

Contents

1.	Apologies and Requests for Leave of Absences	4
2.	Confirmation of Minutes and Attachments	4
3.	Changes to the Order of Business	4
4.	Declaration of Interests	5
5.	Responsible Authority Decisions.....	5
6.	Planning Authority Decisions	5
7.	Council Decisions.....	6
7.1.	Instrument of Appointment and Authorisation – Council to Victoria Police and Parks Victoria Officers	6
7.2.	Arbiter’s Findings and Recommendations Concerning Code of Conduct Complaint Against Cr Wilson.....	9
7.3.	Arbiter’s Findings and Recommendations Concerning Code of Conduct Complaint Against Cr Mackrell	12
7.4.	New Council Policy - Management and Sale of Temporary Raw Water Assets.....	14
7.5.	Additional Funding Requirement for Project PR 100286 – Echuca Environmental Centre Roadway Upgrade and PR 100302 Kyabram Environmental Centre Access Roads Sealing Upgrade.....	23
7.6.	Request for support for Goulburn Murray Valley (GMV) Regional Fruit Fly Project	26
8.	Council Information	29
8.1.	Assembly of Councillors Records	29
8.2.	Letters of Appreciation	32
8.3.	Local Government Inspectorate Investigation Outcome- Cr Annie Vickers.....	34
8.4.	Local Government Inspectorate Investigation Outcome- Cr Daniel Mackrell	36
8.5.	Quarterly Financial Statements.....	38
9.	Councillor Reports.....	41
10.	Chief Executive Officer’s Report	43
11.	Petitions and Letters.....	44
12.	Notices of Motion.....	44
13.	Urgent Business	44
14.	Question Time	44
15.	Closed Session of the Meeting to the Public	44
16.	Confirmation of Confidential Minutes and Attachments.....	45
17.	Confidential Council Information	45
18.	Confidential Business.....	45
19.	Confidential Council Meeting Close	45
20.	Items Determined to be no Longer Confidential	45
21.	Open Meeting to the Public.....	45
22.	Close Meeting	45

Attachments

7.1.	Instrument of Appointment and Authorisation – Council to Victoria Police and Parks Victoria Officers	46
7.2.	Arbiter's Findings and Recommendations Concerning Code of Conduct Complaint Against Cr Wilson.....	48
7.3.	Arbiter's Findings and Recommendations Concerning Code of Conduct Complaint Against Cr Mackrell	68
7.4.	New Council Policy - Management and Sale of Temporary Raw Water Assets.....	86
7.5.	Additional Funding Requirement for Project PR 100286 – Echuca Environmental Centre Roadway Upgrade and PR 100302 Kyabram Environmental Centre Access Roads Sealing Upgrade.....	92
7.6.	Request for support for Goulburn Murray Valley (GMV) Regional Fruit Fly Project	102
8.3.	Local Government Inspectorate Investigation Outcome- Cr Annie Vickers.....	105
8.4.	Local Government Inspectorate Investigation Outcome- Cr Daniel Mackrell	108
8.5.	Quarterly Financial Statements	109

Agenda



For a meeting of the seventh Campaspe Shire Council to be held on Tuesday, 28 January 2020, commencing at 5:00pm 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

For the:

- Open section of the Council Meeting held on 3 December 2019
- Open section of the Special Council Meeting held on 10 December 2019
- The minutes of the Campaspe Briefing Session held on 12 November 2019
- The minutes of the Campaspe Briefing Session held on 19 November 2019
- The minutes of the Campaspe Briefing Session held on 26 November 2019
- The minutes of the Campaspe Briefing Session held on 3 December 2019

Recommendation

That the following minutes be confirmed:

- **Open section of the Council Meeting held on 3 December 2019**
- **Open section of the Special Council Meeting held on 10 December 2019**
- **The minutes of the Campaspe Briefing Session held on 12 November 2019**
- **The minutes of the Campaspe Briefing Session held on 19 November 2019**
- **The minutes of the Campaspe Briefing Session held on 26 November 2019**
- **The minutes of the Campaspe Briefing Session held on 3 December 2019**

3. Changes to the Order of Business

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

4. Declaration of Interests

Disclosure of Conflict of Interests are to be made immediately prior to any relevant item being discussed.

Local Government Act 1989 Section 79

- (1) If a Councillor or member of a special committee has a conflict of interest in a matter which is to be considered or discussed at a meeting of the Council or the special committee, the Councillor or member must, if he or she is attending the meeting, disclose the conflict of interest in accordance with subsection (2).
- (2) A Councillor or member of a special committee who has a conflict of interest and is attending the meeting of the Council or special committee must make a full disclosure of that interest:
 - (a) by either
 - (i) advising the Council or special committee at the meeting of the details required under paragraphs (b) and (c) immediately before the matter is considered at the meeting; or
 - (ii) advising the Chief Executive Officer in writing of the details required under paragraphs (b) and (c) before the meeting; and
 - (b) classifying the type of interest that has given rise to the conflict as either:
 - (i) a direct interest; or
 - (ii) an indirect interest and specifying the particular kind of indirect interest under section 78, 78A, 78B, 78C, 78D or 78E; and
- (c) describing the nature of the interest; and
- (d) if the Councillor or member advised the Chief Executive Officer of the details under paragraph (a)(ii), the Councillor or member must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

5. Responsible Authority Decisions

Nil

6. Planning Authority Decisions

Nil

7. Council Decisions

7.1. Instrument of Appointment and Authorisation – Council to Victoria Police and Parks Victoria Officers

Author:

Sharolyn Taylor, Council Support Officer

Responsible Manager:

Governance Manager

Attachments:

7.1.1 Instrument of Appointment and Authorisation – Victoria Police officers

7.1.2 Instrument of Appointment and Authorisation – Parks Victoria officers

1. Purpose

To appoint members of the Victoria Police and Parks Victoria as authorised officers pursuant to Section 224 of the *Local Government Act 1989*.

2. Recommendation**That Council:**

- 1. Appoint the members of Victoria Police and Parks Victoria listed in Attachments 7.1.1 and 7.1.2 to be authorised officers to endorse Council's Local Law No. 8 2015 pursuant to Section 224 of the *Local Government Act 1989*.**
- 2. Sign and affix the common seal of Council to the Instrument of Appointments and Authorisations.**
- 3. Revoke all previous Instrument of Appointments and Authorisations for Victoria Police and Parks Victoria officers.**

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

Victoria Police and Parks Victoria officers are authorised to enforce the Local Law provisions relating to behaviour, consumption of alcohol in public places and related camping areas. This is in addition to Council's Traffic and/ or Local Law staff for major events such as the Southern 80 Ski Race. The authorisation of Victoria Police and Parks Victoria personnel is required to be reviewed as a result of a number of staff changes.

7. Content

It is appropriate to update the Instrument of Appointments and Authorisations to take into account the staff changes for both organisations. Authorisation is required where the assistance of members of the Victoria Police and Parks Victoria are required to enforce Local Laws.

Without authorisation the Police officers and Parks Victoria officers will not be able to enforce the Local Law or issue Council infringement notices.

All Police officers or Parks Victoria officers who have left their organisation or who have transferred elsewhere automatically lose the authorisation.

8. 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.

9. Strategic Planning Environments

Strong and Engaged Communities	No impact
Resilient Economy	Large events like the Southern 80 Ski Race make a major contribution to the local economy. Large gatherings of people for events require additional resources to manage crowd behaviour. Victoria Police and Parks Victoria officers require the authorisation under the Local Law to assist them in carrying out their responsibilities.
Healthy Environment	No impact
Balanced Services and Infrastructure	Local Laws provide Council with the mechanism to meet community needs and expectations and control public behaviour in the municipality.
Responsible Management	This authorisation will ensure continued efficient delivery in relation to Council services and statutory requirements

10. Consultation

Internal consultation:

- Local Laws Coordinator

External consultation:

- Victoria Police
- Parks Victoria

7.2. Arbiter's Findings and Recommendations Concerning Code of Conduct Complaint Against Cr Wilson

Author:

Frank Crawley, Governance Manager

Attachments:

7.2.1 Phase 3 - Internal resolution procedure – Arbiter – Councillor Code of Conduct

7.2.2 Arbiter's written reasons for findings and recommendations under section 81AA of *Local Government Act 1989*

1. Purpose

To consider the Arbiter's findings in relation to a complaint against Cr Wilson lodged in accordance with the internal resolution procedure of the Councillor Code of Conduct and determine what sanctions Council may apply.

