



COUNCIL MEETING

MINUTES

Wednesday 11 September 2024

Commencing at 7:00pm

**Wycheproof Supper Room
367 Broadway, Wycheproof**

**Wayne O'Toole
Chief Executive Officer
Buloke Shire Council**

Minutes of the Meeting held on Wednesday, 11 September 2024 commencing at 7:00pm in the Wycheproof Supper Room, 367 Broadway, Wycheproof**PRESENT****CHAIRPERSON:**

Cr Alan Getley

Mallee Ward

COUNCILLORS:

Cr Bernadette Hogan

Mallee Ward

Cr David Pollard

Lower Avoca Ward

Cr Graeme Milne

Mount Jeffcott Ward

Cr Bronwyn Simpson

Mount Jeffcott Ward

OFFICERS:

Wayne O'Toole

Chief Executive Officer

Jenna Allan

Director Corporate and Organisational Performance

Gaynor Atkin

Director Community Development

Trevor Rumbold

Project Delivery Coordinator

David Anderson

Executive Team Project Officer

Jennifer Hewett

Manager Governance

AGENDA**1. COUNCIL WELCOME****WELCOME**

The Mayor Cr Alan Getley 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 Carolyn Stewart

Lower Avoca Ward

Cr Daryl Warren

Mount Jeffcott Ward

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

That Council adopt the Minutes of the Council Meeting held on Wednesday, 14 August 2024.

Moved: CR BRONWYN SIMPSON

Seconded: CR BERNADETTE HOGAN

**CARRIED.
(R091/24)**

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

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NIL

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NIL

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NIL

9.4 ANY OTHER BUSINESS 32**9.5 MATTERS WHICH MAY EXCLUDE THE PUBLIC 33**

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

9.5.1 CONTRACT NO C125 2024/25 – AGRN1037 FLOOD RECOVERY WORKS – MAJOR PATCHING
PACKAGE CE-0004 & CE-0005

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

10. MEETING CLOSE**7:33PM****NEXT MEETING**

THE NEXT COUNCIL MEETING WILL BE HELD IN WYCHEPROOF SUPPER ROOM, 367 BROADWAY, WYCHEPROOF ON
WEDNESDAY, 9 OCTOBER 2024 AT 7:00PM.

Wayne O'Toole
CHIEF EXECUTIVE OFFICER

6. QUESTIONS FROM THE PUBLIC

Nil

7. PROCEDURAL ITEMS

7.1 REPORT OF COUNCILLOR ASSEMBLIES

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/05/04

MOTION:

That the Council note the report of Councillor Assembly Meetings held 7 and 21 August 2024.

MOVED: CR BERNADETTE HOGAN

SECONDED: CR DAVID POLLARD

CARRIED.

(R092/24)

Attachments:

- 1 Councillor Briefing Record - 7 August 2024
- 2 Councillor Briefing Record - 21 August 2024

KEY POINTS/ISSUES

Transparency is a fundamental principle of democratic governance.

The Local Government Act 2020 (The Act) Section 9 (2) (i) provides that the transparency of Council decisions, actions and information is to be ensured.

In accordance with Section 57 of The Act, Council at its September 2020 Ordinary Meeting, adopted a Public Transparency policy, designed to improve public transparency in Council's decision-making processes and to assist the community in understanding the information that is accessible to them.

As per the Council Meeting Schedules adopted 9 November 2022 and 8 November 2023, Councillor Briefings are held for Councillors to meet to consider matters that are likely to be the subject of a Council decision or for the exercise of delegation.

A record of the Councillor Briefings held on 7 and 21 August 2024 is attached for public information.

7.2 LETTERS OF CONGRATULATIONS AND RECOGNITION OF ACHIEVEMENT/AWARDS

Author's Title: Executive Assistant

Department: Office of the CEO

File No: CR/13/01

PURPOSE

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

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

RECOMMENDATION

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

NIL ITEMS – NO RESOLUTION REQUIRED

Attachments: Nil

RECOGNITION OF ACHIEVEMENT ITEMS

Provider	Recipient	Date	Purpose for Recognition

7.3 CORRESPONDENCE INITIATED BY COUNCIL

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/06/06

PURPOSE

This report notes and records correspondence initiated by Council and informs the Council of the responses received from this correspondence.

RECOMMENDATION

That the Council notes the record of correspondence initiated by Council and the responses received.

NIL ITEMS – NO RESOLUTION REQUIRED

Attachments: Nil

TABLE OF CORRESPONDENCE

Council Initiative	Sent to	Sent	Response	Purpose of Letter

7.4 STATUS OF ACTION OF PAST COUNCIL MEETING RESOLUTIONS

Author's Title: Executive Assistant

Department: Office of the CEO

File No: GO/05/04

PURPOSE

To provide Council with a list of the Status of Action (SOA) of Council Resolutions outstanding for completion of action, and the SOA for the 14 August 2024 Council Meeting Resolutions.

MOTION:

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

MOVED: CR DAVID POLLARD

SECONDED: CR GRAEME MILNE

**CARRIED.
(R093/24)**

Attachments: 1 Status of action taken on Council Resolutions and Outstanding items

KEY POINTS/ISSUES

The Local Government Act 2020 (The Act) Section 9 (2) (i) provides that the transparency of Council decisions, actions and information is to be ensured.

In accordance with the Council's Governance Rules adopted August 2022, Council decisions are to be made and actions taken in accordance with the relevant law.

The transparency of Council decisions, actions and information is to be ensured and is a fundamental principle of democratic governance.

Attached to this report for public information is a list of the SOA of Council Resolutions outstanding for completion of action and introducing the SOA for the 14 August 2024 Council Meeting Resolutions.

