



Council Minutes



Date: 21 February 2023

Time: 6:00pm

Venue: Echuca Civic Centre

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Minutes of the open section of the Campaspe Shire Council meeting held on Tuesday 21 February 2023, commencing at 6:00 pm at the Council Chambers, Echuca Civic Centre.

Present

Councillors

Cr Robert Amos - Mayor
Cr Colleen Gates
Cr Chrissy Weller
Cr Paul Jarman
Cr Daniel Mackrell
Cr Anthony Marwood
Cr Leanne Pentreath
Cr Adrian Weston

In Attendance

Officers

Pauline Gordon - Chief Executive Officer
Keith Oberin – Executive Director
Matt McPherson – Acting Director Corporate
Andrew Fletcher – Acting Director Community
Kate Lemon - Acting Director Infrastructure
Emily Cordingley – Governance Advisor
Annette Waters - Governance Officer
Rebecca Jones - Governance Officer

1 Apologies and Requests for Leave of Absences

1.1 Apologies

Cr John Zobec

Moved by Cr Weston

Seconded by Cr Mackrell

That the apology be accepted

CARRIED

1.2 Leave of Absence

Nil.

2 Confirmation of Minutes

Moved by Cr Mackrell

Seconded by Cr Marwood

That the following minutes be confirmed:

- **Campaspe Council Meeting held on 14 December 2022.**

CARRIED

3 Changes to the Order of Business

Moved by Cr Weller

Seconded by Cr Gates

That item 9.1.4 (MAV President and Board Elections) be moved to be considered as confidential business in accordance with section 66(2)(a) of the Local Government Act 2020, closing the meeting to members of the public for consideration.

This item will include personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs pursuant to section 3(1) of the Local Government Act 2020.

CARRIED

4 Declarations of Conflict of Interest

In accordance with Section 130(1)(a) of the *Local Government Act 2020* Councillors are required to disclose any conflict of interest in respect of a matter to be considered at a Council meeting.

Nil.

5 Responsible Authority Decisions

Responsible Authority – Defined under Section 13 of the *Planning & Environment Act 1987*.
Responsible for administering and enforcing the planning scheme and its provisions in relation to use and development.

Nil received.

6 Planning Authority Decisions

Planning Authority – Defined under Section 12 of the *Planning & Environment Act 1987*.
Responsible for implementing the objectives of planning in Victoria and reviewing and preparing amendments to a planning scheme.

Nil received.

7 Question Time

Council heard the following Question Time items:

Question	Summary of response
<p>Darren Causer: Why has it taken council so long to begin the flood recovery clean up in Rochester? There are still debris on fences parks and streets that have not been cleaned or removed? A timeline should be developed to send the residents, so we know we have. It's been forgotten.</p>	<p>A response has been prepared by Executive Director, Director Infrastructure and Director Corporate: -</p> <p><i>Council started working with the Ward Bros and the wider community from Sunday 16/10/22 to setup the Emergency transfer station on Malloy St, Rochester to receive flood waste from the community. This included receiving waste directly from the community, Ward Bros (operating the pseudo-street debris removal program) and other contractors assisting Ward Bros. Note the Street debris removal program started operating in Rochester in its first iteration from 19/10/22.</i></p> <p><i>The Rochester resource recovery centre opened again on 22/10/22 and received only flood waste, Council opted to open this facility 7 days a week to receive flood waste from the community. It reverted to normal hours of operation in a staged approach from 10/11/22 (open Saturday and Sunday) to normal operating hours from 5/12/22.</i></p> <p><i>Council has worked closely with ERV, DRA and other contractors to clean-up after the flood across the municipality and has had to prioritise the response, as some flood related issues exposed our community to safety issues.</i></p> <p><i>Council's primary focus was immediate response and prioritisation of works in terms of safety. A dedicated crew is now attending to outstanding items within the flooded areas.</i></p> <p><i>It should be noted that some areas we have been waiting on insurance assessments and/or information and not able to clean up these areas and some may be private property. Other areas of the town are not the direct responsibility of Council such as the roundabout before the bridge going over the Campaspe. In this instance Council has highlighted the issue to the relevant authority and will continue to advocate for these issues to be resolved in a timely manner. That being said, Council is aware that many organisations are having to prioritise their response due to the sheer volume of work that is required.</i></p> <p><i>Council will continue to support the community with flood recovery clean up and response. We anticipate this will continue for years.</i></p>
<p>Rebecca Causer: What is being done for the residents of Rochester to have their rates reviewed, when mostly residents are not in their home.</p>	<p>A response has been prepared by Director Corporate and Chief Financial Officer: -</p> <p><i>Campaspe Shire Council is still in the process of having valuations on properties affected by the flood event reviewed by our contracted valuer and the Victorian Valuer General to determine an appropriate amendment to the valuations.</i></p>