2. Recommendation

That Council

1. **Note the Arbiter's findings and recommendations under section 81AA of the *Local Government Act 1989 (the Act)*.**
 2. **Having regard to the Arbiter's findings and recommendations, direct Cr Wilson to:**
 - a) **Post a simple, unequivocal apology on his Facebook page for:**
 - i) **publicly criticising the Mayor and making comments that implied that the Mayor was not being transparent or honest.**
 - ii) **disclosing information concerning an internal dispute resolution process.**
 - iii) **suggesting that the Arbitration application was an attempt to prevent Cr Wilson from speaking out about Echuca Moama tourism funding.**
 - b) **Keep the apology on his Facebook page for 60 days.**
 3. **Remind Councillors of their obligations of the Councillor Code of Conduct and not make comment on the Arbiter's findings and Council decision.**
-

3. Conflict of Interest

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

In accordance with section 79C(1)(j) of the Act, a Councillor does not have a conflict of interest if the matter only relates to the conduct of a Councillor with respect to an internal dispute that involves the Councillor.

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's Councillor Code of Conduct has a three (3) phase Dispute Resolution Procedure which details how Councillor disputes will be managed. This report deals with the outcomes of a phase 3 dispute resolution procedure. The phase 3 internal resolution is quite detailed, and a copy is at Attachment 7.2.1.

In accordance with section 81AB of the Act, if a Councillor is found to have contravened the Councillor Code of Conduct following the conduct of an internal resolution procedure, the Council may give any or all of the following written directions to the Councillor:

- a. Direct the Councillor to make an apology in a form or manner specified by the Council;
- b. Direct the Councillor to not attend up to, but not exceeding, 2 meetings of the Council;
- c. Direct that, for a period of up to, but not exceeding, 2 months commencing on a date specified by the Council, the Councillor:
 - i) Be removed from any position where the Councillor represents the Council; and
 - ii) To not chair or attend any advisory committee or special committee meeting or an assembly of Councillors or any other meeting specified in the direction.

A direction given by Council must be in respect of the next scheduled meeting of the Council after the direction is made.

7. Content

On 11 September 2019 the Governance Manager in his role as Principal Conduct Officer received notification of a Councillor dispute. The complaint was lodged by Crs Munro, Vickers, Zobec and Neele against Cr Wilson. The complaint alleged that Cr Wilson made disparaging remarks on social media about another Councillor, did not give full details of the situation and outlined personal views in contravention of the Councillor Code of Conduct, Media Relations policy and Social Media policy. The complainant Councillors requested a phase 3 arbitration process.

The findings and recommendations of the Arbiter can be found at Attachment 7.2.2.

In summary, the Arbiter found that Cr Wilson's first video log was in breach of his obligations under Councillor Behaviour (a)(vii) of the Code, namely, *"in the interests of maintaining a high level of teamwork and encouraging good morale, there is no criticism of staff in public by Councillors and no criticism of Councillors by Councillors in public"*. It was also in breach of Cr Wilson's obligations under the Social Media policy to not *"make any disparaging comment/post about a Campaspe Shire Councillor"*.

The Arbiter does not however find that Cr Wilson was acting without integrity or dishonestly in breach of *"Councillor behaviour"*.

The Arbiter does not find any breach of the Media Relations policy.

The Arbiter does find that by Cr Wilson disclosing details of the application(complaint) in his second video log he was in breach of the Social Media policy and accordingly, the Code.

The Arbiter has made recommendations as to the most appropriate sanction to remedy the breach, that are for Cr Wilson to be directed to post an apology on his Facebook page and for the post to remain on his page for a period of time agreed by Council.

Section 81AB of the Act outlines the directions Council are able to give to a Councillor if found to be in breach of the Councillor Code of Conduct and also the time period that they can be imposed for. To align with section 81AB, it is recommended that the time period set by Council for the post of apology be no greater than 60 days.

7.3. Arbiter's Findings and Recommendations Concerning Code of Conduct Complaint Against Cr Mackrell

Author:

Frank Crawley, Governance Manager

Attachments:

7.3.1 Phase 3 - Internal resolution procedure – Arbiter – Councillor Code of Conduct

7.3.2 Arbiter's written reasons for findings and recommendations under section 81AA of *Local Government Act 1989*

1. Purpose

To consider the Arbiter's findings in relation to a complaint against Cr Mackrell lodged in accordance with the internal resolution procedure of the Councillor Code of Conduct and determine what sanctions Council may apply.

2. Recommendation

That Council:

1. **Note the Arbiter's findings and recommendations under section 81AA of the *Local Government Act 1989 (the Act)*.**
 2. **Having regard to the Arbiter's findings and recommendations, direct Cr Mackrell to:**
 - a) **Post a simple, unequivocal apology on his Facebook page for the suggestion that the Mayor was unprofessional, un-Australian and had "gone too far."**
 - b) **Keep the apology on his Facebook page for 60 days.**
 3. **Remind Councillors of their obligations of the Councillor Code of Conduct and not make comment on the Arbiter's findings and Council decision.**
-

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.

In accordance with section 79C(1)(j) of the Act, a Councillor does not have a conflict of interest if the matter only relates to the conduct of a Councillor with respect to an internal dispute that involves the Councillor.

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's Councillor Code of Conduct has a three (3) phase Dispute Resolution Procedure which details how Councillor disputes will be managed. This report deals with the outcomes of a phase 3 dispute resolution procedure. The phase 3 internal resolution is quite detailed, and a copy is at Attachment 7.3.1.

In accordance with section 81AB of the Act, if a Councillor is found to have contravened the Councillor Code of Conduct following the conduct of an internal resolution procedure, the Council may give any or all of the following written directions to the Councillor:

- a. Direct the Councillor to make an apology in a form or manner specified by the Council;
- b. Direct the Councillor to not attend up to, but not exceeding, 2 meetings of the Council;
- c. Direct that, for a period of up to, but not exceeding, 2 months commencing on a date specified by the Council, the Councillor;
 - i) Be removed from any position where the Councillor represents the Council; and
 - ii) To not chair or attend any advisory committee or special committee meeting or an assembly of Councillors or any other meeting specified in the direction.

A direction given by Council must be in respect of the next scheduled meeting of the Council after the direction is made.

7. Content

On 11 September 2019 the Governance Manager in his role as Principal Conduct Officer received notification of a Councillor dispute. The complaint was lodged by Crs Munro, Vickers, Zobec and Neele against Cr Mackrell. The allegations were that Cr Mackrell disregarded the Social Media policy and the Media Relations policy, breached the Councillor Code of Conduct relating to Councillor behaviour, specifically (a)(vii) *"in the interests of maintaining a high level of teamwork and encouraging good morale, there is no criticism of staff in public by Councillors and no criticism of Councillors by Councillors in public"* and (b)(iii) *"not acting in ways that may damage the Council or its ability to exercise good government"*. The complainant Councillors requested a phase 3 arbitration process.

The findings and recommendations of the Arbiter can be found at Attachment 7.3.2.

In summary the Arbiter found that by making the Facebook post Cr Mackrell was in breach of the Councillor Behaviour (a)(vii) section of the Code. The Arbiter also found that Cr Mackrell was in breach of his obligation under the Social Media policy to not "make any disparaging comment/post about a Campaspe Shire Council staff member, Councillor, contractors, agents and volunteers".

The Arbiter does not find that the posts would cause reputational damage to the Council as a whole, in breach of the Social Media policy.

The Arbiter finds that the Media Comment was in breach of the Media Relations policy.

The Arbiter has made recommendations as to the most appropriate sanction to remedy the breach, that are for Cr Mackrell to be directed to post an apology on his public Facebook Page and that the post to remain on his page for a period of time agreed by Council.

Section 81AB of the Act outlines the directions Council are able to give to a Councillor if found to be in breach of the Councillor Code of Conduct and also the time period that they can be imposed for. To align with section 81AB, it is recommended that the time period set by Council for the post of apology be no greater than 60 days.

