

Contents

1.	Apologies and Requests for Leave of Absence	2681
2.	Confirmation of Minutes and Attachments	2682
3.	Changes to the Order of Business	2682
4.	Declaration of Interests	2683
5.	Responsible Authority Decisions	2683
6.	Planning Authority Decisions	2683
7.	Council Decisions.....	2684
7.1.	Council Policy Review.....	2684
7.2.	Kyabram Flood Study Reference Panel and Budget	2687
7.3.	Road Management Plan and Rural Roads Review	2691
8.	Council Information	2696
8.1.	Assembly of Councillors Records	2696
8.2.	Letters of Appreciation	2702
8.3.	Responsive Grants Program.....	2703
9.	Councillor Reports.....	2705
10.	Acting Chief Executive Officer's Report	2707
11.	Petitions/Letters	2708
11.1.	Petition Response - Outcome of a Traffic Control Investigation in Allan Street Kyabram	2708
11.2.	Petition Response - Landsborough Street Footpath Extension	2713
11.3.	Petition – Provision of Aged and Disability Services.....	2717
12.	Notices of Motion	2718
12.1.	Echuca Moama Alliance Working Group	2718
12.2.	Stanhope RSL Seating.....	2722
13.	Urgent Business	2724
14.	Question Time	2724
15.	Closed Session of the Meeting to the Public	2725
16.	Confirmation of Confidential Minutes and Attachments	2725
17.	Confidential Council Information	2725
18.	Confidential Business.....	2725
19.	Confidential Council Meeting Close	2725
20.	Items Determined to be no Longer Confidential	2726
18.1.	C19018 – Echuca Environment Centre Management	2726
18.2.	C19025 – Echuca Riverfront Development – Civil Works	2727
18.3.	PS Pevensey Emergency Slipping and Planking.....	2727
18.5.	Local Government Renewable Energy Power Purchase Agreement.....	2727

21. Open Meeting to the Public.....2728
22. Meeting Close2728

Attachments

7.1. Council Policy Review.....2729
7.2. Kyabram Flood Study Reference Panel and Budget2734
7.3. Road Management Plan and Rural Roads Review2739
11.1. Petition Response - Outcome of a Traffic Control Investigation in Allan Street Kyabram2884

Minutes



Minutes of the open section of the meeting of the seventh Campaspe Shire Council, held in the Echuca Civic Centre, on Tuesday, 16 July 2019 commencing at 5:00pm.

Present

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

Officers

Ray Burton – Acting Chief Executive Officer

Fleur Cousins – General Manager Corporate Services

Richard Conway – General Manager Infrastructure Services

Keith Oberin – General Manager Economic & Community Development

Frank Crawley – Governance Manager

Bel Anderson – Communications Officer

Sharolyn Taylor – Council Support Officer

1. Apologies and Requests for Leave of Absence

Apologies

Cr Kristen Munro – has an approved leave of absence from 3 -21 July 2019

Mr Keith Oberin, General Manager Economic and Community Development (arrived at 5:21pm)

Mr Paul McKenzie, General Manager Regulatory and Community Services

Requests for Leave of Absence

Nil

2. Confirmation of Minutes and Attachments

For the:

- The open section of the Council Meeting held on 25 June 2019
- The minutes of the Campaspe Briefing Session held on 4 June 2019
- The minutes of the Campaspe Briefing Session held on 11 June 2019
- The minutes of the Campaspe Briefing Session held on 25 June 2019

COUNCILLORS PENTREATH / MACKRELL

That the following minutes be confirmed:

- **The open section of the Council Meeting held on 25 June 2019**
- **The minutes of the Campaspe Briefing Session held on 4 June 2019**
- **The minutes of the Campaspe Briefing Session held on 11 June 2019**
- **The minutes of the Campaspe Briefing Session held on 25 June 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.

Cr Vickers declared an indirect conflict of interest in item confidential item 18.3 by way of financial interest

Cr Weston declared an indirect conflict of interest in item 7.2 by way of conflicting duty

5. Responsible Authority Decisions

Nil

6. Planning Authority Decisions

Nil

7. Council Decisions

7.1. Council Policy Review

Author:

Sharolyn Taylor, Council Support Officer

Responsible Manager:

Governance Manager

Attachments:

7.1.1 Council Policy 082 – International Engagement

7.1.2 Council Policy 118 – Asset Rationalisation

1. Purpose

To present to Council for adoption two revised council policies.

2. COUNCILLORS PENTREATH / NEELE

That Council adopt the following revised Council policies:

- Council Policy 082 – International Engagement
- Council Policy 118 – Asset Rationalisation

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

Policies are an essential component of defining council's services and responsibilities to the community. They also promote consistency across the organisation both for employees and customers. Policies and procedures also guide Council, reduce liability risks, and ensure Council is compliant with applicable laws, regulations, and best governance practices.

Council policies have been prepared and reviewed by the responsible officers in accordance with Council Policy 156 – Policy Framework which outlines a policy hierarchy, process for the preparation of new policies and review of existing policies, and a methodology for the management of policies and procedures. It applies to Council and Internal policies.

The purpose of the Policy Framework is to contribute to the consistency, clarity, transparency and accountability of council's decision - making processes and in the delivery of services. This will be achieved by providing a mechanism whereby councillors and staff create and access a comprehensive collection of the current council and internal policies and procedures.

Campaspe Shire Council is committed to maintaining a robust and integrated Governance Framework that will assure stakeholders that council is pursuing its objectives and fulfilling its responsibilities with due diligence and accountability.

7. Content

A summary of the revised policies are listed below, and the policies are also attached.

Policy No.	Policy/ Procedure Title	Purpose	Proposed Changes
DIVISION – Economic & Community Engagement			
082	International Engagement	To affirm Council's role in international engagement and guide decision making in managing delegations and determining which international visits are appropriate for Council representatives to attend and/or host while maintaining current Sister City/Friendship relationships	<p>This policy has been reviewed by the General Manager Economic and Community Development, the Executive Management Group and Councillors at the 9 July Briefing Session.</p> <p>Extensive changes have been made to the policy including a title change from Shiroi Delegation to International Engagement, and now includes provisions for all of Council's current international sister city and friendship agreements.</p> <p>The policy review period has been assessed against Council Policy 156 - Policy Framework to change the review period to four years.</p>
DIVISION – Infrastructure Services			
118	Asset Rationalisation	To set out the standards Council uses to determine when an asset is realised	<p>This policy has been reviewed by Strategic Asset Coordinator, General Manager Infrastructure Services, the Executive Management Group and Councillors at the 9 July Briefing Session.</p> <p>It is proposed to change this policy from an Internal policy to a Council policy.</p> <p>Extensive changes have been made to the policy including the policy statement and principles. A copy of the current policy has been included for completeness.</p> <p>The policy review period has been assessed against Council Policy 156 - Policy Framework to change the review period to four years.</p>

8. Issues and Risk Management

Issues:

Nil

Risk:

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

9. Strategic Planning Environments

Strong and Engaged Communities:	No impact
Resilient Economy:	No impact
Healthy Environment:	No impact
Balanced Services and Infrastructure:	Policies improve delivery on services to the community and give clear direction to officers.
Responsible Management:	Council policy assist with establishing guidelines, effective decision making and accountability to the community.

10. Consultation

- Executive Management Group
- Councillors reviewed the policies at the 9 July 2019 Briefing session.

Cr Weston declared a conflict of interest in item 7.2 and vacated the Chamber at 5:08pm

Cr Neele assumed the Chair at 5:08pm

7.2. Kyabram Flood Study Reference Panel and Budget

Author:

Richard Conway, General Manager Infrastructure Services

Attachments:

7.2. Draft Terms of Reference – Kyabram Flood Study Reference Panel

1. Purpose

To appoint initial community members to the Kyabram Flood Study Reference Panel and adjust the budget to meet the grant requirements.