	<p><i>Once these amended valuations are returned, Campaspe Shire Council will produce supplementary rate notices with a reduction to the amount of rates payable. Unfortunately, due to the volume of properties impacted in Rochester, Echuca and surrounding areas, this process is taking longer than anticipated and is now expected to be completed by late April.</i></p>
<p>Rebecca James: Is the repair of the roundabout and islands at the bridge in Rochester going to be completed and if so when?</p>	<p>A response has been prepared by Executive Director: - <i>The roundabout at the approach to the Campaspe River bridge in Rochester is the responsibility of Regional Roads Victoria who have been advised of the damage incurred during the October flood event and Council will continue to advocate to Regional roads Victoria.</i></p>
<p>F & W Morris: Dear Sir Madam to whom it concerns ,today I received my rates notice ,for Rochester ,I wish to inform you that in case you are not aware in Oct 22 ,the 12th we we're flooded second time in eleven years ,since this time our home has been uninhabitable ,todays date 7th Feb 2023 . I sent \$231.00 2nd Dec 2022 instead of \$431.00 as we were unable financially to give money for services that do not exist . I was misinformed badly that the Shire was understanding of Rochester residents plight and were wavering a little .Therefore I am writing this letter to arrange a payment plan to give you your money ,I'm predicting this will make little to none difference to you as long as you receive your rates and feel you may encounter many such letters as this one in the coming months if not years ! last time we were unable to return to our home for ten months ! This time we now pensioners and foresee perhaps two years! Please take this letter to your next council meeting read it out !! word for word! If this was happening to you, would you be happy???? I think not!!! I'm await your response if there will be one, with much anticipation and advice with assistance moving forwards. Thanking you Sincerely Mr and Mrs F. + W. Morris.</p>	<p>A response has been provided by Director Corporate and Chief Financial Officer: - <i>Thank you, Mr and Mrs Morris, for bringing this to our attention. We understand the significant impact the floods are having on our community, and in particular our residents who have been displaced from their homes.</i></p> <p><i>I understand that our officers have contacted you to work with you directly on your matter. We would also like to assure other community members of our willingness to work with them in their circumstances.</i></p> <p><i>At its November 2022 meeting, Council determined to waive interest on any rates and charges debt for the period 1 July 2022 to 30 June 2023. Further, Council's Revenue and Debt Collection Policy allows council to provide alternative payment arrangements for property-based debts to assist ratepayers deemed to be in financial hardship. Community members who are having difficulty in paying their rates are encouraged to contact Council to discuss the options available to support them.</i></p>

Callum Phillips: Can Council provide an update on the former Ozmaze site at 152 Anstruther St which has fallen into disrepair and been subject to extensive vandalism. Has council taken any action to date with the landowner to secure the property or to refurbish/demolish. Could you also clarify if Parcel 22-54A\PP5263 (the Ozmaze site) is owned by Council, VicTrack or privately held. Thank you.

A response has been prepared by Director Community: -

Thank you for your question Mr Phillips. In response to your query about ownership of the property I can advise that Council is not the owner. As you would understand, we must keep the privacy of the owner confidential in accordance with the Privacy and Data Protection Act 2014.

In relation to your question about action to have the property secured, refurbished or demolished, Council can only intervene where the property is structurally unsafe in accordance with the Building provisions. As the land is not owned by Council and the property is not structurally unsafe, Council does not have any authority to require the owner to refurbish or demolish the property.