7.4. New Council Policy - Management and Sale of Temporary Raw Water Assets

Author:

Paul McKenzie, Regulatory and Community Service General Manager

Attachments:

7.4.1 Draft Council Policy 172 - Management and Sale of Temporary Raw Water Assets

7.4.2 Council Policy 151 - Sale of Temporary Raw water

1. Purpose

The purpose of this report is to:

- Provide background information in relation to Council's raw water assets.
 - Provide information on the effectiveness of Council Policy 151 - Sale of Temporary Water.
 - Provide a draft policy for Council's consideration that describes under what circumstances Council will sell its temporary raw water and to whom/where it will allocate water.
-

2. Recommendation

That Council

- 1. Revoke Council Policy 151 - Sale of Temporary Water; and**
 - 2. Adopt new Council Policy 172 - Management and Sale of Temporary Raw Water Assets.**
-

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 requires an amount of raw water to conduct its business activities and for the maintenance of its parks, gardens and recreation reserves. Raw water is the water taken directly from the catchment without any form of treatment (as opposed to potable water) and used for irrigation purposes. Council holds water assets of 826 megalitres of high reliability water and 336 megalitres of low reliability water over two river systems, the Murray and the Goulburn. This water is primarily used to keep Council owned parks, gardens and recreation reserves

green, in road making activities and in a small range of Council businesses e.g. the Saleyards and Echuca Caravan Park.

Prior to 2009 water assets were tied to land. Campaspe Shire Council sits in the heart of irrigation country and Council's water assets were acquired as a result of owning land that had a water right attached to it. In 2008/9, driven by the millennium drought, the State introduced major water reforms whereby water was "unbundled" from the land to open up the water market and drive efficiencies.

The term unbundling refers to water related rights being separated from each other. Unbundled rights are granted in separate documents and include:

- Water access entitlement (water license): a right to a specified share of available water.
- Water allocation: a right to take a specified volume of water in a specified period.
- Water resource works approval: a right to construct, operate and maintain infrastructure to take water.
- Site use approval: a right to use water at a particular location.

Other reforms included the ability to "carry over" water for use in a future year and the ability for any person to purchase water regardless of being a landowner or not. Each water season begins with an announcement of what the percentage allocation is e.g. Murray System at 50% of allocation. The allocation percentage will continue to be regularly updated throughout the season as it becomes clear how much water is being captured. Over the past few years allocations have reached 100% however falling storage levels and low rainfall have seen the first low percentage allocations for some time. Without further rainfall the current year will not reach 100% allocation and is currently sitting at 56% for the Murray and 68% for the Goulburn.

The impact of water reform changes saw the cost of permanent water (the water right) and temporary water (the annual allocation to that water right) begin to reflect the easy access and increased competition. While the permanent water market remained relatively steady, the temporary market saw wild price fluctuations in response to weather conditions and the increasing number of permanent planting crops such as almonds that require secure water each year. Unlike growing pasture or fodder where a decision is made based on the conditions at the time to plant or not, these permanent plantings must have water every year to survive. The reduced access to water during the drought saw the cost of one megalitre (around about one Olympic sized pool of water) range from \$50 - \$1,000 depending on the time of year and the percentage of allocations.

In 2007/8 the drought's impact was at its most severe and many reserves simply did not have sufficient water available to meet their needs. Council began receiving requests for water from Section 86 Committees, committees of crown land recreation reserves not run by Council, service clubs and community groups. Potable water restrictions were in force and the price of temporary raw water had reached record levels breaking through the \$1,000 per megalitre on occasions. An assessment of Council's own needs showed that it had barely sufficient water resources to keep its own list of nominated assets and reserves green. Council was required to determine on a case by case basis if it should gift water to keep the requested playing surfaces or gardens and grass alive.

Council had never had to concern itself over access to raw water. It always had an excess. This new focus on raw water use revealed several matters that were of concern and needing to be addressed. In summary they were:

- Council had no policy to determine priority of access to its raw water.
- Watering Infrastructure cost for reserves differed substantially and were unrelated to the amount of water used.
- A number of Section 86 Committees of Management at Recreation Reserves were acting outside of their delegation by selling temporary water and using these funds for a variety of approved and non-approved activities.
- Not all reserves or places of pride had access to raw water.
- Council's Contributions to Recreation Reserve Maintenance policy (policy 093) treated crown land recreation reserves and Council owned reserves equally. However, Council owned and managed

reserves with access to raw water had a considerable advantage through their access to low cost water not subject to the potable water systems restrictions that other crown land reserves or those on potable water only.

- A lack of water savings or efficiency plans where raw water was being used.
- GMW governance requirements relating to water ownership and electronic ordering of water saw a greater emphasis on ensuring the security of the system with only registered signatories able to transfer, sell water or order water (watering may only occur once a water order is placed with Goulburn Murray Water (GMW) who ensures there is sufficient supply in the channel to meet the order requirements).

7. Content

Efficient management of Council's water resources

In the past all water ordering was done via hard copy application. GMW, the water authority introduced its electronic ordering and tracking system as well as moving to ensure all water meters were accurate. As part of the Victorian response to the Murray Darling Basin plan GMW began a significant renewal and modernisation program to achieve water savings. On mass the old water wheel style metres were replaced with more accurate flume gates and there was a strong focus on ensuring all water users were registered, authorised to order water and that the infrastructure/water meters were appropriate and accurate.

Due to the number of properties Council had owned with small amounts of water attached a large number of transfers were required to ensure all water needs were met. Sometimes the cost of the water sold was less than the transfer cost. Through consolidating these small amounts of water into a few large water accounts the number of transfers in any given year was able to be reduced while recreation reserves were still able to receive the water they required.

The process of moving to an electronic system of water ordering clarified the authority to sell temporary water. The sale of temporary water and the allocation of the proceeds is not an activity that section 86 committees have authority to undertake. The ability for committees to sell temporary water was immediately restricted due to the GMW requirements for only those registered and with the proper organisational authority able to buy, sell or transfer temporary water.

Since these changes officers have met with committees and explained that it is not within their authority to sell water or to expend the proceeds. Officers also explained that each reserve would receive all the water necessary to maintain the reserve regardless of the percentage allocation. Each year a single transfer of water occurs into the accounts of each recreation reserve equal to the historic amount used. Reserves can request an increase in water, and it is understood that weather conditions, soil types and water regimes will all affect the amount used in any given year.

The annual allocation is a notional usage amount that enables officers to monitor water use and provide assistance to reserves around how to maintain turf efficiently and in top condition using the minimum amount of water.

In the past some of Council's reserves would be without sufficient water due to a low percentage allocation. Under the current system Council's reserves all have the required amount of megalitres (ranges from 9 – 16 megalitres per reserve) for the remainder of this year and for the two years after due to the ability to consolidate its water resources and to carry over unused water into the next year.

Recommended Policy Position:

- *That the Council continue to consolidate its water assets for efficiency purposes.*
- *That Council restrict the sale and trade of temporary water to nominated, registered and appropriately delegated officers.*
- *That Council make an annual allocation of water to each reserve, gardens etc based where possible on historic use amounts which is to act as a target for water users and to assist in improving water use efficiency.*

- *That the annual allocation is indicative only (based on the understanding that usage varies according to weather conditions, soil profile difference etc) and that if necessary additional water will be transferred upon request and availability.*
- *Facilities that have an increase in water allocated will receive a review of water use that will include assessment of current practices and if required, the provision of professional advice from Councils turf and garden maintenance specialists regards soil conditioning, watering regime or other ground management practices that might be implemented to achieve water savings.*

Sale of Temporary Water

The sale of temporary water that is in excess of its needs is part of Council's regular business practice. On occasions sales may be as much as 500 megalitres per year and contribute to Council's general revenue. In the past when drought and low water allocations have occurred Council has had sufficient water for its needs and was then able to use its water to keep "places of pride" green, support community resilience and promote health and wellbeing benefits for its community. The last drought impressed on Council the importance of green spaces to our community and the positive impacts it had on mental health. To mitigate the risk of running out of water the current policy Sale of Temporary Water states that a full year's water supply needs be held in reserve (around 200 megalitres) and carried over each year. It should be noted that Council cannot carry water over indefinitely. Eventually the water is "spilt" and lost. Therefore, it is important for Council to monitor and sell water in excess of need and to obtain the financial return available on behalf of its community.

All water in excess of the above arrangements is sold on the temporary market in accordance with the Sale of Temporary Water policy. The policies primary aim is to increase the likelihood that water is sold for use in the Shire of Campaspe so that the community might derive the economic benefit that water brings. The policy is attached for information.

The Sale of Temporary Water policy has successfully set the framework for the quantum of water available for sale in any given year and has ensured sufficient is available for at least two years. The aim of ensuring the water sold is used in Campaspe has been problematic due to Council's inability to know where a buyer is from in an electronic trading system. Officers have listed water to be sold with local brokers such as Waterpool based in Kyabram, who have a large number of local vendors listed however sales to customers outside the Campaspe municipality cannot be controlled once listed for sale.

