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AGENDA



For a meeting of the seventh Campaspe Shire Council to be held on Tuesday, 17 October 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 & REQUESTS FOR LEAVE OF ABSENCES

2. CONFIRMATION OF MINUTES & ATTACHMENTS

For the:

- Open section of the Council Meeting held on 19 September 2017
- Open section of the Campaspe Briefing Session held on 5 September 2017
- Open section of the Campaspe Briefing Session held on 19 September 2017

Recommendation

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

- **The open section of the Council Meeting held on 19 September 2017**
- **The open section of the Campaspe Briefing Session held on 5 September 2017**
- **The open section of the Campaspe Briefing Session held on 19 September 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

5. PLANNING AUTHORITY DECISIONS

6. COUNCIL DECISIONS

6.1. OPTING INTO THE SAFE HAVEN ENTERPRISE VISA SCHEME

Author:

Kaye Mason, Executive Assistant

Responsible Manager:

Chief Executive Officer

1. Purpose

The purpose of this report is for Council to consider 'opting in' to the Safe Haven Enterprise Visa scheme for the municipality of the Shire of Campaspe.

2. Recommendation

That Council advise the Department of Premier and Cabinet that Campaspe Shire Council wish to opt into the Safe Haven Enterprise Visa scheme for the following postcodes: 3551, 3557, 3559, 3561, 3562, 3563, 3564, 3565, 3566, 3572, 3612, 3620, 3621, 3622, 3623 and 3624.

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*.

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.

6. Background

Council was approached by Echuca Moama Rural Australian for Refugees to work with them to develop a framework for refugee support within the region and to enable eligibility for Safe Haven Enterprise Visa (SHEV) holders to reside within the Shire of Campaspe.

The Australian Government introduced SHEVs in 2014 to encourage illegal arrivals who engage Australia's protection obligations to settle in a regional community and find work or study, while addressing the need to develop the economic and social structure of regional Australia. These visas are available to those assessed to be genuine refugees by the commonwealth Government and who indicate they are prepared to work or study in a designated SHEV area. The visa provides protection for five years (compared to the three available under the other temporary protection visa or TPV). Its

main feature is that people who hold it must intend to work or study in a part of 'regional Australia'. 'Regional Australia' is defined by the law as including specific areas in Australia, but under the current policy the State or Territory Governments must agree to be included in the SHEV scheme first.

State, territory and local governments were able to opt in to a list of regional locations that welcome SHEV holders. The NSW government were the first to opt in for all their regional areas while the Victoria government have left it to each local area to agree to 'opt in' to the scheme. As at October 2016 areas that are part of the SHEV include:

- all of the Australian Capital Territory
- all of regional NSW (excluding Sydney, Newcastle, Central Coast and Wollongong)
- all of regional Queensland (excluding greater Brisbane and the Gold Coast)
- part of the Northern Territory
- all of South Australia
- all of Tasmania
- parts of Victoria (each local area having to choose to opt in)
- most of Western Australia (excluding Perth and some areas in the Pilbara and Goldfields-Esperance regions)

Participating governments and institutions who opt in the SHEV scheme have no obligation to be otherwise involved in the operation of the visa. State territory and local governments that opt into the scheme can seek to influence the number of SHEV holders who might consider moving to their location by making information and/or services available to increase the likelihood of successful settlement in specific locations.

7. Issues and Risk Management

Issues:

By opting into this scheme Council will not be making any financial or resource allocations. Should any future issues arise Council may opt out at a later date if required.

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.

8. Options

Option 1:

That Council advise the Department of Premier and Cabinet the Campaspe Shire Council opt into the scheme for all postcodes within the municipality to become designated areas for Safe Haven Enterprise Visa holders.

This option is recommended by officers.

Option 2

That Council advise the Department of Premier and Cabinet the Campaspe Shire Council opt into the scheme for selected postcodes within the municipality to become designated areas for Safe Haven Enterprise Visa holders.

This option is not recommended as it restricts SHEV holders ability to find work or study within the Shire of Campaspe.

Option 3:

That Council does not opt into the scheme and has no designated areas for Safe Haven Enterprise Visa holders.

9. Strategic Planning Environments

Strong and Engaged Communities:	The SHEV scheme provides a positive community statement that the Campaspe Shire Council is welcoming and inclusive.
Resilient Economy:	Entering into the SHEV scheme will supports businesses looking to attract employees where workforce options are limited.
Healthy Environment:	Nil impact.
Balanced Services and Infrastructure:	Nil impact.
Responsible Management:	Entering into the SHEV scheme responds to the needs of employers and shows leadership in advocating for an inclusive and welcoming community.

10. Consultation

The Chief Executive Officer has consulted with representatives from Rural Australians for Refugees, the Department of Premier and Cabinet, the Refugee Council of Australia and Councillors.

6.2. SPECIAL COMMITTEES OF COUNCIL (SECTION 86) DELEGATION REVIEW

Author:

Frank Crawley, Governance Manager

Attachments:

6.2. Special Committees of Council Instrument of Delegation and Schedule

1. Purpose

To advise Council that a review of delegations to Special Committees of Council created under Section 86 of the *Local Government Act 1989* has been undertaken and no changes are required.

2. Recommendation

That Council note that in accordance with Section 86(6) of the *Local Government Act 1989* a review of delegations to Section 86 committees has been undertaken and no changes are required.

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*.

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.

6. Background

Under the *Local Government Act 1989* (the Act), a special committee or a section 86 committee which they are commonly known as, can be created to manage council facilities such as reserves and halls. Council delegates functions, duties and powers through an Instrument of Delegation to these committees. There is a formal instrument of delegation which is a legal document and a supporting schedule which details the operating requirements to be followed. The functions delegated normally relate to the maintenance and hiring of the facility.

Section 86(6) of the *Local Government Act 1989* states that a council must review any delegations to a special committee in force under section 86 of the Act, within 12 months of a general election.

7. Content

Below are the 18 section 86 committees currently active in the management of a council facility.

- a. Campaspe River Reserve;
- b. Colbinabbin Memorial Centre;
- c. Colbinabbin Town Recreation Reserve;
- d. Echuca East Recreation Reserve;
- e. Girgarre Memorial Hall;
- f. Girgarre Recreation Reserve;
- g. Koyuga Hall & Recreation Reserve;
- h. Kyabram Plaza Theatre;
- i. Kyvalley Community Recreation Reserves;
- j. Lockington District Community Centre;
- k. Lockington Recreation Reserve;
- l. Nanneella Hall & Recreation Reserve;
- m. Northern Oval Recreation Reserve;
- n. Rochester Racecourse Recreation Reserve;
- o. Rushworth Shire Hall;
- p. Strathallan Hall;
- q. Tongala Recreation Reserve; and
- r. Wyuna Memorial Hall.

The Instruments of Delegation and supporting schedules are attached for your information (Attachment 6.2).

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.

9. Strategic Planning Environments

Strong and Engaged Communities:	Section 86 committees align with the strategic objective of fostering community partnerships and helps enable engaged and active residents
Resilient Economy:	Nil
Healthy Environment:	Section 86 committees aligns with the strategic objective of developing partnerships for a healthy environment
Balanced Services and Infrastructure:	Section 86 committees align with the strategic objective of managing assets and planning and advocating to meet community need
Responsible Management:	Section 86 committees align with the strategic objective of strengthening relationships and partnerships and delivering sound governance and fiscal responsibility

10. Consultation

- Recreation Manager
- Community Planning officer
- Executive Management Group
- Councillors at the Councillor Briefing Session held on 3 October 2017.

6.3. COUNCIL POLICY REVIEW

Author:

Sharolyn Taylor, Council Support Officer

Responsible Manager:

Governance Manager

Attachments:

6.3. Council policies with amendments

1. Purpose

To present to Council for adoption policies that have been reviewed in October 2017.

2. Recommendation

That Council adopt the following policies that have been reviewed in October 2017:

- **Policy 023 - Assistance To Landcare Groups**
 - **Policy 038 - Annual Caravan Site Occupancy**
 - **Policy 055 - Media Relations**
 - **Policy 058 – Councillor Support and Entitlements**
 - **Policy 060 - Appeals & Collections, Street Raffles, Stalls & Busking**
 - **Policy 081 - Privacy and Data Protection Policy**
 - **Policy 106 - New or Replacement Street and Nature Strip Trees**
 - **Policy 107 - Public Open Space Provision**
 - **Policy 124 - Occupational Health and Safety**
 - **Policy 138 – Play Spaces Development**
 - **Policy 145 – Model Litigant Policy for Civil Litigation**
 - **Policy 148 – Revenue and Debt Collection**
-

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*.

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.

6. Background

Policies are critical to the strategic objectives of council and provide a predetermined course of action to the community. At the September 2016 Council meeting Council resolved for all Council policies to be reviewed annually commencing November 2017. Council policies scheduled for review will be presented monthly for the remainder of the year.

As part of the review process a *Review and Evaluation of Policy Guideline* was developed and introduced to assist staff in the evaluation process by providing a basic evaluation and review methodology to assist in determining the effectiveness of the policy and the extent to which a policy has met or is meeting its objectives.

There are five overarching objectives for the policy review process which are to:

1. Ensure that policies reflect current legislative and regulatory requirements,
2. Reaffirm, where possible, current practice is similar to similar activities within the Local Government sector,
3. Meet the functional and operational requirements of council staff in executing policy,
4. Be responsive and reflective of the needs of council's stakeholders and ratepayers,
5. Be relevant to the local government context in which Campaspe Shire Council operates and strive for best practice in policy development.

Questions to ask when reviewing policies should include:

- *What impact, if any, does a policy or program have in terms of specific outcomes for the people for whom it is meant to apply?*
- *Does it actually meet the needs of small business, ratepayers or council staff for the purpose intended?*
- *A second consideration is process evaluation, which asks how, why and under what conditions does a policy work, or fail to work?*
- *Are there gaps, circumstances or reasons why it cannot be applied?*

Council policies have been reviewed by the responsible officers as per the Review and Evaluation of Policy Guideline.

7. Content

A summary of the revised policies are listed below and the individual policies are also attached with track changes for readability.

