



Council Minutes



Campaspe
Shire Council

Date: 23 April 2024
Time: 6:00pm
Venue: Echuca Civic Centre

Photo Left to Right: Cr Tony Marwood (Deputy Mayor), Cr Colleen Gates, Cr Paul Jarman, Cr Daniel Mackrell, Cr Rob Amos (Mayor), Cr Leanne Pentreath, Cr Chrissy Weller, Cr Adrian Weston and Cr John Zobec.

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Minutes of the open section of the Campaspe Shire Council meeting held on Tuesday 23 April 2024, commencing at 6:00 pm at the Council Chambers, Echuca Civic Centre.

Present

Councillors

Cr Robert Amos – Mayor

Cr Colleen Gates

Cr Paul Jarman

Cr Daniel Mackrell

Cr Anthony Marwood

Cr Leanne Pentreath

Cr Adrian Weston

Cr John Zobec

In Attendance

Officers

Pauline Gordon - Chief Executive Officer

Matthew McPherson- Director Corporate

Kate Lemon - Director Infrastructure

Michael Sharp – Director Sustainability

Shannon Maynard – Director Community Safety & Recovery

Jane Still – Manager Governance & Risk

Doreen Stringer – Executive Assistant

Annette Waters – Business Support Officer- OCEO

1 Apologies and Requests for Leave of Absence

1.1 Apologies

Nil.

1.2 Leave of Absence

Cr John Zobec

Moved by Cr Pentreath

Seconded by Cr Weston

That a Leave of Absence be approved for Cr Zobec from 4 May 2024 to 14 May 2024.

CARRIED

2 Confirmation of Minutes and Attachments

Moved by Cr Marwood

Seconded by Cr Jarman

That the Minutes of the Campaspe Shire Council Meeting held on 19 March 2024 be confirmed.

CARRIED

3 Disclosure of Conflicts 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.

Cr Marwood declared a conflict of interest in Item 8.4.2 by way a direct conflict of interest.

Cr Gates declared a conflict of interest in Item 8.4.2 by way of direct conflict of interest, as Cr Gates is an employee of Fonterra.

Pauline Gordon, Chief Executive Officer, declared a conflict of interest in Item 11.2 by way of direct conflict of interest.

4 Changes to the Order of Business

Nil.

5 Public Question Time

Nil.

6 Petitions / Joint Letters

Moved by Cr Weston

Seconded by Cr Mackrell

That standing orders be suspended due to technical difficulties.

CARRIED

Standing orders were suspended at 6:05pm

Moved by Cr Weston

Seconded by Cr Mackrell

That standing orders be resumed.

CARRIED

Standing orders resumed at 6:07pm

Request to seal (bituminise) the last 500m of Rushworth-Whroo Road

Moved by Cr Weston

Seconded by Cr Zobec

I move that the Petition received from Mr Maurice Clark to seal (bituminise) the last 500m of the Rushworth-Whroo Road, noting the information provided by Council Officers, be received as follows;

- *The dusty conditions of Nagambie Rushworth Rd at Whroo were raised via a Councillor request late on 13 February 2024. A Council officer attended the site on 14 February and ensured the hazard was signed.*

CARRIED

7 Acknowledgements / Councillor Reports

Cr Marwood acknowledged the recent Legislative Council sitting at the Echuca Library.

'On behalf of Council and the people of Campaspe Shire, I would like to thank the legislative Council for coming to Echuca. It was a great opportunity for us to showcase our town, and the region, and a great opportunity as Councillors and Staff to have some really good conversations with all those who attended. I think we did 'wow' them the night before with a Welcome Reception on the Wharf, which is a magnificent setting and provided the backdrop for a great evening. I think it was really well received, and I would like to thank all our Staff who worked behind the scenes to make it all happen. Good job to the team.'

8 Council Decisions

8.1 Responsible Authority Decisions

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

8.1.1 Planning Decision Monthly Update

Directorate:	Sustainability
Responsible Officer:	Manager Planning & Building
Manager:	Manager Planning & Building
Attachments:	Nil.

The purpose of this report is to provide information on the determined planning applications including other planning decisions as of 31 March 2024.