To ensure sales within Campaspe, Council would need to advertise and call for tenders on each parcel of water it wished to sell. In practice this process would be far too slow and cumbersome to find buyers and would almost certainly result in attaining a lower price than that available on the open market. It is also important to note that there is no guarantee that a buyer will actually use the water in Campaspe as they are free to "on-trade" water if they wish.

Recommended Policy Position:

- *That Council combines the sale of water policy with a new policy that documents Council's position on the management of Council's raw water assets.*
- *That the new policy reflect that Council maximise the chances water sold will be used in the local area by listing water for sale with local brokers only. However, recognises that Council cannot guarantee that water use will occur in Campaspe once sold.*
- *That the new policy includes measures that ensure a minimum of two years supply of Council's annual water use is held whenever possible.*

Sale of Permanent Water

This policy relates only to the sale of temporary raw water. Council's current policy is to not sell any of its permanent water assets.

Equity of water costs

Every recreation reserve originally had a different water allocation and associated infrastructure costs. These costs were traditionally paid by the recreation reserve regardless of how much water was used. Those reserves with a high water allocation above what they used would, in the past, sell water to offset the higher infrastructure cost attributed to them and to fund other activities that may or may not have fallen into the

category of maintaining the reserve. To provide an equitable allocation of costs to each reserve or water user at Council owned and managed, reserves now pay a percentage of infrastructure/set costs based on the amount of water they use.

The disparity in the amount of water connected to each reserve pre-unbundling meant that percentage allocations from GMW came into effect and there was little committees could do except to purchase more temporary water to ensure they had sufficient to meet their needs. The new centralised system ensures that every reserve will have sufficient water to meet its needs. While there is no guarantee that percentage allocations will not fall to a level that Council is unable to allocate sufficient water, the millennium drought provides some guide that if managed properly, Council will have sufficient water to keep all key playing surfaces and places of pride green for a period of time well after water restrictions have been implemented for potable water use.

To ensure all reserves are treated equally regarding the costs paid for raw water, officers consolidated all the fixed charges/licencing/infrastructure costs set by GMW related to water at each reserve and divided it by the amount of megalitres the reserve uses to come up with a single unit cost for set charges. Reserves are then charged by multiplying the unit cost by the number of megalitres used. This has resulted in a more equitable distribution of set costs where the more water used, the more infrastructure costs will be paid. However, this allows reserves to avoid paying infrastructure costs on water they do not have the ability to use or sell.

Recommended Policy Position:

- *That a unit cost be set each year based on the formula: Total set infrastructure costs related to the reserves/number of high reliability water shares used at reserves.*
- *That the unit cost for set charges be applied to water users/Recreation Reserve Committees on a per megalitre used basis.*

Access to raw water by Recreation Reserves funded by Council

Council maintains a number of recreation reserves, parks and gardens via three separate models:

- a. Directly - where Council staff physically maintain the nominated area.
- b. Via Section 86 - Council appoints a committee of management (under Section 86 of the *Local Government Act 1989*) and delegates powers to maintain the reserve via a Deed of Delegation.
- c. Via Crown Land Committee's that report direct to the crown. There are only three reserves with a service level that fall in to this category - Rushworth, Toolleen and Rochester.

Funding is provided to each reserve regardless of management or ownership arrangements, based on Policy 093 – Council Contribution to Recreation Reserve Maintenance. However only Council reserves have access to Council raw water. While access to raw water is primarily about having the physical access requirements in place, there have been occasions when requests have been made for additional water at a town's major and/or only reserve that was not owned or managed by Council. These include Rochester, Rushworth and Toolleen. While Rochester can access water via the Campaspe River, Rushworth captures water in a dam and Toolleen has a bore. Council has provided assistance directly by allowing Rushworth to access funds under Policy 093 - Council Contribution to Recreation Reserve Maintenance, to subsidize the cost of potable water and Toolleen has had water delivered via a truck (the trucking costs were organised as a donation by the Committee) after pumping it from the closest channel.

Through an accident of history, towns have a reserve that is Council owned/managed or a Crown owned and managed reserve. Given the important health and active living role played by reserves in each town, it is proposed that all reserves that are covered under the Council Contribution to Recreation Reserve Maintenance Policy are given access to raw water if required and/or possible. This will achieve a level of equity between towns with recreation reserves supported by Council. Where no access to raw water is available and where potable water is being used, Council should allow the use of the maintenance funds to pay up to \$5,000 in any given year for potable water costs. All Recreation Reserve nominated in Policy 093 regardless of their tenure arrangements should be able to access water at the same rate as Council owned/managed.

Recommended Policy Position:

- *Allow the use of up to 10% of a reserves maintenance funds to pay potable water cost where a towns major reserve cannot access raw water.*
- *Regardless of the land tenure arrangements of a town's primary recreation reserve i.e. if they are on Crown Land with a CoM direct to the Crown, provide access to Councils raw water on the same basis as Council owned and managed reserves.*

Watering of additional surfaces above service levels set

All recreation reserves funded under Policy 093 Council Contribution to Recreation Reserve Maintenance (Policy 093) receive water to support the activities conducted at that reserve. In this way Council's aim under the policy of supporting physical activity, participation and the colocation of community/sporting clubs is met. As a result, no reserve is the same and each has different watering requirements. In some locations recreation reserve committees have sought to maintain additional playing surfaces above Council's service level as documented in the Council Contribution to Recreation Reserve Maintenance policy. This most recently has occurred in Tongala at Brose Reserve and at Girgarre.

It is proposed that rather than deny access to water, Recreation Reserve Committees or Clubs that wish to maintain a playing surface in excess of the service level set in Policy 093 should be able to do so at their own cost. In this way Council can continue to support participation in sport without increasing its service level beyond that set. For simplicity, committees/clubs can purchase water and transfer it to a nominated water account owned by Council and accessible at the location required. Infrastructure costs will be charged as per the unit rate (described above) per megalitre used.

Recommended Policy Position:

- *That Committees/Clubs located at Council owned and/or managed recreation reserves may purchase additional water on the open market at their own cost and transfer it into Council ownership if they wish to carry on additional watering activities above the service level set by Council.*

Watering administration requirements

Committees watering Council facilities are required to maintain appropriate records. The management of Council's water assets is made more difficult if Committees fail to provide meter readings and/or to contact Council if they require more water than allocated. While there is a growing understanding around the need to monitor water use, on occasions there has not been sufficient water in the account to meet the need however watering has continued oblivious to GMW requirements.

Committees and clubs that use Council's raw water must contact Council's water administrator when they are aware that they do not have sufficient water and request an increased allocation. There is no additional charge made for the increase in allocation however, there is an amount of administration required to set things right. In circumstances where failure to report over use or monitor water use occurs on multiple occasions, the full cost of additional water should be passed on to the Committee/club as well as any associated charges GMW might make. It is recommended that "full cost" be determined as the average five year price for water in the system from which the water is used (Murray or Goulburn).

Recommended Policy Position:

- *Repeated over use of water and/or failure to monitor and report water use may result in being charged for the additional water used above that allocated at the five year average price for water.*

Places of Pride

Council also provides raw water to a number of its gardens and grassed areas where raw water is able to be accessed. Predominately this occurs along the river front in Echuca however not all major pride of place gardens or parks are on potable water. During the millennium drought Council was able to maintain a list of priority sites (determined by Council) as important community assets that should be kept green in the face of stringent water potable water restrictions. This was able to occur only through the cooperation of the local water authority, where raw water was transferred into the name of the water authority who in turn allowed

Council the ability to water the specified sites without restriction. Council was however required to pay potable water prices to cover the treatment cost incurred by the water authority.

If such water restrictions occur again, water authorities have indicated that the above arrangement could be reintroduced. Determining the sites that might be eligible requires Council to nominate a list of priority sites that would automatically receive support if restrictions demanded it.

Recommended Policy Position:

- *That in the event potable water restrictions become so severe that plantings would perish, work with the relevant water authority to allow priority sites to access potable water in return for the transfer of temporary water to the authority. This arrangement would be limited to the following priority greenspaces.*
- *Echuca – Civic Centre and surrounds and the roundabouts located on major roads in the CBD, Alton Reserve and Hopwood Gardens*
Kyabram – Memorial Gardens, Edis Park
Rochester – Rotunda Park
Tongala – Village Green and sound shell area
Lockington – Lions Park
Girgarre – Girgarre Park
Colbinabbin - Hall and playground
Rushworth – High Street
Stanhope – Birdswood Hub
Gunbower – Lions Park water frontage around public toilets and as far as the bridge.