2. COUNCILLORS ZOBEC / VICKERS

That Council:

- 1. Appoint the following members to the Kyabram Flood Study Reference Panel in accordance with its Terms of Reference as set out in Attachment 7.2. and approved on 21 May 2019:**
 - **Mr Cecil Holden, Mr Robert Moyle (Kyabram Drainage Advisory Committee);**
 - **Mr Jeff Parry, Mr Greg McKenzie, Mr Michael Sweeney and Mr Leigh Johnson (Kyabram urban and rural community);**
 - **Mr Peter Shelley (Racecourse and Recreation Reserve Committee), Mr Don McKenzie (Kyabram Golf Club); and**
 - **Special interest groups – Mr Cory Walker (Yorta Yorta Nations), Mrs Mary Bowman (Kyabram Deakin Residents Ratepayers and Development Group Inc).**
- 2. Allocate an additional \$10,000 from the unallocated cash reserve to meet the required \$60,000 contribution under the terms of the Natural Disasters Resilience Grant Scheme Agreement.**

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

Council with assistance from the Goulburn Broken Catchment Management Authority sought and accepted a Natural Disasters Resilience Grant Scheme grant to undertake a flood study of Kyabram. The application included a matching contribution from of \$60,000 to be sourced \$40,000 Council, \$15,000 GBCMA and \$5,000 SES and attracted a \$120,000 grant. Council formally resolved to increase its contribution to \$50,000 cash to meet the grant conditions on its acceptance. It was subsequently found the report should have recommended an increase to \$60,000 in order to meet the terms of the grant and allocate all of the funds earmarked for the matching contribution. Council approval is therefore being sought to correct this error by allocating an additional \$10,000 to the project from Council's unallocated cash reserve to increase Council's contribution to \$60,000 to accord with the terms of the grant Agreement.

Council also resolved to establish a drainage advisory committee as a reference group to assist in guiding the flood study once it was funded and directed preparation of the terms of reference for its endorsement. The Terms of Reference for the Kyabram Flood Study Reference Panel (KFSRP) were endorsed by Council at its meeting of 21 May 2019 (refer Attachment 7.2).

The KFSRP's role is to assist the project team (Project Control Group overseeing the study and lead consultant) as it proceeds to seek further flood related information, conduct modelling, produce mapping and investigate mitigation options. The KFSRP will provide an important link between the technicians undertaking the study, stakeholders and the community. It will act as a sounding board providing essential local knowledge on social impacts, historical events, natural and man-made features and other factors related to flooding under existing conditions and impacts of proposed mitigation options.

Membership to the KFSRP as set out in the endorsed Terms of Reference comprises:

1. Kyabram - Deakin Ward Councillors Vicki Neele and John Zobec, one to chair the meetings on a rotational basis with a primary role to encourage input and discussion;
2. Kyabram Drainage Advisory Committee (2);
3. Kyabram Township Community (3 – one from each of the Northern, Central and Southern Areas);
4. Kyabram Rural South / West / Mosquito Depression Landowner Group (2);
5. Kyabram Rural North / East Landowner Group (2);
6. Kyabram Recreational and Public Lands Group (2-4 including Kyabram Fauna Park and Kyabram Racecourse and Recreation Reserve Committee which includes the Golf Club); and
7. Statutory authorities and special interest groups by direct invitation including GBCMA, SES, GMW, GVW, Yorta Yorta Nations, VicTrack, VicRoads, DELWP, Kyabram Landcare Group, Kyabram Development Committee, Kyabram Deakin Residents Ratepayers and Development Group Inc, Department of Agriculture and representatives from Council's environment, engineering, planning and recreation departments.

Advertisements were published in three editions of the Kyabram Free Press and Council's website commencing on the 29 May 2019. Invitations were also extended to the various statutory authorities and special interest groups listed in the Terms of Reference seeking representatives to the KFSRP.

7. Content

To date interest has been expressed from the following eight members of the community:

- Kyabram Drainage Advisory Committee – Mr Cecil Holden, Mr Robert Moyle,
- Kyabram Township Community – Mr Greg McKenzie (Northern), Mr Leigh Johnson (Central), Mr Jeff Parry (Southern)
- Kyabram Rural South / West and Rural North / East – Mr Michael Sweeney (North / Western),
- Kyabram Recreation and Public Lands Group – Mr Peter Shelley (Racecourse and Recreation Reserve Committee), Mr Don McKenzie (Golf Club), invitation extended to General Manager Kyabram Fauna Park.
- Special interest groups – Mr Cory Walker, Water Policy Officer (Yorta Yorta Nations), Mrs Mary Bowman (Kyabram Deakin Residents Ratepayers and Development Group Inc).

Nominations in response to invitations have also been received from the following statutory authorities – Mr John Xu (GVW), Mr Guy Tierney (GBCMA), Mr Malcolm Ross (SES). Additional nominations are expected to be received from several more of the authorities and interest groups in due course.

Following consideration of nominees' knowledge and areas of interest, it is considered the community and study would be best served by accepting all nominations.

The Terms of Reference provide for the KFSRP to include more members than recommended for appointment. As with other recent studies it is expected there will be further interest by other members of the community with valuable relevant knowledge as the study progresses. These vacancies will provide opportunity for the Project Review Group overseeing the study to appoint additional members to the Reference Panel as it considers appropriate.

8. Strategic Planning Environments

Strong and Engaged Communities:	The proposed project management and consultation arrangements for conduct of this study will further foster Council's relationship and partnership with the local community and encourage the active involvement of community members.
Resilient Economy:	Up to date flooding knowledge enables more appropriate planning and control of development and improved flood management thereby reducing the negative economic impacts of these events on the community and economy.
Healthy Environment:	Study outcomes will assist in mitigating the effects of future flood events thereby reducing the emotional and physical strain on the Kyabram community with the objective of improving the community's quality of life.
Balanced Services and Infrastructure:	Urban planning based on the results of these investigations will result in more reliable services, lower cost infrastructure and reduced flood damage by regulating development of inappropriate flood prone areas.
Responsible Management:	The proposed project management and governance arrangements support open and clear communication and foster improved relationships and partnership development between Council, local organisations, the State flood plain management agencies, statutory authorities and members of the Kyabram community.

9. Consultation

There has been extensive consultation between officers of Campaspe Shire Council, the Goulburn Broken Catchment Management Authority, State Emergency Service and DELWP in seeking funding and establishing this study. Advertisements were placed seeking representatives to the Kyabram Flood Study Reference Panel and inviting representation from the various relevant statutory authorities. This Panel will provide a key forum as well as an important source of advice on how best to engage with the wider Kyabram community.

The study is also underpinned by very strong consultative processes as outlined in the KFSRP Terms of Reference. These are designed to engage a broad cross section of the local community and various interest groups and authorities to ensure the study addresses all of the relevant issues of concern to the community, considers its views and as far as practical achieves a local understanding and ownership of the outcomes.

Cr Neele vacated the Chair at 5:11pm

Cr Weston re-entered the Chamber at 5:11pm and resumed the Chair

7.3. Road Management Plan and Rural Roads Review

Mr Lindsay Eaton addressed Council in relation to item 7.3

Author:

Sean Hay, Infrastructure Development Coordinator

Responsible Manager:

General Manager Infrastructure Services

Attachments:

7.3.1 Draft Road Management Plan for public exhibition April 2019

7.3.2 Draft Road Management Plan Appendices

7.3.3 Road Management Plan Review Report

7.3.4 Road Management Plan Public Submissions Case Book

1. Purpose

To advise Council on the advertising of the Draft Road Management Plan for public exhibition April 2019 and seek Council's decision on the formal adoption of the Draft Road Management Plan.

2. COUNCILLORS PANKHURST / PENTREATH

That Council:

- 1. Adopt the Road Management Plan Review Report in accordance with the provisions of the Road Management (General) Regulations 2016.**
- 2. Adopt the Draft Road Management Plan (and associated appendices), in accordance with the requirements of Division 5 of the *Road Management Act 2004*.**
- 3. Publish a Notice of Amendment of the Road Management Plan in the Government Gazette and Local Newspapers stating the following as required by Section 55 of the *Road Management Act 2004*:**
 - a) That the Road Management Plan, including the Council's Register of Public Roads, has been amended.**
 - b) That the Road Management Plan may be inspected or obtained from Campaspe Shire Service Centres or downloaded from Council's website.**
- 4. Distribute copies of the adopted Road Management Plan (and associated appendices) to all Council Service Centres and make available on Council's website.**

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 has an established Road Management Plan (RMP) under the *Road Management Act 2004*. The RMP is a plan that details the inspection regime, defect intervention levels and defect repair response times for all nominated road related assets under Council's management. The RMP insures that the community is informed about how the Council manages its road assets and the standard to expect. The RMP is also Council's tool in the defence against claims of negligence in relation to their road network.

Council's RMP was first adopted by Council in December 2004 and has been regularly reviewed as listed below:

- September 2007
- September 2009
- June 2013
- June 2017.

Section 54 of the *Road Management Act 2004* outlines the procedure for making or amending a Road Management Plan. As part of this process council must give a notice stating:

- the purpose and general meaning of the proposed road management plan;
- where a copy of the proposed road management plan can be obtained or inspected; and
- that any person who is aggrieved by the proposed road management plan may make a submission on the proposed road management plan to the road authority within the period specified in the notice.

