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# Agenda



For a meeting of the eighth Campaspe Shire Council to be held on Wednesday, 20 January 2021, commencing at 6:00pm at the Council Chambers, Echuca Civic Centre.

## Opening Prayer

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

Amen

The 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.

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 8 December 2020
- Campaspe Briefing Session held on 1 December 2020
- Campaspe Briefing Session held on 8 December 2020
- Campaspe Briefing Session held on 16 December 2020

#### **Recommendation**

**That the following minutes be confirmed:**

- **Campaspe Council Meeting held on 8 December 2020**
- **Campaspe Briefing Session held on 1 December 2020**
- **Campaspe Briefing Session held on 8 December 2020**
- **Campaspe Briefing Session held on 16 December 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 2020 Section 130**

- (1) This section applies in respect of a conflict of interest in respect of a matter—
  - (a) to be considered at a Council meeting; or
  - (b) to be considered at a meeting of a delegated committee; or
  - (c) to be considered at a meeting of a community asset committee; or
  - (d) that arises in the course of the exercise of a power of delegation by a member of Council staff; or
  - (e) that arises in the course of the exercise of a statutory function under this Act or any other Act.
- (2) A relevant person who has a conflict of interest in respect of a matter must—
  - (a) disclose the conflict of interest in the manner required by the Council's Governance Rules; and
  - (b) exclude themselves from the decision making process in relation to that matter, including any discussion or vote on the matter at any Council meeting or delegated committee, and any action in relation to the matter.
- (3) A relevant person must not fail to comply with subsection (2) in respect of a conflict of interest that is a material conflict of interest. Penalty: 120 penalty units.
- (4) If a relevant person who fails to comply with subsection (2) in respect of a conflict of interest that is a general conflict of interest is a Councillor who has been previously—
  - (a) found guilty by a court of a conflict of interest offence against this Act; or
  - (b) subject to a finding of serious misconduct by a Councillor Conduct Panel for a conflict of interest breach—  
the relevant person commits an offence against this Act and is liable to a fine not exceeding 120 penalty units.
- (5) If a relevant person who fails to comply with subsection (2) in respect of a conflict of interest that is a material conflict of interest or a general conflict of interest is a Councillor, an application may be made under section 154 to a Councillor Conduct Panel alleging serious misconduct.
- (6) If a relevant person who fails to comply with subsection (2) is the Chief Executive Officer, the Mayor must notify the Chief Municipal Inspector as soon as practicable after the Mayor becomes aware that the Chief Executive Officer has failed to comply with subsection (2).
- (7) If a relevant person who fails to comply with subsection (2) is a member of Council staff other than the Chief Executive Officer, the Chief Executive Officer—
  - (a) must notify the Chief Municipal Inspector as soon as practicable after the Chief Executive Officer becomes aware that the member of Council staff has failed to comply with subsection (2); and
  - (b) must deal with the failure to comply with subsection (2) in accordance with the code of conduct for members of Council staff.
- (8) If a relevant person who fails to comply with subsection (2) is a person other than a Councillor or a member of Council staff, the Chief Executive Officer must notify the Council and make a recommendation to the Council as to the action that is to be taken.

### **Local Government Act 2020 Section 127 - General conflict of interest**

- (1) Subject to section 129, a relevant person has a **general conflict of interest** in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty.
- (2) For the purposes of subsection (1)—

**private interests** means any direct or indirect interest of a relevant person that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief;

**public duty** means the responsibilities and obligations that a relevant person has to members of the public in their role as a relevant person.

### **Local Government Act 2020 Section 128 - Material conflict of interest**

- (1) Subject to section 129, a relevant person has a **material conflict of interest** in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.
- (2) The benefit may arise or the loss incurred—
  - (a) directly or indirectly; or
  - (b) in a pecuniary or non-pecuniary form.

- (3) For the purposes of this section, any of the following is an **affected person**—
- (a) the relevant person;
  - (b) a family member of the relevant person;
  - (c) a body corporate of which the relevant person or their spouse or domestic partner is a Director or a member of the governing body;
  - (d) an employer of the relevant person, unless the employer is a public body;
  - (e) a business partner of the relevant person;
  - (f) a person for whom the relevant person is a consultant, contractor or agent;
  - (g) a beneficiary under a trust or an object of a discretionary trust of which the relevant person is a trustee;
  - (h) a person from whom the relevant person has received a disclosable gift.

## **5. Responsible Authority Decisions**

Nil

## **6. Planning Authority Decisions**

Nil

## **7. Question Time**

Question time will be available at every Council 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 Council Meeting.

## **8. Acknowledgements**

At each Council 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 a Council 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	Department	Manager	General Manager
Council Support Officer	Office of the CEO	Manager Governance and Strategy	CEO

#### 1. SUMMARY

This report presents two policies for adoption as follows:

- Council Policy 133 - Recreation Fees and Charges
- Administrative Policy A-60 - Appeals, Collections, Street Raffles, Stalls and Busking

#### 2. RECOMMENDATION

**That Council:**

1. **Adopt Council Policy 133 - Recreation Fees and Charges.**
2. **Approve the transition of Council Policy 60 Appeals, Collections, Street Raffles, Stalls and Busking to an Administrative Policy.**

#### 3. PURPOSE

The purpose of the report is to present two Council policies for adoption as follows:

- Council Policy 133 - Recreation Fees and Charges
- Administrative Policy A-60 - Appeals, Collections, Street Raffles, Stalls and Busking

#### 4. DISCUSSION

Policies provide guidance to staff, Council and the community to promote consistency in decision making, guide service delivery and the pursuit of strategic objectives.

Council policies have been prepared and reviewed by the responsible officers in accordance with Council Policy 156 – Policy Framework which establishes a Policy Framework incorporating 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 can create and access a comprehensive collection of 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.

A summary of the reviewed policies is listed below, the policies are also attached.

Policy No.	Policy Title	Purpose	Summary of Proposed Changes
<b>DIVISION – DEVELOPMENT</b>			
133	Recreation Fees and Charges	<p>This policy outlines the methodology for determining recreation fees and charges at the Echuca South Recreation Reserve, Victoria Park Recreation Reserve and Kyabram Recreation Reserve.</p> <p>Formal or structured active sport and recreation is well established across Campaspe Shire Council and is highly valued by the community and Council. Sport and physical activity provides significant health benefits and has the capacity to increase social connectedness in the community.</p> <p>In order to provide the agreed level of service to the community, Council must recover some costs for the repairs and maintenance of sport and recreation facilities from the user groups of these assets. These costs are recovered in the form of fees and charges.</p>	<p>This policy includes extensive changes and has been aligned with Council Policy 093 Council Contributions to Recreation Reserves to provide consistency with classifications and total maintenance figures.</p>
<b>DIVISION – COMMUNITY</b>			
A-60	Appeals, Collections, Street Raffles, Stalls and Busking	<p>To provide Council with a set of guidelines for the issue of permits in relation to the holding of Appeals, Collections, Street Raffles, Stalls and busking.</p> <p>This policy is currently a Council policy and it is proposed to change it to an Administrative policy as it deals with routine operational matters.</p>	<p>This policy is currently a Council policy and it is proposed to change the policy to an Administrative policy.</p>

## 5. OPTIONS

### Option 1: Adopt the policies

To ensure policies remain current and in line with Council strategies and legislation and provide clear direction to officers, businesses and the community it is recommended that Council adopt these policies.

