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## Attachments

4.1.	Council Planning Report – Fulham Road Torrumbarry Vic 3562, Pln311/2016.....	77
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# AGENDA



For a meeting of the seventh Campaspe Shire Council to be held on Tuesday, 18 April 2017, commencing at 5:00pm at the Echuca Civic Centre.

## OPENING PRAYER

We pray to Almighty God that our decisions as a Council be in the best interest of the people, culture and the environment of the Shire of Campaspe.

*Amen*

The Campaspe Shire Council acknowledges the traditional owners of the land upon which we meet and pay our respect to their elders both past and present.

## MEETING PROCEDURES

Please ensure that all mobiles are turned off or switched to silent.

There are "Ask a Question Forms" just inside the door for anyone who would like to submit a question to Council. Questions forms must be completed within 10 minutes and returned to the tray. Questions will be addressed at the end of the open section of the meeting.

Council meetings are broadcast live via the internet. During the meeting, members of the public may be recorded, particularly those speaking to an item. By attending this meeting, you are consenting to the possibility that your image may also be broadcast to the public. Any personal and health information voluntarily disclosed by any person at Council meetings may be broadcast live, held by Council and made available to the public for later viewing.

Those people who have requested to speak to an item will be allowed five minutes to address Council. Speakers will be notified with a bell when there is 60 seconds remaining. Speakers must only speak in relation to the subject stated on their application and shall not debate the issue with Councillors and officers. Councillors are able to ask questions of the speaker on points of clarification.

Speakers are advised that they do not enjoy any special protection from defamation arising from comments made during their presentation to Council and should refrain from voicing defamatory remarks or personal defamatory statements against any individual. Speakers will be treated with respect when addressing Council. I ask that the same respect is extended to Councillors and officers.

## **BUSINESS**

### **1. APOLOGIES**

## 2. CONFIRMATION OF MINUTES & ATTACHMENTS

For the:

- Open section of the Council Meeting held on 21 March 2017
- Open section of the Campaspe Briefing Session held on 7 March 2017
- Open section of the Campaspe Briefing Session held on 21 March 2017

### Recommendation

**That the following minutes be accepted as true and accurate records:**

- **The open section of the Council Meeting held on 21 March 2017**
- **The open section of the Campaspe Briefing Session held on 7 March 2017**
- **The open section of the Campaspe Briefing Session held on 21 March 2017**

### 3. DECLARATION OF INTERESTS

Disclosure of Conflict of Interests are to be made immediately prior to any relevant item being discussed.

*Local Government Act 1989 Section 79*

- (1) If a Councillor or member of a special committee has a conflict of interest in a matter which is to be considered or discussed at a meeting of the Council or the special committee, the Councillor or member must, if he or she is attending the meeting, disclose the conflict of interest in accordance with subsection (2).
- (2) A Councillor or member of a special committee who has a conflict of interest and is attending the meeting of the Council or special committee must make a full disclosure of that interest:
  - (a) by either
    - (i) advising the Council or special committee at the meeting of the details required under paragraphs (b) and (c) immediately before the matter is considered at the meeting; or
    - (ii) advising the Chief Executive Officer in writing of the details required under paragraphs (b) and (c) before the meeting; and
  - (b) classifying the type of interest that has given rise to the conflict as either:
    - (i) a direct interest; or
    - (ii) an indirect interest and specifying the particular kind of indirect interest under section 78, 78A, 78B, 78C, 78D or 78E; and
  - (c) describing the nature of the interest; and
  - (d) if the Councillor or member advised the Chief Executive Officer of the details under paragraph (a)(ii), the Councillor or member must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

## 4. RESPONSIBLE AUTHORITY DECISIONS

### 4.1. COUNCIL PLANNING REPORT – FULHAM ROAD TORRUMBARRY VIC 3562, PLN311/2016

<b>ALLOCATED OFFICER:</b>	Ally Wilkie, Acting Senior Planner
<b>RESPONSIBLE MANAGER:</b>	Andrew Fletcher
<b>APPLICATION NO:</b>	Pln311/2016
<b>DATE RECEIVED:</b>	2 November 2016
<b>APPLICANT:</b>	David Merrett C/- Spectrum Planning Solutions
<b>PROPOSAL:</b>	Use and development of the land for a dwelling in the Farming Zone Schedule 1, Environmental Significance Overlay Schedule 1 and Land Subject to Inundation Overlay
<b>SUBJECT SITE:</b>	Fulham Road TORRUMBARRY VIC 3562
<b>ZONING:</b>	Farming Zone Schedule 1
<b>OVERLAYS:</b>	Environmental Significance Overlay Schedule 1 and Land Subject to Inundation Overlay
<b>UNDER WHAT CLAUSE (S) IS A PERMIT REQUIRED?:</b>	Clause 35.07-1, 35.07-4, 42.01-2, 44.04-2
<b>RESTRICTIVE COVENANTS ON THE TITLE?:</b>	No
<b>CURRENT USE AND DEVELOPMENT:</b>	Farm land with existing shed
<b>IS A CULTURAL HERITAGE MANAGEMENT PLAN REQUIRED?:</b>	No
<b>OBJECTIONS:</b>	None

#### 1. Summary Recommendation

It is recommended that Council as the Responsible Authority issue a Refusal. The proposal is for the construction of a single storey dwelling on a lot size of 17.28ha in the Farming Zone Schedule 1 that requires a minimum 'as of right' area for a dwelling of 80ha.

If the land does not have an existing agricultural use then to help determine if a dwelling is required an ILMP can be provided as justification. An ILMP to justify a dwelling was previously requested on the 4 November 2016, but the applicant advised that an agricultural activity in this case was not appropriate.

The Campaspe Planning Scheme (the scheme) in the policy basis outlines that "*new dwellings must be limited to those that genuinely relate to agricultural production*". None of the existing policies (State and local) outline that if the land is not suitable for agricultural (applicants opinion) a dwelling should be permitted. In fact, the 'test' is much harder and the application should illustrate some new or exceptional circumstance to warrant a dwelling.

The application was reported to the Council Meeting on the 21 March 2017 recommending refusal. The application was deferred to allow for the applicant to provide additional information in the form of an Integrated Land Management Plan (ILMP) and to address the relevant decision guidelines of Clause 22.01 Agricultural Policy and Clause 35.07-6 Farming Zone.

An Integrated Land Management Plan (ILMP) and Environmental Features and Land Capability for Agricultural Production has been submitted. The information outlines the business will involve the sale of native vegetation seeds derived from the established native vegetation on the site. This includes a variety of Box trees and Red Gum native trees and will be grown to tube stock. The report advised that a dwelling will provide for the maintenance of re-vegetation, improved faunal

habitat and weed and vermin control on the site. The reports also outline that the spoil types and site characteristics, acknowledging that the site is prone to flooding and periodic waterlogging. The specific details regarding the relationship between the dwelling and activity and whether the nature of the activity requires continuous care, supervision or security required as part of Clause 22.01 and 35.07 has not been addressed.

The report also fails to acknowledge that the 'works' proposed can occur on-site without the need for a dwelling. The approval of this application could set a precedence and adversely impact the ability to support the expansion and continuation of farming in the area. As outlined above, none of the existing policies outline that if the land is not suitable for agricultural a dwelling should be permitted, in fact the 'test' is much harder for any new dwelling especially in an area which is prone to other risks such as flooding.

The scheme acknowledges that there is a demand for rural living opportunities in the Shire, but adequate land has been allocated to accommodate this demand. Clause 22.01 states *"A rural dwelling will often be needed to properly farm the land, however new dwellings must be limited to those that genuinely relate to agricultural production"*. A consequence of 'unplanned rural living' results in agricultural land being taken out of agriculture. It is policy to *"Discourage new dwellings unless it can be demonstrated that it is required for the agricultural use of the land"*. The scheme is clear and the policy sets a high benchmark to be satisfied for any application for a new dwelling. The justification for the dwelling that is based on the land having 'limited agricultural qualities' is not sufficient and fails to meet policy.

The applicant stated that *"much of the land can be underwater for periods of time per annum"* and that *"the property serves as a point of drainage for adjoining farm lands"*. The environmental constraints of the site being subject to flooding and the presence of a 'new' dwelling reinforces the potential for difficulties and inhibiting the future expansion of other farms. By considering a dwelling in an area not suited it needs to be recognised that there may be additional complaints and increased Council resources to resolve these issues, contrary to the objectives of Environmental Significance Overlay Schedule 1 (ESO1), land Subject to Inundation Overlay (LSIO) and FZ1.

The site has irrigation available and fertile soils and the existing pattern in the area illustrates the land is used for medium to large scale agriculture including functioning dairy farms, grazing and/or cropping. Clause 21.05-1 Economic Development aims to *'discourage land uses that have the potential to compromise agricultural investment, facilitate growth of existing farm businesses'*, and that *'unplanned rural living should not displace agriculture or prevent flexibility for farm businesses'*. Clause 22.04 Non-Agricultural uses in the Farming Zone Policy builds on Clause 21.05-1 and states *"Council discourages uses in the total areas that are not relating to agriculture, or that have an adverse impact on agriculture and future agricultural opportunities."*

The scheme gives clear direction that this land is not to be used as a 'hobby farm' or for 'rural living opportunities'. The policy outlines that rural living opportunities can compromise farming purposes by increasing land prices and introduce residents with 'non farming' amenity expectations. The Regional Rural Land Use Strategy (RRLUS) referenced within Clause 21.05 categorises FZ1 as being for 'growth' areas for expansion of existing farm businesses and 'consolidation' areas that support existing farm businesses to operate and expand.

A review of land holdings in this area (FZ1) demonstrates that there are numerous 'larger' farms that have been consolidated. There is potential for this land to be consolidated, used as an 'out paddock' to 'enhance agricultural productivity' and expand existing farm enterprises. The presence of a dwelling reinforces the potential for difficulties and inhibiting future agricultural expansion and operation including natural drainage flows on the surrounding area contrary to the objectives and policy of Clauses 21.05-1, 22.01 and Clause 35.07 of the scheme.

An objective of Clause 22.04-2 is to *"discourage non-agricultural use and development in all rural areas, other than those that support agriculture"*. The proposed dwelling is not reasonably required for the activity on the site. The justification provided advising that the site has limited agricultural qualities is not sufficient to justify a dwelling and if approved has the potential to result in a precedent.

A recent VCAT case of note *Noonan v Mount Alexander SC [2017] VCAT 412 (22 March 2017)* was an application for a dwelling in the Farming Zone on a similar size lot of approximately 15ha that requires 40ha for a dwelling 'as of right' (no permit required). The Council refused the application based on the proposal resulting in the loss and fragmentation of productive agricultural land and it would not support and enhance agricultural production. A Farm Management Plan (FMP) identified that farm production was constrained with limited water, sloping land and vegetated areas. The Member

determined that the dwelling was not reasonably required and more specifically stated *“the application proposes nothing new or different or exceptional to warrant the need for the proposed dwelling”* and affirmed the position of the Council.

The justification for the dwelling in the VCAT case relied on enhancing agriculture as well as to enable ‘better land and environmental management’ of the site. In response the Member stated *“I also consider that allowing a new dwelling on the site would further affect the use of land in the FZ where its value, with a dwelling would make it more difficult for productive agriculture to continue and options for productive agriculture and/or any expansion would become more limited due to the change in land use that is proposed in this instance.”* The use of the land does not meet local policy that recognises that it is evident that prospective agricultural investment is jeopardised, deterred or lost by land use such as dwellings not associated with agricultural activities.

The VCAT case also addressed ‘community benefit of additional dwellings within the FZ’ and the Member advised *“the mere existence of other smaller lots containing dwellings and the fact that many of these are used for lifestyle purposes increases the concern that allowing another dwelling in this area would merely reinforce the difficulty of being able to continue to support and enhance productive farming in the area...The presence of other existing dwellings in the area whether historical or newly erected does not indicate that allowing another one is orderly planning. Each proposal is to be assessed on its merits and Clause 65 relating to Decision Guidelines provides guidance on how proposals are considered.”* The member stated *“Because a permit can be granted does not imply that a permit should or will be granted.”* The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this Clause.”

The proposal will result in the land being ‘taken out’ of agriculture based. The proposal is contrary to sound and orderly planning, as there is on insufficient information to support the need for the dwelling based on the agricultural activity. It is considered that the dwelling is contrary to State and local policies, specifically Clauses 11.05, 14.04, 21.05, 22.01 and 22.04 and the relevant Decision Guidelines of the Farming Zone and is recommended for refusal.

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## 2. Conflict of Interest

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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## 3. Charter of Human Rights

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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## 4. Instrument of Delegation

This report has considered the Instrument of Delegation (S6) by Council. This report is required as the delegation does not allow officers to determine to refuse a planning application if the application has been ‘called in’ to a Council Meeting as a result of a majority vote at the Council Briefing Session on 21 February 2017.

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## 5. Proposal

The proposal is for the use and development of the land for a dwelling. The dwelling is proposed to be setback 145m from Fulham Road to the north, and 20m from the eastern boundary. The dwelling is not proposed to be undertaken in conjunction with a broader agricultural use.

The dwelling is proposed to be a single storey building with a total floor area of 212.29sqm and is proposed to contain three (3) bedrooms, a study, kitchen, living areas and bathrooms. There will be a double garage with an area of 44.75sqm (6.5m x 6.2m). The dwelling will be constructed from grey/brown brickwork with dark grey roof tiles. The height floor to ceiling is 2.7 metres. Access to/from the site is via a new crossover onto Fulham Road.

## 6. Subject Site & Locality

An inspection of the site and the surrounding area has been undertaken.

The site is irregular in shape and has a total area of 17.28ha. The site has frontage onto Fulham Road to the north of 687m and contains an outbuilding located within the north-eastern corner of the site. The site contains a number of native vegetation scattered throughout the site. The site is entirely affected by the Land Subject to Inundation Overlay. Access to/from the site is within the north-east corner of the site onto Fulham Road.

The main site/locality characteristics are agricultural properties that have allotments between 27ha to 208ha with some properties made up of a number of Certificates of Title. The area has a history of dairy farming fodder and grazing purposes with infrastructure on properties adjoining the site. The nearest dwelling is located approximately 127m from the northern boundary.

The surrounding context is as follows;

- To the north of the site located approximately 127m is a dwelling is located within the Rural Activity Zone on an allotment with a combined area of 49.9ha.
  - To the east of the site is land within the Farming Zone Schedule 1 (FZ1) with an area of 41ha and to the south and west is a property in the same ownership within the FZ1 with a combined area of 208ha made up of a number of Certificates of Title.
- 

## 7. Permit/Site History

The history of the site includes:

- 2005-047 Use and development of the land for a dwelling was issued. The permit was issued within the Rural Zone. The permit was not acted upon.
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## 8. Public Notification

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- Sending notices to the owners and occupiers of adjoining land.

The notification has been carried out correctly and no objections were received.

