



ORDINARY COUNCIL MEETING

AGENDA

Wednesday 9 September 2020

Commencing at 7.00pm

Remote Zoom Meeting

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

ORDER OF BUSINESS

1. COUNCIL WELCOME AND STATEMENT OF ACKNOWLEDGEMENT

WELCOME

The Mayor Cr Carolyn Stewart will welcome all in attendance.

STATEMENT OF ACKNOWLEDGEMENT

The Mayor Cr Carolyn Stewart 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 Ordinary Meeting held on Wednesday, 12 August 2020.

4. REQUESTS FOR LEAVE OF ABSENCE

5. DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

In accordance with Sections 77A, 77B and 78 of the Local Government Act Councillors are required to disclose an "interest" in a decision if they would receive, or could be reasonably perceived as receiving a direct or indirect financial or non-financial benefit or detriment (other than as a voter, resident or ratepayer) from the decision.

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

6. QUESTIONS FROM THE PUBLIC

NIL

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	NIL	
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	The Meeting may be closed to members of the public to consider confidential matters.	
8.6.1	SEA LAKE VISITOR HUB - EXPRESSION OF INTEREST	
8.6.2	CONTRACT C83 2020 - 2021 CHARLTON EARLY YEARS CENTRE	
8.6.3	CONTRACT C75 2019 - 2020 BIRCHIP - SEA LAKE ROAD STREETScape PROJECT (CUMMING AVENUE) - CONTRACT VARIATION	
	If the meeting has been closed it will be brought back into open session by resolution	
9.	OTHER BUSINESS	
9.1	NOTICES OF MOTION	34
	NIL	
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	NIL	
9.3	URGENT BUSINESS	34
	NIL	
9.4	ANY OTHER BUSINESS	34
	NIL	
10.	MEETING CLOSE	

NEXT MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN WYCHEPROOF SUPPER ROOM, , 367 BROADWAY, WYCHEPROOF ON WEDNESDAY, 14 OCTOBER 2020 AT 7.00PM.

Anthony Judd
CHIEF EXECUTIVE OFFICER

6. QUESTIONS FROM THE PUBLIC

Nil

7. PROCEDURAL ITEMS

7.1 REPORT OF ASSEMBLY OF COUNCILLORS MEETINGS

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/05/04

RECOMMENDATION

That the Council note the report of Assembly of Councillor Meetings held on 5 August 2020 and 19 August 2020.

Attachments: 1 [Councillor Briefing Record - 5 August 2020](#)
2 [Councillor Briefing Record - 19 August 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 5 August 2020 and 19 August 2020 are attached.

BULOKE SHIRE COUNCIL

Record

Councillor Briefing

Date and Time:	5 August 2020	Time: 5:00pm – 8:00pm
Location:	Zoom	

ITEMS

NO.	TOPIC	PURPOSE/PRESENTER
	Councillor only time 5:00pm – 5:30pm	
1.	Welcome	
2.	Apologies	Travis Fitzgibbon
3.	Attendees	Cr. Stewart, Anthony Judd, Cr. Vis, Cr. Milne, Cr. Pollard, Cr. Warren, Cr. White, Cr. Simpson, Wayne O’Toole, Hannah Yu
4.	Visitors	Fiona Best – Birchip Cropping Group CEO Ken Rowe- BSC Manager Works Rodney Hotker – BSC Manager Development Services Wayne Wall – BSC Team Leader Compliance Krissy Kahler – BSC Development Services Administration
5.	Declarations of Pecuniary Conflicts of Interest	Nil
6.	Confirmation of Councillor Briefing Notes 6.1 Councillor Briefing Notes 15 July 2020	
7.	Presentations	
7.1	Birchip Cropping Group	Fiona Best – Chief Executive Officer
7.2	Service Review - Plant and Workshop Management	Ken Rowe – Manager Works
7.3	Community Local Law 2019 Procedures Discussion	Rodney Hotker – BSC Manager Development Services Wayne Wall – BSC Team Leader Compliance Krissy Kahler – BSC Development Services Administration

7.4 Small Towns Big Difference Pilot Proposal Anthony Judd – Chief Executive Officer

8. Items for Discussion

8.1 Nil Items

9. Councillor Matters

10. CEO Updates

11. Next Briefing:

Date and Time:	19 August 2020	Time: 3.00pm
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Location:	Zoom
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12. Briefing Close - 8.28pm

