmental sustainability implications in relation to this report.

**9. Conflict of Interest Considerations**

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

**10. Conclusion**

That Council notes the report regarding the Special Meeting held on Wednesday 19 February 2020.

## 8.3 FINANCIAL REPORTS

### 8.3.1 AUDIT COMMITTEE MEETING MINUTES 4 DECEMBER 2019

**Author's Title:** Governance Officer

**Department:** Corporate Services

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

**Attachments:** 1 Audit Committee Meeting Minutes 4 December 2019

**Relevance to Council Plan 2017 - 2021**

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

#### **MOTION:**

That Council notes the Minutes of the Audit Committee meeting held on 4 December 2019.

**MOVED: CR DAVID POLLARD**

**SECONDED: CR BRONWYN SIMPSON**

**CARRIED.**

**(R729/20)**

#### 1. Executive Summary

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

#### 2. Discussion

At its 4 December 2019 meeting, the Committee considered the following matters:

- Outstanding Actions
- Audit Committee Work Plan
- Draft Audit Committee 2020 Work Plan
- 2020 Audit Committee Meeting Dates
- Asset Management update
- Draft Fraud Prevention and Reporting Policy
- Draft Fleet Management Policy
- Internal Audit Progress update
- Final Management Letter – VAGO 2018-19 Audit
- Cyber attack response review
- Risk Management
- Legislative Compliance
- VAGO Report on Council Libraries
- Fraud and Corruption Control – Local Government
- Special Report on Corruption Risks Associated with procurement in Local Government

- Draft 2019/20 Forecast and 2020/21 Budget timeline
- CEO Corporate Card Expenditure
- Financial Performance as at 31 October 2019
- Audit Committee Charter
- Audit Committee Self-Assessment Survey

### **3. Financial Implications**

The cost of the Audit Committee function is incorporated into the 2019/20 Annual Budget.

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

There are no cost shift implications associated with the Committee.

### **5. Community Consultation**

Not applicable.

### **6. Internal Consultation**

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

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

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

### **8. Environmental Sustainability**

Not applicable.

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

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

### **10. Conclusion**

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

### **8.3.2 DRAFT AUDIT COMMITTEE MEETING MINUTES 5 FEBRUARY 2020**

**Author's Title:** Governance Officer

**Department:** Corporate Services

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

**Attachments:** 1 Draft Audit Committee Meeting Minutes 5 February 2020

**Relevance to Council Plan 2017 - 2021**

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

#### **MOTION:**

That Council notes the draft Minutes of the Audit Committee meeting held on 5 February 2020.

**MOVED: CR BRONWYN SIMPSON**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R730/20)**

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

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

#### **2. Discussion**

At its 5 February 2020 meeting, the Committee considered the following matters:

- Outstanding Actions
- Audit Committee Work Plan
- Internal Audit – Grant Acquittal Audit
- Internal Audit Update and Draft Internal Audit Plan 2020-2022
- Draft Procurement Policy
- Draft Fraud and Corruption Reporting Procedure
- Asset Management status update
- Risk Management
- Legislative Compliance
- Local Government Inspectorate Review: Yarriambiack Shire Council
- CEO Corporate Card Expenditure
- Draft Financial Performance as at 31 December 2019

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

The cost of the Audit Committee function is incorporated into the 2019/20 Annual Budget.

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

There are no cost shift implications associated with the Committee.

**5. Community Consultation**

Not applicable.

**6. Internal Consultation**

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

**7. Legislative / Policy Implications**

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

**8. Environmental Sustainability**

Not applicable.

**9. Conflict of Interest Considerations**

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

**10. Conclusion**

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



### **8.3.3 FINANCE PERFORMANCE REPORT AS AT 31 JANUARY 2020**

**Author's Title:** Manager Finance

**Department:** Corporate Services

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

**Attachments:**

- 1 Income Statement January 2020
- 2 Balance Sheet January 2020
- 3 Cashflow Statement January 2020
- 4 Cashflow Forecast Chart January 2020
- 5 Cashflow Forecast January 2020
- 6 Capital Program January 2020

**Relevance to Council Plan 2017 - 2021**

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

**MOTION:**

That Council receives and notes the Financial Performance Report for the month ending 31 January 2020.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR DARYL WARREN**

**CARRIED.  
(R731/20)**

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

Draft annual forecasts have been added to the Income Statement and Cashflow Forecast report/chart. The forecast remains in draft due issues around the December 2018 Flood and the Lake Tyrrell projects. With the recent bushfires, there is the potential that these projects will be further delayed and Buloke is seeking clarity from funding bodies. The Cashflow Forecast and Cashflow Forecast Chart demonstrates worse-case scenario for Buloke if funding is delayed on these projects. The significant impact on cashflow will be highlighted to the funding bodies during negotiations.