Non-Council assets and/or organisations that receive water

Over the past 10 years Council has made a number of arrangements with organisations that involve the use of its raw water. These organisations and /or the facility have been the subject of a Council resolution or there is an historic ongoing Council involvement. The two facilities that fall into this category are:

- Echuca Lawn Tennis Club – The tennis club is a separate incorporated body that leases its facility directly from the crown and accesses its water from Council's Victoria Park pump. The water is separately metered and the club buys water directly from Council under an arrangement where Council charges the five year average annual water price per megalitre used
- Back Nine Golf Course – This Council owned facility has been leased to the Echuca Neighbourhood house. Council's resolution in awarding the tender to the Echuca Neighbourhood house states that the course will receive 44 megalitres per annum and that Council will charge the five year average water price for anything used in excess of this.

While the five year average water price has allowed a degree of smoothing of costs by removing the highs and lows of the water market, it is becoming problematic due to the current very high prices for water which will mean that the average price will soon increase dramatically and potentially be greater than the daily price in years to come. Alternatively, the advantages of an average price such as the ability to plan knowing broadly the cost for next year's water and the smoothing of very high and low prices outweigh the disadvantages for community groups.

Recommended Policy Position:

- *That Council continue to provide water to the above-named organisations and charge the five year average price of raw water as per lease agreement or overuse.*

Ad-hoc approaches from sporting clubs and community groups

During the millennium drought Council was approached by a number of sporting organisations and community groups seeking to keep permanent plantings and playing surfaces alive. Council was unable to meet these

demands however each application was assessed and discussed with Council. It is highly unlikely that Council will have water available to provide outside meeting its own priorities as stated prior. It is recommended that Council does not provide assistance to any organisation or facility unless it falls within the policy criteria already described.

Recommended Policy Position:

- *In the event of severe water restrictions and high temporary water prices Council will prioritise access to its raw water assets based on its policy Management of Council's Raw Water Assets. The priority facilities are listed in the below:*
 - *Council owned recreation reserves that access raw water.*
 - *Crown land owned and operated recreation reserves as nominated in Council's Funding of Recreation Reserves policy as the primary recreation reserve for that town.*
 - *Council owned gardens and lawns able to access raw water.*
 - *Nominated places of pride in each town listed within the policy. Note: access to water in circumstances where only potable is available is reliant on the potable water authority's cooperation.*

8. Issues and Risk Management

Issues:

The new policy will need to be rolled out and explained to Recreation Reserve Committees and users. These groups have expressed a view that they should be able to sell any excess water held on the ABA that was originally associated to the reserve. This thinking equates to the system as it was pre-unbundling. While some Reserve Committees might gain an advantage by selling water at a high price and holding the funds, the playing surface standard would suffer. It is not possible to meet the necessary sporting code guidelines for safe playing surfaces without proper turf management.

There are also significant advantages for Recreation Reserves available under the new water management processes. Reserves are now more likely to have sufficient water to meet their needs and the percentage allocation of water by GMW becomes irrelevant as Council will ensure they have sufficient water for at least two years into the future.

There are also a number of facilities on potable water that could access raw water if works were undertaken. Council cannot guarantee that the priority areas that only have access to potable water can be kept green as the water authority must be willing to cooperate if Council wishes to avoid water restrictions. It is therefore important to continue to improve access to raw water and to drive water efficiency.

The funds obtained from the sale of water could be directed towards this type of activity, acting as seed funding for grants or completing minor water related projects.

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.

9. Options

Option 1: Adopt the proposed policy and revoke Council Policy 151 - Sale of Temporary Water

The new policy will provide recreation reserves, officers and community certainty around how and to whom water is allocated. There will be increased certainty of supply for users and efficiency of water use. Importantly the policy will provide immediate guidance to officers on how to deal with community requests for water.

This option is recommended by officers.

Option 2: Retain the current policy

The current policy only relates to the sale of water. Council would not have any adopted position on how it uses its raw water.

This option is not recommended by officers.

Option 3: Adopt a different water policy

Council's views have been canvased on both the new and old water policy. There has been no indication that the proposed policy is not in line with Council's position and the development of any new policy would require consultation and investigation work by officers that would not be able to undertake immediately leaving Council without a position as water allocation percentage and dry conditions continue.

This option is not recommended by officers.

10. Strategic Planning Environments

Strong and Engaged Communities	The use of Council's raw water assets provides a clear policy position enabling community groups and clubs to continue their activities with greater certainty of supply in dry conditions. More of our communities' green spaces will be kept green in the face of drought.
Resilient Economy	No impact
Healthy Environment	Council's green spaces will receive the water they require to be maintained for longer than previous when drought and potable water restrictions are in place
Balanced Services and Infrastructure	No impact
Responsible Management	The management of Council's water resources efficiently maximises the amount of water available for sale and ensures equity of access by nominated recreation reserves

11. Consultation

Consultation has been undertaken with Councillors at the 14 January 2020 Briefing Session, EMG and the Recreation Team.

7.5. Additional Funding Requirement for Project PR 100286 – Echuca Environmental Centre Roadway Upgrade and PR 100302 Kyabram Environmental Centre Access Roads Sealing Upgrade

Author:

Mick Mahady – Senior Project Manager

Responsible Manager:

Kate Lemon – Public Environments Manager

Attachments:

- 7.5.1 Echuca Environmental Centre Access Upgrade Designs
- 7.5.2 Echuca Environmental Centre Access Upgrade Bill of Quantities
- 7.5.3 Kyabram Environmental Centre Access Upgrade Designs
- 7.5.4 Kyabram Environmental Centre Access Upgrade Bill of Quantities

1. Purpose

To request a transfer of funds from the Waste Reserve to Projects PR-100286 Echuca Environmental Centre Roadway Upgrade and PR-100302 Kyabram Environment Centre Access Road Sealing Upgrade.

2. Recommendation

That Council agree to the transfer of \$113,351 from the Waste Reserve to the following projects:

- 1. **\$46,000 to the PR-100286 Echuca Environmental Centre Roadway Upgrade, and**
- 2. **\$67,351 to the PR-100302 Kyabram Environment Centre Access Road Sealing Upgrade.**

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

Echuca Environmental Centre Roadway Upgrade

The entry roadway at the Echuca Environment Centre is one-way from the sawtooth exit to the shed entry. This was a well-intentioned design feature at the time the site was developed. However, since the introduction of the re-sale shop the situation has changed dramatically, with re-sale shop patrons exiting the site against the one-way traffic to the entry/exit gates of the site. This presents a significant risk to Council and site users.

To eliminate this risk it is proposed that the section of roadway between the saw tooth off ramp and the shed entry be widened and made two-way. This will require the area at the saw tooth ramp to be made safe so that merging traffic is controlled and traffic off the ramp can go out the exit gate or back to/through the shed.

The project was approved as part of the 2019/20 Capital Works budget. Completed designs to facilitate the changes in vehicle movement at the site required a Bill of Quantities (BoQ). The BoQ has indicated an approximate shortfall in the budget for the project of \$46,000.

Kyabram Environment Centre Access Road Sealing Upgrade

The entry roadway at the Kyabram Environment Centre was relocated 130m to the west on Everard Road when the shed was constructed. This section of road is gravel whereas the previous entrance and internal access roads were sealed. This project will connect the existing seal on Everard Road to the existing sealed internal access roads.

The project has completed design of the road access to the site and in doing so required a Bill of Quantities (BoQ). The BoQ has indicated an approximate shortfall in the construction budget for the project of \$67,351.

The project manager considers that an additional \$67,351 of construction budget will be sufficient to complete the project based on current allocations and the additional funds.

EMG reports outlining the above detail have been tabled and endorsed utilising funding from the Waste Reserve. The Waste Reserve has requisite funding available in this reserve for reallocation to this project, totalling \$113,351.

7. Content

The waste Reserve exists to fund works associated with waste management. The balance of the waste reserve at the close of the 2019/20 financial year is projected to be \$1,362,650.

8. Issues and Risk Management

Issues:

Issue 1:

Both projects are in a position to allow construction in the 2019/20 financial year, however both have inadequate funding allocations and without additional funding cannot be constructed.

Risk:

There is a risk of an accident at the Echuca Environmental Centre entry road where customers are ignoring the fact that the entry road is one way and the only safe access out from the shed parking area is back through the shed. This is a real risk to patrons which will be addressed through the completion of this project.

