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Agenda



For a meeting of the eighth Campaspe Shire Council to be held on Wednesday, 17 February 2021, commencing at 6:00pm at the Council Chambers, Echuca Civic Centre.

Opening Prayer

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

Amen

Acknowledgement of Country

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.

Due to the COVID-19 Pandemic, this Council meeting is closed to the public, and is being held virtually and livestreamed via Council's website. If technical difficulties arise, the meeting will be adjourned until:

1. the Councillor/s can be reconnected; and a quorum maintained or
2. the streaming connection can be re-established; or
3. if connections cannot be re-established the meeting will be postponed to a later date in accordance with the Meeting Procedures.

As there are no speakers this evening, we will move onto item 1. Apologies and Requests for Leave of Absence.

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

Those people who have requested to speak to an item will be allowed five minutes to address Council. Speakers will be notified with a bell when there is 60 seconds remaining. Speakers must only speak in relation

to the subject stated on their application and shall not debate the issue with Councillors and officers. Councillors are able to ask questions of the speaker on points of clarification.

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

Business

1. Apologies and Requests for Leave of Absences

2. Confirmation of Minutes and Attachments

Minutes for the following:

- Campaspe Council Meeting held on 20 01 2021
- Campaspe Briefing Session held on 13 01 2021
- Campaspe Briefing Session held on 20 01 2021
- Campaspe Briefing Session held on 27 01 2021

Recommendation

That the following minutes be confirmed:

- **Campaspe Council Meeting held on 20 01 2021**
- **Campaspe Briefing Session held on 13 01 2021**
- **Campaspe Briefing Session held on 20 01 2021**
- **Campaspe Briefing Session held on 27 01 2021**

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) This section applies in respect of a conflict of interest in respect of a matter—
 - (a) to be considered at a Council meeting; or
 - (b) to be considered at a meeting of a delegated committee; or
 - (c) to be considered at a meeting of a community asset committee; or
 - (d) that arises in the course of the exercise of a power of delegation by a member of Council staff; or

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

Local Government Act 2020 Section 127 - General conflict of interest

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

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

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

Local Government Act 2020 Section 128 - Material conflict of interest

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

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

5. Responsible Authority Decisions

Nil

6. Planning Authority Decisions

Nil

7. Question Time

Question time will be available at every 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.

8. Acknowledgements

At each Ordinary Meeting, Councillors will have the opportunity to acknowledge significant community members and events. These may relate to notable achievements by community members and groups and offering of condolences to a person who has previous distinguished service in the local area.

The duration of any report from a Councillor will be limited to two (2) minutes.

Any acknowledgment intended to be raised by a Councillor at an Ordinary meeting must be notified to the Chief Executive Officer at least three (3) hours before the commencement of the meeting.

9. Council Decisions

9.1. AUDIT AND RISK COMMITTEE HALF YEAR REPORT

Author	Department	Manager	General Manager
Chief Executive Officer			

1. SUMMARY

The Audit and Risk Committee supports Council in discharging its governance oversight responsibility including financial management, risk management, fraud prevention, maintenance of a sound internal control environment and the assurance activities through internal and external audit.

The Audit and Risk Committee reports to Council twice per year under its Charter that was adopted by Council in July 2020. This Charter aligns with the requirements of the Local Government Act 2020.

The attached half yearly report, prepared by the Chair of the Committee reports on the activities undertaken by the Committee against the key responsibility areas defined in their Charter.

2. RECOMMENDATION

That Council note the report from the Audit and Risk Committee and acknowledge the work of the Committee during the period of 1 July 2020 and 31 December 2020.

3. PURPOSE

To receive and note the first half yearly report from the Audit and Risk Committee, outlining the work of the committee during 1 July 2020 and 31 December 2020.

4. DISCUSSION

In accordance with the Audit and Risk Committee Charter, 'the Chairperson will prepare a report to Council through the Chief Executive Officer on the Committee's activities twice per annum. One of these reports will be prepared after the meeting at which the annual financial report and the annual performance statement have been considered and recommended to Council for adoption, the report will indicate how the Committee has discharged its responsibilities as set out in the Charter for the previous year.'

On receipt of the report from the Committee the Chief Executive Officer is to table the report to the next available Council meeting. This report satisfies these requirements.

5. CONSULTATION

External consultation:

The Audit and Risk Committee reviewed the half yearly report prepared in consultation with the Chair of the Committee at their meeting held on 4 February 2021.

Councillors:

The Chair of the Audit and Risk Committee attended the Council Briefing Session held on 10 February 2021 to talk to the half yearly report and provide an opportunity for Councillors to ask any questions.

6. POLICY AND LEGISLATIVE IMPLICATIONS

This report is in accordance with the Audit and Risk Committee Charter adopted by Council at its meeting on the 21 July 2020.

7. FINANCIAL AND ECONOMIC IMPLICATIONS

There are no financial or economic implications associated with this report.

8. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

9. SOCIAL IMPLICATIONS

There are no social implications associated with this report.

10. RELEVANCE TO COUNCIL PLAN 2017-2021

An active and diverse Audit and Risk Committee provides Council and the public with the assurance that the operations and risks within the organisation have the appropriate oversight and that the necessary governance practices are being applied. The Committee's Half Yearly Report provides further transparency on the role and activities of the Committee to Council and the community.

11. ISSUES AND RISK MANAGEMENT

Issues:

There are no issues identified in connection with this report.

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.

12. 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.

13. 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*.

14. 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.

15. CONCLUSION

The Audit and Risk Committee reports to Council twice a year to report on its activities and how it is fulfilling its responsibilities defined within the Audit and Risk Committee. This report, outlines the activities of the committee for the period 1 July 2020 to 31 December 2020.

16. ATTACHMENTS

- 9.1 Audit and Risk Committee Half Yearly Report – July to December 2020

9.2. QUARTERLY BUDGET REPORT

Author	Department	Manager	General Manager
Manager Finance	Finance	Manager Finance	General Manager Corporate

1. SUMMARY

This report presents the quarterly financial position compared to the adopted 2020/21 Budget.

The financial position has been impacted by the COVID-19 pandemic, which was set prior to the pandemic and some impacts remain difficult to predict given the uncertainty surrounding pandemic restrictions.

2. RECOMMENDATION

That Council

1. **Accepts the December 2020 Quarterly Budget report.**
2. **Notes that the Chief Executive Officer's advice that a revised budget for 2020/21 is not required.**

3. 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 2020.

4. DISCUSSION

A pack of the financial statements is included as Attachment 9.5 and contains:

Income Statement	Comparison of 2020/21 budget, 2020/21 actuals and 2019/20 actuals for the six months ended 31 December 2020.
Balance Sheet	Comparison of 2020/21 budget, 2020/21 actuals and 2019/20 actuals for the six months ended 31 December 2020.
Cash Flow Statement	Comparison of 2020/21 budget, 2020/21 actuals and 2019/20 actuals for the six months ended 31 December 2020.
Statement of Capital Works	Comparison of 2020/21 budget, 2020/21 actuals and 2019/20 actuals for the six months ended 31 December 2020.

Income Statement

The major variations to budget for the three months ended 31 December 2020 are:

- The effect of exiting Aged Care services by Council, the 2020/21 budget included the full cost of continuing to deliver the service as Council was unsure that approval would be received in time to exit by the 30 June 2020. This has impacted on grant income, user fees, employee costs and materials and service costs.
- Decrease in user fees and employee costs due to the closure of services as a result of the pandemic.
- Materials and services have a favourable variance due to the pandemic and savings due to service closures and the timing of maintenance projects. There will be some permanent savings from fuel and plant maintenance costs.

Capital Works Statement

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

- Bridge works are ahead of schedule due to planning works commencing in the prior year and works carried forward from 19/2020 are included in the result.
- Two large drainage projects carried forward from both 2018/19 and 2019/20 are nearing completion but the current year planned renewal program for kerb and channel will be completed in the last half of the financial year.
- Work on Councils heritage paddlesteamers has been delayed due to compliance issues with the slipway, these issues are being rectified but will cause delays in having the work completed.
- Additional costs were incurred when purchasing the Quarry Crusher to ensure that the machine was fit for purpose. The Crusher was delivered and commissioned in December 2020.

Delays have been experienced sourcing some items of plant due to COVID 19 and in the awarding of contracts for one large piece of plant.

As per Section 97(3) of the *Local Government Act 2020* requires a determination to be made as to whether a revised budget is required.

Section 95(1) requires that a revised budget be prepared if Council makes a variation to declared rates and charges, wants to undertake borrowings not approved in the budget or makes a change to the budget that Council considers should be subject to community engagement.

The Chief Executive Officer's advice, based on the requirements of section 95(1), is that a revised budget is not required. Noting that the Administration will need to ensure that notes/comments/explanations accompanying remaining budget reports and financial statements for 2020/21 clearly address the COVID 19 impacts and exiting of Aged Care Services.

5. POLICY AND LEGISLATIVE IMPLICATIONS

The Local Government Act 2020 has been taken into consideration when preparing this report.

6. FINANCIAL AND ECONOMIC IMPLICATIONS

The economic sustainability of the municipality, in accordance with Section 9(2)(c) of *Local Government Act 2020*, has been reviewed and Council is in a strong financial position and remains economically viable.

7. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

8. SOCIAL IMPLICATIONS

There are no social implications associated with this report.

9. RELEVANCE TO COUNCIL PLAN 2017-2021

Responsible Management:

To provide Council and the community with a summary of our financial performance for the period ended 31 December 2020.

10. 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.

This is a quarterly report that monitors Council's performance against the budget, any major variances have been explained in the report and attached statements. There is no perceived risk that would prevent Council achieving budget targets in the 2020/21 financial year for maintenance projects. The impact of COVID19 will be addressed in the revised budget based on what each service is allowed to deliver as per State Government Health directives.

11. 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.

12. 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*.

13. 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.

14. CONCLUSION

It is recommended that the report be accepted as a summary of Council's financial position at the quarter ended December 2020.

15. ATTACHMENTS

9.2. Quarterly Financial Statements

9.3. QUARTER 2 UPDATE – CAPITAL WORKS PROGRAM 2020/21

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

1. SUMMARY

This report presents an overview of progress of the annual Capital Works Program at 31 December 2020.

The 2020/21 program comprises 56 new projects (included in the 2020/21 Capital Works budget), 11 additional projects and 28 carry over projects totalling an initial overall target spend of \$37.9m. This report provides a summary of delivery during Quarter 2. Refer also to the attached dashboard at Attachment 9.7.

2. RECOMMENDATION

That Council note the contents of this report.

3. PURPOSE

To provide Council with an update on the progress of the annual Capital Works Program at 31st December 2020.

4. DISCUSSION**Update Quarter 2 - Carry over Projects**

Quarter 2 of 2021 saw the decommissioning of the toilet block, BBQ and shelter at Kow Swamp completed. Works on the McKenzie Road outfall in Echuca, Rushworth Murchison Road Open Drain and Rochester Ramsay Street Open Drain continued and are on track for completion in quarter 3. Designs for Anstruther Street Footbridge were finalised with construction funding to be requested in the 21/22 budget. Works on Rushworth Hall roof and EWMAC internal building and Plantroom design projects were completed.