Policy No.	Policy Title	Purpose	Summary of changes
DIVISION - CORPORATE SERVICES			
Department - GM Corporate Services			
38	Annual Caravan Site Occupancy	To provide an outline of terms and conditions to be complied with for annual caravan site occupancy at any Campaspe Shire Council caravan park.	no changes required

Policy No.	Policy Title	Purpose	Summary of changes
DIVISION - CORPORATE SERVICES			
Department - Communications & Public Affairs			
55	Media Relations	This policy outlines the approach to and resources available for managing media inquiries, producing media releases, proactively managing issues and promoting Council's work. The aim of the policy is to: a. ensure a clear and effective presentation of Council's message to the media and the community; b. ensure a clear and understood strategy for communicating a consistent message to the media; and avoid any misunderstandings, misquotes or overtly negative coverage.	no changes required
Department - Finance			
148	Revenue and Debt Collection	To provide a framework for the collection of revenue and general debts in association with the Local Government Act 1989 (LGA), Valuation of Land Act 1960 (VLA), Fire Services Property Levy Act 2012 (FSPLA) and Department of Justice.	minor changes to the General debtors - quarry
Department - Governance			
58	Councillor Support & Entitlements	The provide guidance on the reimbursement of expenses, and provision of facilities available to the Mayor and Councillors as required by the Local Government Act 1989, Section 75.	Minor administrative changes to travel claim form attachment
81	Privacy and Data Protection	In line with the Privacy and Data Protection Act 2014, Health Records Act 2001, and Charter of Human Rights and Responsibilities Act 2006, the Shire of Campaspe considers the privacy of all personal and health information to be an integral part of its commitment towards information accountability	minor change to definition
145	Model Litigant Policy for Civil Litigation	To ensure Campaspe Shire Council (Council) and its agents act in a manner that is fair and reasonable when dealing with matters involving members of the public before and during litigation proceedings. The aim of this policy is to comply with the requirements of the Civil Procedures Act and the Model Litigant principle to ensure the highest standard of propriety and ethics are met.	deleted philosophy
Department - Human Resources			
124	Occupational Health & Safety	To demonstrate and communicate Council's commitment to the provision of a safe and healthy work environment for all employees.	deleted philosophy, one word change in Policy Statement
DIVISION - REGULATORY & COMMUNITY SERVICES			
Department - Planning & Building			
107	Public Open Space Provision	To guide decisions for the provision of public open space for both infill residential subdivisions and new residential areas in the municipality, within the context of clause 56 of the Campaspe Planning Scheme and Section 18 of the Subdivision Act 1988.	grammar, update to Schedule to Clause 52.01 of the Campaspe Planning Scheme
Department - Public Environments			
23	Assistance To Landcare Groups	To provide a consistent approach to requests for support, assistance, funds, use of equipment etc from Landcare Groups within the Shire of Campaspe.	minor changes

Policy No.	Policy Title	Purpose	Summary of changes
DIVISION - REGULATORY & COMMUNITY SERVICES			
60	Appeals and Collections, Street Raffles, Stalls and Busking	To provide Council with a mechanism to control and regulate appeals and collections, street raffles, stalls and busking within the municipality. All applications for street raffles are to be maintained in a Raffles Register.	Removal of Busking point 2C, and addition to point e) i.e. minimum age requirement
106	New or Replacement Street and Nature Strip Trees	To provide appropriate criteria to assess the planting of new or replacement street and nature strip trees within the Shire of Campaspe's commercial and public park and recreation and urban and rural-residential zones, as defined by the Campaspe Planning Scheme.	Changes to purpose, Policy Statement points 1, 2 and 4
Department - Recreation			
138	Play Spaces Development	To guide the planning and design of play spaces in the Shire of Campaspe.	no changes required

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.

9. Strategic Planning Environments

Strong and Engaged Communities: No impact

Resilient Economy: No impact

Healthy Environment: No impact

Balanced Services and Infrastructure: Policies improve delivery on services to the community and give clear direction to officers.

Responsible Management: Council policy assist with establishing guidelines, effective decision making and being accountable to the community.

10. Consultation

- Executive Management Group and responsible managers have been consulted in relation to their respective policies.
- Councillors were consulted by communication report and at the 3 October 2017 Briefing session.

6.4. PROPOSED CONSULTATION – ROCHESTER FLOOD MANAGEMENT PLAN (RFMP) IMPLEMENTATION

Author:

Richard Conway, Assets Manager

Attachments:

6.4.1 Works Locality Plan

6.4.2 Draft Feasibility Report – Rochester Flood Mitigation Study September 2017

1. Purpose

To seek approval to release and seek community feedback on the draft report investigating the wider implications of the flood mitigation works recommended in the Rochester Flood Management Plan. (Refer Attachment 6.4.2). Whilst intended to reduce the impact of flooding on the Rochester Township, these proposed works have implications for areas outside of the township; particularly to the east along the Nanneella Depression.

2. Recommendation

That Council:

- 1. Approve release of the report titled ‘Draft Feasibility Report – Rochester Mitigation Strategy’ dated September 2017 prepared by Water Technology Pty Ltd for the purpose of seeking the Rochester and Nanneella district communities’ views on its conclusions,**
 - 2. Further consider the report and associated community submissions and feedback at the February 2018 Council meeting or such later meeting as necessary to allow for proper investigation and report on those submissions.**
-

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*.

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.

6. Background

The North Central Catchment Management Authority in collaboration with Campaspe Shire completed the Rochester Flood Management Plan following the 2010-2011 floods. Hydrologists, Water Technology Pty Ltd undertook the study which

modelled Campaspe River flood behaviour through Rochester and recommended a preferred mitigation option comprising three elements.

Two of the elements comprising construction of a replacement levee about 5.7km south of Rochester and implementation of a flood warning system including installation of a new river gauge are complete. The Bureau of Meteorology can now issue forecast river heights and associated flood warnings for Rochester Township with up to 24 hours warning.

The third recommended element involved:

- Restoration of breakaway flood flow paths from the Campaspe River to:
 - an eastern depression that forms the upstream end of the Nanneella Depression, and
 - to the second railway bridge 200m north of the main railway bridge on the northern outskirts of Rochester, and
- Construction of a compensatory levee adjacent the eastern depression and a significant levee along the western side of the Campaspe River south of the road bridge. (Refer Attachment 6.4.1 – Works Locality Plan).

The report recommended these works in concept only and recommended further investigations into the impact of these works outside of the Township. For this reason, Council scoped a strategic project to understand the full implications of this concept rather than implement works. This strategic project was funded and investigation of the implications is now complete.

The investigations were undertaken by Water Technology as an extension of the original Rochester Flood Management Plan with guidance from a community reference panel with members selected from Rochester Township and affected downstream rural areas.

7. Draft Feasibility Report

Overview

The Consultant's first task was to review several options the community believed had not been adequately considered in the original Rochester Flood Management Plan. These options included construction of a dedicated flood mitigation storage upstream of Rochester, installing vegetation upstream of Rochester to attenuate the flow, widening of the bridges and retro-fitting flood protection to existing buildings by raising or flood proofing them. Investigations demonstrated that none of these options provided a viable alternative to that recommended in the Rochester Flood Management Plan.

The next step involving investigation of the recommended option's downstream impacts on lands to the east of Rochester is complete and the final draft report is available. These investigations included investigation of possible methods to protect downstream properties along the diversion path in an effort to identify the best way of implementing the third recommendation of the original Rochester Flood Management Plan. The report concludes by identifying the best option and associated revised costs and benefits of its implementation. It deliberately does not recommend it proceed or be abandoned as this should not be considered until the views of the community that will be affected by the works are known.

Summary of Conclusions

In summary, the report:

1. Outlines investigations into the additional 'community' options comprising construction of a dedicated flood mitigation storage upstream of Rochester, installing vegetation upstream of Rochester to attenuate the flow, widening of the bridges and retro-fitting flood protection to existing buildings by raising or flood proofing them. All except the flood proofing of buildings were shown to make negligible difference or in one case exacerbating flooding in the western side of Rochester.
2. Compares the most feasible of these 'community' options comprising flood proofing of existing buildings with the other recommended option. Flood protecting individual buildings against a 1% AEP event would cost of the order

of \$12.3 million and result in an annual average damages reduction of \$150,000. The damage bill still remains high as most of the damage costs relate to house curtilages, outbuildings and public infrastructure that would remain unprotected. Its feasibility falls well short of that offered by the recommended option of diverting flows to the east which only required a \$1.8 million investment to generate almost the same damages reduction.

3. Investigates the impact of diverting flows along the eastern flow path (Nanneella Depression) in its present state. Water levels generally increase by 130mm in a 1% AEP event increasing the number of properties flooded from 12 to 29 (i.e. from 3 to 12 above floor). Fifty-three would remain flood free. Four of those flooded above floor level were previously flood free.
4. Examines four scenarios for mitigating flooding to the east of Rochester as a result reinstating the eastern flow path comprising:
 - 4.1. Increasing structure capacity and flow diversion – This scenario aims to increase the capacity of the eastern flow path by upgrading road culvert crossings and constructing a bypass channel around some buildings. This lowers the water level at one property by 20mm but generally makes little difference except at the downstream end of the bypass channel where water levels are locally increased.
 - 4.2. Constructing local protection works – In addition to the works outlined in the first scenario, it proposes constructing ring levies around each building. This was shown to have negligible impact on water levels except at the downstream end of the diversion channel where a slightly larger area is affected.
 - 4.3. Diverting flows around residential premises in Webb Road – This involves lowering Webb Road, excavating a new channel to the north east and partially blocking the eastern depression to divert flows to the north east. It also includes a new downstream floodway across Nanneella Road all with the objective of lowering water levels around the pocket of Webb Road properties. Whilst this scenario lowers water levels in the Webb Road area by 60 to 100mm it makes no difference to above floor flooding.
 - 4.4. Controlled flow around the township and back to the Campaspe River – Proposed works comprise reinstatement of the eastern drainage line as recommended in the Rochester Flood Management Plan, lowering the Kyabram-Rochester Road crossings, restricting the eastern depression capacity at the Waranga Western Channel crossing and constructing a levee along High Street to guide flows to the north. Whilst moderately effective, it is difficult to divert flows back to the Campaspe River and the extent of flooding along the Nanneella Depression further east is only slightly reduced even though the flow is reduced.
5. Assesses the impact of local storm runoff from the hills to the south and concludes that even a 1% AEP storm would make less than 20mm difference in flood levels and marginally speed up water reaching peak levels along the eastern depression by 1-2 hours. It concludes riverine breakouts are the dominant cause of flooding.
6. Identifies a preferred combination of actions that the Consultants consider provide the best option for detailed assessment. It comprises the four elements making up the original recommended option (i.e. western levee, minor eastern levee and lowering the eastern river bank to engage the Nanneella depression and possibly the second railway bridge), construction of the recommended Ramsay Street drain, construction of six levees near the eastern drainage line, 15 individual ring levees around rural dwellings and increased culvert capacities at five locations (Pasco Street, Heathcote-Rochester Road, two under Kyabram-Rochester Road and Echuca-Nanneella Road) with an estimated capital cost of \$7.12 million.
7. Within the Rochester Township, this preferred option is assessed as:
 - 7.1. Significantly reducing flooding within the western area of Rochester Township by up to 500mm in a 1% AEP event,
 - 7.2. Generally reducing flooding by 30-50mm on the eastern side north of Bridge Street in a 1% AEP event,
 - 7.3. Slightly increasing flooding by 40mm at the southern end of High Street in a 1% AEP event,
 - 7.4. Significantly reducing flooding in all events above a 5% AEP event.