Two letters of support dated 4 and 6 December 2016 were submitted during the advertising period. The letters are summarised as follows;

- The neighbouring property has in excess of 950 acres with the property previously forming part. The neighbour advised that they do not intend to purchase the property back and the land is too small uncommendable for irrigation with too many trees and low lying land that gets boggy during winter. The land is 'useless' without expenditure. There is no desire to purchase this land back from him.
  - The farm is currently used minimally for farming and that if the application is approved full use will be able to be made of the 'valuable' farm land and a young family will become part of the Torrumbarry farming community.
  - Mr Whites block is the location of the original homestead that supported the larger farm. The area is half farming zone and half Rural Activity Zone with bed and breakfast, caravan parks and holiday homes.
-

- The land was marginal and throughout winter had significant ground cover of water and grew poor quality feed. The adjoining 900 odd acres was also difficult country to farm as the block has no water available and water was required to be carted in daily to maintain stock.
- Crime rate increases and theft from farms is rampant and being a result of less people living in the area, less traffic movement and no farming activity.

These issues have been taken into account in the assessment of the planning application.

**Figure 1: Subject site and surrounds**



Legend	
Subject Site	★

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## 9. Consultation

Consultation was not undertaken.

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## 10. Referrals

The application has been referred to one (1) external authority and two (2) internal Council Departments. The following table makes note of the type of information requested; whether consent was given and whether conditions were requested to be attached to the permit. In some cases, notes or other advice were included in the referral response.

Referral Authority	Type of Referral	Consent/ Approve Proposal	Request Permit Conditions	Any other advice notes
North Central Catchment Management Authority	Section 55 (Recommending)	No Response Received	N/A	N/A
Internal Department	Type of Referral	Consent/Approve Proposal	Request Permit Conditions	Any other advice notes
Road Services Department	Information	Consent	Yes	No
Health Department	Information	Consent	Yes	No

## 11. Assessment

### State Planning Policy Framework (SPPF)

The following State policies and objectives are relevant to this application.

**Clause 10 - Operation of the State Planning Policy Framework** - The purpose of State planning policy is to inform responsible authorities of the aspects to be considered and given effect in administering the planning scheme. The State Planning Policy Framework provides a context for decision making by responsible authorities. The planning policies are directed to land use and development, as required by the Planning and Environment Act 1987, a primary objective of which is to provide for the fair, orderly, economic and sustainable use and development of land.

**Clause 11 - Settlement** - The objective of planning is to anticipate and respond to the need of existing and future communities. Planning should recognise the need for and as far as practicable contribute towards, the health and safety, diversity of choice, adaption in response to changing technology, economic viability, a high standard of urban design and amenity, energy efficiency, prevention of pollution to land, water and air, protection of environmentally sensitive areas and natural resources, accessibility and land use and transport integration.

#### Clause 11.05-1 Regional settlement networks

##### Objective

To promote the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework plan.

##### Relevant Strategies

- Support sustainable development of the regional cities and centres of Ararat, Bairnsdale, Benalla, Colac, Echuca, Hamilton, Horsham, Mildura, Portland, Sale, Shepparton, Swan Hill, Wangaratta, Warrnambool and Wodonga.
- Provide for growth in population and development of facilities and services across a region or sub-region network.

#### Clause 11.05-3 Rural Productivity

##### Objective

To manage land use change and development in rural areas to promote agriculture and rural production.

#### Clause 11.09-5 Agricultural productivity

##### Objective

To manage and utilise strategic assets and support agricultural productivity.

### Strategies

- Plan for marine development and infrastructure that is sensitive to marine national parks and environmental assets.
- Support the sustainable management of key agricultural land.
- Provide support and direction on appropriate locations for the establishment of new agricultural industries.
- Protect strategically important agricultural and primary production land across the region from encroachment from urban expansion, rural residential and other potentially incompatible uses.
- Facilitate changes in agricultural activities over time, encourage diversification and value adding, and provide appropriately timely infrastructure to realise these opportunities.

### **Clause 11.11-3 Agricultural productivity**

#### Objective

To support and manage rural landscapes.

#### Strategies

- Protect areas of strategic significance for agriculture.
- Support adaptation of the agricultural sector to embrace opportunities and respond to the potential risks arising from climate change.
- Facilitate ongoing agricultural productivity and investment in high value agriculture.
- Protect and maintain productive land and irrigation assets necessary to help grow the region as an important food bowl for domestic and international exports.

**Clause 12 Environmental and Landscape Values** – Planning should assist in the protection and conservation of biodiversity including important habitat for flora and fauna. The permitted clearing of native vegetation should result in no net loss in the contribution made by native vegetation to Victoria's biodiversity.

**Clause 13 Environmental Risk** - Planning should adopt a best practice environmental management and risk management approach which aims to avoid or minimise environmental degradation and hazards. Planning should identify and manage the potential for the environment, and environmental changes, to impact upon the economic, environmental or social well-being of society.

### **Clause 13.01-1 – Floodplain Management**

#### Objective

To assist the protection of:

- Life, property and community infrastructure from flood hazard.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river health.

## **Clause 14.01 Agriculture**

**Clause 14.01-1 Protection of Agricultural Land** - To protect productive farmland which is of strategic significance in the local or regional context.

**Clause 14.01-2 Sustainable Agricultural Land Use** - To encourage sustainable agricultural land use.

## **Local Planning Policy Framework (LPPF)**

### **Clause 21.01 Campaspe Shire Key Issues and Strategic Vision**

The estimated 2013 population of the shire was approximately 37,000, which is expected to grow to approximately 39,600 by 2031 (VIF 2015) and to 43,000 by 2036 (Campaspe Profile). Compared to other areas of regional Victoria, the shire has a higher population of younger (school age) people and older people. This trend is expected to grow, which may leave a 'population donut', with less working age residents in the municipality.

Agriculture (particularly irrigated primary production) and its processing underpin the economy of the shire and region. Approximately 40 per cent of employment in the shire is in manufacturing, agriculture (including fishing and forestry) and health care. There is also significant employment in tourism related industries such as food services, accommodation and retailing. Recent economic growth has been primarily by growth in health care and social assistance, professional and scientific services and construction.

The key issues facing Campaspe are focused around seven strategic themes:

- Settlement and Housing.
- Environmental and Landscape Values.
- Environmental Risks.
- Natural Resource Management.
- Built Environment and Heritage.
- Economic Development.
- Transport and Infrastructure.

### **Clause 21.01- 4 Strategic Vision**

The Planning and Environment Act 1987 requires that MSS be consistent with the current Council Plan (2013-2017) which outlines the following vision for Campaspe:

"A vibrant place to live, grow and visit, with a thriving, diverse and healthy lifestyle".

### **Clause 21.02 Settlement and Housing**

It is acknowledged that the shire needs to continue to increase its population. In the larger towns, this growth should occur in nominated greenfield locations (such as Echuca West, Kyabram etc.) or by infill development within the larger towns. Beyond this, population growth should be targeted to:

- existing small towns as a first priority, given that the infrastructure capacity of nearly all of the small towns (schools, recreation facilities, water and sewerage) provides these communities with the 'critical mass' to tap into this infrastructure; and
- nominated rural living areas as the second priority for growth, as there is support for some rural living around existing small towns that could further support this existing community infrastructure. This is especially so in those

locations where there is already a settlement pattern of smaller lots that are compromised for agricultural purposes, such as around Kyabram.

While there has traditionally been support for dwellings in rural areas, there are a number of limitations with this option, including the 'right to farm', inconsistency with state policy, the costs that the council will inherit in servicing these new dwellings, the precise location of the dwelling on the land and the impact of the dwelling on farming operations. While a dwelling will often be needed to properly farm the land, any new dwellings must be limited to those that genuinely relate to agricultural production.

### **Clause 21.02-3 Rural residential opportunities**

#### Objectives

Rural residential development has been a popular and attractive lifestyle choice in Campaspe. Rural residential opportunities on the periphery of urban areas provide a transition in the land use pattern to rural areas.

Isolated subdivisions are another form of rural residential development found in the municipality. An on-going issue in rural areas relates to amenity concerns associated with rural residential development and animal keeping and other agricultural pursuits.

### **Clause 21.03 Environmental and Landscape Values**

The Murray River is an asset of national and state significance. The river and its environs serve a variety of environmental, economic, social, and recreational and tourist functions. A co-ordinated and co-operative approach to planning and management of the river corridor is required to protect its significant values, and to prevent conflict arising from agricultural development, urban development, tourism and recreation development along the waterway and on adjoining land.

#### Objectives

- To protect the river and environs of the Murray River, recognising its importance for nature conservation, flooding, economic development, recreation and tourism.
- To protect, manage and restore native vegetation, including grasslands and wetland vegetation.
- To avoid and minimise impacts on environmental and biodiversity values.

### **Clause 21.04 Environmental Risks**

This clause provides local content to support Clause 13 (Environmental Risks) of the State Planning Policy Framework

#### Objectives

- To adapt to the effects of climate change.
- To promote the use of water sensitive urban design, including stormwater use.
- To protect life, health, safety and community wellbeing from flood hazard.

To minimise the impact of flooding on the community.

### **Flooding**

Sound floodplain management is the critical means by which the economic, social and environmental risks associated with floodplain use and development can be managed. This level of management is provided by seven "local floodplain development plans" which have been prepared by the relevant catchment management authority to provide a performance-based approach for decision making that reflects local best practice in floodplain management.

## Clause 21.05 Natural Resource Management

### Agriculture

Irrigated primary production and the processing of that product underpin the economy of the municipality and the region. The level of production is nationally important and the region is responsible for significant parts of the nation's milk production, deciduous canned fruit production, stone fruit crop and tomato processing production.

It is increasingly evident that prospective agricultural investment is jeopardised, deterred, or lost by land use and development that has the potential to compromise the scale and location of such investment. In particular, agricultural investment is far less likely where the ownership of land is fragmented with housing dispersed throughout. To address this, a Regional Rural Land Use Strategy (2008) identified various categories of farming areas, and recommended different subdivision and minimum lot size provisions for dwellings in each category. Important principles arising from the strategy that have been applied in the rural areas are:

- The minimum subdivision size is always to be less than or equal to the minimum dwelling size in order to avoid expectations and perceptions that there will be an automatic entitlement to erect a dwelling on all newly created lots in the Farming Zone.
- Small lot subdivisions should not create any additional entitlements for a dwelling, nor should they create an opportunity for a dwelling without a planning permit.
- Unplanned rural living should not displace agriculture or prevent flexibility for farm businesses.
- The farming area categories are as follows:
- **Growth and Consolidation areas**, being areas for growth and expansion of existing farm businesses and for new investment. The minimum subdivision size in these areas has been set at 60 hectares, and a dwelling needs a planning permit on all land less than 80 hectares in area.
- **Niche areas**, being those areas with productive potential based on existing lot configuration, and opportunities for smaller scale and specialised agriculture. The minimum subdivision size in these areas has been set at 40 hectares, and a dwelling needs a planning permit on all land less than 40 hectares in area.

### Objectives

- To ensure that agriculture is and remains the major economic driver in the region.
- To identify a preferred area for intensive agricultural activities.
- To ensure that use and development does not pose a threat to the sustainable productive capacity of the shire's agriculture economic base.

## Clause 21.09 Local Areas

### Echuca

Echuca is the largest centre in the shire with a population of about 12,280, although its catchment areas is estimated to include 50,000 people within a 70 kilometre radius. The town is an important commercial, industrial, community, recreational and transportation hub for northern Victoria and southern New South Wales. Echuca's commercial structure is dominated by retail and wholesale trade.

## Clause 22.01 Agriculture Policy

This policy addresses two separate issues, which arise in the Farming Zone being rural subdivision and rural dwellings.

The process of farm consolidation is considered fundamental to the long term viability of the agricultural base of the Shire. The fragmentation of existing farms is discouraged as it is inconsistent with the trend towards the consolidation of larger and more viable agricultural parcels. Fragmentation also leads to rural living opportunities, which compromise farming purposes by increasing land prices and introducing residents with 'non-farming' amenity expectations. The existing supply of lots in the Farming Zone is considered sufficient to enable the incremental growth of farms.

Council acknowledges that there is a demand for rural living opportunities in the Shire, but adequate land has been allocated to accommodate this demand. Unplanned rural living results in agricultural land being taken out of production. A rural dwelling will often be needed to properly farm the land, however new dwellings must be limited to those that genuinely relate to agricultural production.

Clause 21.04 identifies new categories within the Farming Zone which distinguish land on the basis of productive capacity, access to water, levels of fragmentation and the existence of dwellings.

This policy provides direction on how discretion will be exercised in terms of dwellings and subdivision in the Farming Zone.

### Objectives

- To limit the further fragmentation of rural land by subdivision.
- To ensure that lots resulting from subdivision are of a sufficient size to be of benefit to agricultural production.
- To encourage the consolidation of rural land.
- To provide for the incremental growth of farming enterprises.
- To provide for small lot subdivision only where there are positive agricultural outcomes and where no additional dwelling entitlements are created under the minimum subdivision area.
- To discourage new dwellings unless it can be demonstrated that it is required for the agricultural use of the land.

### Policy - Rural dwellings

It is policy to:

- Discourage a dwelling not associated with or required for the agricultural use of the land.
- Ensure that the agricultural use has been established on the land (or an integrated land management plan under Clause 35.07-6 is in place) prior to the construction of a dwelling.
- Ensure that the dwelling is located on a lot of at least 2 hectares in area.
- Ensure that the dwelling is located on a lot created after 1st January 1960.
- Require the landowner to enter into an agreement under section 173 of the Act to:
- Ensure the dwelling is used in conjunction with an agricultural use;
- Prevent the subdivision of the lot containing a dwelling where the proposed lot size is less than the minimum subdivision area specified in the Farming Zone; and
- Acknowledge the impacts of nearby agricultural activities.

## Decision Guidelines

- whether the proposed new dwelling is located on a lot that has:
- Legal frontage to a road
- A satisfactory frontage to depth ratio
- Suitable two way vehicle access via an all-weather road.
- Adequate buffers to protect residential amenity from the impacts of agricultural activity.
- The relationship between the proposed dwelling and the agricultural activity on the land.
- Evidence of an integrated land management plan under Clause 35.07-6 or similar, addressing the relationship between agricultural activities on the land and the proposed dwelling.
- The agricultural productive capacity or the agricultural potential of the land.
- The nature of the existing agricultural infrastructure and activity on the land and any new proposed agricultural infrastructure and activity at the land.
- The nature of the agricultural activities on the land and whether they require permanent and continuous care, supervision or security.
- The proposed siting of the dwelling and whether it minimises impacts on existing and potential agricultural operations on nearby land.
- The lot size, context and physical characteristics of the land.
- Whether the dwelling results in a rural living or rural residential outcome in the area.
- The potential for land to be consolidated with other land to enhance agricultural productivity.
- Whether the planning scheme identifies a 'non-agricultural' future for the land and the implications of development on future development options.

## Clause 22.04 Non-Agricultural uses in the Farming Zone Policy

### Policy Basis

This policy builds on the MSS strategies at Clause 21.05 regarding potential land uses and developments that may impact on agricultural activities and investment. The Farming Zone was significantly modified in 2013, after the adoption of the Campaspe, Greater Shepparton and Moira Regional Rural Land Use Strategy (2010). An array of new discretionary uses was introduced, many of which had been prohibited at the time of the preparation of the strategy.

In terms of land use, the preferred mix of uses in the Farming Zone includes those that support agricultural activities and associated rural industries that maintain and build the economic base of the shire. Council discourages uses in the rural areas that are not directly related to agriculture, or that have an adverse impact on agriculture and future agricultural opportunities.