Update Quarter 2 – New and Multi Year Projects

Detailed designs for Echuca East Community Precinct, Gunbower Lions Park Redevelopment and Echuca Holiday Park Upgrade are continuing. Initial landscaping works at the Holiday Park upgraded 47 sites with turf. Detailed designs for Sturt Street Drainage and Road Rehabilitation and Kyabram Recreation Reserve Netball Courts have been completed and construction estimates provided to inform the 21/22 budget.

Procurement activity for a number of projects was completed with construction planned in Quarter 3; Tongala Finlay Road Rehabilitation, Echuca Darling Street Road Rehabilitation, Rushworth High Street Renewal, Shire Bridge Barrier Program.

Construction of shire wide programs commenced and continue to run to schedule and budget; Gravel Road and Shoulder Resheeting, Kerb and Channel, Footpath Renewals, Culvert Renewals, Pool Repainting and Parks and Playground Irrigation.

Construction of the following projects was completed; Echuca Holiday Park Synthetic Grass, Echuca Minor Street Road Rehabilitation, Kyabram Allen St Safety Works, Kyabram Fauna Park Reptile House Demolition, and Kerb and Channel works in Cox Street and Campbell Street in Tongala. Stage 1 of Sealed Road Resurfacing was completed with additional roads to the budgeted program to be sealed in quarter 4 using surplus funds.

Progress

Overall, this Quarter showed good progress with total spend of \$11.6M and a value of \$15.75M with the inclusion of commitments.

Activities for Quarter 3

Procurement activity for stage 3 of the Kyabram McEwan Road Basin will commence and for remaining Kerb and Channel projects.

Delivery of Rushworth High Street Renewal and Ash Street Drainage Upgrade to commence following award of contracts this quarter.

Cancelled projects

One project was cancelled this Quarter:

- PR-100489 Kyabram Bond Street Kerb & Channel. This project was removed from the 20/21 Kerb and Channel program pending the outcome of the recreation review of McCormick Reserve.

Practically Completed Projects

The following projects were practically completed this Quarter i.e. completed and open for public use:

- PR-100490 Tongala Campbell Street Kerb and Channel
- PR-100491 Tongala Cox Street Kerb and Channel
- PR-100437 Shire Swimming Pool Maintenance

Financially Completed Projects

Financially completed means all invoices have been received and paid and project closed financially. The following projects were financially completed this Quarter:

Project Code	Project Name	Budget	Savings	Surplus funds transferred to	Comments
PR-100311	Campaspe Animal Shelter Facility Improvements	\$128,500	\$19,978	Asset Renewal Unallocated cash	
PR-100272	Corop-Wanalta Road Rehabilitation	\$2,530,000	\$904,511	Asset Renewal Unallocated cash /Grant reallocation	The project was part funded through the Fixing Country Roads program. Due to contract efficiencies resulting in surplus funds being available, authorisation was obtained from the grant body to transfer \$300k in grant funds to Stage 2 Corop-Wanalta Road Rehabilitation (to be delivered in 21/22)
PR-100284	Shire Major Patches 19/20	\$224,400	\$2,643	Asset Renewal Unallocated cash	
PR-100531	Echuca Murray Esplanade Retaining Wall	\$1,015,000	\$187,529	Asset Renewal Unallocated cash	Project was originally to be funded through borrowings, however surplus funds realised in the 19/20 capital program will fund the project.

5. CONSULTATION**Internal consultation:**

- Relevant Project Sponsors

6. POLICY AND LEGISLATIVE IMPLICATIONS

There are no policy or legislative implications associated with this report.

7. FINANCIAL AND ECONOMIC IMPLICATIONS

There are no financial or economic implications associated with his report.

8. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

9. SOCIAL IMPLICATIONS

There are no social implications associated with this report.

10. RELEVANCE TO COUNCIL PLAN 2017-2021*Balanced Services and Infrastructure:*

Manage and maintain assets to optimise their lifecycle considering social, economic and environmental sustainability.

Responsible Management:

Enable the delivery of services, facilities and programs to the community through sound corporate governance and fiscal responsibility.

11. ISSUES AND RISK MANAGEMENT**Issues:**

A number of issues impact the successful and timely delivery of the annual capital works program.

Issue 1:

Typical delays in receiving approvals from external organisations. Mitigation measures have been put in place with projects being split over multiple years with a minimum of 1 year for design and approvals.

Issue 2:

Additional state and federal funding received due to Covid-19 stimulus packages has resulted in the program being larger than anticipated. Engagement of a consultant Project Manager to deliver a number of externally funded projects will reduce the impact.

Risk:

Risk	Likelihood	Consequence	Rating	Mitigation action
Non delivery of adopted program resulting in reputational damage and council assets not being renewed in a timely manner.	Likely	Major	High	Ongoing monitoring and monthly reporting to EMG of 'at risk' projects Delivery of projects over multiple years

12. 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.

13. 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*.

14. 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.

15. CONCLUSION

The annual Capital Works Program has shown good progress with total spend of \$11.6M as at 31st December 2020 and a value of \$15.75M with the inclusion of commitments.

16. ATTACHMENTS

9.3. 2020 12 December Capital Works Program Dashboard

9.4. 2020/21 BUDGET AND CAPITAL PROGRAM REVIEW

Author	Department	Manager	General Manager
Manager Finance	Finance	General Manager Corporate	General Manager Corporate

1. SUMMARY

This report is to inform Council of the outcome of the budget review and anticipated year end forecast position for the 2020/21 financial year.

The budget review takes into account the impact of both exiting Aged care services and the COVID-19 pandemic on both revenue and expenses.

2. RECOMMENDATION

That Council:

1. **Endorse the 2020/21 Budget review and the forecast results.**
2. **Note that future management reporting will be against the 2020/21 forecast budget.**
3. **Resolve that a revised budget is not required under Section 95(1) of the Local Government Act 2020.**
4. **Agree to transfer the net proceeds from the sale of Luth Street, Echuca to the capital renewal reserve.**
5. **Note the changes to the reviewed 2020/21 capital works program including the final list of carried forward projects from 2019/20 and the additional projects added to the program as a result of additional grant funding.**

3. PURPOSE

To present to Council the results of the budget review carried out for the 2020/21 financial year and to outline what has impacted on the expected year-end financial position.

4. DISCUSSION

Council adopted its 2020/21 Budget and Strategic Resource Plan at its meeting held on the 23 June 2020. This budget was developed and adopted in accordance with the Local Government Act 1989.

At the time of preparing the budget, Council was uncertain whether approval to exit the Aged Care Service would be received in time to fully effect the proposed change and on that basis the budget to continue delivery of the service was included. Approval was received and the full exit was achieved by 30 June 2020, however this information was received too late to be reflected in the adopted budget document.

A budget review has been completed by the Council administration during December 2020 for the 2020/21 financial year.

Attachment 1 to this report is an income statement that outlines the following:

- Column A - Council's adopted 2020/21 Budget.
- Column B - Budget figures related to aged care services that have not been required because of Council's successful exit from the service.

- Column C - Council's adopted 2020/21 Budget **less** the aged care service budget. (A-B).
- Column D - Proposed 2020/21 Revised Budget based on the Administration's review and forecast year end position.
- Column E - Capital grants received as a result of COVID-19 pandemic economic stimulus packages.
- Column F - Proposed 2020/21 Revised budget **less** capital grants received from economic stimulus. (D-E).
- Column G - Variance between Column C and Column F.

Notes have been provided to accompany the income statement, highlighting the key ups and downs when the 2020/21 revised budget (column D) is compared to the adopted 2020/21 budget (column A).

The review of the 2020/21 budget reflects that Council should achieve a surplus of \$4,161,374, an increase of \$1,431,782 when compared to the adopted budget.

However, if the aged care budget is removed from the adopted budget and the additional capital grants received as part of the economic stimulus are removed from the budget, Council's adjusted reforecast budget would show that Council should achieve a surplus of \$1,115,079, a decrease of \$1,290,562. This result includes an increase of \$1,342,998 in depreciation expenditure as a result of the revaluation of assets at the end of the 2019/20 financial year as well as the impact of the pandemic on Council's operations.

As part of the budget review process, a review of the 2020/21 capital works program has been completed, refer Attachment 2. This review has identified an overall reduction of \$3,768,102 to the adopted 2020/21 program. This reduction is due to a number of factors including project savings derived from completed projects, change of project scope or change to the timing of delivery of a multi-year project in the 2020/21 financial year.

An additional list of projects with a value of \$3,724,191 have been added to the delivery program. These projects are a result of additional State or Federal Government funding most notably the allocation of \$2.6 million dollars from the Local Roads and Community Infrastructure grant.

The review also confirmed the final list of carried forward projects from the 2019/20 year at a value of \$8,279,978, an increase of \$577,633 when compared to the adopted budget document.

Based on the review, Council is working to deliver \$32,620,809 worth of capital works across the shire in the 2020/21 financial year.

Since the adoption of the 2020/21 Budget, the provisions of the Local Government Act 2020 for budget development have come into force, commencing 24 October 2020. Any revised budget must be done in accordance with the Local Government Act 2020.

Section 95(1) of the Local Government Act states that:

- A Council must prepare and adopt a revised budget before the Council –
 - Can make a variation to the declared rates or charges; or
 - Can undertake any borrowings that have not been approved in the budget; or
 - Can make a change to the budget that the Council considers should be the subject of community engagement.

Given that none of the above requirements for the preparation of a revised budget apply, it is recommended that Council not prepare a revised budget for the 2020/21 financial year.

5. CONSULTATION

Internal consultation:

- All staff responsible for setting budgets
- EMG

Councillors:

- 3 February 2021 Briefing Session.

6. POLICY AND LEGISLATIVE IMPLICATIONS

The Local Government Act 2020 has been taken into consideration when preparing this report.

7. FINANCIAL AND ECONOMIC IMPLICATIONS

The economic sustainability of the municipality, in accordance with Section 9(2)(c) of *Local Government Act 2020*, has been reviewed and Council is in a strong financial position and remains economically viable.

8. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report

9. SOCIAL IMPLICATIONS

There are no social implications associated with this report

10. RELEVANCE TO COUNCIL PLAN 2017-2021

Responsible Management:

To provide Council and the community with the result of a review of the 2020/21 budget, the review takes into account any impacts that were not known when the budget was originally set.

11. ISSUES AND RISK MANAGEMENT

Issues:

The 2020/21 budget was developed by the Council administration prior to the commencement of the pandemic and during the deliberation, consultation and adoption phase of the budget it was unclear what the full impact of the pandemic would be on Council's operations and its financial position. On that basis, Council resolved that a revised budget would be prepared once it was better understood what the impacts would be.

Following the adoption of the 2020/21 budget, the recognition of a significant revaluation of assets was confirmed through the preparation of the 2019/20 Financial Statements. The increased value of assets had an impact on the depreciation figures included in the adopted budget. This has been recognised in the budget review process.