The reforecasting has adjusted the timing of the Financial Assistance Grant (FAG) 2019/20 which was paid 50% in advance in June 2019. Council is assuming the 2020/21 FAG will be paid on the same basis (50% in advance June 2020) as has been the case in recent years, however this remains at the discretion of the State Government until 30 June.

The significant variance in Operating Surplus/(Deficit) between the budget and forecast for the 2019/20 financial year is due to the revision of the December 2018 flood expenditure (down from \$5m to \$3.5m). Furthermore, it has been assumed in the forecast that no funding will be received until September 2020, removing \$5m of grant income from the budget. As discussed above, the timing of grant income regarding this project remains in negotiation, however worse-case scenario has been assumed for now.

The table below outlines the summary of the impact of the December 2018 project on reported results.

JUL 2019 - JAN 2020						
	YTD Actual (\$)	YTD Budget (\$)	YTD Variance (\$)	Annual Budget (\$)	Annual Forecast (\$)	Budget v Forecast Variance
Normal Operating Surplus/Deficit	3,452,033	4,164,377	(712,344)	(1,431,645)	(1,310,350)	121,295
Special Projects Surplus/Deficit (Dec 18 Flood)	(108,993)	188,750	(297,743)	25,000	(3,799,383)	(3,824,383)
<b>Operating Surplus/Deficit</b>	<b>3,343,040</b>	<b>4,353,127</b>	<b>(1,010,087)</b>	<b>(1,406,645)</b>	<b>(5,109,733)</b>	<b>(3,703,088)</b>
<b>Capital Income</b>	<b>4,519,192</b>	<b>7,756,000</b>	<b>(3,236,808)</b>	<b>7,847,000</b>	<b>10,488,325</b>	<b>2,641,325</b>
<b>Net Surplus/Deficit</b>	<b>7,862,232</b>	<b>12,109,127</b>	<b>(4,246,895)</b>	<b>6,440,355</b>	<b>5,378,592</b>	<b>(1,061,763)</b>

The **Income Statement** provides a summary of the total income and total expenditure relating to Council's annual operations. Capital grant income is included in the calculation of the Council's total surplus/(deficit) but is presented separately to distinguish operational activities. Capital grant income is specifically used to fund expenditure on Council assets which is reported on the balance sheet.

The reported surplus as at 31 January 2020 is \$7.86m. Excluding capital grant income of \$4.52m, the operating surplus is \$3.34m. This operating surplus is lower than budget (surplus \$4.34m) due to the timing of the FAG as discussed below and adjusted in the forecast. Both operating income and expenses are impacted by delays in the December 2018 flood event originally planned for the first half of the financial year.

The **Balance Sheet** summarises of the value of Assets (what Council owns) and our Liabilities (what Council owes), and the difference between assets and liabilities (Net Assets or Equity) reflects Council's net worth. Council's net worth as at this accounting period is \$281m due to the recognition rate income at this early stage of the financial year. Net worth is anticipated to decrease to \$279m by 30 June 2020 as budgeted expenditure occurs (\$273m as at 30 June 2019).

The **Cashflow Statement** reflects actual results for the year to date (July – January) in line with statutory financial reporting. At 31 January 2020, Council's Cash and Cash Equivalents were \$9.875m.

The **Cashflow Forecast** is a projection of cashflow for the remainder of the year based on the cash balance as at 31 January 2020, the monthly budgets and specified timing parameters (such when BAS/super are due and quarterly rate receipts).

The **Cashflow Chart** visually depicts the cashflow forecast and the updated format is illustrated in a dual design, based on best practice reporting.