The following table summarises the effects of this option in the Rochester Township.

Event	Rochester Township Properties Flooded Above Floor	
	Existing	Mitigated
1% AEP Event	330	196
2% AEP Event	207	104
5% AEP Event	50	17

8. Along the Nanneella Depression and area to the east of Rochester, this option is assessed as:

- 8.1. Engaging the eastern drainage line more frequently (5% AEP events c.f. 2% events now).
- 8.2. Increasing flows across the Waranga Western crossing by factors of 2.5 in a 1% AEP event and 14.5 in a 2% AEP event.
- 8.3. Accelerating the commencement of flooding by 8 hours for a 1% AEP event and 12 hours for a 2% AEP event.
- 8.4. Increasing the duration of flooding (at least 24 hours for 1% AEP event).
- 8.5. Increasing the extent of the area of flooding and depth of flooding for all events in which the depression is engaged. (i.e. 5% AEP and above).
- 8.6. Most importantly it protects all dwellings currently flooded and those that would potentially be flooded along the Nanneella Depression as follows:

Event	No. Properties Inundated East of Rochester		
	Existing	Mitigated with No Local Works	Mitigated with Proposed Local Works
1% AEP Event	12 (3)	29 (12)	0 (0)

Figures in brackets are numbers flooded above floor

9. Reassesses the flood damages under existing conditions and post implementation of the mitigation works for the total study area (Rochester and Nanneella area) as summarised below:

	Existing Conditions	Mitigated Conditions	Benefit
No Properties Flooded	1,499	1,001	498 improvement
No. Properties Flooded Above Floor	335	172	163 improvement
Damage From 1% AEP Event	\$25.9 million	\$20.4 million	\$4.5 million improvement
Annual Average Damages Bill (All Events)	\$810,280	\$696,782	\$113,498 improvement

Note – the damages calculations include damage to general infrastructure, dwellings and outbuildings etc. and to farming properties. The NSW 'high value agricultural land' standard damages rates have been applied to the inundated rural areas to assess farming land damages.

10. Estimates the cost of implementing the scheme to be about \$7.1 million excluding land acquisition and compensation costs as compared to the capitalised cost of the savings (6% discount rate) after allowing for ongoing maintenance costs of \$1.16 million. The resulting Benefit / Cost Ratio is slightly less than 0.2. In other words in the long term the community will only recoup about 20% of its investment through economic savings. Typically a ratio greater than 1 is preferred to justify funding and indicates the economic benefits of the proposed scheme will outweigh the costs over a 30 year life. It also needs to be understood that this is a straight economic analysis that does not consider the associated social or environmental issues.

8. Issues, Risks and Proposed Action

The draft final report is complete. Council is faced with deciding if it is worthwhile investing funds to prepare functional designs and accurate estimates of cost for the works to enable funding to be sought for implementation.

The draft report indicates the works may not be feasible on straight economic grounds. However council also needs to consider the associated social and environmental issues. The views of the Rochester and Nanneella district community affected by the 2011 and 2012 flooding events also need to be considered.

The draft final report was presented and discussed with the Community Reference Panel that provided guidance to the underlying investigations. The Panel included representatives from the township and affected areas to the east of Rochester to ensure the broad range of issues involved were represented in a balanced manner. The Panel members are very familiar with the content of the report from having been closely involved in reviewing modelling results and identifying issues in need of detailed consideration as the investigations proceeded. Its members generally possess a good understanding of the issues involved and the difficulty of trying to balance the benefits to the Township community with the economic and social impacts in the rural areas to the east. It is important these issues are also explained to and understood by the broader community in these affected areas so they have the opportunity of providing informed comment and guidance to council on what actions they would like to see the council take with respect to the report.

It is proposed to consult the broader Rochester and Nanneella districts communities during November and early December.

The consultation program will be aimed at education local communities about the investigations and the outcomes to assess the community's views on the report's findings so that council can assess the level of support for the options identified.

A final report encompassing details of submissions and any further investigations required in response to the community feedback will be presented to council following conclusion of the consultation program so that council may then determine if it is feasible, worthwhile and in the community's overall best interests to proceed with stage 2 of this project to invest funds in preparing functional designs for this infrastructure.

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

Strong and Engaged Communities: This report and recommended consultation process is designed to further engage the community in its quest to prevent a recurrence of the 2011 flood impacts.

Resilient Economy: The project is intended to assist in reducing the impact of future flooding and its negative impacts on the Rochester economy

Healthy Environment: Flooding impacts the physical and mental health of communities. This project aims to reduce those impacts without severely impacting the natural environment.

Balanced Services and Infrastructure:	The report considers the economic implications of proposed works. The consultation process will seek out the social and environmental issues to enable council to make a balanced decision regarding the level of service and standard of infrastructure to reduce the impact of future flooding on Rochester.
Responsible Management:	The proposal is intended to engage the Rochester and district communities so that a balanced report may be presented to council reflecting all of the relevant issues in an open and transparent manner.

10. Consultation

The Rochester and district community were widely consulted during preparation of the original Rochester Flood Management Plan prepared following the aftermath of the 2011 record floods. That report recommended a further study to investigate the implications of implementing the recommended flood protection works on the properties along the flow diversion paths.

As outlined in this report, a Community Reference Panel was established comprising representatives from Rochester and the rural areas downstream along the proposed flow diversion paths. It oversaw and provided guidance to the consultants undertaking the modelling and investigations. Additionally many landowners in the immediate vicinity or owning properties that may be affected by the proposed works were directly consulted or invited to attend the Panel meetings to ensure their concerns were considered.

It is now proposed to undertake an extensive community consultation program to disseminate details of the report's investigations and conclusions and to seek submissions from the affected communities on the findings, any issues they believe require further investigation and how they believe council should respond.

The North Central and Goulburn Broken Catchment Management Authorities were consulted and provided guidance to the study. Additionally, the Department of Environment, Land and Planning and Emergency Management Victoria that provided financial assistance to conduct this study have been consulted and kept informed of the study's progress.

6.5. ECHUCA WAR MEMORIAL REDEVELOPMENT

Author:

Shane Stacey, Community Places Project Officer

Responsible Manager:

Recreation Manager

Attachments:

6.5. Echuca Cenotaph Master Plan

1. Purpose

To seek Council approval of the concept plan for the redevelopment of the Echuca War Memorial and surrounding public open space proposed by the Echuca RSL Sub-Branch.

2. Recommendation

That Council:

1. **Approve the concept plan for the redevelopment of the Echuca War Memorial and public open space proposed by Echuca RSL Sub-Branch subject to the following conditions:**
 - a) **The RSL will facilitate public consultation in partnership with Council officers on the concept plan and inform Council of the outcome of this consultation prior to completing final detail designs.**
 - b) **The final for construction detail designs will be approved by the Recreation Manager in agreement with the RSL.**
 - c) **The proposed works will not reduce or restrict current access requirements to Council's Municipal Offices and/or the Campaspe Regional Library.**
2. **Note:**
 - a) **The Echuca War Memorial Works will be fully funded by the RSL;**
 - b) **Funding will include in-kind, cash contributions and grants;**
 - c) **Council Officers will support RSL in grant submissions and acquisition;**
 - d) **Council will auspice grant applications on behalf of Echuca RSL Sub-Branch;**
 - e) **Council will project manage the project delivery as a community places project in partnership with the Echuca RSL Sub-Branch in accordance with grant contract terms and conditions; and**
 - f) **The increase cost in maintenance of this area based on the concept plan is estimated to be \$6,000 per annum. This amount will be included in the budget cycle after completion of the works.**

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*.

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.

6. Background

The project to redevelop and upgrade the Echuca War Memorial site was identified in 2014 as a result of works involving the installation of lights to the cenotaph statue and a new flag pole. The cenotaph and war memorial site has evolved in an ad hoc manner over the decades as various service organisations have installed additional monuments. The RSL approached Council officers to seek support in the development of a shared plan for the site that would address current issues and future provision requirements.

The 100 year commemoration of World War 1 coupled with the availability of State and Federal funds for preservation of war memorials has provided a catalyst to develop a concept plan that incorporates considerable improvements to the site.

Echuca RSL Sub-Branch engaged a landscape architect to produce the concept plan for the war memorial. Council officers and the RSL have worked in partnership to develop a vision for the site giving consideration to the multipurpose function of the area which services the war memorial, community open space and entry to the Campaspe Regional Library and Municipal Offices.

7. Content

Council is the land manager for the parcel of Crown land on which the Echuca war memorial is located. This report seeks Council approval of the concept plan for the redevelopment of the Echuca War Memorial and surrounding public open space proposed by the Echuca RSL Sub-Branch

The area is a shared public open space that supports community green space for small gatherings and events, the War Memorial, the Council Municipal Offices and the Campaspe Library. The concept plan presented to Council has been reviewed by officers for technical and service implications due to the significance of this high profile location.

A community engagement process is to be undertaken with the broader community to assess what potential impact the redevelopment will have on the use and access of this space and to gather feedback on the concept. The initial concept design is presented with this report. The RSL and Council officers will inform Council of the outcome of the consultation and any potential changes that may result from community feedback received.

The cenotaph and associated war memorial infrastructure is deemed to be an asset of the community which is cared for and managed by the RSL on behalf of the community. The proposed development will be funded by the Echuca RSL Sub-Branch through cash and in kind contributions and grants. Council will be required to auspice grant applications on behalf of the RSL. Once the proposed project is fully funded and ready to proceed Council officers will deliver the project through Councils Project Management system in partnership with the RSL and in accordance with grant contract terms and conditions. Council will fund the Project Management cost through the operational budget allocated to Community

Projects, Project Management. Council has traditionally provided support to the RSL in maintaining the memorial site and completed a number of previous projects in partnership with the RSL.

The proposed redevelopment will have minor impact on Councils current asset register for this site due to minor increases to the existing footpath provisions. The monument assets are not Councils assets therefore the increase in these elements will not impact Councils asset obligations.

The current concept includes additional trees and garden landscapes that will increase Councils operational maintenance activities at this site. The increase in costs to maintain, clean and care for the area is estimated to be \$6,000 pa driven by increase labour hours required to maintain edging and cleaning across a larger pavement area, maintain additional trees and additional garden beds.

It is likely that the redevelopment will be completed in stages subject to the acquisition of funds for each component of the works.

8. Issues and Risk Management

Issues:

Issue 1: Funding Time Frames

The war memorial redevelopment concept has been presented to Council for approval subject to conditions due to the time frame determining funding opportunities available to the RSL through a number of grant streams established for the Centenary of WW1.