The Act also outlines that a road authority must allow at least 28 days for public submissions.

A public notice was published in the Victorian Government Gazette on 2 May 2019 seeking public submissions in relation to the draft RMP. A similar notice was published in local newspapers and advertised on council's website in the same week as the gazettal notice.

The notice invited community members to make submissions on the draft RMP. Under Section 223 of the Local Government Act 1989 Council must consider any submissions that are received in accordance with the requirements outlined in those statutory requirements.

There is a requirement within the Road Management (General) Regulations 2016 Section 9 to complete a written report summarising the findings and conclusions of the review of the current Road Management Plan. This review report (Attachment 7.3.3) must be made available for copying or inspection at the place where the

Road Management Plan may be inspected or obtained in accordance with Section 55 (1) (b) of the Road Management Act 2004.

7. Content

The RMP was originally scheduled for review in 2021. However, the road register requires updating following the second round of the rural road review. Council staff have taken the opportunity to undertake the review of the RMP (Version 7) as well in accordance with the Road Management (General) Regulations 2016. The new plan has been amended to align with updated insurer's advice, current policy, operational objectives and available resources.

The draft RMP has the following improvements:

1. The plan has been reformatted and redrafted to be clearer and easier to read, especially related to road hierarchies and defect response times.
2. The rewording of defect response descriptions means that more defects will be able to be included within these definitions e.g. "bull dust" and rough areas.
3. Altered the definition of bridge defects to be more general.
4. Improved the standard of rutting¹ on sealed and gravel roads from 150mm to 100mm.
5. Gravel road corrugations² added to include within 50m of an intersection.
6. The Register of Public Roads has been updated to reflect the current state of the road network and incorporate previous Council decisions and growth from subdivisions.

(¹Rutting is the wearing of grooves in to a road longitudinally or where material is pushed up to create a groove.

²Corrugations are clusters of latitudinal grooves or waves in the road surface.)

The submissions received through the process have not led to any suggested amendments to the Draft Road Management Plan.

For details of submissions that have been received from the public, refer to Attachment 7.3.4 - *Road Management Plan Public Submissions Case Book*.

8. Issues and Risk Management

Issues:

Issue 1: Insurance

Council's insurers updated Council officers on outcomes of recent proceedings involving RMP's. A review of defects and response times was undertaken to ensure Council could meet its legal obligations under the RMP.

Risk:

Risk	Likelihood	Consequence	Rating	Mitigation action
Successful legal action against Council if the RMP is not complied with	Low	Major – If Council do not comply with the requirements of the RMP Council will not receive the protection that the RMP provides which could negatively impact Council's future insurance premiums.	High	Council resolves to support the draft RMP.

9. Options

Option 1: Adopt the draft Road Management Plan

This option is recommended by officers without amendment.

Council officers have carried out a review of the existing RMP in line with the requirements set out in the *Road Management Act 2004* and the Road Management (General) Regulations 2016. This will also ensure the Council's Register of Public Roads reflects the current network and implements previous Council decisions and the growth resulting from subdivisions.

Option 2: Do Not Adopt the Draft Road Management Plan

This option is not recommended by officers.

Council could refuse to adopt the draft RMP. This recommendation will result in Council leaving itself more open to successful legal proceedings because it is operating to an RMP that is not in line with latest advice and precedent.

Option 3: Make Amendments

This option is not recommended by officers.

Council could refuse to adopt the draft RMP and recommend changes. This would trigger the consultation process to commence from the beginning, i.e. Government Gazette notice and public submissions. This recommendation will result in Council leaving itself more open to successful legal proceedings because it is operating to an RMP that is not in line with latest advice and precedent. Significant amendments to the standards would lead to budgetary impacts and raised legal risks while the network is brought in to line.

10. Strategic Planning Environments

Strong and Engaged Communities: No Impact

Resilient Economy: The adoption of the draft RMP will continue to provide the community with safe transport networks and an agreed plan on the inspection and treatment of defects identified within those transport networks. Some of the standards have been improved leading to higher levels of service.

The Rural Road Review project strove to deliver a rural road network in a fit-for-purpose condition at a sustainable cost. The updated road register reflects the outcome of the project.

Healthy Environment: No Impact

Balanced Services and Infrastructure: The impact of this recommendation supports the implementation of the strategic objective to manage and maintain assets to optimise their lifecycle.

Responsible Management: The draft RMP was reviewed to ensure that council has the available resources to manage its road network in accordance with the inspection timelines, intervention levels and response times.

11. Consultation

Internal Consultation:

- Assets Manager

- Roads Services
- Works Department.
- Assets Department
- Councillors at the 9 July 2019 Council Briefing Session.

External Consultation:

- The community was invited to make submissions on the draft RMP and a number of submissions were received.

Keith Oberin entered the Chamber at 5:21pm

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 June 2019.

2. COUNCILLORS ZOBEC / VICKERS

That Council note the Assemblies of Councillors records.

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 June 2019:

Meeting Information		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	4 June 2019	
Start time:	9:33am	Finish time: 4:26pm
Matters Discussed	<ol style="list-style-type: none"> 1. Welcome, present and apologies 2. Declaration of Interests 3. CEO Employment & Contract Committee Update 4. Special Council Meeting Agenda Review 5. Brose Reserve Kyabram Discussion 6. Public Open Space Provision Discussion 7. Protocol for Recognising Traditional Owners 8. Delegation – Dja Dja Wurrung – Treaty Discussion 9. Delegation – Kyabram Fauna Park Strategic Plan 2019-2024 10. Tourism Funding Discussion No. 2 11. Delegation – Echuca Moama Arts Precinct Master Plan Discussion No. 5 12. General Business <ol style="list-style-type: none"> 12.1 GMID Water Forum 12.2 Allan Street Kyabram and Rochester Roundabout Damage 12.3 Aged Care Services 13. Meeting Close 	
Attendees		
Councillors	Adrian Weston (Mayor) (9:33am – 9:51am) (11:15am - 4:26pm), Vicki Neele, Daniel Mackrell, Kristen Munro (9:37am - 4:26pm), Neil Pankhurst, Leanne Pentreath, Annie Vickers, Leigh Wilson, John Zobec (10:09am - 4:26pm)	
Staff	Ray Burton (9:33am – 3:05pm) (3:49pm – 4:26pm), Fleur Cousins, Keith Oberin (9:44am - 4:26pm), Paul McKenzie (9:39am – 11:05am) (2:37pm - 4:25pm), Richard Conway, Sharolyn Taylor	
Apologies	Nil	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
4	Cr Munro	Yes
4	Cr Vickers	Yes
9	Fleur Cousins	No

Meeting Information		
Meeting Name/Type	Joint Meeting Campaspe Shire Council and Murray River Council	
Meeting Date	5 June 2019	
Start time:	10:36am	Finish time: 3:54pm
Matters Discussed	<ol style="list-style-type: none"> 1. Welcome, present and apologies 2. Declaration of Interests 3. Echuca Moama Alliance 4. Echuca Moama Bridge Arts Project 5. Tourism – Murray River Tourism and Echuca Moama Tourism 6. Planning for the Future 7. Memorandum of Understanding 8. Cross Border Issues 9. General Discussion <ol style="list-style-type: none"> 9.1 Meeting Frequency 9.2 Echuca Moama Torrumbarry Flood Study 9.3 Council Budget Expenditure 10. Meeting Close 	
Attendees		
Councillors	Adrian Weston (Mayor), Vicki Neele (10:36am – 2:29pm), Neil Pankhurst, Daniel Mackrell (10:36am to 11:35am) (2:23pm – 3:31pm), Annie Vickers, Leanne Pentreath, Leigh Wilson, John Zobec	
Staff	Ray Burton, Keith Oberin, Paul McKenzie (1:00pm – 2:00pm), Fleur Cousins (10:36am – 1:00pm), Richard Conway (1:00pm – 2:00pm), Andrew Cowin, Sharolyn Taylor	
Apologies	Cr Kristen Munro	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		