This option is recommended by officers.

### Option 2: Not adopt the policies

Not adopting these policies provides outdated guidelines to the community and officers.

This option is not recommended by officers.

## 6. CONSULTATION

### Internal consultation:

- Relevant responsible policy holders
- Executive Management Group

External consultation:

- Not applicable

Councillors:

- 13 January 2021 Council Briefing Session.

**7. POLICY AND LEGISLATIVE IMPLICATIONS**

Policies assist in improving the delivery of services to the community and give clear direction to officers. Council policies assist with establishing guidelines, effective decision making and being accountable to the community.

**8. FINANCIAL AND ECONOMIC IMPLICATIONS**

None identified

**9. ENVIRONMENTAL IMPLICATIONS**

None identified

**10. SOCIAL IMPLICATIONS**

None identified

**11. RELEVANCE TO COUNCIL PLAN 2017-2021**

Balanced Services and Infrastructure: Policies improve delivery of 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.

**12. 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.

**13. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

**14. 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*.

**15. 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.

**16. CONCLUSION**

It is recommended these policies are adopted as policies assist in improving the delivery of services to the community and provide clear direction to officers.

**17. CONFIDENTIALITY**

Not applicable

**18. ATTACHMENTS**

9.1.1 Council Policy 133 - Recreation Fees and Charges

9.1.2 Administrative Policy A-60 -Appeals, Collections, Street Raffles, Stalls and Busking

## 9.2. PORT OF ECHUCA MANAGEMENT MODEL UPDATE

Author	Department
CEO	Office of the CEO

### 1. SUMMARY

In December 2020, Council received a briefing from Cloudstreet Economics on the additional investigations it had conducted to determine, amongst other matters, taxation and legal requirements for the proposed management models.

During that briefing, the CEO undertook to have Cloudstreet complete a local and regional economic assessment of the Port of Echuca activities that are owned and/or managed by Council.

The consultant has advised that a draft report will be received in late February 2021.

### 2. RECOMMENDATION

That:

1. **Council note the timeframe for delivery of the additional report.**
2. **The CEO arrange an externally facilitated workshop, for Councillors and relevant Senior Staff, to consider the advice and recommendations contained within the suite of Cloudstreet reports.**
3. **The Administration present a report to Council as soon as practicable thereafter, canvassing matters raised in the workshop and recommending how best to progress 'change' in the management and delivery of Council owned/managed services at the Port.**

### 3. PURPOSE

To advise Council and the community that the additional works commissioned to assist Council progress the Port of Echuca Management Model, will be available in late February and to recommend that Council conduct a workshop to consider all of Cloudstreet's advice with respect to Council's operations in the Port of Echuca.

### 4. DISCUSSION

The Port of Echuca Management Model has been the subject of several reports and councillor briefings, particularly over the last 12 months.

In December 2020, Council received a briefing from Cloudstreet Economics on the additional investigations it had conducted to determine, amongst other matters, taxation and legal requirements for the proposed management models.

During that briefing, the CEO undertook to have Cloudstreet complete a local and regional advice around the economic contribution of Council's tourism related activities in the Port of Echuca for the local/regional economy.

The consultant has advised that a draft report will be received in late February 2021.

Given the recent election of a new Council it is recommended that Councillors and Senior staff consider the suite of Cloudstreet's reports in a facilitated workshop.

Following the workshop, the Administration would prepare a final report for Council's consideration about how best to progress the desired changes to the operation of Council's services in the Port.

Please note that several 'standard' report sections have not been included in this brief update.

**5. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

**6. CONCLUSION**

This brief report provides an update on Council's consideration of the Port Management Model, noting that another piece of work has been commissioned to provide Council with advice around the economic contribution of Council's tourism related activities of the Port of Echuca for the region and Victoria.

### 9.3. LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM

Author	Department	Manager	General Manager
Capital Works Coordinator	Infrastructure	Manager Projects and Facilities	General Manager Infrastructure

#### 1. SUMMARY

The Local Roads and Community Infrastructure Program provides stimulus funding to Councils to deliver local road and community infrastructure projects to help communities recover from the COVID-19 pandemic.

The initial allocation of funding under the program was \$2,622,795. Projects were approved by Council and are currently underway.

A subsequent allocation of \$2,737,493 was announced in October 2020 and is available for spend from January – December 2021. Projects are under consideration for this second stage.

#### 2. RECOMMENDATION

**That Council:**

1. **Endorse the revisions to projects funded under the first allocation through the Local Roads and Community Infrastructure Program (Allocation 1) to:**
  - a) **Cease the delivery of following “New and upgrade culverts”**
    - i. **School Road, Corop**
    - ii. **Tait Hamilton Road, Cornella and Gobarup**
    - iii. **Kennedy Road, Gobarup**
    - iv. **Sayers Lane, Rushworth**
    - v. **Cohen Street, Rochester**
    - vi. **High Street, Rochester**
    - vii. **McEwen Road, Rushworth**
  - b) **Construct the following “New and upgrade culverts”**
    - i. **Tennyson Road, Tennyson**
    - ii. **Trounson Road, Diggora**
    - iii. **Mt Terrick Road (300 metres East of Muller Road)**
  - c) **Design and construct Shire wide, footpath 'missing links' in Tongala, Rushworth and Girgarre only.**
2. **Adopt the following projects for the delivery of the Local Roads and Community Infrastructure Program (Allocation 2):**
  - a) **Echuca Aerodrome Upgrade**
  - b) **Rochester Campaspe Street Kerb and Channel Upgrade**
  - c) **Shire Wide Missing Links – Stage 2 (including Echuca footpaths not funded in Allocation 1)**
  - d) **Shire wide Line Marking (centre lines and wide streets)**

### 3. PURPOSE

To provide an update on progress of projects funded through Allocation 1 of the LRCI funding.

To propose revisions to some projects / programs funded through Allocation 1.

To propose candidate projects for consideration for funding through Allocation 2 (LRCI Extension)

### 4. DISCUSSION

On 22 May 2020 the Australian Government announced a new \$500 million Local Roads and Community Infrastructure Program (LRCI). The program supports local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

The LRCI Program provides stimulus funding to Councils in order to deliver local road and community infrastructure projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.

Projects will need to deliver benefits to the community, such as improved accessibility, visual amenity and safety benefits.

