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Minutes



Minutes of the open section of the meeting of the seventh Campaspe Shire Council, held in the Echuca Civic Centre, on Tuesday, 19 February 2019 commencing at 5:00pm.

Present

Councillors: Adrian Weston (Mayor), Vicki Neele (Deputy Mayor), Daniel Mackrell, Kristen Munro, Neil Pankhurst, Leanne Pentreath, Annie Vickers, Leigh Wilson, John Zobec

Officers

Jason Russell – Chief Executive Officer

Fleur Cousins – General Manager Corporate Services

Richard Conway – Acting General Manager Infrastructure Services

Keith Oberin – General Manager Economic & Community Development

Frank Crawley – Governance Manager

Sandra Ennis – Communications Manager

Andrew Fletcher – Planning and Building Manager

Sharolyn Taylor – Council Support Officer

1. Apologies and Requests for Leave of Absence

Nil.

2. Confirmation of Minutes and Attachments

For the:

- Open section of the Council Meeting held on 29 January 2019
- Open section of the Special Council Meeting held on 6 February 2019
- Open section of the Special Council Meeting held on 12 February 2019
- Open section of the Campaspe Briefing Session held on 29 January 2019

COUNCILLORS MUNRO/PENTREATH

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

- **Open section of the Council Meeting held on 29 January 2019**
- **Open section of the Special Council Meeting held on 6 February 2019**
- **Open section of the Special Council Meeting held on 12 February 2019**
- **Open section of the Campaspe Briefing Session held on 29 January 2019**

CARRIED

3. Changes to the Order of Business

Nil

4. 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.

Nil

5. Responsible Authority Decisions

5.1. Council Planning Report – 80 Fehring Lane Echuca Vic 3564, PLN263/2018

Mr Peter Hill addressed Council in relation to item 5.1

Mr Peter Brady addressed Council in relation to item 5.1

Mr Brian Crawley addressed Council in relation to item 5.1

Mr Laurie Spelling addressed Council in relation to item 5.1

ALLOCATED OFFICER:	Sarah Perry, Planner
RESPONSIBLE MANAGER:	Planning and Building Manager
APPLICATION NO:	PLN263/2018
DATE RECEIVED:	10 September 2018
APPLICANT:	Omega Land Systems
PROPOSAL:	Variation of restriction PS342988M (Clause 2 to be varied to "erect or suffer to be erected or re-erected on the land any building other than one (1) private dwelling on each lot derived from the subdivision of Lot 11 PS324988M being the land previously contained in parent title Volume 10213 Folio 656" and Clause 7 to be varied to "subdivide or cause or suffer the land to be subdivided other than in three (3) lots of not less than 2000 square metres") pursuant to Clause 52.02 and Subdivision of the land into three lots in the Low Density Residential Zone
SUBJECT SITE:	80 Fehring Lane Echuca Vic 3564
ZONING:	Low Density Residential Zone
OVERLAYS:	None
UNDER WHAT CLAUSE (S) IS A PERMIT REQUIRED?:	Clause 52.02 and Clause 32.03-3
RESTRICTIVE COVENANTS ON THE TITLE?:	Yes
CURRENT USE AND DEVELOPMENT:	Single Dwelling and associated outbuilding
IS A CULTURAL HERITAGE MANAGEMENT PLAN REQUIRED:	No
BUSHFIRE PRONE AREA:	Yes but not a listed use or development
OBJECTIONS:	Nine

1. Summary Recommendation

It is recommended that Council as the Responsible Authority issue a Refusal.

2. Conflict of Interest

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

3. Charter of Human Rights

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

4. Instrument of Delegation

This report has considered the Instrument of Delegation (S6) by Council. This report is required as the delegation does not allow officers to determine a planning application where a multiple objections have been lodged.

5. Proposal

The application proposes to vary restrictions on a plan of subdivision and subdivide the land into three lots as follows:

The variation to the restriction is as follows:

- Clause 2 to be varied to "erect or suffer to be erected or re-erected on the land any building other than one (1) private dwelling on each lot derived from the subdivision of Lot 11 PS324988M being the land previously contained in parent title Volume 10213 Folio 656" and;
- Clause 7 to be varied to "subdivide or cause or suffer the land to be subdivided other than in three (3) lots of not less than 2000 square metres") pursuant to Clause 52.02.

It is proposed to subdivide the land into three lots as follows:

- Lot 1 will be 2165sqm and will be accessed from Fehring Lane. A building envelope of 25.86m by 15.45m is proposed within the lot. This envelope provides for a setback from Fehring Lane of 10m and 21.31m from Bateman Drive and 9.37m to the southern boundary.
- Lot 2 will contain the existing dwelling, outbuilding and swimming pool on 3112sqm. A new vehicle access to the existing dwelling is proposed from Bateman Drive. The dwelling will be setback approximately 16m from Bateman Drive, 10m from the proposed northern boundary and 21m from the southern boundary.
- Lot 3 will be 2006sqm and contain a building envelope of 25.86m by 15.45m. Access to the lot will be from Bateman Drive with a setback to the building envelope of 21.76m. The setback from the envelope to the northern boundary will be 4m and to the southern boundary 5.5m.

It is important to note that the envelopes proposed would contravene Clause 6 of the existing restriction which has not sought to be varied, even though it has been outlined to the applicant. The plan as submitted could therefore not be approved.

6. Subject Site & Locality

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

The subject site is located on the south side of Fehring Lane, on the corner of Fehring Lane and Bateman Drive. The site is rectangular in shape with dimensions of 119.1m long by 57.23m wide for with an overall area of 7283sqm. The site currently contains a double storey dwelling setback fronting Fehring Lane setback 46m from the road and 15m from Bateman Drive. The site also contains an outbuilding associated with a dwelling located due east of the dwelling.

The site is serviced by reticulated potable water, reticulated sewerage (common effluent scheme), gas and electricity. The property has a ground water bore on site. The allotment contains mature trees along the rear half of the eastern, western and southern boundaries and mature palm trees along the driveway and the northern half of the property. The site has access from Fehring Lane.

The surrounding context is as follows:

- Land to the north across Fehring Lane comprises of dwellings fronting Fehring Lane situated on lots of 4,000sqm. The setbacks from Fehring Lane range from 29m to 35m. The boundary plantings of these lots consist of large trees predominantly native species.
- Land to the east contains a large dwelling and swimming pool on 6909sqm. The setback from Fehring Lane is approximately 49m. Mature native trees are located around the boundary on all but the north-western side.
- Land to the south contains a single dwelling, outbuildings and swimming pool on a lot of 4105sqm. The dwelling is setback from Bateman Drive approximately 26m.
- Land to the west across Bateman Drive contains two properties, both containing dwellings with outbuildings. Both properties are corner lots with one being 6717sqm and the other 4223sqm. Access is from Fehring Lane and Fawner Court respectively.

Allotments within the area have varying sizes between 4000sqm and 10,000sqm in accordance with the low density character of the neighbourhood. The dwellings on the allotments are appropriately setback from the street frontage (at least 20 metres) and all contain a large garden settings.

Restriction (PS324988)

The site is burdened by a restriction on PS324988 subject to this application. The restriction specifies size, height and setback requirements for particular buildings i.e. dwellings and outbuildings, does not allow any other particular buildings, i.e. outbuilding, mobile home, or other moveable accommodation for residential accommodation and restricts the keeping of particular animals and prohibits particular uses. The clauses subject to this application include the variation to the clause that allows for only one dwelling (and associated outbuildings) per lot and no further subdivision.

The restriction was created on 24 January 1995. The following allotments are the beneficiaries of the restriction within the estate.

Lot 4 PS324988 – 8 Fehring Lane, Echuca

Lot 5 PS324988 – 20 Fehring Lane, Echuca (Subject site)

Lot 7 PS324988 – 36 Fehring Lane, Echuca

Lot 8 PS324988 – 42 Fehring Lane, Echuca

Lot 9 PS324988 – 54 Fehring Lane, Echuca

Lot 11 PS324988 – 80 Fehring Lane, Echuca

Lot 12 PS324988 – 90 Fehring Lane, Echuca

Lot 13 PS324988 – 60 Fehring Lane, Echuca

Lot 14 PS324988 – 62 Fehring Lane, Echuca

Lot 15 PS324988 – 26 Fehring Lane, Echuca

Lot 16 PS324988 – 30 Fehring Lane, Echuca

7. Permit/Site History

The history of the site includes:

20273 – Erect House and Outbuilding. The permit was issued.

8. Public Notification

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

- Sending notices to the owners and occupiers of adjoining land.
- Placing a sign on site.
- Notice in the Newspaper.

The notification has been carried out correctly. The application was advertised in accordance with Section 52(1AA) of the *Planning & Environment Act 1987*.

Council received nine (9) objections to the application. One (1) objection has been received from a beneficiary (an owner who benefits from the same restriction on the plan of subdivision) being 62 Fehring Lane (Lot 14 PS324988). The objection raises the following concerns:

- Traffic congestion
- Water Pressure issues
- The area comprises large lifestyle blocks – main attraction for buying into area
- Load on the existing infrastructure including gas, drainage and sewerage
- Ambience of the estate diminished by subdivision and potential tree removal.

Eight (8) objections were received from other landholders within the estate. The objections can be summarised as follows:

- Contrary to the character of the area
- Traffic congestion and safety
- Load on the existing infrastructure including water, drainage and sewerage etc
- Precedence for future subdivision
- Property devaluation
- Amenity of the area as the area comprises large lifestyle blocks
- No community infrastructure for increase in density i.e. foot and bicycle paths, playgrounds, public transport
- Offsets of 20m from road frontages not likely to be achieved as required by Clause 6 of the restriction

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

Figure 1: Subject site and surrounds



Subject Site	★
Objection	●
Beneficiary	●

9. Consultation

A number of requests for further information have been made due to the lack of information submitted as part of the application. This includes correspondence dated 27 September 2018 and 5 November 2018. The requests were in relation to the application requirements under the zone that states what must accompany an application for subdivision.

It is important to note that the envelopes proposed would contravene Clause 6 of the existing restriction which has not sought to be varied, even though it has been outlined to the applicant (Further Information letters).

A consultation meeting was undertaken on 17 January 2019. The concerns were discussed in detail, however, there was no resolution. The main concerns expressed verbally at the meeting was in relation to a change in the character of the area, precedence, utility provision issues and traffic congestion and safety.

It is important to note that written objections have been received in accordance with Section 57(2) of the Act. The objections have been made in good faith, are not vexatious and must be considered pursuant to Section 60(5)(b). No objections have been withdrawn.

10. Referrals

The application has been referred to four (4) external authorities and two (2) internal Council Departments. The following table makes note of the type of information requested; whether consent was given and whether conditions were requested to be attached to the permit. In some cases, notes or other advice were included in the referral response.

Referral Authority	Type of Referral	Consent/Approve Proposal	Request Permit Conditions	Any other advice notes
APA	Section 55	Consent	No	No
Coliban Water	Section 55	Consent	Yes	No
Powercor	Section 55	Consent	Yes	No
Goulburn Murray Water	Section 52 (notice)	Consent	Yes	Yes
Internal Department	Type of Referral	Consent/Approve Proposal	Request Permit Conditions	Any other advice notes
Design Services	Info	Consent	Yes	No
Environmental Health	Info	Consent	No	No

11. Assessment

Planning Policy Framework (PPF)

The following policies and objectives are relevant to this application.