Meeting Information		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	11 June 2019	
Start time:	9:37am	Finish time: 4:02pm
Matters Discussed	<ol style="list-style-type: none"> 1. Welcome, present and apologies 2. Declaration of Interests 3. CEO Employment and Contract Committee Update 4. Aged and Disability Update No. 5 5. Campaspe Shire Council and Murray River Council Memorandum of Understanding 6. Rochester Flood Study Update No. 2 7. Policy Review 8. Art and Culture Strategy 9. Kyabram Northern Oval - Storage facility and Goal Post Nets 10. Planning Scheme Amendments Update 11. Port of Echuca Moorings Closed Tender 12. Echuca Riverfront Development Project Update No. 2 13. General Business <ol style="list-style-type: none"> 13.1 Community Grant Presentations 13.2 PS Pevensey Certification 14. Meeting Close 	
Attendees		
Councillors	Adrian Weston (Mayor), Daniel Mackrell (9:58am – 4:02pm), Neil Pankhurst, Leanne Pentreath, Annie Vickers, Leigh Wilson (10:40am – 4:02pm), John Zobec	
Staff	Ray Burton, Keith Oberin, Paul McKenzie (9:37am – 10:40am), Richard Conway, Sharolyn Taylor	
Apologies		
Councillors	Cr Kristen Munro, Cr Vicki Neele	
Staff	Fleur Cousins	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
11	Cr Vickers	Yes

Meeting Information		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	25 June 2019	
Start time:	12:32pm	Finish time: 3:58pm
Matters Discussed	<ol style="list-style-type: none"> 1. Welcome, present and apologies 2. Declaration of Interests 3. Audit and Risk Committee Chair Update 4. Council Agenda – Open Q & A 5. Council Agenda – Confidential Q & A 6. Monthly Performance Reporting – Operational Reports 7. Monthly Performance Reporting – Financial Report 8. Monthly Performance Reporting – Procurement Report 9. Monthly Performance Reporting – Capital Works 10. Monthly Performance Reporting – Council Resolutions for Action 11. Briefing Minutes Review 12. Future Meetings 13. Communication Reports 14. CEO Employment and Contract Committee Update 15. Councillor Portfolio and Committee Updates, Reports from Conferences and Training attended 16. General Discussion and Question Time 17. Meeting Close 	
Attendees		
Councillors	Adrian Weston (Mayor), Daniel Mackrell, Kristen Munro (2:10pm – 3:58pm), Vicki Neele, Neil Pankhurst, Leanne Pentreath, Annie Vickers, John Zobec	
Staff	Ray Burton, Fleur Cousins, Keith Oberin, Paul McKenzie (1:06pm – 3:44pm), Richard Conway, Sharolyn Taylor	
Apologies		
Councillors	Cr Leigh Wilson, Cr Munro (12:32pm – 2:10pm)	
Staff	Paul McKenzie (12:32pm – 1:06pm)	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
4 - 7.4	Cr Wilson	No – not in
4 – 7.8	Fleur Cousins	No
4 – 7.8	Keith Oberin	No
5-18.2	Cr Vickers	Yes
5 – 18.2	Cr Munro	Yes
6	Cr Munro	Yes
7	Cr Mackrell	Yes

Meeting Information			
Meeting Name/Type	CCTV Public Safety Infrastructure Fund		
Meeting Date	28 June 2019		
Start time:	3:00pm	Finish time:	4:00pm
Matters Discussed	1. Pubic Safety Infrastructure Fund 2. Ongoing management and maintenance costs 3. CCTV infrastructure in Echuca Moama		
Attendees			
Councillors	Cr Vickers, Cr Mackrell, Cr Pankhurst, Cr Neele, Cr Pentreath		
Staff	Keith Oberin, Jessica Ibbeson		
Apologies			
Conflict of Interest disclosures			
Matter No.	Councillor/officer making disclosure		Left meeting: Yes/No
Nil			

8. Issues and Risk Management

Nil.

9. Strategic Planning Environments

Strong and Engaged Communities: No impact

Resilient Economy: No impact

Healthy Environment: No impact

Balanced Services and Infrastructure: No impact

Responsible Management: No impact

10. Consultation

Nil.

8.2. Letters of Appreciation

The following have been received:

- Lin & Fred Andrews, Girgarre – thank you to the Road Maintenance crew who repaired Wigg Road, Girgarre. All workers were polite, helpful and have done a great job.
- Kiara Dean - thank you for your support through the Responsive Grants Program to assist with costs associated to represent Australia at the International Shooting Sport Federation (ISSF) Trench World Competition in Italy and Germany from 1 – 15 July.
- Lucy Irwin – thank you to the two lovely librarians who helped me with my children on 14 June. The two staff members jumped to help out in what could have been an embarrassing and distressing situation, reading superhero stories to my eldest child whilst I dealt with the youngest.

Both staff were polite and respectful throughout and their assistance is greatly appreciated.

- Wyn Hodgens, Rochester Cemetery Trust – thank you once again for the assistance given to the Rochester Cemetery Trust through the Community Grants Program. My experience dealing with all departments has been positive and I cannot fault the service I have received.

The availability of grants has allowed the organisations I have been involved in to do things that would not have been affordable without them.

The Planning and Building department have also been a pleasure to deal with during the purchase of new land and the intention to install a shipping container for the storage and security of equipment.

COUNCILLORS PENTREATH / WILSON

That Council note letters of thanks and appreciation.

CARRIED

8.3. Responsive Grants Program

Author:

Bobbi Aitken, Civic Events & Grants Officer

Responsible Manager:

General Manager Economic & Community Development

1. Purpose

To note Responsive Grants Program applications received and not approved in line with grant guidelines and criteria.

2. COUNCILLORS PENTREATH / WILSON

That Council note the following grant has not been approved in accordance with Responsive Grants Program guidelines and criteria and applicants advised in writing:

- **Breathe Easy for Cystic Fibrosis – to assist with hosting the Breathe Easy for CF Cocktail Party to be held on 7 September at Radcliffe's, Echuca.**

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
Breathe Easy for Cystic Fibrosis	\$815	\$0	Towards the cost of hosting the Breathe Easy for CF Cocktail Party 2019 to be held on 7 September at Radcliffe's, Echuca	Not approved by CEO – does not meet assessment criteria

Fund Balance Prior to application approval:	\$19,974
Funding approved:	\$0
2018/2019 Fund Balance: (16 July 2019)	\$19,974

Fund Balance Prior to application approval:	\$25,000
Funding approved:	\$0
2019/2020 Fund Balance: (16 July 2019)	\$25,000

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

9. Councillor Reports

Cr Adrian Weston	
26 June	Changing Places Facility Opening
28 June	Echuca Lions Club Changeover Dinner
2 July	Citizenship Ceremony
3 July	Planning Information Session - PLN347/2018
4 July	Stanhope Place Plan Follow Up Focus Group
5 July	McColls Transport Meeting
6 July	Girgarre English Feast Dinner
7 July	Echuca All Breeds Show
8 July	NAIDOC Week Opening
15 July	Kyabram Fauna Park Meeting - Unveiling of Draft Master Plan

Cr Daniel Mackrell	
28 June	Echuca Police CCTV Follow Up Meeting

Cr Kristen Munro	
26 June	Changing Places Facility Opening

Cr Vicki Neele	
26 June	Echuca Moama Tourism Board Meeting
28 June	Echuca Police CCTV Follow Up Meeting
28 June	NAIDOC Aboriginal Community Art Exhibition Opening Night
2 July	Citizenship Ceremony
8 July	NAIDOC Week Opening
15 July	Kyabram Fauna Park Meeting - Unveiling of Draft Master Plan

Cr Neil Pankhurst	
26 June	Changing Places Facility Opening
28 June	Echuca Police CCTV Follow Up Meeting
28 June	NAIDOC Aboriginal Community Art Exhibition Opening Night
2 July	Citizenship Ceremony
5 July	VLGA Building Communities Symposium
7 July	Echuca All Breeds Show
8 July	NAIDOC Week Opening
15 July	Kyabram Fauna Park Meeting - Unveiling of Draft Master Plan

Cr Leanne Pentreath	
26 June	Changing Places Facility Opening
26 June	Lockington Lions Club Change Over Dinner
27 June	Planning Information Session - PLN054/2019
28 June	Echuca Police CCTV Follow Up Meeting
28 June	NAIDOC Aboriginal Community Art Exhibition Opening Night
2 July	Citizenship Ceremony
8 July	NAIDOC Week Opening
15 July	Lockington Senior Citizens AGM
15 July	Kyabram Fauna Park Meeting - Unveiling of Draft Master Plan

Cr Annie Vickers	
26 June	Changing Places Facility Opening
27 June	Echuca Moama Accommodation Association AGM
28 June	Echuca Lions Club
28 June	Echuca Police CCTV Follow Up Meeting
28 June	NAIDOC Aboriginal Community Art Exhibition Opening Night
2 July	Citizenship Ceremony
3 July	Planning Information Session - PLN347/2018
7 July	Echuca All Breeds Show
13 July	Echuca - Moama Rotary Changeover Dinner
15 July	Kyabram Fauna Park Meeting - Unveiling of Draft Master Plan
Cr Leigh Wilson	
26 June	Changing Places Facility Opening
7 July	Echuca All Breeds Show
Cr John Zobec	
2 July	Citizenship Ceremony
7 July	Echuca All Breeds Show
15 July	Kyabram Fauna Park Meeting - Unveiling of Draft Master Plan

COUNCILLORS NEELE / ZOBEC

That the Councillor reports be noted.