Ideally it would be prudent to complete a comprehensive design for the area prior to committing to any separate development works on the war memorial. Approval is being sought for the development subject to detailed designs to meet grant submission deadlines. This will allow RSL to apply for grants as they become available, at the same time community engagement and detail designs can be completed prior to any physical works starting.

Issue 2: Increased Recurrent Costs to Council

Parks and Gardens staff clean and maintain the war memorial and public open space. The increased infrastructure, footpath, memorial structures and landscaping inclusions in the former lawn area will create an additional time factor to mow, edge, clean and maintain.

Mitigating factors will be included such as automatic irrigation to alleviate the work load, however it is expected that staff will require extra hours due to the development proposed. An estimate increase in operational budget of \$6,000 pa will be required for Parks & Gardens to cover the increased operation and maintenance of the area.

Issue 3: War Memorial "Ownership and Responsibility"

War memorials are a major piece of infrastructure with significant importance to communities. The community is deemed to have ownership of war memorials. In order to ensure they are cared for and preserved, RSL has assumed the role of trustee for war memorials on behalf of the community.

Local councils have traditionally provided a level of support to RSL sub-branches in caring for and maintaining war memorials. Formal policies and agreements have never been struck with Council in dealing with these assets therefore there is a lack of clarity in managing war memorials ensuring all parties have a clear process to follow.

Currently an agreement is being negotiated with RSL Victoria to establish a set of guidelines which will support both RSL and Council to effectively manage war memorial sites by outlining the details of the responsibilities of each organisation.

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:

Approve the concept plan for the redevelopment of the Echuca War Memorial and public open space proposed by Echuca RSL Sub-Branch subject to the following conditions:

- The RSL will facilitate public consultation in partnership with Council officers on the concept plan and inform Council of the outcome of this consultation prior to completing final detail designs.
- The final detail designs will be approved by the Recreation Manager in agreement with the RSL.
- The proposed works will not reduce or restrict current access requirements to Councils Municipal Offices and/or the Echuca Library.

The current concept plan may require some minor changes identified through the public consultation that can be addressed in the detail designs. Overall the intention of the RSL is to redevelop the site to improve the current access and ability to use the site as a place of reflection and recognition. The current concept plan proposes enhancements to both the war memorial and public open space and provides a long term solution for future additions to the memorial recognition areas.

This option is recommended.

Option 2: Not endorse the redevelopment of the Echuca war memorial

The need to redevelop the war memorial has been recognised by the RSL due to the historical ad hoc additions of infrastructure with no coordinated plan or longer term vision for the site. Stakeholders have agreed that improvements would enhance the area and an agreed plan for the space will ensure future additions can be accommodated in a coordinated way.

This option is not recommended.

10. Strategic Planning Environments

Strong and Engaged Communities: Strategy 1 "Foster community partnerships and support other agencies in the delivery of services" is achieved through assistance and cooperation with the RSL in this project.

Resilient Economy: No Impact

Healthy Environment: No Impact

Balanced Services and Infrastructure: Strategy 2 is being supported through advocacy for infrastructure that meets the community need to commemorate conflict and;

Strategy 3 is being supported through the design to maximise access to and usage of this asset.

Responsible Management: Strategy 1 has been achieved through consultation and engagement with all sectors of the community in presenting this project opportunity.

Strategy 3 is supported through the development of this facility as a joint initiative and seeking to leverage external funding.

11. Consultation

Internal

- CEO – Discussions held with RSL on the proposal.
- Economic and Community Engagement General Manager – Discussions held with RSL on the proposal.
- Recreation Manager – service manager for this location provided input into development plan impact and influence on open space, offices and library.
- Library Services Manager – provided input on the development plan impact on library operation and attraction.
- Public Environments Manager – provided design guidelines and estimates on maintenance and serviceability issues and inclusions.
- Road Service Coordinator – provided design advice on serviceability and functionality of concept.
- Planning and Building Manager – provided guidance on heritage requirements.

External

- Echuca RSL Sub-Branch – concept development, funding support, project delivery options.
- RSL Victoria (State Branch) – asset management and concept acceptance by RSL parent body.
- Department of Environment Land Water and Planning – approval for development on their land.

6.6. ECHUCA MOAMA COMMUNITY 2017/18 IMPLEMENTATION PLAN

Author:

Jenny Turner, Community Planning Officer

Responsible Manager:

Community Engagement Manager

Attachments:

6.6. Echuca Moama 2017/18 Implementation Plan

1. Purpose

To seek council's resolution to endorse the 2017/18 Implementation Plan for Echuca Moama.

2. Recommendation

That Council endorse the 2017/18 Implementation Plan for Echuca Moama including the following projects:

- a. **Proposed Echuca Arts Precinct Development Plan**
 - b. **2017 New Year's Eve Celebration**
 - c. **Aquatic Reserve Detailed Design Plan.**
-

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*.

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.

6. Background

The Echuca Moama Community Plan was developed in 2011 with Implementation Plans introduced in 2012. The plan was developed with four key priority areas, which were:

- Arts, Culture & Heritage
 - Health and Well being
-

- Economic Development & Tourism
- The Environment.

The actions presented in this report were identified as key initiatives in the third and final phase of implementation for this initiative and expenditure of funds from the Echuca component of the Community Plan Implementation Fund (CPIF).

As council is moving towards a place based planning model finalising these activities supports the overall transition process to place based planning and future engagement of this community.

7. Content

Project title: Proposed Echuca Arts Precinct Development Plan

Echuca Moama Community Plan Priority area: Arts, Culture & Heritage

Project Budget: \$60,000 CPIF

The focus of the project is to rejuvenate the remainder of the Foundry along with the former brothel, Murray Hotel and the open space around these buildings, all of which have a heritage overlay, into the an arts precinct. It is recognised by council and EMAI (Echuca Moama Arts Initiative) that there is an opportunity through establishing an arts precinct activation of the space will be supported and encourage collaboration between the arts groups within the community. This proposed development will create significant tourism opportunities while enabling the arts fraternity to lift its profile.

Through a process of consultation and engagement council will work with all members of the local arts community to develop a concept and development plan for the space which will encourage collaboration and build opportunities to develop economic opportunities ensuring the long term sustainability of Echuca Moama's Arts groups.

Project Title: 2017 New Year's Eve Celebration

Echuca Moama Community Plan Priority area: Health & Wellbeing and Economic Development & Tourism

Project Budget: \$10,000 CPIF

It was recognised by the organising community group that council could assist to address the need for family friendly celebrations being available during the festive season. It is proposed that a new family friendly event be organised for New Year's Eve 2017 to help support the positive ambience that exists within the Echuca community for residents and visitors, during the summer holiday period.

Project Title: Aquatic Reserve Detailed Design Plan

Echuca Moama Community Plan Priority area: The Environment and Economic Development & Tourism

Project Budget \$102,000 CPIF

It is recommended that the balance of the Echuca Community Funds will be directed to enable a review and upgrade of the Aquatic Reserve Master Plan to include the Onion Patch and river side area. Completion of this project will enable an improved ability to host events, greater connectivity of area, upgraded green space and further opportunities e.g. interpretative trails.

Total Proposed Spend: \$172,000

Project Title: Echuca East Community Precinct Detailed Design Plan**Echuca Moama Community Plan Priority area: Health and Well being****Project Budget: \$224,000 for consideration at mid-year budget review**

This is a project that has been impeded by no identification of funding for an extended period of time. There are a number of community and user groups who are keen to see council, in partnership with the community, progress this project. With the Concept plan for the reserve to be used as the blue print, a detailed design plan (including building designs) will enable proper costing and the formal progression of this project, considered a very high priority in the development of the Community plan. Councils recreation Department will be placing a proposal before council for consideration at the midyear budget review.

The project will include a detailed design and cost estimates for the following components:

- All components to be in line with the endorsed Echuca East Community Precinct Infrastructure Plan
- Undertake a full feature survey of the entire Echuca East Community Precinct to determine all services and establish site levels to inform all proposed plans as identified in the existing infrastructure plan
- Design and cost (Quantity Surveyor Costing highly desirable) of a multi-purpose building to cater for the operations and storage requirements of users. Includes consultation with current and future user groups in the design requirements. Include informed costs estimates for the demolition and site rehabilitation for the Guide Hall, After School Care Building and Pavilion
- Design and cost a multi-purpose activity space
- Design and costs irrigation solution for green spaces and vegetation/planting establishment. Note: some green spaces will be maintained at a higher service level than others i.e. sports field, mounds, off leash dog area
- Design and cost opportunities to utilize raw water via consultation with Coliban Water
- Design and cost of an off leash dog park including fencing, landscaping, dog activity elements and linkages to the roadway and residential areas. Include costs for the demolition and rehabilitation of the old hockey courts
- Design and cost cycling and walking paths through the precinct with linkages to the existing town cycling and walking network
- Design and cost passive open space area including BBQ, Shelter, picnic facilities, paths and landscaping. Include costs for the demolition and rehabilitation of the old BBQ, Shelter and picnic facilities
- Design and cost an accessible play space including youth adventure play area, netball and basket equipment and a grassed junior play area. Include costs for the demolition and rehabilitation of the old playground and netball/basketball equipment.

8. Issues and Risk Management**Issues:****Issue 1:**

Management of community Expectations: Three of the four actions involve further planning with no current funding sources available to achieve the actions. The community members often think that once the plan is developed the build will follow. However the community will be made aware that by having plans available it will assist in future grant applications as funding opportunities arise.

Issue 2:

The Size and Complexity of the Echuca Moama Population: Community Planning in Echuca Moama has been challenging due to the larger population and the number of community groups involved. It was considered that the most appropriate option was to complete projects already identified rather than return to the community to identify new ones.

Issue 3:

New Year's Event funding: It is to be noted that is a one off seed funding opportunity. Future funding for this event will need to be sourced through council's Community Grants process and other potential sources

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. OptionsOption 1: note the Implementation Plan for Echuca Moama as presented.

This option is recommended by officers.

Option 2: note the Implementation Plan for Echuca Moama with changes.

This option is not recommended by officers.

10. Strategic Planning Environments

Strong and Engaged Communities:	Community Engagement is a strong focus of these actions. It will assist our residents to be actively engaged in their community and support participation in artistic, cultural, sporting and leisure activities.
Healthy Environment:	All actions require the development of partnerships to achieve their goals.
Balanced Services and Infrastructure:	Plan and advocate for services and infrastructure to meet community need will be assisted by these actions.
Responsible Management:	Through these actions relationships and partnerships will be strengthened with the aim to maximise infrastructure opportunities, to deliver joint initiatives and to leverage external funding.

11. Consultation

- Community Engagement Manager
- General Manager Economic & Community Development
- Recreation Manager
- Echuca Ward Councillors

12. Officer Comment

By completing the proposed projects, funds within the Echuca Community Fund reserve will be fully expended. This will then support Council's ability to work with the community under the new paradigm of Place Based Planning.