7.5 PLANNING APPLICATIONS RECEIVED - MONTHLY UPDATE

Author's Title: Planning Officer

Department: Community Development

File No: LP/09/01

PURPOSE

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

MOTION:

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

MOVED: CR DAVID POLLARD

SECONDED: CR BRONWYN SIMPSON

CARRIED.

(R094/24)

Attachments: Nil

LIST OF PLANNING APPLICATIONS

Application No	Address	Date Rec	Summary of Proposal	Status
PA23026	Horace Street, Sea Lake	06/09/2023	Construct and display internally illuminated business identification sign (LED priceboard)	Review
PA24011	McLoughlans Road, Warmur	12/04/2024	Use and development of land for a dwelling in the Farming Zone within the setback to a proposed wind energy facility	Notice of Decision to Grant
PA24012	Aitken Avenue, Donald	19/04/2024	Building and works to construct and display a sign	Review
PA24017	Sunraysia Highway, Donald	28/05/2024	Works for the construction of a new site entrance, internal driveways and weigh bridge, and to create an access to a road in a Transport 2 Zone	Permit Issued
PA24018	Charlton-St Arnaud Road, Charlton	25/05/2024	Building and works to demolish an existing building and construct a new warehouse and minor modifications to existing warehouse	Permit Issued

Application No	Address	Date Rec	Summary of Proposal	Status
PA24019	Goddard Road, Teddywaddy West	11/05/2024	Two lot subdivision of land (rural dwelling excision)	Permit Issued
PA24020	Sea Lake-Swan Hill Road, Sea Lake	14/06/2024	Building and works to construct and display a double-sided, non-illuminated, major promotion sign	Review
PA24021	Calder Highway, Sea Lake	25/06/2024	Building and works to construct and display a double-sided, non-illuminated, major promotion sign	Review
PA24022	Broadway, Wycheproof	20/08/2024	Use and development of land for a service station, alter access to a road in Transport 2 Zone, and installation of sign	New
PA24023	Cossars Road, Yeungroon	21/08/2024	Subdivision of land	New
PA24024	Racecourse Road, Donald	23/08/2024	Three-lot subdivision of land	New
VS24006	Industry Drive, Donald	23/05/2024	Building and works for the construction of two buildings (two 10m wide x 13.5m L x 5.47m H sheds) and associated works	Review
VS24009	Elston Road, Wycheproof	24/07/2024	Construction of a building (12m x 9m garage) within a setback to a waterway	Permit Issued
VS24010	Peel Street, Charlton	24/07/2024	Construction of a building (3.5m x 8.3m shed) in a Heritage Overlay	Permit Issued

The information published in the list provided, is in accordance with the *Privacy and Data Protection Act 2014* and the *Planning and Environment Act 1987*.

7.6 BUILDING PERMITS - MONTHLY UPDATE

Author's Title: Statutory Administration Support

Department: Community Development

File No: DB/14/01

EXECUTIVE SUMMARY

This report provides information on Building Permits approved by staff from 1 August 2024 to 31 August 2024.

MOTION:

That the Council note information contained in the report on Building Permits approved by staff from 1 August 2024 to 31 August 2024.

MOVED: CR GRAEME MILNE

SECONDED: CR BERNADETTE HOGAN

CARRIED.
(R095/24)

Attachments: Nil

LIST OF BUILDING PERMITS APPROVED BY COUNCIL SURVEYOR

Application No.	Address	Project Description	Date Approved
20240017	Meyer Street Donald VIC 3480	Demolition of Dwelling	07/08/2024
20240019	WOODS STREET DONALD VIC 3380	Demolition of a building	15/08/2024

LIST OF BUILDING PERMITS APPROVED BY PRIVATE BUILDING SURVEYOR

Application No.	Address	Project Description	Date Approved
PBLD24064	Peel STREET Charlton VIC 3525	Construction of a Shed	07/08/2024
PBLD24057	Mildura Way Charlton VIC 3525	Shade Sail Structure	10/08/2024
PBLD24056	Berriwillock-Springfield Road Berriwillock VIC 3531	Construction of a Barn Shed	12/08/2024
PBLD24065	View STREET Charlton VIC 3525	Construction of a storage shed	20/08/2024
PBLD24063	Elstons ROAD Wycheproof Vic 3527	Proposed Garage	23/08/2024
PBLD24067	Chinkapook-Mittyack ROAD Pier Milan VIC 3533	Construction of Machinery Shed	23/08/2024
PBLD24061	Cave STREET Donald Victoria 3480	Construction of Shed	25/08/2024

8. GENERAL BUSINESS

8.1 POLICY REPORTS

8.1.1 COUNCILLOR STAFF INTERACTION POLICY

Author's Title: Director Corporate and Organisational Performance

Department: Corporate and Organisational Performance **File No:** CM/14/11

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

The purpose of this report is to present to the Council the Councillor Staff Interaction Policy for adoption.

SUMMARY

The Councillor and Staff Interaction Policy (Policy) clarifies the interactions between Councillors and staff under section 46(1)(b) and (3)(c) of the *Local Government Act 2020* and aims to facilitate a positive working relationship between Councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council.

The Policy provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff.