Further to the initial funding announcement in May, a subsequent announcement in October provided an additional allocation available from January 2021. The program has been extended to the end of December 2021 and Campaspe Shire Council allocations under the program are as follows:

	Dates for project delivery	Value
Allocation 1 (Initial funding)	July 2020 – June 2021	\$2,622,795
Allocation 2 (LRCI Extension)	January 2021 – December 2021	\$2,737,493

In August 2020 a list of projects to be delivered under the initial allocation was provided to Council. This report provides an update on progress and amendments to a number of the specific project sites indicated in the August report, which has become necessary following further scoping of works. The report also provides additional candidate projects for consideration for funding through the funding extension.

#### Project Update – Funding Allocation 1

The initial LRCI allocation of \$2,622,75 was announced in May 2020. Scoping of the projects commenced in September. As a result of further investigation and standard project delivery procedures, a number of amendments are recommended to ensure acquittal of the funds within grant timescales.

Recommended amendments to project scope, and updates on progress are provided below:

Project Description and Original Scope (August 2020)	Project Update and Recommended Amendment to Scope (if applicable)	Funding allocated
<p>1. Shire gravel road stabilising including stabilising agent and mass action shoulder grading.</p> <p><b>Stabilising</b></p> <p>1.1. Homan Street, Echuca 1.2. Redman Street, Echuca 1.3. Anderson Road, Echuca 1.4. Davis Road-Patho Station Road, Patho 1.5. Yambuna Bridge Road, Yambuna</p>	<p>This project has been scoped in more detail and the following will be undertaken in priority order to the amount specified:</p> <p><b>Stabilising</b></p> <p>1.1. Homan Street, Echuca 1.2. Redman Street, Echuca 1.3. Anderson Road, Echuca (From start of seal to O'Dea Road) 1.4. Yambuna Bridge Road, Yambuna (from Curr Road to end of seal)</p>	\$ 1,532,795

<p><b>Shoulders</b></p> <ol style="list-style-type: none"> <li>1.1. Roslynmead Road, Roslynmead</li> <li>1.2. Stratton Road, Echuca West</li> <li>1.3. Pianta Road, Wharparilla</li> <li>1.4. Wharparilla Road, Echuca West</li> <li>1.5. Geodetic Road North, Mathieson</li> <li>1.6. Singer Road, Lockington</li> <li>1.7. Johnson Road, Stanhope</li> <li>1.8. Winter Road, Nanneella</li> </ol>	<p>Due to complexities around drainage and width of the road that would require detailed design, it is recommended that 'Davis Road-Patho Station Road, Patho' is removed from the program.</p> <p><b>Shoulders</b></p> <p>Road segments have now been identified.</p> <ol style="list-style-type: none"> <li>1.1. Roslynmead Road, Roslynmead (North of Kelly Road to South Bickford Road)</li> <li>1.2. Stratton Road, Echuca West (Echuca Mitiamo Road to Echuca West School Road)</li> <li>1.3. Pianta Road, Wharparilla (Murray Valley Highway to north of Nolan Road)</li> <li>1.4. Wharparilla Road, Echuca West (Echuca Mitiamo Road to Mount Terrick Road)</li> <li>1.5. Singer Road, Lockington (East of Bamawn Road to Restdown Road)</li> <li>1.6. Johnson Road, Stanhope (Midland Highway to Baldwin Road)</li> </ol> <p>Following design verification, the following roads are 6m or wider in width and shoulders works were not deemed required. Therefore, it is recommended that they are removed from the program:</p> <ol style="list-style-type: none"> <li>1.7. Geodetic Road North, Mathieson</li> <li>1.8. Winter Road, Nanneella</li> </ol>	
<ol style="list-style-type: none"> <li>2. New and upgrade culverts. <ol style="list-style-type: none"> <li>2.1. School Road, Corop</li> <li>2.2. Tait Hamilton Road, Cornella and Gobarup</li> <li>2.3. Kennedy Road, Gobarup</li> <li>2.4. Sayers Lane, Rushworth</li> <li>2.5. Cohen Street, Rochester</li> <li>2.6. High Street, Rochester</li> <li>2.7. McEwen Road, Rushworth</li> </ol> </li> </ol>	<p>Culverts on the original list had not been designed in August. On further investigation complexities around some of the locations mean achieving both design and construction this financial year would be unrealistic. Design will now be completed this financial year with construction planned from 21/22 onwards.</p> <p>The following culverts have been designed and it is recommended be undertaken as alternatives:</p> <ul style="list-style-type: none"> <li>▪ Tennyson Road, Tennyson</li> <li>▪ Trounson Road, Diggora</li> <li>▪ Mt Terrick Road (300 meters East of Muller Road)</li> </ul>	\$ 210,000
<ol style="list-style-type: none"> <li>3. Street trees <ol style="list-style-type: none"> <li>3.1. Guide by the Urban Tree Management Plan</li> </ol> </li> </ol>	<p>Trees will be planted from March 2021.</p>	\$ 80,000
<ol style="list-style-type: none"> <li>4. Line marking 'wide streets' <ol style="list-style-type: none"> <li>4.1. Edward Street, Rochester</li> <li>4.2. Dawes Road, Kyabram</li> <li>4.3. Edis Street, Kyabram</li> <li>4.4. Saunders Street, Kyabram</li> <li>4.5. Haslem Street, Kyabram</li> </ol> </li> </ol>	<p>Design is commencing.</p> <p>The project on track to deliver the listed roads in priority order.</p> <p>No revisions at this stage.</p>	\$ 150,000

<p>4.6. Darling Street, Echuca  4.7. Eyre Street, Echuca (remaining sections)  4.8. Haverfield Street, Echuca  4.9. Service Street, Echuca  4.10. Hopwood Street, Echuca  4.11. Goulburn Road, Echuca  4.12. Francis Street, Echuca  4.13. McKinley Street, Echuca  4.14. Minor Street, Echuca  4.15. Elizabeth Street, Echuca  4.16. Hare Street, Echuca  4.17. Butcher Street, Echuca</p>		
<p>5. Collins Street upgrade, Colbinabbin</p>	<p>Detailed design is underway.  No changes to project scope at this stage.</p>	<p>\$ 250,000</p>
<p>6. Shire wide, footpath 'missing links'</p> <p><b>Tongala</b></p> <p>6.1. Gooda Street: Torney Street to St James Street (South)  6.2. Gooda Street: Garrett Street to Purdey Street (South)</p> <p><b>Girgarre</b></p> <p>6.3. Church Street: School Road to Dickman Street (West)  6.4. Dickman Street: Church Street to Wallace Street (South)</p> <p><b>Rushworth</b></p> <p>6.5. Southam Street: Hume Street to Reed Street (East)</p> <p><b>Echuca</b></p> <p>6.6. Crossen Street: Ogilvie Avenue to Elizabeth Street (West)  6.7. Elizabeth Street: Murray Valley Highway to Adelaide Crescent (South)  6.8. Elizabeth Street: Murray Valley Highway to Adelaide Crescent (South)  6.9. Elizabeth Street: Adelaide Cres west entrance to Adelaide Cres east entrance (South)  6.10. Elizabeth Street: Adelaide Crescent to Crossen Street (South)  6.11. Elizabeth Street: Crossen Street to existing footpath (South)  6.12. Elizabeth Street: Shackell Street to Campaspe Esplanade (South)</p>	<p>The design and construction contract was awarded in December for footpaths in Tongala, Rushworth and Girgarre (items 6.1 - 6.5)</p> <p>The remaining footpaths identified in Echuca will be spending until this allocation is expended.</p>	<p>\$300,000</p>
<p>7. Shared path lighting, Echuca</p>	<p>Procurement in November for design and construction contract resulted in no submissions.</p> <p>Request for Quote has been revised and will be readvertised in early 2021.</p> <p>If no acceptable response is received during the second procurement activity, it is recommended that this allocation of funding</p>	<p>\$100,000</p>

