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# Agenda



For a virtual meeting of the seventh Campaspe Shire Council to be held on Tuesday, 20 October 2020, commencing at 5:00pm.

## Opening Prayer

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

Amen

The Shire of Campaspe is the traditional lands of the Dja Dja Wurrung, Taungurung and Yorta Yorta Peoples.

We respect and acknowledge their unique Aboriginal cultural heritage and pay our respect to their ancestors, descendants and emerging leaders as the Traditional Owners of this Country.

We acknowledge their living culture and their unique role in the life of this region.

## Meeting Procedures

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

Due to the COVID-19 Pandemic, this Council meeting is closed to the public, and is being held virtually and livestreamed via Council's website. If technical difficulties arise, the meeting will be adjourned until:

1. the Councillor/s can be reconnected; and a quorum maintained or
2. the streaming connection can be re-established; or
3. if connections cannot be re-established the meeting will be postponed to a later date in accordance with the Meeting Procedures.

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

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

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

## **Business**

### **1. Apologies and Requests for Leave of Absences**

### **2. Confirmation of Minutes and Attachments**

Minutes for the following:

- Campaspe Council Meeting held on 15 September 2020
- Campaspe Briefing Session held on 1 September 2020
- Campaspe Briefing Session held on 8 September 2020
- Campaspe Briefing Session held on 15 September 2020

#### **Recommendation**

**That the following minutes be confirmed:**

- **Campaspe Council Meeting held on 15 September 2020**
- **Campaspe Briefing Session held on 1 September 2020**
- **Campaspe Briefing Session held on 8 September 2020**
- **Campaspe Briefing Session held on 15 September 2020**

### **3. Changes to the Order of Business**

Once an agenda has been prepared and sent to Councillors, the order of business for that meeting may only be altered by resolution of the Council. This includes the request for an item to be brought forward.

## 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.

## **5. Responsible Authority Decisions**

## **6. Planning Authority Decisions**

## **7. Question Time**

Question time will be available at every Ordinary Meeting to enable members of the public to address questions to Council. Questions must be received in writing, on the prescribed form from Council's website, by the Chief Executive Officer or other person authorised for this purpose by the Chief Executive Officer, no later than 12:00pm (noon) on the day of the Ordinary Meeting.

## **8. Acknowledgements**

At each Ordinary Meeting, Councillors will have the opportunity to acknowledge significant community members and events. These may relate to notable achievements by community members and groups and offering of condolences to a person who has previous distinguished service in the local area.

The duration of any report from a Councillor will be limited to two (2) minutes.

Any acknowledgment intended to be raised by a Councillor at an Ordinary meeting must be notified to the Chief Executive Officer at least three (3) hours before the commencement of the meeting.

## 9. Council Decisions

### 9.1. Council Policy Review

**Author:**

Sharolyn Taylor, Council Support Officer

**Responsible Manager:**

Manager Governance and Strategy

**Attachments:**

- 9.1.1 Council Policy 088 – Correspondence
  - 9.1.2 Council Policy 100 – Special Charge or Rate Schemes
- 

#### 1. Purpose

To present to Council two policies for revocation.

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#### 2. Recommendation

**That Council revoke:**

- 1. Council Policy 088 – Correspondence; and
  - 2. Council Policy 100 – Special Charge or Rate Schemes.
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#### 3. Conflict of Interest

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

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#### 4. Charter of Human Rights

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

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#### 5. Instrument of Delegation

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

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#### 6. Background

A summary of the policies proposed for revocation are listed below, the policies are also attached.