Whilst it does appear that the property has suffered some vandalism, it is unfortunately up to the owner to protect their property. We note that the owner has installed some measures to secure the property such as boarding some windows.

8 Acknowledgements / Councillor Reports

Cr Jarman acknowledged the passing of Frank Oliver.

Tonight, we would like to acknowledge the passing of Frank Oliver and to pass our sympathies on to his family.

Frank was the Rochester Ward Councillor for Campaspe Shire Council for four years from 2008 – 2012.

During his time as a councillor, Frank was known for his positive attitude and attention to detail. He was a strong advocate for not only Rochester, but the entire southern half of Campaspe Shire, especially Toolleen where he was a dedicated community member.

As the ward Councillor during the January 2011 Rochester floods, he was instrumental in the recovery efforts and subsequently, was among a group of Rochester and surrounding district residents who were invited to meet the Queen at Government House in Melbourne in October 2011.

In 2012 he elected not to stand again in the election, but he provided a great deal of support and help to his successor, Councillor Leigh Wilson, to ensure a smooth transition in the best interests of the Rochester ward.

Frank's passion for community, saw him actively involved as a supporter and member of many boards and voluntary organisations – of note...

- CFA volunteer for over 50 years at various brigades across Victoria
- Rochester Elmore District Health Service
- Toolleen Community Planning Group
- Mt Pleasant Creek Catchment Landcare Group

Once again, our deepest sympathy is extended. Thank you.

9 Officers Reports

9.1 Office of the CEO

9.1.1 Governance Rules - Release for public consultation

Directorate: Office of the CEO

Responsible Officer: Governance Advisor

Manager: Chief Executive Officer

Attachments:

1. Comparison Table [9.1.1.1 - 8 pages]
2. REVISED Governance Rules CLEAN (1) [9.1.1.2 - 46 pages]
3. CURRENT Governance Rules [9.1.1.3 - 51 pages]
4. REVISED Governance Rules TRACKED [9.1.1.4 - 97 pages]
5. Appendix 1 REVISED Election Period Policy CLEAN [9.1.1.5 - 6 pages]
6. Appendix 1 CURRENT 152 Election Period Policy [9.1.1.6 - 4 pages]
7. Appendix 1 REVISED Election Period Policy TRACKED [9.1.1.7 - 7 pages]
8. DRAFT - Appendix 2 Procedural Motion Table [9.1.1.8 - 3 pages]
9. DRAFT - Appendix 3 Flow Chart of Motions [9.1.1.9 - 1 page]
10. Appendix 2 and 3 Current (1) [9.1.1.10 - 4 pages]

Section 60 of the *Local Government Act 2020* (Act) provides that a Council must develop, adopt and keep in force Governance Rules (the Rules). The Rules govern decision making and meeting procedures of Council and Delegated Committees.

Section 69 of the Act also requires an Election Period Policy be included in its Governance Rules. The Election Period Policy sets the conduct, functions and responsibilities that will apply to Council during the election period.

Council resolved on 17 August 2022 to review the Rules (which include the Election Period Policy). The amended Rules and Election Period Policy are provided for consideration and to decide if they can proceed to the community engagement process in accordance with section 60(4) of the Act.

Moved by Cr Gates

Seconded by Cr Weller

1. That Council endorse the revised Governance Rules as attached with two additional amendments as per Points 2 and 3 below, to proceed to community engagement in accordance with section 60(4) of the Local Government Act 2020.
2. The first paragraph under Section 2.3.2 (1) be amended to read as follows: "Once an Agenda has been published on the Council website, the Order of Business for that Council Meeting may only be altered as follows:"
3. Rule 2.1.1(4) be amended to add", following consultation with the Mayor", after the words "The CEO"
4. That the Chief Executive Officer is authorised to: -

- a) **Make available for public inspection the revised Governance Rules on Council’s website; and**
 - b) **Give public notice inviting submissions in writing from members of the public for Council consideration for a period of 30 days.**
5. **That a report be brought to the Council detailing the findings of the community engagement.**

CARRIED

9.1.2 Policy 58 - Council Expenses

Directorate: Office of the CEO

Responsible Officer: Governance Advisor

Manager: Chief Executive Officer

Attachments:

1. REVISED 058 Council Expenses Policy CLEAN [9.1.2.1 - 8 pages]
2. CURRENT 058 Council Expenses [9.1.2.2 - 13 pages]
3. REVISED 058 Council Expenses Policy TRACKED [9.1.2.3 - 9 pages]

To present Council with a revised Council Expenses Policy for the purposes of adoption.