Moved by Cr Pentreath

Seconded by Cr Marwood

That Council note the determined planning permit applications and other planning decisions, to 31 March 2024.

CARRIED

8.2 Planning Authority Decisions

A Planning Authority is defined under Section 12 of the *Planning & Environment Act 1987* and is responsible for implementing the objectives of planning in Victoria and reviewing and preparing amendments to a planning scheme.

Nil received.

8.3 Corporate

8.3.1 Instrument of Delegation (S5 from Council to CEO)

Directorate: Corporate

Responsible Officer: Manager Governance and Risk

Manager: Director Corporate

Attachments: 1. S5 - Instrument of Delegation - Council to CEO [8.3.1.1 - 5 pages]

The report presents the updated S5 Instrument of Delegation from Council to the Chief Executive Officer (CEO) for consideration.

Moved by Cr Pentreath

Seconded by Cr Weston

That Council, in the exercise of the power conferred by s11(1)(b) of the Local Government Act 2020 (the Act), resolves that:

- 1. there be delegated to the person holding the position, or acting in or performing the duties of Chief Executive Officer, the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument;**
- 2. the instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor;**
- 3. on the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked; and**
- 4. the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

CARRIED

8.3.2 Instrument of Delegation (S6 from Council to members of staff)

Directorate:	Corporate
Responsible Officer:	Manager Governance and Risk
Manager:	Director Corporate
Attachments:	1. S6 Instrument of Delegation Council to Members of Staff April 2024 [8.3.2.1 - 50 pages]

This report presents for consideration adoption of the updated S6 Instrument of Delegation from Council to Members of Staff. The instrument delegates certain powers and functions of Council which cannot be sub-delegated by the CEO to members of Council staff in accordance with section 11 of the Local Government Act 2020 (the Act).

Moved by Cr Pentreath

Seconded by Cr Gates

That Council, in the exercise of the powers conferred by the legislation referred to in the attached Instrument of Delegation, resolves that –

- 1. there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.**
- 2. the instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor.**
- 3. on the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.**
- 4. the duties and functions set out in the Instrument must be performed and the powers set out in the Instruments must be executed in accordance with any Guidelines or Policies of Council that it may from time to time adopt.**

CARRIED

8.3.3 Advertised 2024-25 Fees and Charges

Directorate:	Corporate
Responsible Officer:	Manager Finance and Investment
Manager:	Director Corporate
Attachments:	1. 2024-25 Fees and Charges - Advertised March 2024 [8.3.3.1 - 21 pages]

The purpose of this report is to:

1. Report to Council on the public submissions received for the advertised 2024/25 fees and charges (hereafter referred to as fees and charges).
2. Seek Council resolution to amend the advertised fees and charges for the Aerodrome and place them out for public comment for a further 28 days.
3. Seek Council resolution on advertising new fees and charges for Asset Protection and place them out for public comment for the 28 days.

Moved by Cr Pentreath

Seconded by Cr Weston

That Council:

1. **receive and note that no public submissions were received for the advertised 2024/25 fees and charges.**
2. **resolve to amend the advertised fees and charges for the Aerodrome and place them out for public comment for a further 28-day period.**

CARRIED

Cr Weston called for a division.

For: Cr Pentreath, Cr Mackrell, Cr Weller, Cr Gates, Cr Weston, Cr Zobec

Against: Cr Jarman, Cr Marwood, Cr Amos

CARRIED

8.4 Infrastructure

8.4.1 Urban Forest Plan for Public Exhibition

Directorate:	Infrastructure
Responsible Officer:	Manager Operations
Manager:	Director Infrastructure
Attachments:	1. Urban Forest Plan - Public Version [8.4.1.1 - 35 pages]
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.
Council Plan Reference:	Flourishing local economy A resilient long-term economy attractive to local and external investors Resilient protected and healthy natural environment Well managed resources for a sustainable future Protected natural environment Well planned places Attractive and useable sites of importance Quality, attractive recreational spaces Growing quality of life Children, young people and families healthy and well
Other Strategic Context:	Active Transport Strategy Campaspe Tomorrow Environment Strategy Open Space Strategy Council Plan 2021-2025 Place Based Plans

The purpose of this report is to seek Council endorsement to progress the Urban Forest Plan to public exhibition inviting community comment and submissions to enable final review.