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

Clause 11.01-1R Settlement – Loddon Mallee North

Strategies

Support the continued development of commuter towns to provide affordable housing for commuters to Bendigo, Echuca and Shepparton.

Provide a suitable range of commercial and industrial precincts in the regional city, regional centres and towns recognising each settlement's role in their community of interest, including cross-border and inter-regional access for economic development.

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

Clause 13 Environmental Risks and Amenity

- Planning should strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.
- Planning should aim to avoid or minimise natural and human-made environmental hazards, environmental degradation and amenity conflicts.
- Planning should identify and manage the potential for the environment and environmental changes to impact on the economic, environmental or social wellbeing of society.

- Planning should ensure development and risk mitigation does not detrimentally interfere with important natural processes.
- Planning should prepare for and respond to the impacts of climate change.

Clause 13.02 Bushfire

Objective

- To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Clause 15.01 Built Environment

Objectives

- To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- To achieve building design outcomes that contribute positively to the local context and enhance the public realm.
- To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.
- To achieve neighbourhoods that foster healthy and active living and community wellbeing.
- To recognise, support and protect neighbourhood character, cultural identity, and sense of place.
- To ensure development respects valued areas of rural character.

Clause 16 Housing

Planning should provide for housing diversity and ensure the efficient provision of supporting infrastructure. Planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space. Planning for housing should include the provision of land for affordable housing.

Clause 16.01 Residential Development

Objectives:

- To promote a housing market that meets community needs.
- To locate new housing in designated locations that offer good access to jobs, services and transport.
- To provide for a range of housing types to meet diverse needs.
- To deliver more affordable housing closer to jobs, transport and services.
- To identify land suitable for rural residential development.
- To encourage the establishment of crisis accommodation and community care units in residential areas and to ensure that their location is kept confidential.
- To facilitate the development of well-designed and appropriately located residential aged care facilities.

The Local Planning Policy Framework (LPPF) - including the Municipal Strategic Statement (MSS) and local planning policies

Clause 21.01 Campaspe Shire Key Issues and Strategic Vision

- The estimated 2013 population of the shire was approximately 37,000, which is expected to grow to approximately 39,600 by 2031 (VIF 2015) and to 43,000 by 2036 (Campaspe Profile). Compared to other areas of regional Victoria, the shire has a higher population of younger (school age) people and older people. This trend is expected to grow, which may leave a 'population donut', with less working age residents in the municipality.
- Functionally, Echuca (with approximately 13,600 people) interacts with its New South Wales counterpart, Moama. The current population of Echuca - Moama is nearly 16,000 people. The bulk of the population is centred around the northern and eastern areas of the shire, especially within the Echuca - Kyabram - Rochester triangle. The southern and western areas of the shire are more sparsely populated.
- The other primary population centres include Kyabram (7,371 people), Rochester (2,830), Tongala (1,242), Rushworth (985), Stanhope (490), Lockington (375), Gunbower (265), Girgarre (197) and Colbinabbin (124). There are approximately 12,000 people living in non-urban areas.
- Agriculture (particularly irrigated primary production) and its processing underpin the economy of the shire and region. Approximately 40% of employment in the shire is in manufacturing, agriculture (including fishing and forestry) and health care. There is also significant employment in tourism related industries such as food services, accommodation and retailing. Recent economic growth has been driven primarily by growth in health care and social assistance, professional and scientific services and construction.
- The region's strategic assets contribute to the unique capacity of the local economy and provide a platform for growth and attraction of investment. The shire's key strategic assets include natural river beauty, climate, agricultural land, manufacturing, processing, a modernised irrigation system, heritage assets, the Port of Echuca and tourism.

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

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

Clause 21.04-3 Bushfire

Objectives

- To minimise the risk to life, property and the environment from bushfire.
- To ensure that new land use and development does not increase the level of bushfire risk.

Clause 21.06 Built Environment and Heritage

This clause provides local content to support Clause 15 (Built Environment and Heritage) of the State Planning Policy Framework.

Objectives

- To promote a high standard of architecture, landscaping and urban design.
- To provide a visually attractive urban environment which creates a positive image.
- To improve the appearance of commercial and industrial areas.
- To recognise places of distinct neighbourhood character.
- To protect and enhance heritage places, including buildings, trees and structure of natural or cultural significance, for present and future generations.
- To identify, recognise and protect places of heritage, cultural and social significance.
- To improve the environmental performance of housing and ensure that it is responsive to local climatic conditions.
- To encourage environmentally sustainable land use and development.

Clause 21.09-1 Echuca

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

Echuca's population is expected to be about 17,300 by the year 2021. When the combined population potential of Echuca and Moama is considered, the 2020 population could be in excess of 20,000. It is estimated that Echuca will need an average of about 110 new dwellings per year up until 2031.

- Echuca is the largest centre within the shire and is estimated to service a 70km radius.
- Echuca will continue to experience strong residential growth, and a key challenge is to properly manage that growth.

Local area implementation

- Facilitate development in accordance with the Echuca Town Structure Plans.

Residential

The *Echuca Housing Strategy 2011* provides a framework to guide the location, sequence and character of future housing in Echuca. The strategy:

- Identifies a preferred direction and sequence for outward growth (to the west), as well as providing further residential development within the established areas of Echuca.
- Identifies opportunities for more than 40 years' greenfield and infill residential land supply.
- Promotes the development of physically and socially connected communities through encouraging a high standard of architecture, landscaping and urban design for new residential subdivisions and developments.
- Encourages infill development that is well integrated with the surrounding area and appropriately serviced by physical infrastructure.
- Notes that the supply of low density residential land has been estimated to represent at least 10 years' demand, which should adequately provide for the town's needs at this stage.

- Requires that the supply of low density residential development must not exceed projected needs for a 10 year planning timeframe, and that any rezoning request for low density residential land must demonstrate that this 10 year timeframe is not exceeded.
- Specifies that low density residential estates should be located on poor quality agricultural land, especially to the north-west of the town in the vicinity of Wharparilla Drive.

In relation to other Low Density Residential Zoned land within Echuca there is ample of zoned land located to the west of Echuca. This includes land west of Wharparilla Drive which is currently being assessed for approval of a development plan with a proposed 417 allotments with areas between 2400sqm to 7362sqm.

In addition the above, to the south of the Fehring Lane subdivision containing the subject site, there is land also within the Low Density Residential Zone with an approved development plan including 142 allotments averaging at 2000sqm providing ample amounts of land of a similar size as the proposed allotments with appropriate infrastructure in accordance with the Echuca Housing Strategy.

Clause 22.07 Water Sensitive Urban Design (Stormwater Management) Policy

Objectives

- To promote the use of waters sensitive urban design, including stormwater re-use.
- To protect the surface water and ground waters in the Loddon, Campaspe and Goulburn Basin catchments from stormwater pollutants.
- To reduce the impacts of peak stormwater flows.
- To integrate stormwater treatment measures into the landscape.
- To reduce the entry of pollutants into stormwater run-off.
- This policy applies to a subdivision in a commercial or residential zone.

This policy applies to a subdivision in a residential zone. This was not addressed as part of the application.

Zoning

Clause 32.03 Low Density Residential Zone (LDRZ) – Provides for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

Clause 32.03-3 – A permit is required to subdivide land. Each lot must be at least the area specified in a schedule to this zone. No minimum area for subdivision is specified in the Schedule. As the site is connected to reticulated sewer, each lot must be at least 0.2 ha.

Relevant Particular Provisions

Clause 52.01 Public Open Space Contribution and Subdivision - A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under Section 18 of the Subdivision Act 1988.

In accordance with the Schedule to Clause 53.01 the amount of contribution for public open space for all land within the Low Density Residential Zone is 2.5% and is required to be satisfied.

Clause 52.02 Easements, Restrictions and Reserves - To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered. A permit is required for the variation of the restrictions on the Plan of Subdivision pursuant to Clause 52.02.

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

The Planning & Environment Act 1987

S. 60(2) inserted by No. 48/1991 s. 61(2)(b).

(2) The responsible authority must not grant a [permit](#) which allows the removal or variation of a restriction (within the meaning of the [Subdivision Act 1988](#)) unless it is satisfied that the [owner](#) of any [land](#) benefited by the restriction (other than an [owner](#) who, before or after the making of the application for the [permit](#) but not more than three months before its making, has consented in writing to the grant of the [permit](#)) will be unlikely to suffer—

- (a) financial loss; or
- (b) loss of amenity; or
- (c) loss arising from change to the character of the neighbourhood; or
- (d) any other material detriment—

as a consequence of the removal or variation of the restriction.

Subdivision Act 1988

Under the *Subdivision Act 1988* a restriction is defined as:

- “A restrictive covenant or a restriction which can be registered or recorded in the Register under the *Transfer of Land Act 1958*.”

Relevant incorporated or reference documents

- Council Plan 2017-2021
- Echuca Housing Strategy 2011

12. Summary of Key Issues

The following is a summary of the relevant planning issues and areas of non-compliance, considering the *Planning & Environment Act 1987*, the planning scheme and issues raised by the beneficiaries and objectors.

The proposal is required to be assessed against *Section 60(2) of the Planning and Environment Act 1987* which states that:

The responsible authority must not grant a permit which allows the removal or variation of a restriction unless it is satisfied that the owner of any land benefited by the restriction will be unlikely to suffer financial loss, loss of amenity, loss arising from change to the character of the neighbourhood; or any other material detriment as a consequence of the removal or variation of the restriction.” (Emphasis added)

One (1) objection has been received from a beneficiary to the restriction. The objection has been made in good faith and is not considered vexatious. The objection outlines concerns in terms of change of character, loss of amenity and other material detriment. Due to the objection the Responsible Authority cannot be satisfied that they will be unlikely to suffer as a consequence of the variation of the restriction.

In accordance with Section 60(2) of the Act the following is an assessment of four relevant ‘tests’ outlined in the Act and as expressed in the written objections from the beneficiary.

Financial Loss

The beneficiary did not raise concerns in relation to any financial loss.

Loss of Amenity

The beneficiary has raised concerns in relation to additional traffic. The beneficiary has outlined that Fehring Lane is the only access road to and from the area, connecting to the highway. The variation of the restriction and the subdivision could result in an increase in traffic, exacerbating an existing problem. The variation of the restrictions and the subdivision could also set a precedence for other landholders to subdivide, which will result in more traffic.

The beneficiary also raised concerns in relation to the removal of the restrictions will result in close neighbours and loss of open spaces which would be diminished were the trees removed to subdivide the block which is considered to be a loss of amenity as a result.

Loss Arising From a Change of Character

Consideration of character is a key factor and the beneficiary has raised concerns in relation to change to the character of the area. The importance of character is noted in a VCAT case *Singh & Kaur v Brimbank CC [2017] VCAT 1730 (23 October 2017)* where the applicant was seeking to remove the restriction for the construction of a second dwelling on the land. Member Michelle Blackburn in terms of the character stated:

I consider that this disruption to the character would be a real one. Furthermore, I consider this disruption to the character to be a material detriment to the benefited land, as evidenced by objections from owners of benefiting lots who are clearly aware about the mutual restrictions on lots within this area. Therefore, in my view, the proposal does not meet the test of section 60(2)(c) of the P&E Act.