### Objectives

- To identify a preferred mix of land uses in rural areas.
- To promote appropriate land use and development within rural areas.

- To discourage non-agricultural use and development in all rural areas, other than those that support agriculture.

### Zoning

**Clause 35.07 Farming Zone (FZ)** – Provides for the use land for agriculture, to ensure that non-agricultural uses including dwellings, do not adversely affect the use of land for agriculture and to encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

The site is affected by Schedule 1 of the Farming Zone. A permit is required for the use of the land for a dwelling as the lot is less than 80 hectares and is a Section 2 (permit required) pursuant to Clause 35.07-1. A permit is required for buildings and works associated with a use in Section 2 pursuant to Clause 35.07-4.

### Overlays

**Clause 42.01 Environmental Significance Overlay (ESO1)** – Ensures that development is compatible with identified environmental values. The site is affected by Schedule 1 Murray River Corridor. A permit is required to construct a dwelling pursuant to Clause 42.01-2.

**Clause 44.04 Land Subject to Inundation Overlay (LSIO)** – Identifies land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority and seeks to ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity. A permit is required to construct a dwelling pursuant to Clause 44.04-2.

### Relevant Particular Provisions

**Clause 65 Decision Guidelines** - Sets out decision guidelines for the responsible authority to consider in ensuring acceptable outcomes in terms of State Planning Policies and Local Planning Policies.

### Relevant incorporated or reference documents

- Council Plan 2013-2017
- Regional Rural Land Use Strategy 2008-2010
- Local Floodplain Development Plan Precinct of the Murray River 2010

### Relevant Planning Scheme amendments

N/A

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## 12. Summary of Key Issues

The following is a summary of the relevant planning issues and areas of non-compliance, considering planning principles and consideration of risk. The application proposes a dwelling on a lot of approximately 17.28 ha (Crown Allotment 8 Section 8 Parish of Torrumbarry North).

### History/Further Information Request

An Integrated Land Management Plan (ILMP) was requested early on as part of the application dated 4 November 2016. At that time the applicant advised that an agricultural activity was not appropriate to justify the dwelling on the site. The applicant recently submitted an ILMP and Environmental Features and Land Capability for Agricultural Production as a result of the Council Meeting. The justification in part relies on the land having 'limited agricultural qualities' and to maintain the land to control weeds and vermin.

The application materials is insufficient to justify the need for a dwelling based on the agricultural activity. The application does not outline how the activity requires permanent and continuous care, supervision or security in accordance with Clauses 22.01 and 35.07. If approved, the application has the potential to set a precedent, noting that none of the existing

policies (State and local) outline that if the land is not suitable for agricultural (applicant's opinion) a dwelling should be permitted. In fact, the 'test' is much harder and the application should illustrate some new or exceptional circumstance to warrant a dwelling.

As part of the justification for the dwelling on the site the applicant referred to the previous planning permit (2005-047) that had been issued. Planning permit 2005-047 was issued in 2005 for a dwelling and expired in 2009. There have been a number of planning scheme amendments since the permit was issued with more performance based controls and policy 'discouraging' dwellings not associated with a 'genuine agricultural activity'.

The land was extensively reviewed as part of Amendment C69 that implemented that findings of the Regional Rural Land Use Strategy 2010 and rezoned the land to the Farming Zone Schedule 1 (FZ1). The strategy categorised the site as being within a 'growth and consolidation area' to allow the expansion of existing farm businesses. The dwelling on the site will 'take the land' out of agriculture and limit the expansion and consequently will impact on the operation of surrounding and adjoining properties.

The applicant advised that the land has 'marginal agricultural value', and due to 'its low lying conditions it cannot be cropped especially in winter and spring due to its boggy conditions'. The information provided identifies that the site has been previously used for grazing although at a small extent and the site does have a stock and domestic water allocation. State policy aims to limit new housing in rural areas through directing housing growth into existing settlements and discouraging development of isolated small lots in the rural zone from use for a single dwelling and is expressly discouraged. Planning policy sets a high benchmark to be satisfied for any application for a new dwelling. The justification for the dwelling that is based on the land having 'limited agricultural qualities' is not sufficient and is contrary to Clause 21.05-4, 22.01 and 22.04.

The applicant also advised that the site is in proximity to the Rural Activity Zone (RAZ) being located to the north and that the land has a 'greater relationship' with the RAZ land as the Murray River is located in proximity to the site than the 'broader farming activities'. It is noted that the purpose of the Rural Activity Zone is for agriculture and tourism associated with the Murray River and agricultural uses. The zone is more restrictive than the Farming Zone, as a dwelling is a section 2 use (permit required) with no minimum lot size compared to the Farming Zone. An ILMP must also be submitted to justify a dwelling in the RAZ and be associated with an agricultural use. The below map shows the land within the Farming Zone Schedule 1 and surrounding allotments that are large in size and in contiguous ownership in the Farming Zone.



A letter of support dated 4 December 2016 was submitted as part of the application from the adjoining neighbour who advised they have in excess of 950 acres. The letter stated that *“the land is too small, uncommendable for irrigation with too many trees and mostly low lying land that gets boggy during winter”*. It is noted that this letter is from the original owner of the land who sold the property to the applicant. Another letter dated 6 December 2016 was also submitted as part of the application from a landowner who is not a direct abuttal. The letter states that the farm is *“marginal and throughout winter had significant ground cover of water and grew poor quality feed.”* In addition, due to crime rate and a dairy farm being on the market and the population decline the prevention of development results in the end of the community.

The Campaspe Planning Scheme gives clear direction that this land is not to be used as a 'hobby farm' or for 'rural living opportunities'. The applicant has not been able to appropriately demonstrate the need for a dwelling with the activities included within the ILMP including growing tube stocks from the trees on site and removing weeds and vermin. Management of the land remains the same for a landholder regardless of whether the owner lives on the land or not. It is inappropriate to exercise discretion and issue a permit in this instance based on the information provided. The proposal is inconsistent with the policy basis of Clause 21.05 and Clauses 22.01 and 35.07-6 of the scheme.

### Policy

The State Planning Policy Framework - Clause 11.05-3 Rural Productivity aims to 'limit new housing development in rural areas'. Clause 14.01-1 Protection of agriculture land, aims to 'ensure that the State's agricultural base is protected from the unplanned loss of productive agricultural land due to permanent changes of land use'. Clause 14.01 Agriculture also considers 'the impacts of removing the land from primary production, given its agricultural productivity'.

Clause 21.05-1 Economic Development aims to *'discourage land uses that have the potential to compromise agricultural investment, 'facilitate growth of existing farm businesses', and that 'unplanned rural living should not displace agriculture or prevent flexibility for farm businesses'*. Clause 22.04 Non-Agricultural uses in the Farming Zone Policy builds on Clause 21.05-1 and states *“Council discourages uses in the rural areas that are not directly related to agriculture, or that have an adverse impact on agriculture and future agricultural opportunities”*. The applicant has not been able to justify the need for a dwelling on the site and the permanent, continuous care, supervision or security in accordance with Clause 22.01

The site is within the Farming Zone Schedule 1 (FZ1) as is the surrounding area with irrigation available and fertile soils and the existing pattern in the area illustrates the land is used for medium to large scale agriculture including dairy farming, grazing and cropping. The Regional Rural Land Use Strategy (RRLUS) referenced within Clause 21.05-1 and 22.04 categorises FZ1 as being for 'growth' areas for expansion of existing farm businesses and 'consolidation' areas that support existing farm businesses to operate and expand. A review of land holdings in this area also demonstrates that there are numerous 'larger' farms that have been consolidated. There is potential for this land to be consolidated with other land to 'enhance agricultural productivity' and expand existing farm enterprises.

Clause 21.05-1 states that *'It is increasingly evident that prospective agricultural investment is jeopardised, deterred or lost by land use and development that has the potential to compromise the scale and location of such investment'*. *'Agricultural investment is far less likely where the ownership of land is fragmented with housing dispersed throughout'*. Clause 22.01 Agricultural Policy states *'A rural dwelling will often be needed to properly farm the land, however new dwellings must be limited to those that genuinely relate to agricultural production'* and *'discourage a dwelling not associated with or required for the agricultural use of the land'*. Allowing a dwelling not associated with an agricultural activity is likely to set a planning precedent that will lead to degradation of agricultural values and a concentration and proliferation of dwellings within the FZ1 contrary to policy.

The proposal will erode the opportunity for other surrounding landowners to expand which are key decision guidelines, highlighting reasons for not supporting dwellings in the farming area which are not related or required to support the agricultural use. Clause 22.04 Non Agricultural uses in the Farming Zone Policy discourages non-agricultural related uses in the Farming Zone. The policy builds on Clause 21.05 regarding potential land uses and development that may impact on agricultural activities and investment. The objectives of Clause 22.04 is *“to promote appropriate land use and development within rural areas, to discourage non-agricultural use and development in all rural areas, other than those that support agriculture”*. The dwelling is contrary to the objectives of the zone and local polices.

The site is affected by the Environmental significance Overlay Schedule 1 (ESO1). The purpose of the overlay is *“To prevent the loss of riparian flora and fauna, biodiversity, habitat and wetland environments”*. The applicant stated that *“much of the land can be underwater for periods of time per annum”* and that *“the property serves as a point of drainage*

for adjoining farm lands". The further development of the land has the ability to impact on adjoining 'productive' agricultural land. The environmental constraints of the site being subject to flooding (LSIO) and the presence of a 'new' dwelling reinforces the potential for difficulties and inhibiting the future expansion. By considering a dwelling in an area not suited due to the environmental impacts, it needs to be recognised that there may be additional complaints and increased Council resources to resolve issues, contrary to the objectives of ESO1, LSIO and FZ1.

### VCAT Decisions

When making decision, officers are mindful of similar proposals and relevant cases which have been determined by VCAT. In this instance there is one (1) of note which have been determined within our shire and two (2) with a broad acre farming character similar to the character considered within this application which was a Red Dot decision (established case law).

*Kerr v Campaspe SC [2015] VCAT 1337 (26 August 2015)* was an application where the decision of the responsible authority was affirmed to issue a planning dwelling in the Farming Zone Schedule 1 (FZ1). The application proposed a dwelling in the Farming Zone Schedule 1 with an area of 9ha that was formally a disused sand mine. The activity did not solely rely on horses as the agricultural activity, with the dominant activity comprising of a composting facility (vermiculture) that would use horse manure as part of the production. The applicant sufficiently demonstrated that the proposed agricultural use of the land required a dwelling. Although the site was a disused sand mine the Tribunal found the proposal was an acceptable planning outcome, particularly given that it will result in an adaptive re-use of land, be more productive and provide a new investment within the agricultural sector consistent with the local policy.

*Bourke-Finn v Ballarat CC & Anor [2013] VCAT 908 (5 June 2013)* was for a dwelling in the Farming Zone on a lot of 2.5ha for thoroughbred horse breeding and keeping operation on the property. The area surrounding the site had already been physically fragmented by earlier subdivision and development, however the remaining land is largely characterised by dispersed dwellings with the land being used to support broad scale agricultural use. The Tribunal stated "Even if this locality were to have a rural living character, I am not persuaded that this is sufficient reason to set aside the zoning and its clear purposes to advance agricultural use of the land". Accordingly, the requirements of the Farming Zone and associated planning policy apply.

A recent VCAT case of note *Noonan v Mount Alexander SC [2017] VCAT 412 (22 March 2017)* was an application for a dwelling in the Farming Zone on a similar size lot of approximately 15ha that requires 40ha for a dwelling 'as of right' (no permit required). The Council refused the application based on the proposal resulting in the loss and fragmentation of productive agricultural land and it would not support and enhance agricultural production. A Farm Management Plan (FMP) identified that farm production was constrained with limited water, sloping land and vegetated areas. The Member determined that the dwelling was not reasonably required and more specifically stated "the application proposes nothing new or different or exceptional to warrant the need for the proposed dwelling" and affirmed the position of the Council.

The justification relied on for the dwelling in the VCAT case relied on enhancing agriculture as well as enable better land and environmental management of the site. In response the Member stated "I also consider that allowing a new dwelling on the site would further affect the use of land in the FZ where its value, with a dwelling would make it more difficult for productive agriculture to continue and options for productive agriculture and/or any expansion would become more limited due to the change in land use that is proposed in this instance." The use of the land does not meet local policy that recognises that it is evident that prospective agricultural investment is jeopardised, deterred or lost by land use such as dwellings not associated with agricultural activities.

The VCAT case also addressed 'community benefit of additional dwellings within the FZ' and the Member advised "the mere existence of other smaller lots containing dwellings and the fact that many of these are used for lifestyle purposes increases the concern that allowing another dwelling in this area would merely reinforce the difficulty of being able to continue to support and enhance productive farming in the area". "The presence of other existing dwellings in the area whether historical or newly erected does not indicate that allowing another one is orderly planning. Each proposal is to be assessed on its merits and Clause 65 relating to Decision Guidelines provides guidance on how proposals are considered." The member stated "Because a permit can be granted does not imply that a permit should or will be granted." The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this Clause."

When considering these decisions it is noted that the site is located within the Farming Zone Schedule 1 which is identified for growth and consolidation pursuant to Clause 21.05-1 of the scheme. The surrounding context of the subject site is large landholdings associated with broad scale agricultural use and when used in conjunction with others can support larger scale agricultural enterprises that are being carried out within the area. The site does not have to be consolidated with adjoining properties but it may form an 'out paddock for stock' or be managed for fodder production and/or be environmentally enhance or continue to accommodate natural drainage without the need for the dwelling that is consistent with the purpose of Clause 21.05, 22.01, 22.04, 35.07 and 42.01 of the scheme.

The decision guidelines include policy about the surrounding context, fragmentation, consolidation, farming enterprises, positive outcomes, agricultural activity, etc. In this instance the site is located within the Farming Zone Schedule 1 (FZ1) and does not propose an agricultural activity to justify 'a full time residency'. By allowing the approval of such application it could possibly open up similar types of proposals which would result in a proliferation of dwellings contrary to policies.

#### Other matters

The application was referred to the Environmental Health Department for comment. The department consented provided conditions (if issued) to be included requiring an aerated system to meet relevant EPA setbacks. The site is within the Land Subject to Inundation Overlay (LSIO) and the application was referred to North Central Catchment Management Authority who did not provide a response within the specified timeframe under the *Planning and Environment Act 1987*. The application was referred to Road Services for comment and requested standard conditions (if issued).

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### 13. Conclusion

This application is to the detriment of the viability of the agricultural base of the Shire and is not in accordance with the policies and objectives of the SPPF, MSS and Local Policies of the Campaspe Planning Scheme. The Integrated Land Management Plan (ILMP) does not justify the relationship between the agricultural activity and dwelling in accordance with local policy requirements and Decision Guidelines. The proposal would result in fragmentation and would contribute to the removal of productive farm land make it unviable and undesirable for other farming enterprises contrary to the zone and policy. It is recommended that the application not be supported and that a refusal be issued.