Risk	Likelihood	Consequence	Rating	Mitigation action
Vehicle accident at the Echuca Environmental Centre entry road	Moderate	High	High	Undertake widening and make the road two way.

9. Strategic Planning Environments

Strong and Engaged Communities	Services enable improved safety of our community.
Resilient Economy	N/A
Healthy Environment	N/A
Balanced Services and Infrastructure	Services and assets meet current and future community need.
Responsible Management	Good and responsive governance and accountability.

10. Consultation

The Senior Project Manager has consulted with the following:

Internal consultation:

- Assets Manager and Infrastructure Division Project Team
- Public Environments Manager
- Environmental Waste team including staff members of the two locations
- EMG

7.6. Request for support for Goulburn Murray Valley (GMV) Regional Fruit Fly Project

Author:

Brian Holmes, Waste & Environment Coordinator

Responsible Manager:

Public Environments Manager

Attachments:

7.6.1 Goulburn Murray Valley Regional Fruit Fly Project letter of support

7.6.2 Moira Shire Council letter to Council requesting advocacy

1. Purpose

To seek Council's support of Moira Shire Council's request for advocacy for the Goulburn Murray Valley Regional Fruit Fly Project.

2. Recommendation

That Council write to the Minister of Agriculture, The Hon Jaclyn Symes, MLC and advocate for further funding of \$800,000 per year over three years for the Goulburn Murray Valley Regional Fruit Fly Project.

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

Historically the State Government ran control programs across the state to prevent and treat Queensland Fruit Fly infestations. The State withdrew this program in the Goulburn Broken region. The withdrawal of this program occurred without consultation with local government or industry and meant there was no longer a coordinated approach to the prevention and treatment of fruit fly. Consequently, fruit fly infestations increased, impacting both the horticulture industry and home gardeners, leaving responsibility and action to the individual and industry.

The Campaspe Advocacy Implementation Plan 2016-2018 included Fruit Fly with Council seeking improved policy, funding and information for the management of fruit fly. Council's advocacy was successful with the State Government developing a five-year action plan and appointing a state-wide coordinator. This action plan saw the introduction of the Managing Fruit Fly Regional Grants Program which aimed to empower regional

Victorian industries and communities to take the lead on fruit fly management in their local area through the development and delivery of regionally specific action plans which included the roles and responsibilities of all stakeholders. The Managing Fruit Fly Regional Grants Program provided funding for the regional action plans, with Goulburn Murray Valley Regional Fruit Fly Action Plan funded until June 2020, as developed by the Goulburn Murray Valley Region Fruit Fly Action Group.

The membership of the Goulburn Murray Valley Region Fruit Fly Action Group includes Fruit Growers Victoria, Cobram District Fruit Growers Association, Summer Fruit Export Alliance (SEDA), SPC Ardmona, Local Government – Moira Shire, Greater Shepparton City Council, Campaspe Shire Council and Berrigan Shire, Department of Jobs, Precincts and Regions – Agriculture Victoria, GMW and IK Caldwell.

The group aims to achieve an Area of Low Pest Prevalence (ALPP) which is required to maintain access to international markets and access to domestic markets in South Australia and Western Australia for produce. Major crops of the region impacted by Fruit Fly include: pome fruit, stone fruit, cherries, tomatoes, berry fruits, citrus and grapes. The Regional Action Plan includes community awareness and education workshops, fruit fly grid trapping and monitoring for hot spots, removal of unwanted fruit trees, advertising which has included print, television and social media, coordination of activities across the region, involvement and support of community groups, with the Lions Club taking a leading role.

7. Content

Moira Shire Council have written to Council (refer to Attachment 7.6.2) requesting Council write to the Minister of Agriculture, The Hon Jaclyn Symes, MLC and advocate for further funding of \$800,000 per year over three years for the Goulburn Murray Valley Regional Fruit Fly Project.

Some of the achievements of the project include:

Residential fruit tree removals	2,140 trees
Rogue fruit tree removals	517 trees
Unmanaged orchards identified	226 ha
Hot spot field reports	872 reports
Signage, bollards, banners	240 erected throughout 37 townships
Workshops and events	6,996 participants
Information packs	28,180 packs
Social media	75,284 hits
Electronic billboards	420,000 views
Print media	3,475,279 readers
Television media	7,348,431 viewers
Radio media	13,891,750 listeners

8. Issues and Risk Management

Issues:

Issue 1:

Campaspe Shire Council have been an active member of the Goulburn Murray Valley Regional Fruit Fly Project since its inception. Failure to support the lead Council, Moira Shire Council, has the potential undermine the relationship developed through the project and its significant achievements.

Issue 2:

Failure to support Moira and therefore not securing future funding would significantly impact the \$545 million Goulburn Valley's horticultural industry.

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.

9. Strategic Planning Environments

Strong and Engaged Communities	The Goulburn Murray Valley Regional Fruit Fly Project is a community based project that engages with and provides skills to members of the community.
Resilient Economy	Control of Fruit Fly is important to maintain domestic and international trade of fruit from the Goulburn Valley.
Healthy Environment	No impact
Balanced Services and Infrastructure	No impact
Responsible Management	Relationships and partnerships are developed throughout the community to responsibly manage Queensland Fruit Fly.

10. Consultation**Internal consultation:**

- EMG 15 January 2020

External consultation:

- Goulburn Murray Valley Regional Fruit Fly Action Group

8. Council Information

8.1. Assembly of Councillors Records

Author:

Sharolyn Taylor, Council Support Officer

Responsible Manager:

Governance Manager

1. Purpose

To present to Council the open records for the Assemblies of Councillors held in the month of December 2019.

2. Recommendation

That Council note the Assemblies of Councillors records.

3. Conflict of Interest

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to 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 in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

6. Background

The *Local Government Act 1989* provides a definition of an assembly of Councillors where conflicts of interest must be disclosed.

A meeting will be an assembly of Councillors if it considers matters that are likely to be the subject of a Council decision, or, the exercise of a Council delegation and the meeting is:

1. An advisory committee of the Council that includes at least one Councillor; or
2. A planned or scheduled meeting that includes at least half the Councillors (5) and one member of Council staff.

The requirement for reporting provides increased transparency and the opportunity for Councillors to check the record, particularly the declaration of conflict of interest.

7. Content

The following Assemblies of Councillors were held in the month of December 2019:

Meeting Information		
Meeting Name/Type	Campaspe Briefing Session	
Meeting Date	3 December 2019	
Start time:	12.31pm	Finish time: 3:07pm
Matters Discussed	<ol style="list-style-type: none"> 1. Welcome, present and apologies 2. Declaration of Interests 3. Business Arising <ol style="list-style-type: none"> 3.1. Kyabram Fauna Park Wetlands 3.2. Port of Echuca Moorings 3.3. Murray River Council Participation in Port of Echuca Working Group 4. Council Meeting Agenda – Open Q & A 5. Council Meeting Agenda – Confidential Q & A 6. Meeting Schedule 7. Communication Reports 8. Councillor Portfolio and Committee Updates, Reports from Conferences and Training attended <ol style="list-style-type: none"> 8.1. Waste update 8.2. Goulburn Broken Greenhouse Alliance 8.3. Economic Development eNews 8.4. MAV Roads and Infrastructure Meeting 8.5. EMDTA 8.6. MAV Impacts of Arts and Cultural and Aging, Learning and Loneliness 8.7. Riverlink 2020 Launch 8.8. Victorian Multicultural Housing and Employment 8.9. Waterpool Water Summit 8.10. Young Farmers Scholarship Awards 9. General Discussion and Question Time <ol style="list-style-type: none"> 9.1. Loco Shed 9.2. Communication Reports 10. Briefing Review 11. Meeting Close 	
Attendees		
Councillors	Cr Adrian Weston (Mayor), Cr Vicki Neele (Deputy Mayor) Cr Daniel Mackrell, Cr Kristen Munro (12:39pm – 3:07pm), Cr Leanne Pentreath, Cr Leigh Wilson, Cr John Zobec	
Staff	Declan Moore, Fleur Cousins, Keith Oberin, Paul McKenzie, Jason Deller, Sharolyn Taylor	
Apologies		
Councillors	Cr Neil Pankhurst (approved leave of absence), Cr Annie Vickers	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
7.4	Cr Mackrell	Yes
18.1	Cr Zobec	Yes

Meeting Information		
Meeting Name/Type	Campaspe Councillor Aquatics and Leisure Strategy Workshop	
Meeting Date	10 December 2019	
Start time:	1:00pm	Finish time: 3:00pm
Matters Discussed	<ol style="list-style-type: none"> 1. Purpose of the workshop 2. Background review 3. Key Issues 4. Ideas and opportunities 	
Attendees		
Councillors	Cr Adrian Weston (Mayor), Cr Vicki Neele (Deputy Mayor), Cr Daniel Mackrell, Cr Kristen Munro, Cr Neil Pankhurst, Cr Annie Vickers, Cr Leigh Wilson	
Staff	Declan Moore, Ailsa Box, Keith Oberin, Paul McKenzie, Kerrie Hawkes, Fraser Neele, Jason Deller	
Apologies		
Councillors	Cr Leanne Pentreath, Cr John Zobec	
Conflict of Interest disclosures		
Matter No.	Councillor/officer making disclosure	Left meeting: Yes/No
Nil		

8. 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.