The area at present includes lot sizes between 4000-10,000sqm with generous front setbacks (20+m) and large garden settings. As expressed within the objection(s), most landowners within the estate have an expectation about the lifestyle and pattern of development and lot size (character).

The beneficiary outlines that the variation of the restrictions and the subdivision will result in a change to the character of the area as the large blocks with its associated 'wide open spaces' and 'lots of native trees' was the main attraction for 'buying and settling in Fehring Lane'. Based on the existing character and the future expectations given the restriction which prevents further subdivision, it is considered that smaller lots will result in an inconsistent pattern and a loss arising from a change to the existing character of the area.

Change of Character - Setbacks

It is important to note that the envelopes proposed would contravene Clause 6 of the existing restriction which has not sought to be varied, even though it has been outlined to the applicant.

Clause 6 of the restriction provides for a minimum building setback from 'the road frontage boundary of the land' of 20 metres. The proposed plan of subdivision shows the building envelope for Lot 1 does not meet the setback and is contrary to the restriction.

As the restriction has not sought to be varied (permit requirement) it is considered that this plan cannot be approved in its current form. In addition the existing dwelling on Lot 2 will not meet the 20m setback, as the dwelling is proposed to front onto Bateman Drive (currently accessed from Fehring Lane) and would be inconsistent with the existing character of the area.

The application does not seek to remove or vary Clause 6 of the restriction of the plan of subdivision. The proposed subdivision must be refused pursuant to *Section 61(4) of the Planning and Environment Act 1987* below:

S. 61(4) inserted by No. 100/2000 s. 9.

(4) If the grant of a [permit](#) would authorise anything which would result in a breach of a [registered restrictive covenant](#), the responsible authority must refuse to grant the [permit](#) unless a [permit](#) has been issued, or a decision made to grant a [permit](#), to allow the removal or variation of the covenant.

Other Material Detriment

The term detriment (as used in the Act) is noted in the Victorian Civil and Administrative Tribunal (VCAT) case *McBride v Stonington CC 26 October 2005* as 'loss, damage or injury'.

The beneficiary raised concerns that the utilities currently servicing Fehring Lane, i.e. potable and untreated water, sewage and storm water, gas and electricity cannot cope with the increased burden of additional lots within the estate. The beneficiary notes that the water pressure, in particular, is '*often very poor and extra households using this utility could exacerbate this problem*'.

The original subdivision was designed and subdivided to comply with the relevant scheme provisions of the day which resulted in larger allotments with less services and infrastructure. The larger allotments allow for services to be accommodated on-site and have lower service standard (road width, seal, footpaths, etc.)

One beneficiary has objected and advised that they will suffer at front at least three of the four relevant 'tests' (the Act defines 'or' meaning any one or more of the tests). In accordance with Section 60(2) of the Act the Responsible Authority must not grant a permit as it cannot be satisfied.

Other Objectors

In addition to the above, Clause 52.02 Easements, Restrictions and Reserves of the Campaspe Planning Scheme which is a permit trigger, requires consideration to be given to decision guidelines of Clause 65 and the interests of the affected people. Therefore the eight other objectors who are not beneficiaries of the restriction must be considered.

A Red Dot Victorian Civil and Administrative Tribunal (VCAT) decision by Deputy President Helen Gibson *Hill v Campaspe SC (Red Dot) [2011] VCAT 949 (19 May 2011)* has been considered as part of the application. The case considers 'who is an affected person' in relation to the removal or variation of a restrictive covenant. Deputy President Helen Gibson stated that owners of land benefited by the covenant will carry great weight. In relation to other objections Deputy President Helen Gibson advised "*there is no limitation on third party rights of notice and review in respect of applications under clause 52.02*".

The responsible authority is required to consider all objections, even though they may not be the owner or occupier of land with the benefit. Eight (8) objections were submitted from landowners who do not benefit from the restriction. In accordance with *Hill v Campaspe SC (Red Dot) [2011] VCAT 949 (19 May 2011)* the objections required to be considered as part of the application raised concerns in relation to:

- Contrary to the character of the area
- Traffic congestion and safety
- Load on the existing infrastructure including water, drainage and sewerage etc
- Precedence for future subdivision
- Property devaluation
- Amenity of the area as the area comprises large lifestyle blocks
- No community infrastructure for increase in density i.e. foot and bicycle paths, playgrounds, public transport
- Offsets of 20m from road frontages not likely to be achieved as required by Clause 6 of the restriction

The variation to the restrictions and the subdivision is considered to have the potential to impact on the character of the area and will allow an 'as of right' dwellings that are may encroach into existing established setbacks further impacting the existing character of the area.

In addition to the above, this is a similar concern expressed by the beneficiary, as most landowners within the estate have an expectation about the lifestyle and pattern of development and lot size. The variation to the restrictions and the subdivision has the potential to create further infrastructure requirements within the area and create issues in relation to traffic, service provision, and visual amenity.

Other Matters

A VCAT case which relates to the same restriction on the plan of subdivision but not relevant to this application is *Waters v Campaspe SC (2009) VCAT 2203*. This case was in relation to the removal of a restriction that was made on behalf of the original subdividers. The Waters appealed Council's decision to VCAT. The Waters were the original applicant and there were no objecting beneficiaries. As the Waters were the original applicant the restriction was not applicable due to the specific wording of the restriction which only requires their written consent.

This decision is therefore very different from the current application, which is not on behalf of the original applicant, has received an objection from a beneficiary and does not meet the relevant 'tests' of the *Planning & Environment Act, 1987*.

13. Conclusion

This proposal fails to satisfy the requirements of Section 60(2) of the Planning and Environment Act 1987. The proposal has been assessed against the relevant requirements of the Act, Clause 32.03, Clause 52.02 and decision guidelines of Clause 65 of the Campaspe Planning Scheme.

The proposal has not demonstrated that the variation and subdivision will not cause detriment to the benefitting objectors and the other affected landholders. The proposal will result in change in the overall character of the area, would breach a registered restriction and it is therefore recommended that the application not be supported and that a refusal be issued.

14. COUNCILLORS PANKHURST/MACKRELL

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

- **Having caused notice of Planning Application No. Pln263/2018 to be given under Section 52 of the *Planning and Environment Act 1987* and or the planning scheme**

and

Having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Refuse to Grant a Permit under the provisions of Clause 32.03 and Clause 52.02 of the Campaspe Planning Scheme in respect of the land known as Volume 10213 and Folio 656 and described as 80 Fehring Lane, Echuca, for the Variation of restriction PS342988M (*Clause 2 to be varied to "erect or suffer to be erected or re-erected on the land any building other than one (1) private dwelling on each lot derived from the subdivision of Lot 11 PS324988M being the land previously contained in parent title Volume 10213 Folio 656" and Clause 7 to be varied to "subdivide or cause or suffer the land to be subdivided other than in three (3) lots of not less than 2000 square metres"*) pursuant to Clause 52.02 and Subdivision of the land into three lots in the Low Density Residential Zone with the application dated 14 September 2018, subject to the following grounds of refusal:

1. **The proposal does not satisfy the requirements set out in Section 60(2) of the Planning and Environment Act 1987.**
2. **The owners of the land benefitted by the restriction are likely to suffer perceived detriment in terms of loss of amenity, loss arising from a change to the character of the neighbourhood and other material detriment as a consequence of the variation of the restrictions and the subdivision.**
3. **The variation of restrictions and the subdivision will have an unreasonable impact on the interests of the affected people pursuant to Clause 52.02 Easements, Restrictions and Reserves of the Campaspe Planning Scheme.**
4. **The variation of the restrictions and the subdivision will have a negative impact on the character of the area contrary to the provisions of the Planning and Environment Act 1987 and Campaspe Planning Scheme.**

5. **The variation of restrictions and the subdivision is contrary to the Local Planning Policies and relevant decision guidelines of Clause 65 of the Campaspe Planning Scheme.**
6. **The subdivision would result in a breach of Clause 6 of the registered restriction on plan of subdivision PS324988M pursuant to Section 61(4) of Planning and Environment Act 1987.**

CARRIED

A Division was called

Those in favour of the motion – Crs Mackrell, Neele, Wilson, Pentreath, Pankhurst, Munro

Those against the motion – Crs Vickers, Weston, Zobec

6. Planning Authority Decisions

Nil

7. Council Decisions

7.1. Councillor Appointments to Committees and Outside Organisations

Author:

Fleur Cousins, General Manager Corporate Services

1. Purpose

To appoint Councillors to various committees and outside organisations.

2. COUNCILLORS NEELE/VICKERS

That Council appoint Councillors to the following Committees outlined in the table below as the Council representatives:

Committee	Councillor Representative
Councillor Portfolios	
Waste and renewables	Cr Wilson
Emergency Management	Cr Vickers
Tourism and Arts	Cr Neele
Economic Development	Cr Mackrell
Planning and Building	Cr Pankhurst
Health and Wellbeing	Cr Pentreath
Roads	Cr Zobec
Youth and Early Years	Cr Munro
Natural Resource Management	Cr Weston
Sport and Recreation	Cr Pentreath
Council Advisory Committees	
Audit and Risk Committee	1. Cr Zobec 2. Cr Pentreath
CEO Remuneration Advisory Committee	1. Cr Weston 2. Cr Mackrell 3. Cr Neele 4. Cr Pentreath
Industry Forum	
Municipal Association of Victoria	Mayor, Deputy Mayor (reserve)
Victorian Local Governance Association	Mayor, Deputy Mayor (reserve)
Murray River Group of Councils	Mayor, Deputy Mayor (reserve)
Loddon Campaspe Councils	Mayor, Deputy Mayor (reserve)
Rural Councils Victoria	Mayor, Deputy Mayor (reserve)
GV Neighbouring Councils	Mayor, Deputy Mayor (reserve)
GV Shepparton Bypass Group	Mayor, Deputy Mayor (reserve)

Committee	Councillor Representative
Board of Management	
Goulburn Valley Waste and Resource Recovery Group	Cr Wilson (appointed for 4 year term)
Echuca Moama & District Tourism Development Association	Cr Neele
Campaspe Cohuna Local Learning & Employment Network	Cr Munro
Rural Councils Victoria Board	CEO
External Advisory Committee	
Goulburn Broken Greenhouse Alliance	Cr Wilson
Municipal Emergency Management Planning Committee	Cr Vickers

Cr Wilson foreshadowed an alternate motion for Cr Wilson to be the Council representative for Echuca Moama & District Tourism Development Association should the motion be lost

Cr Pankhurst proposed an amendment to the motion

COUNCILLORS PANKHURST/PENTREATH

That Cr Wilson be the Echuca Moama & District Tourism Development Association representative.

The mover of the motion declined the amendment

The amendment was put to the vote and was LOST

The original motion was put to the vote and was CARRIED

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

At the Statutory meeting held on 13 November 2018 Council resolved to adopt the current year's position for all sub-committees, advisory committees and portfolios, and bring the item back for review at the January 2019 Council, along with the endorsing the Purpose of Portfolios and the Role of Portfolio Councillors as follows:

- **Purpose of Portfolios**

The purpose of the portfolio model is to create collaboration with community and stakeholders and support the implementation of Council strategic directions aligned with the portfolio subject area and create opportunities for partnerships and innovation.

▪ Role of Portfolio Councillors

The Councillor's role is to represent Council in that portfolio subject area, understanding the key issues and opportunities for Campaspe Shire. The Councillor is to attend external stakeholder meetings, be actively involved in progressing this area and report back to Council on key focus areas and issues for further consideration by Council.