The cashflow chart shows:

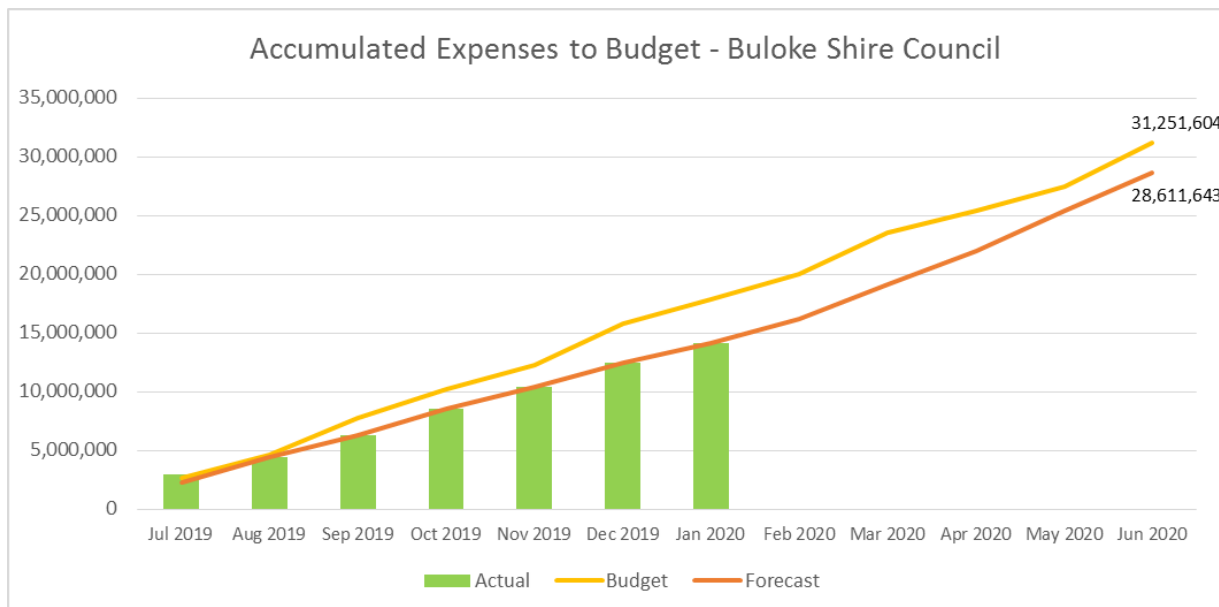
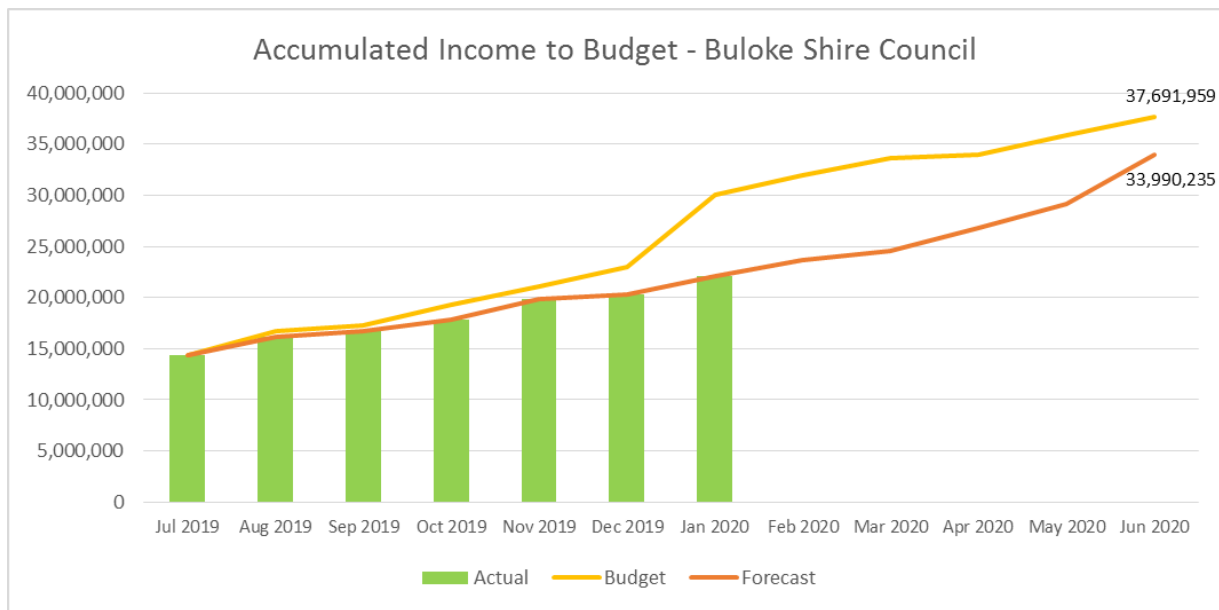
1. The line graph to reflect the ending bank balance each month for the year to date and a projection of the ending bank balance for the rest of the year; and
2. The column graph which summarises what is expected to happen during each month's cashflow to explain the change in the bank balance.