6.7. CAPITAL WORKS BUDGET TRANSFER AND PROJECT CLOSURES REPORT

Author:

Sarah Butterworth, Acting Program Office Manager

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.

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 (NB: all listed are projects that closed at the end of 2016/17 financial year, therefore project savings were returned effective 30 June 2017):**
 - 100138 Echuca West, Stratton Road, Culvert upgrade
 - 100378 Echuca, South Rec Reserve Retaining Wall
 - 100519 Rochester, River/Town Feasibility Study
 - 100513 Shire, Minor Drainage Policy Works
 - 100331 Kyabram, Breen Av Walking Cycling Track
 - 100489 Echuca, Town Entrance Feature Upgrade
 - 100372 Echuca, Vic Park Drainage Survey & Plan
 - 100371 Echuca, South Rec Reserve Irrigation Design
 - 100069 Kyabram, Rec Reserve Wilf Cox Pavilion
 - 100466 Corop, Midland Highway Service Road Upgrade
 - 100295 Shire, Urgent New and Upgrade Works 16/17
 - 100511 Kyabram, McEwen Rd Retaining Basin Design
 - 100166 Echuca, Aerodrome & Saleyards fencing
 - 100476 Echuca, Echuca Holiday Park Shed Renewal
 - 100510 Kyabram, McCormick Road Drainage Upgrade
 - 100186 Shire, Minor Drainage Works 13/14
 - 100365 Echuca, Stadium Basketball Backboards
 - 100060 Shire, Interchange/Officials Shelters

- 100416 Shire, Urban Open Drain Renewal Program
- 100427 Burnewang, Three Chain Rd Floodway Rehab
- 100390 Campaspe, Regional Library Book Purchase
- 100027 Shire, Rural Road Culvert Renewal Program
- 100464 Echuca, Service Street Upgrade
- 100406 Echuca, Hume St K&C (Eyre to Leichardt)
- 100290 Rochester, Bonn Rd Safety Improvements
- 100101 Echuca, Bridge Hotel Roof, Renewal
- 100430 Shire, Sealed Road Surface Renewal 16/17
- 100417 Shire, Sealed Rd Shoulder Resheeting
- 100423 Shire, Gravel Road Resheeting 16/17
- 100453 Echuca, Hare St Roundabout Urban Rehabilitation
- 100508 Nanneella, Bennett Rd Shoulder Upgrade
- 100165 Echuca, Pakenham St Footbridge
- 100515 Torrumbarry, Cameron Creek Bridge Renewal
- 100421 Milloo, Dingee Rd Rural Road Rehab
- 100343 Echuca, Freeman St/Pascoe St K&C
- 100525 Unlicensed Landfill Risk Assessment
- 100434 Mitiamo, Swamp Bridge Renewal

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.

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*.

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.

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.

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 \$	Savings \$	Savings to be returned to	Further information (if applicable)
Infrastructure Services	100138 Echuca West, Stratton Road, Culvert upgrade	32,000.00	26,870.00	100262 Asset Renewal Unallocated Funds (Roads)	Project closed, pending further investigation of the larger catchment..
Regulatory & Community Services	100378 Echuca, South Rec Reserve Retaining Wall	57,000.00	48,301.25	100261 Asset Renewal Unallocated Funds (Non Roads)	

Division	Project Details	Project Budget at closure \$	Savings \$	Savings to be returned to	Further information (if applicable)
Regulatory & Community Services	100519 Rochester, River/Town Feasibility Study	30,900.00	16,578.75	Operational budget	
Infrastructure Services	100513 Shire, Minor Drainage Policy Works	25,000.00	5,465.43	100322 Drainage Policy Reserve	
Infrastructure Services	100331 Kyabram, Breen Av Walking Cycling Track	54,500.00	29,317.50	100261 Asset Renewal Unallocated Funds (Non Roads)	
Infrastructure Services	100489 Echuca, Town Entrance Feature Upgrade	37,500.00	10,803.75	100260 Project Savings (Discretionary Projects)	
Regulatory & Community Services	100372 Echuca, Vic Park Drainage Survey & Plan	34,000.00	6,729.16	100261 Asset Renewal Unallocated Funds (Non Roads)	
Regulatory & Community Services	100371 Echuca, South Rec Reserve Irrigation Design	46,000.00	15,253.75	100261 Asset Renewal Unallocated Funds (Non Roads)	
Regulatory & Community Services	100069 Kyabram, Rec Reserve Wilf Cox Pavilion	42,500.00	10,272.50	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100466 Corop, Midland Highway Service Road Upgrade	50,000.00	17,567.59	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100295 Shire, Urgent New and Upgrade Works 16/17	50,000.00	13,093.99	100260 Project Savings (Discretionary Projects)	
Infrastructure Services	100511 Kyabram, McEwen Rd Retaining Basin Design	100,000.00	54,830.25	100322 Drainage Policy Reserve	
Infrastructure Services	100166 Echuca, Aerodrome & Saleyards fencing	48,500.00	370.23	100261 Asset Renewal Unallocated Funds (Non Roads)	
Regulatory & Community Services	100476 Echuca, Echuca Holiday Park Shed Renewal	52,000.00	550.54	100261 Asset Renewal Unallocated Funds (Non Roads)	

Division	Project Details	Project Budget at closure \$	Savings \$	Savings to be returned to	Further information (if applicable)
Infrastructure Services	100510 Kyabram, McCormick Road Drainage Upgrade	57,724.00	1,431.75	100322 Drainage Policy Reserve	
Infrastructure Services	100186 Shire, Minor Drainage Works 13/14	68,100.00	5,168.50	100322 Drainage Policy Reserve	
Regulatory & Community Services	100365 Echuca, Stadium Basketball Backboards	81,000.00	4,898.71	100261 Asset Renewal Unallocated Funds (Non Roads)	
Regulatory & Community Services	100060 Shire, Interchange/Officials Shelters	115,208.64	1,759.06	100261 Asset Renewal Unallocated Funds (Non Roads)	
Infrastructure Services	100416 Shire, Urban Open Drain Renewal Program	196,000.00	76,949.02	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100427 Burnewang, Three Chain Rd Floodway Rehab	170,500.00	34,607.49	100262 Asset Renewal Unallocated Funds (Roads)	
Regulatory & Community Services	100390 Campaspe, Regional Library Book Purchase	147,713.03	4,242.79	100261 Asset Renewal Unallocated Funds (Non Roads)	
Infrastructure Services	100027 Shire, Rural Road Culvert Renewal Progra	235,000.00	73,144.37	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100464 Echuca, Service Street Upgrade	202,015.00	110.19	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100406 Echuca, Hume St K&C (Eyre to Leichardt)	326,000.00	86,861.24	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100290 Rochester, Bonn Rd Safety Improvements	365,164.00	303.81	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100101 Echuca, Bridge Hotel Roof, Renewal X	692,300.00	500.41	100261 Asset Renewal Unallocated Funds (Non Roads)	

Division	Project Details	Project Budget at closure \$	Savings \$	Savings to be returned to	Further information (if applicable)
Infrastructure Services	100430 Shire, Sealed Road Surface Renewal 16/17	1,095,915.46	56,913.67	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100417 Shire, Sealed Rd Shoulder Resheeting	1,251,069.10	33,389.59	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100423 Shire, Gravel Road Resheeting 16/17	1,468,058.01	50,038.32	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100453 Echuca, Hare St Roundabout Urban Rehabilitation	160,310.00	4,638.45	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100508 Nanneella, Bennett Rd Shoulder Upgrade	60,500.00	13,246.56	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100165 Echuca, Pakenham St Footbridge	82,500.00	4,690.10	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100515 Torrumbarry, Cameron Creek Bridge Renewal	88,000.00	2,242.77	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100421 Milloo, Dingee Rd Rural Road Rehab	181,500.00	70,840.44	100262 Asset Renewal Unallocated Funds (Roads)	
Infrastructure Services	100343 Echuca, Freeman St/Pascoe St K&C	567,500.00	22,971.41	100262 Asset Renewal Unallocated Funds (Roads)	
Regulatory & Community Services	100525 Unlicensed Landfill Risk Assessment	49,000.00	39,525.70	100333 Waste Reserve	
Infrastructure Services	100434 Mitiamo, Swamp Bridge Renewal	88,500.00	76,390.80	100262 Asset Renewal Unallocated Funds (Roads)	Bridge inspection found works required were not as extensive as originally thought.

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

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.

9. Strategic Planning Environments

Strong and Engaged Communities: No impact

Resilient Economy: No impact

Healthy Environment: No impact

Balanced Services and Infrastructure: No impact

Responsible Management: No impact

10. Consultation

Internal:

- 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

1. Purpose

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

2. Recommendation

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

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*.

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.

6. Background

The *Local Government Act 1989* 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:

- i. An advisory committee of the Council that includes at least one Councillor; or
- ii. 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.

7. Content

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

Meeting Information		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	5 September 2017	
Meeting Start Time:	9:03am	Meeting Finish Time: 12:30pm
Matters Discussed	<ol style="list-style-type: none"> 1. Welcome, present & apologies 2. Declaration of Interests 3. Future Meeting Dates 4. Mayors Report <ol style="list-style-type: none"> 4.1. Councillor Catchup 4.2. Press Release Council Roads 4.3. Echuca Court 4.4. Echuca Hotel Conference Centre 4.5. Retaining Wall 4.6. GM Corporate Services 4.7. RAMROC & MDA Meeting 5. MAV State Council Meeting 6. Mayors United Against Hate Campaign 7. Communication Reports 8. Footpath Connectivity Framework 9. Public Spaces Trading Policy 10. Amendment C104 – Echuca South East Rural Living Precinct 11. Waste Management Strategy Review 12. Hydrotherapy Pool Feasibility Study 13. Petition Response – Campaspe Walking Path 	
Attendees		
Councillors	Cr Adrian Weston (Mayor), Cr Leanne Pentreath (Deputy Mayor), Cr Daniel Mackrell, Cr Kristen Munro (9:10am – 12:21pm), Cr Vicki Neele, Cr Neil Pankhurst, Cr Annie Vickers, Cr Leigh Wilson, Cr John Zobec	
Staff	Jason Russell, Keith Oberin, Paul McKenzie (9:54am - 12:21pm), Richard Conway, Frank Crawley (10:29am – 11:06am), Sharolyn Taylor	
Apologies		
Nil		
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
9	Cr Pankhurst	Yes
9	Cr Mackrell	Yes

