



# **ORDINARY COUNCIL MEETING**

## **MINUTES**

**Wednesday 10 July 2019**

**Commencing at 7.00pm**

**Wycheproof Supper Room**

**367 Broadway, Wycheproof**

**Hannah Yu  
Acting Chief Executive Officer  
Buloke Shire Council**

**Minutes of the Ordinary Meeting held on Wednesday, 10 July 2019 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 Graeme Milne	Mount Jeffcott Ward
Cr Daryl Warren	Mount Jeffcott Ward

**OFFICERS:**

Hannah Yu	Acting Chief Executive Officer
Wayne O'Toole	Director Works and Technical Services
Cecilia Connellan	Acting Director Corporate Services
Jerri Nelson	Director Community Development
Travis Fitzgibbon	Manager Customer Engagement

**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

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

That Council adopt the Minutes of the Ordinary Meeting held on Wednesday, 12 June 2019 and Council and the Special Meeting held on Wednesday, 19 June 2019.

**MOVED: CR DAVID POLLARD**

**SECONDED: CR GRAEME MILNE**

**CARRIED.**

**(R576/19)**

**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 5

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#### **NEXT MEETING**

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN WYCHEPROOF SUPPER ROOM, 367 BROADWAY, WYCHEPROOF ON WEDNESDAY, 14 AUGUST 2019 AT 7.00PM.

**Hannah Yu**  
**ACTING 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

**Attachments:** 1 [⇒](#)Councillor Briefing Record - 5 June 2019  
2 [⇒](#)Councillor Briefing Record - 19 June 2019

#### **MOTION:**

That the Council note the report of Assembly of Councillor Meetings held on 5 and 19 June 2019.

**MOVED: CR DARYL WARREN**

**SECONDED: CR ELLEN WHITE**

**CARRIED.**

**(R577/19)**

#### **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 and 19 June 2019 is attached.

## 7.2 CORRESPONDENCE INITIATED BY COUNCIL

**Author's Title:** Executive Assistant

**Department:** Office of the CEO

**File No:** GO/06/09

**Attachments:** Nil

### MOTION:

That Council notes the record of correspondence sent and responses received.

**MOVED: CR DARYL WARREN**

**SECONDED: CR GRAEME MILNE**

**CARRIED.**

**(R578/19)**

### Table of correspondence

Council Initiative	Correspondence sent to	Date sent	Date of Response	Summary of response
<p>To endorse the MAV's "rescue our Recycling" Action Plan, and <u>five key actions</u> for each level of government.</p> <p>Seeking Vic Govt to provide funding relief to Councils such as Buloke, who have been financially affected by SKM closures.</p>	<p>The Hon Lily D'Ambrosio MP Minister for Energy, Environment and Climate</p> <p>Copy to: The Hon Adem Sumyeruk MLC, (Min for Local Govt); Ms Ali Cupper MP, Ms Louise Staley MP, The Hon Melissa Price MP (Fed Min for Env)</p>	15 April 2019	<p>30 April 2019</p> <p>15 May 2019</p>	<p>From Ms Ali Cupper. Ali is basing her position on MAVs plan,</p> <p>In particular calling upon the Victorian Government to</p> <p>Urgently invest to increase sorting and processing</p> <p>Create authority to oversee and regulate recycling management in the state</p> <p>Set targets to increase the use of recycled material and demand for recycled products</p> <p>Meeting with Minister D'Ambrosio to discuss and will keep Buloke informed.</p> <p>Office of The Hon Lily D'Ambrosio MP.</p> <p>Confirmed Advisor to Waste and Recovery Resources is available to speak with Mayor.</p>

## 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

### **MOTION:**

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

**MOVED: CR ELLEN WHITE**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R579/19)**

### 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

Provider	Recipient	Date	Purpose for Recognition
Vic State Department of Education and Training	James Leeder Donald	3 June 2019	Awarded Premiers VCE Award for outstanding achievement 2018 VET Engineering study score
Monash University	Rebecca Postlethwaite Gooroc	June 2019	Graduated with a Bachelor of Biomedical Science and Diploma of Languages in Spanish
The people of the Federal Electorate Division of Mallee	Dr Anne Webster MP The National Party	June 2019	Being elected to the Federal Government to represent the Division of Mallee.



## 7.4 BUILDING PERMITS - MONTHLY UPDATE

**Author's Title:** Compliance Administration Officer

**Department:** Works and Technical Services

**File No:** DB/14/02

**Attachments:** Nil

**MOTION:**

That the Council note information contained in the report on Building Permits approved by staff from 1 June 2019 to 30 June 2019.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR GRAEME MILNE**

**CARRIED.  
(R580/19)**

### 1. Executive Summary

This report provides information on Building Permits approved by staff from 1 June 2019 to 30 June 2019.

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

Permit No.	Address	Project Description	Date Approved
20190026	Sunraysia Highway, DONALD	New Building: Amenities	23/05/2019
20190034	Borong Highway, CHARLTON	New Building: Shed	20/06/2019
20190035	125 Storeys Road, WYCHEPROOF	New Building: Shed	20/06/2019
20190027	18 Johnson Street BIRCHIP	New Building: Shed	13/06/2019
20190028	318 Borung Highway CHARLTON	New Building: Shed	13/06/2019
20190030	4 Hillview Street WYCHEPROOF	New Building: Shed	18/03/2019

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

<b>Permit No.</b>	<b>Address</b>	<b>Project Description</b>	<b>Date Approved</b>
20190029	15 Jubilee Street WYCHEPROOF	Re Stump: Dwelling	15/03/2019
20190031	268 Reilly's Road CORACK	New Building: Farm Shed	11/04/2019
20190032	295 Nullawil-Birchip Road NARRAPORT	New Building: Shed	12/04/2019
20190033	379 Richards Road LITCHFIELD	New Building: Shed	30/04/2019

## 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 DARYL WARREN**

**SECONDED: CR ELLEN WHITE**

**CARRIED.**

**(R581/19)**

### 1. Executive Summary

This report 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
PPA782/19	Rohan Fry	56-58 Racecourse Road, Donald	23.01.19	Use and development of land for a biscuit manufacturing plant	Further information request
PPA792/19	Ashley Sheahan (Tey's Aust.)	224 Yeungroon-Woosang Road, Yeungroon East	03.05.19	Three accommodation units associated with the Charlton feedlot	Further information request
PPA795/19	Graeme Harris	22 Racecourse Road, Donald	14.05.19	Construction for the extension of a building	Permit issued
PPA799/19	Peter Smith	24-28 Duncan Street, Birchip	03.06.19	Partial demolition of a building in the heritage overlay and construction for an extension to the Birchip Hospital	Awaiting report

Application No	Applicant	Address	Date Rec	Summary of Proposal	Status
PPA800/19	Whitney Boyle	Calder Highway, Wycheproof	06.06.19	Use and development of land for a dwelling	Referral
PPA801/19	TJ & WJ Bath	Culgoa-Lalbert Road, Culgoa	12.06.19	Use and development of land for a rural store ( 2 grain bunkers)	Notice of application
PPA802/19	Northern Land Solutions	688 Nullawil North Road, Kalpienung	12.06.19	Two lot subdivision of land (boundary realignment and rural dwelling excision)	Notice of application
PPA803/19	IKC Commercial	376 Mills Road, Whirily	18.06.19	Construction of a building for dry sow accommodation	Further information request
PPA804/19	Kerri Ann Barry	46 Main Street, Culgoa	25.06.19	Construction of a shaded memorial structure in a Heritage Overlay	New

## 7.6 CHARLTON PARK COMMITTEE OF MANAGEMENT

**Author's Title:** Governance Officer

**Department:** Corporate Services

**File No:** ED/05/15

**Attachments:** 1 [⇒](#) Charlton Park Committee of Management Meeting Minutes  
3 June 2019

**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 notes the Minutes of the Ordinary Meeting of the Charlton Park Committee of Management for 3 June 2019.