The bank balance is expected to remain positive throughout the 2019/20 financial year. However, as demonstrated in the forecast (prepared on a worse-case basis) the potential impact of upfront cash outlays for the December 2018 flood and Lake Tyrrell projects could bring cashflow below comfortable limits. Given the sizeable expenditure required on these projects the lack of advance funding may pose significant cashflow risk.

The **Capital Works Program** depicts \$6.36m of the annual capital works budget of \$11.754m has been expended or committed during July to January. Progress of project completion is detailed by percentage and chart.

**Financial Implications**

The tables below provide an overview of Council’s financial performance as at 31 January 2020. The format has been changed to add the forecast (draft).



As discussed, with the FAG timing issue updated in the forecast, the variance between budget and forecast is mostly due to the timing of the December 2018 flood project; reducing Income by \$5m (deferred to September 2020) and Expenses revised down by \$1.5m.

**2. Community Consultation**

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

**3. Internal Consultation**

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

**4. Legislative / Policy Implications**

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

**5. Environmental Sustainability**

This report has no direct impact on environmental sustainability.

**6. Conflict of Interest Considerations**

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

**7. Conclusion**

Draft forecast has addressed the variance to budget due the timing of the FAG and revised income and expenditure on the December 2018 flood project. The December 2018 flood project revision has significantly impacted the draft forecast year-end result but further clarity from the funding body is being sought.

## 8.4 ORGANISATIONAL REPORTS

### 8.4.1 ACTING CHIEF EXECUTIVE OFFICER

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

**File No:** PE/21/02

**Attachments:** Nil

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

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

#### **MOTION:**

That Council appoint the Director of Corporate Services Hannah Yu, as Acting Chief Executive Officer from 30 March to 3 April 2020 inclusive.

**MOVED: CR BRONWYN SIMPSON**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R732/20)**

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

The Chief Executive Officer will be on annual leave from 30 March to 3 April 2020. As a matter of organisational process, positions are filled by acting staff when any supervisor or manager is on leave for a week or more.

#### **2. Discussion**

The appointment of an Acting Chief Executive Officer ensures the uninterrupted operation of Council during periods of leave by the Chief Executive Officer.

The appointment of acting personnel assists in the development of succession planning and professional development within the organisation.

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

Minor costs involved in regard to higher duties payment for the period are factored into the annual budget.

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

Nil.

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

Nil.

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

The matter has been discussed with the Director Corporate Services.

**7. Legislative / Policy Implications**

The *Local Government Act 1989* requires Council to appoint a Chief Executive Officer, but does not provide any requirements for appointing an Acting Chief Executive Officer when the Chief Executive Officer is on leave. It is this Council's practice to appoint an Acting Chief Executive Officer by way of Council resolution.

**8. Environmental Sustainability**

Nil impact.

**9. Conflict of Interest Considerations**

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

**10. Conclusion**

That Council appoint the Director of Corporate Services Hannah Yu, as Acting Chief Executive Officer from 30 March to 3 April 2020 inclusive.

## 8.5 REPORTS FROM COUNCILLORS

### CR DAVID POLLARD

#### LOWER AVOCA WARD

- 14 February 2020 Phone meeting for Australian Livestock Saleyards Association.
- 20 February CVGA Zoom meeting. 1 positive outcome was to purchase an electric vehicle for the Executive Officer, this will allow the ability for tracking all of vehicle costs to compare with current fleet expenses
- 25 February Municipal Emergency Management Planning Committee
- 26 February Mr Judd and myself briefed Anne Webster Staff member on our advocacy document to get our projects in his mind when funding opportunities arise.
- Managers and Leaders lunch time discussion at Lead Loddon Murray office in Bendigo, where some networking and support opportunities were discussed
- Charlton Stadium Committee Meeting
- 28 February Cr Stewart and myself attended the Victorian Local Governance Association "The Final Countdown" training at RACV Club in Melbourne
- 1 March Assisted with the Country Fire Authority Rural competitions in Charlton.
- 4 March Councillor Briefing in Sea Lake.