BULOKE SHIRE COUNCIL

Record

Councillor Briefing

Date and Time:	19 August 2020	Time: 3:00pm – 6:00pm
Location:	Zoom	

ITEMS

NO.	TOPIC	PURPOSE/PRESENTER
	Councillor only time 3:00pm – 3:30pm	
1.	Welcome	
2.	Apologies	Cr. Pollard
3.	Attendees	Cr. Stewart, Cr. Warren, Cr. Vis, Cr. Simpson, Cr. Milne, Cr. White, Anthony Judd, Travis Fitzgibbon, Rose Harris, Wayne O’Toole, Hannah Yu
4.	Visitors	Mark Williams – GWM Managing Director Peter Vogel - GWM Water Chair
5.	Declarations of Pecuniary Conflicts of Interest	Nil
6.	Confirmation of Councillor Briefing Notes – 5 August 2020	Confirmed
7.	Presentations	
7.1	GWM Water	Mark Williams and Peter Vogel
7.2	Lake Tyrrell Conservation Management Plan/Mallee Rally	Anthony Judd – Chief Executive Officer
7.3	Silo Art Gap Analysis and Extension Project	Anthony Judd – Chief Executive Officer
8.	Items for Discussion	

8.1 COVID-19 Financial Hardship Policy Hannah Yu – Director Corporate Services

8.2 Current Funding Opportunities Anthony Judd – Chief Executive Officer

9. Councillor Matters

10. CEO Updates

11. Next Briefing:

Date and Time:	2 September 2020	Time: 5.00pm – 8.00pm
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Location:	Zoom
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12. Briefing Close

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 particular 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
Australian Governor General Australian Bravery Decorations List 2020	Samuel Marshall King (formerly of Birchip District)	25 August 2020	For being one of five awardees of a National Group Bravery Award who rescued a man from a burning vehicle at Corowa, New South Wales.

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	Correspondence sent to	Date sent	Date of Response	Summary of Response
10 June 2020 Ordinary Meeting To advocate for action to improve the shoulders on the Wycheproof –Birchip Road	Graincorp Regional Roads Victoria	24 June 2020		Graincorp made phone contact to set up an onsite meeting.
10 June 2020 Ordinary Meeting To advocate that the Mode Shift Incentive Scheme be continued and funded at \$16M until 30 June 2022;	The Hon Melissa Horne Minister for Public Transport; and Ports and Freight	22 June 2020		
8 July 2020 Ordinary	Shayne Elliot CEO	9 July	28 July 2020	Decision to close ANZ Donald was made after careful consideration & continued year-on-year

<p>Meeting</p> <p>Review decision to close the Donald Branch on the basis that the continuing operation of the Branch is essential to well-being and sustainability of the community and business in Donald & District.</p>	<p>ANZ Group</p>	<p>2020</p>		<p>decline in customer traffic & increase use of digital banking. 15% of customers used branch to transact, with majority via other means including online & digital channels (% pre-dates COVID-19).</p> <p>Acknowledging transition issues for some customers so established a VIC-based dedicated customer care team to support them by calling 1800 841 549 or LocalCustomerCareTeamVICTAS@anz.com.</p> <p>Regarding personal identification & security, for password resets customers can call our contact centre (13 13 14) or reset through ANZ's app.</p> <p>Customer identification, for select accounts they offer electronic verification for personal loans, everyday banking, credit cards, and eVerify for home loans, so no need for customers to visit a branch provided they have appropriate ID.</p> <p>For more info on eVerify visit: https://www.anz.com.au/support/anz-eVerify/</p> <p>Simone Stella Senior Advisor, Government Relations ANZ </p>
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7.4 PLANNING APPLICATIONS RECEIVED - MONTHLY UPDATE

Author's Title: Planning Officer

Department: Works and Technical Services

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	Applicant	Address	Date Rec	Summary of Proposal	Status
PPA863/20	Yuille Holdings Pty Ltd (Wyche BP)	432 Broadway, Wycheproof	28/05/2020	Construction and display of an internally illuminated business identification sign incorporating electronic pricing	Permit issued
PPA867/20	DJ & KE Rickard	18 Johnson Street, Birchip	23/06/2020	Construction of a dwelling	Permit issued
PPA868/20	GW & BJ Kelly	406 Stannard Road, Watchupga (Lot 1 PS 219186)	06/07/2020	Construction of pig shed and amenities building	Request for further information
PPA869/20	James Course	Sea Lake-Swan Hill Road, Sea Lake (Lot 3 PS 333821)	07/07/2020	Construction and display of a major promotion sign	Permit issued
PPA870/20	GL Bailey (Sea Lake Off-Road Club)	Boundary Road, Pier Millan	07/07/2020	Use of land for outdoor recreation ('Camel's Capers Enduro' off-road racing event)	Request for further information
PPA872/20	Teys Australia Charlton Feedlot	224 Yeungroon-Woosang Road, Yeungroon East	27/07/2020	Construction of a 200m x 36m shed associated with feedlot	Notice of application