MOTION:

That Council:

1. Adopts the Councillor Staff Interaction Policy.

Moved: CR DAVID POLLARD

Seconded: CR BERNADETTE HOGAN

CARRIED.
(R096/24)

Attachments: 1 Councillor Staff Interaction Policy Draft

DISCUSSION

The Policy applies to all Buloke Shire Councillors and Council Staff and the interactions between them. The objectives of the Policy are as follows:

1. establish positive, effective, and professional working relationships between Councillors and staff defined by mutual respect and courtesy;
2. enable Councillors and staff to work together appropriately and effectively to support each other in their respective roles;

3. ensure that Councillors receive advice in an orderly, courteous, and appropriate manner to assist them in the performance of their civic duties;
4. ensure Councillors have adequate access to information to exercise their statutory roles;
5. provide direction on, and guide Councillor interaction with, staff for both obtaining information and in general situations;
6. maintain transparent decision making and good governance arrangements;
7. ensure the reputation of Council is enhanced by Councillors and staff interacting consistently, professionally, and positively in their day-to-day duties;
8. Support and assist Council staff in respecting the roles of Councillors in their duties as elected officials.
9. Ensuring compliance with relevant legislation, including the Local Government Act 2020, Occupational Health and Safety Act 2004, Privacy and Data Protection Act 2014 and Equal Opportunity Act 2010

RELEVANT LAW

As outlined within the *Local Government Act 2020 – Section 46, Functions of the Chief Executive Officer*, the Chief Executive Officer's responsibility includes managing interactions between members of Council Staff and Councillors and ensuring that Policies, practices and protocols that support arrangements for interaction between members of Council staff and Councillors are developed and implemented.

RELATED COUNCIL DECISIONS

Not applicable.

OPTIONS

Not applicable.

SUSTAINABILITY IMPLICATIONS

Not applicable.

COMMUNITY ENGAGEMENT

No community engagement was required for this policy development.

INNOVATION AND CONTINUOUS IMPROVEMENT

The adoption of the Councillor Staff Interaction Policy will improve the transparency and clarity of expectations for interactions between Councillors and Staff, with the intent of fostering a positive, professional working relationship to enable Council's success.

COLLABORATION

Not applicable.

FINANCIAL VIABILITY

Not applicable.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable.

COUNCIL PLANS AND POLICIES

Not applicable.

TRANSPARENCY OF COUNCIL DECISIONS

Not applicable.

CONFLICTS OF INTEREST

No Officer involved in the preparation of the Policy, or this Report has any conflicts of interest to disclose.

8.2 MANAGEMENT REPORTS

8.2.1 COUNTRY FOOTBALL AND NETBALL PROGRAM - BIRCHIP LEISURE CENTRE CHANGEROOM UPGRADE STAGE 2

Author's Title: Coordinator Project Delivery

Department: Infrastructure and Delivery

File No: GS/09/49

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Built and Natural Environment

PURPOSE

This report is presented to Council to consider utilising \$53,000 from the \$200,000 Grant Opportunity Reserve FY25 for the purpose of a co-contribution to support an application for the 2024-25 Country Football and Netball Program (Grant Program). The proposed project to be submitted for funding is the Birchip Leisure Centre Changeroom Upgrade Stage 2.

Further recommendations seek consideration of the Council to delegate the Chief Executive Officer authority to apply for the Grant Program and underwrite a community contribution to the effect of \$30,000.

SUMMARY

The Country Football and Netball Program is a competitive Victorian Government investment program in partnership with the AFL, AFL Victoria and Netball Victoria that provides funding to rural, regional, and outer metropolitan councils to assist grassroots country football and netball clubs, associations, and umpiring organisations develop facilities. Through the improvement of football and netball facilities in rural, regional, and outer metropolitan areas, the program will support the sustainability of country football and netball clubs into the future. The Grant Program will invest in proposals that can demonstrate commitment to the following outcomes:

- develop new or maintain existing participation opportunities in football and/or netball, where there is a risk to participation declining
- improve diversity and inclusiveness in participation by prioritising projects that provide opportunities for communities that participate less (such as women and girls, gender diverse people, and people with a disability), as outlined in Active Victoria 2022-2026
- support gender equality in participation, coaching, administration, umpiring and volunteering
- improve physical and mental health, social and economic outcomes for traditionally disadvantaged communities such as low socio-economic areas, growth areas, and communities experiencing long term disadvantage
- develop multi-use, shared and co-located facilities
- collaborate with AFL Victoria, Netball Victoria, or other relevant peak bodies.

Priority will be given to projects that:

- provide the strongest participation outcomes for groups that participate less in community sport and active recreation including women and girls, people with disability, Aboriginal Victorians, culturally and

linguistically diverse (CALD) communities, people from LGBTIQ+ communities and economically disadvantaged communities as identified in Active Victoria 2022-2026

- support communities experiencing socio-economic disadvantage particularly projects that support suburbs and towns within the 2 most disadvantaged deciles in Victoria as per the Australian Bureau of Statistics Index of Relative Socio-Economic Disadvantage, 2021
- support communities in areas of need that have experienced natural disasters, such as flood, bushfires and drought, or communities experiencing strong population growth or significant change in circumstances (for example, economic challenges)
- demonstrate multi-use, shared and integrated facilities including those on school land that can ensure long-term community access. Please see Section 3.6 for information regarding facilities on school land
- demonstrating economic lift in the form of job creation during construction and operation, non-government investment in the facility and participant and event attraction
- providing benefits for both football and netball.

The maximum total grant amount per applicant is \$250,000. Applications close 30 September 2024 with outcomes announced from February 2025 onwards. Construction to be completed no later than 24 months from the execution of the grant agreement. The funding ratio for rural LGAs is SRV \$3 Local \$1.

This Report recommends the Council use this funding opportunity to support delivery of stage 2 of the Birchip Leisure Centre Changeroom Upgrade.

