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Agenda



For a special meeting of the seventh Campaspe Shire Council to be held on Tuesday 10 December 2019, commencing at 11:30am at the Echuca Civic Centre.

Opening Prayer

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

Amen

The 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.

There are Ask a Question forms just inside the door for anyone who would like to submit a question to Council. Question forms must be completed within 10 minutes and return to the tray. Questions will be addressed at the end of the open section of the meeting.

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

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

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

1. Apologies

Cr Pentreath - approved leave of absence from 6 to 24 December 2019

2. 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.

3. Port Precinct Management Options Review

Author:

Declan Moore, Chief Executive Officer

Attachments:

3. Council resolution of 15 October 2019.
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1. Purpose

To seek Council approval for changes to the Port Precinct Working Group's Terms of Reference for the review of future management options for the Port Precinct, in the event that Murray River Council declines the invitation to join the Working Party.

2. Recommendations

- 1 That resolution 3 of item 7.10 (15 October 2019 meeting of Council) be replaced by the following:

That Council invite the Port Precinct Working Group as currently structured to manage and oversee the review of future management options for the Port Precinct and request the Working Group provide its final report to Council on or before 30 April 2020.

In the event that the Murray River Council decides to decline the invitation to join the Working Group, that the membership comprise the three Alliance and three Campaspe Shire nominees already in place.

- 2 That resolution 4 c) of item 7.10 (15 October 2019 meeting of Council) be replaced by the following:

In the event that the Murray River Council declines to join the Working Group, that Council's financial contribution toward the above consultancy costs (if required) be a maximum of \$14,667.

3. Conflict of Interest

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

4. Charter of Human Rights

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

5. Instrument of Delegation

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

6. Background

Council at its 15 October 2019 meeting determined Membership and Terms of Reference for the Port Precinct Working Group (Attachment One).

1. The Working Group is unable to commission and deliver a consultancy report by the timeframe contemplated in Council's resolution (31 January 2020).

Given the time of year, the need to follow an appropriate procurement process and to give sufficient time for conduct of the work; the Working Group seeks Council's approval to extend the timeline to 30 April 2020.

2. Murray River Council has not yet determined its position with respect to its membership and funding of the Working Group.

The Terms of Reference need to be adjusted to accommodate the continuation of the Working Group, whether Murray River Council joins/funds or not.

If the Murray River Council does not join the Working Group, then its nominal contribution will not be available to fund the consultancy.

The Alliance has undertaken to underwrite the additional cost if Murray River Council does not join, the CEO undertook to ask Council to fund 50% of that cost.

It is therefore recommended that the following changes be made (and approved) to Council's resolutions from 15 October 2019.

That resolution **3**

Council invite the Port Precinct Working Group as currently structured to manage and oversee the review of future management options for the Port Precinct and request the Working Group provide its final report to Council on or before 31 January 2020.

Be amended to read:

That Council invite the Port Precinct Working Group as currently structured to manage and oversee the review of future management options for the Port Precinct and request the Working Group provide its final report to Council on or before 30 April 2020.

In the event that the Murray River Council decides to decline the invitation to join the Working Group, that the membership just comprise the three Alliance and three Campaspe Shire nominees.

That resolution **4 (c)**

Council's financial contribution toward the above consultancy costs (if required) be a maximum of \$11,667.

Be amended to read:

In the event that the Murray River Council declines to join the Working Group, that Council's financial contribution toward the above consultancy costs (if required) be a maximum of \$14,667.

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.

Should Council determine not to proceed with the review proposed through the Terms of Reference there will be reputational damage.

8. Strategic Planning Environments

Strong and Engaged Communities	Council will engage with business and community once the recommendations of the Port Precinct Working Group have been received. This initiative helps foster community partnerships.
Resilient Economy	This review has arisen through concerns about the perceived economic viability of Port Precinct businesses and the broader region. The review will seek to provide the foundations to further strengthen the resilience of the regional economy. This initiative helps support tourism opportunities.
Healthy Environment	Not applicable
Balanced Services and Infrastructure	Not applicable
Responsible Management	This review seeks to test Council's management of the Port Precinct and identify alternative models to enhance same. This initiative strengthens relationships and partnerships.

9. Consultation**External consultation:**

Echuca Moama Alliance Group and Campaspe Shire and Murray River Council Councillors in attendance at the Port Precinct Working Group's meeting of 15 November 2019.

4. Closed Session of the Meeting to the Public

Recommendation

That pursuant to the provisions of the *Local Government Act 1989*, the meeting will now be closed to members of the public to enable the meeting to discuss matters in item 5 which the Council may, pursuant to the provisions of Section 89(2) of the *Local Government Act 1989* (the Act) resolve to be considered i Closed Session, being a matter contemplated by Section 89(2) of the Act, as follows:

- (a) personnel matters
- (d) contractual matters

5. Confidential Business

6. Confidential Council Meeting Close

7. Items Determined to be no Longer Confidential

8. Open Meeting to the Public

9. Close Meeting

DECLAN MOORE

CHIEF EXECUTIVE OFFICER