PPA873/20	Charlton Golf Club	286 Golf Links Road, Charlton	27/07/2020	Construction of golf cart shed	Notice of application Referral
PPA875/20	Charlton Harness Racing Club	Mildura Way, Charlton (CA 17 Sec A Parish Charlton East)	11/08/2020	Removal of three buildings and construction of a vet services shed	Notice of application Referral
PPA876/20	Brent Williams	23 Jubilee Street, Wycheproof	10/08/2020	Construction of a dwelling	Notice of application Referral
PPA877/20	GJ & NJ Gwin	75 Camp Street, Watchem	11/08/2020	Construction of a carport	Permit issued
PPA878/20	BJ Thompson	44 Wright Street, Charlton	17/08/2020	Construction of a hay shed	Referral
PPA879/20	Wombalina Holdings Pty Ltd	7 Gil Gil Road, Gil Gil	18/08/2020	Use and development of land for animal production(poultry farm), construction of 2 sheds and increase capacity to 60,000 birds	Notice of application Referral
PPA880/20	Entegra Signature Structures	430 C McQuinns Road, Wycheproof	19/08/2020	Construction of a hay shed	Referral
PPA881/20	WM Scott	52 High Street, Charlton	20/08/2020	Construction of a carport	Notice of application
PPA882/20	Kristy Zhang	Calder Highway, Berrivillock (Lot 2 PS 306136)	21/08/2020	Installation of a telecommunication facility	New
PPA883/20	Charlton Harness Racing Club	Mildura Way, Charlton (CA 17 Sec A Parish Charlton East)	24/08/2020	Construction of horse stalls	New
PPA884/20	Charlton Harness Racing Club	Back St Arnaud Road, Charlton (CA 3 Sec 14 Parish Charlton East)	24/08/2020	Construction of a shed	New

7.5 BUILDING PERMITS - MONTHLY UPDATE

Author's Title: Statutory Administration Support

Department: Works and Technical Services

File No: DB/14/01

EXECUTIVE SUMMARY

This report provides information on Building Permits approved by staff from 1 August 2020 to 31 August 2020.

RECOMMENDATION

That the Council note information contained in the report on Building Permits approved by staff from 1 August 2020 to 31 August 2020.

Attachments: Nil

LIST OF BUILDING PERMITS APPROVED BY COUNCIL SURVEYOR

Permit No.	BAMS Permit No.	Address	Project Description	Date Approved
20200122	5693834185323	Railway Avenue, Sea Lake	Demolition of GWM Facility (pump station)	30/07/2020
20200123	5983429365450	Ferriers Lane (off Camp Street), Donald	Demolition of GWM Facility (pump station)	30/07/2020
20200124	6046856030811	271 Broadway, Wycheproof	Addition of verandah to shop front	06/08/2020
20200125	7381524376760	34 Elliots Road, Bimbourie	Hay Shed	06/08/2020
20200129	5121787119222	5 Armstrong Street, Charlton	Accessibility Ramp	13/08/2020
20200130	5646222650747	Scrubbery Lane, Litchfield	Alterations & Additions to Office/Amenities Building and Ancillary Structures	13/08/2020
20200131	3318180352549	941 Gretgrix Road, Teddywaddy West	External Covered Verandah Area	13/08/2020
20200142	6470737678260	1 Armstrong Street, Charlton	Demolition of Charlton Maternal Child Health & Kindergarten Buildings	27/08/2020
20200143	2494763482308	22 King Street, Birchip	Verandah	27/08/2020

LIST OF BUILDING PERMITS APPROVED BY PRIVATE SURVEYOR

Permit No.	Address	Project Description	Date Approved
20200114	24-28 Duncan Street, Birchip	Additions to existing Aged Care Facility	01/07/2020
20200115	3597 Berriwillock-Birchip Road, Berriwillock	Hay Shed	17/07/2020
20200116	Calder Highway, Wycheproof	Farm Shed	20/07/2020
20200117	2982 Warracknabeal-Birchip Road, Warmur	Hay Shed	20/07/2020
20200118	127 Cumming Avenue, Birchip	Re-stump dwelling	21/07/2020
20200119	885 Nullawil-Lalbert Road, Kalpienung	Farm Shed	21/07/2020
20200120	Woolshed Road, Marlbed	Farm Shed	21/07/2020
20200121	11 Hillview Street, Wycheproof	Shed	22/07/2020
20200126	489 Brim East Road, Wilkur	Farm Shed	05/08/2020
20200127	21 Currie Street, Charlton	Re-stump dwelling	05/08/2020
20200128	250 Yawong Springs Road, Yawong Hills	Farm Shed	06/08/2020
20200132	55 Webster Street, Wycheproof	Re-erection of a garage	06/08/2020
20200133	73 Karyrie Station Road, Kinnabulla	Hay Shed	07/08/2020
20200134	6 Horace Street, Sea Lake	Relocation of dwelling	11/08/2020
20200135	8 Racecourse Road, Donald	Warehouse Extension	12/08/2020
20200136	29 Hammill Street, Donald	Alteration to dwelling	01/06/2020
20200137	31 Green Plains East Road, Corack	Hay Shed	14/08/2020
20200138	1939 Borung Highway, Jeffcott	Farm Storage Shed	17/08/2020
20200139	522 Boigbeat East Road, Boigbeat	Farm Storage Shed	17/08/2020
20200140	1243 Warne Road, Warne	Machinery Shed	18/08/2020
20200141	170 Woods Street, Donald	Partial re-stump of dwelling	20/08/2020