MOTION:

That Council:

1. Approve a financial co-contribution of \$53,000 from the \$200,000 Grant Opportunity Reserve FY25 for the purposes of a funding an application towards the 2024-25 Country Football and Netball Program.
2. Delegate authority to the Chief Executive Officer to apply for the 2024-25 Country Football and Netball Program and
3. Delegate authority to the Chief Executive Officer to underwrite a community contribution to the effect of \$30,000; and
4. Authorises the Chief Executive Officer to sign the funding agreement on behalf of the Council should the application be successful.

Moved: CR BRONWYN SIMPSON

Seconded: CR BERNADETTE HOGAN

CARRIED.
(R097/24)

Attachments:

- 1 Building Permit 20210011 Endorsed Plans - 16 Morrison Street, Birchip
- 2 BULOKE SHIRE_ BIRCHIP REC ST. 2 - CONSTRUCTION PLANS
- 3 2024-25-Country-Football-and-Netball-Guidelines

DISCUSSION

The Draft Masterplan for the Birchip Recreation Reserve identifies that although the population of Birchip is not large and aging, there is high participation in sport at all age levels and this is likely to continue. The Loddon Mallee North region (includes Buloke Shire) has one of the highest membership rates (% of total population) for netball in regional Victoria. The membership rate is 3.8% compared to the Victorian Rural and Regional average of 3.2%. Existing facilities will require ongoing improvements and upgrades to cater for regular and growing usage. Included in the draft masterplan recommendations is the refurbishment of toilets and showers for netball and golf participants as well as the upgrade of support facilities (changerooms).

The scope of the proposed works includes the refurbishment of the wet areas (toilets and showers) currently designated Netball, Women's Golf and Men's Golf. The Men's Golf area would include the replacement of the existing open shower block with an accessible toilet and shower. This is required under a staged building permit awarded during the initial stage of works completed in April 2021 along with the upgrade of some door openings to compliant widths. This alteration to the attached *BULOKE SHIRE_ BIRCHIP REC ST. 2 - CONSTRUCTION PLANS* is shown in the attachment *Building Permit 20210011 Endorsed Plans - 16 Morrison Street, Birchip*. In order to adhere to the current Netball Victoria Facilities Manual a first aid room and administration office should also be provided and will be included in the project scope within the existing building footprint. Additional works to be included as optional items is the refurbishment of the football physio room and flooring upgrades throughout.

Completion of Stage 2 of the Changeroom Upgrade will enable all changerooms within the Birchip Leisure Centre to have flexible use so that a number of different sports can utilise the facility on the same day and allow for mixed gendered teams to have access to equitable facilities.

The project budget is based on costings obtained during the creation of the draft masterplan and referenced against the stage 1 costs.

RELEVANT LAW

The *Building Act 1993* and regulations, the *National Construction Code 2019* and all other applicable laws and standards will apply to the proposed project, including compliance with the Disability Discrimination Act (DDA).

RELATED COUNCIL DECISIONS

Council were unsuccessful in a funding application to the 2020-21 Local Sports Infrastructure Fund for the Birchip Leisure Centre – Unisex Changeroom Upgrade – Stage 2.

Council completed stage 1 of the changeroom upgrade in April 2021 which saw the football away, home and umpires changerooms updated along with the addition of an accessible toilet in the upstairs function area.

Council adopted the Fair Access Policy and Fair Access Action Plan at their meeting on Wednesday 12 June 2024.

OPTIONS

The Council may elect not to pursue this funding opportunity

SUSTAINABILITY IMPLICATIONS

The refurbishment will improve the sustainability of the clubs which utilise the facility by decreasing barriers to participation by providing adequate change spaces for all participants.

COMMUNITY ENGAGEMENT

The Birchip Watchem Netball Club have been contacted to ensure their support of the proposed funding application which has been confirmed by their President, including their commitment to facilitate the co-contribution amount required.

In the preparation of the Masterplan a variety of community engagement sessions were held including interviews with user group representative and regular progress meetings with key stakeholders and Sport and Recreation Victoria representatives.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not Applicable

COLLABORATION

Landowners consent will be required from the Department of Energy, Environment and Climate Action to undertake the proposed works.

Governing bodies of the sporting codes who will utilise the facility and the user groups will be given the opportunity to review the design and confirm their support of the development.

FINANCIAL VIABILITY

The total budget forecast for the project is \$332,000 comprising \$249,000 funding from the State Government, \$53,000 Council Cash accessed from the Grant Opportunity Reserve FY25 and \$30,000 community contribution.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The Grant Program was established in response to the Parliamentary Rural and Regional Services and Development Committee's Inquiry into Country Football Report, tabled in State Parliament in December 2004.

Other key plans the project takes into consideration are:

- Fair Play Code
- Fair Access Roadmap
- Female friendly sport infrastructure guidelines
- Guidelines for Preventing Violence against women
- AFL Central Victoria Facilities Strategy
- Active Victoria
- VicHealth Physical Activity Strategy
- Victorian integrity in sport action plan
- Design for everyone guide

COUNCIL PLANS AND POLICIES

In line with the Victorian Government's Fair Access Policy Roadmap, LGAs must have an acceptable gender equitable access and use policy (or equivalent) in place to be considered eligible for funding from the Program.

The proposal addresses key elements and actions from the Buloke Shire Inclusiveness Plan whilst also complimenting the outcomes of the draft Birchip Recreation Reserve Masterplan.

1. Our Built and Natural Environment

Long term aspiration: Quality infrastructure and multi-use assets that are well maintained and used.

Long term strategies:

- Maintain, develop and plan for viable, multi-use infrastructure and assets that respond to community needs and priorities.
- Review built community assets and explore opportunities for shared facilities and resources.
- Improve accessibility to buildings and public facilities for all community members.