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Policy No.	Policy Title	Reason for Revocation
088	Correspondence	<p>It is proposed to revoke this policy as the intent of the policy is addressed in Council's Administrative Policy A146 - Records Management as outlined below:</p> <p><b>1.1. Councillor Correspondence</b></p> <p>The following guidelines are in place for the provision of copies of correspondence provided to Councillor/s, when correspondence is received addressed to a Councillor or multiple Councillors:</p> <ol style="list-style-type: none"> <li>a. Correspondence covering operational matters The letter of response is required to be provided to the Councillor(s) the correspondence was addressed to, for information. Correspondence will not be provided when the matter is related to privacy, debt or pending legal action issues. Planning objections will be reported to Council within a report to Council, and not provided individually.</li> <li>b. Correspondence covering policy/political matters The letter received together with the DRAFT letter of response will be provided to the relevant Ward Councillor(s) or all Councillors. The Councillor/s is/are provided with 48 hours (two working days) in which to comment to response drafted. After this time the letter of response is authorised for distribution (with or without comment received).</li> <li>c. Correspondence addressed to the Mayor and Councillor A copy of the letter must be provided to the Councillor(s) (as addressed) for information.</li> </ol> <p>Normal operational matters not addressed to Councillors will not be referred to Councillors nor will a copy of correspondence be provided. Public Records Office guidance on Councillor records can be found here: <a href="https://prov.vic.gov.au/recordkeeping-government/a-z-topics/councillors-records">https://prov.vic.gov.au/recordkeeping-government/a-z-topics/councillors-records</a></p> <p><b>1.2. Responsibilities</b></p> <p><b>1.2.1. Councillors</b></p> <p>In line with Public Records Office Victoria guidance, documents made or received by Councillors, including electronic communication, are not public records unless they are passed on to, or received by, an employee of Council. Documents received by Council officers as incoming mail, even if addressed to a Councillor, will be treated as a public record.</p> <p>Councillors are encouraged to pass on to an employee of Council any correspondence and information that they directly receive to ensure that all corporate memory is captured as a public record.</p>
100	Special Charge or Rate Schemes	<p>The <i>Local Government Act 2020</i> clearly defines the provisions for special charge and rate schemes therefore this policy can be revoked.</p>

## 7. Issues and Risk Management

### Issues:

Nil

### Risk:

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

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## 8. 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 policies assist with establishing guidelines, effective decision making and being accountable to the community.

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## 9. Consultation

### Internal Consultation

- Responsible policy officers
- Executive Management Group

## **9.2. Review of Volunteer Management Model for Port of Echuca Precinct**

### **Author:**

Andrew Cowin, Manager Governance and Strategy

### **Responsible Manager:**

Chief Executive Officer

### **Attachments:**

9.2 Advice Cloudstreet Economics - Volunteer Management Option

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### **1. Purpose**

To update Council on the outcomes of the investigation of an alternative community not for profile-based model with an annual funding allocation from Council in the region of \$300,000.

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### **2. Recommendation**

#### **That Council:**

- 1. Note the further advice requested in item 9.4 of Council Agenda 15 September 2020 with respect to an alternative community not for profile-based model with an annual funding allocation from Council in the region of \$300,000.**
  - 2. Note that the further advice, requested in item 9.10 of Council Agenda 18 August 2020 with respect to an Independent Not for Profit Body and a Beneficial Enterprise, is yet to be received.**
  - 3. Direct the CEO to make a copy of Dr Cochrane's further advice, the subject of this report, available on Council's website for community information.**
- 

### **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.

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

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

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

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

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### **6. Background**

At its September 2020 meeting, Council considered an update on the progress of the options for the future management of the Port of Echuca precinct and were presented the *Realising the Port of Echuca Precinct Potential – Consideration of Options for the Future Management of the Port of Echuca Precinct – Report for Public Distribution*.

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After consideration, Council determined:

**COUNCILLORS NEELE / VICKERS**

*That Council:*

1. *Note the further advice requested in item 9.10 of Council Agenda 18 August 2020 with respect to an Independent Not for Profit Body and a Beneficial Enterprise is yet to be received.*
1. *Note the Realising the Port of Echuca Precinct Potential – Consideration of Options for the Future Management of the Port of Echuca Precinct – Report for Public Distribution report.*
2. *Direct the CEO to make a copy of the Realising the Port of Echuca Precinct Potential – Consideration of options for the future management of the Port of Echuca Precinct – Report for Public Distribution report available on Council’s website for community information.*
3. *The CEO seek further advice from Dr Cochrane as to whether there might be another model/structure, community not for profit based, including volunteer engagement, that could conceivably manage the Precinct (as defined for the PPWG preferred model) with an annual funding allocation from the Council in the region of \$300,000.*

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## 7. Content

Dr Cochrane (Director of Cloudstreet Economics) has prepared further advice (Attachment One) considering an alternative not for profit-based model, using a volunteer base greater than the original Urban Enterprise model.

The evaluation has assumed that the scope of services offered (in the Discovery Centre and the Museum) remains the same (i.e. that there is no reduction in the range and timing of services offered).