9. Strategic Planning Environments

Strong and Engaged Communities:	No impact
Resilient Economy:	No impact
Healthy Environment:	No impact
Balanced Services and Infrastructure:	No impact
Responsible Management:	No impact

10. Consultation

Nil.

8.2. Letters of Appreciation

The following have been received:

- Lockington Bowling Club Inc. – thank you for the generous support for the annual Ladies Invitation Fours Tournament. It was a very successful day with 80 players taking part from all surrounding districts.

Thank you also to Councillor Leanne Pentreath for attending the day to present prizes to the winners.

- Entegra Signature Structures - expressing gratitude and thanks for the planning service received from Emily Hardy when recently submitting a planning permit application for a project just out of Echuca.
- Cheryl Favalaro – thank you to Geoff for the prompt response to an after hours call to fix the water problem in Jamison Drive, Echuca over the weekend.
- VIVID (formerly Murray Human Services) – thank you to Councillors Weston and Vickers for attending Vivid's AGM in October.

Thank you also for the grant of \$4,000 from the 2019/2020 Community Grants Program (Round two) that will enable the completion of a project at our expanding supported employment site located at 2 Francis Street, Echuca.

- Gunbower Memorial Hall Committee of Management – thank you for the contribution from Community Plan Implementation Funds towards the replacement of old gas heaters for split systems in the Gunbower Memorial Hall. This will be much appreciated by all who use the hall.
- Kyabram Deakin Residents Ratepayers & Development Group Inc (KDRRADG) – thank you to Declan Moore, CEO for attending the KDRRADG meeting on 20 November.
- Kyabram Deakin Residents Ratepayers & Development Group Inc (KDRRADG) – congratulations and thank you to Cr Adrian Weston for accepting to continue as the Mayor. With Adrian as Mayor, along with the support of Cr Neele as Deputy Mayor, we expect that we can continue to be proud of the leadership shown in Campaspe Shire.
- Inland Outrigger Canoe Club Inc. – thank you for the grant received under the Community Support category of the 2019/2020 Community Grants Program (Round two). The club is grateful for the support and it will enable the fit out the lower level of the redeveloped kiosk with safe and proper storage for smaller canoes and equipment.
- Environmental Volunteering (DELWP) – thank you for the assistance earlier in 2019 with the confirmation of the plethora of environmental volunteer groups in your respective area. This information has been a critical part of the evidence-base to support the development of Volunteering Naturally 2019. With over 2100 groups captured, it paints an impressive picture of the concerted efforts of our fellow Victorians volunteering in and for the environment and we have you all to thank for supporting pulling this information together.
- Ky Project Committee Inc. – thank you for the funding through the Community Plan Implementation Funds toward the water tank mural project on the Goulburn Valley Water site in Kyabram. This is a great opportunity to put Kyabram on the ever expanding art trail throughout Victoria and increase tourism in the Campaspe region.
- Joseph Formica – thank you to the after hours Ranger for her prompt action to attend to and fix a nuisance dog complaint we have had for a while in under 10 minutes. She did a wonderful job!
- Anglicare Victoria, Echuca – thank you to Campaspe Community Children's Centre families for providing many presents for distribution to clients who struggle to make Christmas special for their families. This continued support brings enormous relief and enables people to have a great Christmas.

- Tania Maxwell MP, Member for Northern Victoria – congratulations to Cr Adrian Weston on his recent re-election as Mayor.
- Murray River Razorbacks Wheelchair Rugby Association – thank you to Sharon Briscoe, Stadiums Team Leader for getting the key lines that are used in their game marked on the three courts at the Echuca Stadium enabling competitors to play by all the legal rules.

Recommendation

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

8.3. Local Government Inspectorate Investigation Outcome - Cr Annie Vickers

Author:

Frank Crawley, Governance Manager

Attachments:

8.3 Local Government Inspectorate Investigation Outcome letter

1. Purpose

To note the outcome of the Local Government Inspectorate (Inspectorate) Investigation into allegations that Cr Annie Vickers breached provisions of the *Local Government Act 1989* (Act).

2. Recommendation

That Council note the investigation outcome by the Local Government Inspectorate into allegations that Cr Annie Vickers breached provisions of the *Local Government Act 1989*.

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.

In accordance with section 79C(1)(j) of the Act, a Councillor does not have a conflict of interest if the matter only relates to the conduct of a Councillor with respect to an allegation of misconduct or serious misconduct (as defined in section 81A) by the Councillor.

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

The Inspectorate, as part of its role, undertakes investigations into complaints against Councillors and Council staff who are alleged to have breached the Act.

7. Content

The Inspectorate by letter dated 27 November 2019 addressed to the Mayor, Cr Adrian Weston has advised of their findings and outcome of the investigation into allegations that Cr Annie Vickers breached provisions of the Act.

The Inspectorate have requested that a copy of their letter is tabled at the next Council meeting. A copy of their letter is at Attachment 8.3.

Their investigation is a timely reminder for all Councillors to be fully aware of their responsibilities relating to interest declarations and conflicts of interest.

8.4. Local Government Inspectorate Investigation Outcome - Cr Daniel Mackrell

Author:

Frank Crawley, Governance Manager

Attachments:

8.4 Local Government Inspectorate Investigation Outcome letter

1. Purpose

For Council to note the outcome of the Local Government Inspectorate (Inspectorate) Investigation into allegations that Cr Daniel Mackrell breached provisions of the *Local Government Act 1989 (Act)*.

2. Recommendation

That Council note the investigation outcome by the Local Government Inspectorate into allegations that Cr Daniel Mackrell breached provisions of the *Local Government Act 1989*.

3. Conflict of Interest

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

In accordance with section 79C(1)(j) of the Act, a Councillor does not have a conflict of interest if the matter only relates to the conduct of a Councillor with respect to an allegation of misconduct or serious misconduct (as defined in section 81A) by the Councillor.

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

The Local Government Inspectorate (the Inspectorate), as part of its role, undertakes investigations into complaints against Councillors and Council staff who are alleged to have breached the Act.

7. Content

The Inspectorate by letter dated 15 January 2020 addressed to the Chief Executive Officer, Mr Declan Moore has advised of their findings and outcome of an investigation into allegations that Cr Daniel Mackrell breached provisions of the Act.

A copy of their letter is at Attachment 8.4.

Their investigation is a timely reminder for all Councillors to be fully aware of their responsibilities relating to interest declarations and conflicts of interest.

8.5. Quarterly Financial Statements

Author:

Ailsa Box, Finance Manager

Attachments:

8.5 Quarterly September Financial Statements

1. Purpose

To present to Council a quarterly income statement and additional financial reports to provide a summary of the financial position of Council for the quarter ended December 2019.

2. Recommendation

That Council note the December 2019 Quarterly Financial Statements.

3. Conflict of Interest

In accordance with Section 80B of the *Local Government Act 1989*, the officer preparing this report declares no conflict of interest in regards to 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 in so far as this report is not contrary to the existing policy or strategy previously adopted by Council.

6. Background

The *Local Government Act 1989* s138(1) requires that a statement comparing budgeted revenue and expenditure for the financial year with actual revenue and expenditure year to date is presented to the Council at a Council meeting which is open to the public.

7. Content

A pack of the financial statements is included as Attachment 8.5 and contains:

Income Statement	Comparison of 2019/20 budget, 2019/20 actuals and 2018/19 actuals for the six months ended 31 December 2019.
Balance Sheet	Comparison of 2019/20 budget, 2019/20 actuals and 2018/19 actuals for the six months ended 31 December 2019.
Cash Flow Statement	Comparison of 2019/20 budget, 2019/20 actuals and 2018/19 actuals for the six months ended 31 December 2019.