Further to this resolution, Council at its meeting held on 29 January 2019 resolved to continue the review of Councillor portfolios, appointments to committees and outside organisations and receive a further report at the February 2019 Council meeting.

The current Councillor portfolios, and appointments to committees and outside organisations are:

Committee	Councillor Representative
Councillor Portfolios	
Waste and renewables	Cr Wilson
Emergency Management	Cr Vickers
Tourism and Arts	Cr Neele
Economic Development	Cr Mackrell
Planning and Building	Cr Pankhurst
Health and Wellbeing	Cr Pentreath
Roads	Cr Zobec
Youth and Early Years	Cr Munro
Natural Resource Management	Cr Weston
Sport and Recreation	Cr Pentreath
Council Advisory Committee	
Audit and Risk Committee	1. Cr Pankhurst 2. Cr Pentreath
CEO Remuneration Advisory Committee	1. Cr Weston 2. Cr Wilson 3. Cr Pentreath 4. Cr Mackrell
Industry Forum	
Municipal Association of Victoria	Mayor, Deputy Mayor (reserve)
Victorian Local Governance Association	Mayor, Deputy Mayor (reserve)
Murray River Group of Councils	Mayor, Deputy Mayor (reserve)
Loddon Campaspe Councils	Mayor, Deputy Mayor (reserve)
Rural Councils Victoria	Mayor, Deputy Mayor (reserve)
GV Neighbouring Councils	Mayor, Deputy Mayor (reserve)
GV Shepparton Bypass Group	Mayor, Deputy Mayor (reserve)
Board of Management	
Goulburn Valley Waste and Resource Recovery Group	Cr Wilson (appointed for 4 year term)
Echuca Moama & District Tourism Development Association	Cr Neele
Campaspe Cohuna Local Learning & Employment Network	Cr Munro
Rural Councils Victoria Board	CEO

Committee	Councillor Representative
External Advisory Committees	
Goulburn Broken Greenhouse Alliance	Cr Wilson
Municipal Emergency Management Planning Committee	Cr Vickers
MAV Advisory Committees	
MAV Arts & Culture Committee (optional)	Cr Neele
MAV Emergency Management Reference Group (optional)	Cr Vickers
MAV Environment Committee (optional)	
MAV Human Services Committee (optional)	
MAV Multicultural Committee (optional)	
MAV Planning Committee (optional)	
MAV Transport & Infrastructure Committee (optional)	Cr Mackrell Cr Zobec

Details of the committees and organisations and past council members are detailed below to assist council in determining the representatives.

Committee	Purpose	No. of members	No. of meetings, frequency	Location	Meeting start time	Duration	Remuneration	No. of reps
External Advisory Committees								
Goulburn Broken Greenhouse Alliance	Promote regional action on climate change.	8 councils and GBCMA current CSC rep – Cr Wilson	quarterly	Benalla	10:00am	2 hrs	Nil	1
Municipal Emergency Management Planning Committee	The Emergency Management Act 1986 states in Section 21(3) that "a municipal council must appoint a municipal emergency planning committee", with the function of the committee being to prepare a draft municipal emergency management plan for consideration by the municipal council. The Committee must give effect to any direction or guidelines issued by the Minister.	10 voting members, 3 non voting members current CSC rep – Cr Vickers	Three. February/ March, June/July, September/ October. 3rd Monday of the month.	Echuca	3:00pm	2 hrs	Nil	1
Board of Management								
Echuca Moama & District Tourism Development Association	Regional tourism association responsible for marketing Echuca Moama both internally and externally.	8 current CSC rep – Cr Neele	Monthly/3 rd Wednesday of the month	Echuca	5:00pm, but could change	2 hrs	Nil	1

Committee	Purpose	No. of members	No. of meetings, frequency	Location	Meeting start time	Duration	Remuneration	No. of reps
Board of Management								
Campaspe Cohuna Local Learning & Employment Network (CCLLEN)	Grouping of organisations and individuals interested and involved in the wellbeing, education, training and employment of young people. Core objective is to improve participation, engagement and attainment and transition outcomes for young people.	11 current CSC rep – Cr Munro	6 - first Monday of month (every second month)	Echuca	6:00pm	1hr	Nil	1
Rural Councils Victoria Board	Alliance representing 38 rural Victorian councils, supporting and promoting sustainable, liveable and prosperous rural communities.	Current CSC rep - CEO	monthly	Melbourne	10:30am	2 hrs	Nil	1
Council Sub Committee								
Audit Committee	To assist council in fulfilling its oversight responsibilities for the financial reporting process, the system of internal control, risk management, the audit process and Council's process for monitoring compliance with legislation and the code of conduct.	5 consisting of 2 Crs and 3 independent members current CSC rep – Cr Pankhurst & Cr Pentreath	5 – Jan/May/Sept/Oct/Dec	Echuca	12:00pm	2hrs	nil	2
Council Advisory Committee								
CEO Remuneration Advisory Committee	Is a new advisory committee to facilitate the annual CEO review	4	As required	Echuca	Varies	Varies	Nil	Up to four
MAV Advisory Committees								
Arts & Culture Committee	<ul style="list-style-type: none"> * To inform and progress arts & cultural policy issues impacting on local government as prioritised by the MAV. * To inform the MAV of councils' positions, issues and strategies identified in each region. * To support consultation with regional groupings of councils on current state-wide multicultural issues. * To participate in the formulation of MAV state-wide policy positions and campaigns. * To respond to out-of-session communications. 	EOI from councils. No more than two representatives from each council.	every 4 months	Melbourne	10:00am	2 hrs	Nil	up to two

Committee	Purpose	No. of members	No. of meetings, frequency	Location	Meeting start time	Duration	Remuneration	No. of reps
MAV Advisory Committees								
Emergency Management Reference Group	<p>* To inform and help progress MAV work on emergency management priorities identified by the sector in the MAV Strategic Plan, State Council resolutions and as nominated by the Board.</p> <p>* To inform the MAV's work on emergency management priority issues.</p> <p>* To advise the Committee of the current, priority emergency management issues and challenges within their municipality and/or region.</p> <p>* To participate in the formulation of MAV state-wide policy positions and campaigns.</p> <p>* To respond to out-of-session communications.</p>	EOI from councils. No more than two representatives from each council.	quarterly	Melbourne	10:00am	2 hrs	Nil	up to two
Environment Committee	<p>* To inform and help progress MAV work on environment priorities identified by the sector in the MAV Strategic Plan, State Council resolutions and as nominated by the Board.* To inform the MAV's work on environment priority issues. * To advise the Committee of the current, priority environment issues and challenges within their municipality and/or region.* To participate in the formulation of MAV state-wide policy positions and campaigns.* To respond to out-of-session communications.</p>	EOI from councils. No more than two representatives from each council.	quarterly	Melbourne	10:00am	2 hrs	Nil	up to two

Committee	Purpose	No. of members	No. of meetings, frequency	Location	Meeting start time	Duration	Remuneration	No. of reps
MAV Advisory Committees								
Human Services Committee	<p>* To inform and progress strategic human services issues impacting on local government as prioritised by the MAV Strategic Plan.</p> <p>* To inform the MAV of councils' positions, issues and strategies identified in each region.</p> <p>* To support consultation with regional groupings of councils on current state-wide human services.</p> <p>* To participate in the formulation of MAV state-wide policy positions and campaigns.</p> <p>* To respond to out-of-session communications.</p>	EOI from councils. No more than two representatives from each council.	quarterly	Melbourne	10:00am	2 hrs	Nil	up to two
Multicultural Committee	<p>* To inform and progress multicultural policy issues impacting on local government as prioritised by the MAV Strategic Plan.* To inform the MAV of councils' positions, issues and strategies identified in each region.* To support consultation with regional groupings of councils on current state-wide multicultural issues.* To participate in the formulation of MAV state-wide policy positions and campaigns.* To respond to out-of-session communications.</p>	EOI from councils. No more than two representatives from each council.	every 4 months	Melbourne	10:00am	2 hrs	Nil	up to two

Committee	Purpose	No. of members	No. of meetings, frequency	Location	Meeting start time	Duration	Remuneration	No. of reps
MAV Advisory Committees								
Planning Committee	<ul style="list-style-type: none"> * To engage member councils and inform and progress land use planning issues impacting on local government as prioritised by the MAV Strategic Plan and through State Council. * To inform the MAV's work on Planning priority issues. * To advise the Committee of the current, priority Planning issues and challenges within their municipality and/or region. * To participate in the formulation of MAV state-wide policy positions and campaigns. * To respond to out-of-session communications. 	EOI from councils. No more than two representatives from each council.	quarterly	Melbourne	10:00am	2 hrs	Nil	up to two
Transport & Infrastructure Committee	<ul style="list-style-type: none"> * To inform and help progress MAV work on the transport and infrastructure priorities identified by the sector in the MAV Strategic Plan, State Council resolutions and as nominated by the Board.* To inform the MAV's work on transport and infrastructure priority issues* To advise the Group of the transport and infrastructure issues and challenges currently at play within their municipality and/or region.* To participate in the formulation of MAV state-wide policy positions and campaigns* To respond to out-of-session communications 	EOI from councils. No more than two representatives from each council.	quarterly	Melbourne	10:00am	2 hrs	Nil	up to two

The portfolio model and composition has been discussed with Council and several alternative models have been presented for consideration. As there has not been a decision made in relation to the portfolio model at this stage, it is recommended that the portfolio councillors appointed last year be reappointed to the same portfolio.

7. 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: Ensuring compliance with the Local Government Act is in accordance with Strategy 4 – enable the delivery of services, facilities and programs to the community through sound corporate governance and fiscal responsibility.

8. Consultation

Governance Manager, General Manager Corporate Services and Councillors at the 30 October 2018 Briefing Session and 13 November 2018 Statutory Meeting. A further discussion was held by Councillors on the 5 February 2019.

9. Officer Comment

Once the nominations have been resolved the relevant organisations will be notified of council's representatives.

7.2. Council Policy Review – Council Policy 136 - Asset Valuation and Council Policy 144 - Asset Capitalisation

Author:

Ailsa Box, Finance Manager

Attachments:

7.2.1. Asset Valuation Policy

7.2.2. Asset Capitalisation Policy

1. Purpose

To present to Council for adoption the revised Council Policy 136 – Asset Valuation and Council Policy 144 – Asset Capitalisation.

2. COUNCILLORS VICKERS/WILSON

That Council adopt Council Policy 136 – Asset Valuation and Council Policy 144 Asset Capitalisation as per Attachment 7.2.1 and Attachment 7.2.2 respectively.

CARRIED

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 regarding 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 first adopted the Asset Valuation Policy in 2012. This policy guides the valuation of fixed assets owned or under the control of Council in accordance with applicable Accounting Standards, State Auditor General requirements and Local Government Victoria guidelines.

The policy has been reviewed independently by AFS and Associates, Bendigo. This review was requested by council officers to ensure that the policy complied with accounting standards, auditor general requirements, best practice and the Local Government Victoria guidelines. The review recommended some changes the majority of which have been accepted and incorporated in to the reviewed policy.

The Asset Capitalisation Policy was an internal policy, first adopted in 2013, but on review it was recognised that it should be a Council Policy as it has direct links with the Asset Valuation Policy. As such it has been changed to a Council Policy.