Meeting Information		
Meeting Name/Type	Councillor Training – Planning	
Meeting Date	5 September 2017	
Meeting Start Time:	1:00pm	Meeting Finish Time: 4:00pm
Matters Discussed	Role of a councillor as the Planning Authority and as the Responsible Authority	
Attendees		
Councillors	Cr Adrian Weston (Mayor), Cr Leanne Pentreath (Deputy Mayor) Cr Daniel Mackrell, Cr Kristen Munro, Cr Vicki Neele, Cr Neil Pankhurst, Cr Annie Vickers, Cr Leigh Wilson, Cr John Zobec	
Staff	Paul McKenzie, Frank Crawley, Andrew Fletcher	
Apologies		
Nil		
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		

Meeting Information		
Meeting Name/Type	Councillor Training – Planning	
Meeting Date	6 September 2017	
Meeting Start Time:	9:00am	Meeting Finish Time: 1:00pm
Matters Discussed	Role of a councillor as the Planning Authority and as the Responsible Authority	
Attendees		
Councillors	Cr Adrian Weston (Mayor), Cr Leanne Pentreath (Deputy Mayor) Cr Daniel Mackrell, Cr Kristen Munro, Cr Vicki Neele, Cr Neil Pankhurst, Cr Annie Vickers, Cr Leigh Wilson, Cr John Zobec	
Staff	Paul McKenzie, Frank Crawley, Andrew Fletcher	
Apologies		
Nil		
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		

Meeting Information		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	19 September 2017	
Meeting Start Time:	9:30am	Meeting Finish Time: 3:50pm
Matters Discussed	<ol style="list-style-type: none"> 1. Welcome, present & apologies 2. Declaration of Interests 3. Future Meetings 4. Review Briefing Minutes 5. Communication Reports 6. Council Meeting Agenda – Open Q & A 7. Internal Audit Committee Minutes 9. Operational Reports – August 2017 10. Lisa Chesters MP Visit 3 October 11. Campaspe Conversation Day 12. Delegation – Rochester Flood Study 13. Echuca RSL Cenotaph Proposal 14. “Lap it Up” Echuca War Memorial Aquatic Centre 15. Finance Reports 16. Department Update: Commercial Operations 17. Delegation – Echuca Moama Tourism 	
Attendees		
Councillors	Cr Adrian Weston (Mayor), Cr Leanne Pentreath (Deputy Mayor), Cr Daniel Mackrell, Cr Kristen Munro, Cr Vicki Neele (9:31am – 3:50pm), Cr Annie Vickers, Cr John Zobec (9:42am - 3:50pm)	
Staff	Keith Oberin, Emma Dalton, Brett Flavell (9:31am - 3:50pm), Frank Crawley (9:30am – 11:36am) (1:17pm -2:44pm), Sharolyn Taylor	
Apologies		
Councillors	Cr Neil Pankhurst, Cr Leigh Wilson	
Staff	Jason Russell, Paul McKenzie	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		

8. Issues and Risk Management

Nil.

9. Strategic Planning Environments

Strong and Engaged Communities: No impact

Resilient Economy: No impact

Healthy Environment: No impact

Balanced Services and Infrastructure: No impact

Responsible Management: No impact

10. Consultation

Nil.

7.2. LETTERS OF APPRECIATION

The following have been received:

- Fairley Leadership Program – letter of appreciation to Mayor for sharing experiences at recent Seminar Day of group, focusing on 'Echuca – Business & Tourism'.
- Stephen Jones MP – letter of appreciation for meeting and discussing the Murray River Group of Councils funding priorities.
- Catholic Regional College Melton – Certificate of appreciation for providing outstanding support and encouragement to work experience students on placement.
- Simon Cohen – letter of appreciation for cooperation with implementation and ongoing administration of the Victorian Government's licensing scheme for rooming house operators.

Recommendation

That Council note letters of thanks and appreciation as listed.

7.3. RESPONSIVE GRANTS PROGRAM

Author:

Jacquie Bruns, Civic Events & Grants Officer

Responsible Manager:

Communications & Public Affairs Manager

1. Purpose

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

2. Recommendation

That Council note the following grants:

Have been approved in accordance with Responsive Grants Program guidelines and criteria and applicants advised in writing:

- **Makisacc Lapworth – to assist with flights, accommodation, meals and uniform to represent Victoria in the Northern Division U15 Junior Gold Cup in Brisbane, \$300.**
- **Rochester Business Network – to assist with the Rochester Business Network Mentoring Project which is designed to help keep local businesses open, \$1,000.**
- **Rushworth Events Group sub group Fire in the Belly Film Project – to assist with premiering the screening of the short film Fires in the Belly made in Rushworth, \$1,000.**
- **Crossenvale Community House – to partner with Echuca Neighbourhood Watch and assist with providing a spooky Halloween night for local children and focusing on neighbourhood safety, \$927.**
- **Kyabram Swimming Club – to assist with the club hosting a two day swimming meet at EWMAC pool and the cost of hiring the facilities, \$1,000.**

Have not been approved in accordance with Responsive Grants Program guidelines and criteria and applicants advised in writing:

- **Kyabram Anglers – to assist with the cost of providing a free fishing day.**
 - **Goulburn Murray Cricket – to assist with purchasing trophies, medallions and the cost of bus hire for the GMC Girls Year 7 & 8 Cricket Carnival.**
 - **LeClerc Designs Art Studio – to assist with running a series of art projects run by LeClerc Design Art Studio.**
-

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*.

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.

6. Background

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

This month, the following applications have been received:

Organisation	Amount	Amount Recommended	Purpose	Comment
Individual – Makisacc Lapworth	\$300	\$300	To assist with flights, accommodation, meals and uniform	Approved by CEO – meets assessment criteria
Kyabram Anglers Club	\$1,000	\$0	To assist with the cost of a providing a free fishing day	Not approved by CEO - does not meet assessment criteria as group received funds for the same event last year and were advised future requests should be directed to community grants.
Goulburn Murray Cricket	\$1,000	\$0	To assist with the Girls Year 7 & 8 Cricket Carnival for the purchase of trophies, medallions and the cost of bus hire	Not approved by CEO - does not meet assessment criteria as group received funds for the same event last year and were advised future requests should be directed to community grants.
Rochester Business Network	\$1,000	\$1,000	To assist with the Rochester Business Network Mentoring Project which is designed to help keep local businesses open	Approved by CEO – meets assessment criteria
Rushworth Events Inc sub group Fire in the Belly Film Project	\$1,000	\$1,000	To assist with the costs of premiering Fire in the Belly, a short film made in Rushworth	Approved by CEO – meets assessment criteria
Crossenvale Community House	\$927	\$927	To partner with Neighbourhood House and provide a spooky Halloween night for local children focusing on neighbourhood safety	Approved by CEO – meets assessment criteria
Kyabram Swimming Club	\$1,000	\$1,000	To assist with the club hosting a two day swimming meet at EWMAC pool and the cost of hiring the facilities	Approved by CEO – meets assessment criteria

Organisation	Amount	Amount Recommended	Purpose	Comment
LeClerc Designs Art Studio	\$1,000	\$0	To assist with running a series of art projects run by LeClerc Design Art Studio	Not approved by CEO- does not meet assessment criteria, application from a business, not a community group.

Fund Balance Prior to application approval:	\$46,960
Funding approved:	\$4,227
Fund Balance: (17 October 2017)	\$42,733

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.

8. Strategic Planning Environments

Strong and Engaged Communities:	This funding source provides support to Responsive Grants Program requests for community initiatives.
Resilient Economy:	No impact
Healthy Environment:	No impact
Balanced Services and Infrastructure:	No impact
Responsible Management:	This annual budget allocates funding for Responsive Grants Program requests for community initiatives.

9. Consultation

Nil

7.4. ANNUAL REPORT 2016-2017

Author:

Sandra Ennis, Communications & Public Affairs Manager

Attachments:

7.4. Annual Report 2016 - 2017

1. Purpose

To consider the Annual Report for the year ended 30 June 2017 as required by section 134 of the *Local Government Act 1989*.

2. Recommendation

That council receive the Annual Report for the year ending 30 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.

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*.

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.

6. Background

Section 131 of the *Local Government Act 1989* requires council to prepare an Annual Report and submit it to the Minister within three months of the end of each financial year. The report must contain:

- a. a report of operations of the council;
 - b. an audited performance statement;
 - c. audited financial statements;
 - d. a copy of the auditor's report on the performance statement, prepared under section 132;
 - e. a copy of the auditor's report on the financial statements under part 3 of the *Audit Act 1994*;
 - f. any other matter required by the regulations.
-

7. Content

The Minister for Local Government has been provided with a copy of the 2016-2017 Annual Report within the three month period as required.

The annual report will be made available to the community through the council's website, minimal printed copies will also be available.

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.

9. Strategic Planning Environments

Strong and Engaged Communities: No impact

Resilient Economy: No impact

Healthy Environment: No impact

Balanced Services and Infrastructure: No impact

Responsible Management: The annual report provides a summary of the year, achievements, challenges, and projects for the year ahead. It also reports on progress of strategic objectives drawn from the Council Plan. Importantly the report contains the audited financial and performance statements.

10. Consultation

The document was compiled following input by Managers and staff. The community has been advised that council will consider the Annual Report 2016-2017 at this meeting by advertising in local papers and making the document available at customer service centres and on council's website.

7.5. STATUTORY REQUIREMENTS UPDATE

Author:

Sharolyn Taylor, Council Support Officer

Manager:

Frank Crawley, Governance Manager

1. Purpose

To advise Councillors on the progress of meeting statutory obligations.

2. Recommendation

That Council note the report.

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*.

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.

6. Background

Councils are governed by the requirements of the Victorian Local Government Act and associated legislation. There is an expectation by other levels of government and the community in general that councillors are making sufficient enquiries and scrutinising information so as to satisfy themselves that the Council is meeting its statutory obligations.

7. Content

The report advises of the obligations Council has met in the last quarter and what it needs to meet in the next quarter in regards to its Statutory Obligations.

For the period 1 July 2017 – 30 September 2017 the following has been achieved:

- Submitted an Annual report to the Minister for Local Government
 - Submitted annual financial statements and performance statements to the Victorian Auditor General
-

For the period 1 October 2017 – 31 December 2017 Council is required to undertake the following:

- Complete a review of S86 Committee Delegations
- Complete a review of the Local Law No. 1 Meeting Procedures
- Hold a Statutory meeting to elect the Mayor
- Consider a quarterly financial report comparing budgeted and actual revenue and expenditure.

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.

9. Options

Option 1: Note the report

This option is recommended by officers.

Option 2: Not note the report

This option is not recommended by officers.

10. Strategic Planning Environments

Strong and Engaged Communities: No impact

Resilient Economy: No impact

Healthy Environment: No impact

Balanced Services and Infrastructure: No impact

Responsible Management: This report supports the implementation of the following strategic objectives:

- Support clear and open communication
- Deliver sound governance and fiscal responsibility

11. Consultation

Governance Manager, /Acting General Manager Corporate Services.