	is used to deliver additional street trees or the Echuca footpath 'missing links' projects.	
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### Proposed Projects – Funding Allocation 2, LRCI Extension

In October 2020 an additional allocation of \$2,737,493 was announced. Discussions have taken place with Service Managers to identify suitable projects for funding.

When selecting the proposed projects for the LRCI extension, the following factors were considered:

- Works additional to the pre-COVID-19 program for 2020-21
- Brought forward projects or programs
- Priority given to those that require little to no design
- Projects that can be delivered by December 2021
- Projects that do not place delivery of the Capital program at risk
- Distribution around the Shire.

The following projects were considered for the second stage of funding in order of preference. The projects recommended for inclusion are identified.

Project Description	Delivery Risk	Comment	Recommend for inclusion	Value
Echuca Aerodrome Upgrade		Detailed design is due to commence, therefore scope of works that could be delivered within the grant timescales is unknown at this stage.  An extension of time must be accepted by the funding body for this project to be deliverable.  Local Federal MP has offered to assist in this regard.	Yes, with conditions	\$2,000,000
Toolleen Axedale Road Upgrade		Works have been designed, however consultation and native vegetation implications put delivery within timescales at some risk.  Should the aerodrome upgrade be unsuccessful it is recommended to replace it with this option.	No with conditions	\$2,000,000
Torrumbarry Weir Road Safety Upgrade		In response to safety concerns raised by the community, design has been completed for the widening of sealed pavement on three bends in Torrumbarry Weir Road together with associated line marking and signage works. The project can be feasibly delivered within the grant timescales.	Yes	\$450,000
Rochester Campaspe Street Kerb and Channel Upgrade		Design has been completed for the renewal of existing and installation of additional kerb and channel in Campaspe Street in Rochester (adjacent to Rochester Primary School). Due to the upgrade element of the project it was not funded as	Yes	\$200,000

		part of the kerb and channel renewal program.		
Shire Wide Missing Links – Stage 2 (Including Echuca footpaths not funded in Stage 1)		In addition to the Echuca footpaths identified in stage 1, the Assets Department have mapped and prioritised a further list of ‘missing links’ throughout the shire.  This can be feasibly delivered under a design and construct contract within the grant timescales.	Yes	Up to \$600,000
Shire wide Line Marking (centre lines and wide streets)		Further opportunities for line marking have been identified which can be feasibly delivered under a design and construct contract within the grant timescales.	Yes	Up to \$150,000
Shire wide DDA Footpath Improvements		As part of the 20/21 DDA improvement program, further works have been identified across the shire. This can be feasibly delivered under a design and construct contract within the grant timescales.	Yes	Up to \$700,000
Kyabram Netball Court Construction (works designed)		Due to season, earliest works could commence is mid-September and approximately 10 weeks construction. Delivery within grant timescales at some risk. While possible it is recommended to be included as part of the normal budget cycle.	No	\$550,000
Shire Netball Courts Asphaltting and Flexi-pave Program (Lockington, Toolleen, Vic Park, Gunbower)		New projects. Further project scoping would be required to ensure delivery within the grant timescales.  While possible it is recommended to be included as part of the normal budget cycle.	No	\$350,000

## 5. OPTIONS

Option 1: Approve the Aerodrome and not Toolleen-Axedale Road with a selection of remaining

For the LRCI (Allocation 1) it is recommended to cease the delivery of following “New and upgrade culverts”:

1. School Road, Corop
2. Tait Hamilton Road, Cornella and Gobarup
3. Kennedy Road, Gobarup
4. Sayers Lane, Rushworth
5. Cohen Street, Rochester
6. High Street, Rochester
7. McEwen Road, Rushworth

The following “New and upgrade culverts” are recommended as alternatives:

1. Tennyson Road, Tennyson
2. Trounson Road, Diggora
3. Mt Terrick Road (300 metres East of Muller Road)

For the footpath 'missing links' reduce the number of projects to Tongala, Rushworth and Girgarre only.

On the basis Council can get an extension of time for the construction of the Aerodrome project (\$2M) the following projects are considered for the LRCI.

Adopt the following projects for the delivery of the Local Roads and Community Infrastructure Program (Allocation 2):

1. Echuca Aerodrome Upgrade
2. Torrumbarry Weir Road Safety Upgrade
3. Rochester Campaspe Street Kerb and Channel Upgrade
4. Shire Wide Missing Links – Stage 2 (Including Echuca footpaths not funded in Allocation 1)
5. Shire wide Line Marking (centre lines and wide streets)

This option is recommended by officers.

Option 2: Not Approve Aerodrome or Toolleen-Axedale Road with a selection of the remaining

For the LRCI (Allocation 1) it is recommended to cease the delivery of following "New and upgrade culverts":

1. School Road, Corop
2. Tait Hamilton Road, Cornella and Gobarup
3. Kennedy Road, Gobarup
4. Sayers Lane, Rushworth
5. Cohen Street, Rochester
6. High Street, Rochester
7. McEwen Road, Rushworth

The following "New and upgrade culverts" are recommended as alternatives:

1. Tennyson Road, Tennyson
2. Trounson Road, Diggora
3. Mt Terrick Road (300 meters East of Muller Road)

For the footpath 'missing links' reduce the number of projects to Tongala, Rushworth and Girgarre only.

On the basis Council can get an extension of time for the construction of the Aerodrome project (\$2M) the following projects are considered for the LRCI.

Adopt the following projects for the delivery of the Local Roads and Community Infrastructure Program (Allocation 2):

1. Torrumbarry Weir Road Safety Upgrade
2. Rochester Campaspe Street Kerb and Channel Upgrade
3. Shire Wide Missing Links – Stage 2 (Including Echuca footpaths not funded in Allocation 1)
4. Shire wide Line Marking (centre lines and wide streets)
5. Shire wide DDA Footpath Improvements
6. Shire Netball Courts Asphaltting and Flexi-pave Program (Lockington, Toolleen, Vic Park, Gunbower)

This option is not recommended by officers.