The Asset Capitalisation Policy was also subject to independent review by AFS and Associates, Bendigo and once again it was found to be a robust policy and only a small number of changes were recommended. The majority of these have been incorporated into the policy.

The changes recommended by AFS and Associates, not incorporated into the policies were felt to be more procedural and will form the basis of an asset valuation and capitalisation procedure document for internal use.

Both policies have been endorsed at the January meeting of the Audit and Risk Committee, the committee recommended that the policies be referred to Council for approval.

Both of these policies are the subject of a management letter point from the Auditor General due to their review not being completed in the specified time. Adoption of both policies will enable this point to be closed on this year's management letter.

7. Issues and Risk Management

Issues:

Without current policies to guide the financial management of assets there could be a misstatement of the value of Council assets in financial reports and statements, this would give rise to an audit action being raised by the Auditor General.

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.

In line with council's recently adopted Council policy 156 – Policy Framework, a risk assessment has been completed resulting in a review period of three years for both policies.

8. Options

Option 1: to adopt the revised policies as presented

This option is recommended by officers.

Option 2: to not adopt the revised policies as presented

This option is not recommended by officers.

To not adopt the policies would not give council officers the most up to date set of guidance to manage the financial accounting of assets and a current management letter point raised by the Auditor General would not be able to be closed this year.

9. Strategic Planning Environments

Strong and Engaged Communities:	No impact
Resilient Economy:	No impact
Healthy Environment:	No impact
Balanced Services and Infrastructure:	To manage assets to optimise their lifecycle and to meet community needs.
Responsible Management:	To manage assets related to service delivery in accordance with good governance and fiscal responsibility.

10. ConsultationInternal Consultation:

- Finance Manager
- Strategic Asset Management team
- Executive Management team

External Consultation:

- AFS and Associates
- Audit and Risk Committee
- Benchmarking with other Councils

7.3. Financial Principles

Author:

Ailsa Box, Finance Manager

1. Purpose

To seek endorsement from Council for the key financial principles that will be used to guide the preparation of the Long Term Financial Plan and the 2019/20 budget.

2. COUNCILLORS VICKERS/NEELE

That Council adopt the following financial principles to guide decision making when considering the development of future budgets, service funding and the financial sustainability of Council while balancing the needs of the community.

- 1. Council to effectively and efficiently use its resources to deliver the best outcomes for the community whilst ensuring ongoing future financial sustainability.**
- 2. Council to maintain an operating surplus over a four year period (current year and 3 forward years).**
- 3. Council to meet current service levels prior to the allocation of resources for new or expanded service levels or one off operating projects.**
- 4. Council will consider the use of borrowings to fund significant capital projects where there is a demonstrated benefit to future generations and council has the capacity to service the debt.**
- 5. Council seek a balance between service delivery and a cost recovery model having regard to capacity to pay.**
- 6. Council to consider the financial resources required for the implementation of the endorsed Council Plan and other Strategic Plans of Council.**
- 7. Before approving new or upgrade capital projects or the acquisition of new assets, Council will consider its asset renewal obligations.**
- 8. Before approving the acquisition of new assets, Council will have regard to the financial and social impacts along with service needs of the community.**
- 9. Council will not seek a rate cap variation while it maintains a sustainable financial position.**

CARRIED

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 regarding 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 accordance with section 136 of the *Local Government Act 1989* Council is required to implement the principles of sound financial management. Specifically, Council must “ensure that decisions are made and actions are taken having regard to their financial effect on future generations.”

The purpose of developing a set of financial principles is to give Council officers a set of guidelines to support the achievement of Council's financial objectives.

Council last adopted a set of financial principles in March 2017, these are:

1. Council to utilise 10 year long term financial planning
2. Council to meet core business obligations prior to allocating additional operating projects.
3. Council to maintain commitment to the Asset Renewal funding Strategy through considering any available additional funds (surplus or savings) to be assigned to the capital renewal budget.
4. Council to manage its debt in accordance with established guidelines.
5. Council to seek to implement a cost recovery model.
6. Council to hold funds for future implementation of Council Plans and Strategies.
7. Before approving new or upgrade capital projects or the acquisition of new assets, Council will analyse and review social impacts, review service plans and determine whole of live costs including the impacts to operational budget and long term financial plan.

These principles have been discussed at budget development briefings and it was considered appropriate to revise the principles to better reflect the current environment.

7. Content

Various changes have been proposed to the current financial principles. The purpose behind the proposed changes is to ensure the principles remain relevant, reflective of current practice and the Council Plan objectives and legislative requirements.

The proposed changes are significant and make the meaning of each principle clearer and understandable for the public, council officers and Council.

The changes are:

Principle 1 has been removed as it is a statement not a guiding principle and replaced with a principle that advocates the effective and efficient use of resources to deliver the best outcomes for the community whilst maintaining financial sustainability.

Principle 2 has been amended to allow Council to maintain an operating surplus over the medium term, which means that some years Council might operate in deficit and any surplus will not automatically be assigned to additional projects.

Principle 3 has been amended to focus on delivering current service levels not just on asset renewal funding.

Principle 4 has been amended in line with the wording of the *Local Government Act 1989* regarding the funding of significant projects that will benefit future generations.

Principle 5 has been amended to consider community capacity to pay as well as cost recovery.

Principle 6 has been amended to be more reflective of the wording of the *Local Government Act 1989* regarding the funding of Council adopted plans and strategies.

Principle 7 has been split into two principles (now 7 and 8) to give clearer meaning to what needs to be considered prior to the acquisition of new assets or upgrading existing assets.

Principle 9 is new and is Councils commitment to the community regarding seeking a rate cap variation.

8. Issues and Risk Management

Issue:

Council needs to consider the principles on a regular basis to ensure that they are still relevant in a changing environment and that they continue to meet the needs of the community. The financial principles will be reviewed annually in advance of the budget development process.

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: Adopted the recommended financial principles.

This option is recommended by officers.

Option 2: Continue with the current financial principles.

This option is not recommended by officers as the current principles do not reflect the changing environment and does not allow for continued refinement and improvement to the principles.

10. Strategic Planning Environments

Strong and Engaged Communities:	No impact
Resilient Economy:	No impact
Healthy Environment:	No impact
Balanced Services and Infrastructure:	The financial principles guide how resources are utilised to manage and maintain services as well as assets to optimise their lifecycle and plan for services and infrastructure required to meet community needs.
Responsible Management:	The financial principles enable the delivery of services, facilities and programs to the community through sound corporate governance and fiscal responsibility.

11. Consultation

Internal Consultation:

- Executive Management Group
- Finance Manager
- Councillors at the 28 November 2018 Council Budget Briefing Session and at the 5 February 2019 Council Briefing Session.

7.4. Environmental Upgrade Agreement

Author:

Stacey Fraser, Business Support Officer

Responsible Manager:

Investment Attraction Manager

1. Purpose

To seek Council's support to enter into an agreement with Sustainable Melbourne Fund (SMF) to facilitate access to the Environmental Upgrade Agreement (EUA) program to allow businesses in Campaspe Shire to access capital to introduce energy saving measures.

2. COUNCILLORS MACKRELL/PENTREATH

That Council:

- 1. Agree to establish the Environmental Upgrade Agreement program.**
- 2. Appoint Sustainable Melbourne Fund to administer and support the delivery of Environmental Upgrade Agreements.**
- 3. In accordance with S181H (1)(a) of the *Local Government Act 1989* delegate to the Chief Executive Officer the power to enter into an Environmental Upgrade Agreement; and**
- 4. In accordance with S181H (1)(a) of the *Local Government Act 1989* delegate to the Chief Executive Officer the power to declare and levy an environmental upgrade charge.**

CARRIED

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 regarding 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

Campaspe Shire Council hosted an Energy Forum in June 2018 with guest speakers from Sustainability Victoria, Agriculture Victoria and Sustainable Melbourne Fund (SMF). The speakers presented to local businesses regarding the benefits of energy audits, opportunities for funding and financing upgrades to plant and equipment, reducing energy costs and impacts on the environment. Following on from the Energy forum,

expressions of interest were received from local businesses for Council to adopt the Environmental Upgrade Agreement (EUA) program.

The Sustainable Melbourne Fund's EUA program offers affordable financing on environmental upgrades for the business community. An agreement between a property owner, a bank and local government is established to finance building upgrades that support direct environmental outcomes. The EUA program allows owners of commercial/industrial buildings and properties to access finance for energy, water and waste efficiency projects that will reduce operating costs and decrease the environmental impacts.

Implementation of the EUA program is reliant on Council Officer time, however there is no financial cost to Council. The 26 Councils that have adopted the program to date have not added additional fees or administration charges to implement/manage EUAs, so as to not inhibit uptake. The report recommends piloting the program for a period of two years and then assess the future direction and true cost to Council.

Shay Singh, Executive Manager from Better Building Finance presented to Councillors and Shire staff in August 2018 regarding the EUA program and the resourcing required to administer the program.

Environmental Upgrade Agreement

An Environmental Upgrade Agreement (EUA) is an agreement between a property owner, a bank and local government that facilitates a building upgrade to improve energy efficiency. EUAs allow for the tenants and building/property owners of commercial/industrial and farming property to collaborate on energy, water and waste projects that will reduce the impact on the environment and reduce operating costs. Unlike other alternative finance options, EUAs allow tenants to contribute financially to the project where it makes sense to do so and help shape the project to best suit their needs. Importantly, EUA finance also offers 100% project finance, competitive interest rates and long term finance.

The SMF designed and implemented the EUA program for the City of Melbourne, the first Australian municipality to offer EUAs. They are now the Third Party Administrator (TPA) for the EUA program, engaging actively with the finance and property sectors as a trusted intermediary for building owners.

The Sustainable Melbourne Fund:

- Establishes EUA programs for local government
- Acts as a trusted intermediary to implement the program on behalf of Council
- Provides ongoing monitoring and reporting

On the 9 September 2015 legislation was passed by the Victorian State Government that allows all Victorian Councils to offer EUAs to their business community.

Since 2016, EUAs have been established across 26 Councils in Victoria which has supported 52 projects totalling \$26.5 million in investments. Saving businesses \$3 million and reducing greenhouse gas emissions by 17,000 tonnes annually (current as at November 2017).

Five businesses in Campaspe Shire have expressed interest in utilising the program with projects totalling more than \$2 million.

The diagram below outlines the relationship between all of the participating entities.