**MOVED: CR DAVID POLLARD**

**SECONDED: CR DARYL WARREN**

**CARRIED.  
(R582/19)**

### **1. Executive Summary**

Charlton Park Committee of Management is a Special Committee of Council under section 86 of the *Local Government Act 1989*. The minutes of meetings held by this Committee should be noted by Council.

### **2. Discussion**

Charlton Park Committee of Management held an Ordinary Meeting on 3 June 2019. The meeting minutes have been attached to this report.

### **3. Financial Implications**

Council is required to report on financial reports of Special Committees of Council.

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

There are no cost shift considerations.

### **5. Community Consultation**

No community consultation is necessary for the purposes of this report.

### **6. Internal Consultation**

Senior Management has been consulted in preparation of this report.

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

Council's noting of the meeting minutes of Special Committees meets the requirements under the *Local Government Act 1989*.

### **8. Environmental Sustainability**

There are no environmental sustainability matters arising from this Report.

**9. Conflict of Interest Considerations**

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

**10. Conclusion**

It is recommended Council notes the minutes of the Ordinary Meetings of Charlton Park Committee of Management held on 3 June 2019.

## **8. GENERAL BUSINESS**

### **8.1 POLICY REPORTS**

#### **8.1.1 INFORMATION PRIVACY POLICY**

**Author's Title:** Manager Governance

**Department:** Corporate Services

**File No:** CM/14/17

**Attachments:** 1 [Information Privacy policy](#)

**Relevance to Council Plan 2017 - 2021**

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

#### **MOTION:**

That Council adopt the Information Privacy policy.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R583/19)**

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

The *Privacy and Data Collection Act 2014* requires Victorian public sector organisations to comply with the ten information privacy principles governing the collection, management, use and disclosure of personal information. It is a requirement to have a policy setting out Council's management of personal information.

#### **2. Discussion**

The *Privacy and Data Collection Act 2014* requires Victorian public sector organisations to comply with the ten information privacy principles governing the collection, management, use and disclosure of personal information. It is a requirement to have a policy setting out Council's management of personal information.

At present Council does not have a privacy policy in place and is seeking to adopt a policy.

Best practice indicates that any privacy policy should be reviewed at least once every two years.

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

There are no financial implications associated with the proposed adoption of this Policy.

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

There are no cost shift considerations in relation to this Policy.

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

There has been no community consultation in relation to this policy. If adopted, the policy will be made available to the public on Council's website.

**6. Internal Consultation**

The Senior Leadership Team was consulted in relation to this Policy. The Policy was also considered at the May 2019 Audit Committee Meeting. Feedback provided by the Committee has been incorporated into the policy document.

**7. Legislative / Policy Implications**

Schedule 1 of the *Privacy and Data Collection Act 2014* sets out the ten Information Privacy Principles. Information Privacy Principle 5 states that an organisation must set out in a document clearly expressed policies on the organisation's management of personal information. The document must be available to anyone who requests it.

**8. Environmental Sustainability**

There are no environmental sustainability implications associated with the adoption of this policy.

**9. Conflict of Interest Considerations**

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

**10. Conclusion**

It is recommended that Council adopt the Information Privacy policy.



## **8.2 MANAGEMENT REPORTS**

### **8.2.1 APPOINTMENT OF COUNCIL DELEGATE - AUSTRALIAN LIVESTOCK SALEYARDS ASSOCIATION INC**

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

#### **MOTION:**

That Council appoints Cr David Pollard as the Council delegate for the Australian Livestock Saleyards Association Inc.

**MOVED: CR GRAEME MILNE**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R584/19)**

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

Council's Local Law No 15 – Meeting Procedure and Common Seal states that the agenda for the Statutory Meeting is to include the appointment of Councillors as delegates to peak bodies.

Council, at its Statutory Meeting 14 November 2018, appointed its list of Council delegates for the 2018/2019 year.

This list did not include the Australian Livestock Saleyards Association.

Council, up until October 2016, was represented by the former Councillor Stuart McLean, as its delegate to the Livestock Saleyards Association of Victoria (LSAV). In 2016, the LSAV was renamed to Australian Livestock Saleyards Association Inc (ALSA). Stuart McLean is the current President on the board of the ALSA.

#### **2. Discussion**

In accordance with Council's Saleyards Precinct Local Law No 14, Council is required to operate the Saleyard Precinct in a manner that achieves the requirements of the *Livestock Management Act 2010* and any applicable standards and codes.

Wycheproof saleyards, owned and maintained by Council, is regarded as the largest store sheep selling centre in regional Victoria. Regular sales are held monthly with special sales held at other times.

It is believed Council representation with the ALSA, is essential for Council to be kept well-informed and strategically guided by this peak key industry body, for sustainable and responsible operations for livestock marketing, and to provide voice for the users of its saleyard.

**3. Financial Implications**

There are no capital or recurrent financial implications from this report.

**4. Cost Shift Considerations**

There are no cost shift considerations from this report.

**5. Community Consultation**

There has been no community consultation undertaken to administer this report.

**6. Internal Consultation**

There has been no internal consultation undertaken to administer this report.

**7. Conflict of Interest Considerations**

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

**8. Legislative / Policy Implications**

In accordance with Council's Meeting Procedure and Use of Common Seal Local Law No 15, Council is required to include in the Agenda of its Statutory Meeting, the appointment of Councillors as delegates to peak bodies.

In accordance with Council's Saleyards Precinct Local Law No 14, Council is required to operate the Saleyard Precinct in a manner that achieves the requirements of the *Livestock Management Act 2010* and any applicable standards and codes.

**9. Conclusion**

It is recommended that Council appoint a Councillor as a delegate to the Australian Livestock Saleyards Association Inc.