### CR DARYL WARREN

- 12 February 2020 Workspace Meeting Bendigo
- 14 February Climate Adaptation Workshop Horsham
- 19 February Councillor Briefing Donald
- 20 February Loddon Mallee Waste and Resource Recovery Group Forum Meeting Wedderburn
- 21 February Loddon Mallee Waste and Resource Recovery Group Board Meeting Wedderburn
- 24 February Buloke Tourism Board Meeting Charlton
- 26 February Donald Community Precinct Meeting
- 26 February Donald 2000 Meeting
- 1 March Clean Up Australia Day Event Workspace Sheds Donald
- 4 March Councillor Briefing Sea Lake
- 11 March Council Meeting Wycheproof

**CR ELLEN WHITE****Delegate Meetings:**Central Murray Regional Transport Forum

No meeting this month for the Forum, but the Technical committee met in February to progress some of the actions from the strategy.

Municipal Emergency Management Planning Committee

- Municipal Fire Management Plan review not yet complete
- Meeting with flood committee at end of March
- Review of MIPP is to include the COVID 19
- MoUs with health services and NH being developed to provide cool spaces on extreme heat days. Is there a need for hydration points too?
- Use the [www.betterhealthchannel.vic.gov.au](http://www.betterhealthchannel.vic.gov.au) website for up to date information
- Flood guides have now been updated and include Culgoa

Municipal Fire Management Planning Committee

- Fire prevention notices are going down, with 30 repeat offenders
- Group exercises with smaller numbers of brigades to take place with a focus on radio use, hydro operations and pumps etc
- Discussion re volunteer availability during 'normal' work hours and ability to find a tanker driver
- Shire staff are under resourced, which impacts on our ability to meet all requirements on time

Mallee Local Transport Forum

No meeting this month

Lake Tyrrell Project Control Group

- Resurfacing works on Lake Tyrrell Rd now complete by shire staff
- All other parts of the project are progressing

Buloke Library Steering Committee

No meeting this month

**Highlights of the Month**

- Tyrrell College Induction Day
- Advance Sea Lake Meeting
- Councillor Briefings



**CR CAROLYN STEWART**

12 February 2020	Meeting with Mayor of Gannawarra Shire, Boort Ordinary Council Meeting, Wycheproof
13 February	ABC Radio Interview
17 February	Economic Development and Tourism Committee Meeting, Wycheproof
18 February	Tyrrell College Induction Day, Sea Lake CEO & Mayor Weekly Catch up, Wycheproof
19 February	Councillor Briefing, Donald Special Council Meeting, Donald
24 February	Recycling Reform Teleconference, via phone
25 February	CEO & Mayor Weekly Catch up, Charlton Recycling Reform Teleconference, via phone
26 February	LGMAP Meeting, Melbourne
28 February	Victorian Local Governance Association - The Final Countdown Training, Melbourne
1 March	Country Fire Authority Championships, Charlton
3 March	CEO & Mayor Weekly Catch up, Wycheproof
4 March	Presidents Lunch @ Wimmera Field Days Councillor Briefing, Sea Lake
11 March	CEO & Mayor Weekly Catch up, Charlton

## **9. OTHER BUSINESS**

### **9.1 NOTICES OF MOTION**

#### **9.1.1 NOTICE OF MOTION - CLIMATE CHANGE BILL**

**Author's Title:** Councillor Ellen White

**Department:** Office of the CEO

**File No:** GO/09/01

**Attachments:** 1 Notice of Motion - Climate Change Bill - Signed by Cr White

#### **RECOMMENDATION**

That Council write to Anne Webster MP, Member for Mallee, asking her to support the Climate Change Bill that is to be put forward in the Federal Parliament on March 23<sup>rd</sup> 2020 by the Independent Member for Warringah, Zali Steggall MP.

**MOVED: CR ELLEN WHITE**

**NO SECONDER**

**MOTION LAPSED.**

#### **Discussion**

Climate change is real for Australia, with immediate and deepening risks to our natural environment, economy and way of life. This Climate Change Bill sets out a clear framework for national plans to be put in place and updated by the Australian Government, and for progress to be rigorously monitored and reported.

The Bill aims to ensure that Australia has a clear and positive response to the challenges of climate change.

This national framework will ensure that Australia has:

1. A positive response to the challenges of climate change that is transparent and effective, and that pursues new opportunities, generational equity and just transitions;
2. National plans for adapting to a changing climate, so that the different parts of our continent and economy can respond positively to changing physical conditions and international policies;
3. National plans for reducing greenhouse gas emissions, to meet emissions reduction targets that align with scientific imperatives and State government and international commitments; and
4. Transparent monitoring, reporting and accountability for national adaptation planning and emission reduction actions, with an independent Climate Change Commission (CCC) to advise Government and Parliament.