The works will provide flexible use and access to the sporting facility for all participants.

2. Our Community Wellbeing

Long term aspiration: Infrastructure and programs to support physical activity.

Long term strategies:

- Create and support opportunities that encourage community wellbeing, social connections and inclusion and active and healthy lifestyles.

The completed works will ensure continued use of the recreation facility is possible.

TRANSPARENCY OF COUNCIL DECISIONS

Council has met its transparency obligations by ensuring consultation has been undertaken with relevant stakeholders within the Birchip community being the Birchip Watchem Netball Club, Birchip Watchem Football Club, Birchip Golf Club and Birchip Leisure Centre.

If Council resolve to accept the recommendations to access the required Council funds and apply for this Grant Program, officers will:

- Establish a formal project advisory group for the project; and
- Undertake a proactive media engagement strategy to explain the rationale for Council's decision, the application process, and long-term benefits for the community if successful.

CONFLICTS OF INTEREST

No officers involved in the preparation of this report have been required to declare a conflict of interest.

8.2.2 BULOKE PLANNING SCHEME AMENDMENT – IMPLEMENT PLANNING SCHEME REVIEW AND CORRECTIONS – SEEK AUTHORISATION FROM MINISTER OF PLANNING TO PREPARE THE AMENDMENT

Author's Title: Senior Planning Officer

Department: Community Development

File No: LP/08/04

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Built and Natural Environment

PURPOSE

This report seeks Council approval to seek Authorisation from the Minister to prepare Planning Scheme Amendment C44blok.

SUMMARY

Planning Scheme Amendments require Authorisation from the Minister for Planning to proceed with preparation of the amendment.

Council adopted the Planning Scheme review report at the April 10th, 2024 Council meeting. A planning scheme amendment is required to implement the findings and recommendations of the Buloke Planning Scheme Review 2023 report. The amendment also amends the Buloke Planning Scheme to correct obvious and technical errors, including mapping anomalies.

MOTION:

That Council:

1. Requests that the Minister for Planning grant Authorisation under Section 8A of the *Planning and Environment Act 1987* to prepare and exhibit a Planning Scheme Amendment to implement the recommendations in the Planning Scheme review report and correct selected mapping/zoning anomalies.

Moved: CR DAVID POLLARD

Seconded: CR GRAEME MILNE

CARRIED.

(R098/24)

Attachments: 1 Buloke C44blok Explanatory Report

DISCUSSION

Planning Scheme Amendments require Authorisation from the Minister for Planning to proceed with preparation of the amendment.

Council adopted the Planning Scheme review report at the April 10th, 2024 Council meeting. Regular reviews of the planning scheme are required under Section 12B of the *Planning and Environment Act 1987 (the Act)*. A planning scheme amendment is required to implement the findings and recommendations of the Buloke Planning Scheme Review 2023 report. This amendment implements the

recommendations of that review, which are administrative in nature and where the intended effect of the respective clause is not changed.

The amendment is required to ensure that land in private ownership is not within the Public Use Zone, Public Park and Recreation Zone or Public Conservation and Resource Zone, as required by the Ministerial Direction - Form and Content of Planning Schemes.

The amendment is also required to correct mapping anomalies and errors that have become apparent through the operation of the planning scheme, particularly through statutory planning processes.

The correction of these errors will contribute to the more effective operation and administration of the planning scheme to ensure it is up-to-date and provides a clear and coherent basis for decision making.

The changes the amendment makes to the ordinance of the Buloke Planning Scheme are listed in the attached C44 Explanatory report at the heading 'What the amendment does', under the subheading 'Ordinance'.

The changes to be made to the maps are summarised in the attached C44 Explanatory report at the heading 'What the amendment does', under the subheading 'Maps'.

RELEVANT LAW

The Planning Scheme amendment process will be conducted in accordance with the Planning and Environment Act 1987.

RELATED COUNCIL DECISIONS

This amendment implements the recommendations of the Buloke Planning Scheme Review (2023), as adopted by Council on 10 April 2024 and forwarded to the Minister for Planning on 8 May 2024.

OPTIONS

Council could resolve not to proceed with, or alter, the planning scheme amendment. Council as the Planning Authority is required to regularly review the provisions of the planning scheme for which it is a planning authority and prepare amendments to a planning scheme for which it is a planning authority (Section 12 of the *Planning and Environment Act 1987*).

SUSTAINABILITY IMPLICATIONS

The amendment is expected to deliver positive environmental, social and economic outcomes by updating, simplifying and clarifying local policies and local schedules in the Buloke Planning Scheme, and by correcting obvious mapping errors. This will provide more certainty to users of the planning system and will ensure that land use and development outcomes are consistent with the environmental, social and economic land use objectives of planning in Buloke and Victoria.

COMMUNITY ENGAGEMENT

The amendment will be available for inspection at the Buloke Shire Council website and will be available for public inspection during office hours at the Buloke Shire Council office at Wycheproof.

The amendment will also be available to be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

A notice will be placed in the locally circulating newspapers to advise of the opportunity to view the amendment.

Landowners whose land will be directly affected by the amendment will be sent notice of the amendment.

INNOVATION AND CONTINUOUS IMPROVEMENT

Section 12B of the Act requires a Planning Authority to carry out regular reviews of its planning scheme to enhance that scheme's effectiveness and efficiency in achieving the objectives of planning in Victoria and the objectives of the planning framework established by the Act.

The amendment is also required to correct mapping anomalies and errors that have become apparent through the operation of the planning scheme, particularly through statutory planning processes.