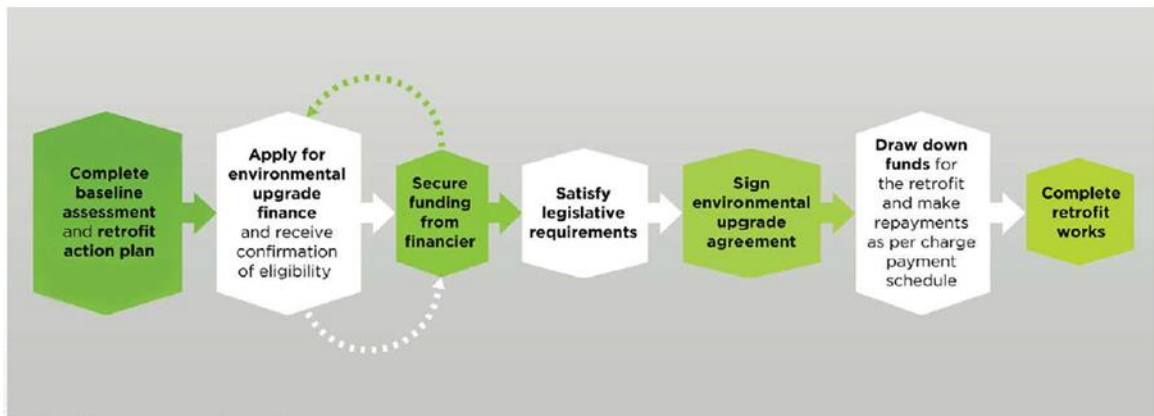


7. Content

EUA Key benefits

- Upgrading buildings delivers savings on utility bills, driving down the overall cost of energy for business while also reducing the impacts of climate change. EUAs are a mechanism for building owners to access attractive finance for retrofitting.
- Overcome structural and market barriers. EUA finance can overcome the split-incentive barrier (between owners and renters) by enabling the costs and benefits to be shared with the building occupiers. This means that building owners and tenants pay back the loan at the same time that they are benefiting from the lower costs of a more resource efficient building. If ownership or tenancy rights change, the new owners take up the loan and pay it through their rates. Without this system businesses have a disincentive to invest in efficiency because they may move premises before paying off the loan.
- Reduce Financial Risks. EUA’s unlock private investment in local communities.
- EUAs can work with any grants/subsidies available for projects through local, state or federal government departments to enhance the business case for a building retrofit. As such EUAs are a means of attracting government money into local communities.

EUA Application process and fees for Businesses



SMF will charge an application fee of \$600 and processing fee dependent upon the value of the project outlined in the table below which are payable by the applicant. An administration fee of 0.072% is charged quarterly on the principal outstanding and itemised as part of the repayments.

Project Size	Application Fee (\$)	Processing Fee (\$)	Total Upfront Fee (\$)
< \$50,000	600	N/A	600
> \$50,000 and < \$200,000	600	612.5	1,212.5
> \$200,001 and < \$400,000	600	1,350.00	1,950.00
> \$400,001 and < \$800,000	600	2,340.00	2,940.00
> \$800,001 and < \$1,400,000	600	3,630.00	4,230.00
> \$1,400,001 and < \$2,500,000	600	4,875.00	5,475.00

Consultation/Communication

SMF assists Council to develop the EUA offering and the EUA application and administration process. They will also adapt all the EUA application documentation and templates, including process flowcharts and check sheets currently in use by 26 Councils to best match internal requirements.

Beyond the set-up, as part of the Third Party Administrator Services, they will process the applications including help line support and liaise with each of the relevant departments highlighted in the table below to obtain the information required to enable the signing of EUA's in an efficient manner and participate in stakeholder engagement activities (networking events, presentations, information sessions) to promote the program.

Department	Activity
Council	<ul style="list-style-type: none"> • Pass resolution to offer EUA's in the municipality • Provide instrument of delegation to CEO (or delegate) to sign EUA's
Legal Department	<ul style="list-style-type: none"> • Review and agree to template EUA form and other template documentation • Ad hoc responses to legal queries regarding the EUA template • Confirm final documentation is in order prior to execution by CEO – SMF will provide confirmation that in our opinion the documentation is complete and accurate • Store copy of the signed EUA for Council records
Property Services	<ul style="list-style-type: none"> • Confirm property exists in your municipality and is used for non-residential purposes • Levy Environmental Upgrade Charge (EUC) and issue EUC notice • Collect quarterly EUC payments • Provide Quarterly EUC payment summary
Finance	<ul style="list-style-type: none"> • Remit quarterly payments to Lenders • Remit quarterly fees (any applicable) to relevant parties
Economic Development Team	<ul style="list-style-type: none"> • Promote EUA and EUF through existing programs and channel partners • Conduct on the ground engagement with relevant stakeholders
Marketing & Communications	<ul style="list-style-type: none"> • Assist with development of marketing collateral • Actively seek media opportunities to promote EUA success in the municipality

In the event of a default of the loan (EUA Agreement) Council must to its best endeavours work to recover the charge to repay the finance provider. A failure by an owner or any occupier under the Local Government Legislation Amendment (Environmental Upgrade Agreements) Act does not make the Council liable to pay the outstanding amount under the environmental upgrade charge or charges to the lending body.

8. Issues and Risk Management

Issues:

Issue 1: Staff resourcing of the program

Implementing the program requires Council resourcing which is not offset by cost recovery. Staff time will be required to establish, implement and manage the EUA program.

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: 'Pilot' the Environmental Upgrade Finance Program for two years with the option to extend

Adopt the program and after a period of two years undertake analysis to determine the uptake of EUA's, administrative load and future opportunities and outcomes.

This option is recommended by officers.

Option 2: Do not adopt the Environmental Upgrade Finance Program

If Council do not adopt the EUA program we miss the potential opportunity to deliver positive environmental outcomes through commercial business activity, job creation and attract private sector funding. To support existing businesses and attract new businesses whilst supporting the reduction in the environmental footprint is congruent with our strategic direction and vision.

This option is not recommended by officers.

10. Strategic Planning Environments

Strong and Engaged Communities: No impact

Resilient Economy: Adoption of EUA program will support and encourage local businesses to consider energy, water and waste projects that will reduce the impact to the environment and reduce operating costs. This aligns with priority 2 by maximising economic growth and reducing business operating costs. Businesses will increase their efficiency and sustainability which may create employment opportunities and attract new investment.

Healthy Environment: Adoption of the EUA program will support implementation of priority 2, 3 & 4 by facilitating energy, water and waste projects that will reduce the impact to the environment from Business operations.

Balanced Services and Infrastructure: No impact

Responsible Management: Adoption of the EUA program will support implementation of priority 3 by strengthening relationships with the business community and foster a responsive customer centric approach.

11. Consultation

Internal Consultation:

- Executive Management Group
- Investment and Attraction Manager
- Finance Manager
- Rates/Revenue/ Debtors Team Leader
- Councillors present at the 14 August 2018 Council Briefing Session

8. Council Information

8.1. 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 January 2019.

2. COUNCILLORS MUNRO/MACKRELL

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

CARRIED

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:

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

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

7. Content

The following Assemblies of Councillors were held in the month of January 2019:

Meeting Information		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	29 January 2019	
Start time:	10:30am	Finish time: 3:57pm
Matters Discussed	1. Welcome, present & apologies 2. Declaration of Interests 3. Future Meetings 4. Communication Reports 5. Briefing Minutes Review 6. Council Resolutions for Action Register 7. Audit & Risk Committee Chair Report 8 - 9. Council Meeting Agenda – Q & A 10. Echuca West Integrated Children's Hub Feasibility Study 11. Echuca Moama Bridge Update 12. Kyabram Fauna Park Update 13. Council Governance Discussion No. 4	
Attendees		
Councillors	Cr Adrian Weston (Mayor), Cr Vicki Neele (Deputy Mayor) Cr Daniel Mackrell, Cr Kristen Munro, Cr Neil Pankhurst, Cr Leanne Pentreath, Cr Annie Vickers, Cr Leigh Wilson, Cr John Zobec	
Staff	Jason Russell, Fleur Cousins, Keith Oberin, Richard Conway, Paul McKenzie, Sharolyn Taylor	
Apologies	Nil	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
8 - 8.3	Cr Munro	Yes
8- 11.1	Cr Pankhurst	Yes
9 - 18.1	Cr Munro	Yes

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.

8.2. Letters of Appreciation

The following have been received:

- Ian Coutts, Australia Day Ambassador – thank you and congratulations to everyone involved in the Australia Day activities. The breakfast in Echuca was excellent and a great initiative to have a twin town celebration. The Aquatic Reserve is a great location and the event had a relaxed feel and a great way to start the day.

The Tongala event was also very enjoyable and it was great to meet many locals, along with Cr Neil Pankhurst and Peter Walsh MP.

- Ann Peacock, Australia Day Ambassador – thank you for the wonderful warm welcome received in Rochester and Toolleen on Australia Day.
- Judy Anderson – thank you to Wendy O'Hara, Library services and Ben Trevena, Municipal Emergency Coordinator for the nomination for the Echuca & District Citizen of the Year in recent Australia Day awards. Judy finds anything that puts her in the lime light difficult and having both Wendy and Ben's support on the day was much appreciated.

COUNCILLORS PENTREATH/MUNRO

That Council note letters of thanks and appreciation as listed.

CARRIED

8.3. Responsive Grants Program

Author:

Bobbi Aitken, Civic Events & Grants Officer

Responsible Manager:

Economic & Community Development General Manager

1. Purpose

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

2. COUNCILLORS WILSON/MUNRO

That Council note the following grant has been approved in accordance with Responsive Grants Program guidelines and criteria and applicants advised in writing:

- **C4EM Inc to assist with costs associated with an International Women's Day event to be held in Moama on 5 March, \$500.**

CARRIED

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
C4EM Inc	\$1,000	\$500	to assist with costs associated an International Women's Day event to be held in Moama on 5 March	Approved by CEO – meets assessment criteria

Fund Balance Prior to application approval:	\$36,910
Funding approved:	\$500
Fund Balance: (19 February 2019)	\$36,410

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

8.4. Council Plan Initiatives Quarter 2 Update

Author:

Andrew Cowin, Corporate Strategy Manager

Attachments:

8.4. Council Plan Initiatives Quarter 2 Update

1. Purpose

To provide Council with the second quarter update on the progress of implementation of the 2018/19 Council Plan Initiatives.

2. COUNCILLORS PENTREATH/MACKRELL

That Council note the second quarter progress report towards the 2018/19 Council Plan Initiatives supporting implementation of the Council Plan 2017/21.

CARRIED

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

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

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

The Plans is supported by initiatives funded in the 2018/19 Program Budget. A list of progress on the implementation of these initiatives is reported to Council quarterly. This report is the second report of initiatives funded under the 2018/19 budget.

7. Content

The list incorporates a total of 28 initiatives. Across these initiatives:

- 1 has not started,
- 0 need attention,
- 22 are in progress,
- 5 are completed.

Progress in relation to the implementation of the initiatives are reported to Council and the community quarterly. This report is the second quarterly report of initiatives funded under the 2018/19 budget.

8. Issues and Risk Management

Issues:

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

- High costs of inputs for industry (energy and water)
- Renewal of community facilities
- An ageing population
- Engagement of young people
- Substance abuse issues
- Family violence
- Availability of regional education and training
- Cross-border issues

Many of the initiatives seek to address 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 the Council Plan

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 initiatives funded under the 2018/19 budget that support the delivery of Councils Vision.

Option 2: Council not note the progress towards implementation of the Council Plan

This option is not recommended by officers.

10. Strategic Planning Environments

Strong and Engaged Communities:	The action plan activities support the delivery of Strong and Engaged Communities
Resilient Economy:	The action plan activities support the delivery of a Resilient Economy
Healthy Environment:	The action plan activities support the delivery of a Healthy Environment
Balanced Services and Infrastructure:	The action plan activities support the delivery of Balanced Services and Infrastructure
Responsible Management:	The action plan activities outline the organisations commitment to the Responsible Management

11. Consultation

General Managers and Department Managers from across the organisation have been consulted in relation to the progress of initiatives funded under the 2018/19 budget.