## **8.2.2 PERMISSION TO SEEK AUTHORISATION FROM THE MINISTER TO PREPARE PLANNING SCHEME AMENDMENT C38 - REMOVE SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO2)**

**Author's Title:** Planning Officer

**Department:** Works and Technical Services

**File No:** LP/08/04

**Attachments:** Nil

**Relevance to Council Plan 2017 - 2021**

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

### **MOTION:**

That Council seeks authorisation from the Minister of Planning to prepare Planning Scheme Amendment C38 to remove Schedule 2 to the Environmental Significance Overlay (ESO2).

**MOVED: CR DAVID POLLARD**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R585/19)**

### **1. Executive Summary**

The amendment proposes to remove Schedule 2 to the Environmental Significance Overlay (ESO2) as the objectives and purposes of this overlay are now redundant. The proposed change seeks to remove a redundant overlay (over old GWM channel structures), which is consistent with the requirements of the Planning and Environment Act 1987 for regular review of planning schemes.

### **2. Discussion**

The purpose of the ESO2 is to protect water reservoirs and channels. Due to the commissioning of the Wimmera Mallee Stock and Domestic Water Pipeline System the earthen channel system is no longer used for stock and domestic water supply and is now redundant.

Construction of the Wimmera Mallee Pipeline commenced in November 2006 and was completed in April 2010, replacing 17,500 kilometres of open channels with 9,159 kilometres of rural pipeline. The pipeline provides a reliable and secure water supply to the region and 36 towns across the Wimmera and Mallee.

GWM Water have been consulted and have provided a letter stating they have no objection to the removal of the ESO2. They have confirmed that the earthen channel system throughout the Buloke Shire has been decommissioned and are no longer required.

The amendment will have a positive impact on Council's administrative resources, as the ESO2 triggers unnecessary planning permits in the identified locations. The amendment will also provide a net community benefit through reduced permits and associated costs. This amendment is in line with the recommendations of the *Cutting Red Tape in Planning Report (DSE 2006)* by reducing the number of matters that unnecessarily require planning approval and therefore saving on scarce planning resources.

The amendment is required to remove a redundant land use control. The amendment does not propose significant changes to the Buloke Planning Scheme. The amendment is consistent with the Local Planning Policy Framework, with no significant changes to the implementation of the Local Planning Policy Framework or the Municipal Strategic Statement.

### **3. Financial Implications**

The cost of the amendment and the related advertising and the giving of notice will be borne by the Council.

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

There are no cost shift considerations in this report.

### **5. Community Consultation**

As per the Planning Scheme Amendment Process; notices will be placed in the Government Gazette and the local newspapers with the opportunity for written submissions to be received.

### **6. Internal Consultation**

The Planning Department has considered the structure of this amendment.

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

The amendment process will be conducted as per the requirements of the *Planning & Environment Act 1987*.

### **8. Environmental Sustainability**

The amendment seeks to remove a redundant planning control and as such will have no relevant environmental effects. It is considered that the existing native vegetation removal protections will provide environmental protection.

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

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

### **10. Conclusion**

It is recommended that Council approves the request to seek authorisation from the Minister of Planning to prepare Planning Scheme Amendment C38 to remove Schedule 2 to the Environmental Significance Overlay (ESO2)

### 8.2.3 WYCHEPROOF CARAVAN PARK MANAGEMENT

**Author's Title:** Manager Community Facilities

**Department:** Works and Technical Services

**File No:** PR/07/11

**Attachments:** 1 [⇒](#) Draft Management Agreement - Wycheproof Caravan Park

**Relevance to Council Plan 2017 - 2021**

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

#### **RECOMMENDATION:**

That Council:

1. Enter into a management agreement for the Wycheproof Caravan Park with Wyche Alive Inc. for up to three years; and
2. Authorise the Chief Executive Officer to finalise negotiations of the proposed management agreement and execute on behalf of Council.

#### **CR MILNE MOVED AN AMENDED MOTION:**

That Council defer the matter until the August Ordinary Meeting of Council.

#### **AMENDED MOTION WAS PUT:**

That Council defer the matter until the August Ordinary Meeting of Council.

**MOVED: CR GRAEME MILNE**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R586/19)**

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

This report is presented to Council to consider the future management of the Wycheproof Caravan Park.

#### **2. Discussion**

Wycheproof Caravan Park is located on the Wycheproof Recreation Reserve which is Crown Land, Council is Committee of Management. For more than a decade Council has directly managed the park through appointing a caretaker who has serviced the amenity block and collected fees from campers and residents.

In late 2018, Council was approached by Wyche Alive Inc. the township Forum, raising opportunities for improving the management of the park. They highlighted issues such as the provision of additional hours of site management, a booking system and general improvements that would encourage increased use, thus supporting improved economic outcomes for the Wycheproof Community through increased local spending.

An internal review into the management of the Caravan Park was undertaken in January 2019, with an option analysis developed. This was presented to Councillors at a briefing in March 2019.

As Wycheproof is the only Caravan Park Council directly manage, and the additional financial input would require a reduction in other Council services, it was decide to undertake an Expression of Interest process for the management of the Caravan Park, enabling a more efficient and targeted service.

Council undertook a twenty eight (28) day expression of interest (EOI) process which was advertised in all three local newspapers and on Council's website. This EOI process concluded on Friday 26 April 2019. Council received two submissions from community groups within Wycheproof who were interested in managing the park. Subsequent interviews with the submitters were undertaken by a panel comprised of two Council Officers in May 2019.

The panel reviewed the EOI submissions and subsequent information presented in the interviews and utilised this to nominate a preferred organisation to enter into a management agreement. This recommendation was endorsed by Council management. Subsequently officers have entered into negotiations with the preferred organisation over the past few weeks to establish a management arrangement, and commencement date.

Based on this negotiation, the preferred organisation Wyche Alive Inc. would be prepared to commence operations of the caravan park from Monday 5 August 2019. The recommended terms included;

- Up to three years
- A management fee of \$50 per annum on demand
- All operational costs to be managed by the organisation
- All income to be received by the organisation
- Specific reporting requirements outlined in the attached DRAFT agreement

DELWP have been consulted regarding the proposed management agreement and have confirmed support of this, noting that Council retains overarching control of the park.

Considering the thorough process undertaken to establish an improved outcome for the Caravan Park, it is recommended Council enter into a management agreement for up to three years with Wyche Alive Inc. for the management of the Wycheproof Caravan Park and authorise the Chief Executive Officer to finalise the agreement terms for a commencement on August 5, 2019.

### **3. Financial Implications**

Council has budgeted for both income and expenditure from the Caravan Park for the 2019/20 Financial Year. There will be a reduction of wages and operational expenses upon entering an agreement, but income will also decrease as this would be taken and utilised to manage and improve the caravan park by the management organisation. Council will still insure the main buildings, depreciate these assets, and will need to consider Capital Improvements as part of future budgets.

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

There are no cost shift considerations in this report.

### **5. Community Consultation**

A consultation process was available for community groups to apply to manage the park. No further consultation with the community has been undertaken due to the operational nature of the service.

### **6. Internal Consultation**

Senior Management and Councillors have been consulted at various stages through this process.