The revised Council Expenses Policy includes updates and amendments to: -

1. change wording to paragraph 3.2.1 of the Policy for clarity.
2. increase training and professional development budget allocation in paragraph 3.2.1 of the Policy from \$2,000.00 to \$8,000.00 for Councillors and from \$3,000.00 to \$10,000.00 for the Mayor.
3. include the Australian Local Government Women’s Association (ALGWA), both the national and Victorian branch, conferences, and meetings in the list of events to be attended in addition to the budget allocation.
4. make minor administrative changes such as amending the Council staff who are responsible for reporting and grammar.

Moved by Cr Gates

Seconded by Cr Weller

That Council adopt the revised Council Expenses Policy with an amendment with the words Delegated Committee replaced by Delegated Committee and Advisory Committee, where reference is made throughout the Policy document.

CARRIED

9.1.3 VEC Submission - Campaspe Shire Council Electoral Structure Review

Directorate:	Office of the CEO
Responsible Officer:	Governance Advisor
Manager:	Chief Executive Officer
Attachments:	Nil

In October 2022, the Minister for Local Government established two Electoral Representation Advisory Panels (ERAPs) to conduct electoral structure reviews of 39 local councils, including Campaspe Shire Council. The major aim is to ensure electoral structures are compliant with the *Local Government Act 2020*.

The reviews will commence in early 2023 and be completed by early 2024. Round 1 of the electoral structure reviews undertaken by ERAPs will focus on large and small rural shire councils (including Campaspe Shire Council).

Round 1 reviews will consider:

1. the appropriate number of councillors for a council,
2. whether the council should be subdivided into wards or unsubdivided, and if subdivided, the number of wards,
3. ward boundaries,
4. number of councillors per ward, and
5. ward names.

Moved by Cr Weller

Seconded by Cr Weston

That Council:

1. **Notes the report.**
2. **Notes the submission deadline of 22 February 2023.**
3. **Encourages community members and community groups with a particular view about how Campaspe Shire Council should be structured in the future to provide a submission to the Electoral Representation Advisory Panel by the due date.**

CARRIED

9.2 Executive Director

9.2.1 Future of Council's Industrial zoned land

Directorate:	Executive Director
Responsible Officer:	Economic Development Manager
Manager:	Executive Director
Attachments:	Nil

Provide an overview of its undeveloped industrial land holdings in Echuca and Rochester and the options available.

To seek Council endorsement for the disposal of Stage Three of the Echuca Industrial Estate with an active planning permit PLN140/2020.

To identify future uses of land known as Stage Four of the Echuca Industrial Estate and report back to Council and to seek approval to commence the design for the next stage of the Rochester Industrial Estate to obtain relevant approvals to enable the application for a planning permit.

Moved by Cr Marwood

Seconded by Cr Jarman

That Council

- 1. Authorise the CEO to sell Stage Three of the Echuca Industrial Estate with an active planning permit (PLN 140/2020).**
- 2. Investigate future uses of land known as Stage Four of the Echuca Industrial Estate and consider these findings at a future meeting.**
- 3. Commence design of the next stage of the Rochester Industrial Estate in order to obtain a Planning Permit.**
- 4. Undertake a supply and demand assessment of Industrial Land across Campaspe Shire to ensure that there is sufficient land to enable future growth.**

CARRIED

9.2.2 Flood review and mitigation project

Directorate	Executive Director
Responsible Officer:	Executive Director
Attachment	Nil

Officers are seeking Council ratification of the application to the Disaster Ready Fund (DRF) which has been submitted to Emergency Management Victoria.