In reviewing the 2020/21 budget, the impacts of the COVID-19 pandemic on the delivery of Council services that has seen a reduction in revenue, employee expenses and materials and services, Council has also secured additional revenue by way of grants. These grants have mostly been economic stimulus funding provided by both the State and Federal governments for capital projects.

In addition, some areas have also performed better when compared to budget, such as increased quarry sales, an increase in the provision of waste services, the recognition of supplementary rates and the increase in land information certificate requests and planning and building permits.

Since the preparation of the budget review, Council has sold some land parcels that will also be recognised as asset adjustments. The most significant of these is Luth Street, Echuca. It is recommended that the income, less any cost associated with the sale, be transferred to a capital renewal reserve. It is estimated that the net income will be \$1.07 million.

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.

The budget is reviewed every year in December, any factors that were not known at the time the budget was originally set are taken into account and adjustments made accordingly. The effects of COVID-19 have been considered in the review process.

12. 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.

13. 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*.

14. 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.

15. CONCLUSION

It is recommended that the report on the reforecast budget result be accepted and it be noted that monthly management reports will be against the reforecast budget for the remainder of the financial year.

16. ATTACHMENTS

9.4.1 Reforecast 2020/21 Budget Income Statement

9.4.2 Reviewed 2020/21 Capital Works Program

9.5. COUNCIL PLAN INITIATIVES QUARTER 2 UPDATE

Author	Department	Manager	General Manager
Manager Governance & Strategy	Governance & Strategy	CEO	CEO

1. SUMMARY

The report provides an update on the implementation of the 27 initiatives funded under the 20/21 budget that support delivery of the Council Plan Vision - 'We are strong, supportive, vibrant and sustainable'. The range of initiatives reflect the diverse services that Council provides to the community. Progress in relation to the implementation of these initiatives is reported quarterly. This report provides the second quarter update.

2. RECOMMENDATION

That Council note the progress towards completing the 2020/21 Council Plan Initiatives, supporting implementation of the Council Plan 2017/21.

3. PURPOSE

To provide Council with the second quarter update on the progress of implementation of the 2020/21 Council Plan Initiatives.

4. DISCUSSION

The 2017-2021 Council Plan (Plan) is Council's key strategic document for the term of the Council, which reflects the outcomes of stakeholder and community engagement. The Plan describes Council's strategic objectives, strategies for achieving the objectives and how the outcomes will be measured. Supporting the delivery of the Council's vision is the Strategic Resource Plan which describes the financial and non-financial resources required to implement the Council Plan over the four-year period.

The Plan incorporates the requirements of the *Public Health and Wellbeing Act* for Council to prepare a Municipal Public Health and Wellbeing Plan (MPHWP).

This Plan sets a vision of 'We are strong, supportive, vibrant and sustainable'.

The Plan is supported by 27 initiatives funded in the 2020/21 Budget. Progress in relation to the implementation of the initiatives are reported to Council and the community quarterly. This report is the second quarterly report of initiatives funded under the 2020/21 budget.

The status of implementation at the end of quarter 2 (December 2020) across these initiatives was:

- 3 have not started;
- 1 needs attention;
- 20 are in progress; and
- 3 are completed.

5. OPTIONS

Option 1: Council note the progress towards implementation of the Council Plan

This report seeks to provide Council and the community with an update in relation to the progress of implementation of initiatives funded under the 2020/21 budget that support the delivery of Councils Vision.

This option is recommended by officers.

Option 2: Council not note the progress towards implementation of the Council Plan

This option is not recommended by officers.

6. CONSULTATION

Internal consultation:

General Managers and Department Managers from across the organisation have been consulted in relation to the progress of initiatives funded under the 2020/21 budget.

7. POLICY AND LEGISLATIVE IMPLICATIONS

This report supports implementation of the Public Transparency Principles at Section 58 of the Local Government Act 2020 in particular that *Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act.*

8. FINANCIAL AND ECONOMIC IMPLICATIONS

This report provides Council and the community with an update on the progress of implementation of the 2020/21 Council Plan Initiatives. The report raises no economic sustainability or financial viability implications.

9. ENVIRONMENTAL IMPLICATIONS

This report provides Council and the community with an update on the progress of implementation of the 2020/21 Council Plan Initiatives. The report raises no environmental sustainability issues.

10. SOCIAL IMPLICATIONS

This report provides Council and the community with an update on the progress of implementation of the 2020/21 Council Plan Initiatives. The report raises no social implications.

11. RELEVANCE TO COUNCIL PLAN 2017-2021

This report provides Council and the community with the second quarter update on the progress of implementation of the 2020/21 Council Plan Initiatives that support implementation of the Council Plan.

12. ISSUES AND RISK MANAGEMENT

Issues:

The Plan outlines some of the key challenges that are facing not only Campaspe but also many other rural and regional communities. The key challenges include:

- High costs of inputs for industry (energy and water)
- Renewal of community facilities
- An ageing population
- Engagement of young people
- Substance abuse issues
- Family violence
- Availability of regional education and training
- Cross-border issues

Many of the initiatives seek to address these key challenges.

Risk:

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

13. CONFLICT OF INTEREST

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

14. CHARTER OF HUMAN RIGHTS

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

15. INSTRUMENT OF DELEGATION

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

16. CONCLUSION

This report seeks to provide Council and the community with an update in relation to the progress of implementation of initiatives funded under the 2020/21 budget that support the delivery of Councils Vision.

17. ATTACHMENTS

9.5 Council Plan Initiatives Quarter 2 Update

9.6. COUNCIL POLICY COUNCILLOR GIFT

Author	Department	Manager	General Manager
Manager Governance & Strategy	Governance & Strategy	CEO	CEO

1. SUMMARY

The Local Government Act 2020 requires Council to adopt a Councillor Gift Policy.

The policy provides clear guidance in relation to the acceptance and declaration of gifts as well as defining what constitutes a gift. In addition, it incorporates a test to assist Councillors determine if the acceptance of the gift could be perceived as influencing the performance of their duties or lead to reputational damage.

The policy does not set a threshold for the declaration of gifts, instead it calls for all gifts be declared. This is to ensure that the combined total value of gifts received from a single source do not exceed the prescribed disclosure threshold under the Act.

A draft Councillor Gift Policy has been developed based on the existing Acceptance of Gifts Policy 123 (which applies to councillors and staff), and best practice examples including the IBAC Gift Policy.

2. RECOMMENDATION

That Council in accordance with Section 138 of the Local Government Act 2020 adopt the Councillor Gift Policy at attachment 9.4.

3. PURPOSE

To seek adoption of the Councillor Gift Policy in accordance with Section 138 of the Local Government Act 2020.

4. DISCUSSION

Section 138 of the Local Government Act 2020 (the Act) requires that Council adopt a Councillor Gift Policy before 24 April 2021.

There was no requirement for a Councillor Gift Policy in the Local Government 1989. The purpose of this new requirement is to complement the requirement for personal interest returns by recording gifts that may be below the \$500 threshold for disclosure in a personal interest return or that may have been received since the last return was lodged.

The policy as presented outlines clear guidelines in relation to the acceptance, declaration and allocation of gifts and benefits received by Campaspe Shire Council Councillors.

Importantly the policy incorporates an informal 'test' to support Councillors in determining if the offer of a gift could be perceived as influencing them in performing their duties or lead to reputational damage.

In addition, the Act outlines at Section 137 that the acceptance of anonymous gifts is prohibited. This requirement is reinforced by the policy which outlines a declaration process for Councillors if anonymous gifts are received.

5. OPTIONS

Option 1: Adoption of the Councillor Gift Policy as presented

The Councillor Gift Policy as presented accords with the requirements of the Local Government Act 2020.

The policy provides guidance in relation to the acceptance and declaration of gifts as well as defining what constitutes a gift. In addition, incorporates a test to assist in the determination of conflicts of interest and reputational risk arising from the acceptance of gifts.

This option is recommended by officers.

Option 2: Adoption of the Councillor Gift Policy with changes

The Councillor Gift Policy as presented accords with the requirements of the Local Government Act 2020. Changes to the policy as presented may impact the guidance provided through the policy.

This option is not recommended by officers.

Option 3: Not adopt a Councillor Gift Policy

Council is required to adopt a Councillor Gift Policy that is compliant with the Local Government Act 2020 24 April 2021. Failure to adopt a policy will result in Council not meeting its statutory obligations.

This option is not recommended by officers.

6. CONSULTATION

Internal consultation:

- 2 February 2021 EMG.

Councillors:

- 10 February 2021 Briefing Session.

7. POLICY AND LEGISLATIVE IMPLICATIONS

The Local Government Act 2020 requires council adopt a Councillor Gift Policy by the 24 April 2021. The policy as presented satisfies the requirements of the Act.

8. FINANCIAL AND ECONOMIC IMPLICATIONS

There are no financial or economic implications associated with this report.

9. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

10. SOCIAL IMPLICATIONS

There are no social implications associated with this report.

11. RELEVANCE TO COUNCIL PLAN 2017-2021

Adoption of the Councillor Gift Policy support implementation of Responsible Management by establishing guidance in relation to the acceptance and declaration of gifts as well as defining what constitutes a gift.

12. ISSUES AND RISK MANAGEMENT

Issues:

Nil

Risk:

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

13. CONFLICT OF INTEREST

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

14. CHARTER OF HUMAN RIGHTS

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

15. INSTRUMENT OF DELEGATION

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

16. CONCLUSION

This report seeks Councils adoption a Councillor Gift Policy before the required date of 24 April 2021 to ensure compliance with Section 138 of the *Local Government Act 2020*.

17. ATTACHMENTS

9.6. Councillor Gift Policy

9.7. COUNCIL POLICY 059 COMMUNITY ENGAGEMENT

Author	Department	Manager	General Manager
Manager Community Development	Community	General Manager Community	General Manager Community

1. SUMMARY

The implementation of the Local Government (LG) Act 2020, Section 55 requires all councils to adopt a Community Engagement policy that:

- Is developed in consultation with the community,
- Reflects the community engagement principles, as described in Section 56 of the LG Act,
- That supports the development and implementation of Council's:
 - Local Laws
 - Budget
 - Policy
- Clarifies the form and shape of community engagement practice in relation to issues of significance and/or complexity, and the level of resourcing required,
- Informs how Council will inform community of the outcomes from an engagement process,
- Describes Campaspe's deliberative engagement processes and how it will support the development of key strategic documents such as the Community Vision, Council Plan, Financial Plan and Asset Plan.

This proposed policy meets these objectives, ensuring Council legislative requirements are achieved by providing a framework for improved transparency and community satisfaction.

2. RECOMMENDATION

That Council adopt the revised Council Policy 059 Community Engagement at attachment 9.7.

3. PURPOSE

The purpose of this report is for Council to adopt the revised Council Policy 059 Community Engagement. Through the enactment of the Local Government (LG) Act 2020, section 55, required Council to review its current policy and ensure that it met the new Act's Community Engagement principles and requirements.