8. GENERAL BUSINESS**8.1 POLICY REPORTS****8.1.1 COVID-19 FINANCIAL HARDSHIP POLICY**

Author's Title: Director Corporate Services

Department: Corporate Services

File No: FM/19/03

Relevance to Council Plan 2017 - 2021

Strategic Objective: Deliver our service in a financially viable way

PURPOSE

To set out information to the Council for consideration in the adoption of a revised COVID-19 Financial Hardship policy (Policy).

SUMMARY

Council seeks to ensure it continues to be sensitive and responsive to issues within its municipality arising from the COVID-19 pandemic. The revised Policy has been developed as one of the many steps Council is taking to supporting its community through this pandemic.

RECOMMENDATION

That Council adopts the revised COVID-19 Financial Hardship policy.

Attachments: 1 [COVID-19 Financial Hardship Policy](#)

DISCUSSION

The Council, at its April 2020 Meeting, adopted the Policy as one of the many initiatives developed in response to the uncertainty created by the novel Coronavirus (COVID-19) pandemic. The Policy aims to support residents and ratepayers who may be experiencing increased financial pressures during this pandemic.

In view of the continued unpredictable nature of the COVID-19 pandemic, this report proposes the extension of the Policy for a further six months. An adjustment has been made to the Policy outlining the Council's intention to limit exposure in the event of default on payment arrangements made under the Policy.

RELEVANT LAW

This Policy has been developed in accord with the *Local Government Act 1989* and the *Local Government Act 2020*.

Applications relating to registration fees will be considered on a case by case basis to ensure partial payment of same does not impact on the validity of the registration.

RELATED COUNCIL DECISIONS

Council adopted its Rates and Charges Financial Hardship policy in June 2017. The Rates and Charges Financial Hardship policy is only available to a ratepayer's principal place of residence on properties rated as Residential or Retirement Village Properties. No option is available under this Policy to defer or waive rates and charges on properties rated as vacant, commercial, industrial, or farm land due to the restrictions imposed under the *Local Government Act 1989*.

Council adopted its COVID-19 Financial Hardship policy in April 2020.

OPTIONS

Council Officers considered further amendments to the Policy to limit its application to only waiving interest charged due to the current payment options already offered to residents, which by comparison to other Councils, help elevate the rates financial burden. A review of payment arrangements identifies the Council offers more options for payment (3 – nine instalments, quarterly instalments and annual payment) compared to those offered by other councils (2 or 1; quarterly and, in some instances, only annually).

SUSTAINABILITY IMPLICATIONS

Not applicable to this report.

COMMUNITY ENGAGEMENT

This Policy has not been subject to community consultation, however Council Officers have received requests for alternative arrangements from some ratepayers as a consequence of financial pressures associated with COVID-19.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable to this report.

COLLABORATION

Not applicable to this report.

FINANCIAL VIABILITY

Fifteen applications have been received under the Policy for residential, residential vacant, commercial, industrial and farming properties. Six applicants have defaulted on their payment arrangements. As outlined earlier in this report, adjustments have been made to the Policy to allow Council Officers to apply normal debt collection procedures where an applicant has defaulted on their payment arrangements.

Further, as previously reported to the Audit and Risk Committee, Council is undertaking a full review of aged rates debtors. It is likely that this review will result in a number of historical arrangements being identified which are unfavourable to the Council's financial situation.

Council Officers highlight the potential impact on financial viability should payment arrangements become too numerous or exceed annual timeframes. This situation could negatively affect Council's cash flow and temporary borrowings may be required for replacement cash flow to maintain operations. Deferring payments over too long a time-period can also cause further financial pressure to residents if outstanding rates accumulate over several years.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The Federal Government is providing economic stimulus benefits to qualifying business to support them to meet ongoing financial commitments.

The Victorian Ombudsman has advised her intention to investigate how councils are responding to financial hardship through application of special assistance initiatives and rate relief for rate payers during the pandemic. The investigation will aim to identify good practice which can be shared across all councils.

COUNCIL PLANS AND POLICIES

The revised Policy has been developed with consideration to the Council Plan 2017-21 and the Rates and Charges Financial Hardship policy.

TRANSPARENCY OF COUNCIL DECISIONS

A copy of the Policy will be made available to the Public via Council's website.