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### 14. Recommendation

**That Council as the Responsible Authority under the Planning and Environment Act 1987:**

- **Having caused notice of Planning Application No. PLN311/2016 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme**

**And**

**Having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to refuse to Grant a Permit under the provisions of Clauses 35.07-1, 35.07-4, 42.01-2, 44.04-2 of the Campaspe Planning Scheme in respect of the land known as Vol. 10974 Fol. 511 and described as Fulham Road, Torrumbarry for the for the use and Development of the Land for a Dwelling in the Farming Zone Schedule 1, the Environmental Significance Overlay Schedule 1 and Land Subject to Inundation Overlay, with the application dated 2 November 2016, subject to the following grounds of refusal:**

- 1. The dwelling is contrary to State Planning Policy Framework of Clause 11.05-3 Rural Productivity, Clause 14.04-1 Protection of Agricultural Land and Clause 14.01-2 Sustainable Agricultural Land Use.**
- 2. The dwelling is contrary to Local Planning Policy Framework of Clause 21.05-1 Natural Resource Management of the Campaspe Planning Scheme.**
- 3. The agricultural use does not justify the need for a dwelling and is contrary to the Decision Guidelines of Clause 22.01 Agricultural Policy of the Campaspe Planning Scheme.**

4. **The dwelling is contrary to the objectives and policy of Clause 22.04 Non-agricultural uses in the Farming Zone Policy as the dwelling will have an adverse impact on agriculture and future agricultural opportunities.**
5. **The proposal is contrary to the relevant decision guidelines of Clause 35.07 Farming Zone of the Campaspe Planning Scheme.**
6. **The proposal is contrary to orderly planning and contributes to fragmentation.**

## **5. PLANNING AUTHORITY DECISIONS**

Nil

## 6. COUNCIL DECISIONS

### 6.1. ADOPTION OF DRAFT BUDGET 2017/18

**Author:**

Ailsa Box, Finance Manager

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#### 1. Purpose

The purpose of this report is to present to council the 2017/18 Draft Budget. The report advises the resolutions required to initiate the statutory process and advertise the draft budget for public comment.

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#### 2. Recommendation

1. That the draft "Campaspe Shire Council Budget 2017/18", tabled at the meeting, be the Budget prepared by Council for the purposes of Section 127(1) of the *Local Government Act (1989)*.
  2. That the Chief Executive Officer be authorised to:
    - a. Give notice of the preparation of the Budget in accordance with Section 129(1) and (3) of the *Local Government Act (1989)*;
    - b. Make available for public inspection the information required to be made available by Section 9 of the *Local Government (Finance and Reporting) Regulations 2004.*; and
  3. That Council:
    - a. Consider any submissions on the draft budget in accordance with Section 129(2) and Section 223 of the *Local Government Act (1989)*;
    - b. Hear any submissions on the draft budget at a Budget Submission Hearing Meeting at 4:00pm on Tuesday, 30 May 2017; and
    - c. Consider any motion to adopt the draft budget at a Special Council Meeting to be held at 5:00pm on Tuesday, 6 June 2017.
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#### 3. Conflict of Interest

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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#### 4. Charter of Human Rights

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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#### 5. Instrument of Delegation

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by council.

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## 6. Background

The *Local Government Act 1989* sections 127 require that council prepares a budget for the year and the Local Government (Finance and Reporting) Regulations 2004 specify the information required for public display.

Section 136 of the Act requires that council implement the principles of sound financial management. The principles are identified in the Act as:

- (1) *A council must implement the principles of sound financial management.*
- (2) *The principles of sound financial management are that council must:*
  - (a) *manage financial risks faced by the council prudently, having regard to economic circumstances;*
  - (b) *pursue spending and rating policies that are consistent with a reasonable degree of stability in the level of the rates burden;*
  - (c) *ensure that decisions are made and actions are taken having regard to their financial effects on future generations;*
  - (d) *ensure full, accurate and timely disclosure of financial information relating to the council.*
- (3) *The risks referred to in sub-section (2)(a) include risks relating to:*
  - (a) *the level of council debt;*
  - (b) *the commercial or entrepreneurial activities of the council;*
  - (c) *the management and maintenance of assets;*
  - (d) *the management of current and future liabilities;*
  - (e) *changes in the structure of the rates and charges base.*

The Victorian State Government introduced a new model budget which includes mandatory sections (1 through 7) last year. The draft Campaspe Shire Budget 2017/18 adheres to this model.

## 7. Strategic Planning Environments

Prosperity:	Programs and initiatives within this budget will assist economic growth and will support existing businesses.
Place:	The budget continues to finance maintenance and renewal of existing assets, as well as providing some funding to support creation of new infrastructure.
People:	The budget directly supports our communities' health and wellbeing.
Organisation:	The budget provides for additional resources to deliver programs.

## 8. Consultation

Public comment on the budget will be sought by advertising for submissions from members of the public in accordance with section 223 of the Act. Section 223 of the Act provides for people to make written submissions and allows for anyone making a submission to address the council in support of that submission at a time and venue fixed by the council prior to the council finally considering the budget for adoption.

The draft budget will be advertised in the Riverine Herald, Campaspe News and Kyabram Free Press in the week following the council's resolution to adopt this budget as the budget to be presented to the public for the purposes of section 127 of the Act.

Submissions received from public and other groups prior to the preparation of this draft budget have been considered in the development of the document.

Consultation has included discussions with EMG, Leadership Group, Finance, and Councillors during workshops and briefing sessions.

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## **9. Officer Comment**

Council needs to adopt the draft budget and give public notice by advertisement in the local papers that the draft budget is available for inspection and public are invited to make submissions on the draft budget until 5:00pm on Wednesday, 24 May 2017.

The draft budget will then be presented to council with any submissions received from the public that will need to be considered by council at a special meeting to be held at 5:00pm on Tuesday, 6 June.

Council will then need to consider any submissions, amend the budget if required and finally adopt the budget and declare the rates and charges for the 2017/18 year.

## **6.2. ENDORSEMENT OF DRAFT 2017-2021 COUNCIL PLAN**

### **Author:**

Andrew Cowin, Corporate Strategy Manager

### **Attachments:**

6.2. Draft 2017-2021 Council Plan

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### **1. Purpose**

To seek Council's endorsement of the draft 2017-2021 Council Plan and authorise its release for public comment in accordance with Section 125(3A) of the Local Government Act.

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### **2. Recommendation**

#### **That Council:**

- 1. Endorse the draft 2017-2021 Council Plan and vision for the Shire of Campaspe.**
  - 2. Authorise the Chief Executive Officer to:**
    - a. give notice of the preparation of the draft 2017-2021 Council Plan in accordance with Section 125(3) of the *Local Government Act (1989)***
    - b. make available for public inspection a copy of the draft 2017-2021 Council Plan in accordance with Section 125(3A) of the *Local Government Act (1989)***
  - 3. Consider any submission on draft Council Plan in accordance with Section 223 of the Local Government Act (1989);**
  - 4. Hear any submissions on the draft Council Plan at a Submission Hearing Meeting in the Function Room at Echuca on 30 May 2017; and**
  - 5. Consider any motion to adopt the draft Council Plan at a Special Council Meeting to be held on Tuesday, 6 June, 2017.**
- 

### **3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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### **4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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### **5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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## 6. Background

The Local Government Act prescribes that Council must adopt a Council Plan and Strategic Resource Plan no later than the 30 June.

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## 7. Content

The 2017-2021 Council Plan (Plan) is Council's key strategic document for the term of the Council, which reflects the outcomes of stakeholder and community engagement. The Plan describes Council's strategic objectives, strategies for achieving the objectives and how the outcomes will be measured. Supporting the delivery of the Council's vision is the Strategic Resource Plan which describes the financial and non-financial resources required to implement the Plan over the four year period.

The Plan incorporates the requirements of the *Public Health and Wellbeing Act 2008* for Council to prepare a Municipal Public Health and Wellbeing Plan (MPHWP). Incorporation of the MPHWP within the Council Plan strengthens the integrated planning approach across all Council activities and allows Council to focus on health and wellbeing outcomes for the community and enables a more optimal use of resources.

This Plan sets a vision of 'We are strong, supportive, vibrant and sustainable' which aligns and furthers the vision of Campaspe Our Future.

The Plan was developed through a community engagement process, as well as taking into account local community plans, local strategic plans, master plans and regional plans.

The Plan is structured across the five key themes of:

- Strong and Engaged Communities
- Resilient Economy
- Healthy Environment
- Balanced Service and Infrastructure
- Responsible Management

In addition the Plan supports the priorities of Healthier Campaspe. A partnership established to improve community health and wellbeing. In addition to the priorities of Healthier Campaspe, collective action to address Family Violence remains a high priority for Council.

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## 8. Issues and Risk Management

### **Issues:**

The Plan outlines some of the key challenges that are facing not only Campaspe but also many other rural and regional communities. The key challenges include:

- High costs of inputs for industry (energy and water)
  - Renewal of community facilities
  - An ageing population
  - Engagement of young people
-

- Substance abuse issues
- Family violence
- Availability of regional education and training
- Cross-border issues

Council is also very mindful of financial constraints – including reduced funding from other levels of government, and capped rates. This will mean a re-doubled effort in increasing efficiencies within council. Responsible decision-making will be critical and a set of financial principles (outlined in this Council Plan) has been developed to guide our decision making.

### **Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## **9. Options**

### **Option 1: Endorse the 2017-2021 Council Plan as presented**

This option is recommended by officers.

The Plan as presented has been developed involving community and stakeholder engagement. It seeks to capture and represent the aspirations of the Campaspe community and deliver Council's vision. Development of the Plan fulfils Council's obligations under the *Local Government Act 1989*.

### **Option 2: Endorse the 2017-2021 Council Plan with changes**

This option is not recommended by officers.

Changes to the Plan which do not reflect the outcomes of the community and stakeholder engagement may result in a plan that is not strategically based or representative of the community's desired directions. Further changes may also result in a delay to finalisation and adoption of the document.

### **Option 3: Not endorse the 2017-2021 Council Plan**

This option is not recommended by officers.

Whilst Council is not legislated to endorse the draft Plan prior to public display. Endorsement would confirm Council's support for the direction and priorities set within the draft Plan.

## **10. Strategic Planning Environments**

- Prosperity: The Council Plan 2017-2021 through the theme *Resilient Economy* will support and grow the economy by increasing employment and investment opportunities.
- Place: The strategic objectives, strategies and indicators outlined in the Council Plan 2017-2021 through the themes *Healthy Environment* and *Balanced Service and Infrastructure* will guide how Council's actions will influence the natural, built, social and economic environments to ensure healthy community outcomes.
- People: The Council Plan 2017-2021 sets out the strategic objectives, strategies and indicators that will see Services, programs and advocacy enable improved health, wellbeing and safety through the *Strong and Engaged Communities* theme.

Organisation: The adoption of the Council Plan 2013-2017 provides clear communication to the organisation about the intentions and desires of the Council, and will guide the delivery of services by the organisation over the next four years.

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## 11. Consultation

Council over recent months has sought to engage with a broad cross section of the Campaspe community through a range of activities. In particular through the "Campaspe Conversation Day", focus group session, via Facebook and online surveys. A community reference was also established with representatives from across the Shire of Campaspe. The community referenced group has assisted in affirming the information and outcomes from the consultation activities and that the direction of the plan. These activities and conversations have assisted Council in developing a Council Plan which ensures efforts are focused on those areas identified as being important and where Council can make a difference.

Section 223 of the Local Government Act 1989 requires Council publicly exhibit the draft Plan for a minimum of 28 days. The draft Plan is to be placed on public display concurrently with the 2017-18 Program Budget from the 25 April 2017.

**6.3. ART COLLECTION DEACCESSION****Author:**

Stacy Williams, Community Programs Coordinator

**Responsible Manager:**

General Manager Economic and Community Development

**Attachments:**

6.3. Art Collection Deaccession Plan

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**1. Purpose**

Approve the items listed for deaccession as assessed by the Art Collection Panel.

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**2. Recommendation**

That Council approve the deaccession of the following items listed in the Art Collection Deaccession Plan:

**Object numbers:**

295	632	338	335	406	403	457	615
620	633	340	328	332	404	637	616
634	318	658	429	605	405	656	617
421	592	227	274	606	652	624	
319	249	660	277	641	601	352	
320	621	307	548	420	333	271	
659	297	349	653	422	275	575	
614	327	409	254	309	353	576	
365	427	655	337	330	351	577	
399	645	428	336	402	361	578	

Further details for each item can be found at Attachment 6.3.

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**3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

#### 4. Charter of Human Rights

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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#### 5. Instrument of Delegation

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by council.

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#### 6. Background

The Shire of Campaspe holds a proprietary collection of 300 two dimensional and small three dimensional works that are displayed in council offices, meeting rooms, and open spaces, as well as occasionally in public exhibitions.

These pieces have been collected over many years and include gifts and donations as well as works purchased under a previous Arts Acquisition policy.

In May 2016, council adopted the recommendations of the Arts and Culture Future Directions Paper. This included the recommendation to commence a deaccession process to significantly reduce the current art collection.

In June 2016, officers called for nominations from suitably qualified community members to join an Art Collection Panel. Four suitably qualified community members were appointed and along with two officers, formed the Art Collection Panel. The panel was formed to assess all items within the collection and determine items for deaccession.

The purpose of undertaking a deaccession process is to build a recognisable collection of greater value satisfying one or more of the following themes within Policy 127 – Art Collection Management that reflect the history and values of the Shire of Campaspe; The themes are:

- a. Indigenous art
- b. Rural life
- c. Australian nature
- d. Contemporary art practice

With these themes in mind the Art Collection Panel viewed and assessed each piece, and items were selected for deaccession for one of the following reasons:

- a. Lack of relevance to the collection under the identified themes
- b. No clear evidence of legal title
- c. Damage or serious deterioration in condition
- d. Inferior quality to the rest of the collection
- e. Erroneous inclusion in the collection
- f. Repatriation of cultural property; or
- g. An item on loan to the collection is recalled by its owner.

Deaccession decisions have been based on the above objective criteria and not personal taste.

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## 7. Content

The Art Collection Panel viewed and assessed 232 pieces of the collection in line with the above mentioned criteria. The assessment process excluded the 72 pieces in the Rathbone Collection which are currently professionally stored in Melbourne.

Of the 232 pieces assessed, the Art Collection Panel is recommending 73 items for deaccession. This equates to approximately 23% of the entire collection recommended for deaccession. This initial deaccession process was anticipated to be significant. Subsequent reviews will be smaller and it is expected that future deaccession will be due to the typical deterioration of pieces over time. Future processes will be undertaken as part of the continued operational collection management responsibilities.

Attachment 6.3 outlines the items recommended for deaccession, the reason they have been selected for deaccession and the method by which disposal will be resolved in line with *Policy 127 – Art Collection Management*.

*Policy 127* defines the process for determining the method of removal from the collection. The procedure for collection item deaccession and removal must meet the minimum requirements of the *Museums Australia Code of Ethics 1999 - Section 6: Disposal of Collections*. In line with this procedure, officers have provided a recommended method for each piece in Attachment 6.3.

It should be noted that if an Artist, family member or other group declines acceptance of the item it will then be offered for sale or ownership transferred to an organisation/person as requested by the artist or family members.

The following is summary of the removal methods:

- 22 items will be offered to the original artist or family members
- 26 items will be offered for sale as the artist or family cannot be identified
- 11 items have been on long term loan to the Kyabram Town Hall Committee and will be offered to the committee to continue to manage the public display of this smaller collection
- 7 items were produced by a local youth group at Kyabram Community and Learning Centre 10+ years ago and will be offered back to the organisation as the original artists are not listed on individual pieces
- 6 items will be offered for sale as they are reproduction or prints of original art work
- 1 item is damaged and unable to be repaired and therefore will be disposed.