**7. Legislative / Policy Implications**

There are a number of considerations as part of the future management of the caravan park, including compliance with the Crown Land (Reserves) Act 1978, the Local Government Act 1989, DELWP's Best Practice Management Guidelines for Committees of Management Managing Caravan and Camping Parks on Crown Land 2012 and the Residential Tenancies Act 1997.

**8. Environmental Sustainability**

There are no significant considerations of environmental sustainability as a part of this report.

**9. Conflict of Interest Considerations**

No Officer involved in this process and/or report holds a conflict of interest.

**10. Conclusion**

Based on the detailed process outlined within the report, it is recommended Council enter into a management agreement with Wyche Alive Inc. for the management of the Wycheproof Caravan Park.

## **8.2.4 CIRCULAR MOTION - PRELIMINARY SUBMISSION TO BULOKE SHIRE COUNCIL REPRESENTATION REVIEW**

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

**Department:** Office of the CEO

**File No:** GO/07/07

**Attachments:** 1 [⇒](#) VEC Review Submission

### **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 notes the motion circulated and Council's decision in relation to the preliminary submission to the Buloke Shire Council Representation Review.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR GRAEME MILNE**

**CARRIED.  
(R587/19)**

### **1. Executive Summary**

This report is presented to Council to consider the submission for the Buloke Shire Representation Review.

A Circular Motion was distributed to all Councillors, via email on 4 July 2019. All Councillors responded in approval to the motion.

### **2. Discussion**

The Victorian Electoral Commission (VEC) is conducting an electoral representation review of Buloke Shire Council. The review examines:

- Whether the Council has the appropriate number of councillors;
- Whether the Council should be unsubdivided, with councillors elected from the whole Council, or subdivided into wards; and
- If subdivided, the number of wards, ward boundaries and the number of councillors per ward.

Representation reviews are completed every twelve years and the last electoral representation review of Buloke Shire Council took place in 2007. The VEC's final recommendation was for Buloke Shire Council to change from nine to seven councillors elected from three wards (two two-councillor wards and one three-councillor ward).

Council has developed the attached submission, which strongly advocates for retaining a ward structure and seven Councillors. Some of the factors that were considered in advocating for retaining the status quo include:



- The Shire's population of 6,201 is dispersed across ten discrete townships, with the largest township having 1,498 residents. Council spreads its Councillor Briefing meetings across each of these ten townships, and has four offices and five depots.
- Council's Shire is nearly 200 kilometres in length from its southern boundary adjoining Loddon Shire Council to its northern boundary adjoining Mildura City Council. This results in councillors travelling extensive distances regularly.
- The Buloke Shire Council is wedged between three regional clusters, that being the Wimmera Southern Mallee, Mallee and Loddon Campaspe regions. As a result, many of the smaller towns also have different regional cities of interest when residents travel for services no longer delivered with the Buloke Shire, such as specialised healthcare. The workload associated with representation and advocacy is heightened as a result.
- Any proposal to further decrease the number of councillors would immediately increase the workload of councillors, and the likely outcome is to dissuade prospective councillors for running for the role.
- The geographical spread of councillors across wards is important to ensure that all areas of the Shire are heard and represented
- Council is concerned about any proposals for an unsubdivided structure, particularly given the higher density of population in the southern parts of the Shire.

The Circular Motion considered by Council is set out below:

*That Council:*

- *Adopts the attached submission as its preliminary submission to the Buloke Shire Council Representation Review;*
- *Forwards a copy of the submission to the Victorian Electoral Commission; and*
- *Receives a report at the 2019 July Ordinary Meeting regarding this Circular Motion and Council's Decision*

Councillors unanimously approved the Circular Motion. The submission was received by the Victorian Electoral Commission in the required timeframes.

A copy of the submission has been attached for this report.

### **3. Financial Implications**

There are no financial implications in this report.

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

There are no cost shift considerations in this report.

### **5. Community Consultation**

The community will be consulted by the VEC as part of the review process.

The Buloke Shire Council Meetings Procedure and Common Seal Local Law provides for Circulars Motions, and requires the Chief Executive Officer to ensure a report on the motion circulated and Council's decision is contained in the agenda, and recorded in the minutes, to ensure members of the public are aware of Council decisions.

### **6. Internal Consultation**

Councils Management Team and councillors have been consulted in the development of the submission.

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

The process for a Circular Motion must be administered in accordance with Part 4, Section 71 of the Council's Meetings Procedure and Common Seal Local Law 2019.

**8. Environmental Sustainability**

There are no environmental sustainability considerations within this report

**9. Conflict of Interest Considerations**

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

**10. Conclusion**

It is recommended that Council adopt and submits the

## 8.2.5 COUNCIL PLAN 2017-2021 - YEAR 3 ANNUAL PLAN

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

**Department:** Office of the CEO

**File No:** CD/09/11

**Attachments:** 1 [⇒](#) Council Plan 2017-2021 - Year 3 Annual Plan

### **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 adopt the Council Plan 2017-2021 –Year 3 Annual Plan.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR DARYL WARREN**

**CARRIED.**

**(R588/19)**

### **1. Executive Summary**

Following the adoption of the Buloke Council Plan 2017-2021, each year Annual Plans have been developed to note the strategic objectives of the Council Plan, and to demonstrate and document the tasks, measures and proposed completion dates in order to implement and deliver Council's strategic objectives.

This report is presented to Council to consider the key strategic actions to be undertaken in the forthcoming financial year.

### **2. Discussion**

The Year 1 and 2 Annual Plans have served as really important planning and tracking tools for Council to ensure the deliver against the Council Plan.

Staff and Councillors have worked together through workshops to consider the key priorities for the upcoming year, in line with the resources allocated through the annual budget.

The Year 3 Annual Plan highlights key priorities against the strategic priorities and objectives set in the 2017-21 Council Plan.

Some of the key actions/projects included in the attached Year 3 Annual Plan over the coming year include:

- Involvement with five neighbouring Councils to create efficiencies through a shared corporate system. This project has been funded by the state government;
- Partner with Northern District Health to provide localised mental health support services;
- Progress the Buloke 2030 project, by supporting the development and implementation of action plans for 10 townships;
- Review the Municipal Early Years Plan and Youth Strategy;
- Travellers Rest upgrades at Wycheproof, Nullawil, Culgoa, Berriwillock and Nandaly;
- Partner with the community to deliver on art projects at Sea Lake silo, Nullawil silo and Charlton street murals;

- Deliver improvements to the main street of Birchip to upgrade safety and implement their streetscape masterplan priorities;
- Redevelop ten year capital works plan;
- Upgrade facilities at Green Lake;
- Undertake a review of the Waste Strategy;
- Development of Workforce Development Plan; and
- Develop a new complaint handling policy and process.

### **3. Financial Implications**

The costs associated with the implementation of the Annual Plan are factored in to the 2019/2020 Budget.

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

There were no cost shift considerations applicable to this report.