This new policy reflects these legislative requirements as articulated in the Act and both internal and external consultation has supported the policy presented.

4. DISCUSSION

This revised policy reflects the legislative requirements of the Local Government Act 2020. The most significant additional requirement implemented by the Act was the need for all Councils to implement a deliberative engagement structure for key strategic documents, including the Community Vision, the Council Plan, and long term Financial and Asset plans.

Officers undertook extensive research into defining Campaspe approach to deliberative engagement. It reflects key messaging from Local Government Victoria (LGV) that articulated that deliberative engagement in this environment was the equivalent to "collaborative" element of the IAP2 framework.

In reviewing the policy, Council made considerable effort to ensure clarity and transparency for the community in understanding its true level of influence in any engagement process. This is a significant step forward as Council looks to work with various communities in a sustainable and transparent way.

5. OPTIONS

Option 1: Adopt Council Policy 059 Community Engagement

Adopt the policy as drafted, as it meets Council's legislative requirements under the act, as well as supports Council delivering improved transparency and higher community satisfaction with decision making processes.

This option is recommended by officers.

Option 2: Do not adopt the Council Policy 059 Community Engagement

By not adopting the policy Council will not have met its legislative requirements.

This option is not recommended by officers.

6. CONSULTATION

Internal consultation:

- EMG
- Management Team and Departmental staff

External consultation:

The community was invited to provide feedback on the amended policy through submissions via Council's website.

Councillors:

- 27 January 2021 Briefing Session.

7. POLICY AND LEGISLATIVE IMPLICATIONS

This proposed policy meets Council's legislative requirement within the Local Government Act 2020, sections Section 9(2)(a) and supports the intent of Council Policy 179 Public transparency.

8. FINANCIAL AND ECONOMIC IMPLICATIONS

This policy will support Council in establishing a process for appropriately consulting with the Community and other relevant stakeholders on economic and financial issues in accordance with Section 9(2)(c) and (g) of Local Government Act 2020

9. ENVIRONMENTAL IMPLICATIONS

This policy will support Council in establishing a process for appropriately consulting with the Community and other relevant stakeholders on issues and services relating to the environment and climate change in accordance with Section 9(2)(c) of Local Government Act 2020

10. SOCIAL IMPLICATIONS

This policy will support Council in establishing a process for appropriately consulting with the Community and other relevant stakeholders on the consideration of any social implications for the municipality in accordance with Section 9(2)(c) of Local Government Act 2020.

11. RELEVANCE TO COUNCIL PLAN 2017-2021

The adoption of this proposed policy supports the current Council plan objectives:

Strong and Engaged Communities:

- Foster community partnerships
- Build vibrant communities
- Best practise service delivery
- Enable engaged and active residents

Responsible Management:

- Support clear and open communication
- Deliver sound governance and fiscal responsibility
- Promote positive organisational culture
- Customer centred approach

This is achieved by enabling Council to communicate how, when and with who it will engage on key topics that impact the community.

12. ISSUES AND RISK MANAGEMENT

Issues:

Issue 1: Community expectation

Community expects transparent governance and decision making by Council, this policy outlines a robust and clear methodology that attains Council's legislative requirements, but more importantly support meeting community expectation.

Risk:

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

13. CONFLICT OF INTEREST

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

14. CHARTER OF HUMAN RIGHTS

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

15. INSTRUMENT OF DELEGATION

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

16. CONCLUSION

The proposed policy is a positive step by Council to ensure it clarifies its process for engagement with the community and other relevant stakeholders as well as support Council meeting its legislative requirements under the new Local Government Act 2020.

17. ATTACHMENTS

- 9.7.1 Council Policy 059 Community Engagement – Tracked Changes
- 9.7.2 Council Policy 059 Community Engagement – Current

9.8. COUNCIL POLICY 081 PRIVACY AND DATA PROTECTION

Author	Department	Manager	General Manager
Acting Governance Adviser	Governance & Strategy	Manager Governance & Strategy	CEO

1. SUMMARY

In Victoria, the Privacy and Data Protection Act 2014 (PDP Act) protects personal information held by Victorian government organisations.

In relation to information privacy, the PDP Act aims to:

- balance the public interest in the free flow of information with the public interest in protecting the privacy of personal information in the public sector;
- promote awareness of responsible personal information handling practices in the public sector; and
- promote the responsible and transparent handling of personal information in the public sector.

The revisions to this policy improve clarity in relation to Council's commitment to privacy and how the organisation adheres to its privacy obligation.

2. RECOMMENDATION

That Council adopt Policy 081 Privacy and Data Protection at attachment 9.8.

3. PURPOSE

To seek adoption of a revised Council Policy 081 Privacy and Data Protection.

4. DISCUSSION

In Victoria, the Privacy and Data Protection Act 2014 (PDP Act) protects personal information held by Victorian government organisations.

Under the PDP Act, 'personal information' means "information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion...".

However, this does not include information relating to a person's health. Instead, health information is covered by the Health Records Act 2001 (HR Act).

Under the PDP Act, information privacy protections are embodied in the 10 Information Privacy Principles (IPPs). The HR Act contains Health Privacy Principles (HPPs) that are similar to the IPPs in the PDP Act. The IPPs govern the collection, use and handling of personal information by Victorian public sector organisations, local councils and contracted service providers.

In relation to information privacy, the PDP Act aims to:

- balance the public interest in the free flow of information with the public interest in protecting the privacy of personal information in the public sector;
- promote awareness of responsible personal information handling practices in the public sector; and
- promote the responsible and transparent handling of personal information in the public sector.

The revised and updated policy is designed to:

- Directly align with the IPPs and HPPs.
- Assist employees to understand how personal information should be handled.
- Prevent the unnecessary collection or unlawful use or disclosure of information.
- Promote greater public confidence in the organisation's handling of personal information.

The revisions to the policy importantly make it clearer so that when council is collecting information, all reasonable steps will be taken to advise individuals concerned of what information is being collected, for what purpose, whether the law requires the collection of the information, and the main consequences, if any, of not providing the information. If collecting information, a collection notice will be provided, example collection notices have been drafted and are at Appendix A of the policy.

The policy demonstrates Council's commitment to privacy and describes how the organisation adheres to its privacy obligation.

5. OPTIONS

Option 1: Adoption of Council Policy 081 Privacy and Data Protection as presented

The Privacy and Data Protection Policy as presented directly aligns to the IPPs and HPPs and has been developed using Office of the Victorian Information Commissioner (OVIC) guidelines.

The policy provides guidance to prevent the unnecessary collection or unlawful use or disclosure of information, whilst promoting greater public confidence in the organisation's handling of personal information.

This option is recommended by officers.

Option 2: Adoption of Council Policy 081 Privacy and Data Protection Policy with changes

The Privacy and Data Protection Policy as presented demonstrates council's commitment to privacy and describes how the organisation adheres to its privacy obligation under the Privacy and Data Protection Act. Changes to the policy as presented may impact the alignment with the IPPs and HPPs and the guidance provided through the policy.

This option is not recommended by officers.

Option 3: Not adopt a Privacy and Data Protection Policy

The revised policy significantly expands the existing policy and better aligns to the requirements of the PDP Act and the IPPs and HPPs.

Privacy of personal information has increasingly come into the spotlight in Australia and internationally, particularly as new and sophisticated technologies are introduced, enhancing the ability of governments and organisations to collect and store detailed types of personal information. Not adopting the revised policy will fail to provide clear guidance around the collection and disclosure of personal information and will impact public confidence in the organisation's capacity to handle, store and disclose personal information.

This option is not recommended by officers.

6. CONSULTATION

Internal consultation:

- 2 February 2021 EMG.

Councillors:

- 10 February 2021 Briefing Session.

7. POLICY AND LEGISLATIVE IMPLICATIONS

The revised policy has been updated to directly align to the PDP Act and the IPPs and HPPs, using guidance from OVIC.

8. FINANCIAL AND ECONOMIC IMPLICATIONS

There are no financial or economic implications associated with his report.

9. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with his report.

10. SOCIAL IMPLICATIONS

There are no social implications associated with his report.

11. RELEVANCE TO COUNCIL PLAN 2017-2021

Adoption of the Privacy and Data Protection Policy supports implementation of the Responsible Management through establishing guidance in relation to the collection, storage, use and disclosure of personal information.

12. ISSUES AND RISK MANAGEMENT**Issues:**

Nil

Risk:

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

13. CONFLICT OF INTEREST

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

14. CHARTER OF HUMAN RIGHTS

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

15. INSTRUMENT OF DELEGATION

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

16. CONCLUSION

This report seeks Councils adoption a revised Privacy and Data Protection Policy that directly aligns to the PDP Act and the IPPs and HPPs, using guidance from OVIC.

17. ATTACHMENTS

- 9.8. Council Policy 081 Privacy and Data Protection

9.9. COUNCIL POLICY 124 HEALTH, SAFETY AND WELLBEING

Author	Department	Manager	General Manager
General Manager Corporate	Corporate	CEO	General Manager Corporate

1. SUMMARY

This report presents the Council Policy 124 Health, Safety and Wellbeing Policy for adoption following a review.

2. RECOMMENDATION

That Council adopt Policy 124 Health, Safety and Wellbeing at attachment 9.9.1.

3. PURPOSE

The purpose of this report is to provide Council with an overview of the changes to the reviewed policy and recommend that the updated policy be adopted by Council.

4. DISCUSSION

The Health, Safety and Wellbeing Policy outlines Council's commitment to providing a safe and healthy work environment and promoting health, safety and wellbeing amongst employees, volunteers and Councillors.

This policy has been reviewed because it had passed its review date.

The review of this policy has resulted in a change to the name of the policy, previously known as the Occupational Health and Safety Policy, inclusion of wellbeing in the policy name and policy statements to demonstrate the broader application of the legislative obligations, inclusion of Councillors under the policy and minor formatting and editing to align with Council's current policy template.

A tracked change version Attachment 9.9.2 highlights the changes that have been made.

5. CONSULTATION

Internal consultation:

- 19 January 2021 EMG
- 11 February 2021 Occupational Health and Safety Committee

Councillors:

- 10 February 2021 Briefing Session

6. POLICY AND LEGISLATIVE IMPLICATIONS

The adoption of this policy supports Council in meeting its obligations under the Occupational Health and Safety Act 2004.

7. FINANCIAL AND ECONOMIC IMPLICATIONS

There are no financial or economic implications associated with his report.

8. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

9. SOCIAL IMPLICATIONS

There are no social implications associated with this report.

10. RELEVANCE TO COUNCIL PLAN 2017-2021

Responsible Management:

Council policies assist with establishing guidelines, effective decision making and being accountable to the community.

11. 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.

12. 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.

13. 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*.

14. 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.

15. CONCLUSION

The Health, Safety and Wellbeing Policy was overdue for review. Having completed the review, a number of minor changes are recommended as outlined in the report. It is recommended that the updated policy be adopted by Council.