The analysis assumes a volunteer-based approach based on the principle of volunteers being used wherever feasible.

The significant expanded use of volunteers could result in paid full-time equivalent staff reducing from 17.4 to 9.6 (FTE) with the resultant wage cost reducing by approx. \$600,000 (in a typical year).

Consequently, the advice concludes that the increased use of volunteers (if achievable) would have a limited effect in reducing the overall operating costs, with the Tourism Services component of the PoEP still operating at a significant loss (estimated to be \$1.027 in 2022/23).

The advice concludes that ‘*such a model (based on provision of an equivalent service offering) could not be delivered with Council support of \$300,000 (even if feasible)*’.

The further advice also notes that ‘*The selection of the preferred model also requires considerations beyond purely financial, as was recognised in the Cloudstreet Economics report*’.

### 9.10 of Council Agenda 18 August 2020 – Further information

At its August meeting, Council sought further advice with respect to an Independent Not for Profit Body and a Beneficial Enterprise’s:

- a) legal structure;
- b) ability to assume Committee of Management responsibility for Crown Land;
- c) ability to take on their own industrial relations and associated responsibilities;
- d) compliance with Council obligations (Local Government Act, Policies & Procedures, State reporting etc.);
- e) liability to indirect taxes (State and Australia) and direct taxes

Council is advised that the further advice has not yet been received.

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## 8. Issues and Risk Management

### Issues:

#### Issue 1:

Based on Dr Cochrane's advice, it would be inadvisable for Council to determine a preferred management model until the outstanding matters requested by Council at its meeting in August have been resolved.

### Risk:

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

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## 9. Strategic Planning Environments

Strong and Engaged Communities	No impact
Resilient Economy	Improved management and delivery of Council's operations in the precinct will facilitate and support local business growth and develop tourism opportunities
Healthy Environment	No impact
Balanced Services and Infrastructure	Formally reviewing Council's ownership and management of a range of assets, including those in the Port Precinct, informs Council decisions about addressing community needs.
Responsible Management	Considerable Council resources are allocated to the management and operation of the Precinct, reviewing options to improve them, address tourism needs and reduce the level of subsidy required of the community; evidences responsible management.

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## 10. Consultation

### Internal consultation:

- Chief Executive Officer

### **9.3. Authority to Sign the Financial and Performance Statements**

**Author:**

Ailsa Box, Manager Finance

**Responsible Manager:**

General Manager Corporate

**Attachments:**

9.3 Draft Financial Report and Draft Performance Statement

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**1. Purpose**

To present the audited draft financial and performance statements for Council's 'in principle' approval and authorise two Councillors to sign the 2019/2020 Financial Statements and Performance Statement on behalf of Council.

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

1. **Approve 'in principle' the financial statements and performance statement for the period ended 30 June 2020, appended as Attachment 9.3.**
  2. **Authorise the Principal Accounting Officer to make changes to the Financial Statements and Performance Statement as may be determined by the Victorian Auditor General's Office and that any material amendments be made in consultation with the Chief Executive Officer and Chair of the Audit and Risk Committee.**
  3. **Be notified of any material amendments, if they are made, as soon as possible.**
  4. **Authorise the Mayor, Cr Adrian Weston and Cr Leanne Pentreath to sign the annual financial statements and performance statement on behalf of Council.**
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**3. Conflict of Interest**

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

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**4. Charter of Human Rights**

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

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**5. Instrument of Delegation**

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

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## 6. Background

Under sections 131(7) and 131(8) of the *Local Government Act 1989*, Council cannot submit its financial or performance statements to the Victorian Auditor General's Office (VAGO) until Council has considered the statements, provided 'in principle' approval and signed them.

To satisfy this requirement, Council must pass two resolutions, the first gives 'in principle' approval for the financial statements and performance statement and the second authorises two councillors, on behalf of Council, to certify the statements once amendments or changes requested by the VAGO have been made.