## 6. CONSULTATION

### Internal consultation:

- Service Managers
- Executive Management Group

### External Consultation:

Nil

### Councillors:

- 13 01 2020 Council Briefing Session.
- Council reports - 21st July 2020, 18 August 2020

## 7. POLICY AND LEGISLATIVE IMPLICATIONS

The *Local Government Act 1989* has been taken into consideration throughout this report and in the recommendation.

## 8. FINANCIAL AND ECONOMIC IMPLICATIONS

Implications are identified within the report.

## 9. ENVIRONMENTAL IMPLICATIONS

Nil at this stage.

## 10. SOCIAL IMPLICATIONS

Nil at this stage.

## 11. RELEVANCE TO COUNCIL PLAN 2017-2021

Delivery of this funding meets the strategic objective to provide services and assets that meet current and future community need.

## 12. ISSUES AND RISK MANAGEMENT

### Issues:

Issue 1: The wide range of funding and stimulus packages from state and federal government could impact on delivery of the overall capital works program.

### Risk:

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

## 13. CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

## 14. 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*.

**15. 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.

**16. CONCLUSION**

It is recommended that:

- Council agree to the revisions to projects funded under the first allocation of funding in order that project works can continue.
- For the LRCI funding extension, Council approve the projects listed as low risk for delivery in order that project completion and grant acquittal within the specified timescales is achievable.

**17. ATTACHMENTS**

Nil

## 10. Council Information

### 10.1. LETTERS OF APPRECIATION

The following have been received:

- Ethan Druburgh, Beacon Leader, Echuca College – thank you to Ben Hearn, Community Programs Officer for participating in the Echuca College Mock Interviews.
- James Brogan – a very special thank you to John Salter, Echuca Paddlesteamers for not only making his scared son comfortable and want to come out again, but for taking the time to talk to him on the cruise. He mentioned James' outstanding service skills - "hang on to him, he's a keeper don't let him get away".
- Rushworth & District Historical & Preservation Society Inc. – thank you for the annual contribution. It has been especially welcomed this year with the Museum being closed for much of the year due to COVID-19 and the subsequent substantial loss of revenue from visitor takings.
- Rhyse Golding, 60's American Muscle Car Club – thank you for the opportunity to show our cars along Murray Esplanade. The quality of the venue was second to none and allowed people to get up close to the cars. The welcome packages were well received by members with information used in their free time to look around and support the local economy.
- Australian Red Cross, Ballendella – thank you to Mayor, Cr Chrissy Weller for attending the special 'Awards' luncheon held on 3 December. The group felt honoured to have the Mayor join them on the day.
- Department of Home Affairs – congratulations to Cr Chrissy Weller on her recent election as Mayor. As Mayor, you will play an important role in formally welcoming the nation's newest citizens into the Australian community by hosting and presiding over Australian citizenship ceremonies.

Thank you to you and your council for the significant role you play in welcoming new citizens to Australia, and importantly, to your local community.

### RECOMMENDATION

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

## 10.2. CHANGES TO MURRAY ESPLANADE ROAD ECHUCA RESERVE

Author	Department	Manager	General Manager
Manager Assets	Assets	General Manager Infrastructure	General Manager Infrastructure

### 1. SUMMARY

A formal permanent change in traffic conditions along the section of Murray Esplanade between Leslie Street and Hopwood Place (Echuca) has been implemented.

This involved closing the road reserve to all public vehicles. Only Council authorised vehicles, maintenance, delivery and emergency vehicles and approved horse carriages will be allowed to enter the shared zone.

### 2. RECOMMENDATION

That Council note:

1. That under Schedule 11 – “Powers of Councils over traffic” of The *Local Government Act 1989*, the General Manager Infrastructure has authorised the permanent change in traffic conditions along the section of Murray Esplanade between Leslie Street and Hopwood Place, Echuca.
2. The changes to the restrictions for vehicle use on Murray Esplanade (between Leslie Street and Hopwood Place), alterations to operating practices and changes to road signage and infrastructure.
3. That only Council authorised vehicles, maintenance, delivery and emergency vehicles, and approved horse carriages, will be allowed to enter the shared zone.

### 3. PURPOSE

To advise a permanent change in traffic conditions along the section of Murray Esplanade between Leslie Street and Hopwood Place, Echuca has been implemented.

### 4. DISCUSSION

An application for outdoor dining spaces within Murray Esplanade (between Leslie Street and Hopwood Place, Echuca), consistent with directions and recommendations from the State Government’s response to COVID, triggered the investigation into changes in traffic conditions along Murray Esplanade. There needs to be separation for diners on Murray Esplanade to ensure their safety. The major risk is associated with motorised vehicles however being stuck by Active Transport users on a bicycle or a scooter rider can still cause harm.

For the protection of diners, pedestrians and cyclists, the intent is to only allow authorised vehicles including maintenance, delivery and emergency vehicles, and approved horse carriages, to enter the Port bollarded Area shared zone.

Restrictions for vehicle use on Murray Esplanade and changes to road signage has resulted in an immediate reduction in the amount of through traffic within this section of Murray Esplanade.

To date there have been several reports of vehicles using this section of Murray Esplanade, although once investigated it was shown that these vehicles were making deliveries to businesses within the precinct. No unauthorised vehicle use has been reported.

To ensure compliance, consideration was given to installation of gates and/or additional bollards as a way of restricting public vehicles and closing the road reserve in addition to the modified signage. The following issues have been identified with the use of gates and/or bollards:

- Emergency vehicles would be delayed attending an incident.

- Design of gates and/or bollards need to be done to ensure bicycle riders have clear visibility of the infrastructure
- Authorised users would be required to open and close the restrictions.

#### Future Actions

The following options will be reviewed and/or implemented going forward.

- Road closure boards to physically restrict movement
- Automatic gates in line with heritage values, input from emergency services and part of the improved vision for the port precinct.
- A further improvement on signage based on regulations, guidelines and standards.
- A review of the Cultural Heritage Plans, the future of horse drawn vehicles and Precinct Master Plan to inform future use of Murray Esplanade shared zone.

Advanced designs and costings are required for street upgrades should be considered to become shovel ready for:

- Drainage
- Underground cabling
- Street Lighting
- Possible landscaping and pavement upgrade in line with the Echuca port precincts projects (Spire), Landscape & vision strategy document, January 2020.

#### **5. OPTIONS**

No options have been investigated and the report is for noting purposes only.

#### **6. CONSULTATION**

##### Internal consultation:

- Road Services Unit
- Community Business Team

##### External consultation:

Nil

##### Councillors:

Nil

#### **7. POLICY AND LEGISLATIVE IMPLICATIONS**

The *Local Government Act 1989* has been taken into consideration throughout this report and in the recommendation.