CARRIED

10. Acting Chief Executive Officer's Report

Activities and meetings attended since previous Council meeting:

- Meeting with Echuca-Moama Bridge Project Director (Mayor Road Projects Authority)
- Citizenship Ceremony
- Meeting with Committee for Echuca Moama Chair and CEO
- Meeting with Murray River Council General Manager
- NAIDOC Week opening
- Meeting with Echuca Moama & District Tourism Chair and CEO
- Meeting with Court Services Victoria
- Echuca Moama Bridge Project Key Stakeholder Meeting
- Campaspe and Murray River Councils Executive Meeting
- Kyabram Fauna Park Community Leaders meeting

COUNCILLORS MACKRELL / ZOBEC

That the Acting Chief Executive Officer's report be noted.

CARRIED

11. Petitions/Letters

11.1. Petition Response - Outcome of a Traffic Control Investigation in Allan Street Kyabram

Author:

Richard Conway, General Manager Infrastructure Services

Attachments:

11.1. Traffic control options report

1. Purpose

To advise Council of the outcome of staff investigations in to road safety on Allan Street, Kyabram.

2. COUNCILLORS NEELE / ZOBEC**That Council:**

1. **Note staff are already applying to VicRoads to lower the speed limit to 50km/hr on Allan Street from McEwen Road to Church Street.**
2. **Note the traffic control options report.**
3. **Note the recommendations in the report and that staff are already enacting recommendation one - extending the no stopping area on the south side of Allan Street between Saunders Street and number 84 Allan Street.**
4. **Agree to enact recommendation 2 of the report once funds are available:**
 - a) **To remove the existing kerb outstands in Allan Street on both sides of Dawes Road – Saunders Street.**
 - b) **Install two kerbed pedestrian refuge islands in Allan Street.**
 - c) **Upgrade street lighting by providing lanterns to illuminate both refuge islands.**
5. **Note that, in line with the report's recommendations, staff will consider installing the remaining recommended actions once the effect of installing the kerbed refuges and the application to lower the speed limit are known.**

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

The issue relates to safety concerns regarding the Allan Street, Saunders Street and Dawes Road intersection. In May 2019 council staff started the process of requesting VicRoads amend the speed limit on Allan Street from 60km/hr to 50km/hr. Staff also started the process of extending the no stopping zone on the south side of Allan Street. In its May 2019 meeting Council considered a petition requesting a roundabout following accidents near the intersection. Council resolved that it would not support the building of a roundabout but did require that “staff investigate other road safety treatments for the intersection and a further report be presented to Council.”

This is the report now being presented.

7. Content

The external consultant retained to investigate the issues is a VicRoads qualified Traffic Engineer and Road Safety Consultant. He also did the original investigation so was already acquainted with the intersection and with prior information. The investigation involved reviewing all the crash data available, talking with Victoria Police in Kyabram and inspecting the site from 3pm on a weekday until after dark so that all light conditions were evaluated. To ensure a holistic view encompassing as many variables as possible the investigation scope was for the entire section of Allan Street from McEwen Road to Church Street, the 60km/hr section. This was done to ensure that all the road safety issues on all of Allan Street’s 60km/hr zone were investigated taking in to account as much risk information as possible. It may have also revealed other issues of concern at other intersections. Expanding the investigation beyond the specific intersection in question also allowed the consultant to consider the impact of any road changes on the rest of Allan Street.

8. Issues and Risk Management

Issues:

Issue 1: What has contributed to the crashes at the site.

The report details crashes that have been recorded. Contributing factors identified in the VicRoads reports indicate drug use and user error which would not necessarily have been avoided by the installation of a roundabout. However, it is possible to lower the opportunity and outcome of incidents and these interventions are recommended.

Issue 2: What are Council already doing.

As noted in the expert report staff had fully delivered the recommendations of the original 2017 report, (part 3.4).

Since then, and as stated in the May 2019 Council resolution, staff have started the speed limit application from 60km/hr to 50km/hr from McEwen Road to Church Street. The expansion of the no stopping zone on the south side of Allan Street has also been set in motion.

Issue 3: Does a roundabout still remain a less effective intervention.

In part 4.2 the report notes that while there are benefits in a roundabout the complexity of the intersection is not lowered by a roundabout, the movement of pedestrians is not improved and there is a risk of some drivers seeing the roundabout effectively as a driving challenge and taking it at excessive speeds. Add that to the cost and it remains difficult to see the installation of a roundabout as the best route forwards. For a fraction of the cost other more effective interventions can be installed.

Issue 4: Doing the right things in the best way.

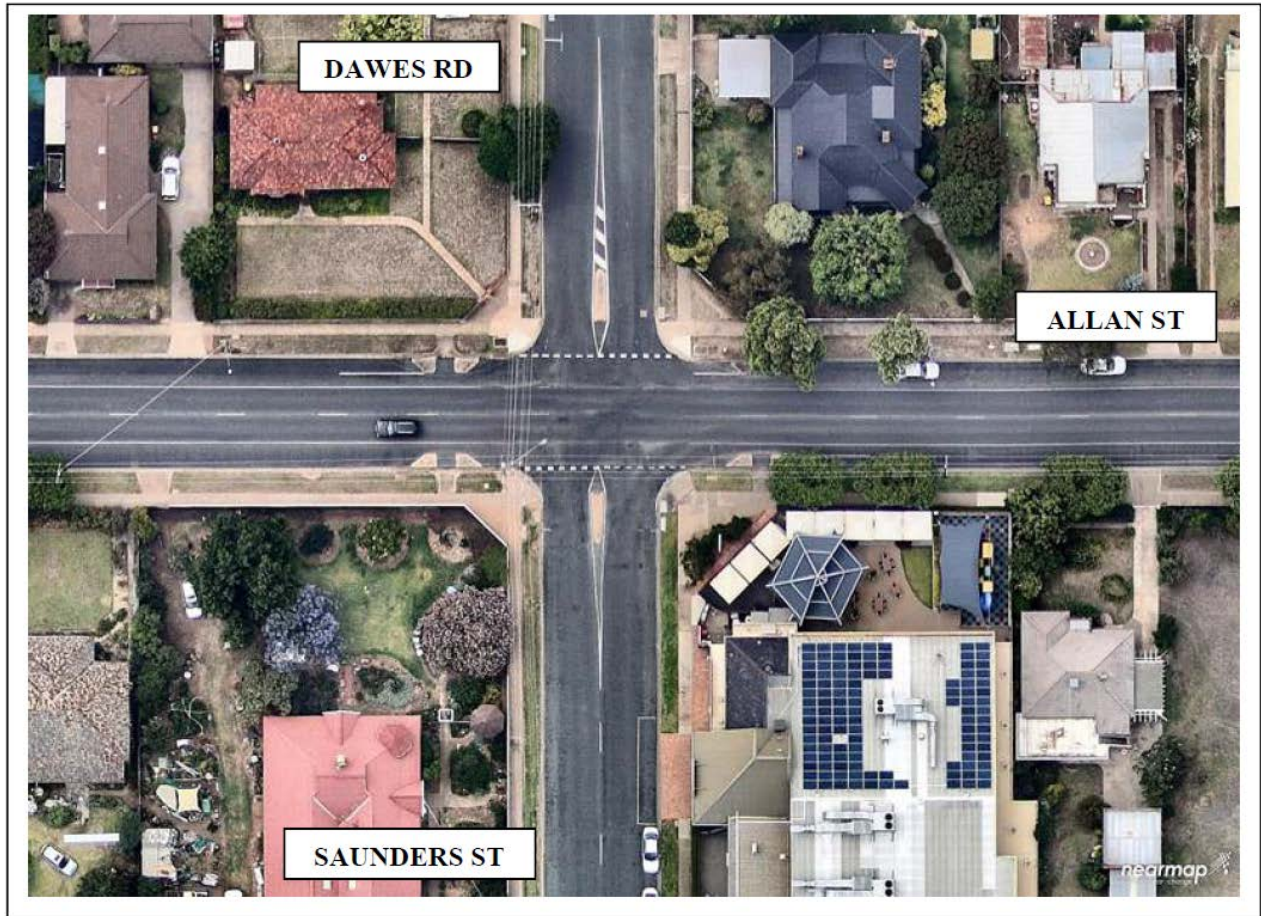
The report recommends in part 5 that instead of a roundabout:

1. The no stopping area on the south side of Allan Street is extended beyond its current amount. (Staff already have this in process.)
2. The kerb outstands are replaced with pedestrian refuge islands and lighting is improved to illuminate the new islands.
3. Once that is done review the speed of traffic along the road and if they are excessive then consider installing speed cushions near the intersection in Allan Street.
4. If then there are concerns about drivers entering the intersection from Saunders Street or Dawes Road despite the new refuge islands and speed cushions, implement upgraded islands in these streets as well.
5. Finally, if speeds elsewhere along Allan Street are then recorded as excessive, install further speed cushions at c150m intervals between Church Street and McEwen Road.