16. ATTACHMENTS

9.9.1. Council Policy 124 Health, Safety and Wellbeing

9.9.2. Council Policy 124 Health, Safety and Wellbeing with tracked changes

9.10. COUNCIL POLICY 045 COMPETITIVE NEUTRALITY

Author	Department	Manager	General Manager
General Manager Corporate	Corporate	CEO	CEO

1. SUMMARY

This report presents the Council Policy 045 Competitive Neutrality Policy for adoption following an extensive review.

The review has considered the current State Government guidance to ensure that it remains current and the draft has been presented to the Audit and Risk Committee for their review and feedback.

2. RECOMMENDATION

That Council adopt Policy 045 Competitive Neutrality at attachment 9.10.1

3. PURPOSE

The purpose of this report is to provide Council with an overview of the changes to the reviewed policy and recommend that the updated policy be adopted by Council.

4. DISCUSSION

The Competitive Neutrality Policy guides how Council will meet its obligations under Federal and State legislation as well as meet the principles of competing on a fair and equitable basis, despite being provided by a level of government.

This policy has been reviewed because it had passed its review date. A copy of the current policy is available at attachment 9.10.2.

The review of this policy has resulted in extensive updates to reflect recommendations provided by Council's Internal Auditor and to align the policy with guidance documentation issued by the State Government through the Department of Treasury and Finance and the Office for Better Regulation.

The policy has been expanded to step through the approach Council will take to applying competitive neutral pricing principles and provides greater detail on elements that will be considered at each step. The policy also was updated to reflect changes to the Local Government Act and minor formatting to align with Council's current policy templates.

Council applies this policy to three of its activities that meet the definition of a significant business and will continue to apply this policy to the following listed activities:

- Echuca Holiday Park
- Echuca Paddlesteamers
- Childcare - Campaspe Community Children's Centre and Rochester & District Child Care Centre

The policy also defines the process for Council to identify future significant businesses that it may choose to provide.

The draft Policy was provided to the Audit and Risk Committee and discussed at their meeting held on Thursday 4 February 2020. Minor feedback was received, with the suggestion that the policy state that Council will record and keep documentation that confirms its deliberations under 4.3(c) of the policy. This feedback has been incorporated.

On the basis of incorporating the minor feedback, the Audit and Risk Committee recommended that Council adopt the policy at attachment 9.10.1.

5. CONSULTATION

Internal consultation:

- 2 February 2021 EMG

External consultation:

- 4 February 2021 Audit and Risk Committee

Councillors:

- 10 February 2021 Briefing Session

6. POLICY AND LEGISLATIVE IMPLICATIONS

The policy review has taken into account the Federal and State Governments legislation and policy to ensure it aligns.

By adopting this policy and adhering to it, Council will limit any policy or legislative implications such as non-compliance with the Competition and Consumer Act 2010.

7. FINANCIAL AND ECONOMIC IMPLICATIONS

There are no financial or economic implications associated with his report.

8. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

9. SOCIAL IMPLICATIONS

There are no social implications associated with this report.

10. RELEVANCE TO COUNCIL PLAN 2017-2021

Responsible Management:

Council policies assist with establishing guidelines, effective decision making and being accountable to the community.

11. 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.

12. 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.

13. 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*.

14. 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.

15. CONCLUSION

The Competitive Neutrality Policy was overdue for review. Having completed the review, extensive changes have been made to the policy to provide greater clarity on how Council will meet its obligations of competitive neutrality as well as align the policy to current guidance provided by the State Government. It is recommended that the updated policy be adopted by Council.

16. ATTACHMENTS

9.10.1 Reviewed Council Policy 045 Competitive Neutrality

9.10.2 Current Council Policy 045 Competitive Neutrality

9.11. COUNCIL POLICY 091 SUSTAINABLE ASSET MANAGEMENT

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

1. SUMMARY

The Local Government Act 2020 requires Council to adopt a Sustainable Asset Management Policy.

Asset Management involves all areas of Council including those that plan services, provide services, manage assets and manage financial functions. Asset Management is a key element of Council's integrated planning.

Council will ensure that when considering the social, environmental, financial and organisational impacts of any decision they will also properly consider the impact on Council's services and the assets that support them.

The Sustainable Asset Management has been reviewed based on the existing Council Policy 091 Sustainable Asset Management.

2. RECOMMENDATION

That Council adopt Policy 091 Sustainable Asset Management at attachment 9.11.1.

3. PURPOSE

To seek adoption of Council Policy 091 Sustainable Asset Management in accordance with Section 138 of the Local Government Act 2020.

4. DISCUSSION

Section 138 of the Local Government Act 2020 (the Act) requires that council adopt a Sustainable Asset Management Policy before 24 April 2021.

The purpose of this policy is to set out Council's approach to management of its assets in a sustainable manner that provides ongoing support in meeting community needs through balanced consideration of technical standards, levels of service and whole of life costs.

In pursuit of Infrastructure Asset Management best practice, the following key principles will apply in relation to Asset Management at Campaspe Shire:

- a. Service delivery needs form the basis of asset management;
- b. Integrating asset management with corporate, financial, business and budgetary planning;
- c. Informed decision-making, incorporating a life-cycle approach to asset management; and
- d. Pursuing sustainability, providing for present needs while sustaining resources for future generations.

5. OPTIONS

Option 1: Adoption of Council Policy 091 Sustainable Asset Management Policy as presented

The Council Policy 091 Sustainable Asset Management as presented accords with the requirements of the Local Government Act 2020.

This option is recommended by officers.

Option 2: Adoption of Council Policy 091 Sustainable Asset Management Policy with changes

The Council Policy 091 Sustainable Asset Management as presented accords with the requirements of the Local Government Act 2020. Changes to the policy as presented may impact the guidance provided through the policy.

This option is not recommended by officers.

Option 3: Not adopt Council Policy 091 Sustainable Asset Management Policy

Council is required to adopt a Sustainable Asset Management Policy that is compliant with the Local Government Act 2020 24 April 2021. Failure to adopt a policy will result in Council not meeting its statutory obligations.

This option is not recommended by officers.

6. CONSULTATION

Internal consultation:

- February 2021 EMG.
- January 2021 Asset Management Steering Committee.
- November 2020 Management Team.

Councillors:

- 10 February 2021 Briefing Session

7. POLICY AND LEGISLATIVE IMPLICATIONS

The Local Government Act 2020 requires council adopt the Sustainable Asset Management Policy by the 24 April 2021. The policy as presented satisfies the requirements of the Act.

8. FINANCIAL AND ECONOMIC IMPLICATIONS

There are no financial or economic implications associated with this report.

9. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

10. SOCIAL IMPLICATIONS

There are no social implications associated with this report.

11. RELEVANCE TO COUNCIL PLAN 2017-2021

This report supports the implementation of the Responsible Management through establishing guidance in relation to the sustainable management of Council assets.

12. ISSUES AND RISK MANAGEMENT

Issues:

Nil

Risk:

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

13. CONFLICT OF INTEREST

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

14. CHARTER OF HUMAN RIGHTS

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

15. INSTRUMENT OF DELEGATION

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

16. CONCLUSION

This report seeks Councils adoption of the Sustainable Asset Management Policy before the required date of 24 April 2021 to ensure compliance with Section 138 of the *Local Government Act 2020*.

17. ATTACHMENTS

9.11.1 Council Policy 091 Sustainable Asset Management – tracked changes

9.11.2 Council Policy 091 Sustainable Asset Management - current

9.12. COUNCIL POLICY 094 VOLUNTEERS

Author	Department	Manager	General Manager
General Manager Corporate	Corporate	CEO	General Manager Corporate

1. SUMMARY

Following a review of Council Policy 045 Volunteers, this report recommends that the Volunteers Policy be revoked, as matters contained therein are covered by other policies.

2. RECOMMENDATION

That Council revoke Policy 094 Volunteers at attachment 9.12.

3. PURPOSE

The purpose of this report is to provide Council with an overview of the policy review and recommends that the policy be revoked by Council.

4. DISCUSSION

The Volunteers Policy has been reviewed because it had passed its review date.

The review of this policy identified that the policy is only applicable to volunteers connected with and supporting the delivery of Council services.

The contents of the attached policy are covered by other Council and administrative policies that are current and it should be noted that there are a range of other policies that also apply to council volunteers e.g. Health, Safety and Wellbeing Policy, Records Management Policy.

The revocation of this policy will remove any duplication and confusion, while maintaining consistent policy statements across policies that also apply to volunteers.

5. CONSULTATION

Internal consultation:

- 19 January 2021 EMG

Councillors:

- 10 February 2021 Briefing Session

6. POLICY AND LEGISLATIVE IMPLICATIONS

There are no policy or legislative implications associated with this report.

7. FINANCIAL AND ECONOMIC IMPLICATIONS

There are no financial or economic implications associated with his report.

8. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

9. SOCIAL IMPLICATIONS

There are no social implications associated with this report.

10. RELEVANCE TO COUNCIL PLAN 2017-2021

Responsible Management:

Council policies assist with establishing guidelines, effective decision making and being accountable to the community.

11. 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.

12. 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.

13. 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*.

14. 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.

15. CONCLUSION

The Volunteers Policy was overdue for review. Having completed the review, it was identified that it was a duplication of other policies that apply to council volunteers that support the delivery of council services and programs. It is recommended that the policy be revoked by Council.

16. ATTACHMENTS

9.12. Council Policy 094 – Volunteers

9.13. COUNCILLIOR CODE OF CONDUCT

Author	Department	Manager	General Manager
Manager Governance & Strategy	Governance & Strategy	CEO	CEO

1. SUMMARY

The Local Government Act 2020 requires Council to develop and maintain a Councillor Code of Conduct. The Code of Conduct applies to all Campaspe Shire Councillors. The Code of Conduct relates to the performing of Council functions, purposes and various decision-making processes.

It sets out the standards of conduct expected and encourages Councillors to foster good working relations that enable them to work constructively, collaboratively and in the best interests of the local community; while promoting public confidence in the integrity of local government.

2. RECOMMENDATION

That Council:

1. **In accordance with Section 139(4) of the Local Government Act 2020 adopt the Campaspe Shire Council Councillor Code of Conduct**
2. **Ensure all Councillors sign the declaration, witnessed by the Chief Executive Officer, to abide by the Councillor Code of Conduct.**
3. **Commits to reviewing the Code, in a Councillor workshop session, within six months.**

3. PURPOSE

To adopt the Campaspe Shire Council Councillor Code of Conduct in accordance with Section 139(4) of the Local Government Act 2020.