#### **8. FINANCIAL AND ECONOMIC IMPLICATIONS**

Costs to implement the protection of diners and further restrict vehicular access, will be accommodated within operational budget allocations, and may qualify for State COVID funding (\$250,000) already received.

**9. ENVIRONMENTAL IMPLICATIONS**

None identified.

**10. SOCIAL IMPLICATIONS**

The restricted operation of Murray Street has an impact for the community with improved amenity and active transport movement. There is an increased level of safety with the restriction of vehicles.

**11. RELEVANCE TO COUNCIL PLAN 2017-2021**

The permanent change in traffic conditions meets the strategic objective to provide services and assets that meet current and future community need.

**12. 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.

**13. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

**14. 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*.

**15. 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.

**16. CONCLUSION**

That Council note current changes in restrictions for vehicle use and changes to road signage on Murray Esplanade between Leslie Street and Hopwood Place, Echuca and that this action has resulted in an immediate reduction in the amount of through traffic within this area. Therefore, the installation of additional bollards and/or gates has been deemed unnecessary in the short term.

**17. CONFIDENTIALITY**

Nil

**18. ATTACHMENTS**

Nil

## 11. Councillor Reports

Cr Christine Weller	
9 December	Audit and Risk Committee Meeting
9 December	Planning Consultation Session PLN316/2020
10 December	Ballendella Red Cross Celebration
11 December	Echuca Twin Rivers Specialist School 2020 Graduation
12 December	Colbinabbin Clay Target Club Official Unveiling of Honour Board
14 December	Rochester Business Network Tour
17 & 18 December	MAV Mayoral Induction Program
20 December	NSW COVID-19 Outbreak Community Leaders Information Forum
21 December	Victoria / NSW Border Update Forum
13 January	Future of Local Tourism Forum
16 January	Active Transport Echuca East Group and Green Pedal Meeting & Cycle Tour
19 January	Echuca Moama Australia Day Dinner

Cr Robert Amos	
9 December	Audit and Risk Committee Meeting
9 December	Planning Consultation Session PLN316/2020
11 December	Echuca Twin Rivers Specialist School 2020 Graduation
14 December	Local Government Victoria CEOs, Mayors and Councillors Forum
16 January	Active Transport Echuca East Group and Green Pedal Meeting & Cycle Tour
19 January	Echuca Moama Australia Day Dinner

Cr Collen Gates	
10 December	Kyabram Town Hall AGM
11 December	Kyabram Police Morning Tea
18 December	Boating Strategy Roundtable
12 January	Planning Consultation Session - PLN343/2020
16 January	Active Transport Echuca East Group and Green Pedal Meeting & Cycle Tour

Cr Paul Jarman	
14 December	Rochester Business Network Tour
14 December	Rochester Community House AGM

Cr Tony Marwood	
9 December	Audit and Risk Committee Meeting
9 December	Planning Consultation Session PLN316/2020
16 January	Active Transport Echuca East Group and Green Pedal Meeting & Cycle Tour
19 January	Echuca Moama Australia Day Dinner

Cr Daniel Mackrell	
11 December	Kyabram Police Morning Tea

Cr Leanne Pentreath	
14 December	Local Government Victoria CEOs, Mayors and Councillors Forum
14 December	Campaspe Youth Advisory Group End of Year Dinner and Presentation
17 & 18 December	MAV Mayoral Induction Program

Cr Adrian Weston	
11 December	Kyabram Police Morning Tea
6 January	Rushworth Streetscape meeting

Cr John Zobec	
10 December	Kyabram Town Hall AGM
11 December	Kyabram Police Morning Tea
12 January	Planning Consultation Session - PLN343/2020

### Recommendation

**The Councillor Reports be noted.**

## 12. Chief Executive Officer's Report

The CEO participates in a variety of external 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:

- Business Continuity meetings
- DHHS/MAV/LGV engagement meetings
- NSW Border Issues Briefings (Cross Border Commissioners and LG CEOs)
- Loddon Campaspe CEO meetings

### General

- Meeting with Member for Northern Victoria, Tania Maxwell MP
- Meeting with CEO Bendigo TAFE and Kangan Institute
- Meeting with Member for Nicholls, Damian Drum MP

## **RECOMMENDATION**

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

## 13. Petitions and Letters

### 13.1. PETITION RESPONSE - HALL ROAD TORRUMBARRY

Author	Department	Manager	General Manager
Manager Assets	Assets	General Manager Infrastructure	General Manager Infrastructure

#### 1. SUMMARY

A petition was received seeking a review of the section of Hall Road, from Torrumbarry Headworks Road to 59 Hall Road Torrumbarry, that was reclassified in 2018 from a gravel road to an earth road.

As an earth road under Council's Road Management Plan, Hall Road receives minimal ongoing maintenance.

The Office closedown and staff leave has meant that the investigations required to advise the Council, and the Head Petitioner, about the road classification have not been completed.

#### 2. RECOMMENDATION

**That Council:**

- Advise the Head Petitioner that Council will consider a report from the Administration about the classification of Hall Road, in February 2021 and advise them of the outcome thereafter.**
- Request the Chief Executive Officer prepare a detailed report canvassing why Hall Road was reclassified, a recent inspection of the road, whether its classification is consistent with Council's current Road Management Plan.**

#### 3. PURPOSE

To note a petition was received seeking a review of the section of Hall Road from Torrumbarry Headworks Road to 59 Hall Road, which was reclassified from gravel to earth as part of the original Rural Roads Review in 2018.

#### 4. DISCUSSION

The criteria for assessing a road as an earth road is based on access to homesteads. If there are existing gravel or sealed roads providing access to a homestead, secondary roads that do not link other major road networks, may be classified as earth roads.

The petition asks Council to undertake an investigation of the road's classification, based on the belief that the road did service a home at 59 Hall Road and was a major access path for milk tankers servicing a dairy.

An initial review confirms that:

- There is access to the properties along Hall Road via Steel Road. These roads are part of an ongoing road maintenance schedule of re-sheeting and grading.
- Access from the property at 59 Hall Road via Torrumbarry Headworks Road is shorter to the major sealed connector roads, than the access currently provided via steel Road.
- Hall Road from the property at 59 Hall Road to Torrumbarry Headworks Road is in reasonable condition with a major pothole.

Council's Road Management Plan is due for review prior to July 2021.

## 5. OPTIONS

Nil at this early stage.

## 6. CONSULTATION

### Internal consultation:

- Road Services Unit
- Works Unit

### External consultation:

Nil

### Councillors:

Nil

## 7. POLICY AND LEGISLATIVE IMPLICATIONS

The *Local Government Act 2020* has been taken into consideration throughout this report and in the recommendation.