7.6. COUNCILLOR EXPENSES

Author:

Sharolyn Taylor, Council Support Officer

Responsible Manager:

Governance Manager

Attachments:

7.6.1 Councillor expenses summary as at 30 September 2017

7.6.2 Council policy 58 Councillor Support and Entitlements

1. Purpose

To note the councillor expenses summary from 1 July 2017 to 30 September 2017.

2. Recommendation

That Council note the councillor expenses summary from 1 July 2017 to 30 September 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.

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*.

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.

6. Background

The *Local Government Act 1989* provides that Mayor and Councillors are entitled to an annual allowance as set out in Section 74 of the *Local Government Act 1989*. The annual allowances are reviewed and determined by council following the general council election and are then reviewed annually by the Minister for Local Government.

There are very substantial time commitments required of Councillors in order for them to properly represent the community and perform their significant legal responsibilities, often requiring travel and late hours. The provision of IT equipment such as mobile phones and iPads, reimbursement of official travel expenses and if applicable, child care expenses is generally provided by municipalities across the state to assist Councillors to defray some of the costs incurred in meeting their responsibilities.

Council Policy 58 – *Councillor Support and Entitlements* (see Attachment 7.6.2) provides guidance on the reimbursement of expenses, and provision of facilities available to the Mayor and Councillors as required by the *Local Government Act 1989*, Section 75.

The cost of allowances and reimbursed expenses paid to Councillors together with the costs of related services and resources are managed as part of Council's annual budget process.

7. Content

Each Councillor attends regular Council Meetings and Councillor Briefings. In addition to these, a typical Councillor's workload includes meeting with residents and staff; community consultation sessions and other opportunities to engage with constituents often involved long hours and travel; correspondence with the community by mail, email and telephone; site inspections and visits; community celebrations and ceremonial functions; and extensive reading of reports, briefings and other preparation to support effective decision-making.

To contribute to Council's openness and transparency, councillors' expenses are published on council's website.

Attachment 7.6.1 details the expenses incurred by each Councillor in the following categories:

Allowance: includes statutory allowances for the Mayor and Councillors, inclusive of a provision in recognition of the fact that Councillors do not receive superannuation or any other retirement benefit.

Travel Expenses: includes taxi fares, public transport costs, car parking fees, a payment of \$40 per round trip exceeding 100 kms and reimbursement to Councillors for kilometres travelled in their private vehicles associated with Council related business. The Mayor is also provided with full private use of a motor vehicle.

Telephone: includes the capital costs, monthly fees and usage costs associated with Councillor mobile phone, and computer equipment.

Training & Conferences: includes any registration fees, associated with attendance or participation in conferences or professional development programs within Victoria.

Accommodation: includes accommodation costs associated with attendance or participation in conferences, meetings or professional development programs within Victoria.

Reimbursement of Expenses: includes carer expenses and other incidental expenditure incurred by Councillors in performing their Councillor role.

8. Issues and Risk Management

Issues:

The public expect accountability and transparency from its council and this report and the publishing of councillor expenses on Council's website responds to this expectation.

Risk:

There may be increased questions from the public about councillor expenses but this would be considered a positive development as it would show that Council welcomes scrutiny.

9. Strategic Planning Environments

Strong and Engaged Communities:	The Councillor's role includes acting as a point of contact for residents, which can include meeting with residents; attending community consultation sessions, site inspections and visits; community celebrations and ceremonial functions. The councillor's assists with fostering council's strategic objectives of strong and engaged communities.
Resilient Economy:	No impact
Healthy Environment:	No impact
Balanced Services and Infrastructure:	No impact
Responsible Management:	The cost of allowances and reimbursed expenses paid to Councillors together with the costs of related services and resources are managed as part of Council's annual budget process.

10. Consultation

Governance Manager

7.7. ENVIRONMENT STRATEGY REVIEW

Author:

Allison McCallum, Environmental Project Officer – Conservation

Responsible Manager:

Public Environments Manager

Attachments:

7.7. Environment Strategy Review

1. Purpose

To advise Council of the outcomes resulting from the implementation of the Environment Strategy 2012/15.

2. Recommendation

That Council note the outcomes resulting from the implementation of the Environment Strategy 2012/15.

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*.

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.

6. Background

In 2010 Campaspe Shire Council was successful in obtaining a grant for the development of an environment strategy from the State Government. The Environment Strategy was developed by a local consultant with input from Council Officers. The Shire of Campaspe Environment Strategy 2012/15 was adopted by Council on 15 May 2012. The development of the Environment Strategy was one of the actions listed in the Council Plan 2009-2013.

The specific objectives of the Environment Strategy were to:

- Identify Council's legal obligations with respect to environmental management
 - Identify other organisations with responsibility for environmental benefit that Council could partner with to achieve mutual benefits
-

- Document Council's other non-legal requirements for environmental management, including any voluntary commitments made
- Provide a commentary of the role Council does and should play in each area of environmental management.

This led to the development of an action based document with a large number of appendices to capture the Federal and State legislation as well as State policies, strategies and plans.

Attached is the report *Environment Strategy Review* which details the outcomes of the actions.

7. Content

The Environment Strategy set the priority for actions for Council to deliver across 15 themes.

Significant highlights include:

- The development and implementation of a Management Plan for the Northern Plains Grassland at the Echuca Aerodrome.
- Funding to implement changes for energy efficient street lighting – successful through our participation in Watts Working Better which has seen 1833 MV80 lights replaced with energy efficient T5s.
- Review of Council's support and interaction with Goulburn Broken Catchment Management Authority (including the review of the Municipal Catchment Coordinator), North Central Catchment Management Authority, Landcare, Goulburn Broken Greenhouse Alliance and Central Victorian Greenhouse Alliance.
- Council's role in the management of weeds on rural roadsides has been confirmed through changes to the *Catchment and Land Protection Act 1994* and participation in the state government's Roadside Weeds and Pest Animal Program.
- Establishment of a Green Team – The Green Team directly contributed to Council's success in obtaining over \$60,000 of external funding for Council projects and more than \$1,000,000 of projects through partnerships (in particular with Goulburn Broken Greenhouse Alliance).

Of the 103 actions listed under the Strategy, six actions are outstanding, they are:

#	Recommendation	Outcome	2017 Update
20	Review and update the Stormwater Management Plan	Engage consultants to update the Plan	This action is dependent on a successful funding application. Application for funding will continue to be made when opportunities are identified.
25	Allocate a resource to facilitate the implementation of the recommendations in the Adaptation Action Plan, particularly those relating to capacity building and management arrangements	Allocate a resource to review the Plan	All four actions from recommendation 25, relating to the Climate Change Adaptation Plan developed in 2009 were put on hold due to the length of time since the plan was completed. These actions are no longer suited to Councils requirements and Council has been focussing on climate change adaptation actions through works and projects with the Goulburn Broken Greenhouse Alliance. Climate change activities and future actions will be addressed in the Energy and Carbon Management Strategy that is under development
		Develop a detailed Action Plan for implementation	
		When doing the above, utilise the Local Government Climate Change Adaption Toolkit as applicable	
		Determine how implementation of the Plan will be funded	
29	Review the commitment to the GreenPower purchase for buildings/facilities	Consult with stakeholders about the value of this purchase and consider alternative methods of achieving same outcome	Council has commenced work on implementing options for the production of GreenPower. Further opportunities will be identified in the new environment strategy.

8. Issues and Risk Management

Issues:

There are no issues associated with this matter.

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

Strong and Engaged Communities:	The implementation of the Environment Strategy has supported many of Council's strategic objectives. The strategy supports partnerships with stakeholders and the community, highlighting the areas of service delivery, where Council does have legislated responsibilities and discretionary responses.
Resilient Economy:	The Environment Strategy has contributed to the resilience of the community through the implementation of projects such as Watts Working Better, increasing light efficiency while reducing greenhouse gas emissions and energy costs as well as advocacy on important matters for the community such as roadside weeds and fruit fly control.
Healthy Environment:	The Environment Strategy is focussed on improving our environment, including biodiversity, pest plant and animals, land management, catchment and waterways, energy management and carbon management, climate change adaptation and wastewater and waste management.
Balanced Services and Infrastructure:	Implementation of the Strategy through reviews of the partnerships and projects that Council engages with, ensuring best value for Council. The description of the legislative and discretionary responses of Council assisted with streamlining conversations and set the expectations of partnerships.
Responsible Management:	Many processes across different Council work groups have been documented and improved through the implementation of this Strategy. One example of promoting positive organisational culture has been the initiation and continued support for 'The Green Team' within Council.

10. Consultation

During the development of the strategy extensive consultation occurred within Council and external stakeholders. Internal consultation included: Waste & Environment, Environmental Health, Road Maintenance, Construction, Quarry Operations, Building Maintenance, Assets, Planning, Governance, Economic Development, Procurement and Commercial Operations (livestock exchange). External consultation included the State Government Department of Environment, Land, Water and Planning (its predecessor Department of Sustainability and Environment) and agencies Goulburn Broken Catchment Management Authority and North Central Catchment Management Authority as well as local Landcare groups.

During the implementation of this strategy, many of the conversations initiated through the strategy development continued along with engaging more broadly with the community.

7.8. CAMPASPE ADVOCACY PRIORITIES 2016-2018 – IMPLEMENTATION PLAN

Author:

Andrew Cowin, Corporate Strategy Manager

Attachments:

7.8. Campaspe Advocacy Priorities 2016-2018 – Implementation Plan

1. Purpose

To provide council with the first quarter update report on the progress of implementation of the Campaspe Advocacy Priorities.

2. Recommendation

That council note the progress towards implementation of the Campaspe Advocacy Priorities.

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*.

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.

6. Background

The Shire of Campaspe has been undertaking the development of improved communication materials in connection with its program of advocacy.

Advocacy is an important role for local government in Victoria, and to this extent it is specified in the Victorian Local Government Act as one of the key functions of councils. Local government advocacy is about stepping up to speak out on issues that matter to the local community so as to seek positive outcomes from decision-makers. This may include issues such as new infrastructure, funding for programs, or changes to policy or legislation. Funding and support from government also allows councils to progress key local projects and continue to deliver high-quality services to the community.

In recent years, the Shire of Campaspe has stood up on a broad range of issues on behalf of the local community, including national water reform, improved public transport, support for the local agricultural sector, improved telecommunications infrastructure, and funding for local schools and healthcare.

Given the broad range of advocacy issues across the municipality, these have been brought together into a single document that provides clarity to decision-makers and the community on council's advocacy program. Progress on the implementation of these initiatives is reported to council quarterly. This report is the first progress report.

7. Content

The consolidated list incorporates a total of 86 initiatives. Across these initiatives:

- 23 have commenced;
- 19 have not commenced;
- 13 are achieved; and
- 31 are ongoing.

Progress in relation to the implementation of these initiatives are to be reported to council and the community quarterly. This report is the first progress report.