Statement of Capital Works Comparison of 2019/20 budget, 2019/20 actuals and 2018/19 actuals for the six months ended 31 December 2019.

Income Statement

The major variations to budget for the six months ended 31 December 2019 are:

- Increased rate income raised due to the supplementary rates being processed for new properties and works on existing properties which increases the property valuation used to calculate rates, these changes occur after the budget has been set.
- Unbudgeted grants have been received impacting favourable on grant income, Murray Darling Basin grants have been received for Rochester and Roads to Recovery works and the related grant claim have been completed ahead of expected timing.
- Materials and services costs are favourable due to timing of work programs and their associated spend, however service delivery is on track for completion by year end.

Capital Works Statement

The following comparisons can be made with reference to Statement of Capital works:

- Aerodrome projects have been put on hold while a concept plan is developed for the area.
- Drainage works have been delayed on two major projects, one as the result of consultation with effected landowners requiring change to the scope and design of the project and one due to finalisation of easements with landowners.
- A number of projects have been delayed either due to outside influences, ongoing community consultation or timing of works, these include Rushworth streetscape, Rushworth Groves Weir bridge, Wanalta Corop Road, Kow Swamp toilet demolition and Kyabram Plaza Roof works.

8. Issues and Risk Management

Issues:

Nil

Risk:

This is a quarterly report that monitors Council's performance against the budget, any major variances have been explained in the report. There is no perceived risk that would prevent Council achieving budget targets in the 2019/20 financial year.

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.

9. Strategic Planning Environments

Strong and Engaged Communities: No Impact

Resilient Economy: No Impact

Healthy Environment: No Impact

Balanced Services and Infrastructure: No Impact

Responsible Management: To provide Council and the community with a summary of our financial performance for the period ended 31 December 2019.

10. ConsultationInternal Consultation:

- General Manager Corporate Services
-

11. Officer Comment

The Quarterly Statements give Council and the community the opportunity to monitor and understand Council's ongoing financial performance.

Council's operational performance year to date is in line with expectations except for some maintenance programs that have been scheduled for later in the year. These variances will not have an impact on Council's service delivery.

9. Councillor Reports

Cr Adrian Weston	
11 December 2019	2019/2020 Community Grants Program (Round 2) Recognition Ceremony
13 December 2019	Riv Brekky
15 January 2020	Stanhope Development Committee Meeting
15 January 2020	Kyabram Deakin Residents and Ratepayers Development Group Meeting
26 January 2020	Australia Day Events – Echuca Moama, Stanhope, Rushworth & District

Cr Daniel Mackrell	
11 December 2019	2019/2020 Community Grants Program (Round 2) Recognition Ceremony
13 December 2019	Riv Brekky
19 December 2019	Billabong Ranch Outback Show - Where the Long Paddock meets the Murray
15 January 2020	Kyabram Deakin Residents and Ratepayers Development Group Meeting
26 January 2020	Australia Day Events – Echuca Moama, Kyvalley, Wyuna

Cr Kristen Munro	
11 December 2019	2019/2020 Community Grants Program (Round 2) Recognition Ceremony
12 December 2019	Echuca Specialist School Senior Student Graduation
13 December 2019	Riv Brekky
13 December 2019	Girgarre Cottage Christmas Dinner
23 January 2020	Planning Information Session - PLN311/2019 (19 Collier Street Echuca)

Cr Vicki Neele	
11 December 2019	2019/2020 Community Grants Program (Round 2) Recognition Ceremony
13 December 2019	Girgarre Cottage Christmas Dinner
16 December 2019	Kyabram Development Committee Meeting
17 December 2019	EMT Function
18 December 2019	Echuca Moama Tourism Board Meeting & Christmas Dinner
19 December 2019	C4EM Function
15 January 2020	Joint Planning Information Session with City of Greater Bendigo (PLN207/2019)
20 January 2020	Kyabram Historical Society Meeting
26 January 2020	Australia Day Events – Kyabram

Cr Neil Pankhurst	
11 December 2019	2019/2020 Community Grants Program (Round 2) Recognition Ceremony
13 December 2019	Riv Brekky
15 January 2020	Joint Planning Information Session with City of Greater Bendigo (PLN207/2019)
22 January 2020	GMW Lower Campaspe Valley Water Supply Protection Area Community Meeting
23 January 2020	Planning Information Session - PLN311/2019 (19 Collier Street Echuca)

Cr Leanne Pentreath	
11 December 2019	2019/2020 Community Grants Program (Round 2) Recognition Ceremony
10 January 2020	Port Precinct Working Group Meeting
22 January 2020	GMW Lower Campaspe Valley Water Supply Protection Area Community Meeting
26 January 2020	Australia Day Events – Gunbower

Cr Annie Vickers	
11 December 2019	2019/2020 Community Grants Program (Round 2) Recognition Ceremony
12 December 2019	Echuca Specialist School Senior Student Graduation
13 December 2019	Riv Brekky
13 December 2019	Girgarre Cottage Christmas Dinner
16 December 2019	St Joseph's College Echuca 2019 Student Awards Evening
19 December 2019	Familiarisation Tour Incident Control Centre Epsom
15 January 2020	Joint Planning Information Session with City of Greater Bendigo (PLN207/2019)
15 January 2020	Kyabram Deakin Residents and Ratepayers Development Group Meeting
22 January 2020	GMW Lower Campaspe Valley Water Supply Protection Area Community Meeting
23 January 2020	Planning Information Session - PLN311/2019 (19 Collier Street Echuca)
25 January 2020	Echuca Moama Rotary Club Australia Day Dinner
26 January 2020	Australia Day Events – Echuca Moama and Koyuga

Cr Leigh Wilson	
12 December 2019	Echuca Specialist School Senior Student Graduation
13 December 2019	GVWRRG Board Meeting
16 December 2019	Rochester Community House Meeting
16 December 2019	Rochester Senior Citizens Christmas Dinner
15 January 2020	Joint Planning Information Session with City of Greater Bendigo (PLN207/2019)
22 January 2020	GMW Lower Campaspe Valley Water Supply Protection Area Community Meeting
26 January 2020	Australia Day Events – Rochester and Toolleen

Cr John Zobec	
10 January 2020	Port Precinct Working Group Meeting
15 January 2020	Kyabram Deakin Residents and Ratepayers Development Group Meeting
26 January 2020	Australia Day Events – Girgarre, Stanhope and Tongala

Recommendation

The Councillor Reports be noted.

10. Chief Executive Officer's Report

Activities and meetings attended since the previous Council meeting

- Murray River Council Mayors & CEO's Meeting
- Meeting with Fonterra Regional Operations Manager Northern Victoria
- The Foundry Gallery Shop Grand Opening
- Nanneella Community Christmas BBQ
- Campaspe Primary Care Partnership Meeting
- Meeting with CEO Echuca Regional Health
- Community Grants Program Event
- Meeting with Chair and CEO of Committee for Echuca Moama
- Meeting with representative of Loco Shed Committee
- Port Precinct Working Group Meeting
- Meeting with Echuca Police Inspector
- Meeting with CEO of Murray Regional Tourism Board
- Meeting with Victorian Planning Authority
- Meeting with CEO Community for the Aged

Recommendation

The Chief Executive Officer's report be noted.

11. Petitions and Letters

12. Notices of Motion

13. Urgent Business

14. Question Time

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

Recommendation

The meeting be adjourned for media and community liaison.

15. 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 items 16, 17, 18 and 19 which the Council may, pursuant to the provisions of Section 89(2) of the *Local Government Act 1989* (the Act) resolve to be considered in Closed Session, being a matter contemplated by Section 89(2) of the Act, as follows:

- a) personnel matters;
- b) the personal hardship of any resident or ratepayer;
- c) industrial matters;
- d) contractual matters;
- e) proposed developments;
- f) legal advice;
- g) matters affecting the security of Council property;

- h) any other matter which the Council or special committee considers would prejudice the Council or any person;**
- i) a resolution to close the meeting to members of the public.**

16. Confirmation of Confidential Minutes and Attachments

17. Confidential Council Information

18. Confidential Business

19. Confidential Council Meeting Close

20. Items Determined to be no Longer Confidential

21. Open Meeting to the Public

22. Close Meeting

Declan Moore

Chief Executive Officer