4. DISCUSSION

Campaspe Council adopted its most recent Code of Conduct in March 2020 under Section 76C of the former Local Government Action 1989. Section 139 of the Local Government Act 2020 outlines that:

- (1) *A Council must develop a Councillor Code of Conduct.*
- (2) *The purpose of the Councillor Code of Conduct is to include the standards of conduct expected to be observed by Councillors in the course of performing their duties and functions as Councillors, including prohibiting discrimination, harassment (including sexual harassment) and vilification.*
- (3) *A Councillor Code of Conduct—*
 - (a) *must include the standards of conduct prescribed by the regulations expected to be observed by Councillors; and*
 - (b) *must include any provisions prescribed by the regulations for the purpose of this section; and*
 - (c) *must include provisions addressing any matters prescribed by the regulations for the purpose of this section; and*
 - (d) *may include any other matters which the Council considers appropriate, other than any other standards of conduct.*
- (4) *A Council must review and adopt the Councillor Code of Conduct within the period of 4 months after a general election.*
- (5) *A Council must adopt the Councillor Code of Conduct under subsection (4) by a formal resolution of the Council passed at a meeting by at least two-thirds of the total number of Councillors elected to the Council.*

- (6)
- (7) *A Councillor Code of Conduct is inoperative to the extent that it is inconsistent with any Act (including the **Charter of Human Rights and Responsibilities Act 2006**) or regulation.*

The Standards of Conduct prescribed by the Regulations form the basis of the Campaspe Shire Council Councillor Code of Conduct. The Standards of Conduct prescribed by the Regulations are:

Standard of Conduct 1 - Treatment of others

A Councillor must, in performing the role of a Councillor, treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that the Councillor:

- (a) takes positive action to eliminate discrimination, sexual harassment and victimisation in accordance with the Equal Opportunity Act 2010; and*
- (b) supports the Council in fulfilling its obligation to achieve and promote gender equality; and*
- (c) does not engage in abusive, obscene or threatening behaviour in their dealings with members of the public, Council staff and Councillors; and*
- (d) in considering the diversity of interests and needs of the municipal community, treats all persons with respect and has due regard for their opinions, beliefs, rights and responsibilities.*

Standard of Conduct 2 - Performing the role of Councillor

A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly, including by ensuring that the Councillor:

- (a) undertakes any training or professional development activities the Council decides it is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor; and*
- (b) diligently uses Council processes to become informed about matters which are subject to Council decisions; and*
- (c) is fit to conscientiously perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and*
- (d) represents the interests of the municipal community in performing the role of a Councillor by considering and being responsive to the diversity of interests and needs of the municipal community.*

Standard of Conduct 3 - Compliance with good governance measures

A Councillor, in performing the role of a Councillor, to ensure the good governance of the Council, must diligently and properly comply with the following:

- (a) any policy, practice or protocol developed and implemented by the Chief Executive Officer in accordance with section 46 of the Act for managing interactions between members of Council staff and Councillors;*
- (b) the Council expenses policy adopted and maintained by the Council under section 41 of the Act;*
- (c) the Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act;*
- (d) any directions of the Minister issued under section 175 of the Act.*

Standard of Conduct 4 - Councillor must not discredit or mislead Council or public

- 1. In performing the role of a Councillor, a Councillor must ensure that their behaviour does not bring discredit upon the Council.*
- 2. In performing the role of a Councillor, a Councillor must not deliberately mislead the Council or the public about any matter related to the performance of their public duties.*

Standard of Conduct 5 - Standards do not limit robust political debate

Nothing in these standards is intended to limit, restrict or detract from robust public debate in a democracy.

The Councillor Code of Conduct presented for adoption outlines Councillors commitment to:

- Always act with the highest levels of integrity, care and diligence to promote the best interests of the Campaspe community as a whole - never for the benefit of one or more businesses, individuals, wards, political parties or groups of people;
- Abide by the agreed communication processes and channels (as approved by Council) in a clear, respectful, patient manner, and to be mindful to minimise the impact upon Council's resources and employees' time;
- Welcome and listen to differing views and advice of other Councillors, the administration and members of the public attending Council meetings, and to be open to constructive feedback;
- Consider the evidence available and make impartial decisions; and
- Accept accountability for our actions.

In adopting the Code of Conduct each Councillor agrees to:

- Act in accordance with the principles of good governance, respectful conduct and the associated obligations set out in the Code, and in legislation;
- Provide civic leadership and contribute effectively to the interests and advancement of Council and its community;
- Contribute to the strategic vision for Council and the community;
- Uphold the public trust, in the office of Councillor, by refraining from any action or behaviour that would bring Council into disrepute; and
- Act in accordance with all obligations to the best of my skill and judgement.

5. OPTIONS**Option 1: Adoption of the Councillor Code of Conduct as presented**

The Councillor Code of Conduct as presented accords with the requirements of the Local Government Act 2020, including incorporating the Standards of Conduct. The Act requires that Council adopt (by at least two-thirds majority) a Code of Conduct that compliant with the Local Government Act 2020 by the 24 February 2021. Failure to adopt a Code of Conduct will result in Council not meeting its statutory obligations.

This option is recommended by officers.

Option 2: Adoption of the Councillor Code of Conduct with changes

The Councillor Code of Conduct as presented accords with the requirements of the Local Government Act 2020, including incorporating the Standards of Conduct. Any changes to the Councillor Code of Conduct as presented may have implications on Councillors commitment to meeting the Standards of Conduct.

This option is not recommended by officers.

Option 3: Not adopt a Councillor Code of Conduct

Council is required to adopt a Councillor Code of Conduct that is compliant with the Local Government Act 2020 within 4 months after a general election being the 24 February 2021. Failure to adopt a Code of Conduct will result in Council not meeting its statutory obligations.

This option is not recommended by officers.

6. CONSULTATION

Councillors:

- 11 December 2020 a draft Councillor Code of Conduct was circulated to Councillors for comment and review.
- 3 February 2021 Briefing Session.

7. POLICY AND LEGISLATIVE IMPLICATIONS

The Councillor Code of Conduct sets out the standards of conduct of the elected representatives. These standards of conduct will ensure that Councillors in the performance of their role is to the high standard and that decisions made and actions taken are in accordance with relevant law.

8. FINANCIAL AND ECONOMIC IMPLICATIONS

The Councillor Code of Conduct will ensure that Councillors in the performance of their role and making financial and economic decisions which are informed and that provides priority to achieving the best outcomes for the municipal community, including future generations.

9. ENVIRONMENTAL IMPLICATIONS

The Councillor Code of Conduct will ensure that Councillors in the performance of their role and making decisions impacting environmental sustainability and mitigation and planning for climate change risks which are informed and that provides priority to achieving the best outcomes for the municipal community, including future generations.

10. SOCIAL IMPLICATIONS

The Councillor Code of Conduct will ensure that Councillors in the performance of their role and make decisions which provide priority to achieving the best outcomes for the municipal community, including future generations.

11. RELEVANCE TO COUNCIL PLAN 2017-2021

Adoption of the Councillor Code of Conduct support implementation of the Responsible Management through establishing standards of conduct that represent good governance.

12. ISSUES AND RISK MANAGEMENT

Issues:

Nil

Risk:

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

13. CONFLICT OF INTEREST

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

14. CHARTER OF HUMAN RIGHTS

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

15. INSTRUMENT OF DELEGATION

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

16. CONCLUSION

This report seeks Councils adoption and signing of the Campaspe Shire Council Councillor Code of Conduct by the 24 February 2021 to ensure compliance with Section 139 of the Local Government Act 2020.

17. ATTACHMENTS

9.13. Campaspe Shire Council Councillor Code of Conduct

9.14. BUILDING BETTER REGIONS FUND ROUND 5 GRANT APPLICATION – KYABRAM RECREATION RESERVE – NETBALL COURT CONSTRUCTION

Author	Department	Manager	General Manager
Manager Recreation	Recreation	General Manager Development	General Manager Development

1. SUMMARY

Kyabram Recreation Reserve has one compliant netball court and one non-compliant netball court, which is beyond intervention. This project is for construction of a new court that has been designed adjacent to the existing compliant court, in accordance with all regulatory requirements and Netball Victoria Guidelines.

In January 2021 the opportunity to apply for external grant funding in the Building Better Regions Fund Round Five (BBRF R5) opened. This competitive grant process presents an opportunity for Council to obtain 50% towards the costs of the required infrastructure improvement works at Kyabram Recreation Reserve.

2. RECOMMENDATION

That Council:

1. **Endorse the recommendation that the Kyabram Recreation Reserve – Netball Court Infrastructure Upgrade be the subject of a submission for the Building Better Regions Fund Round Five grant application process.**
2. **Commit to the allocation of \$230,000 from the 2021/22 Capital Works Program as matching funds to support an application to the Building Better Regions Fund Round Five for Kyabram Recreation Reserve.**
3. **Note that the Building Better Regions Fund Round Five eligibility criteria would commit Council to continue to operate and maintain the project infrastructure and maintain project benefits into the future for a period of at least 5 years post project completion (~2029/30).**

3. PURPOSE

To seek approval to apply for grant funding through the BBRF R5 for the Kyabram Recreation Reserve – Netball Court Infrastructure Upgrade and endorse:

- the commitment of future Capital Works Program budget,
- the commitment for Council to continue to provide Kyabram Recreation Reserve – Netball Court services for a minimum period of five years post project completion should the grant application be successful and executed.

4. DISCUSSION

Council plans for and provides recreational services that respond to community needs and support our communities' health and wellbeing by working towards ensuring that clubs have safe, conforming training and playing facilities.

Kyabram Recreation Reserve is classified as a Regional reserve and has one compliant netball court and one non-compliant netball court, which is beyond intervention. This project is for construction of a new court which has been designed adjacent to the existing compliant court, in accordance with all regulatory requirements and Netball Victoria Guidelines.

The non-compliant netball court is not suitable for official fixtures and is marginally suitable for training. This court is beyond intervention level and a far more suitable location for its replacement is coupled with the

compliant court. This will allow synergies around use, spectating, umpiring, power etc. that cannot be achieved with the distances currently between courts (over 150 metres).

Preliminary detailed design documentation has been received with a budget estimate for the proposed construction works. Full detail design will be completed by end of February 2021.

The project will be shovel ready for construction with designs to Australian Standard and Netball Victoria compliant in time to meet the 5 March deadline for the BBRF R5 application date.

5. OPTIONS

Option 1: Support the recommendations

That Council endorse the three recommendations as listed to enable the Kyabram Recreation Reserve – Netball Court Infrastructure Upgrade to be submitted for the BBRF R5 process.

The 20 January 2021 Council meeting saw Councillors adopt the resurfacing of Lockington, Toolleen, Victoria Park and Gunbower netball courts through the Local Roads and Community Infrastructure Program. The Kyabram Netball court construction was to be referred to the 2021/2022 Budget for consideration. Applying for the BBRF R5 would reduce the level of financial commitment required of Council to progress this project.

This option is recommended by officers.

Option 2: Not support the recommendations

That Council not endorse the recommendations as listed. Should Councillors choose this option, the Kyabram Netball Court construction project will still be referred to the 2021/2022 Budget for consideration. There are also future funding opportunities through Sport and Recreation Victoria (SRV) available should the construction of a netball court fit within the funding requirements. It should be noted that Officers are aware that a number of Council projects that may fit the funding criteria for SRV requiring consideration in the same year bring about a requirement for Council to prioritise its support. Accessing funding immediately under the proposed grant source will reduce the level of competition for SRV funding support or access to Council's own resources in the future.

This option is not recommended by officers.