Issue 4: What do the interventions above mean for local residents?

1. Extending the no stopping zone on the south side of Allan Street simply means making parking here illegal. With the amount of parking available and the most affected landowner indicating consent this has limited negative impact. Extension would mean that visibility is as good as it could ever reasonably be expected to be.
 - a. Staff already have this in train.
2. New kerbed refuge islands in Allan Street would impact vehicles by further highlighting the intersection and offer some assistance to drivers coming from the side roads. Their primary benefit is to offer the chance for pedestrians to stop in a highlighted location making their presence even more obvious. Also it assists in decision making for pedestrians as there is a clear resting point which means they should more obviously only have to concentrate on traffic coming from one side.
3. The report recommends waiting to see the impact of the above and also of the speed limit change staff are applying for. (Noting that VicRoads are the decision making body on if a speed limit is changed.) If speeds on Allan Street become too high, then further interventions are recommended.
 - a. If the first two interventions, and any speed limit change, are effective further interventions are unnecessary.
4. If concerns come from drivers entering the intersection from Saunders Street or Dawes Road despite the refuge islands and speed cushions add upgraded islands in these two streets.
5. If speed remains a concern or evidentially the new limits are being ignored speed cushions can be installed. Speed cushions are small mounds put in to the road surface that require vehicles to slow to very low speeds in order to get over. Made often of either rubber or road material they are very effective in lowering traffic speed for most vehicles. (Some SUV and heavy vehicles can traverse at slightly higher speeds because of their ground clearance.) However, people living on the road would hear a constant slowing/braking and then acceleration noise which would be louder than the usual traffic noise. They therefore have an environmental or quality of life impact for the people living on the road.
6. The final recommendation is to extend the speed cushions along all or part of Allan Street depending on where the speed risk is. This would further speed limit Allan Street but also extend the area of noise impact for residents. There is also a small chance that speed cushions would encourage traffic on so other roads. If users feel unreasonably impeded travelling down Allan Street they may move in some numbers on to other roads moving the road safety risk. Points 4 and 5 should therefore be done after reviewing the effectiveness of the first interventions.

The intersection would move from this:



To this should all the interventions be used.



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: Install the first 2 interventions in line with the expert report once funds become available**

This option is recommended by officers.

The aim of getting an expert report is to benefit from the science and experience the consultant has. The interventions suggested are known to be effective so are both scientifically and financially reasonable.

Option 2: Install more of the recommended interventions in the expert report

This option is not recommended by officers.

Installing more than the first 2 interventions isn't recommended by the expert. They would also have impacts on the local resident who haven't yet been consulted and could shift the road safety risk to other streets.

Option 3: Do nothing

This option is not recommended by officers.

While the intersection remains, globally speaking, low risk it is the highest risk intersection on the road. The community do perceive a risk and they evidently do want something done.

10. Strategic Planning Environments

Strong and Engaged Communities:	Responding to the requests of the community for improved road safety treatments is an example of working with them.
Resilient Economy:	No Impact
Healthy Environment:	No Impact
Balanced Services and Infrastructure:	No Impact
Responsible Management:	Responding to community concerns in a financially responsible manner is the most prudent way to deliver services.

11. Consultation**Internal Consultation:**

- Road Services Department
- General Manager Infrastructure Services
- Councillors at 9 July 2019 Council Briefing Session.

External Consultation:

- Expert traffic consultant.

11.2. Petition Response - Landsborough Street Footpath Extension

Mr Jason Lee addressed Council in relation to item 11.2

Author:

Sean Hay, Infrastructure Development Coordinator

Responsible Manager:

General Manager Infrastructure Services

1. Purpose

To advise Council of the results of the investigation into the options available to Council to address the concerns of the ratepayers in relation to the lack of footpaths in Landsborough Street between Heygarth and Anstruther Streets, Echuca.

2. COUNCILLORS PENTREATH / VICKERS

That Council:

- 1. Agree to enter a Project Charter for a new and upgrade project, to construct a footpath on the east side of Landsborough Street between Heygarth and Anstruther Streets, Echuca for consideration as part of the 2020/21 budget process.**
- 2. Advise the requestor that the project to construct a footpath on the east side of Landsborough Street will be considered for inclusion into the 2020/21 Capital Works budget.**

Cr Pentreath sought leave of Council to amend her motion to:

That Council:

- 1. Agree to enter a Project Charter for a new and upgrade project, to construct a footpath in Landsborough Street between Heygarth and Anstruther Streets, Echuca for consideration as part of the 2020/21 budget process.**
- 2. Advise the requestor that the project to construct a footpath in Landsborough Street will be considered for inclusion into the 2020/21 Capital Works budget.**

Council provided leave for the amendment to the motion

Cr Vickers withdrew her seconding of the motion

Cr Pankhurst then seconded the motion

COUNCILLORS PENTREATH / PANKHURST

That Council:

1. **Agree to enter a Project Charter for a new and upgrade project, to construct a footpath in Landsborough Street between Heygarth and Anstruther Streets, Echuca for consideration as part of the 2020/21 budget process.**
2. **Advise the requestor that the project to construct a footpath in Landsborough Street will be considered for inclusion into the 2020/21 Capital Works budget.**

The 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 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 has received several requests concerning the lack of footpaths and perceived safety hazard in Landsborough Street, Echuca between Heygarth and Anstruther Streets as currently there are no footpaths on either side of Landsborough Street between these two Streets.

Council considered a new and upgrade project to construct footpaths in Landsborough Street as part of the 2019/20 budget, however other projects were prioritised and it was not in the adopted 2019/20 budget.

7. Issues and Risk Management

Issues:

Issue 1: Pedestrian safety

Pedestrians are choosing to walk on the road surface of Landsborough Street, some in an unsafe manner, with the flow of traffic in the absence of footpaths. This increases the potential of a vehicle/pedestrian accident although no such incidents have been reported.

There are other options beyond a footpath and these are discussed below.

Issue 2: Funding

Any potential project to construct footpaths or any other infrastructure activity in Landsborough Street will either need to be funded as a new and upgrade project or as a Special Charge Scheme (funded partly by the landowners).

For a special charge scheme the benefitting parties would reasonably be the landowners on the street but also whoever transits through to the CBD or school. (The community benefit) Proving the percentage of resident versus transit users would be difficult however should Council wish a special charge scheme could operate with a greater percentage of Council contribution based on the transit use of the street. This would take some of the financial burden from Council should the residents agree to the scheme. (The exact percentage share would be calculated through the process in line with legislation and similar to the process used for the Latham Road scheme.)

Risk:

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

8. Options

Option 1: Council consider funding the construction of a footpath on the east side of Landsborough Street through either a new asset project or a Special Charge Scheme.

This option is recommended by officers.

This option would provide a safe route for pedestrians and remove any need for them to walk on the road. This option would address the perceived safety issues raised by the complainants. It is also the most effective safety measure as it clearly separates pedestrians from the road.

The estimated cost of this option is \$120,000. (Note no design has been undertaken so this is a very high level estimate.)

Option 2: Council consider funding the construction of footpaths on both sides of Landsborough Street through either a new and upgrade project or a Special Charge Scheme.

The option is not recommended by officers.

This option is an extension of option 1. There are significant issues associated with constructing a footpath on the west side of Landsborough Street, against the back of kerb as suggested in one of the requests Council has received. This is due to the grade of the nature strip and the grading of driveways. The estimated cost makes no allowance to deal with the complexity and the additional costs could be significant.

This option would implement a solution that is in line with the recent requests Council has received.

The estimated cost of this option is \$270,000.

Option 3: Change the status of Landsborough Street to be a shared zone

This option is not recommended by officers.

Shared zones are most appropriate in low volume streets, where there is no cross motor traffic in areas such as central business districts and shopping centres. It is most effective where the predominant pedestrian movement is across the road. The predominant pedestrian movement in this section of Landsborough Street are longitudinal and there is a number of driveways where vehicles back into the road. A shared zone requires significant visual, directional and tactile disruption to highlight the changing road conditions for drivers and ensure that vehicle speed to be physically constrained.