Moved by Cr Marwood

Seconded by Cr Gates

That Council endorse the public exhibition of the Urban Forest Plan for a 28-day period seeking community comment prior to final view and resubmission to Council to consider its adoption.

CARRIED

Cr Marwood declared a conflict of interest in Item 8.4.2 and left the Council Chamber at 6:34pm.

Cr Gates declared a conflict of interest in Item 8.4.2 and left the Council Chamber at 6:34pm.

8.4.2 Policy - Private Assets in Road Reserves (132)

Directorate: Infrastructure

Responsible Officer: Manager Engineering

Manager: Director Infrastructure

Attachments:

1. 2021 132 Private Assets in Road Reserves [8.4.2.1 - 5 pages]
2. 2024 132 Private Assets in Road Reserves revised 6 March 2024 [8.4.2.2 - 5 pages]
3. Draft Policy 132 Private Assets in Road Reserves [8.4.2.3 - 5 pages]
4. Section 121 Road Management Act 2004 [8.4.2.4 - 1 page]
5. Section 173 Planning Environment Act [8.4.2.5 - 1 page]

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.

Council Plan Reference: **Enablers**
Governance
Property management
Asset Management Plans
Road Management Plan

To seek Council adoption of the reviewed Private Assets within Road Reserves Policy.

Moved by Cr Jarman

Seconded by Cr Pentreath

That Council adopt and endorse the revised Private Assets Within Road Reserves Policy.

CARRIED

Cr Marwood returned to the Council Chamber at 6:36pm.

Cr Gates returned to the Council Chamber at 6:36pm.

8.5 Council Information

8.5.1 Notes of Appreciation

Directorate: Office of the CEO

To present the notes of appreciation that Council has received since its last meeting.

Moved by Cr Weston

Seconded by Cr Jarman

That Council acknowledge the notes of appreciation as listed and convey this appreciation to the relevant parties.

CARRIED

1. Anonymous, Rushworth

“Just a quick email to say how wonderful the Rushworth pool was this year! I attended almost daily with my girls. All the lifeguards were so friendly, attentive, and just awesome pretty much! It is very appreciated that the Shire runs this for free for the community! We look forward to next summer already!”

2. Susan, Echuca

“I write congratulating the Shire for offering the refurbished kiosk at Riverboat Dock to My Dad’s Honey.”

3. Honourable Margaret Gardner AC, Governor of Victoria

“I write to thank the Mayor for hosting me during my recent official visit to Campaspe Shire Council.

“The spirit of collaboration and resilience amongst everyone we met was particularly apparent and impressive and I know the community will once again come together to support one another to recover from these recent events.”

Jonathan Burke, Official Secretary to the Governor of Victoria

“It was also a wonderful opportunity to hear from your Councillors, Directors, flood recovery staff and community members on the ongoing recovery efforts.”

“I sincerely thank you and the team for planning and organising the visit, with particular acknowledgment to Kaye, Emily and Lachlan for all their assistance.”

4. Kyabram Deakin Ratepayers Residents & Development Group Inc.

Congratulated Campaspe Shire in holding Australia Day events throughout the municipality.

5. Leah Huggard, GV Health

Feedback regarding Nerida Dye and the Memory Box sessions: *She is fantastic, our residents look forward to having her sessions. It’s a special person that can walk into a facility and be very relaxed and engaging. Thank you for suppling such a good service.*

9 Notices of Motion

Nil.

10 Urgent Business

Nil.

11 Confidential Business

Closure of Public Meeting – 6:42pm

Moved by Cr Mackrell

Seconded by Cr Weller

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:

11.1 Animal Shelter and Pound Services

- f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;

For the reason the report considers the personnel arrangements of the service, which could unreasonably identify the personal employment arrangements of persons.

11.2 CEO Key Performance Indicators

- f) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;

For the reason the report considers detailed information relating to the employment of the Chief Executive Officer, the disclosure of which would be unreasonable.

CARRIED

Resumption of Public Meeting

The Council Meeting reopened to the public at 7:38pm.

12 Close Meeting

There being no further business, the Mayor closed the meeting at 7:39pm.

.....
CR ROBERT AMOS
MAYOR