### **5. Community Consultation**

There was significant consultation undertaken in the development of the Council Plan 2017-2021, which is the basis of this document.

### **6. Internal Consultation**

The Year 3 Annual Plan was developed in consultation with Councillors and the broader Management Team.

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

The Annual Plan demonstrates the deliverables of the adopted Council Plan 2017-2021 required by the *Local Government Act 1989*.

### **8. Environmental Sustainability**

The natural environment and its sustainability is a key objective of the Built and Natural environment theme.

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

There were no Conflict of Interest considerations applicable to this report.

### **10. Conclusion**

That Council adopt the Council Plan 2017 – 2021 Year 3 Annual Plan.

## **8.2.6 BULOKE SHIRE COUNCIL 2017 - 2021 YEAR 2 ANNUAL PLAN REVIEW**

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

**Department:** Office of the CEO

**File No:** CM/13/06

**Attachments:** 1 [⇒](#)Year 2 Annual Plan report

**Relevance to Council Plan 2017 - 2021**

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

### **MOTION:**

That Council note the progress made to deliver the strategic objectives noted in the adopted Year 2 Annual Plan for the Buloke Council Plan 2017-2021.

**MOVED: CR DAVID POLLARD**

**SECONDED: CR GRAEME MILNE**

**CARRIED.**

**(R589/19)**

### **1. Executive Summary**

Council, at its Special Meeting 21 June 2017, adopted the Buloke Council Plan 2017-2021 and has subsequently developed and adopted a Year 1 and Year 2 Annual Plan for the implementation of the strategic objectives. Quarterly progress reports have been presented to Council throughout 2018/19.

### **2. Discussion**

The purpose of these Annual Plans is for Council to develop a series of actions, projects, programs and initiatives to achieve on the Council Plan 2017-2021.

Council has received progress reports against the Year 2 Annual Plan throughout the 2018/19 year, and attached is the final report on the Plan.

The final report (attached) highlights extremely strong year of delivering on the Plan, despite some of the challenges realised through key staff turnover in the past 15 months. Of the 27 actions in the plan that were due by June 2019, only 3 are not fully completed. Each of these three, being the Birchip streetscape, Rural Land Use Strategy and creating a working partnership with Department of Justice community workers are currently underway and remain key priorities.

There is also strong progress against the multi-year actions, such as construction of the Donald Community Precinct project, preparation for Local Government Bill and Charlton Park 2020 upgrades.

### **3. Financial Implications**

The costs of the actions were included in the 2018/19 budget.

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

There are no cost shift considerations applicable to this report.

## **5. Community Consultation**

The Annual Plan for Year 2 was adopted by Council at the June 2018 Ordinary Meeting, and has been published on the Council website.

The Year 2 Annual Plan and its quarterly progress reports, also adopted by Council, have been reported in the local circulating newspapers.

The development of the Council Plan included extensive community consultation.

In the past twelve months, as per the planned actions, community consultation on a range of topics including economic development and tourism, community planning, community grants, rate revenue strategy and early years have taken place.

## **6. Internal Consultation**

Internal consultation has taken place with the Senior Leadership Team.

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

In accordance with the *Local Government Act 1989* Council must prepare and approve a Council Plan.

The 2017-2021 Year 2 Annual Plan reviews the proposed tasks, measures and completion dates for the last financial year, in order to deliver the strategic objectives of the adopted Council Plan 2017-2021 required by the *Local Government Act 1989*.

## **8. Environmental Sustainability**

The natural environment and sustainability considerations are included in many of the proposed actions, and actions already undertaken.

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

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

## **10. Conclusion**

That Council note the progress made to deliver the strategic objectives noted in the adopted Year 2 Annual Plan for the Buloke Council Plan 2017-2021.

## 8.2.7 MURRAY BASIN RAIL PROJECT

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

**Department:** Office of the CEO

**File No:** ED/02/04

**Attachments:** 1 [⇒](#)RFA letter

**Relevance to Council Plan 2017 - 2021**

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

### **MOTION:**

That Council:

1. Contribute \$1,000 to the Rail Freight Alliance for the statewide campaign to advocate for:
  - The completion of the Murray Basin Rail Project to its original scope
  - The Victorian Rail network to remain in State control and ownership.
2. Write to Minister for Transport, Jacinta Allan MP, Minister for Ports and Freight, Melissa Horne MP, Member for Mildura, Ali Cupper MP and Member for Ripon, Louise Staley MP to advocate for the full completion of the Murray Basin Rail Project.

**MOVED: CR GRAEME MILNE**

**SECONDED: CR DAVID POLLARD**

**CARRIED.**

**(R590/19)**

### **1. Executive Summary**

This report is presented to Council to consider advocacy for the unfinished Murray Basin Rail Project (MBRP).

### **2. Discussion**

The \$440million Murray Basin Rail Project has long been touted as a significant game-changer for grain growers in the north of state, by standardising and increasing the axle loading for lines across the Mildura, Sea Lake and Manangatang rail corridors.

The benefits of the project state that standardisation will allow the freight industry in the Murray Basin region to deliver exports to Victoria's ports in a more efficient and cost-competitive way. An increased axle loading will allow higher volumes of product to be safely freighted across the network. This will allow trains to carry up to 500,000 more tonnes of grain each year.

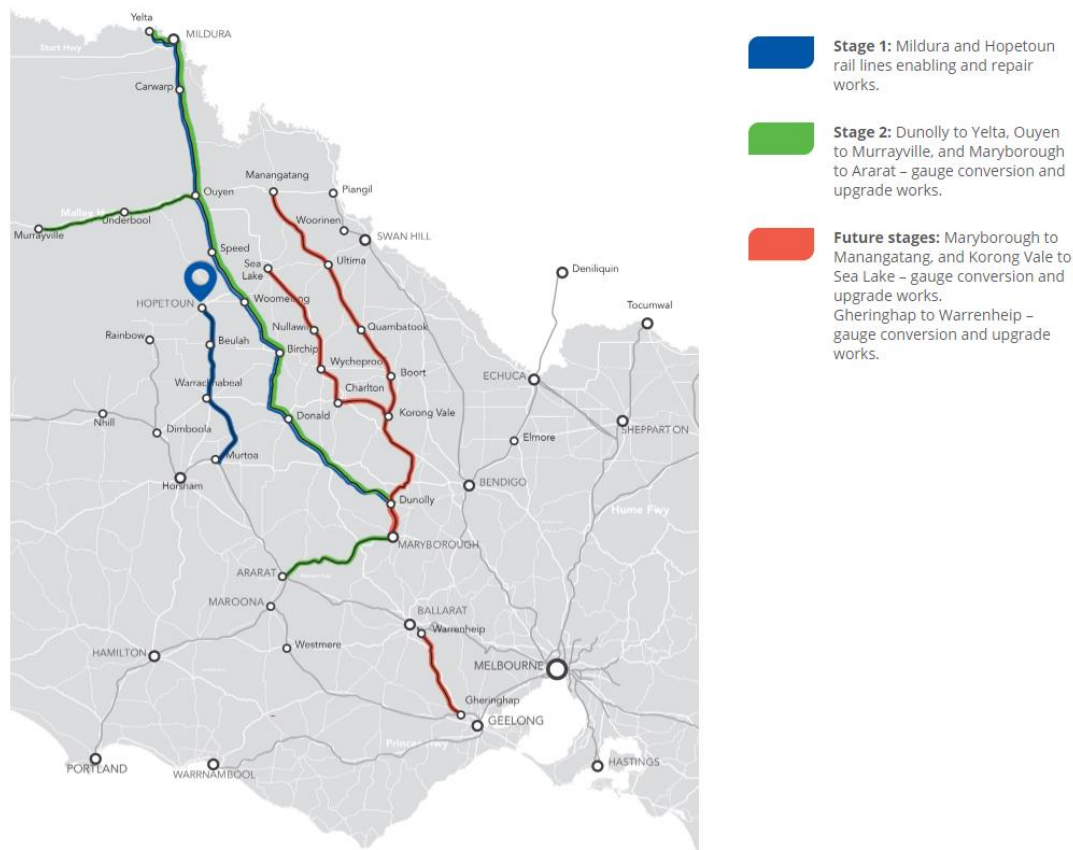
The Murray Basin Rail Project addresses three key problems for the Murray Basin region:

- Restricted access to Victoria's major ports, which can undermine the international competitiveness of bulk products
- Poor performance of the rail network, which can increase costs to business
- Growing road freight movements, which can reduce community amenity.

However, following the completion of stage one and two works (including the Mildura line), the State Government have announced that they no longer have any funds to complete stage three of the project, which includes standardisation and increased axle loading of the Sea Lake rail corridor. Without these works, the supply chain and delivery of product to port will be less efficient for growers along those lines. The full completion of this project is a priority within Council strategies, but also many of the regional growth and transport strategies that Council are a partner to.

## Stages

The project is being delivered in a number of stages, which are outlined in the map below.



### 3. Financial Implications

The allocation of \$1,000 will be funded from Council's 2019/20 governance operational budget.

### 4. Cost Shift Considerations

There are no cost shift considerations in this report.

### 5. Community Consultation

The MBRP has been widely consulted, particularly in the line through Wycheproof, where the impact of the line running through the main street has been of concern.

### 6. Internal Consultation

Staff within Council's Senior Leadership Team have discussed the approach.

### 7. Legislative / Policy Implications

The importance of rail infrastructure and advocacy of upgrades is part of the Council Plan and a range of regional transport and growth strategies that Council are a partner to.

### 8. Environmental Sustainability

There are no environmental sustainability considerations in this report.



**9. Conflict of Interest Considerations**

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

**10. Conclusion**

It is recommended that Council:

- Contribute \$1,000 to the Rail Freight Alliance for the statewide campaign to advocate for:
  - The completion of the Murray Basin Rail Project to its original scope
  - The Victorian Rail network to remain in State control and ownership.
- Write to Minister for Transport, Jacinta Allan MP, Minister for Ports and Freight, Melissa Horne MP, Member for Mildura, Ali Cupper MP and Member for Ripon, Louise Staley MP to advocate for the full completion of the Murray Basin Rail Project.

## 8.3 FINANCIAL REPORTS

### 8.3.1 FINANCIAL PERFORMANCE AS AT 31 MAY 2019

**Author's Title:** Manager Finance

**Department:** Corporate Services

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

**Attachments:**

- 1 [Income Statement 31 May 2019](#)
- 2 [Balance Sheet 31 May 2019](#)
- 3 [Cashflow Statement 31 May 2019](#)
- 4 [Cashflow Graph 31 May 2019](#)
- 5 [Capital Works Program 31 May 2019](#)
- 6 [Capital Works Graph 31 May 2019](#)

**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 May 2019.

**MOVED: CR ELLEN WHITE**

**SECONDED: CR GRAEME MILNE**

**CARRIED.**

**(R591/19)**

#### 1. Executive Summary

The **Income Statement** provides a summary of the total income and total expenditure relating to Council's annual recurrent operations. It also specifically includes capital income but does not include capital works expenditure. The surplus/(deficit) is disclosed at item B on the Income Statement (Attachment 1). So as operating revenues can be compared to operating expenditures, an adjustment is made to exclude all capital income. The presentation of this income statement and resultant surplus/(deficit) is reported at item A.

The reported surplus as at 31st May 2019 is \$3.414m. *Excluding* capital grants income of \$7.768m, a deficit of \$4.353m was recorded. The result is better than, but mostly in line, with budget (deficit \$4.579m) due to compensating variances in funded income and lower than anticipated expenses. Please refer to the notes listed on the Income Statement for explanation of specific variances.

The **Balance Sheet** effectively shows a summary of the value of Assets (what we own) and our Liabilities (what we owe), both of which balance off against each other to show Net Assets or Equity (our net worth). Council's net worth as at this accounting period increased to \$209m.

The **Cash Flow Statement** has been updated to include the cash flow projections based on the Forecast Budget. The actual to budget comparisons for July to December has been consolidated. The corresponding cash flow chart maps actual cash alongside budgeted cash and restricted funds. At 31<sup>st</sup> May 2019, Council's Cash and Cash Equivalents were \$18.9m. Cash flow remains strong in readiness for the \$7m loan repayment scheduled for November.

The **Capital Works Program** depicts \$8.811m of capital works having been expended to the end of this accounting period. The Annual Budget for capital works is \$14.454m to be funded by Capital Grants of \$7.5m. However, delays in some projects result in a lower Annual Forecast of \$12.709m reflecting these projects will be carried forward to FY19/20. Forecasted contributions have reduced to \$1.2m (from \$2.3m) but Council Cash of \$4.6m remains unchanged.

## 2. Financial Implications

The table below provides an overview of Council's financial performance as at 31<sup>st</sup> May 2019

Income Statement - Excluding Capital Grants and Contributions	YTD	YTD	YTD	Annual	Annual
	Actuals	Budget	Variance	Budget	Forecast
	\$'(000)	\$'(000)	\$'(000)	\$'(000)	\$'(000)
Total Income	26,182	26,395	(213)	26,603	27,171
Total Expenses	30,535	30,973	438	32,936	33,242
<b>Surplus/(Deficit)</b>	<b>(4,353)</b>	<b>(4,579)</b>	<b>225</b>	<b>(6,332)</b>	<b>(6,071)</b>
Add back Capital Grants Income and Contributions	7,768	9,249	(1,482)	9,812	9,038
<b>Surplus/(Deficit) including Capital Grants Income and Cont.</b>	<b>3,414</b>	<b>4,670</b>	<b>(1,256)</b>	<b>3,479</b>	<b>2,967</b>
<b>Capital Works Program</b>	<b>8,811</b>	<b>9,525</b>	<b>(714)</b>	<b>14,454</b>	<b>12,709</b>

The following commentary is provided:

### a. Total income excluding capital grants and contributions

The negative variance of \$213k results from delayed funding (2016 Floods) being partly offset by additional grants received during the year. Outstanding funding is expected before 30 June and the year end result should be higher than budget.