Moved by Cr Jarman

Seconded by Cr Weston

That Council:

- 1. Allocate \$356,667 within the 2023-2024 budget process as its contribution toward the Disaster Ready Fund application.**
- 2. Ratify the application to the Disaster Ready Fund of \$1,088,333 to Emergency Management Victoria.**

CARRIED

9.3 Infrastructure

9.3.1 Seeking Council Consent, under Section 349 of the Land Act 1958, to closure of a road known as Crown Allotment 2047 on Plan OP125279, Parish of Echuca North

Directorate	Infrastructure
Responsible Officer:	Acting Manager Assets
Manager	Acting Director Infrastructure
Attachment	1. Closure of Government Road - CA 2047 [9.3.1.1 - 1 page]

Department of Energy, Environment and Climate Control (DEECA), formerly DELWP, seeks Council consent, under Section 349 of the Land Act 1958, to closure of Crown Allotment 2047, Parish of Echuca North, as shown on plan OP125279 as below.

The land package (road reserve) is currently unused and unmaintained by Council, and only serving to access the property of which both sides are owned by the adjacent landowner. Refer item 4 for details.

The purpose of this report is to seek Council's consent under Section 349 of the Land Act 1958, to closure of Crown Allotment 2047, Parish of Echuca North as shown on plan OP125279.

Moved by Cr Pentreath

Seconded by Cr Gates

That Council

- 1. consent under Section 349 of the Land Act 1958 to the closure of Crown Allotment 2047, Parish of Echuca North as shown on plan OP125279.**
- 2. authorise the Chief Executive Officer to complete the Consent Form (Attachment 9.1.1) and apply the Council Seal to give effect to Council's concurrence to the road closure.**
- 3. resolves that from now onwards, Council's consent pursuant to Section 349 of the Sale of Land Act 1958 can be made by the CEO pursuant to their S5 delegation or by Council staff pursuant to their delegation in the S7 (if applicable) unless the road closure would have a community impact.**

CARRIED

9.3.2 C22068 - Flood Recovery Panel

Directorate:	Infrastructure
Responsible Officer:	Acting Director Infrastructure
Manager:	Chief Executive Officer
Attachments:	1. CONFIDENTIAL REDACTED - C22068 Flood Recovery Panel Confidential Supporting Document [9.3.2.1 - 2 pages]

In October 2022, the Shire of Campaspe was impacted by a significant flood event. Council has received approval to commence Flood Emergency works for essential public assets under the Disaster Recovery Funding Arrangements (DRFA) (category B). Emergency works activities are urgent activities necessary to temporarily restore an essential public asset to enable it to operate or be operated at an acceptable level of service to support the immediate recovery of a community. Emergency works are urgent activities necessary during or immediately following an eligible disaster, to protect the health and safety of the public and provide an acceptable level of service.

Under the requirements of DRFA funding, all emergency and immediate works are required to be completed by the 30th of April 2023.

Eight contractors were awarded a schedule of rates panel contract on 1 February 2023 by the Chief Executive Officer. However the CEO financial delegation has now been expended. Detailed scoping of the works to be undertaken was completed in parallel with the awarding of the tender due to the widespread flood damage, many assets still inundated, and limited availability of engineering resources. This approach also enabled emergency works to commence as soon as practical, essential to meet the funding deadline and control & remove road safety risks.

Moved by Cr Jarman

Seconded by Cr Marwood

That Council approve the awarding of works under contract for C22068 – Flood Emergency Works (Civil) - Panel of Suppliers exceeding \$1million to the following tenderers:

1. Civil and Earth
2. NGH Earthmoving
3. Girdwood Contracting Pty Ltd
4. Earthworks Civil
5. Danspec
6. GE Civil
7. Northern Construction Group (Aust) Pty Ltd
8. Ward Bros

CARRIED

10 Council Information

10.1 Notes of Appreciation

Moved by Cr Gates

Seconded by Cr Weston

That Council acknowledge the notes of appreciation as listed.

CARRIED

10.2 Council Plan Year 2 Action Progress Report Q2 Update

Directorate: Corporate

Responsible Officer: Acting Director Corporate

Manager: Chief Executive Officer

Attachments: 1. Council Plan Action Progress Report Q2 2022 2023
[10.2.1 - 8 pages]

Moved by Cr Pentreath

Seconded by Cr Mackrell

That Council note the progress towards the year 2 actions of the Council Plan supporting implementation of the Council Plan Vision.