The proposed legislation also includes:

1. The establishment of the Climate Change Commission, an independent body which will complete an annual national climate risk assessment across the economy, society and the natural environment, to which Australia will need to respond;

2. The development and implementation of five year national adaptation plans for the nation and for nominated regional and economic sectors; and
3. National plans for reducing greenhouse gas emissions, with targets reviewed every five years, and budgets developed in advance

The economy of the Mallee electorate has much unlocked potential for renewable energy, and on farm mitigation. The Mallee also has a large climate risk profile associated with agriculture, horticulture, infrastructure, health and energy prices.

Support for this Bill will give confidence to the Mallee electorate, local governments and communities that while we cannot avoid the impacts of climate change (drought, fire, flood, heatwaves etc) we can have confidence that the Australian Government will be better prepared for them.

## **9.2 QUESTIONS FROM COUNCILLORS**

### **9.2.1 CR WHITE – ESOTERIC FESTIVAL**

QUESTION: Cr Ellen White enquired if there is a maximum number of patrons for the Esoteric Festival and was that complied with.

RESPONSE: CEO advised it was a five-year permit, with maximum number of 6,000 patrons each year.

QUESTION: Cr White asked if Council could receive a report on this matter.

RESPONSE: CEO responded that Councillors would receive a briefing on compliance with the permits following a debrief with the agencies involved in the event.

## **9.3 URGENT BUSINESS**

Nil

## **9.4 ANY OTHER BUSINESS**

Nil

## 9.5 MATTERS WHICH MAY EXCLUDE THE PUBLIC

### **MOTION:**

That Council closes the meeting to the public pursuant to Section 89(2) of the Local Government Act 1989 to consider the following items, which are confidential for the reasons indicated:

- 9.5.1 CONTRACT C74 2019/2020 - SUPPLY AND DELIVERY OF TWO (2) NEW GENERAL PATROL TRUCKS. (d) contractual matters
- 9.5.2 CONTRACT No C72 2019/2020 SUPPLY OF ONE (1) NEW MOTOR GRADER (d) contractual matters

**MOVED: CR DARYL WARREN**

**SECONDED: CR BRONWYN SIMPSON**

**CARRIED.**

**(R733/20)**

### **MOTION:**

That Council reopens the meeting to the public pursuant to Section 89(2) of the Local Government Act 1989 and brings resolutions from the closed session into open session.

**MOVED: CR BRONWYN SIMPSON**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R736/20)**

### RESOLUTIONS BROUGHT IN FROM CLOSED SESSION

#### 9.5.1 CONTRACT C74 2019/2020 - SUPPLY AND DELIVERY OF TWO (2) NEW GENERAL PATROL TRUCKS.

That Council:

1. Award the Contract No. C74 2019/2020 – Supply and Delivery of Two (2) New General Patrol Trucks to Johnsons Truck and Coach Service Pty Ltd for \$197,800.00 excl GST and affixes the common seal;
2. Delegate authority to the Chief Executive Officer to approve payments and contract variations for Contract No. C74 2019/2020 Supply and Delivery of Two (2) New General Patrol Trucks; and
3. Notes and declares the confidential attachment to this report for Contract No. C74 2019/2020 Supply and Delivery of Two (2) New General Patrol Trucks on the grounds that it relates to contractual matters as described in s 89(2) of the Local Government Act 1989.

**9.5.2 CONTRACT No C72 2019/2020 SUPPLY OF ONE (1) NEW MOTOR GRADER**

That Council:

1. Award Part A and B of Contract No. C72 2019/2020 for the Supply of One (1) New Motor Grader to William Adams Pty Ltd for the lump sum price of \$202,500 excluding GST. Part A includes the purchase of one (1) New Caterpillar 14M for the amount of \$402,500 excl GST and Part B includes the trade in of one (1) Caterpillar 12m (registration 1DN 3HD) in the amount of \$200,000.00 excl GST;
2. Delegate authority to the Chief Executive Office to approve payments and contract variations for Contract No C72 2019/2020 Supply of One New Motor Grader; and
3. Notes and declares the confidential attachment to this report for Contract No. C72 2019/2020 for the Supply of One (1) New Motor Grader on the grounds that it relates to contractual matters as described in s 89(2) of the Local Government Act 1989.

**10. MEETING CLOSE**

Meeting Closed at 7.33pm.