The State Government provides the following guidance to Local Government on the process:

- The Audit and Risk Committee reviews the draft financial statements and performance statement and recommends any required changes.
- Council formally meets to review the draft financial statements and performance statement. These are attached as Attachment 9.3. Council is then required to pass a resolution giving 'in principle' approval to the statements and to authorise two specific councillors to sign the statements in their final form, before they can be forward to VAGO for sign off.
- The statements and other documentation are provided to the audit contractor who forwards them to VAGO.
- VAGO reviews the statements and other documentation and requests changes if appropriate.
- The Principal Accounting Officer considers the VAGO requested changes and incorporates them into the statement as agreed.
- The authorised councillors, CEO and Principal Accounting Officer sign the financial statements and submit a final signed copy of the statements to VAGO.
- VAGO then issues the audit report for both the financial statements and performance statement.

This report supports the recommended process by seeking 'in principle' approval and the nomination of two councillors to sign the statements on behalf of Council.

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## 7. Content

Council's VAGO appointed auditor, Johnsons MME, have worked with council officers to ensure the statements as presented reflect the appropriate financial position of Council. These statements were provided to Council's Audit and Risk Committee and discussed at their meeting held on the 14 October 2020. The Audit and Risk Committee have referred these statements to Council for their 'in principle' approval.

The financial statements for the year ending 30 June 2020 report a surplus of \$279,000, which is less than the budgeted surplus of \$3,282,000.

For a detailed explanation of the material variations refer to Note 1.1 within the 2019/20 Financial Report.

However, the key differences leading to the variance between budget and actuals are:

- An additional \$8.671 million of income, which includes the recognition of contributed assets (\$4.793 million) and assets not on Council's asset register (\$0.372 million), increased operating and capital grants (\$4.377 million); offset by a reduction in fees and fine income (\$0.934 million).
- An additional \$11.672 million of expenditure, which includes a loss on disposal of assets (\$12.605 million) due to the capitalisation process that 'writes off' any remaining written down value of assets that are renewed, and then have their new value recognised on the balance sheet; an increase to depreciation (\$0.644 million) due to the introduction of new accounting standards that requires the depreciation of leased assets under Council's control; offset by savings in materials and services (\$1.275 million).

As part of the preparation of the financial statements this year, Council performed a revaluation process across many of its asset classes. This has resulted in a substantial uplift in asset values. More detailed information on these movements can be found in Note 9.1 of the Financial Report.

The performance statement reports on Council's results against the local government performance reporting indicators and demonstrates results consistent with prior years. These results will be available on the Know Your Council website and can be compared with other councils of similar size and all councils across Victoria.

The financial and performance statements are being finalised with VAGO's appointed auditor and are still subject to final review of VAGO.

This report recommends that Cr Adrian Weston, the current Mayor, and Cr Leanne Pentreath, a current member of Council's Audit and Risk Committee, sign the financial statements and performance statement following advice from VAGO.

Both Cr Weston and Cr Pentreath have been confirmed by the VEC as returning to Council following the General Election.

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## 8. Issues and Risk Management

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

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## 9. Strategic Planning Environments

Strong and Engaged Communities	No Impact
Resilient Economy	No Impact
Healthy Environment	No Impact
Balanced Services and Infrastructure	No Impact
Responsible Management	The financial performance statements detail the actual financial result for the 2019/20 year. The preparation and approval of these statements meets Council's reporting requirements in accordance with the <i>Local Government Act 1989</i> .

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## 10. Consultation

Council's Audit and Risk Committee reviewed the financial statements and performance statement on 14 October 2020 and discussed the results with Council's VAGO appointed auditor, Johnsons MME.

## **9.4. 2019-2020 Annual Report**

### **Author:**

Sandra Ennis, Manager Communications

### **Responsible Manager:**

General Manager Corporate

### **Attachments:**

9.4 2019-2020 Annual Report

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### **1. Purpose**

To consider the Annual Report for the year end 30 June 2020 as required by section 134 of the *Local Government Act 1989*.

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### **2. Recommendation**

#### **That Council:**

1. **Receive the Annual Report for the year end 30 June 2020.**
  2. **Authorise the inclusion of the Victorian Auditor General's Office (VAGO) approved financial and performance statements, once finalised and received.**
  3. **Authorise the Chief Executive Officer to amend the Annual Report if there is any change to the VAGO approved financial and performance statements, to ensure consistency of content throughout the Annual Report.**
  4. **Note the Annual Report will be forwarded to the Minister for Local Government prior to 30 November 2020.**
  5. **Note the final Annual Report document, as forwarded to the Minister for Local Government, will be placed on Council's website and tabled for noting by Council at the 8 December 2020 Council meeting.**
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### **3. Conflict of Interest**

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

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

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

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

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

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## 6. Background

Section 131 of the *Local Government Act 1989* requires Council to prepare an Annual Report and submit it to the Minister within three months of the end of each financial year. This year, due to the coronavirus pandemic, the due date for submitting the Annual Report to the Minister for Local Government has been extended to 30 November 2020 (Local Government Victoria Bulletin 26/2020).