The correction of these errors will contribute to the more effective operation and administration of the planning scheme to ensure it is up-to-date and provides a clear and coherent basis for decision making.

COLLABORATION

Statutory bodies and public authorities will be consulted as required in accordance with Section 19 of the *Planning and Environment Act 1987*.

FINANCIAL VIABILITY

There are fees associated with the amendment process. There are no significant financial viability considerations.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

The amendment will update Municipal Planning Strategy and Planning Policy Framework to improve clarity and to comply with the Ministerial Direction - Form and Content of Planning Schemes. All proposed updates are policy neutral.

Regional Documents have been reviewed and reported on in the Planning Scheme Review Analysis findings June 2023, including Mallee Regional Catchment Management Strategy 2022-2028, North Central Regional Catchment Management Strategy 2021-2027, Dja Dja Wurrung Country Plan 2014-2034 (Dja Dja Wurrung Clans Aboriginal Corporation, 2014) and the Growing what is Good Country Plan (Barengi Gajin Land Council, 2017).

COUNCIL PLANS AND POLICIES

Council Plans and Policy documents were reviewed and reported on in the Planning Scheme Review Analysis findings June 2023, including the Council Plan, Inclusiveness Plan, Buloke Asset Plan, Rural Land Use and Settlement Strategy 2019, Buloke Climate Change Mitigation and Adaption Plan (Ndevr Environmental, 2020), Draft Transport Asset Management Plan, Interim Economic Development and Tourism Strategy 2022-2023.

TRANSPARENCY OF COUNCIL DECISIONS

In order to promote transparency, Council will consider this resolution in on open meeting.

CONFLICTS OF INTEREST

No officers involved in preparing this report have a conflict of interest in its subject matter.

8.3 FINANCIAL REPORTS

8.3.1 FINANCIAL AND PERFORMANCE STATEMENTS 2023/24

Author's Title: Acting Manager Financial Strategy

Department: Corporate and Organisational Performance **File No:** FM/02/09

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Council and Community Leadership

PURPOSE

The purpose of this report is to seek Council's approval in principle of the Draft Financial Statements and Performance Statement (the Statements) for the 2023/24 financial year as presented, noting that they have not been finally audited. This report also seeks to authorise two Councillors to certify by signature the final form Statements on behalf of the Council, in conjunction with the Chief Executive Officer and Principal Financial Officer. This process is in accordance with Section 99 (3) (a) and (b) of the *Local Government Act 2020* (the Act), and Sections 13 and 15 of the *Local Government (Planning and Reporting) Regulations 2020* (the Regulations).

SUMMARY

The preparation of the annual Financial and Performance Statements is a legislative requirement.

To enable the final form Statements to be submitted to the auditor in accordance with Section 99 (3) (a) and (b) of the Act and Sections 13 and 15 of the Regulations, Council is required to pass a resolution to give the Statements its approval in principle, and to authorise two Councillors to sign the Statements in conjunction with the Chief Executive Officer and the Principal Accounting Officer. Councillors are requested to consider the Statements, noting that they are in the process of being reviewed by the Victorian Auditor General's Office (VAGO) and as such are considered to be in draft.

Once the Statements are returned from the auditor, they will form part of Council's 2023/24 Annual Report which will be considered by Council in October 2024.

MOTION:

That Council:

1. Approves in principle the draft Financial Statements and Performance Statement for the 2023/24 financial Year, ahead of the Statements' submission to the auditor.
2. Authorises Mayor Cr Getley and Cr Simpson, to certify the final form Financial Statements and Performance Statement on behalf of, and with full authority of, the Council.

MOVED: CR BERNADETTE HOGAN

SECONDED: CR DAVID POLLARD

CARRIED.
(R099/24)

Attachments: 1 Draft Financial Statements 2024

2 Draft Performance Statement 2023/24

DISCUSSION

Under Section 98 of the *Local Government Act 2020* a Council must in respect of each financial year, prepare an Annual Report that includes audited Statements for the financial year. These Statements must be prepared in the prescribed manner and form and be certified by the Auditor General.

This year the Victorian Auditor General's Office agents Crowe acted as Council's auditors. The Statements have been reviewed by the Victorian Auditor General's Office.

Council is required to approve, in principle, the Statements prior to receiving certification from the Auditor General. The Council must also authorise two Councillors to certify the Statements in their final form. This has historically been the Mayor and Deputy Mayor.

The Draft Statements were considered by the Audit and Risk Committee at its meeting on 10 September 2024 and resolved to receive and note the statements as presented to Council. A summary of the financial statements as presented to the Audit and Risk Committee is included in the report below.

Income Statement

Total income was \$11.8M less than budget and expenses \$571,000 less, resulting in an unfavourable variance of \$11.3M. After adjusting for non-recurrent capital grants and contributions the underlying deficit for the year was \$11.9M reflecting the importance of these contributions to Council.