### b. Total expenses

Favourable budget variance (\$438k) mostly due to flood restoration works below expected (see note 7).

### c. Capital Grant Income and Contributions

Capital grant income is below budget to 31 May (\$1.482m) mostly due to delayed funding for Lake Tyrrell and Roads to Recovery.

### d. Capital Works Program Expenditure

Council has expended \$8.811m on capital works YTD this period. Significant increase in capital expenditure expected for final months of the financial year with projects nearing payment milestones.

### e. Cash and Cash Equivalents

Council has cash of \$18.904m of which \$1.430m is restricted being committed to capital projects.

## 3. Community Consultation

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

## 4. Internal Consultation

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

## 5. Legislative / Policy Implications

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

**6. Environmental Sustainability**

This report has no direct impact on environmental sustainability.

**7. Conflict of Interest Considerations**

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

**8. Conclusion**

Surplus as at 31<sup>st</sup> May is mostly in line with YTD budget. Grant income for both operating and capital are behind where Council planned to be on a year to date basis. However, remaining monies are forecasted to come in before the end of the financial year.

Forecasting has been finalised in the reports provided and incorporated in Cash flow and Capital Expenditure charts to indicate 30 June positions.

## **8.4 ORGANISATIONAL REPORTS**

### **8.4.1 COMMUNITY SATISFACTION SURVEY RESULTS 2019**

**Author's Title:** Manager Customer Engagement

**Department:** Office of the CEO

**File No:** GS/02/01

**Attachments:** 1 [Community Satisfaction Survey Results 2019](#)

**Relevance to Council Plan 2017 - 2021**

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

#### **MOTION:**

That Council:

1. Notes the results of the Local Government Community Satisfaction Survey for 2019;
2. Considers future actions in response to the results; and
3. Publishes the results of the survey to the community.

**MOVED: CR DARYL WARREN**

**SECONDED: CR GRAEME MILNE**

**CARRIED.**

**(R592/19)**

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

The Local Government Community Satisfaction Survey Report is attached for Council to note. The report is coordinated on behalf of all Victorian Councils by the Department Environment of Land, Water and Planning.

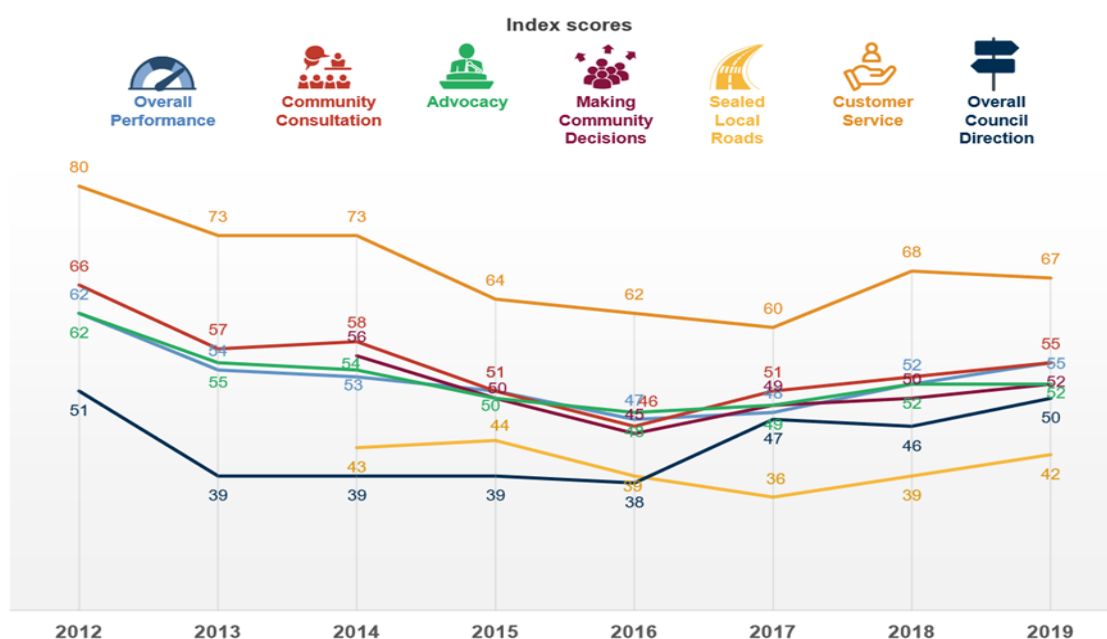
#### **2. Discussion**

The survey demonstrates an overall improvement for Buloke Shire Council of three points from the 2018 survey and continues the upward trend back to the peak result of 2012. Council is also bridging the gap for the state-wide average for Small Rural Councils.

Customer Service saw a minimal drop in rating (after a large increase in 2018), however this is an area Council is focusing on in both the short and longer term with the recent adoption of a Customer Service Strategy and Charter. The implementation of both will drive an all of organisation approach to customer service.

Pleasingly, the results for advocacy, community consultation, advocacy, making community decisions and sealed local roads have increased since 2017.

## Summary of core measures



### 3. Financial Implications

There are no financial implications to considerations in this report.

### 4. Cost Shift Considerations

There are no cost shift considerations in this report.

### 5. Community Consultation

A telephone survey was conducted by JWS Research, who contacted random residents, that were 18 years or above, residing in Buloke Shire. Council advertised the approaching survey in local papers and on social media.

### 6. Internal Consultation

The Senior Leadership Group has been consulted in the preparation of this report.

### 7. Legislative / Policy Implications

There are no legislative policy implications.

### 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

It is recommended that Council notes the results of the Local Government Community Satisfaction Survey for 2019 for future strategic planning of the organisation and to ensure it is being responsive to the evolving needs of the community.

## 8.4.2 SUBMISSION TO 2019 LOCAL GOVERNMENT BILL REFORMS

**Author's Title:** Director Corporate Services

**Department:** Corporate Services

**File No:** GO|10|01

**Attachments:** 1 [Submission to 2019 Local Government Bill Reforms](#)

**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:

1. Adopts the attached submission as its submission to the 2019 Local Government Bill Reforms; and
2. Forwards a copy of the submission to the Department of Environment, Land, Water and Planning.

**MOVED: CR DARYL WARREN**

**SECONDED: CR DAVID POLLARD**

**CARRIED.  
(R593/19)**

### 1. Executive Summary

The State Government recently announced its intention to introduce the Local Government Bill 2019 into parliament during later this year with six new proposed reforms.

The new Bill retains the reforms under the 2018 Bill which were designed to empower councils to improve service delivery.

The State Government has commenced its consultation with the sector on the new reforms.