CONFLICTS OF INTEREST

In providing this advice to the Council as the Director Corporate Services I, Hannah Yu, have no interests to disclose in this report.

Interests of Councillors and Officers who reside in the Buloke municipality do not exceed the interest generally held by Buloke Shire ratepayers.

POLICY LOCATION	Corporate Services	POLICY TITLE	COVID-19 Financial Hardship
POLICY NUMBER	FM6	DATE ADOPTED	[INSERT ADOPTION DATE MM/YY]
REVISION NUMBER	2	REVISION DATE	31 March 2021

Purpose

The purpose of this policy is to address temporary financial hardship due to impacts of COVID-19.

Scope

Council's Financial Hardship policy only allows for financial hardship experienced by a ratepayer at their primary residence (exclusively residential). This policy will apply to all rateable properties in the Shire of Buloke from 16 March 2020 to the 31 March 2021 inclusive.

This policy applies to rates payments, interest on fees and charges, and registration fees.

This policy does not apply to any debt incurred prior to the State of Emergency declared in Victoria on 16 March 2020.

This policy does not apply to one off fees associated with venue hires; saleyards; standpipes; impounded domestic animals, livestock, vehicles and caravans or goods, administration fees, or cat traps; sundry debtors; landfill charges including tyres, animal carcasses; pool hire.

Definitions

In this Policy –

“Council” refers to the Buloke Shire Council.

“Debt” refers to an amount of money owed, including alleged debt.

“Deferment” means postponement of payment in whole or in part for a specified period.

“Payment Arrangement” means spreading the outstanding amount owed to the Council over an agreed period, allowing for additional time to make the payment without any legal action being taken (e.g. regular repayments which will clear the amount owing).

Policy Statement

The Coronavirus disease (COVID-19) is a new virus that is making many people unwell and can cause severe respiratory illness in some. COVID-19 spreads through close contact with an infected person, mostly via face to face contact.

COVID-19 was declared a global pandemic on the 30 January 2020 and a State of Emergency was declared in Victoria on the 16 March 2020. The Buloke Shire Council is committed to helping residents, ratepayers and businesses facing financial hardship as a result of the impact of the COVID-19 pandemic on the community.

Council's aim is to provide assistance to ratepayers through the COVID-19 event without creating additional financial stress when the pandemic has been resolved.

Instead of deferring all financial responsibilities due to this event (which could cause further hardship and financial stress when the event is over and bills are owed) Council is encouraging ratepayers experiencing hardship to set up a payment plan tailored specifically to their needs.

Guidelines

Payment Arrangements and Interest Hold

Council will encourage ratepayers that are facing financial hardship to set up a payment plan which will reduce the amount of debt owing after the pandemic.

Council will also hold interest on debt accumulated during the COVID-19 pandemic. The interest hold will begin from the declaration of the State of Emergency (16 March 2020) until the 31 March 2021, to allow time for the debt to be paid without interest. If any debt is still outstanding at 1 April 2021, Council's policies (including its Financial Hardship policy) will apply.

Rate Notices will continue to be issued while payment arrangements are in place.

Requests for payment arrangements associated with registration fees will be reviewed taking into account payment requirements under the relevant legislation to ensure partial payment does not invalidate the registration.

Debt Recovery

Council will make a reasonable attempt to contact a customer about their overdue account. This may include a reminder letter, account statement, email, text message or phone call.

During the COVID-19 pandemic, Council will hold off on legal action for the collection of rates and charges unless:

- an applicant under this Policy has defaulted on their approved payment arrangements, or
- the outstanding balance relates to rates, charges, interest and fines incurred prior to the pandemic and form part of existing debt recovery action commenced or in place, prior to the date of this policy.

The debtor will be liable for all legal costs incurred by Council in the debt collection process.

Creditor Payments

Every reasonable effort will be made to ensure payment of invoiced amounts within 15 days on receipt of an accurate invoice.

References

This Policy was developed in accord with the following legislation:

- *Local Government Act 2020*
- *Local Government Act 1989*

This Policy is implemented in conjunction with the following documents:

- Buloke Shire Council Rates and Charges Financial Hardship policy

8.2 MANAGEMENT REPORTS

8.2.1 2020/2021 SWIMMING POOL SEASON

Author's Title: Acting Manager Community Facilities

Department: Works and Technical Services

File No: CP/19/01

Relevance to Council Plan 2017 - 2021

Strategic Objective: Deliver our service in a financially viable way

PURPOSE

The purpose of this report is to seek Council approval to confirm the opening date of 14 November 2020 and the closing date of 14 March 2021 for the 2020/21 swimming pool season.

SUMMARY

This report seeks Council approval to confirm:

- the opening date of 14 November 2020 and the closing date of 14 March 2021 for the 2020/21 swimming pool season;
- no change to the opening days and hours across all seven swimming pools;
- That Council will continue the policy to 'bank' cold weather days for use at the end of the season; and
- That the Chief Executive Officer will have authorisation under delegation to make decisions impacting pool operations based on State Government advice and restrictions with regards to the COVID-19 pandemic.