Detail	Commentary
Income	
User fees	Council withdrew from the provision of home support services during the year – these fees were \$256,000 less than budget.
Grants – operating	Commonwealth Government's Financial Assistance Grant for 2023/24 was paid in full in the previous financial year and no advance payment for 2024/25 was received. The unfavourable budget variance for this grant was \$7.1M and overall operating grants were \$6.6M less than budget.
Grants - capital	Capital grants were \$6.0M less than budget as externally funded capital projects were delayed. These included accommodation cabins for which \$2.9M income was budgeted (actual \$764,000), playspaces budgeted \$3.9M income (actual \$1.7M) and various projects that budgeted to receive Local Roads and Community Infrastructure funding.
Contributions - monetary	Capital contributions were \$420,000 less than budget as these were not received for sports ground lighting and Wooroonook septic system replacement as these projects were not completed or not started respectively.
Other income	Other income was \$1.2M favourable to budget as interest income was \$1.1M more than budget as additional cash was held during the year and interest rates better than anticipated. Council also recognised its equity of \$269,000 in Wimmera Southern Mallee Development which it joined during the year and which was not budgeted.
Expenditure	
Employee costs	Employee costs were \$487,000 greater than budget due to the finalisation of a new Enterprise Bargaining Agreement back-paid to 1 July 2023.
Materials and services	Favourable variance due to under expenditure on low-value purchases, contracts and materials and corporate and regulatory training.
Depreciation	Depreciation for computers and telecommunications equipment and sealed road surfaces was less than budget.
Finance costs - leases	Increase in number and cost of leased vehicles and increase in interest rates.

Capital Works

Total capital expenditure was \$10.1 million, which is \$9.8 million less than the original budget of \$19.9 million.

Detail	Commentary
Land and land improvements	Expenditure on the Sea Lake residential development (\$116,000) was not budgeted and other delayed projects were under expended. These have been carried over to 2024/25.
Plant and equipment	Program of acquisition was delayed and \$985,000 has been carried over to 2024/25.
Infrastructure	
Roads	Favourable variance due to delay in rehabilitation and patching works and reseal works completed less than budget. Various road rehabilitation works, grain receivable access and final seal works were among projects not proceeding. These favourable variances were partially offset by resheet works from 2022-23 that were completed as part of the five-year roads to recovery agreement.
Footpaths and cycleways	These projects were completed under budget.
Drainage	Favourable variance caused by delay in drainage plans as funding not received for flood study.
Recreational, leisure and community facilities	Favourable variance due to delay in playspaces at Charlton and Wycheproof Recreation Reserve multi-sport change facility did not commence.
Parks, open space and streetscapes	Favourable variance due to funding not received for Wooroonook septic remediation and Birchip netball court remediation not commenced. Cabins project and streetscape projects at Donald and Sea Lake were also delayed.
Other infrastructure	Town entry signage project was not commenced due to external funds not received.

Balance sheet

Detail	Commentary
Assets	
Cash and cash equivalents	Cash and cash equivalents totalled \$6.4M compared to \$17.3M last year.
Other financial assets	These totalled \$23M (same as in 2023) and include \$17M of investments with a maturity less more than 90 days from balance date. Overall the combined total of cash and investments fell by \$11M reflecting the close to break-even cash flow from operating and \$10.7M expended on capital works.
Trade and other receivables	These include grant debtors of \$3.1M (reduced from \$4.3M) and rate debtors of \$1.2M, an increase of \$100,000. Council is about to commence a review of long-term rate debts where collection has proved unsuccessful with a view to initiating procedures under S181 of the Local Government Act to sell these properties.
Property, infrastructure, plant and equipment	The total value of these has increased by \$1.3M reflecting capital works of \$10.1M less depreciation of \$8.9M. Council building assets were due to be revalued in 2023/24 but that will now occur in 2024/25.
Right-of-use assets	These increased by \$213,000 reflecting additional vehicles and higher values.
Liabilities	
Trade and other payables	These include trade creditors and accrued expenses and have increased by \$108,000.

Trust funds and deposits	These have decreased by \$38,000
Contract and other liabilities	These have decreased by \$3.8M as unearned grant income was recognised during the financial year.
Provisions	These reduced by \$587,000 principally as a result of the redundancy provision of \$420,000 being transferred as those home support service employees concluded their employment during the year.
Lease liabilities	These increased by \$256,000 as the value of right-of-use assets increased, driven by additional vehicles generally at higher cost.
Equity	
Accumulated surplus	Increased by \$978,000 after accounting for the deficit of \$5.3M and net transfers from reserves of \$6.3M.
Reserves	These decreased by \$6.3M notably as the unspent grants reserve (\$6.9M) is not required. Unspent grants are already disclosed as a liability in the balance sheet and cash is shown as restricted by an equivalent amount.

RELEVANT LAW

The Statements have been prepared in accordance with Australian Accounting Standards and Interpretations, the *Local Government Act 2020* and the Regulations.

Council's Statements must be audited to meet the requirements as set out under the *Local Government Act 2020*.

RELATED COUNCIL DECISIONS

Not applicable to this report.

OPTIONS

Not applicable to this report.

SUSTAINABILITY IMPLICATIONS

Not applicable to this report.

COMMUNITY ENGAGEMENT

Community consultation was not required in the preparation of the Statements. However, the Statements will be made available as public documents following the Auditor-General's approval. Once fully audited and approved, the Statements will be published in Council's upcoming Annual Report.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable to this report.

COLLABORATION

Not applicable to this report.

FINANCIAL VIABILITY

The Statements are a report back to the community on Council's performance against the adopted 2023/24 Annual Budget, along with performance against measures and targets for Key Strategic Activities specified in the 2023/24 Annual Budget.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Not applicable to this report.

COUNCIL PLANS AND POLICIES

The Statements are a report back to the community on Council's performance against the performance against measures and targets for Key Strategic Activities specified in the 2023/24 Annual Budget.

TRANSPARENCY OF COUNCIL DECISIONS

The availability of Council's audited financial and performance reporting to the community is essential for ensuring transparency and accountability to the community and other levels of government.

CONFLICTS OF INTEREST

In providing this advice to the Council as the Acting Manager Financial Strategy, I, David Anderson, have no interests to disclose in this report.