The sale of items is not expected to generate any significant amounts of funding. Any income generated from the sale of items will be used to maintain, repair and reframe the remaining collection.

The Art Collection Panel noted that the Rathbone Collection is currently professionally stored in Melbourne. This means that these pieces are not available for display locally. Officers will undertake further work to confirm the future of the Rathbone Collection and a report to council will be prepared and presented once this work has been completed.

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## 8. Issues and Risk Management

### Issues:

#### Issue 1: Deaccession

Given that the majority of the current collection was acquired prior to the adoption of the Arts Acquisitions Policy, the initial deaccession has involved quite a complex process with many art pieces collected over many years without having relevance to the history of the Shire or to the identified themes. There is potential for the community to feel some angst at the removal of works. To mitigate this, officers have communicated with the community about the policy change,

established a protocol for identifying items for deaccession, and engage suitably qualified community members to be part of the Art Collection panel. Each deaccession will be dealt with individually taking into consideration the artists and/or family members thoughts, feelings and wishes.

**Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

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**9. Options****Option 1: Approve the deaccession of the items listed in Attachment 6.3**

This option is recommended by officers.

This recommendation is in line with the previously adopted Arts and Culture Future Directions document. This significantly reduces the collection and builds a collection that reflects the history and values of Campaspe and is based on the themes outlined in *Policy 127 – Art Collection Management*.

**Option 2: Not approve the deaccession of items listed in Attachment 6.3**

This option is not recommended by officers.

Council previously resolved to reduce the size of the current art collection through deaccession to the point where it no longer requires storage but leaves enough to display in offices and public spaces where it is able to be seen and appreciated by staff and the community.

**Option 3: Modify the recommendation**

This option is not recommended by officers.

The recommendation in this report has been made after undertaking extensive work with the Art Collection Panel and investigation and research to identify the deaccession methods in line with *Policy 127 – Art Collection Management*.

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**10. Strategic Planning Environments**

Prosperity: No Impact.

Place: No Impact.

People: Reducing the size of council's Art Collection will provide options for all pieces to be displayed in offices, open spaces and available for public display.

Organisation: Art sales are not expected to return any significant funding however, income generated from the sale of items will be used to restore, reframe and maintain the remaining collection.

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**11. Consultation**

- Art Collection Panel
- General Manager Economic and Community Development

**12. Officer Comment**

Officers will proceed with the deaccession process in line with agreed methodologies. It should be noted that if the artist or family members do not wish to take possession of the items then they may be offered for sale or gifted to an organisation of the artist/families choice.

Further discussions will be brought to council regarding the future of the Rathbone Collection following further investigation of storage and ownership options.

## **6.4. CHANGING PLACES FACILITY PROPOSAL**

### **Author:**

Shane Stacey, Community Places Project Officer

### **Responsible Manager:**

General Manager Economic & Community Development

### **Attachments:**

6.4. Changing Places Information Kit

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### **1. Purpose**

To seek approval for the construction of a Changing Places Facility to provide amenity for people with a severe disability.

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### **2. Recommendation**

#### **That Council:**

- 1. Accept the offer of a grant of \$100,000 from the Department of Health and Human Services (DHHS) to fund the construction of a Changing Places Facility.**
  - 2. That the project be included in the unfunded new project list for Council to resolve to approve the additional funding costs of up to a maximum of \$100,000 from an appropriate financial reserve.**
  - 3. Approve the construction of a Changing Places Facility to provide for the needs of people with a severe disability.**
- 

### **3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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### **4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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### **5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by council.

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### **6. Background**

In Victoria, there are 326,400 people with profound and severe disabilities comprising 5.6% of the Victorian population.

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Significant structural barriers exist for people with a disability seeking to participate in their communities, including the built physical environment and the lack of accessible public infrastructure currently available.

Many people with high support needs find it difficult to leave the house for more than a few hours, restricting opportunities to participate in their local community. Data shows, significant numbers of Victorians with disabilities aged 15 years and over avoid accessing the community for a range of everyday situations which we all take for granted.

2011 ABS data indicates 5.9% of the Campaspe population need help with their daily lives due to a disability. This is an increase of 4.9% since 2006, that is an approximate increase of 1 additional person in every 100 residents. This percentage is slightly higher than the Victorian average. Further, 12.7% or 3,700 people across the Shire act as unpaid carers (Shire Access & Inclusion Plan). Specific data is not readily available to differentiate between a disability and severe disability across the Shire.

The Department of Health and Human Services (DHHS) have developed an initiative to improve the lives of people with a severe disability and their carers. This program is called Changing Places, Transforming Lives. The program focuses on issues where standard accessible (Disabled) toilets do not meet the needs of all people with a disability or their carers.

Changing Places facilities are fully accessible public amenities with hoists and adult-sized change tables for people with a disability who cannot use regular change facilities, showers, or public toilets. People with profound and multiple high need disability, as well as spinal injuries, spina bifida, motor neurone disease, multiple sclerosis or an acquired brain injury, often need extra equipment to allow them to use manage personal hygiene and to toilet comfortably. Without a Changing Places facility carers are forced to choose between managing a person's personal needs on the floors of public toilets or being confined to the four walls of their home.

The Changing Places initiative advocates for the installation of Changing Places Facilities in key community spaces across metropolitan and regional Australia. Community spaces include shopping centres, train stations, aquatic facilities, sporting and recreational complexes, major cultural facilities, tourist attractions, parks and airports.

Changing Places facilities are to be provided in addition to and separate from regular accessible (Disabled) facilities to cater for the unique range of user requirements. A Changing Places facility will only be accessible through a key system, Master Lock Access Key (MLAK) available to people with a disability. MLAK is used nationally for the benefit of qualifying people. This system will ensure that genuine users have ready access to the facility whilst the general public will be excluded along with potential for inappropriate activities. The additional advantage in this proposal is that the maintenance and operation costs will be kept at a minimum and service life of the facility will be significantly increased compared to other DDA facilities.

Advocacy from the disability sector in the community along with DHHS has seen the establishment of this program with continuing endeavours to introduce new standards through building regulations to mandate for this type of facility.

The Changing Places initiative will align with the introduction of the National Disability Insurance Scheme (NDIS) which provides support to individuals and families to plan for their special needs. This scheme will encourage greater involvement with mainstream community to improve the lives of the individual, their family and carers.

Despite all the support of the NDIS, many people's lives will remain restricted as the scheme does not directly deem changes in community infrastructure to allow people with a severe disability to engage in society and community life. Changing Places underpins the goals of the NDIS by removing a considerable barrier to social inclusion and community participation by providing facilities to accommodate people with a severe or profound disability.

Changing Places provides funding for adult facilities in a number of major locations, primarily metropolitan. The efforts of disability service providers in the Shire of Campaspe, through a community survey and engagement process, saw Campaspe highlighted as one of 15 sites identified by DHHS across the State for funding of a Changing Places facility.

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## 7. Content

DHHS has approached the Shire of Campaspe with an offer of \$100,000 funding for the construction of a Changing Places facility in Echuca. The approach by DHHS is the result of local disability service providers engaging with DHHS to allow Campaspe to become part of the Changing Places program.

Preliminary estimates indicate further funds may be required to construct a Changing Places facility. Detailed designs are not currently available to allow officers to confirm construction cost therefore additional funds to cover any potential shortfall in the project budget are being investigated. Options for additional funding may be met by an allocation from the 2017/18 Disability Discrimination Act (DDA) Budget allocation of \$100,000. The balance of the DDA allocation unspent would be transferred to the Reserve for other projects. Alternatively the project can be added to the list of unfunded projects and considered by council during next financial year should the requirements of DDA reserve funding not be met. Officers will also actively seek alternative funding in lieu of council funds should a grant become available.

Council's Rural Access Officer has engaged in consultation with key disability service providers across the Shire to gauge the need and identify potential locations for a Changing Places facility. The need is recognised as current facilities for people with a severe disability are not readily available.

A range of locations are being considered as potential sites for a Changing Places facility. These locations were selected based on the parameters suggested by DHHS that a facility should be in an area of attraction such as a CBD, tourist precinct or major event facility.

A number of local factors are also considered such as preferred location by service providers, availability, issues that may affect the future use and development of a location and access to attractions including the tourist precinct, CBD and accommodation providers. Consultation with disability service providers indicates a preference for the tourist area however overall accessibility is a critical consideration.

Consideration will be given to potential locations for a Changing Places Facility between the Echuca CBD and tourist precinct. The preferred location will be determined on a range of criteria including distance to attractions, parking land management, available parking, future impact and development and cost. Officers will undertake consultation with DHHS and local disability service providers prior to nominating a preferred location subject to council approval to construct a Changing Places Facility.

Due to the time frames of the DHHS grant, a response confirming acceptance is required from council prior to the end of April 2017.

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## 8. Issues and Risk Management

### Issues:

#### Issue 1: NDIS Impact on Community Expectations

Growing community expectation and anticipated increase demand as people with a disability become more active in the community through NDIS means that facilities will need the capacity and be available to cater for all abilities.

Consideration has been given to the range of options to support this type of service in the community. The construction of a Changing Places Facility on private property or at a particular disability service provider's premises does not meet the criteria set by DHHS. Non-Council managed locations that maybe considered would limit access to the facility or be at risk due to the lack of full control of existing properties occupied by service providers.

Meeting community expectations in this area of service provision is not mandatory however, growth in demand is likely to lead to a level of regulatory change in the future which may impact on infrastructure to meet increased need in the disability sector.

Council is not obligated to provide a Changing Places facility at this time but officers are aware that Changing Places became part of the British Standard in 2009 and are acknowledged in the building codes as best practice indicating significant potential to become a standard in Australia. The Victorian State Disability Plan 2017-2020 specifically cites Changing Places facilities as an objective. The Building Ministers Forum and Government response to Review of Premises Standard supported (in principle) to consider whether, and how, accessible adult changing facilities should be included in the (AS 1428.1) Standards as part of the larger body of work regarding accessible adult changing facilities.

Changing Places facilities are likely to become a standard and a significant community expectation in the future whereby council may be obligated to support this type of facility. The present offer of support from DHHS is an opportunity to meet this need at a reduced Capital cost.

### Issue 2: Budgetary Impact

The construction of a Changing Places facility is estimated to be greater than the \$100,000 offered by DHHS. Project budget cost estimates range between \$160,000 to \$200,000 (including project management and contingency) depending on location.

The DHHS grant of \$100,000 currently indicates a potential shortfall of \$100,000 to deliver the project. A number of funding options are being considered which will be influenced by the range of construction alternatives such as building a stand-alone facility or upgrade of amenities at an existing location which could meet the criteria for DDA reserve funding. Officers have listed accessing the 2017/18 DDA Reserve allocation in the pending council budget to meet any shortfall in upgrade of an existing location.

The construction of a new asset which requires regular cleaning, inspection and a level of maintenance will add cost to the council operational budget. It is estimated the recurrent cost (operation and maintenance) is approximately \$22,000 p.a. The Finance Department is aware of the ongoing cost however council should note that the closure of public toilets in Echuca in line with the Tactical Approach to Toilets Strategy may assist in offsetting the recurrent cost of the proposed Changing Places facility.

### Issue 3: Cost/Benefit Calculations

The cost benefit of this proposal is difficult to calculate however, a Changing Places facility will create the opportunity for people with a severe disability and their carers to visit and enjoy an extended stay in Echuca which will generate a level of economic benefit.

The social benefit is seen as very significant due to the improved health and wellbeing for both people with a disability and their carers. The proposal also offers council a marketing edge in tourism attraction for this sector of the population.

While this asset may not return a significant economic benefit from the investment however some indicative estimates have been made on assumptions that there will be an increase in visitation to Campaspe as a result of NDIS and the provision of this type of facility.

For example, data for Campaspe shows that overnight visitors spend approximately \$133 per person per night. Each individual with a severe disability will be accompanied by a carer therefore each night will return \$266. Using a base assumption from the data that visitors will average 2.8 nights stay, the minimum per visitor is likely to be \$638.

Recent figures show Echuca/Moama has 726,000 domestic overnight visitors per annum. People with a disability make up 5.6% of the Victorian population. Using this basis, there are potentially 40,000 visitors who may suffer a disability. Making an assumption, if only 5% of 40,000 (2,000) visitors have a severe disability and are attracted to Campaspe by the availability of this facility the annual gross financial return is in the vicinity of \$1.3M. It is not unreasonable to assume that overnight visitors will include family or friends further increasing the nightly return.

Data for domestic day visitors to Echuca/Moama shows 787,000 people per annum with an average spend of \$131 per person. Using the same assumptions as above, ie 5.6% of 787,000 means potentially 44,000 with a disability. If 5% of 44,000 these people (2,200) have a severe disability, the potential visitor spend per annum is around \$600,000.

Calculating the hidden savings from improved health and wellbeing is a more complex exercise however this economic benefit generated through savings in the health sector would be significantly higher than the direct financial benefit of \$1.9 million.

### **Risk:**

Consideration of the risk associated with this proposal has included financial and reputational impacts. The risks may be perceived as high on the basis of the following:

Financial: The construction of a Changing Places facility is currently considered a Discretionary proposal as there is no mandated obligation to provide this service to the community. As a Discretionary proposal which would create a new asset, it imposes a cost for council to fund and maintain.

Reputational: This risks has been identified across two aspects:

1. The lack of this service (Changing Places) into the future and failure to take up an opportunity which has been actively and successfully sought by disability service providers in the Shire may result in public criticism. Alternatively, constructing the facility will demonstrate a positive engagement of all people by Campaspe.
2. Refusal of the offer of funds from DHHS for the facility may adversely impact on council's reputation with this funding body and potentially harm future approaches to DHHS for financial support in areas of need.

Risk	Likelihood	Consequence	Rating	Mitigation action
Financial	Moderate	Likely	High	Constructing a keyed facility will reduce maintenance and renewal costs by minimising frequency of use, restricting this to people with a severe level of disability.
Public Image & Reputation	Moderate	Likely	High	Support the initiative of disability service providers. Accept the offer of funding from DHHS.

## 9. Options

### Option 1: Approve the construction of a Changing Places facility.

This option is recommended by officers.

The construction will be principally funded through a DHHS grant thereby reducing the impact on council's budget. This facility will meet a need in the community while demonstrating a level of amenity in Campaspe which is equivalent to the State's Capital and major centres.

### Option 2: Not Approve the construction of a Changing Places facility.

This option is not recommended by officers.

The opportunity to receive funds for this type of facility at this time will reduce future capital costs for council for this type of facility.

## 10. Strategic Planning Environments

Prosperity: Strategic Objective #3: 'Campaspe is a desired tourist destination' is supported through the opportunity to market tourism to people with a disability and their carers.

Place: Strategic Objective #3: "Community infrastructure contributes to our long-term social and economic fabric" is supported through provision of appropriate, accessible and safe facilities.

People: Strategic Objective #1: "Services support our communities' health and wellbeing" is achieved through the provision of services for people with a disability.

Organisation: The recommendation aligns with Service Delivery Objective 1 in Access & Inclusion Plan however it will have a level of impact on council's budget.