The Annual Report must contain:

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

The Annual Report will be made available to the community through Council's website.

As the preparation of the audited performance and financial statements has been delayed, Council officers are finalising the statements with the external auditors and the Victorian Auditor General's Office (VAGO).

If any minor amendments are required to the financial or performance statements, those changes may also need to be made elsewhere within the Annual Report.

## 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	No impact.
Resilient Economy	No impact.
Healthy Environment	No impact.
Balanced Services and Infrastructure	No impact.
Responsible Management	The Annual Report details Council's performance for 2019/2020 against the Council Plan, Strategic Resource Plan and Budget. This is the third year of reporting against the 2017-2021 Council Plan. Importantly the report contains the audited financial and performance statements.

## 9. Consultation

The document was compiled following input from across the organisation.

## **9.5. Audit and Risk Committee Annual Report**

### **Author:**

Fleur Cousins, General Manager Corporate Services

### **Attachments:**

9.5 Audit and Risk Committee Annual Report 2019-2020

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### **1. Purpose**

To note the Audit and Risk Committee Annual Report that highlights the functions and activities of the Audit and Risk Committee for the financial year period of 1 July 2019 to 30 June 2020.

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### **2. Recommendation**

#### **That Council:**

- 1. Receive and note the Audit and Risk Committee Annual Report 2019-2020 contained at Attachment 9.5.**
  - 2. Acknowledge and thank the external audit members for their commitment and contribution provided to the Audit and Risk Committee over the past 12 months.**
- 

### **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

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

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

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

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

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### **6. Background**

The Campaspe Shire Council Audit and Risk Committee (the Committee) is a Committee of Council and supports Council in fulfilling its oversight responsibilities for the financial and performance reporting process, the system of internal control, risk management, the audit process and Council's process for monitoring compliance with legislation.

The Committee has a detailed Charter outlining the roles and responsibilities of the Committee.

This report was prepared under the Committee's charter that was adopted by Council on 19 March 2019.

The Committee comprises of three (3) independent external full members, one (1) independent external affiliate member and two (2) Councillors.

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The external full members are appointed for a term up to four (4) years in duration and may seek reappointment to the Committee for a maximum of eight (8) consecutive years. The external affiliate member is appointed for a term up to two (2) years in duration.

The Audit and Risk Committee Charter requires that an annual report be prepared by the Committee, for presentation to Council, highlighting the achievements and areas of focus of the Committee during the financial year.

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## 7. Content

The Audit and Risk Committee Charter provides that an Annual Report on the activities of the Committee be prepared and presented to Council at the conclusion of each financial year.

The key purpose of this report is to:

- Promote greater awareness of the composition, purpose, role and responsibilities of the Audit and Risk Committee;
- Outline the activities of the Audit and Risk Committee, including a summary of the Council's Internal Audit Program; and
- Provide Council and the Community with increased exposure to the oversight provided on Council's operations of risk management, governance, internal controls and financial management.

A key function of the Audit and Risk Committee is to receive reports from Council's Internal Auditor, AFS and Associates.

For the 2019-2020 year, the Committee received 3 internal audit reports on various topics that were conducted during the financial year. These internal audit reports contain recommendations to improve processes and or internal controls to effectively manage any potential risks. Management responses and comments were provided in respect of these recommendations and an action plan agreed upon.

The Committee reviews the implementation of these recommendations at each meeting to ensure that the recommended and agreed audit actions are enacted thus continually improving Council's procedural and internal control environments. Details of each of these reports are contained in the Annual Report.

The Annual Report also provides an overview of the membership of the Committee, member attendance at Committee meetings, a summary of the self-assessed performance review the Committee undertook and an outlook to the activities of the Committee for the year ahead.

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## 8. Issues and Risk Management

### **Issues:**

There are no issues related to this report.