CARRIED

10.3 Community Equipment Grants Program

Directorate: Executive Director
Responsible Officer: Community Executive Assistant
Manager: Executive Director
Attachments: Nil

That Council note the one successful application which met the criteria for Community Equipment Grants.

The Mayor noted that there is an administrative error in the table provided on page 316 of the 21 February 2023 Council Meeting Agenda.

Where it states, “to purchase power leads, lighting and promotional banners” it be amended to state “to purchase 12 sets of Raffa Bocce Balls for Come & Try Days” and the total underneath “amount requested” should be \$2,000.00 instead of \$12,000.00.

Moved by Cr Gates

Seconded by Cr Weston

That Council note the following successful community equipment grant awarded under delegation by the CEO:

- 1. Kyabram Italian Social Bocce Club Inc. - awarded \$2,000 to purchase 12 sets of Raffa Bocce Balls for Come & Try Days.**

CARRIED

10.4 Community Event Sponsorship

Directorate:	Executive Director
Responsible Officer:	Community Executive Assistant
Manager:	Executive Director
Attachments:	Nil

That Council acknowledge three successful applications received for Community Event Sponsorship.

Moved by Cr Pentreath

Seconded by Cr Weston

That Council:

- 1. Acknowledge the following sponsorships were approved, in accordance with the Community Event Sponsorship criteria, and the applicants advised in writing:**
 - a. Rochester Agricultural & Pastoral Inc., \$1,000 cash and additional support to the value of \$850 (waste management and temporary white picket fencing) to assist with hosting the 2023 Rochester Show to be held from 24 – 25 February 2023.**
 - b. Rushworth Easter Heritage Festival Inc., \$5,000 cash and additional support to the value of \$4,800 (traffic and waste management and temporary white picket fencing) towards hosting the 2023 Rushworth Easter Heritage Festival to be held on 8 April 2023.**
 - c. Kyabram Swimming Club Inc., support to the value of \$870 to cover Kyabram Swimming Pool hire fees for the Kyabram Encouragement Meet to be held on 4 February 2023.**

CARRIED

10.5 Junior Development Grants Program

Directorate:	Executive Director
Responsible Officer:	Community Executive Assistant
Manager:	Executive Director
Attachments:	Nil

That Council note the one successful application to the Junior Development Grants Program.

Moved by Cr Weston

Seconded by Cr Marwood

That Council note the following application was approved in accordance with the Junior Development Grants Program criteria:

Eric Billing, Stanhope - \$200 to assist with costs associated with representing Victoria participating in the 17 & Under Victorian Men's Netball team for the 2023 AMMNA Championships in Perth from 7 - 16 April 2023.

CARRIED

11 Petitions and Letters

- **Petition – Matheson Road drainage channel upgrade.**

Moved by Cr Marwood

Seconded by Cr Jarman

- 1. That the petition from the Chief Petitioner, Mathew Foster in relation to Goulburn Murray Water upgrade the Matheson Road drainage channel be tabled and referred to the CEO for consideration; and**
- 2. That the clarification from the Chief Petitioner that the petition is for Council to advocate to Goulburn Murray Water be noted in the minutes.**

CARRIED

12 Notices of Motion

Nil.

13 Urgent Business

Nil.

14 Confidential Business

Moved by Cr Mackrell

Seconded by Cr Jarman

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 consideration to be given to items that contain confidential information as defined in section 3(1) of the Act as follows:

9.1.4 Municipal Association of Victoria President and Board Elections 2023

The information contained in this report is confidential pursuant to the below sections of the Act:

66(5) and 3(1)(f) as it contains personal information, being information which if released would result in unreasonable disclosure of information about any person or their personal affairs.

To protect integrity of and not interfere with the democratic process, in particular, to protect a person's voting preference.

CARRIED

Resumption of Public Meeting

At 7:13pm the Council Meeting resumed in Open Session.

15 Close Meeting

There being no further business, the Mayor closed the meeting at 7:13pm.

.....
CR ROB AMOS
MAYOR