## 11. Consultation

External:

- Disability Service Providers – including Community Living & Respite Services, Murray Human Services and Echuca Specialist School.
- Rural Access Project Officer – service provider consultation, location options and DDA advice.
- DHHS – Funding offer for Campaspe to support the Changing Places, Transforming Lives program, need and potential future demand to provide Changing Places facilities to the community.
- Maroondah Council – provided background relating to their experiences with this type of facility.

Internal:

- Community Care Manager – The timing for construction of this type of facility aligns with the rollout of NDIS which will be a win for the Shire providing a star attraction for people with a disability to plan meaningful outings.
- Parks and Gardens Coordinator – recurrent cost estimate advice.
- Property Manager – future proposals which may affect potential locations. Confirmation of the availability of sites..
- Planning & Building Manager – subject to the final location, a Planning Permit may be required.
- Finance Manager – options to support the project should additional funds over and above the DHS grant be required to cover construction costs.
- Assets Manager – Support the proposal based on either DDA reserve funding, presuming the requirements are met to use existing property, or through the unfunded project list/council cash for council review during the year.

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## 12. Officer Comment

Officers are aware that council is undertaking service reviews and implementing initiatives to ensure financial sustainability given ongoing budgetary constraints. The recommendation to support this proposal through the potential addition of a new asset is outside Asset Rationalisation (Policy 118) and Sustainable Asset Management (Policy 91).

However, the Changing Places proposal is considered a strategically appropriate initiative to meet a current and future need which is not readily available to the community through alternative providers and is likely to become a standard in the future.

## 6.5. BEACON FOUNDATION SPONSORSHIP

### Author:

Jason Russell, CEO

### Attachments:

6.5. Echuca-Moama Beacon Foundation Prospectus

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#### 1. Purpose

To seek approval for Council to provide sponsorship to the Beacon Foundation to assist the development of young leaders.

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#### 2. Recommendation

That Council agree to provide the 'Real Futures Friend' level of sponsorship to the Echuca-Moama Beacon Foundation for an amount of \$1,100 with the addition of three student sponsorships at \$297 each. Total sponsorship is \$1,991, which is in addition to in-kind contributions currently provided by Council staff.

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#### 3. Conflict of Interest

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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#### 4. Charter of Human Rights

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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#### 5. Instrument of Delegation

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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#### 6. Background

The Echuca-Moama Beacon Foundation have operated the "Beacon" program within the three secondary schools of Echuca Moama for 15 years and were the first Australian mainland location of this program as it originated from Tasmania. The Real Futures program operates within the Year 9 and 10 school curriculum and encompasses a number of events that allow the youth of Echuca Moama to make a positive and informed decision regarding their education, training and employment beyond Year 10. The three schools have a process to elect student leaders to work with the Beacon co-ordinator and plan, co-ordinate and host the events during the calendar year. Two of the Beacon Leaders from 2016 have recently joined the Campaspe Shire Council Youth Advisory Group (YAG) and another 2016 leader was a recipient of an Australia Day Award this year. The Real Futures program was also a recipient of the Campaspe Shire 2017 Community Event of the Year.

The fundamental belief of this program is that it takes a whole community to assist our young people and help them build a bright future. This requires resources both cash and "in kind" support to maintain and further develop the program. The attached "Beacon" prospectus outlines the type of support on pages 14 and 15 and Echuca-Moama Beacon Foundation

are requesting any support that the Campaspe Shire Council could contribute to this program. There is a summary of the structured sponsorship program on page 15 and this consist of the following:

- Major Sponsorship (cash sponsorship of \$3,000 and above)
- Real Futures Friend (\$1,100)
- Sponsor a Student (\$297)

The Beacon Foundation currently have some local business partners that are a 'Real Futures Friend', others that 'Sponsor a student' and one that has combined the 'Real Futures Friend' and sponsored two students as a package (total cost of \$1,694).

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## **7. Issues and Risk Management**

### **Issues:**

Nil

### **Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

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## **8. Options**

### **Option 1:**

Council could approve a combination of Real Futures Friend sponsorship and individual student sponsorship for three students (total cost of \$1,991)

This option is recommended by officers.

### **Option 2**

Council could approve the Major Sponsorship level (total cost of \$3,000)

This option is not recommended by officers.

### **Option 3:**

Council could approve sponsorship for one or more individual students at \$297 each.

This option is not recommended by officers.

### **Option 4:**

Council could elect not to take up the offer to sponsor the Beacon Foundation.

This option is not recommended by officers.

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**9. Strategic Planning Environments**

Prosperity: Nil impact.

Place: Nil impact.

People: Sponsorship allows Council to partner with the Echuca-Moama Beacon Foundation, complimenting Council's efforts to deliver community programs that encourage young people to actively and meaningfully engage in social, economic and civic activities in their communities.

Organisation: Minimal financial impact as the funds will be sourced from the Community Programs funding allocation.

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**10. Consultation**

Discussions have taken place with the CEO, Councillors, General Manager for Economic & Community Development and Community Programs Manager.

## **6.6. RECOGNITION OF RETURNED SERVICEMEN AND WOMEN**

### **Author:**

Jason Russell, CEO

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### **1. Purpose**

To advise Council of a program proposed by Mr Neil Thomas to recognise returned service men and women and provide free parking within the municipality for Veterans.

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### **2. Recommendation**

#### **That Council:**

- 1. Note the proposal from Mr Neil Thomas for veteran registration plates and a scheme to provide free parking to veterans across the municipality.**
  - 2. Request officers seek further information regarding the feasibility, support and financial implication of such a scheme.**
  - 3. Request officers provide Mr Thomas with a letter of 'in-principle' support to allow further advocacy to occur for this initiative.**
  - 4. Request officers to present a report to Council if and when the proposal gains Government support. The report should provide a recommendation based on agreed operational guidelines, industry support and financial implications.**
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### **3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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### **4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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### **5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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### **6. Background**

Council has been approached by Mr Neil Thomas with a proposal to recognise returned servicemen and women.

Mr Thomas is campaigning for a national system of vehicle registration plates where returned service men and women can apply for a 'veteran' plate. Mr Thomas further seeks to have each municipality across Australia provide free parking for all cars with veteran registration plates. Mr Thomas will be speaking with and writing to various State and Federal

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politicians in support of his campaign and seeks an in principle agreement from Council to provide free parking to veterans should the proposed registration plates be implemented.

In Australia war veterans are given priority and are treated with the utmost respect. This is one form of showing gratitude for their dedication and sacrifice in serving their country and fellow man.

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## **7. Issues and Risk Management**

### **Issues:**

#### **Issue 1:**

The concept is only in its infancy and will require broad industry and Government support before it can proceed to being considered for implementation

#### **Issue 2:**

Without any financial or operational details about the proposal, Council will be unable to provide anything greater than “in-principle” support for the concept, at this stage.

### **Risk:**

#### **Issue 1:**

Could create a precedent for other groups within the community to lobby for free parking.

#### **Issue 2:**

Could impact revenue from Car Parking fees.

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

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## **8. Options**

### **Option 1: Council could elect to provide an “in-principle” letter of support.**

This option does not commit Council and allows support for the concept to occur. Once broad industry and Government support is received, Council can reassess its commitment to the concept and decide whether it wishes to proceed or not.

This option is recommended by officers.

### **Option 2: Council could elect not to support the request by Mr Neil Thomas.**

This option is not recommended by officers.

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**9. Strategic Planning Environments**

Prosperity: No impact.

Place: No impact.

People: Providing free parking to veterans recognises returned service men and women, contributing to improved morale and general wellbeing.

Organisation: Budget implications are yet to be investigated.

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**10. Consultation**

All Councillors have received a letter from Mr Thomas outlining the proposed concept. Two Councillors and the CEO have had a verbal update. Mr Thomas has recently approach the local Member for Murray Plains to support the idea.

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**11. Officer Comment**

The concept put forward by Mr Thomas is only in its infancy but has merit in its support and recognition of our Veterans. It must be noted that Council will require further information, once it becomes available, before it could be recommended to be implemented.

## **6.7. LANDSCAPE PLAN GUIDE**

### **Author:**

Andrew Fletcher, Planning & Building Manager

### **Attachments:**

6.7. Landscape Plan Guide

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### **1. Purpose**

This report seeks for Council to adopt the Landscape Plan Guide prepared by Spiire on behalf of Shire of Campaspe, Greater Shepparton City Council, Moira Shire Council and the Goulburn Broken Catchment Management Authority to assist in the preparation of landscape plans in relation to planning applications for developments in Campaspe.

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### **2. Recommendation**

**That Council agree to the adoption of the Landscape Plan Guide for Developments in Campaspe Shire Council, City of Shepparton and Moira Shire Council (and any subsequent amendments) which will be used to assess and determine landscape plans required as part of a planning application, permit or scheme amendment.**

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### **3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter

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### **4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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### **5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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### **6. Background**

The planning scheme, both State and local, require concept or indicative landscape plans to be prepared and assessed as part of a planning application. Landscaping is an important part of development and can assist in integrating the development within the streetscape and making a positive impact on the character and environment of the area.

Clause 12 Environmental and Landscape Values of the State Planning Policy Framework states that "*Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.*" Clause 12.04-2 also has an objective "*To protect landscapes and significant open spaces that contribute to character, identity and sustainable environments.*"

The Shire of Campaspe has information in relation to preparing landscape plans which includes, information sheets, drought tolerant species, street tree list and example plans. Most planning permits issued include a condition requiring a landscape plan that specifically outlines what is required.

Although the information is available, inadequate plans are received which don't address the requirements and conditions of the permits. Therefore to ensure consistency and aid developers it was determined that a new guide should be created.

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## 7. Content

The Landscape Plan Guide (the Guide) has been prepared in partnership with the Campaspe Shire Council, City of Greater Shepparton, Moira Shire Council and Catchment Management Authority to develop consistent standards for the preparation of landscape plans, implementation of landscape works and ongoing maintenance for new developments.

The purpose of the Guide is to ensure Councils and Catchment Management Authority have appropriate consideration of and input into landscape developments within the Local Government Areas. The identified outcomes of the Guide are:

- Development of Landscape Plan Guide and templates
- Improved efficiency of process for applicants required to submit a Landscape Plan to Local Government permit for urban, industrial, rural and residential permit applications
- Increased effectiveness (quality) of submitted Landscape Plans
- Improved long-term viability of plantings (because selected in accordance with environmental conditions)
- Improved aesthetics (visual and environmental quality) and neighbourhood character of approved urban, industrial, rural and residential landscapes following development
- Improved user-friendliness of templates
- Reduced impact on neighbourhood character by inappropriate landscaping
- Increase the use of local native plants in landscaping across the Shires
- Ensure that streetscaping is more sustainable by reducing amount of water and fertiliser required
- Reduce threats to biodiversity by avoiding plants that may lead to future environmental weeds
- Enhance local biodiversity values

The Guide provides an outline for residential, rural, commercial and industrial developments. The Guide outlines the process, requirements, landscape design considerations, landscape plan requirements, general materials, techniques and plant species required in landscape developments.

The use of the Guide, subsequent approvals and implementation of approved landscape developments will ensure sustainable landscapes that contribute positively to our local environment.

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## 8. Issues and Risk Management

Landscape proposals are subject to a Council approval process prior to any construction being undertaken. This applies to external private development and internal Council projects.

### Issue 1: Process

Most applicants become aware of the need to develop a landscape plan due to a condition requiring that a plan be submitted to Council for approval in their planning permit. A permit condition requiring a landscape plan lists all of the

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requirements which need to be met. A plan is then lodged, referred (if required), assessed by the relevant officers and if appropriate the plan is endorsed and forms part of the permit. The process for approval for each Council is identified in the guide.

The Guide will provide assistance to the developers at an early stage, as part of the application process. This is to ensure that required landscape plans (including concepts) are submitted according to an agreed Local Government standard and as stated in the planning scheme (i.e. applications in the Heritage Overlay).

#### Issue 2: Weight given to the Guide

The Guide recommends that Councils should make the document a reference within the Planning Scheme. The 'weight' given to the document if challenged by an applicant or at the Victorian Civil and Administrative Tribunal (VCAT) is an important consideration.

Historically, our Shire has not had many concerns in relation to the applicants preparing landscape plans and have always sought to work with applicants. The condition on the permit also includes specific details to provide direction to applicants.

On the basis that there has been minimal challenges to the conditions or requirement to prepare a landscape plan, the scheme amendment process seems excessive at this stage. Scheme amendments can take between 12-24 months for approval, can be costly and Council now seeks to prioritise amendments based on the Strategic Project Priority Matrix. When assessing the Guide against the matrix, the Guide is not rated as a high priority, especially given the amount of strategic work already being undertaken.

It is considered that a more reasonable approach is to adopt the Guide. Adoption by Council carries some weight and can be used to justify Councils position at VCAT, if challenged. Adopting the Guide allows officers and applicants to use the guide now for the development of landscape plans. The sooner the Guide can be used as a tool for the preparation of landscape plans the faster the identified community benefits can be realised.

#### Issue 3: Changes to the Guide.

Although the Guide has been prepared on behalf of the three Council's and GBCMA, subject to agreement by all, the Guide can be varied, updated or modified. The document is a guide to assist the users and from time to time changes will be required to ensure that the document remains relevant and up to date.

Adopting the Guide allows for changes subject to agreement, without having to go through a detailed and expensive process if the Landscape Plan Guide was referenced in the Planning Scheme .

## **9. Strategic Planning Environments**

Prosperity:	Will visually enhance developments and our towns adding to their ability to attract further investment
Place:	Will adopt and promote environmentally sustainable practices, plan for climate change, develop water sensitive urban design for private development and will enhance outdoor spaces
People:	No impact
Organisation:	Provide clear guidance for our community when developing Landscape Plans for Planning Permit applications

## **10. Consultation**

The consultants provided the technical expertise to collate the documentation with input from the three Council's and GBCMA. The Guide is a technical document to comply with the provisions of the planning scheme which required expert knowledge and input. The Guide was prepared in agreement with input from various departments across the Councils.

Approximately 30 invites to known applicants and consultants were made for a feedback session regarding templates for industrial landscapes, rural and residential landscapes, schedule of species and planting guidance.

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#### **11. Officer Comment**

The Guide is seen as a valuable resource for the community and experts to use in the preparation of landscape plans. Adopting the Guide is seen as a valuable strategic step which will assist in protecting and enhancing our environment.

If the Guide is adopted, officers will inform the community and will in the future consider if the Guide should be included in an amendment, making the Guide a reference document in the Campaspe Planning Scheme.

**6.8. 51 MURRAY ESPLANADE, ECHUCA FUTURE DIRECTION****Author:**

Peter Beaumont, Property Manager

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**1. Purpose**

To consider options for the future management/ownership of the Wistaria Building located at 51 Murray Esplanade, Echuca.

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**2. Recommendation****That Council:**

1. Agree to the sale of the property located at 51 Murray Esplanade, Echuca by public auction.
  2. Give public notice of the proposed sale by public auction under Section 189 of the Local Government Act 1989 and consider any submissions received pursuant to Section 223 of the *Local Government Act 1989* ("submissions") following the completion of the statutory advertising period.
  3. Receive a further report on this matter at the conclusion of the statutory advertising period.
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**3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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**4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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**5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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**6. Background**

The Property Review project was undertaken in 2015 which identified particular Council owned properties as surplus with the intention to sell these properties to generate income and /or reduce Council's maintenance responsibilities.