RECOMMENDATION

That Council:

1. Sets the 2020/21 swimming pool season to operate from Saturday 14 November 2020 until Sunday 14 March 2021 for all seven swimming pools;
2. Make no change to opening days and hours across all seven swimming pool;
3. Advertises the 2020/21 pool season dates through its media platforms and displays them at each pool for the duration of the season;
4. 'Bank' cold weather days for use at the end of the 2020/21 season where the temperature remains above 30 degrees; and
5. Authorise the Chief Executive Officer to alter the season length under delegation in line with the advice and restrictions provided by the State Government with regards to the COVID-19.

Attachments: Nil

DISCUSSION

Traditionally, Council has opened all seven swimming pools in the second week of November and closed them at the end of the second week in March. With the exception of the end date being extended a further week to include the Labour Day long weekend, the recommendation is consistent with previous years, the proposed opening and closing dates are 14 November 2020 and 14 March 2021. This season length has been the basis of the formulation of the swimming pool budget.

Council's Aquatic Strategy 2013 provided a recommendation to implement a 'cold weather policy' to close on days of low temperature as a means to reduce costs. This was implemented in the past three seasons and officers and have found this to be a successful way of increasing the season length in some areas, whilst minimising impact on the operational budget.

Due to the ongoing COVID-19 pandemic and current Stage Three restrictions in place at the time of preparing this report, Officers have sought advice from the State Government regarding likely impacts to Council service delivery depending on levels of restrictions imposed. While the COVID-19 pandemic is ongoing, variations on State Government imposed restrictions will remain fluid, and impact on the Swimming Pool Season in 2020/21 is not fully known. To that end, and in the interest of public health and wellbeing, it is recommended that Council authorises the Chief Executive Officer to make alter the pool season length in line with State Government advice and restrictions relating to the COVID-19 pandemic.

RELEVANT LAW

Not applicable.

RELATED COUNCIL DECISIONS

This report and recommendations enclosed are consistent with the Council decisions regarding the 2019/20 Swimming Pool Season.

OPTIONS

It is recommended that Council consider authorising the Chief Executive Officer under delegation to make decisions relating to pool operations in the 2020/21 Swimming Pool Season regarding advice and restrictions imposed by the State Government in relation to the COVID-19 pandemic.

SUSTAINABILITY IMPLICATIONS

Altering the length of the season would increase electricity and water usage.

COMMUNITY ENGAGEMENT

The recommended season dates and cold weather procedures are consistent with previous seasons and comparable with other pools in the Loddon Mallee region. Closing of the pools due to cold weather will not affect user groups who hire the pools outside of Council's designated opening hours. General feedback from users after the last three seasons has been positive regarding the 'banking' of cold weather days.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

In the preparation of this report, advice from neighbouring Local Government Areas, and the State Government was sought.

FINANCIAL VIABILITY

The 2020/21 operational budget has been developed with the proposed dates in mind. The inclusion of a cold water procedure and 'banking' system will have a neutral effect on the budgeted position.

Pending the availability of lifeguards in March, there may be some employee savings if the season cannot be extended.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

This report has been developed taking into account the current State Government restrictions and guidelines in relation the COVID-19 pandemic.

COUNCIL PLANS AND POLICIES

Council Plan 2017-2021 - Deliver our service in a financially viable way.

TRANSPARENCY OF COUNCIL DECISIONS

Not applicable.

CONFLICTS OF INTEREST

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

8.2.2 FREE GREENWASTE PERIOD 2020

Author's Title: Director Works and Technical Services

Department: Works and Technical Services

File No: WM/16/01

Relevance to Council Plan 2017 - 2021

Strategic Objective: Diversify and enhance our local economy.

PURPOSE

The purpose of this Report is to have Council approve the provision of free access to Council's landfill and transfer stations for the month of October 2020 for the purpose of disposing green waste in preparation for the 2020-21 fire season.

SUMMARY

Each fire season, Council provides one-month free access to our landfill and transfer stations to allow residents to dispose of their green waste as they prepare their properties for the upcoming fire restriction period.

RECOMMENDATION

That Council:

1. Provides free access to Council's landfill and transfer stations for the month of October for the purpose of disposing green waste in preparation for the 2020-21 fire season.
2. Authorises the Chief Executive Officer to extend the period as required

Attachments: Nil

DISCUSSION

Council Officers inspect all properties in our townships to ensure they comply with requirements under the CFA Act 1958. In support of this activity, Council has in recent years provided free access to landfills and transfer stations for residents to dispose of their green waste free of charge for one month. This activity provides an opportunity for residents to clean their properties up of grass clippings etcetera in preparation for the upcoming fire period.