## 8. FINANCIAL AND ECONOMIC IMPLICATIONS

Should this section of Hall Road be reverted to a gravel road there will be an impact on the maintenance program. This will be clarified in a subsequent report to Council.

## 9. ENVIRONMENTAL IMPLICATIONS

Nil at this stage.

## 10. SOCIAL IMPLICATIONS

Nil at this stage.

## 11. RELEVANCE TO COUNCIL PLAN 2017-2021

A review of the Hall Road status meets the strategic objective to provide services and assets that meet current and future community need.

## 12. 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.

## 13. CONFLICT OF INTEREST

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

**14. 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*.

**15. 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.

**16. CONCLUSION**

Hall Road is classified as an earth road under Council's Road Management Plan. A road classified as an earth road requires no ongoing maintenance.

A preliminary review confirms access to the properties along Hall Road via Steel Road, but a more formal investigation is required.

A report will be presented to Council in February 2021.

**17. CONFIDENTIALITY**

Nil

**18. ATTACHMENTS**

13.1 Petition

## 14. Notices of Motion

### 14.1. NOTICE OF MOTION RESPONSE - STATUS OF AQUATIC RESERVE AND ONION PATCH PROJECT ECHUCA

Author	Department
CEO	Office of the CEO

#### 1. SUMMARY

In response to a Notice of Motion and following a councillor briefing, to advise Councillors on the more recent history of plans to redevelop the Aquatic Reserve and Onion Patch, which were the recipient of an unsolicited State Government Economic Stimulus Grant, which was declined by Council.

#### 2. RECOMMENDATION

That:

1. **The Project Group be reconvened and tasked with completing the business case, detailed designs and costings for the Precinct Project (Wharf to Aquatic Reserve) project and report back to Council by the March Council meeting.**
2. **Council agrees to using the remaining project funds to complete the actions required by recommendation 1 (above).**
3. **The final set of works (to a value of \$4.5 million) be determined by Council, based on the various elements to be defined and costed in the Project Group's report.**
4. **Subject to the outcome of point 3 (above) the Administration to recommend a funding package for the works, assuming a successful application in the next State Stimulus Grant Funding round.**
5. **The Administration present budget bids to fund other elements (e.g. wayfinding, picnic tables, fencing, lighting etc.) for Council consideration during the annual budget processes.**

#### 3. PURPOSE

To respond to a Notice of Motion that Council accepted at its 8 December 2020 meeting, to:

1. *Direct the CEO to provide a briefing to Council on the current status of the Aquatic Reserve and Onion Patch detailed design and construction project.*
2. *Direct the CEO to prepare a report to the February 2021 meeting of Council that:*
  - a) *identifies the elements of work required to be completed within the Aquatic Reserve to improve safety, accessibility and support increased utilisation.*
  - b) *investigates and identifies funding sources available which may support delivery of the required works, including Council Reserves, grant funding bodies including engaging with the state government around available funds.*

The following report, appendices and recommendations, comprise the response to the Notice of Motion and seeks to identify appropriate next steps to advance the delivery of an improved Reserve and Wharf area.

#### 4. DISCUSSION

The Administration does not believe that there are any benefits in restating or reviewing the long history of what eventually became known as the Echuca Entertainment Precinct Project, other than to note that the 'title' seems to be an orphan i.e. no one claims to have named it so.

And, while the Rural Development Victoria (RDV) funded Business Case and Concept Plan project canvassed potential developments from the Wharf to the Visitor Information Centre (the Entertainment Precinct), the \$3.0 million Victorian Government Stimulus funding grant specifically excluded the wharf components, hence use of the *Echuca Aquatic Reserve/Onion Patch* title thereafter.

For information, the wharf components are/were:

- Expansion of the cargo shed to increase cover on the wharf, albeit more an extended verandah than a shed;
- Conversion of one rail carriage to a kitchen
- Conversion of another carriage to public toilets

#### Documentation

There are close to 50 documents that together comprise the 'history' of the geographic area and canvass the various iterations of the potential works considered over the years, but, as noted in the Councillor briefing, the amount of work required by the Administration to describe and/or summarise each report, would be extensive and (ultimately) unlikely to assist Councillors consider the purpose of the Notice of Motion.

#### Council's Previous Decision on the Project

Council considered a report at the meeting of 23 June 2020, previously circulated, and determined:

##### *That Council*

1. *Discontinue any further work associated with concept plans, business cases or detailed designs for the Aquatic Reserve, Onion Patch, connecting pathways, Wharf Cargo Shed and Railway Carriage and the so called Echuca Entertainment Precinct;*
2. *Pay out any contractual obligations associated with the works identified in point 1 as appropriate and necessary;*
3. *Reimburse any grant funds if requested by Regional Development Victoria;*
4. *Not support further development of the Wharf Cargo Shed or Railway Carriage and any partially or completed business case not be used to seek funding for same;*
5. *Acknowledges the unique environmental attributes of the Aquatic Reserve and Onion Patch and accordingly resolves any future works be limited to the -*
  - a) *Aquatic Reserve levee bank,*
  - b) *Aquatic Reserve pedestrian access*
  - c) *Aquatic Reserve water quality and water's edge access,*
  - d) *Aquatic Reserve tree management - all (items a, b, c, and d) done in accordance with the Echuca Aquatic Reserve Infrastructure and Service plan,*
  - e) *limiting vehicular access to the Aquatic Reserve and Onion Patch being designed and achieved using log placement and indigenous riparian plantings;*
6. *Decline the funding offered by Regional Development Victoria for the construction of elements of proposed works in the Aquatic Reserve, Onion Patch, connecting pathways and the Echuca Entertainment Precinct;*
7. *Notes the Aquatic Reserve trees will continue to be managed in accordance with Council's Risk Management Framework.*

Immediately following the June meeting, a Notice of Rescission was lodged.

The rescission motion, which was considered at the 21 July 2020 meeting failed. i.e. the decision of 23 June 2020 was not overturned, so the informally supported scope of works (Attachment 14.1) did not proceed.

#### Project Development Fund

The project to develop a business case, concept plans and (ultimately) detailed design work was funded by Council (\$352,000) and an RDV Grant (\$150,000).

Funds remaining stand at \$328,807 (including \$50,000 from the RDV grant).

Subsequent to the July 2020 meeting, the Administration:

- Wrote to the Minister declining the \$3.0M grant
- Wrote to RDV to advise that the grant had been declined, that the business case would be completed but no further concept plans would be developed and offered to return the grant funds allocated by RDV for those elements.
- Conducted tree management works (public safety & tree protection)
- Began limiting vehicular movement throughout the precinct.

#### Current Status

- No further work has been conducted on any elements of the 'project'.
- RDV has advised that the grant funding to complete the designs/costings for each element of the Precinct Project remains available to Council to use to renew a/the project.
- A further round of State Government stimulus funding may become available in Feb/March, but it would be a competitive round on a 3:1 funding basis (i.e. councils to contribute 25% of project costs).