Outside of this process, Officers have also identified opportunities where Council ownership of certain properties can be considered for sale, and the Wistaria Tea Rooms property at 51 Murray Esplanade, Echuca is one such property.

This report will address options for the sale or continued lease of the property noting that the recommended approach is for the sale of the property by public auction for the reasons outlined in this report.

## 7. Content

The Wistaria Tea Rooms (the property) is located in the Port of Echuca Precinct at 51 Murray Esplanade, Echuca. The property is one of many Council owned and managed properties under lease in this precinct in either a long term or short term capacity.

The current lease for the property ends on 30 September 2017 which presents opportunities for Council in regard to its future role in the management and ownership of this property.

This report addresses the various issues and options for council consideration with regard to the future of the building. Specifically these options include:

- Sale of the property by public auction
- Continued ownership of the property and re leasing with a long term lease similar to other recent leases in the Port precinct - up to 21 years

### SALE OF PROPERTY

With the current lease of the property coming to a conclusion in late 2017, it is an opportune time to consider the sale of the property.

The Shire of Campaspe planning scheme notes the property located within the heritage overlay of the Port of Echuca precinct, however the building on site has no heritage considerations having been relocated to the site. The building is a former homestead and a converted residential dwelling providing business activities.

Current valuation for the site has been obtained.

#### Sale process

In line with previous reports to Council, when considering the disposal of land Council has a number of requirements to adhere to under the *Local Government Act 1989*. This includes:

- giving public notice of proposed disposals
- acquiring of valuations

In support of the above Act requirements the State Government through the former Department of Planning and Community Development has developed a Local Government Best Practice Guideline for the Sale, Exchange & Transfer of Land (June 2009), which has been used to define the process and recommendations used throughout the reports for the disposal of assets.

Council adopted a standard process for the sale of property at its meeting held on 17 February 2015 however this process is recommended to be amended to reflect a sale by public auction.

Public Auction is recommended due to the profile of the site and ensuring the process is open and transparent.

In this regard the process for the sale is as follows:

#### Sale process

<b>Process Task</b>	<b>→</b>	<b>Action</b>
1. Gain Council endorsement to dispose of property	→	Subject of this report
2. Give notice to the community of Council's intentions	→	Officers to action following this report

- |    |                               |        |  |
|----|-------------------------------|--------|--|
| 3. | Consider submissions (if any) | —————> | Future report to be presented to Council |
| 4. | Undertake Auction             | —————> | Projected outcome of this report         |

### Next Steps

For further clarity, the next steps in the process are set out below.

*Step 2 - Public notice* (Officers to action following Council's decision regarding this report)

*Section 189 and section 223 of the Local Government Act 1989* require Council to gain a current valuation and to give public notice of the proposed sale.

The valuation has been obtained in line with the requirements of the Act. Valuations are to be considered at the time of sale or exchange.

Council's intentions to sell the property must be issued as public notice for a minimum of 28 days. The notice will include the public auction process, property details, consideration and opportunity to make submissions. Following the period of notice, submissions may be received from the public which will be presented to Council for consideration.

*Step 3 - Consider submissions* (If submissions are received, a report will be presented to Council)

If submissions are received during the public notice period, they will be presented to Council via report for consideration prior to proceeding. If submissions are not received Officers will proceed with the Auction process and prepare a report to Council for further consideration with regard to timelines, reserve price and other key information with regard to the auction.

*Step 4 – Undertake Auction*

For the sale via public auction it is proposed to procure the services of a local real estate agent. Officers will seek quotations from agents in accordance with Council's Procurement policy.

### **CONTINUED OWNERSHIP OF THE PROPERTY**

Continued ownership of the property is the other consideration.

Re leasing of the property through an EOI process will be required as per current practice. Direct lease negotiations are not an option due to a Council resolution of 15 September 2015 where it was resolved, in part, as follows:

*Determine preferred applicants for future leases of all Council owned properties in the Port of Echuca precinct through an Expression of Interest process, where there is an absence of other relevant legislation, regulation, Council policy or site specific solution.*

Criteria for the EOI is also based on a Council resolution from 24 June 2015.

Lease income for the site per annum is valued at approximately \$30,000. A lease would be offered for an initial 5 year term with options of further terms making the potential term of the lease at 21 years. This lease period was determined for 3 other recent Port of Echuca properties recently with the view to remain consistent with long term leasing.

## Financial considerations

Financial comparisons of sale and lease income are:

### Sale of property

Sale income	\$700,000- \$1,000,000
Savings on future site maintenance (21 years estimate)	\$200,000
Land Tax savings	\$1500
Less Expenses	
- Marketing/agent fees estimate	- \$30,000
<b>Total</b>	<b>\$771,500 - \$1,071,500</b>

### Lease of property – 21 years

Lease income – 21 years	
\$30,000 per annum (no cpi or rent review included)	\$630,000
Less expenses	
Future maintenance costs on building over 21 years	\$200,000
<b>Total</b>	<b>\$430,000</b>

*Note: over the period of a lease there will be capital works required. At this point the details of that or amounts are not quantified.*

Please note that these figures are based on early estimates and will be subject to market conditions once Council's resolution is actioned.

Effectively the sale of the property allows Council to receive one off sales income however reduce long term liabilities and responsibilities for the property.

Retaining the property in Council ownership whilst receiving annual lease income, keeps a long term liability with an asset and the associated maintenance costs. In the long term at some point, Council will be required to fund major capital works to this building as per other port properties.

## 8. Issues and Risk Management

### Issues

Description	Priority	Resolution Actions
Councillor involvement in current lease of property	High	Conflict of interest provisions will preclude Councillor from decision making in this regard.
Public toilet	Medium	The property has no toilets (for patrons) and utilizes the public toilets jointly with the public and Star Hotel next door. Sale of the property would cease this arrangement and allow toilets to be provided under lease to the Star Hotel only. Leasing of property would require this arrangement to continue.
Differing opinions from the public with regard to Council ownership of buildings.	-	Whilst there are differing opinions on both sides of argument this is mitigated in this instance as building is not heritage listed so Council ownership therefore not critical.

**Risk:**

Risk management has been considered in the preparation of this report as follows:

Description	Likelihood	Impact	Mitigating Actions
<u>Political/reputational risks</u> Sale of the property may end the operation of a current local business and the employment of staff.	High	High	Mitigation of this risk is the requirement to promote sale income and reduction in future long term liabilities to Council and ratepayers.  Future site planning is protected through the Heritage overlay of the Planning scheme.  Promotion of future site development and employment opportunities with a new development or new business ventures.
<u>Lack of action/activity on site</u> Potential lack of development and activity on site by a new owner	Low	Low	Having regard to the potential sale price, a lack of action/activity on site will be low.  Council can ensure this is addressed in any EOI documentation and contract sale conditions for the sale of the site through timeframes for development
<u>Sale not meeting expected price</u>	Low	Low	Current valuation and advice from independent valuer has been sought. Sale price to be within 10% of valuation price as per current practice.
<u>Land not selling</u> Heritage overlay and considerations may be a detrimental factor in attracting buyers.	Low	Medium	Valuation report notes site potential with high interest likely regardless of overlay.
<u>Site redevelopment if undertaken being unsympathetic to area</u>	Low	Low	Heritage Overlay and planning controls in place.

**9. Options**

Option 1: Council agree to the sale of the property by public auction.

Officers recommend this option for the following reasons:

- Sale of the property reduces property management requirements.
- Receives significant sales income for Council as opposed to continued lease and ongoing costs in property ownership.

Option 2: Council agree to the continued lease of the property

This option is not recommended.

Should option 2 be considered by Council, the EOI process for a new lease will be required as per current practice. Direct lease negotiations are not an option due to a Council resolution of 15 September 2015 where it was resolved, in part, as follows:

*Determine preferred applicants for future leases of all Council owned properties in the Port of Echuca precinct through an Expression of Interest process, where there is an absence of other relevant legislation, regulation, Council policy or site specific solution.*

Criteria for the EOI is also based on a Council resolution from 24 June 2015.

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## **10. Strategic Planning Environments**

Prosperity: No Impact

Place: Strategic objective #3: Community infrastructure contributes to our long-term social and economic fabric. A balance of properties enable's effective decisions regarding long term use of and investment in community facilities, rationalising Council's property assets allows focus and resources to be directed towards contributing community facilities.

People: Strategic objective #1: Services support our community's health and wellbeing. Disposing of unneeded assets will allow Council funding to be used to improve the services that benefit the communities, allowing focus and resources to be directed towards contributing to required community facilities.

Organisation: As part of the financial services review and Asset Rationalisation Policy property assets are reviewed in line with need to ensure the service level is met and not over or under serviced.

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## **11. Officer Comment**

Consultation for the report has been undertaken with the Executive Management Group, Governance Manager, Planning and Building Manager and Legal Officer.

## **6.9. CAPITAL WORKS BUDGET TRANSFER AND PROJECT CLOSURES REPORT**

### **Author:**

Pushpa Gunawardhana, Program Office Manager

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### **1. Purpose**

To seek council approval for the transfer of Capital Works budgets and related Cash Reserve transfers, to correct prior reports where required and to note closure of selected projects.

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### **2. Recommendation**

#### **That Council:**

1. **Approve the following budget transfers as reported in Table A:**
    - Nil
  2. **Note the projects reported in Table B as closed:**
    - 100507 Echuca Redman / Anstruther Street Upgrade
    - 100442 Shire Coin Counting Machine
    - 100367 Echuca South Recreation Reserve Netball Clubroom Carpet
  3. **Approve the following corrections as reported in Table C:**
    - Nil
  4. **Note the following budget adjustments as reported in Table D:**
    - Nil
- 

### **3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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### **4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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### **5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by council.

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### **6. Background**

Council allocates project funding to an array of projects on the Capital Works Program through its annual Program Budget or through specific resolution.

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From time to time, situations arise whereby initial budgets need to be reconsidered to achieve their planned objectives and project scope. It is important that council's decisions to adjust project budgets from the originally approved allocations are open and transparent to the community. Therefore any changes to initially approved project budgets are reported in a manner that demonstrates the diligence and transparency of the organisation's project management processes.

Closure of projects is another important process for maintaining a well-managed program and involves financial review, asset management and project review activities. Projects reported herein for closure have been through council's project review and closure process and will not appear on the current Capital Works Program reporting after this period.

## 7. Content

The following budget transfers, detailed in Table A, are required where it has been identified that active or planned projects require adjustments to their approved budgets to allow ongoing management of projects and achievement of project scope and objectives. Project funds that are consistent with the scope and budget approved by council through its Capital Works Program are not reported herein until the project is ready for closure and savings are identified. Projects with approved scope and budget that are managed across multiple accounts are only reported in Table A if there is a request to council to adjust scope or budget.

**TABLE A – NEW OR ACTIVE PROJECTS THAT NEED BUDGET ADJUSTMENT**

Division requesting transfer	Account From	Account To	Amount	Reason
Nil				

The following budget transfers, detailed in Table B, represent projects that have been successfully completed and are presented to council for acknowledgement. Where unexpended funds remain they are returned to the most appropriate source as per council's approved business practices.

**TABLE B – PROJECTS TO BE CLOSED**

Division	Project details	Project budget at closure	Project Savings at closure	Savings to be returned to	Further information (if applicable)
Infrastructure Services	100507 Echuca Redman/ Anstruther Street Upgrade	\$59,500.00	\$24,238.82	100262 Asset Renewal Unallocated Funds (Roads)	As a result of ecological issues identified during design stage this project was likely to have required a significant amount of additional budget to deliver the original scope of works. The budget was re-allocated to other Roads to Recovery projects and the project removed from the 16/17 Capital Works program pending a detailed review of service need (EMG report dated November 2016).
Regulatory and Community Services	100442 Shire Coin Counting Machine	\$14,500.00	\$850.00	100261 Asset Renewal Unallocated Funds (Non Roads)	

Division	Project details	Project budget at closure	Project Savings at closure	Savings to be returned to	Further information (if applicable)
Regulatory and Community Services	100367 Echuca South Recreation Reserve Netball Clubroom Carpet Renewal	\$20,000.00	\$8,667.00	100261 Asset Renewal Unallocated Funds (Non Roads)	

**TABLE C – CORRECTIONS TO PRIOR REPORTS**

Division requesting transfer	Account From	Account To	Amount	Reason
Nil				

**TABLE D – EXISTING PROJECT BUDGET ADJUSTMENTS**

The following budget transfers, detailed in Table D, are required where it has been identified that active or planned projects require adjustments to their approved budgets to allow ongoing management of projects and achievement of project scope and objectives. In this case the funds being transferred have already been approved as available for the required purpose (such as DDA funding) by council and this table serves to inform Councillors of transactions that have been processed by officers.

Division requesting transfer	Account From	Account To	Amount	Reason
Nil				

## 8. Issues and Risk Management

### Risk:

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

## 9. Strategic Planning Environments

Prosperity: No impact

Place: No impact

People: No impact

Organisation: No impact

## 10. Consultation

- General Manager Infrastructure Services
- Relevant Project Sponsors

## 7. COUNCIL INFORMATION

### 7.1. OPEN ASSEMBLY OF COUNCILLORS RECORDS

**Author:**

Sharolyn Taylor, Council Support Officer

**Responsible Manager:**

Governance Manager

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**1. Purpose**

To present to Council the open records for the Assemblies of Councillors held in the month of March 2017.

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**2. Recommendation**

**That Council note the open records of Assemblies of Councillors as outlined in this report.**

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**3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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**4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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**5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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**6. Background**

The Local Government Act provides a definition of an assembly of Councillors where conflicts of interest must be disclosed.

A meeting will be an assembly of Councillors if it considers matters that are likely to be the subject of a Council decision, or, the exercise of a Council delegation and the meeting is:

- 1 An advisory committee of the Council that includes at least one Councillor; or
- 2 A planned or scheduled meeting that includes at least half the Councillors (5) and one member of Council staff.

The requirement for reporting provides increased transparency and the opportunity for Councillors to check the record, particularly the declaration of conflict of interest.