RELEVANT LAW

The CFA Act 1958 dictates property owners in townships need to keep their properties in a condition that restricts the spread of fire, Council's Municipal Fire Prevention Officer has responsibility to ensure compliance to the Act is maintained.

RELATED COUNCIL DECISIONS

Council has historically provided free access to our landfills and transfer stations for one month prior to the commencement of fire restrictions to enable residents to prepare their properties to comply with CFA regulations.

OPTIONS

Council could decide not to allow our residents free access to our waste facilities, this would not be in line with what has occurred in recent years and would possibly discourage residents from preparing their properties for the fire season.

SUSTAINABILITY IMPLICATIONS

No Environmental issues

COMMUNITY ENGAGEMENT

Council's Communication Department will promote the free access via newspapers, Council's website and social media.

INNOVATION AND CONTINUOUS IMPROVEMENT

There are no innovation or continuous implications relevant to this report.

COLLABORATION

Officers have discussed this activity internally with relevant staff.

FINANCIAL VIABILITY

Charges for the disposal of green waste are set out in Council's fees and charges schedule as part of the 2020/21 Budget. All green waste deposited is mulched for use in Council's parks and gardens activities as well as being used for daily cover at our landfills.

Direct cost of providing free green waste and volume collected for the month of October 2019 are outlined in the table below:

	Green Waste October 2019			
	m3		Cost @ \$8 m3	
	Household	Business	Household	Business
Birchip	5	62	\$ 40.00	\$ 496.00
Charlton	453.25	8	\$ 3,626.00	\$ 64.00
Donald	239.5	24	\$ 1,916.00	\$ 192.00
Sea Lake	87	3	\$ 696.00	\$ 24.00
Wycheproof	100	20	\$ 800.00	\$ 160.00
Totals	884.75	117	\$ 7,078.00	\$ 936.00
	1001.75		\$8,014.00	

NB: No data available for Watchem.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

There is no relevant regional, state or national plan or policy implications.

COUNCIL PLANS AND POLICIES

The *CFA Act 1958* dictates property owners in townships need to keep their properties in a condition that restricts the spread of fire, Council's Municipal Fire Prevention Officer has responsibility to ensure compliance to the Act is maintained.

TRANSPARENCY OF COUNCIL DECISIONS

This report is being brought to Council for a decision to maintain transparency.

CONFLICTS OF INTEREST

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

8.2.3 AGRILINKS UPGRADE PROGRAM

Author's Title: Director Works and Technical Services

Department: Works and Technical Services

File No: GS/03/02

PURPOSE

This report is presented to Council to consider making an application under the Victorian Government's AgriLinks Upgrade Program (AUP).

SUMMARY

The State Government has made unmatched funding available up to \$350,000 through the AgriLinks Upgrade Program. Based on road condition assessments and the criteria for the funding, a section of the Nullawil-Birchip Road at Nullawil has been identified for a funding application.

RECOMMENDATION

That Council submit an application under the AgriLinks Upgrade Program for roadworks to Nullawil-Birchip Road, Nullawil for \$350,000.

Attachments: Nil

DISCUSSION

The \$20 million AgriLinks Upgrade Program (AUP) is funding shovel-ready local road improvement projects to support jobs and bolster the state's agri-food sector.

AUP provides rural, regional and interface councils with up to \$350,000 for eligible road improvement projects. Additional funding is available on a co-contribution basis.

AUP is funding local road, intersection and bridge improvement projects that:

- benefit the agriculture or food sector
- are 'shovel ready'
- can be completed within 18 months of commencement.
-

The \$20 million funding is part of a \$2.7 billion building works package aimed at getting people back to work on crucial infrastructure projects.

Projects funded under AUP will strengthen business productivity, support local communities and assist Victorian farm businesses, agricultural supply-chains and agri-food producers to grow.

Based on Council's road condition assessments and the criteria for applying for the funding, the following project has been identified;

Upgrade section of Nullawil-Birchip Road from the railway line heading west for up to 700m. The project will include an upgrade to Nullawil South road intersection and appropriate turning facilities for B-Double trucks entering the grain storage facility at Nullawil. The area experiences heavy use by large

vehicles, particularly during the grain harvest. This section of road has been assessed as well beyond intervention levels and requires full pavement rehabilitation.

RELEVANT LAW

Not applicable.

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

Council could consider not applying for this funding, this would result in this project not being completed.

SUSTAINABILITY IMPLICATIONS

There are no sustainability considerations in this report.

COMMUNITY ENGAGEMENT

Council receives regular feedback from users of this road and the need to undertake an upgrade.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

Council will collaborate with the funding body and the regular users of this section of the road.

FINANCIAL VIABILITY

No matching funding is required for this projects, therefore there is no impact on the 2020-2021 budget.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The \$20 million funding package is part of a \$2.7 billion building works package aimed at getting people back to work on crucial infrastructure projects.