An estimated cost can't be produced without a concept design however it is likely to be in a similar range or greater than option 1.

Option 4: Removal of parking on the east side of Landsborough Street and the creation of a pedestrian lane

This option is not recommended by officers.

This option doesn't reduce the likelihood of a vehicle/pedestrian conflict in the way that a dedicated footpath does, as there is no separation between the traffic and pedestrians. Pedestrians are in no way protected from

vehicles and so the separation is nominal. There is the added disadvantage of the removal of all-day parking in close proximity to the CBD.

Option 5: No change to the current situation

This option is not recommended by officers.

Putting the project in to the 2020/21 budget process does not guarantee acceptance but allows Council to reconsider it against other competing projects. Council voted to adopt other new asset projects this year so Landsborough Street cannot be said to have precedence over those in place. Going ahead now would require new funds to be found or cancelling an existing new asset project.

9. Strategic Planning Environments

Strong and Engaged Communities:	The provision of a connected footpath will encourage people to walk and improve their health.
Resilient Economy:	No impact
Healthy Environment:	No impact
Balanced Services and Infrastructure:	Meets a community request for safer pedestrian access.
Responsible Management:	No impact

10. Consultation

Internal Consultation:

- Road Services Team

External Consultation:

- Nil

11.3 Petition – Provision of Aged and Disability Services

Cr Pentreath tabled a petition from Ms Marlene Orange regarding the provision of Aged and Disability Services.

COUNCILLORS PENTREATH / PANKHURST

I move that the petition received from Marlene Orange requesting Council not withdraw from delivering Aged and Disability Services be tabled and referred to the CEO for a report to be prepared for consideration.

CARRIED

12. Notices of Motion

12.1. Echuca Moama Alliance Working Group

Mr Alexander Sheed – Finck addressed Council in relation item 12.1

Mr Peter Williams addressed Council in relation item 12.1

CR VICKI NEELE – NOTICE OF MOTION

NOTICE OF MOTION

I intend to move at the Council Meeting on 16 July 2019 the following motion:

- (a) That Council note the formation of the Echuca/Moama Alliance Working Group during 2018
- (b) That Council request a working group be convened comprising as follows:
 - (i) Campaspe Shire Council - 1 Councillor, 1 staff member
 - (ii) Echuca/Moama Alliance – 4 members of Alliance
 - (iii) Invite Murray River Shire Council to nominate 2 members to the group
- (c) The brief of the working group is to investigate possible future models or options for the management of the Port of Echuca and the wider identified port precinct
- (d) That the Chief Executive Officer be authorised to provide reasonable resources as requested or required by the group to assist in its investigation
- (e) That the working group report back to Council on its findings no later than 31 December 2019.

REASON: *To show support to a community alliance + that Council is acting on their initiative.*

Vicki Neele

C Vicki Neele

2 July 2019

Cr Neele requested a short recess to seek further clarification her motion

COUNCILLORS VICKERS/ZOBEC

That Council suspend standing orders to seek clarification on the Notice of Motion at 6:41pm

CARRIED

COUNCILLORS WILSON/VICKERS

That Council resume standing orders at 6:41pm

CARRIED

COUNCILLORS VICKERS / ZOBEC

That Council adjourn the meeting for 5 minutes at 6:41pm

CARRIED

COUNCILLORS ZOBEC / VICKERS

The Council reconvene the meeting at 6:47pm

CARRIED

Cr Vicki Neele sought leave of Council to amend the motion as suggested by the Acting CEO

Cr Neele

Amended Motion

1. That Council note the formation of the Echuca Moama Alliance Working Group during 2018.
2. That Council request a working group be convened comprising:
 - i. Campaspe Shire Council – two (2) Councillor, one (1) staff member
 - ii. Echuca Moama Alliance – three (3) members of Alliance
 - iii. Invite Murray River Shire Council to nominate one (1) Councillor and one (1) staff member onto the group
3. The brief of the working group is to establish agreed terms of reference for the investigation of possible future models or options for the management of the Port of Echuca and the wider identified port precinct
4. That the Chief Executive Officer be authorised to provide reasonable resources (up to \$10,000) as requested or required by the group to assist in its investigation
5. That the working group report back to Council on its findings no later than 31 December 2019

Council approved Cr Neele's request to seek the leave of Council to amend the motion

COUNCILLORS NEELE / VICKERS

1. That Council note the formation of the Echuca Moama Alliance Working Group during 2018.
2. That Council request a working group be convened comprising:
 - i. Campaspe Shire Council – two (2) Councillor, one (1) staff member
 - ii. Echuca Moama Alliance – three (3) members of Alliance
 - iii. Invite Murray River Shire Council to nominate one (1) Councillor and one (1) staff member onto the group
3. The brief of the working group is to establish agreed terms of reference for the investigation of possible future models or options for the management of the Port of Echuca and the wider identified port precinct
4. That the Chief Executive Officer be authorised to provide reasonable resources (up to \$10,000) as requested or required by the group to assist in its investigation
5. That the working group report back to Council on its findings no later than 31 December 2019

Cr Pankhurst proposed an amendment to the motion and sought agreement from the mover of the original motion, Cr Neele so that his amendment would become the substantive motion

- 1. That Council note:**
 - a) the formation of the Echuca Moama Alliance group during 2018; and**
 - b) its presentation to Council at the 9 July Briefing.**
- 2. That Council request the formation of a working group comprising:**
 - a) Cr Pankhurst and the Campaspe CEO or his delegate;**
 - b) Mr Michael Delahunty and Mr Craig Opie; and**
 - c) invite the Murray River Council to nominate a senior manager.**
- 3. That the brief of the working group is to develop terms of reference to investigate options for the management of the Port of Echuca precinct.**
- 4. That Council contribute one third of the cost of the proposed facilitators, or one half the cost if Murray River Council chooses not to participate, to a maximum of \$10,000.**
- 5. That the working group engage with Urban Enterprises to comment upon the working group's proposed recommendations.**
- 6. That the working group report back to Council and officers prepare a report for consideration at a Council meeting by 31 December 2019.**

Cr Neele declined the amendment to the motion

COUNCILLORS PANKHURST / MACKRELL

That an additional clause be added to item 2 *that all members of the working group have no business interests in the Port of Echuca.*

The amendment was put to the vote and was LOST

Cr Pentreath proposed an amendment to the motion and sought agreement from the mover of the original motion, Cr Neele so that her amendment would become the substantive motion

- 1. That Council note the formation of the Echuca Moama Alliance Working Group during 2018**
- 2. That Council request a working group be convened comprising:**
 - i. Campaspe Shire Council – two (2) Councillor, one (1) staff member**
 - ii. Echuca Moama Alliance – three (3) members of Alliance**
 - iii. Invite Murray River Shire Council to nominate one (1) Councillor and one (1) staff member onto the group**
 - iv. *that all members of the working group are independent of Port businesses and entities.***
- 3. The brief of the working group is to establish agreed terms of reference for the investigation of possible future models or options for the management of the Port of Echuca and the wider identified port precinct**
- 4. That the Chief Executive Officer be authorised to provide reasonable resources (up to \$10,000) as requested or required by the group to assist in its investigation**
- 5. That the working group report back to Council on its findings no later than 31 December 2019**

Cr Neele declined the amendment

Cr Pentreath proposed an amendment**COUNCILLORS PENTREATH / PANKHURST**

1. That Council note the formation of the Echuca Moama Alliance Working Group during 2018.
2. That Council request a working group be convened comprising:
 - i. Campaspe Shire Council – two (2) Councillors, one (1) staff member
 - ii. Echuca Moama Alliance – three (3) members of Alliance
 - iii. Invite Murray River Shire Council to nominate one (1) Councillor and one (1) staff member onto the group.
 - iv. *that all members of the working group are independent of Port businesses and entities.*
3. The brief of the working group is to establish agreed terms of reference for the investigation of possible future models or options for the management of the Port of Echuca and the wider identified port precinct.
4. That the Chief Executive Officer be authorised to provide reasonable resources (up to \$10,000) as requested or required by the group to assist in its investigation.
5. That the working group report back to Council on its findings no later than 31 December 2019.