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

Many of the advocacy priorities seek to these key challenges.

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: Council note the progress towards implementation of Campaspe's Advocacy Priorities

This option is recommended by officers.

This report seeks to provide council and the community with an update in relation to the progress of implementation of advocacy priorities.

Option 2: Council not note the progress towards implementation of Campaspe's Advocacy Priorities

This option is not recommended by officers.

10. Strategic Planning Environments

Strong and Engaged Communities:	The implementation of the Campaspe Advocacy Priorities support the delivery of Strong and Engaged Communities
Resilient Economy:	The implementation of the Campaspe Advocacy Priorities support the delivery of a Resilient Economy
Healthy Environment:	The implementation of the Campaspe Advocacy Priorities support the delivery of a Healthy Environment
Balanced Services and Infrastructure:	The implementation of the Campaspe Advocacy Priorities support the delivery of Balanced Services and Infrastructure, in particular <i>Plan and advocate for services and infrastructure to meet community need.</i>
Responsible Management:	The implementation of the Campaspe Advocacy Priorities outline the organisations commitment, in particular <i>advocating for infrastructure and services where another level of government has responsibility, such as roads and transport issues.</i>

11. Consultation

General Managers and Department Managers from across the organisation have been consulted in relation to the progress on the implementation of the advocacy priorities.

8. COUNCILLOR REPORTS

Cr Adrian Weston	
20 September 2017	Kyabram Deakin Residents Ratepayers & Development Group Inc. Annual Meeting
21 September 2017	Aboriginal Housing Victoria Dinner
22 September 2017	LGA Aboriginal Action Plan Discussion with Richard Young Director Culturepreneur
23 September 2017	Rushworth Environment Group Wildflower Planting
24 & 25 September 2017	Basketball Victoria Country Jamboree Opening Ceremony & Parents Dinner
26 September 2017	Echuca Neighbourhood House AGM
27 September 2017	VicRoads Meeting
29 September 2017	Free Footy Festival Volunteer Breakfast
29 September 2017	Studio Interview One FM Shepparton
3 October 2017	Breakfast with Minister for Small Business (The Hon Michael McCormack MP)
3 October 2017	Farm visit with Lisa Chester MP
3 October 2017	Citizenship Ceremony
5 October 2017	Planning Information Session - Pln199/2017
5 October 2017	Echuca Moama Artists Alton Gallery 63rd Annual Exhibition - Official Opening
9 October 2017	Rushworth Community House Meeting
11 October 2017	GMCU Business Awards
13 October 2017	Loddon Campaspe Councils Meeting
13 October 2017	MAV Regional Strategic Planning Session
14 October 2017	Echuca Unit Official Opening Celebration
17 October 2017	2017 Melbourne Cup Tour

Cr Daniel Mackrell	
24 September 2017	EMFM Radio AGM
26 September 2017	Echuca Neighbourhood House AGM
26 September 2017	Basketball Victoria Country Jamboree Closing Ceremony
28 September 2017	National Police Remembrance Day
3 October 2017	Round Table Business Leaders Discussion
3 October 2017	Citizenship Ceremony
4 October 2017	Elmore Field Days
11 October 2017	GMCU Business Awards
17 October 2017	2017 Melbourne Cup Tour

Cr Kristen Munro	
20 September 2017	Kyabram Deakin Residents Ratepayers & Development Group Inc. Annual Meeting
21 September 2017	Rural Australians for Refugees meeting
26 September 2017	Echuca Neighbourhood House AGM
27 September 2017	Echuca Community for the Aged 139th Annual Information Evening
28 September 2017	National Police Remembrance Day
3 October 2017	Citizenship Ceremony

Cr Kristen Munro continued	
4 October 2017	Elmore Field Days
5 October 2017	Planning Information Session - Pln199/2017
5 October 2017	Echuca Moama Artists Alton Gallery 63rd Annual Exhibition - Official Opening
10 October 2017	Campaspe Murray Mental Health Network - Mental Health Week Event
11 October 2017	Hands on Health Campaspe Murray AGM
11 October 2017	GMCU Business Awards
12 October 2017	Echuca Senior Citizens 43rd Birthday
17 October 2017	2017 Melbourne Cup Tour

Cr Vicki Neele	
21 September 2017	Echuca Moama Tourism Board Meeting
28 September 2017	Rushworth & Colbinabbin Senior Citizens 47th Birthday
30 September 2017	Art for Everyone
2 October 2017	EMFM Radio
3 October 2017	Citizenship Ceremony
4 October 2017	EMT International Marketing Round Table conversation with Sydney Melbourne Touring
11 October 2017	GMCU Business Awards
13 October 2017	Daniher's Drive - FightMND Meet n' Greet
17 October 2017	2017 Melbourne Cup Tour

Cr Neil Pankhurst	
3 October 2017	Citizenship Ceremony
4 October 2017	Elmore Field Days
11 October 2017	Breaking Down Depression and Building Resilience
13 October 2017	Daniher's Drive - FightMND Meet n' Greet
17 October 2017	2017 Melbourne Cup Tour

Cr Leanne Pentreath	
4 October 2017	Elmore Field Days
7 October 2017	Gunbower Races President's Table
10 October 2017	Campaspe Murray Mental Health Network - Mental Health Week Event
11 October 2017	CFA Lockington, Pine Grove, Kotta years of Service
13 October 2017	Seniors Week Concert
16 October 2017	Lockington Community News AGM
17 October 2017	2017 Melbourne Cup Tour

Cr Annie Vickers	
20 September 2017	Kyabram Deakin Residents Ratepayers & Development Group Inc. Annual Meeting
21 September 2017	VLGA September Forum - Taking Advantage of Cultural Diversity in Local Government
26 September 2017	Echuca Neighbourhood House AGM
28 September 2017	National Police Remembrance Day
3 October 2017	Citizenship Ceremony

Cr Annie Vickers continued	
5 October 2017	Planning Information Session - Pln199/2017
5 October 2017	Echuca Moama Artists Alton Gallery 63rd Annual Exhibition - Official Opening
7 October 2017	Echuca Football Netball Club Vote Count & Presentation Night
10 October 2017	Campaspe Murray Mental Health Network - Mental Health Week Event
11 October 2017	Hands on Health Campaspe Murray AGM
11 October 2017	GMCU Business Awards
13 October 2017	Daniher's Drive - FightMND Meet n' Greet
17 October 2017	2017 Melbourne Cup Tour

Cr Leigh Wilson	
20 September 2017	ROLFBAG Meeting
22 September 2017	GVWRRG Meeting
25 September 2017	Rochester Community House Meeting
3 October 2017	Citizenship Ceremony
4 October 2017	Elmore Field Days
6 October 2017	Official Opening of Rochester Sports Museum Pop Up
10 October 2017	Campaspe Murray Mental Health Network - Mental Health Week Event
17 October 2017	2017 Melbourne Cup Tour

Cr John Zobec	
20 September 2017	Kyabram Deakin Residents Ratepayers & Development Group Inc. Annual Meeting
21 September 2017	VLGA September Forum - Taking Advantage of Cultural Diversity in Local Government
28 September 2017	National Police Remembrance Day
3 October 2017	Citizenship Ceremony
4 October 2017	Elmore Field Days
11 October 2017	Breaking Down Depression and Building Resilience
13 October 2017	Daniher's Drive - FightMND Meet n' Greet
17 October 2017	2017 Melbourne Cup Tour

Recommendation

That the above Councillor reports be noted.

9. ACTING CHIEF EXECUTIVE OFFICER'S REPORT

Activities and meetings attended since previous Council meeting:

- RDV/ Murray Goulburn Transition Committee
- Kyabram – One Committee
- National Police Remembrance Day
- Lisa Chester, MP
- Citizenship Ceremony
- Meeting with VLine CEO
- Elmore Field Days
- Official Opening Rochester Sports Museum Pop Up
- GMCU Allianz Campaspe Murray Business Awards
- Loddon Campaspe Council Meeting
- MAV Regional Strategic Planning Session
- Echuca SES Official Opening

Recommendation

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

10. NOTICES OF MOTION

10.1. REMOVAL OF CAVEAT AND REPLACE WITH AMENDED SECTION 173 AGREEMENT – IAN AND DIANNE MICHEEL, WATSON ROAD TONGALA

Attachments:

10.1 Deed of Agreement Attached to Caveat

CR ADRIAN WESTON

That Council resolves to:

- 1: **Affirm that the appropriate mechanism to provide for private irrigation infrastructure in road reserves is a section 173 agreement.**
- 2: **Note that the current agreement between Ian and Dianne Micheel and Council was effected by way of a caveat in February 2009 and notes Council's 2012 decision to change the agreement to a section 173 agreement.**
- 3: **Note that those conditions contained in a section 173 agreement pertaining to a requirement to maintain public liability insurance are the same as the agreement made between Ian and Dianne Micheel and Council in February 2009.**
- 4: **Agree to withdraw the caveat on Certificate of Title Vol 8715 Fol 660 with Ian and Dianne Micheel of Watson Road Tongala and replace with an amended Section 173 agreement that has the same insurance clauses as the Deed of Agreement dated 25 February 2009 between both parties.**

REASON

The motion will seek to 'close out' a matter involving an agreement between Council and Mr Ian Micheel, Watson Road Tongala. This agreement was made in February 2009 and pertains to private infrastructure within a council road, namely an irrigation pipe.

The mechanism used at that time to effect the agreement to the Micheel property was by way of a caveat registered in favour of Council on the title.

There does not appear to be many, if any agreements that had been made regarding irrigation infrastructure of this nature between Council and other parties at this time, it was also early days of the food bowl modernisation project, including rationalisation and privatisation of irrigation infrastructure in our region. It also pre-dated policy 132.

By 2011 Council decided that the appropriate mechanism to abound these types of agreements to properties was via 173 agreements, thereafter agreements were done this way. The Micheel agreement was made during a 'transition' period and was probably the only 'caveat' agreement of this nature.

In 2012 Council decided to enter into an agreement with Mr Micheel, a 173 agreement, rather than the mechanism of a caveat, including agreeing to pay all of the associated costs to do this. The matter has been unresolved since 2012 as Mr Micheel finds the new agreement to be unsatisfactory, namely that part of the agreement that will require Council to be named as an interested party on his public liability insurance that he is required to maintain, his original agreement does not contain this condition. A copy of the relevant clauses in the deed of agreement compared to council's standard 173 agreement is attached for councillors' information.

11. URGENT BUSINESS

12. QUESTION TIME

13. CLOSED SESSION OF THE MEETING TO THE PUBLIC

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

16.1 89(2)(D) CONTRACTUAL MATTERS

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

Recommendation

That Council resolves to open the meeting to the public

20. CLOSE MEETING

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JASON RUSSELL

CHIEF EXECUTIVE OFFICER