### 2. Discussion

The review of the Local Government Act commenced in September 2015. A three phase consultation program was undertaken by the State Government to inform the preparation of a new legislative framework for Victorian local government, which ultimately concluded with consultation on a final exposure draft of the 2018 Local Government Bill. Council made a submission to the State Government during each consultation phase.

Following the conclusion of the consultation process, the 2018 Bill was passed by Legislative Assembly but lapsed in the Legislative Council when State parliament expired before the 2018 November State Elections.

The State Government announced in June 2019 its intention that a new Bill be presented to Parliament in 2019. The Government confirmed the new Bill will retain the substance of accountability and provision of services and include some additional reforms designed to further

improve and strengthen the 2018 Bill. Additionally, six new reforms have been proposed to be incorporated into the 2019 Bill as follows:

- **Reform 1: Simple Franchise:**  
It is proposed to make council electoral rolls more closely aligned with the State electoral roll. Voters whose only entitlement is as an owner or lessee of a property in the municipality will be required to lodge an enrolment form to vote in that municipality's election if they want to vote.
- **Reform 2: Electoral Structures**  
Representative structures and election processes are to be simplified and made consistent.
- **Reform 3: Training**  
Communities deserve the highest calibre councillors representing local community issues. It is proposed to introduce new requirements on candidates and councillors to improve competency, skills and transparency.
- **Reform 4: Donation Reform**  
A number of recent changes to the electoral campaign donations arrangements in Victorian Parliamentary elections will be extended to local government elections.
- **Reform 5: Improved Conduct**  
Councillor conduct is an ongoing challenge for the local government sector. It is proposed to introduce mandatory standards of conduct, a clear and consistent arbitration process and provide the arbiter powers to impose sanctions.
- **Reform 6: Community Accountability**  
It is proposed to make councillors more accountable through stronger sanctions for serious conduct violations and the introduction of a community initiated Commission of Inquiry.

The State Government has confirmed that, as the independent review into the local government rating system will provide its recommendations to government by 31 March 2020, previously proposed changes to the rates and charges provisions in the *Local Government Act 1989* (the Act) will not be introduced in the new Bill. The provisions relating to rates and charges will continue to operate under the Act until the rating system review has been completed. The only exception to this will be that the new Bill will amend the Act to provide for Environmental Upgrade Agreements to be available to residential properties.

Council officers have prepared the attached submission to the proposed reforms Bill which outlines the proposals which it is recommended Council support and those which are a cause for concern. This includes some matters previously raised in Council's previous submissions to the State Government on the draft legislative framework.

### **3. Financial Implications**

The Financial Implications under the 2019 Bill remain similar to those outlined in the 2018 March report considered by Council.

In enacted, the provisions of the Bill would be implemented in stages up until late 2021. This change to the proposed implementation timetable will inevitably result in Council being required to consider budget implications associated with the development of any new key strategies and plans required under the 2019 Bill in the development of the 2020/21 Annual Council Budget.

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

There are some cost shift concerns identified during the review of proposed reforms, including the likely requirement for councils to fund any costs associated with community-initiated Committees of Inquiry and increased travel costs and other expenses resulting from the proposed changes to electoral structures.



**5. Community Consultation**

Submissions have been invited from councils, peak bodies and other interested stakeholders until 17 July 2019.

The proposed reforms may result in unintended and negative consequences in the effective representation of communities by Councillors.

**6. Internal Consultation**

Internal consultation has occurred with the executive leadership team and Councillors.

**7. Legislative / Policy Implications**

The Draft Bill outlines the proposed legislative framework under which local government in Victoria will operate. The Draft Bill proposes to provide councils with greater agency in determining how to best meet the high level principles of transparency, community engagement, accountability and governance.

The Draft Bill is intended to rely on the development of regulations and Ministerial guidelines to outline any prescriptive requirements, rather than incorporating these into the new Act.

**8. Environmental Sustainability**

There are no environmental sustainability concerns in this report.

**9. Conflict of Interest Considerations**

No officer involved in the preparation of this report, or in the development of the submission, has a conflict of interest.

**10. Conclusion**

Council welcomes the opportunity to submit to the State Government on the proposed reforms, however remains concerned about the application of these reforms in a rural council setting, and questions the appropriateness of the limited timeframe and lack of detail provided by the State Government to consider and make a submission on the reforms.

## 8.5 REPORTS FROM COUNCILLORS

### **MOTION:**

Council to receive the Councillor Reports as presented.

**MOVED: CR DARYL WARREN**

**SECONDED: CR DAVID POLLARD**

**CARRIED.**

**(R594/19)**

### **Cr Warren – Mount Jeffcott Ward**

13 June 2019	Workspace Meeting Bendigo
17 June	Waste Energy Workshop Ballarat
18 June	Wimmera Mallee Tourism Meeting Edenhope
	Cuisine in the Crop Meeting Donald
19 June	Council Briefing Wycheproof
20 June	GWM Workshop Horsham
21 June	Loddon Mallee Waste Group Meeting Melbourne
22 June	Rex Theatre Duty Charlton
24 June	Buloke Tourism Meeting Culgoa
25 June	Mayor and CEO Meeting Donald
26 June	CEO Annual Review Wycheproof
	Donald 2000 Meeting
2 July	Donald's Men's Shed AGM
	Donald Men's Shed 13 <sup>th</sup> Birthday Dinner
3 July	Meeting with CEO and MLC Andy Meddick Wycheproof
	Council Briefing at Charlton
4 July	Rex Theatre Meeting Charlton
8 July	Inspect Nullawil Silo Art Project
9 July	Land Use Strategy Briefing Birchip
10 July	Mildura RCC Rail Users Workshop Mildura
10 July	Council Meeting at Wycheproof

### **Cr Pollard - Lower Avoca Ward**

14 June	Charlton Park for the 2020 Community contribution acknowledgement
19 June	Council Briefing Wycheproof
25 June	Wycheproof Lions Changeover
26 June	Participated in our CEO review
3 July	Council Briefing Charlton
4 July	Charlton Rotary Changeover
5 July	Charlton Lions Changeover
9 July	Participated in land use planning meeting in Wycheproof

**9. OTHER BUSINESS****9.1 NOTICES OF MOTION**

Nil

**9.2 QUESTIONS FROM COUNCILLORS****9.2.1 FRANKSTON CITY COUNCIL CONTAINER DEPOSIT SCHEME**

Cr Milne referred to the Frankston City Council Container Deposit Scheme looking for support and asked if the matter could be discussed at the next Councillor Briefing for the possible consideration by Council for a Motion for Support at the August Ordinary Meeting of Council.

Acting Chief Executive Officer responded that the item will be placed on the next Councillor Briefing agenda for discussion.

**9.3 URGENT BUSINESS**

Nil

**9.4 ANY OTHER BUSINESS**

Nil

**9.5 MATTERS WHICH MAY EXCLUDE THE PUBLIC**

Nil

**10. MEETING CLOSE**

Meeting closed at 7.52pm.