### **Risk:**

Risk management has been considered in the preparation of this report and no risks 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              An active and diverse Audit and Risk Committee provides the public with the assurance that the operations and risks within the organisation have the appropriate oversight and that the necessary governance practices are being applied. The Committee's Annual Report provides further transparency on the role and activities of the Committee to Council and the community.

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**10. Consultation**

The draft Audit and Risk Committee Annual Report for 2019-20 was reviewed by the Committee at its meeting held on 14 October 2020 and the Committee resolved to endorse the report and present it to the next available Council meeting.

## 10. Council Information

### 10.1 Letters of Appreciation

The following have been received:

- Sam Nelson, Mulcahy Nelson – complimented James Ryan and Frank Belcec on how great the yards are looking at the Echuca & District Livestock Exchange.
- Kyabram Urban Landcare Group – thank you to Rick Keen and staff for mowing the Ern Miles Reserve in Kyabram. It is much appreciated.
- Close the Loop – congratulations and thank you for the great effort put in to divert printer cartridges from landfill for the period 1 July 2020 – 30 September 2020. Campaspe Shire Council has diverted 10.96kgs from landfill for the period.
- Jennifer Fox – thank you to the Campaspe Animal Shelter staff for their assistance when recently adopting a cat. Robbie (formerly Marvin) has settled in to his new home and has permanently stolen a spot on the couch.
- Kyabram & District Historical Society Inc. – thank you for the ongoing support of the Society. The contribution is a great help to the running of the historical library and maintenance of the Hazelman Cottage Complex at the Fauna Park.

#### **Recommendation**

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

## 11. Councillor Reports

Cr Adrian Weston	
21 September	Gargarro Regional Botanic Garden Phase 1 Design Digital Launch
29 September	Girgarre Development Group Meeting
1 October	Mayors Cross Border Virtual Meeting
2 October	Loddon Campaspe Councils Virtual Meeting
14 October	Audit and Risk Committee Virtual Meeting

Cr Daniel Mackrell	
21 September	Gargarro Regional Botanic Garden Phase 1 Design Digital Launch

Cr Kristen Munro	

Cr Vicki Neele	
21 September	Kyabram Development Committee Virtual Meeting
21 September	Gargarro Regional Botanic Garden Phase 1 Design Digital Launch
23 September	Echuca Moama and District Tourism Board Virtual Meeting
13 October	Koyuga Hall Meeting
19 October	Kyabram Development Group Meeting

Cr Neil Pankhurst	
21 September	Gargarro Regional Botanic Garden Phase 1 Design Digital Launch

Cr Leanne Pentreath	
1 October	Rural Aid Community Builders Webinar
14 October	Audit and Risk Committee Virtual Meeting

Cr Annie Vickers	
21 September	Gargarro Regional Botanic Garden Phase 1 Design Digital Launch

Cr Leigh Wilson	
16 September	Recycling Victoria Virtual Meeting
18 September	WRRG Virtual Meeting
16 October	GVWRRG Board Meeting

Cr John Zobec	
21 September	Gargarro Regional Botanic Garden Phase 1 Design Digital Launch
14 October	Audit and Risk Committee Virtual Meeting

### Recommendation

**The Councillor Reports be noted.**

## 12. Chief Executive Officer's Report

The CEO participates in a variety of meetings in response to the Covid-19 Pandemic, in addition to normal operational activities.

Meetings continue to be conducted remotely via teleconferences and web meetings.

### COVID-19 related:

- Twice weekly Business Continuity meetings
- Weekly DHHS/MAV/LGV engagement meetings
- Weekly NSW Border Issues Briefings (Cross Border Commissioners and LG CEOs)
- Fortnightly Loddon Campaspe CEO meetings
- Echuca-Moama Community (Health) Leaders Covid-19 meeting
- Loddon Mallee Regional Outdoor Eating Working Group meetings

### General

- Gargarro Regional Botanic Garden Phase 1 Design Digital Launch
- Meeting with NBN Regional & Remote Manager
- Murray River Group of Councils CEO meeting
- Meeting with EPA Executive
- Loddon Campaspe Councils Mayors & CEOs meeting
- Quarterly meeting with Rural Roads Victoria
- Murray Regional Tourism AGM
- Introductory meeting with new C4EM CEO

### **Recommendation**

**The Chief Executive Officer's report be noted.**

## 13. Petitions and Letters

## 14. Notices of Motion

### 14.1. Notice of Motion Response - Mooring Access Port of Echuca Wharf

**Author:**

Kate Lemon, Community Business Manager

**Responsible Manager:**

General Manager Community

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**1. Purpose**

To respond to a Notice of Motion regarding mooring access at the Port of Echuca Wharf.