The amendment was put to the vote and was CARRIED

The amendment became the substantive motion

COUNCILLORS NEELE / VICKERS

1. That Council note the formation of the Echuca Moama Alliance Working Group during 2018.
2. That Council request a working group be convened comprising:
 - i. Campaspe Shire Council – two (2) Councillors, one (1) staff member
 - ii. Echuca Moama Alliance – three (3) members of Alliance
 - iii. Invite Murray River Shire Council to nominate one (1) Councillor and one (1) staff member onto the group.
 - iv. That all members of the working group are independent of Port businesses and entities.
3. The brief of the working group is to establish agreed terms of reference for the investigation of possible future models or options for the management of the Port of Echuca and the wider identified port precinct.
4. That the Chief Executive Officer be authorised to provide reasonable resources (up to \$10,000) as requested or required by the group to assist in its investigation.
5. That the working group report back to Council on its findings no later than 31 December 2019.

The motion was put to the vote and was CARRIED

Cr Mackrell advised of his intention to lodge a rescission motion

12.2. Stanhope RSL Seating**CR ANNIE VICKERS – NOTICE OF MOTION**

NOTICE OF MOTION

I give notice that I intend to move the following motion at the Council Meeting on Tuesday 16 July 2019:

1. That council note the request form Stanhope RSL to install a picnic table and bench seats in the reserve containing the new toilet facilities in Brudenell Street.
2. That Council give permission to Stanhope RSL to install a picnic table and bench seats provided that:
 - (i) Stanhope RSL fund the proposal including all ongoing maintenance
 - (ii) That the table and seats be of the same design as the table and seats in Birdwood Avenue
 - (iii) That Council be responsible for the management of this project

REASON:

As we have supported one community Group I believe we should support all community.

Annie Vickers.

Cr Annie Vickers

2 July 2019

Cr Annie Vickers sought the leave of the Council to amend the Notice of Motion as suggested by the Acting CEO

- 1 **That Council note the request from Stanhope RSL to install a picnic table and bench seats in the reserve containing the new toilet facilities in Brudenell Street.**
- 2 **That Council give permission to a Stanhope community group to install a picnic table and bench seats provided that:**
 - i. **The community group is to fund the proposal including all ongoing maintenance**
 - ii. **The table and seats be of the same design as the table and seats in Birdwood Avenue**
 - iii. **Council be responsible for the management of the picnic table and bench seat installation**
 - iv. **The table and seats are not a council asset and council are not responsible for future repair or replacement**
 - v. **A plaque be erected to identify ownership and contact for maintenance purposes**

Council provided leave for Cr Vickers to amend the motion

COUNCILLORS VICKERS / NEELE

- 1 That Council note the request from Stanhope RSL to install a picnic table and bench seats in the reserve containing the new toilet facilities in Brudenell Street.**
- 2 That Council give permission to a Stanhope community group to install a picnic table and bench seats provided that:**
 - i. The community group is to fund the proposal including all ongoing maintenance**
 - ii. The table and seats be of the same design as the table and seats in Birdwood Avenue**
 - iii. Council be responsible for the management of the picnic table and bench seat installation**
 - iv. The table and seats are not a council asset and council are not responsible for future repair or replacement**
 - v. A plaque be erected to identify ownership and contact for maintenance purposes**

The motion was put to the vote and was CARRIED

13. Urgent Business

Nil

14. Question Time

Council heard items of Question Time on the following:

Text of Question	Summation of answer given
OH&S training for section 86 members, is this a statutory requirement of Government or is this something that Campaspe Council has thought up?	Council has statutory obligations under OH&S legislation that extends to staff and volunteers. Section 86 Committee members are considered Council volunteers and therefore the requirement to undertake training to understand obligations and responsibilities is required. Council is working on simplifying this approach.
Will the Council repair the Nanneella depression floodway on Gray Road Timmering. It was overlooked in the flood recovery works. I have discussed this with Mayors, tech officers, engineers, with many assurances of action, so far nothing has happened.	Council is happy to meet with Mr McDonald to review the options. At this time, it is not possible to state what action will or won't be taken.
Is it mandatory to report the death of a registered dog to the Council? If you fail to do so is it Council policy to threaten the ratepayer with a \$330 fine?	Officers will investigate this matter and a written response will be provided.
<p>Regarding Council's 'in principle' decision to withdraw from delivering Aged and Disability Services. There are concerns in the community as to why there has not been proper consultation as per Council's policy on Community Engagement.</p> <ol style="list-style-type: none"> 1. Why has there not been proper consultation as per Council's policy on Community Engagement? 2. Why has there been a lack of transparency? 	<p>Council has made an in principle decision to withdraw from delivering aged and disability services. If a change to a new provider occurs, council has committed to ensuring the interests of clients, families and carers, staff and the community are met.</p> <p>A written response will be provided.</p>

COUNCILLORS ZOBEC / VICKERS

That the meeting be adjourned for 5 minutes at 7:52pm for media and community liaison

CARRIED

COUNCILLORS MACKRELL / WILSON

That the meeting be reconvened at 8:02pm

CARRIED

15. Closed Session of the Meeting to the Public

COUNCILLORS ZOBEC / VICKERS

That pursuant to the provisions of the *Local Government Act 1989*, the meeting will now be closed to members of the public at 8:02pm 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

17. Confidential Council Information

18. Confidential Business

19. Confidential Council Meeting Close

20. Items Determined to be no Longer Confidential

COUNCILLORS WILSON / NEELE

That the resolutions of items 18.1, 18.2, 18.3 and 18.5 be no longer confidential.

CARRIED

18.1. C19018 – Echuca Environment Centre Management

COUNCILLORS WILSON / PENTREATH

That Council:

1. **Accept the tender submitted by Veolia Environmental Services Pty Ltd of Level 4, 65 Pirrama Road Pyrmont NSW 2009 to undertake C19018 – Echuca Environmental Centre Management for the amount of \$32,432.72 per month including GST.**
2. **Award the contract to Veolia Environmental Services Pty Ltd as based on the evaluation criteria, the tenderer would adequately meet the requirements of the contract and provide best value for money.**
3. **Authorise the Acting Chief Executive Officer to sign the contract with Veolia Environmental Services Pty Ltd.**
4. **Authorise the General Manager Economic and Community Development to act as Contract Superintendent for the contract, including authorising variations within budget.**
5. **Note that tendered amount is in excess of the budgeted amount by approximately \$190,000 per annum. An agreed amount from the annual waste budget surplus is contributed to the waste reserve each year to maintain the agreed reserve balance. Therefore, if efficiencies or savings, to cover the unbudgeted amount are not achieved, the annual allocation to the waste reserve will be reduced by a corresponding amount.**
6. **Determine the name of the successful tenderer to be no longer confidential.**

CARRIED

18.2. C19025 – Echuca Riverfront Development – Civil Works**COUNCILLORS PANKHURST / NEELE**

That Council:

1. Accept the tender submitted by MF & BL Quarrell Pty Ltd t/a Marc Quarrell Excavations of 559 Zeerust Road Bunbartha Vic 3634 to undertake C19025 – Echuca Riverfront Development – Civil Works for the lump sum price of \$2,637,462.60 including GST. Total contract price includes a lump sum of \$2,557,462.60 including GST and provisional items of \$80,000.00 including GST.
2. Award the contract to MF & BL Quarrell Pty Ltd t/a Marc Quarrell Excavations as based on the evaluation criteria, the tenderer would adequately meet the requirements of the contract and provide best value for money.
3. Authorise the Chief Executive Officer to sign the contract with MF & BL Quarrell Pty Ltd t/a Marc Quarrell Excavations.
4. Authorise the General Manager Regulatory and Community Development to act as Contract Superintendent for the contract, including authorising variations within budget.
5. Determine the name of the successful tenderer to be no longer confidential.
6. Advise all tenderers of the outcome of the tender process.

CARRIED**18.3. PS Pevensey Emergency Slipping and Planking****COUNCILLORS PENTREATH / PANKHURST**

That Council:

1. Approve the allocation of \$285,000 from the Asset renewal – non roads budget for emergency repairs of the PS Pevensey.
2. Direct the Acting Chief Executive Officer to allocate this emergency project for immediate scheduling, subject to certification by a suitably qualified specialist that the Moama slipway is safe for purpose.

CARRIED**18.5. Local Government Renewable Energy Power Purchase Agreement****COUNCILLORS WILSON / VICKERS**

That Council agree to:

1. Proceed to the next stages of the Power Purchase Agreement Project.
2. Commit 100% of its street lighting and large site load to the tender process (total 6 accounts).

CARRIED

21. Open Meeting to the Public

COUNCILLORS PENTREATH / WILSON

That Council resolve to open the meeting to the public at 8:19pm

CARRIED

22. Meeting Close

There being no further business, the meeting concluded at 8:19pm.



.....

CR ADRIAN WESTON

MAYOR