COUNCIL PLANS AND POLICIES

This project aligns with Council's strategic objective of responding to and enhancing our build and natural environment.

TRANSPARENCY OF COUNCIL DECISIONS

Not applicable.

CONFLICTS OF INTEREST

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

8.3 FINANCIAL REPORTS

Nil

8.4 ORGANISATIONAL REPORTS

8.4.1 APPOINTMENT OF AUDIT AND RISK COMMITTEE CHAIR

Author's Title: Manager Governance

Department: Corporate Services

File No: FM/02/10

Relevance to Council Plan 2017 - 2021

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

PURPOSE

To ensure Council remains compliant with its Audit and Risk Committee Charter by appointing a new Chair following the conclusion of the term of the current Chair.

SUMMARY

Council is required to appoint the Chair of the Audit and Risk Committee. The term of the current Chair concludes on 30 September 2020.

RECOMMENDATION

That Council:

1. Appoint Ms Margaret Abbey PSM as that Chair of the Audit and Risk Committee from 1 October 2020 to 14 November 2021; and
2. Considers extending the appointment of Ms Margaret Abbey PSM as the Chair of the Audit and Risk Committee should her term as an independent member of the Audit and Risk Committee be extended by Council for a further term at a Council Meeting in 2021.

Attachments: Nil

DISCUSSION

Council's Audit and Risk Committee Charter (the Charter) provides that the Chair will be appointed by the Council. The Charter also provides that the Chair must be an independent member and will be appointed on a two year term.

Ms Jessica Adler is the current Chair. Ms Adler was appointed as the Chair to 30 September 2020.

The Audit and Risk Committee met informally to discuss the appointment of the new Chair and a recommendation was made to Council staff that Ms Margaret Abbey PSM be appointed.

Ms Abbey PSM was appointed by Council as an independent member of the Audit Committee (now the Audit and Risk Committee) for a period of three years, commencing on 15 November 2018.

Given Ms Abbey PSM's current term as an independent member is due to conclude on 14 November 2021, it is recommended her appointment as Chair conclude in line with her initial term. It is proposed that should Council extend Ms Abbey PSM's term as an independent member for a further term of three

years, her appointment as Chair be extended until 30 September 2022 to align Ms Abbey PSM's appointment as Chair with the terms of the Charter.

RELEVANT LAW

Section 53 of the *Local Government Act 2020* outlines the requirement of Council to prepare and approve an Audit and Risk Committee Charter.

RELATED COUNCIL DECISIONS

Ms Adler was appointed as the Chair of the Audit Committee to 30 September 2020 at the Council Meeting on 12 September 2018.

Ms Abbey PSM was appointed as an independent member at the Council Meeting held on 14 November 2018.

Council's Audit and Risk Committee was re-established at the Council Meeting on 12 August 2020. The Charter was also adopted at the Council Meeting on 12 August 2020.

OPTIONS

Mr Dean Sleight, or Mr Bernard Young could be appointed as the Chair. Mr Young's appointment as an independent member is not due to commence until 1 October 2020.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

Not applicable.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable.

COLLABORATION

The current independent members have been consulted in relation to the recommendation.

FINANCIAL VIABILITY

The Committee is required to monitor financial and performance reporting.

Costs associated with the Chair are incorporated into Council's annual operational budget.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

The Committee is required to monitor the compliance of Council policies and procedures with the overarching governance principles, the Act, Regulations and any Ministerial directions.

TRANSPARENCY OF COUNCIL DECISIONS

The Chair has the discretion to present any reports tabled for the consideration by the Councillors at a Councillor briefing and may also present a biannual audit and risk report.

CONFLICTS OF INTEREST

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

8.5 REPORTS FROM COUNCILLORS

Nil

8.6 MATTERS WHICH MAY EXCLUDE THE PUBLIC

RECOMMENDATION:

That pursuant to section 66(1) and (2)(a) of the *Local Government Act 2020* 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 *Local Government Act 2020* as indicated:

- | | | |
|-------|--|---|
| 8.6.1 | SEA LAKE VISITOR HUB - EXPRESSION OF INTEREST | (h) confidential meeting information, being the records of meetings closed to the public under section 66(2)(a) |
| | | Tender Information |
| 8.6.2 | CONTRACT C83 2020 - 2021 CHARLTON EARLY YEARS CENTRE | (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 |
| 8.6.3 | CONTRACT C75 2019 - 2020 BIRCHIP - SEA LAKE ROAD STREETScape PROJECT (CUMMING AVENUE) - CONTRACT VARIATION | (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 |

RECOMMENDATION:

That Council reopens the meeting to the public pursuant to section 66(1) and (2)(a) of the *Local Government Act 2020*.

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

10. MEETING CLOSE