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## 7. Content

The following Assemblies of Councillors were held in the month of March 2017:

<b>Meeting Information</b>		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	7 March 2017	
Matters Discussed	<ol style="list-style-type: none"> <li>1. Welcome, present &amp; apologies</li> <li>2. Declaration of Interests</li> <li>3. Future Meetings</li> <li>4. Review Briefing Minutes</li> <li>5. Mayors Report               <ol style="list-style-type: none"> <li>5.1 Planning Meeting</li> <li>5.2 Pool Attendance Figures</li> <li>5.3 Allen Street Fountain Kyabram</li> <li>5.4 Kyabram Town Hall petition toilets</li> </ol> </li> <li>6. Communication Reports</li> <li>7. CEO's Update               <ol style="list-style-type: none"> <li>7.1 Ogilvie Ave/High St Median Project</li> <li>7.2 Port Precinct Update</li> <li>7.3 Retaining Wall Project</li> <li>7.4 Queen's Batons relay</li> <li>7.5 Echuca Court Upgrade Services</li> <li>7.6 Planning Application Call in Process</li> </ol> </li> <li>8. Echuca Car Parking Strategy Update</li> <li>9. Public Spaces Trading Policy</li> <li>10. Changing Places Toilet Funding Upgrade</li> <li>11. Scenic Drive and Victoria Park Infrastructure and Services Plan Update</li> <li>13. Drainage Policy &amp; Water Act Update</li> <li>14. O'Dea Road Update</li> </ol>	
<b>Attendees</b>		
Councillors	Cr Adrian Weston (Mayor), Cr Leanne Pentreath (Deputy Mayor) (10:43am - 4.07pm), Cr Daniel Mackrell, Cr Kristen Munro (9:12am – 4:07pm), Cr Neil Pankhurst, Cr Annie Vickers, Cr Leigh Wilson, Cr John Zobec	
Staff	Jason Russell, Diane Hood (9.04am - 2.00pm), Keith Oberin (9:10am – 4:07pm), Paul McKenzie (9:35am – 4:07pm), Emma Dalton, Frank Crawley, Jess Crimmins	
<b>Apologies</b>		
Councillors	Cr Vicki Neele	
Staff		
<b>Conflict of Interest disclosures</b>		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
7.2	Cr Vickers	Yes

<b>Meeting Information</b>		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	21 March 2017	
Matters Discussed	<ol style="list-style-type: none"> <li>1. Welcome, present &amp; apologies</li> <li>2. Declaration of Interests</li> <li>3. Future Meetings</li> <li>4. Briefing Minutes Review</li> <li>5. Council Meeting Agenda – Q&amp;A on Open Items</li> <li>7. Flood Study Update (Rochester &amp; Echuca)</li> <li>8. Loddon Campaspe Integrated Transport Strategy</li> <li>9. Monthly reports – February</li> <li>10. Delegation – Murray Darling Association (MDA)</li> <li>12. General Business               <ol style="list-style-type: none"> <li>12.1. Motions to the MAV State Council Meeting</li> <li>12.2. Strathbogie Shire Council Networking Dinner</li> <li>12.3. Emma Dalton Engineering Scholarship for Overseas Study Tour</li> <li>12.4. Fairley Leadership &amp; Loddon Murray Community Leadership Program</li> <li>12.5. Echuca Moama Beacon Foundation</li> <li>12.6. Rural Australia for Refugees – Echuca Moama Group</li> <li>12.7. Youth Programs Officer</li> <li>12.8. MDA</li> <li>12.9. MINCO &amp; MDBA meetings</li> </ol> </li> </ol>	
<b>Attendees</b>		
Councillors	Cr Adrian Weston (Mayor), Cr Leanne Pentreath (Deputy Mayor), Cr Daniel Mackrell, Cr Kristen Munro (9:13am – 3:01pm), Cr Vicki Neele, Cr Neil Pankhurst, Cr Annie Vickers, Cr Leigh Wilson, Cr John Zobec (9:22am - 3:01pm)	
Staff	Jason Russell, Diane Hood, Andrew Cowin, Paul McKenzie (9:23am – 10:20am), Emma Dalton, Frank Crawley, Sharolyn Taylor, Ailsa Box	
<b>Apologies</b>		
Councillors		
Staff		
<b>Conflict of Interest disclosures</b>		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		

## 8. Issues and Risk Management

Nil.

## 9. Strategic Planning Environments

Prosperity: No impact

Place: No impact

People: No impact

Organisation: No impact

## 10. Consultation

Nil.

## **7.2. LETTERS OF APPRECIATION**

The following have been received:

- David Frazer, Riverboats Music Festival – thank you for the continued support of the Riverboats Music Festival, the use of the Aquatic Reserve, and our established relationships with both your building and local law units in helping to make the staging of the festival in Echuca possible. On a personal level, my sincere thanks to Belinda Owen, Bob Barrass, Nick Curnow and your fantastic Parks and Gardens team for all of their hard work in the lead-up to the festival.
- Loddon Murray Community Leadership Program – thank you to Mayor, Cr Adrian Weston, for opening the program's retreat weekend at Billabong Ranch and sharing your personal leadership story with participants. A sincere thanks to the shire for the generous sponsorship towards catering for the weekend.
- McArthur – thank you for participating in the 2016/17 McArthur Local Government National Remuneration Survey. The contribution has been invaluable in helping set new benchmarks with 210 councils throughout Australia providing data for over 7,500 positions.
- Gwen Smith, Coordinator CEP – thank you to all councillors who attended the CEP launch on 3 March. It was good to see all there and support provided.
- Music Victoria – thank you to Mayor, Cr Adrian Weston, for his participation in the inaugural Victorian Government's Victorian Music Crawl delivered by Music Victoria.

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### **Recommendation**

**That Council note the letters of thanks and appreciation as listed.**

### **7.3. RESPONSIVE GRANTS PROGRAM**

**Author:**

Bobbi Aitken, Civic Events & Grants Officer

**Responsible Manager:**

Communications & Public Affairs Manager

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**1. Purpose**

To note Responsive Grants Program applications received and approved in line with grant guidelines and criteria.

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**2. Recommendation**

**That Council note the following grants have been approved in accordance with Responsive Grants Program guidelines and criteria and applicant advised in writing:**

- **Rochester Golf Club Inc – to assist with the purchase of trophies and publicity of their four day golf tournament to be held from 18 – 21 May, \$200.**
  - **Campaspe Cohuna LLEN – towards transport costs for 60 students to attend the Food & Fibre Careers Day at Dookie College, \$550.**
- 

**3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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**4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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**5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by council.

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**6. Background**

The Responsive Grants Program provides funding for community initiatives and has guidelines for applications submitted to council.

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This month, the following applications have been received:

Organisation	Amount	Amount Recommended	Purpose	Comment
Rochester Golf Club Inc	\$200	\$200	Towards the cost of trophies and publicity of their four day tournament to be held 18 – 21 May	Approved by CEO – meets assessment criteria
Campaspe Cohuna LLEN	\$550	\$550	Towards the cost of bus transport for 60 students to attend the Food & Fibre Careers Day at Dookie College	Approved by CEO – meets assessment criteria

<b>Fund Balance Prior to application approval:</b>	\$34,872
<b>Funding approved:</b>	\$750
<b>Fund Balance: (18 April 2017)</b>	\$34,122

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## 7. Issues and Risk Management

Nil

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## 8. Strategic Planning Environments

Prosperity: No impact.

Place: No impact.

People: This funding source provides support to Responsive Grants Program requests for community initiatives.

Organisation: The annual budget allocates funding for Responsive Grants Program requests for community initiatives.

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## 9. Consultation

Nil

## **7.4. REPORT ON 2016 CAMPASPE SHIRE COUNCIL ELECTIONS**

### **Author:**

Frank Crawley, Governance Manager

### **Attachments:**

7.4. Report on Campaspe Shire Council 2016 Elections

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#### **1. Purpose**

To note the report of the Victorian Electoral Commissioner on the conduct of the 2016 Campaspe Shire Council elections

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#### **2. Recommendation**

**That Council note the report of the Victorian Electoral Commissioner on the 2016 Campaspe Shire Council elections.**

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#### **3. Conflict of Interest**

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to this matter.

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#### **4. Charter of Human Rights**

This report has considered and complies with the Human Rights and Responsibilities contained in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

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#### **5. Instrument of Delegation**

This report has considered and complies with the Instrument of Sub-Delegation by the Chief Executive Officer in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

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#### **6. Background**

The Local Government Act requires the Chief Executive Officer to submit to Council the report of the Victorian Electoral Commissioner on the conduct of the Council general elections.

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#### **7. Content**

Clause 14 of Schedule 3 of the Local Government Act titled "Provisions with respect to voting and the counting of votes and polls of voters" states;

"that the returning officer must prepare a report to the Chief Executive Officer on the conduct of the elections within the period of 3 months after the election date".

Clause 14(3) of Schedule 3 of the Local Government Act states:

“The Chief Executive Officer must ensure that the report is submitted to the Council at the earliest practicable meeting of the council held after the report is received by the Chief Executive Officer”.

A copy of the report is attached for councillors’ information.

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## **8. Issues and Risk Management**

### **Issues:**

Nil

### **Risk:**

Risk management has been considered in the preparation of this report and no risks with a high or extreme rating have been identified in this process.

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## **9. Strategic Planning Environments**

Prosperity: No impact

Place: No impact

People: No impact

Organisation: No impact

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## **10. Consultation**

Nil

## 8. COUNCILLOR REPORTS

<b>Cr Adrian Weston</b>	
22 March 2017	St Joseph's College Echuca Foundation Day
24 March 2017	Chair of Basin Community Committee Meeting
25 March 2017	Echuca Fire Brigade & Deakin Group Official Opening of New Fire Station & Headquarters
29 March 2017	Whroo Goldfields Conservation Management Network - 1000 Hollows Celebration
29 March 2017	Rushworth Senior Citizens Bus Inspection
30 March 2017	Meeting with Strathbogie Shire Council Mayor
30 March 2017	Waranga Rail Trail Partners Meeting
4 April 2017	Citizenship Ceremony
5 April 2017	Future Farming Expo
5 April 2017	Stanhope Community Planning Committee Meeting
6 April 2017	Networking dinner with Strathbogie Shire
10 April 2017	Loddon Campaspe Council Meeting
11 April 2017	Planning consultation meeting - RE: Pln355/2016, 19 Winter Road Girgarre
11 April 2017	Youth Advisory Group Meet & Greet
12 April 2017	Nine News Border North East Launch

<b>Cr Daniel Mackrell</b>	
4 April 2017	Citizenship Ceremony
6 April 2017	Networking dinner with Strathbogie Shire
11 April 2017	Youth Advisory Group Meet & Greet
12 April 2017	Echuca Moama Artists - "Fab Fakes" Easter Exhibition

<b>Cr Kristen Munro</b>	
22 March 2017	Rochester High School Year 9 Talk
29 March 2017	Education & Industry Breakfast
4 April 2017	Citizenship Ceremony
6 April 2017	Networking dinner with Strathbogie Shire
11 April 2017	Youth Advisory Group Meet & Greet

<b>Cr Vicki Neele</b>	
4 April 2017	Citizenship Ceremony
6 April 2017	Networking dinner with Strathbogie Shire
9 April 2017	Kyabram Legacy Group Annual Chairperson's Luncheon
11 April 2017	Planning consultation meeting - RE: Pln355/2016, 19 Winter Road Girgarre
11 April 2017	Youth Advisory Group Meet & Greet
13 April 2017	Planning Consultation Meeting - 98 Fischer Street Kyabram, PLN003/2017

<b>Cr Neil Pankhurst</b>	
2 April 2017	Tongala Aged Care Dinner
4 April 2017	Citizenship Ceremony
5 April 2017	Tongala Lions Club
6 April 2017	Networking dinner with Strathbogie Shire
9 April 2017	Kyabram Legacy Group Annual Chairperson's Luncheon
11 April 2017	Planning consultation meeting - RE: Pln355/2016, 19 Winter Road Girgarre
11 April 2017	Youth Advisory Group Meet & Greet
13 April 2017	Planning Consultation Meeting - 98 Fischer Street Kyabram, PLN003/2017

<b>Cr Leanne Pentreath</b>	
23 March 2017	VLGA Delegates Dinner
4 April 2017	Citizenship Ceremony
10 April 2017	2017 Dja Dja Wurrung Peoples Cup
11 April 2017	Youth Advisory Group Meet & Greet

<b>Cr Annie Vickers</b>	
25 March 2017	Echuca Fire Brigade & Deakin Group Official Opening of New Fire Station & Headquarters
29 March 2017	Echuca Legacy Changeover Luncheon
31 March 2017	CLRS (Community Living & Respite Services) Youth Week Video Viewing
4 April 2017	Citizenship Ceremony
11 April 2017	Youth Advisory Group Meet & Greet
15 April 2017	Koori Arts & Crafts Market Opening

<b>Cr Leigh Wilson</b>	
29 March 2017	Rochester Flood Management Reference Panel
30 March 2017	Tradies Breakfast "save your bacon"
3 April 2017	EMFM Radio
10 April 2017	Campaspe River Meeting
11 April 2017	Youth Advisory Group Meet & Greet

<b>Cr John Zobec</b>	
28 March 2017	Girgarre Development Group Inc.
4 April 2017	Citizenship Ceremony
6 April 2017	Networking dinner with Strathbogie Shire
8 April 2017	Rochester Bowls Club Tournament
11 April 2017	Planning consultation meeting - RE: Pln355/2016, 19 Winter Road Girgarre
11 April 2017	Youth Advisory Group Meet & Greet
13 April 2017	Planning Consultation Meeting - 98 Fischer Street Kyabram, PLN003/2017

## Recommendation

**That the above Councillor reports be noted.**

## 9. CHIEF EXECUTIVE OFFICER'S REPORT

Activities and meetings attended since previous Council meeting:

- Family Violence Network
- Victorian Rural Drainage Strategy – Local Government Consultation
- Official Opening of the new Echuca Fire Station
- Rural Councils Victoria Meeting with Senior Advisor to the Premier
- Local Government and Goulburn Broken CMA Meeting regarding levees
- Vicroads Municipal Meeting
- Echuca Second Bridge Steering Committee Meeting
- Citizenship Ceremony
- MRCG CEO Meeting
- Loddon Campaspe Regional Partnerships meeting
- Rural Councils Victoria Workshop
- Rural Councils Victoria Executive Meeting
- Court Services Victoria Meeting
- Loddon Campaspe Councils Meeting
- Youth Advisory Group
- Submission Hearing - Port of Echuca Discovery Centre Proposed Lease

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### Recommendation

**That the above Chief Executive Officer's Report be noted.**

## 10. NOTICES OF MOTION

## 11. URGENT BUSINESS

## 12. QUESTION TIME

## 13. CLOSED SESSION OF THE MEETING TO THE PUBLIC

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### Recommendation

That pursuant to the provisions of the Local Government Act 1989, the meeting will now be closed to members of the public to enable the meeting to discuss matters in items 14, 15, 16 and 17 which the Council may, pursuant to the provisions of Section 89(2) of the Local Government Act 1989 (the Act) resolve to be considered in Closed Session, being a matter contemplated by Section 89(2) of the Act, as follows:

- (a) personnel matters;
- (b) the personal hardship of any resident or ratepayer;
- (c) industrial matters;
- (d) contractual matters;
- (e) proposed developments;
- (f) legal advice;
- (g) matters affecting the security of Council property;
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

## **14. CONFIRMATION OF CONFIDENTIAL MINUTES & ATTACHMENTS**

89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person

## **15. CONFIDENTIAL COUNCIL INFORMATION**

### **15.1. CONFIDENTIAL ASSEMBLY OF COUNCILLORS RECORDS**

89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person

### **15.2. CONFIDENTIAL COMMUNICATION REPORTS & ATTACHMENTS**

89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person

## **16. CONFIDENTIAL BUSINESS**

Nil

## **17. CONFIDENTIAL COUNCIL MEETING CLOSE**

89(2)(h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person

## **18. ITEMS DETERMINED TO BE NO LONGER CONFIDENTIAL**

## 19. OPEN MEETING TO THE PUBLIC

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### Recommendation

That Council resolves to open the meeting to the public

## 20. CLOSE MEETING

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JASON RUSSELL

CHIEF EXECUTIVE OFFICER