8.4 ORGANISATIONAL REPORTS

8.4.1 SWIMMING POOL SEASON 2024/25

Author's Title: Director Community Development

Department: Community Development

File No: CP/19/01

Relevance to Council Plan 2021 - 2025

Strategic Objective: Our Community Wellbeing

PURPOSE

The purpose of this report is for Council to note that the 2024/25 Swimming Pool Season will open on Friday 22 November 2024 and close on Sunday 16 March 2025.

SUMMARY

Council has historically opened all seven of its swimming pools from mid-November to mid-March each year. The 2024/25 Swimming Pool Season is consistent with this approach, with the season opening on Friday 22 November 2024 and closing on Sunday 16 March 2025.

MOTION:

That Council:

1. Notes that the 2024/25 Swimming Pool Season will open on Friday 22 November 2024 and close on Sunday 16 March 2025.

MOVED: CR GRAEME MILNE

SECONDED: CR BERNADETTE HOGAN

CARRIED.

(R100/24)

Attachments: Nil

DISCUSSION

The 2024/2025 swimming pool season has been scheduled to align with the dates of previous years. Council Officers are currently undertaking preparations for another successful season with the recruitment of new Pool Lifeguards and a range of maintenance, repairs and improvements scheduled at each pool.

A maintenance schedule will be developed for each pool throughout the 2024/2025 pool season which may require the pools to be closed for maintenance on a rotating basis. The community will be advised of these days at the start of the pool season and/or within 48hrs for unexpected repairs required.

A training program for pool lifeguards is also being developed and will include topics such as Managing Challenging Behaviour, First Aid and Watch Around Water.

Council has also signed another annual agreement with Life Saving Victoria which will include a Pool Safety Assessment at the end of the 2024/2025 swimming pool season.

RELEVANT LAW

Not applicable

RELATED COUNCIL DECISIONS

Not applicable

OPTIONS

Not applicable

SUSTAINABILITY IMPLICATIONS

Not applicable

COMMUNITY ENGAGEMENT

A communication plan will be developed to inform the community of the 2024/25 Swimming Pool Season opening and closing dates, as well any events and activities held at the swimming pools and scheduled or unscheduled closures.

INNOVATION AND CONTINUOUS IMPROVEMENT

Not applicable

COLLABORATION

Officers have been working with Life Saving Victoria to prepare Councils seven swimming pools and its Pool Lifeguard Teams for the 2024/25 Swimming Pool Season.

FINANCIAL VIABILITY

The 2024/25 Annual Budget allocates funds towards the operational and capital expenditure that is required to provide and maintain Councils aquatic facilities and services.

REGIONAL, STATE AND NATIONAL PLANS AND POLICIES

Local Government Act 2020

COUNCIL PLANS AND POLICIES

Buloke Shire Long Term Community Vision and Council Plan 2021-2025

TRANSPARENCY OF COUNCIL DECISIONS

Not applicable to this report.

CONFLICTS OF INTEREST

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

8.5 REPORTS FROM COUNCILLORS

Mayor Cr Alan Getley

Weekly meetings with CEO Wayne O'Toole & Acting CEO Dan Mc Loughlan

Monthly Briefings

Ordinary Council meeting

Councillor Monitor meetings

Transmission lines Executive Directors meeting

Flow FM Interview General Shire issues

WSMD Board Meeting

Advance Sea Lake Meeting with Cr Hogan

Basin Councils meeting Re Water buy backs

VNI West TNSP Tender

Mayors CEO Quarterly meeting Horsham

Coffee with a Councillor at the Rex

Charlton Early Years Centre Opening

Charlton Forum meeting

Audit & Risk meeting

VNI West monthly meeting

Cr Bernadette Hogan

19/8/2024 - Birchip Forum – BCG, Birchip

21/8/2024 - Council Briefing - Charlton

25/08/2024 - Birchip Rifle Club 125 Year Celebration – Birchip Rifle Range

30/8/2024 - Melbourne Cup Tour Celebration – Wycheproof

31/08/2024 - Opera Event at the Rex Theatre – Charlton

3/9/2024 - Birchip Early Learning Centre Meeting – Zoom

4/09/2024 - Council Briefing - Charlton

09/09/2024 - Advance Sea Lake Meeting – Sea Lake

10/09/2024

Audit & Risk Committee Meeting – Wycheproof

Wyche Alive Town Forum – Wycheproof

11/09/2024

BCG Main Field Day Breakfast - Nullawil

Council Meeting – Wycheproof

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

Nil

9.2 QUESTIONS FROM COUNCILLORS

Cr Milne – In respect to Donald Tradie Park, Yarriambiack have been able to gift land to Murtoa. Emailed information to staff members. Yarriambiack have had favourable response from ratepayers – Buloke should consider with new council.

9.3 URGENT BUSINESS

Nil

9.4 ANY OTHER BUSINESS

9.5 MATTERS WHICH MAY EXCLUDE THE PUBLIC

MOTION:

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:

- | | | |
|-------|--|---|
| 9.5.1 | CONTRACT No C125 2024/25 –
AGRN1037 FLOOD RECOVERY WORKS
– MAJOR PATCHING PACKAGE CE-0004
& CE-0005 | (h) confidential meeting information, being the
records of meetings closed to the public
under section 66(2)(a)

Contractural Information |
|-------|--|---|

MOVED: CR BRONWYN SIMPSON

SECONDED: CR GRAEME MILNE

CARRIED.
(R101/24)

MOTION:

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

MOVED: CR DAVID POLLARD

SECONDED: CR BERNADETTE HOGAN

CARRIED.
(R103/24)

10. MEETING CLOSE

7:33PM