6. CONSULTATION

Internal consultation:

- Manager Assets
- Capital Works Coordinator
- EMG

Councillors:

- 10 February 2021 briefing session

7. POLICY AND LEGISLATIVE IMPLICATIONS

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

Alignment with council policy and strategies: Services and assets meet current and future community need -

- manage and maintain assets to optimise their lifecycle considering social, economic and environmental sustainability

- maximise access and usage of assets through innovative design and partnership initiative.

8. FINANCIAL AND ECONOMIC IMPLICATIONS

Should the application be successful, and a funding agreement executed, Council will be committed to the provision of ongoing services at Kyabram Recreation Reserve for a period of at least five years beyond project completion.

9. ENVIRONMENTAL IMPLICATIONS

No major environmental issues have been identified. If any works are proposed in the future, consideration will be given to any environmental sustainability issues and consideration of mitigation and planning for climate change risks in accordance with Section 9(2)(c) of Local Government Act 2020.

10. SOCIAL IMPLICATIONS

There are no social implications associated with this report.

11. RELEVANCE TO COUNCIL PLAN 2017-2021

A renewal netball courts at Kyabram Recreation Reserve meets the strategic objective to provide services and assets that meet current and future community need.

12. ISSUES AND RISK MANAGEMENT

Issues:

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

Risk:

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

13. CONFLICT OF INTEREST

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

14. CHARTER OF HUMAN RIGHTS

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

15. INSTRUMENT OF DELEGATION

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

16. CONCLUSION

Kyabram Recreation Reserve has one compliant netball court and one non-compliant netball court which is beyond intervention. The BBRF R5 presents an opportunity, subject to commitments from Council now, to apply infrastructure improvement works at the Kyabram Recreation Reserve should the application be successful.

9.15. BUILDING BETTER REGIONS FUND ROUND 5 GRANT APPLICATION – RUSHWORTH MURCHISON (WARANGA) TRAIL

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

1. SUMMARY

The Rushworth Murchison (Waranga) Trail Project - Waranga Section, focuses on construction of the link between Rushworth and Murchison. Local 'loop' trails have been initiated around Rushworth and Heathcote that will complement the Waranga section of the Trail. These local trails are being driven principally by the Rushworth Events Committee and Heathcote Tourism and Development Incorporated. The works for the project include the formation of a walking/cycling trail on the former Rushworth to Murchison rail reserve, signage, identification of a designated route along forest tracks to Heathcote, provision of (and repair to) amenities along the route.

The project would provide tourism opportunities for the Rushworth and surrounding communities bringing increased visitation, which will stimulate the local economy.

By previous Council resolution, 23 June 2020 (Budget Submissions), the design has commenced on the section between Rushworth to Murchison. The total estimated cost of the project is approximately \$3M and Council has nominally allocated \$1.8 M in the 2021/22 year of the 10 Year Capital Works Plan.

In January 2020 the opportunity to apply for external grant funding in the 'Building Better Regions Fund (BBRF) Round Five opened. This competitive grant presents an opportunity to apply for the earlier creation of Rushworth Murchison (Waranga) Trail should Campaspe Shire Council (CSC) be successful.

2. RECOMMENDATION

That Council:

- Approve the Rushworth Murchison (Waranga) Trail Project for submission to the Building Better Regions Fund Round Five grant application process.**
- Commit to the allocation of \$1,500,000, from the 2021/22 Capital Works Program, as matching funds to enable the BBRF R5 grant application for Rushworth Murchison (Waranga) Trail Project to be lodged.**
- Note that the BBRF R5 eligibility criteria would commit Council to operating and maintaining the Rushworth Murchison (Waranga) Trail, and project benefits, into the future for a period of at least 5 years post project completion (~2029/30).**

3. PURPOSE

To seek approval to apply for grant funding through the BBRF R5 for the Rushworth Murchison (Waranga) Trail Project and endorse:

- A commitment from the 2021/22 Capital Works Program budget.
- Council's commitment to maintain the trail for a minimum period of five years post project completion, should the grant application be successful and executed.

4. DISCUSSION

The proposed trail from Rushworth to Murchison is approximately 11kms in length. It is a section of trail that was originally part of a longer trail proposed between Heathcote and Murchison - the Heathcote Murchison (Waranga) Trail Project.

Council resolved on 23 June 2020 (Budget Submissions) that the project be limited to the Rushworth to Murchison link.

The Heathcote Murchison (Waranga) Trail Project is a partnership between Campaspe and Bendigo Councils, Forest Fire Management (FFM), Parks Victoria and Heathcote Tourism & Development Inc to complete the construction of a walking/cycling (rail trail) linking Murchison and Heathcote. This trail has been identified in the Loddon Mallee Regionally Significant Trails Strategy. The trail will provide both economic and social benefits for the local communities involved as well as regional growth.

The Heathcote Murchison (Waranga) Trail Project is an initiative that has developed over approximately 10 years. A chronology of activities relating to this development is provided below.

2009

- Rushworth Rail Trail, Scoping Report, February 2009, prepared by John Webb Consulting Pty. Ltd. This report investigated the feasibility of a rail trail between Rushworth and Murchison. The study also established preliminary cost estimates based on a determined route and identification of infrastructure required.

2010

- Regional Development Victoria funded a study into trails in the Loddon Mallee. The Regionally Significant Trails Strategy identified the Heathcote Murchison (Waranga) Trail as a priority.

2015

- (February) City of Greater Shepparton completed the section of rail trail between Murchison and Channel Inlet Rd.
- Rushworth community interest in the proposal renewed as a result of the Tiny Towns event.
- (October) An interim assessment of the Rushworth trail linking Murchison, and future connection to Heathcote, identified significant economic benefits for the towns from this proposal. Campaspe Shire Council determined that the Waranga Trail be assessed for formal consideration.
- (December) O'Keefe Rail Trail from Bendigo to Heathcote opened.

2016

- (February) City of Greater Bendigo, DELWP and Parks Victoria engaged in a partnership with CSC on the Heathcote Murchison (Waranga) Trail. Feasibility and scoping undertaken.
- (May) RDV requested Heathcote Tourism and Development Inc to investigate linking the local trail proposal, the Heathcote Community and Tourism Trail Network, with the Heathcote Murchison (Waranga) Trail Project.
- (October) Business Case prepared demonstrating positive cost/benefit from the Heathcote Murchison (Waranga) Trail.
- Rural Development Victoria (RDV) indicated strong support for the project.
- (November) City of Greater Bendigo recognition of benefits leading to a 2017/18 budget bid for leverage funding to action RDV grant process.
- (December) An initial budget submission was made to Council, but was unsuccessful due to more immediate priorities.

2017

- Heathcote Murchison (Waranga) Trail listed as one of the top five priority trails for the Loddon Mallee Region.
- Consultation has been ongoing with the partners and RDV.

The project is expected to generate an annual increase tourism income of approximately \$1.18 million (minimum) along with health, wellbeing and environmental benefits to the region.

The works for the project include the formation of a walking/cycling trail on the former Rushworth to Murchison rail reserve, signage, identification of a designated route along forest tracks to Heathcote, provision of and repairs to amenities along the route.

The project design is currently underway, and will be shovel ready for construction before the BBRF R5 successful project announcements in July,

Project Timeframes include:*June 2021*

- Design components – Surveys, Geotechnical Assessments, Native Flora and Fauna Assessments, Level 2 Bridge Inspections and Preliminary Design.
- Follow-up Designs – Bridge Maintenance Designs.

Post June 2021

- Authority Approval and Detailed Design.

The project designs are costed at \$150K:

- \$100K for the initial design
- \$50K for the detailed bridge designs

5. OPTIONSOption 1: Support the recommendations

That Council endorse the three recommendations, as listed, to enable the Rushworth Murchison (Waranga) Trail Project to be submitted for the Building Better Regions Fund Round 5 process.

This option is recommended by officers.

Option 2: Not support the recommendations

That Council not endorse the three recommendations as listed; leaving the project in the 2021/22 budget for further consideration.

This option is not recommended by officers.

6. CONSULTATION

Internal consultation:

- EMG

External consultation:

- City of Greater Bendigo
- Forest Fire Management
- Parks Victoria
- Heathcote Tourism & Development Inc
- RDV

Councillors:

- Previous council only

7. POLICY AND LEGISLATIVE IMPLICATIONS

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

Alignment with council policy and strategies:

- Municipal Health & Wellbeing Plan
- Open Space Strategy #6
- Economic Development Strategy
- Tourism Strategic Destination Development Plan
- Rushworth District Plan
- Policy 91 - Sustainable Asset Management

8. FINANCIAL AND ECONOMIC IMPLICATIONS

The project is expected to generate an annual increase tourism income of approximately \$1.18 million.

Should the application be successful, and a funding agreement executed, Council will be committed to the provision of ongoing services at Rushworth Murchison (Waranga) Trail for a period of at least five years beyond project completion.

9. ENVIRONMENTAL IMPLICATIONS

No major environmental issues have been identified. If any works are proposed in the future, consideration will be given to any environmental sustainability issues and consideration of mitigation and planning for climate change risks in accordance with Section 9(2)(c) of Local Government Act 2020.

There are no Cultural Heritage impacts from the project as works are being conducted on previously disturbed sites and do not require major excavations.

There are no Biodiversity impacts based on the Rushworth Rail Trail Assessment Report.

There are no land management impacts as a lease offer has been provided by Vic Track; a license agreement has been offered by GMW; DELWP, Parks Victoria and City of Greater Bendigo are partners in the project.

10. SOCIAL IMPLICATIONS

There are social implications for the municipality in accordance with Section 9(2)(c) of Local Government Act 2020. The key objectives of the project are to boost the local economies of the towns on the route and to provide opportunity for improved health and wellbeing particularly to residents in these communities.

11. RELEVANCE TO COUNCIL PLAN 2017-2021

The creation of Rushworth Murchison (Waranga) Trail meets the strategic objective to provide services and assets that meet current and future community need.

Alignment with the Council Plan –

Resilient Economy - support & develop Campaspe's tourism opportunities.

Strong & Engaged Communities - enable residents to be active and engaged in their community & support participation in artistic, cultural, sporting and recreation activities.

12. ISSUES AND RISK MANAGEMENT

Issues:

Issue 1: Bridge Inspections

The Level 2 inspections will advise whether the bridge foundations can be utilised, but further design of bridges and full protection will be required. There is a risk that construction and project costs may be greater than what has been estimated through primary investigations.

Issue 2: Native Vegetation Removal Regulations

The Rushworth trail will need to follow an agreed route and variations from this will be restricted to ensure impacts on Biodiversity, Native Vegetation and existing infrastructure is limited and does not adversely increase the cost of works, however costs under Victoria's native vegetation removal regulations are unknown.

Issue 3: Leases

A lease offer has been provided by Vic Track and a license agreement has been offered by GMW. However, preliminary investigations have shown that leases over some portions of Vic Track land by private landholder neighbours may impact on access and on final locations of the trail.