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**2. Recommendation**

**That Council note the report.**

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**3. Conflict of Interest**

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

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**4. Charter of Human Rights**

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

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**5. Instrument of Delegation**

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

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**6. Background**

Council, at its 15 September meeting, endorsed the following Notice of Motion:

*Moved Cr Neele Seconded Cr Zobec*

*That Council provide a report examining land access options to the paddle steamers with moorings adjacent to the Crown Land managed by Council from the Discovery Centre to the Wharf.*

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The rationale for the Motion being:

*To ensure that there is certainty and consistency as to the land access options available to any boat owners, private and commercial, who have moorings that abut Council managed Crown Land from the Discovery Centre to the southern end of the wharf. To ensure that owners of historic vessels, that are the designated preferred vessels to be awarded these moorings, can all manage the necessary regular maintenance checks of these vessels in the most sensible manner.*

The CEO’s comment, which accompanied the Notice of Motion in the agenda, advised that:

*Moorings Infrastructure was included in the public EOI documentation that was issued to any prospective boat owner applying for a mooring in the area identified in the Notice of Motion.*

*There is only one mooring that was not subject to this EOI process, which has led to the ‘inconsistency of access’ with respect to the moorings adjacent to the wharf/discovery centre. Councillors have received a detailed report in that regard and have been advised that an alternative location is being pursued to address the single anomaly.*

*The Administration has also advised Councillors of their concerns of significant health and safety risks occurring when accessing the mooring in an unauthorised way, which exposes an individual to serious risk of injury and (if Council supports this access) the Council to a significant liability.*

## 7. Content

Council holds the head licence for moorings between the Echuca Moama Bridge and the Victoria Park Boat Ramp.

Within this space there are two small marinas:

- Marina 1, comprising 8 moorings
- Marina 2, comprising 4 moorings.

Each mooring is specifically allocated to paddlesteamers or historical river trade vessels. This is in keeping with the history of the area and continues to pay tribute to the river transport/trade of yesteryear.

In 2017, Council determined to go out to the market for Expression of Interest (EOI) for access to mooring infrastructure. This report relates to access for moorings within small marina 2, fronting the Port of Echuca Discovery Centre.



Due to the location of the moorings in small marina 2, adjacent to the high riverbank and without built infrastructure access points, access to all vessels moored in this marina is required to be via the river using tenders or other small craft.

Further, the land area adjoining the marinas is predominantly Victorian Crown land under the management of the Campaspe Shire Council. This land is bordered by a riverside strip along the Murray River which is NSW Crown land.

It is important to note that the provision of a mooring licence does not provide, or imply, access across Victorian Crown land without authorisation of the land manager.

In summary, access to the boats in the marina is consistent (via the river), and the boats have no land access immediately adjacent the marina.

## 8. Issues and Risk Management

### Issues:

#### Issue 1: Equitable Access

All licence holders, with moorings that front the Port of Echuca Discovery Centre, are required to access their boats from the water via tender or other craft.

### Risk:

Risk management has been considered in the preparation of this report and, on the assumptions contained within the report (i.e. no land access), no risks with a high or extreme rating have been identified in this process.

The previous activity, which appears to have ceased, constituted a significant risk of bodily injury to the individual, and associated (potential) liability for Council.

## 9. Strategic Planning Environments

Strong and Engaged Communities	No impact
Resilient Economy	No impact
Healthy Environment	No impact
Balanced Services and Infrastructure	All moorings within the marina are treated the same, ensuring that licensees receive the same standard of access to their vessels.
Responsible Management	No impact

## 10. Consultation

### Internal consultation:

- Chief Executive Officer
- General Manager Community

### Councillors:

- Communication Report - 28 August 2020
- Council Briefing Session - 15 September 2020

## **15. Urgent Business**

## **16. Confidential Business**

## **17. Close Meeting**

**Declan Moore**

**Chief Executive Officer**