8.5. Councillor Expenses

Author:

Sharolyn Taylor, Council Support Officer

Responsible Manager:

Governance Manager

Attachments:

8.5.1 Councillor expenses summary as at 31 December 2018

8.5.2 Council policy 058 Councillor Support and Entitlements

1. Purpose

To note the councillor expenses summary from 1 July 2018 to 31 December 2018.

2. COUNCILLORS MUNRO/ZOBEC

That Council note the Councillor expenses summary from 1 July 2018 to 31 December 2018.

CARRIED

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 8.5.2) 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 involves 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 8.5.1 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 100kms 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 councillors assist 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

8.6. Statutory Requirements Update

Author:

Frank Crawley, Governance Manager

1. Purpose

To advise Councillors on the progress of meeting statutory obligations under the *Local Government Act 1989*.

2. COUNCILLORS NEELE/ZOBEC

That Council note the second quarter Statutory Requirements update.

CARRIED

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 October 2018 – 31 December 2018 the following has been achieved:

- Held a statutory meeting to elect the Mayor and Deputy Mayor.
 - Considered a quarterly financial report for the period ended 30 September 2018.
 - Submitted Council's annual report including the audited annual financial statements to the LG Minister.
 - Endorsed the "Northern Victoria Integrated Municipal Emergency Management Plan: Campaspe Shire".
-

For the period 1 January 2019 – 31 March 2019 the following is required to be achieved:

- Receive the quarterly financial statements for the period 1 October 2018 – 31 December 2018.
- Completion of Councillor and Senior Officers ordinary returns for inclusion in the Register of Interests.
- Advise the Minister for Local Government and the Secretary of the Department of Health that Council has reviewed and determined that the Council Plan (incorporating the Municipal Public Health and Wellbeing Plan) remains appropriate.

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

There are no options presented with this report, as the information is presented for noting.

10. Strategic Planning Environments

Strong and Engaged Communities: Nil

Resilient Economy: Nil

Healthy Environment: Nil

Balanced Services and Infrastructure: Nil

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

Nil.

8.7. Audit and Risk Committee Meeting Minutes

Author:

Michael Bennett, Audit and Risk Committee Chairperson

Attachments:

8.7. Draft Minutes of the Audit and Risk Committee meeting held on 30 January 2019.

Item 10 of the Audit and Risk Committee meeting minutes has been declared confidential under 89(2)(h) any other matter which the Council or special committee considers would prejudice the Council or any person

1. Purpose

To note and adopt the Audit and Risk Committee Meeting Draft Minutes of the meeting held on 30 January 2019.

2. COUNCILLORS PANKHURST/PENTREATH

That Council note the Draft Minutes of the Audit and Risk Committee meeting held on 30 January 2019 subject to confirmation by the Audit and Risk Committee.

CARRIED

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 Audit and Risk Committee's role is to monitor, review and advise Council on matters of accountability and internal control.

The Audit and Risk Committee provides Council with Draft Minutes after each meeting. The Draft Minutes are then formally adopted at the following meeting. To enable officers the ability to present the Minutes to Council in a timely manner the process has been changed. It is appropriate that Council is presented with the outcomes from the Audit and Risk Committee meetings as soon as practical after meetings. This will necessitate the noting of the Draft Minutes and adoption of the final Minutes once formally adopted by the Audit and Risk Committee at the following meeting.

7. Content

Meeting: 30 January 2019

The 30 January 2019 Audit and Risk Committee meeting was attended by:

Members: Michael Bennett, Wayne Jenkin, Cr Neil Pankhurst

Officers: Jason Russell (Chief Executive Officer), Fleur Cousins (General Manager Corporate Services), Ailsa Box (Finance Manager), Sharolyn Taylor (Council Support Officer), Richard Conway (Acting GM Infrastructure Services) (12:19pm – 12:34pm), Matthew McPherson (ICT Manager) (12:29pm – 12:54pm)

Internal Auditor: Brad Ead (AFS and Associates)

External Auditor: Nil

Apologies: Linda MacRae, Cr Leanne Pentreath

Items discussed at the meeting were:

- Adoption of Previous Minutes
- Summary of Actions from Audit and Risk Committee Meeting
- Investment Portfolio Review
- Quarterly Financial Report
- Budget Preparation and Parameters
- Updated Policies Relating to the Committee
- ICT Security Penetration Testing Overview and Outcomes
- Compliance of Essential Services Legislation
- Committee Charter
- Update of Outstanding Audit Actions Register
- Audit and Risk Committee Work Plan
- Audit and Risk Committee and Audit Performance Assessments
- Internal Audit Program Status Update
- Audit and Risk Committee Quarterly Update
- Administration

Refer to Attachment 8.7 for the draft Minutes of 30 January 2019.

8. Issues and Risk Management

As this report is for noting, there are no applicable issues or risks outside of those noted in the Minutes.

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: Audit reviews and findings are a critical aspect in the implementation of appropriate governance within the organisation. Control risks are reviewed, identified and actions implemented ensuring organisational risk and exposure are minimised

10. Consultation

The Audit and Risk Committee includes three external people to provide a broad range of specialist skills and facilitates wider consultation and participation in Council's financial management, Governance and internal controls.

8.8. 2018/19 Budget Review

Author:

Ailsa Box, Finance Manager

1. Purpose

To present to Council the mid-year budget review results.

2. COUNCILLORS WILSON/PANKHURST

That Council note the 2018/19 Mid Year Budget Review report.

CARRIED

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 regarding 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

Each year council officers conduct a review of the adopted budget, this is carried out in December. The budget review process gives officers an opportunity to identify any variations to the adopted budget based on the previous five months of actual expenses and revenue compared to what was originally budgeted. Consideration is also given to any changed circumstances that have occurred since the budget was set and adopted.

Monthly internal financial management reporting commencing from February will be against the reforecast budget, not the original adopted budget.

7. Content

Having reviewed the 2018/19 adopted budget an additional surplus of \$106,320 has been forecast.

The significant adjustments that have been reflected in the 2018/19 budget forecast compared to the 2018/19 adopted budget are as follows:

Income

- Additional rate and waste services income has been raised due to the large amount of development currently occurring across the Shire.
- Additional grant income has been received for Maternal and Child Health, Community Care and the implementation of the food organics waste stream. The grants received for Community Care will need to be returned to the department if the services are not used by the community.
- The Financial Assistance Grant received was greater than what was estimated when the budget was set.
- Income from the Quarry is expected to be significantly under budget, this is due to the dry seasonal conditions. This decrease has been partially offset by increased income from Building and Planning fees due to the increase in development across the Shire.
- Additional interest has been earned due to greater cash reserves being available to invest and better than budgeted interest rates being earned.

Expenses

- The savings in employee expenses are due to vacancies across the organisation while recruitment takes place. Some of the savings will be offset by the use of contractors or consultants to allow continuity of service delivery.
- The increase in materials and services is due to additional asset condition assessments being carried out to allow better management of Council's assets and the use of contractors and consultants to fill staff vacancies on a temporary basis.
- Depreciation expense has increased due to additional subdivision assets being handed over to Council and a revaluation of some asset classes in 2017/18 has increased the asset value base and therefore increased depreciation.
- Sale of surplus land and industrial land by the Shire will be offset by the need to write off a number of assets handed back to the Community or back to other Government departments. Some of these are the Loco Shed land and a number of SES buildings.

2018/2019 Forecast Result				
Income	18/19 Budget	18/19 Forecast	Variance	% Variance
Rates & Charges	35,809,905	36,061,710	251,805	0.70%
Waste Charges	5,927,407	5,992,509	65,102	1.10%
Grants Commission	11,453,995	11,609,250	155,255	1.36%
Recurrent Grants State	3,370,894	3,503,939	133,045	3.95%
Recurrent Grants Federal	66,484	43,861	(22,623)	(34.03%)
Non-recurrent Grant State	3,691,610	3,872,672	181,062	4.90%
Non-recur Grant Federal	5,406,953	5,481,953	75,000	1.39%
User Fees & Charges	17,754,281	17,511,020	(243,262)	(1.37%)
Interest Income	927,640	1,296,977	369,337	39.81%
Total Income	84,409,169	85,373,890	964,721	

Expenses	18/19 Budget	18/19 Forecast	Variance	% Variance
Employee Expenses	31,404,699	30,815,253	589,446	1.88%
Materials & Services	25,395,751	26,298,562	(902,811)	(3.55%)
Depreciation	18,131,634	18,411,394	(279,760)	(1.54%)
Finance Costs	277,300	267,708	9,592	3.46%
Total Expenses	75,209,384	75,792,917	(583,533)	
Asset Adjustments	729,000	81,500	(647,500)	(88.82%)
Surplus/(deficit) before adding carryovers back	9,928,785	9,662,474	(266,312)	
Add back carryovers entered in materials		372,632	372,632	
Surplus/(deficit) after adjustment for carryovers	9,928,785	10,035,106	106,320	

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:	A robust budget process supports all areas of the planning environment, allowing Council to deliver on strategic objectives.
Resilient Economy:	A robust budget process supports all areas of the planning environment, allowing Council to deliver on strategic objectives.
Healthy Environment:	A robust budget process supports all areas of the planning environment, allowing Council to deliver on strategic objectives.
Balanced Services and Infrastructure:	A robust budget process supports all areas of the planning environment, allowing Council to deliver on strategic objectives.
Responsible Management:	A robust budget process supports all areas of the planning environment, allowing Council to deliver on strategic objectives.

10. Consultation

Internal Consultation:

- Council Officers
- Finance Manager
- Executive Management Team
- Councillors at the 5 February 2019 Council Briefing Session.

8.9. Quarterly Financial Statements

Author:

Ailsa Box, Finance Manager

Attachments:

8.9 Quarterly Financial Statements

1. Purpose

To present to Council a quarterly income statement and additional financial reports to provide a summary of the financial position of Council for the quarter ended December 2018.

2. COUNCILLORS PANKHURST/PENTREATH

That Council note the December 2018 Quarterly Financial Statements.

CARRIED

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* s138(1) requires that a statement comparing budgeted revenue and expenditure for the financial year with actual revenue and expenditure year to date is presented to the Council at a Council meeting which is open to the public.

7. Content

A pack of the financial statements is included as Attachment 8.9 and contains:

Income Statement	Comparison of 2018/19 budget, 2018/19 actuals and 2017/18 actuals for the six months ended 31 December 2018.
Balance Sheet	Comparison of 2018/19 budget, 2018/19 actuals and 2017/18 actuals for the six months ended 31 December 2018.

Cash Flow Statement	Comparison of 2018/19 budget, 2018/19 actuals and 2017/18 actuals for the six months ended 31 December 2018.
Statement of Capital Works	Comparison of 2018/19 budget, 2018/19 actuals and 2017/18 actuals for the six months ended 31 December 2018.

Income Statement

The major variations to budget for the six months ended 31 December 2018 are:

- Increased rate income raised due to the supplementary rates process on new subdivision properties as a result of an increase in development.
- Decreased user fee income is due to Quarry sales being under budget by \$616k, this is being offset by increases across a number of service areas which have reduced the impact to Council. The reduction in income for Quarry operations is being partially offset by reduced expenditure in materials and employee expenses in this same area.
- Materials and services costs favourable due to timing of work programs and their associated spend, however service delivery is on track.