#### Next Steps

Should Council wish to pursue the development/construction of any/all of the elements identified in Attachment 14.1, with or without any of the 'wharf elements', potential sources of funds for the actual works could be (*subject to eligibility conditions and successful application(s)*) any combination of:

- Project Budget

The available budget stands at \$328,807 to complete detailed designs.

Any savings from the council allocation, after design work, could be used for project delivery.

#### Annual Capital Works Allocations

Council could allocate funds over a number of years to stage a (maximum) \$4.5M scope of works (wharf and reserve).

The project(s) would have to compete for funds annually against Council's extensive asset maintenance/redevelopment/replacement program (e.g. roads, footpaths, buildings, sport & recreation etc.), which is very much scheduled on a useful asset life approach.

#### Council Reserve Funds

Allocations *could* be sourced from the following reserves, provided the works match the intended purpose of the reserve(s)

Reserve	Intended Purpose	Balance
Accumulated Unallocated Cash	The purpose of this reserve is to separately identify Council's unallocated cash and is funded from the year end unallocated cash result.	\$2,517,000
Active Transport Strategy Reserve	The purpose of this reserve is to have funds available to take advantage of grant funds to progress the active transport strategy adopted by Council.	\$247,000
Disability Discrimination Act	The purpose of this reserve is to allocate funds to upgrade community facilities in line with the Disability Discrimination Act when it is deemed necessary and is funded from operations.	\$400,000

### State Community Infrastructure Loan Scheme

Low interest loans (\$500,000 to \$10.0 million), financed through Treasury Corporation of Victoria, the State will further reduce interest payments by 50% (i.e. up to a maximum 1.5% interest rate reduction).

Applications close 23 March 2021.

### State Economic Stimulus Funds

As per RDV advice, grant funds may be available around March 2021, Council would be required to contribute \$1 for each \$3 provided by the grant.

e.g. \$4.5 million project, \$3.375 million grant plus \$1.25 million Council funds (general revenue/reserves).

### Federal Economic Stimulus Funds

There is an expectation, that a further grant round can be expected in the 3<sup>rd</sup> or 4<sup>th</sup> quarter of 2020/21. No specific funding ratio advised at this stage, but it would be expected that a grant would fund at least 50% of a project's cost, as the Federal Government favours projects that involve three parties e.g. Federal/State/Local or Federal/Local/Community Group etc.

### Switch Funding

Meaning - recognise the value of additional untied grants funds provided by the Federal Government to bring forward and pay for projects/payments currently scheduled for 2021/22 and scheduled to use Council funds, and use the 'released funds' for payments towards the currently unfunded Aquatic Reserve project.

e.g. additional \$2.7 million in local roads community infrastructure monies this year, switch the funds in next year's budget from the 'brought forward projects' to the Aquatic Reserve.

## **5. OPTIONS**

### Option 1: As recommended

Option 1 would see the delivery (in large part) of the whole project as envisaged by the Business Case and Concept Plans presented to Council in 2020, before the Stimulus Funding Grant was offered.

This option is recommended by officers, subject to securing in the order of \$3.4M in grants, maximum Council contribution of \$1.25M.

### Option 2: Allocate funds each year to various aspects of the overall plan(s) during the budget process

This option is not recommended by officers, the project is best delivered as a single deliverable, not stretched over years with no guarantees of annual funding.

### Option 3: Consider applying for a Community Infrastructure Loan.

This option is not recommended by officers.

Council has Community Loans in place (arranged 2020) for two projects that are now in detailed design phase for Tendering, it would further extend Council's indebtedness, which is currently considered manageable.

## **6. CONSULTATION**

### Internal consultation:

- Executive Management Group

### External consultation:

- Regional Development Victoria

Councillors:

- Previous Council in briefings and Council reports
- Council Briefing Session 13 January 2021

**7. POLICY AND LEGISLATIVE IMPLICATIONS**

Nil

**8. FINANCIAL AND ECONOMIC IMPLICATIONS**

Development of the Aquatic Reserve and/or Wharf if substantially funded by Government Grants, with a maximum 25% funding by Council using a combination of allocations from existing cash reserves would not present a financial implication; other than the lost opportunity to fund other (competing) projects.

i.e. the ongoing financial viability of the Council, in accordance with Section 9(2)(g) of *Local Government Act 2020*, would not be placed at risk.

The Port Precinct contributes significantly to the general economic sustainability of the municipality, in accordance with Section 9(2)(c) of the *Local Government Act 2020*, and the expansion of ecological protection, tourism, and event opportunities will increase that contribution.

**9. ENVIRONMENTAL IMPLICATIONS**

Works to redevelop the Aquatic Reserve, in particular tree protection, replacement plantings, improved water quality and circulation, will contribute positively towards mitigation of climate change risks in accordance with Section 9(2)(c) of *Local Government Act 2020*.

**10. SOCIAL IMPLICATIONS**

Development of the Aquatic Reserve will contribute to the general health and wellbeing of the community, providing an interesting, safe and universally accessible zone for exercise, relaxation and entertainment in accordance with Section 9(2)(c) of *Local Government Act 2020*.

**11. RELEVANCE TO COUNCIL PLAN 2017-2021**

Resilient Economy	Will facilitate the development tourism opportunities and support local business growth, as a complementary offering.
Healthy Environment	Redevelopment would improve the local environment (water quality, tree protection).

**12. 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.

**13. CONFLICT OF INTEREST**

In accordance with section 130 of the *Local Government Act 2020*, the officer preparing this report declares no conflict of interest regarding this matter.

**14. 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*.

**15. 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.

## 16. CONCLUSION

It is recommended that Council pursue the redevelopment of the Aquatic Reserve, Onion Patch and Wharf areas of the Port Precinct in order to deliver on the project that Council has been considering over several years, subject to securing grant funding of at least 75% of the estimated costs for the project.

## 17. CONFIDENTIALITY

Not applicable

## 18. ATTACHMENTS

14.1 Scope of Works

# 15. Urgent Business

# 16. Confidential Business

## Confidential Business– Close

### Recommendation

That pursuant to the provisions of the *Local Government Act 2020* (the Act), the meeting will now be closed to members of the public in accordance with section 66(2)(a) of the Act to enable the meeting to consider four reports that contain confidential information as defined in section 3(1) of the Act as follows:

- a) *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released*
- c) *Land use planning information, being information that if prematurely released is likely to encourage speculation in land values*
- f) *personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;*
- g) *Private commercial information, being information provided by a business, commercial or financial undertaking that (i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.*

## Confidential Business - Open

### Recommendation

That Council, having considered all items of confidential business in accordance with section 66(2) of the *Local Government Act 2020*, open the meeting to the public at

# 17. Close Meeting

Declan Moore, Chief Executive Officer