Capital Works Statement

The following comparisons can be made with reference to Statement of Capital works:

- A number of capital works projects have been scheduled later in the year than was anticipated at budget time. These projects are McKenzie Road drainage works, Aerodrome works and the plant replacement program.
- Two other projects have been delayed due to outside influences, these are the Kerb and Channel program being held up by design delays and the Riverfront Development project commencement of works delayed due to VCAT hearings.

8. Issues and Risk Management

Issues:

Nil.

Risk:

This is a quarterly report that monitors Council's performance against the budget, any major variances have been explained in the report. There is no perceived risk that would prevent Council achieving budget targets in the 2018/19 financial year.

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:	To provide Council and community with a summary of our financial performance for the period ended 31 December 2018.

10. ConsultationInternal Consultation:

General Manager Corporate Services

External Consultation

The Audit and Risk Committee reviewed the financial statements at their meeting held 30 January 2019.

11. Officer Comment

The Quarterly Statements give Council and the community the opportunity to monitor and understand Council's ongoing performance.

Council's operational performance year to date is in line with expectations except for the Quarries operation which has been impacted by seasonal conditions and some maintenance programs that have been scheduled for later in the year. These variances will not have an impact on Council's overall service delivery.

8.10. Quarterly Capital Works Program Update – 2018/19 Quarter 2

Author:

Sarah Butterworth, Capital Works Coordinator

Responsible Manager:

Public Environments Manager

Attachments:

8.10 Capital Works Program Quarter 2 2018/19 Quarterly Dashboard

1. Purpose

To provide Council with an update on the progress of the annual Capital Works Program as at 31 December 2018.

2. COUNCILLORS PENTREATH/WILSON

That Council note the second quarter Capital Works Program progress report.

CARRIED

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

As at the end of Quarter 2 the Capital Works program consisted of 93 active projects.

This report provides a summary of delivery during the quarter. Refer also to the attached dashboard.

7. Content

Capital Works Program Overview

2017/18 Carry Over projects

Projects carried over from 17/18 that were practically completed this quarter include the Lawn Tennis Courts and Market Reserve upgrades in Rochester, the Kyabram Fauna Park Outlet value, Lockington Recreation

Reserve Power and air conditioning at the Kyabram Wilf Cox building. In Echuca the Radcliffe Street Flood recovery works were completed along with the demolition of 52-56 Murray Esplanade and the fire prevention measures in Shackell Bond store.

Multiyear projects still progressing well include Fox Island Road Bridge with roadworks completed this quarter and the design and build contract for the bridge works going out to tender. The Girgarre Recreation Reserve multipurpose courts also went out to tender.

Contracts awarded this quarter include the Echuca Changing Places toilet facility and the kiosk works as part of the Echuca Riverfront Development. Works will start in January/February.

2018/19 Projects

Re-sheeting, seals and internal kerb and channel works continue to run to schedule.

The rehabilitation of Lake Road in Kyabram received roads to market funding and the contract was awarded this quarter with works scheduled to start in January. Kerb and Channel works in Pettifer and Frederick Streets in Kyabram were also awarded to commence in February.

The McEwen Road Rehabilitation in Stanhope was completed by Greater Shepparton City Council on behalf of both councils.

The Aquatic Reserve Design project went out to tender.

Additional projects or existing projects with increased scope

This quarter, the following new projects were added to the Program or existing projects had a significant increase in scope.

Division	Project No/ Name	Budget	Funding source	Comment
Infrastructure Services	PR-100277 Open Drain Renewal	\$65,000	Asset renewal unallocated cash	New project agreed at October Council
Infrastructure Services	PR-100226 Yambuna Bridge Renewal	\$57,000	Asset Renewal Unallocated Funds (Roads)	New project agreed at October Council

In addition to the above, 7 road projects for 2019/20 were opened early to allow advance design works to commence. All projects are renewal road rehabilitations and are funded from the Advance Design Allocation funds agreed in the 2018/19 budget. The completion of these designs before 30 June will mean tenders and internal scheduling can be completed in July and allow works to be practically completed earlier in the financial year.

Cancelled projects

Nothing to report this quarter.

Financially Completed projects

The following projects were financially completed this quarter i.e. all invoices have been received and paid and project closed financially.

Division	Project No/Name	Budget	Savings	Savings returned to
Regulatory and Community Services	100539 Kyabram, Wilf Cox Air Conditioning	\$ 53,000.00	\$ 12,655.91	Asset Renewal Unallocated Funds (Non Roads)
Regulatory and Community Services	100541 Lockington, Rec Reserve Power Supply	\$ 126,000.00	\$ 919.20	Asset Renewal Unallocated Funds (Roads)
Infrastructure Services	100575 Kotta, Kotta Road Rural Rehab	\$1,271,000.00	\$ 153,078.32	Asset Renewal Unallocated Funds (Roads)
Infrastructure Services	100569 Campaspe Open Drain Renewal	\$129,795.00	\$ 98,512.27	Asset Renewal Unallocated Funds (Roads)
Infrastructure Services	100585 Echuca, Bolton Street Urban Rehab	\$ 583,500.00	\$ 10,758.72	Asset Renewal Unallocated Funds (Roads)
Infrastructure Services	100590 Shire, Footpath Renewal Program	\$ 300,700.00	\$ 6,446.85	Asset Renewal Unallocated Funds (Roads)
Regulatory and Community Services	100627 Shire, Senior Citizens Centres	\$ 133,000.00	\$ 36,550.23	DDA Reserve
Corporate Services	100314 Echuca, 52-56 Murray Esp Remedial (Port)	\$ 188,500.00	\$ 13,263.64	Asset Renewal Unallocated Funds (Non Roads)
Corporate Services	100100 Echuca, Shackell's Bond Store Renewal	\$ 771,722.00	\$ 7,617.33	Asset Renewal Unallocated Funds (Non Roads)

Reallocation of savings to existing projects

The following projects required adjustments to their approved budgets to allow the ongoing achievement of project scope and objectives.

Division	Project No/Name	Account from	Amount
Infrastructure Services	PR-100071 Torrumbarry Headworks Road	100262 Asset Renewal Unallocated Cash (Roads)	\$ 78,000.00
Infrastructure Services	PR-100221 Echuca, Radcliffe St Flood Recovery	100262 Asset Renewal Unallocated Funds (Roads)	\$ 40,000.00
Economic Development	PR-100005 Echuca Changing Places Toilet Facility	100318 DDA Strategy Implementation	\$ 47,178.00

8. Issues and Risk Management:

Issues:

Nil

Risk:

Risk	Likelihood	Consequence	Rating	Mitigation action
Non delivery of adopted program resulting in reputational damage	Possible	Major	High	Ongoing monitoring and monthly reporting to EMG of at risk projects

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 Regulatory and Community Services
- Relevant Project Sponsors.

9. Councillor Reports

Cr Adrian Weston	
30 January 2019	Media Briefing
30 January 2019	CLAPIC Meeting
5 February 2019	Rushworth Streetscape Meeting
6 February 2019	Australia Day Award Winners Reception
7 February 2019	Damian Drum LGA Roundtable Discussion Mayors & CEO's
7 February 2019	2019 Southern 80 Launch Night
8 February 2019	Loddon Campaspe Councils Meeting
8 February 2019	MAV Strategic Planning Session
13 February 2019	Community Information Session - A Water Resource Plan for Northern Victoria
19 February 2019	Port Bike Media Launch

Cr Daniel Mackrell	
15 - 17 February 2019	Riverboats Music Festival
19 February 2019	Port Bike Media Launch

Cr Kristen Munro	
6 February 2019	Australia Day Award Winners Reception
7 February 2019	2019 Southern 80 Launch Night
9-10 February 2019	Southern 80 Event
14 February 2019	EMAI North East Travelling Dress Exhibition
15 - 17 February 2019	Riverboats Music Festival

Cr Vicki Neele	
6 February 2019	Australia Day Award Winners Reception
8 February 2019	MAV Strategic Planning Session
14 February 2019	EMAI North East Travelling Dress Exhibition
15 - 17 February 2019	Riverboats Music Festival

Cr Neil Pankhurst	
30 January 2019	Audit and Risk Committee Meeting
6 February 2019	Australia Day Award Winners Reception
15 - 17 February 2019	Riverboats Music Festival
19 February 2019	Port Bike Media Launch

Cr Leanne Pentreath	
6 February 2019	Australia Day Award Winners Reception
15 - 17 February 2019	Riverboats Music Festival

Cr Annie Vickers	
1 February 2019	St Joseph's College Opening College Mass & School Leaders Induction Ceremony
6 February 2019	Australia Day Award Winners Reception
7 February 2019	2019 Southern 80 Launch Night
8 February 2019	MAV Strategic Planning Session
9-10 February 2019	Southern 80 Event
14 February 2019	IMEMPC meeting
14 February 2019	EMAI North East Travelling Dress Exhibition
15 - 17 February 2019	Riverboats Music Festival
19 February 2019	Port Bike Media Launch

Cr Leigh Wilson	
15 February 2019	GVWRRG Board Meeting
15 - 17 February 2019	Riverboats Music Festival

Cr John Zobec	
6 February 2019	Australia Day Award Winners Reception
15 - 17 February 2019	Riverboats Music Festival

COUNCILLORS MUNRO/NEELE

That the Councillor reports be noted.

CARRIED

10. Chief Executive Officer's Report

Activities and meetings attended since previous Council Meeting:

- Murray Regional Tourism Board CEO
- 2019 Youth Advisory Group Induction
- Murray River Council General Manager
- Southern 80 Emergency Services & agencies meeting
- Australia Day Award Winner Reception
- Damien Drum LGA Roundtable Discussion with Mayors and CEO's
- Rural Council's Victoria Steering Committee
- Cross Border Commissioner
- Taungurung Land & Waters Council

COUNCILLORS WILSON/PENTREATH

That the Chief Executive Officer's report be noted.

CARRIED

11. Petitions/Letters

Nil

12. Notices of Motion

Nil

13. Urgent Business

Nil

14. Question Time

Council heard items of Question Time on the following:

Text of Question	Summation of answer given
Can the pathway along Campaspe Esplanade be looked at as there is some sections that are raised up by tree roots.	Staff will have the path inspected and any defects identified against the standards of the Road Management Plan will be addressed. Concerns like this can be addressed to council's Customer Service team at any time and online via council's website.

The meeting was adjourned at 6:44pm

The meeting was resumed at 6:49pm

15. Closed Session of the Meeting to the Public

COUNCILLORS MACKRELL/NEELE

That pursuant to the provisions of the Local Government Act 1989, the meeting will now be closed to members of the public at 6:49pm to enable the meeting to discuss matters in items 16, 17, 18 and 19 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.

CARRIED

16. Confirmation of Confidential Minutes and Attachments

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

17. Confidential Council Information

Nil

18. Confidential Business

18.1. 89(2)(D) Contractual Matters

19. Confidential Council Meeting Close

COUNCILLORS MUNRO/VICKERS

That all matters discussed and information provided during the course of the confidential section of this meeting are to remain confidential save for matters agreed by resolution of Council determined to be no longer confidential.

CARRIED

20. Items Determined to be no Longer Confidential

21. Open Meeting to the Public

COUNCILLORS VICKERS/MUNRO

That Council resolves to open the meeting to the public at 7:03pm

CARRIED

22. Meeting Close

There being no further business, the meeting concluded at 7:04pm.



.....
CR ADRIAN WESTON

MAYOR