13. CONFLICT OF INTEREST

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

14. CHARTER OF HUMAN RIGHTS

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

15. INSTRUMENT OF DELEGATION

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

16. CONCLUSION

The Project focuses on construction of the link between Rushworth and Murchison. The works for the project include the formation of a walking/cycling trail on the former Rushworth to Murchison rail reserve, signage, provision of and repair to amenities along the route. The 'Building Better Regions Fund (BBRF) Round Five presents an opportunity, subject to commitments from Council now, to bring the project forward and receive matching funding; should the application be successful.

9.16. BUILDING BETTER REGIONS FUND ROUND 5 GRANT APPLICATION – ECHUCA AERODROME

Author	Department	Manager	General Manager
Manager Projects & Facilities	Projects & Facilities	General Manager Infrastructure	General Manager Infrastructure

1. SUMMARY

At its meeting of 18 August 2020, Council endorsed recommendations to adopt a forward program of works for the Echuca Aerodrome (the Aerodrome) to guide future investment and funding decisions.

In January 2021 the opportunity to apply for external grant funding in the Building Better Regions Fund Round Five (BBRF R5) opened. This competitive grant presents an opportunity to apply for 1:1 financial assistance that would fast track the detailed design and infrastructure improvement works at the Aerodrome, should Campaspe Shire Council (CSC) be successful.

2. RECOMMENDATION

That Council:

1. **Approve the Echuca Aerodrome Infrastructure Upgrade as a project for submission to the Building Better Regions Fund Round Five grant application process.**
2. **Commit to the allocation of \$1,809,000, split over the 2021/22 and 2022/23, as matching funds to enable the grant application to be lodged.**
3. **Authorise the CEO to execute the direct engagement of JJ Ryan P/L, for a sum of \$132,140 (ex GST), as per the response to Council's request for quotation.**
4. **Commit "to operate and maintain the project infrastructure and deliver project benefits" for a minimum five-year-period from the completion of the works, should the grant application be successful.**

3. PURPOSE

To seek approval to apply for grant funding through the BBRF R5 for the Echuca Aerodrome Infrastructure Upgrade and endorse:

- the commitment of future capital works budgets,
- the direct engagement of JJ Ryan P/L, to complete the detailed design works, given the short time frame to be shovel ready.
- the allocation of additional funds in the current financial years (20/21) to complete detailed design,
- the commitment for CSC to continue to provide aerodrome services for a minimum period of five years post project completion should the grant application be successful and executed.

4. DISCUSSION

At its meeting 18 August 2020 CSC endorsed recommendations to adopt a forward program of works for the Aerodrome to guide future investment and funding decisions. The recommendations being:

That Council:

1. *Resolve to undertake Runway, Apron, Taxiway, and associated infrastructure improvements at the Echuca Aerodrome, which has a concept estimate of \$3,618,000.*
2. *Adopt the Echuca Aerodrome works in 10 year capital works plan, with the design in 2021/22 and construction in 2022/23.*

In January 2021 the opportunity to apply for external grant funding in the BBRF R5 opened. This competitive grant presents an opportunity to apply for 1:1 financial assistance and fast track the detailed design and infrastructure improvement works at the Aerodrome, should CSC be successful.

Through the BBRF R5 the Australian Government has committed a total of \$1.04billion over seven years from 2017-18 to 2023-24. The grant opportunity was announced in Budget Paper 2, Supporting Regional Australia and \$200 million is available for this program to deliver investment ready projects in either the Infrastructure Projects Stream or the Community Investments Stream.

The BBRF R5 grant applications close on 5 March 2021. Assessment of the grant application follows with grant recommendations, decisions and entering into a grant agreement occurring mid-2021. A condition of the grant application is that site works commence within 12 weeks of the execution of the funding agreement, that the project is completed by 31 December 2023 and that funds are fully acquitted by 30 June 2024.

The *Echuca Aerodrome Concept Plan and Airside Infrastructure Investigations* (PR-100292) is a listed and approved project in the 21/22 Capital Works Program. There is currently a balance of \$114,220 in uncommitted funds that are available to undertake any further design works specific to this project, the balance required can be reallocated from other projects' 'savings'.

The Aerodrome upgrade project is considered suitable for application via the BBRF R5 subject to several conditions specific to the project being addressed / agreed by Council. These being:

Financial

The estimated costs of the infrastructure improvements at the Aerodrome are \$3,618,000. It is a condition of the application that Council commit to funding 50% of this overall project cost being \$1,809,000. This sum (or separate portions equalling it, depending on required financial phasing) will need to be reflected in the 2021/22 and 2022/23 Capital Works Programs. Without this commitment (or committed / secured funds from another source) it is not possible to lodge the application. This requirement is reflected in the recommendations.

Detailed Design Procurement

BBRF projects are required to be 'investment ready' and steps must be taken to allow construction to commence within 12 weeks of the execution of the agreement. The application for the project requires documentation beyond concept design. At present Council has resolved to undertake Runway, Apron, Taxiway, and associated infrastructure improvements at the Echuca Aerodrome at a concept level only. This concept work needs to rapidly progress to detailed design to be considered eligible for the grant.

JJ Ryan Consulting P/L were previously engaged to undertake the Echuca Aerodrome Concept Plan and Pavement Investigation / Report, which formed the basis of the endorsed concept at \$3.618m. Due to time constraints on the BBRF application process, it is not possible to undertake the normal procurement process of open tender to engage a suitably qualified engineering firm to undertake this specialised design work and progress the concept plan to a level considered acceptable under the grant eligibility criteria.

To expedite the process, Council's Project Manager issued an RFQ to JJ Ryan P/L to undertake the required detailed design work. JJ Ryan are subject matter experts, have an excellent understanding of the site and the parameters surrounding the concept design in the work they have previously undertaken and were considered the most efficient option to deliver the required work. The RFQ returned an ex GST price of \$132,140 to be delivered within the current project in the 2021/22 Capital Works Program.

This quote and the method of obtaining it is outside the typical procurement process and requires an exemption memo to be written, and then endorsed by the CEO, to approve and action. The direct engagement of JJ Ryan is considered to be the only way that CSC can achieve the degree of detailed design that may be considered

sufficient to meet the requirements of the grant application process. This requirement is reflected in the recommendations.

Should the grant application not be successful on this occasion, CSC will have invested in the design documentation of a large infrastructure project and be in a good position for future grant opportunities should they arise.

Ongoing Commitment to Aerodrome Operations

It is a requirement of the BBRF R5 that grants above \$1million commit to operate and maintain the project infrastructure and maintain project benefits into the future. In the proposed case of the Aerodrome, the grant conditions this would equate to CSC continuing aerodrome services for at least five years post project completion. This requirement is reflected in the recommendations.

5. OPTIONS

Option 1: Not support the recommendations

That Council not-endorse the four recommendations as listed and proceed with the Council resolutions of the 18 August 2020.

This option is not recommended by officers.

Option 2: Proceed with Design only

That Council authorise the CEO to execute the direct engagement of JJ Ryan P/L for a sum of \$132,140 (ex GST) per the submitted RFQ.

This option is not recommended by officers.

Option 3: Support the recommendations

That Council endorse the four recommendations as listed to enable the Echuca Aerodrome Infrastructure Upgrade project be submitted for 1:1 funding through the BBRF Round 5 process.

This option is recommended by officers.

6. CONSULTATION

Internal consultation:

- General Manager Infrastructure
- Manager Assets
- Manager Projects and Facilities
- EMG

Councillors:

- Briefly at the 10 February 2021 Briefing Session.

7. POLICY AND LEGISLATIVE IMPLICATIONS

This report and its recommendations have been generated with consideration of Council Policy 91 (Sustainable Asset Management), Policy 126 (Procurement) and relevant law as required by Section 9(2)(a) of the *Local Government Act 2020* including Council Policy 179 Public Transparency and the transparency of Council's decisions, actions and information.

8. FINANCIAL AND ECONOMIC IMPLICATIONS

To enable the development of detailed design documentation to a standard that meets the eligibility requirements of the BBRF R5 there will be an immediate need to allocate \$20,000 (to enable a PO to be raised for \$132,140 (ex GST) to PR-100292 in the current capital works program for the direct engagement of JJ Ryan P/L

To meet the BBRF R5 criteria Council will need to commit \$1,809,000 split over the 2021/22 & 2022/23 financial years.

Should the application be successful, and a funding agreement executed, Council will be committed to the provision of ongoing services at Echuca Aerodrome for a period of at least five years beyond project completion at increased operational and maintenance costs.

If successful, Council will obtain Federal funding that will finance 50% of the costs and deliver the program ahead of schedule, saving ratepayer funds and delivering social, health, community, economic and safety benefits that an upgraded facility can provide.

9. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

10. SOCIAL IMPLICATIONS

In the case of the Echuca Aerodrome there is both a community and specific user base. Aeromedical services are supplied to all who need them while the hangar owners form the most obvious private beneficiaries of the site.

Per the August 2020 Council report it is noted both the RFDS and Air Ambulance have advised that they are transitioning to new aircraft that will not be able to land on the aerodrome in its current dimensions, an extra 150 metres of runway is 'required'. When extending a runway, it is also necessary to increase or amend lighting, safe run off areas, taxiways, drainage and boundary markers.

For the Aerodrome to remain operable and meet the needs of these new aircraft, infrastructure upgrades need to be taken into account. It is expected that these new aircraft will be in service within 2 years and the opportunity to fast-track the required works through substantial external grant funding would be beneficial.

11. RELEVANCE TO COUNCIL PLAN 2017-2021

Balanced Services and Infrastructure:

The recommended option balances the needs of the community with the cost to Council and allows for some grant contribution to the capital expenses.

Responsible Management:

The recommended option improves the safety and robustness of the Aerodrome while planning for the immediate and foreseeable future.

12. ISSUES AND RISK MANAGEMENT

Risk:

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

13. CONFLICT OF INTEREST

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

14. CHARTER OF HUMAN RIGHTS

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

15. INSTRUMENT OF DELEGATION

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

16. CONCLUSION

At its meeting 18 August 2020 Council endorsed recommendations to adopt a forward program of works for the Aerodrome to guide future investment and funding decisions.

The BBRF Round Five presents an opportunity, subject to commitments from Council now, to apply for 1:1 financial assistance and fast track the detailed design and infrastructure improvement works at the Aerodrome, should the application be successful.

10. Council Information

10.1 LETTERS OF APPRECIATION

The following have been received:

- Margaret Quinsee, Colbinabbin Clay Target Club Inc. – many thanks to Cr Chrissy Weller for her attendance at the recent unveiling of the Colbinabbin Clay Target Club Honour Board, which was assisted with funding through the 2019/2020 Community Grants Program (Round one). Cr Weller's attendance at this event was very much appreciated.
- Tony Austin, Senior Compliance Officer, The Rural City of Murray Bridge – sincere thanks and congratulations to Katrina Watson, Customer Service Officer for her brilliant customer service. Her professional approach and willingness to go out of her way to gain correct details for a dog owner to sort out some issues is commendable. It was refreshing to deal with such a helpful person.
- Alison Hunter – thank you to Glenn Major, Technical Services Officer and any other department personnel who contributed to the successful outcome of our request for two additional Rural Road numbers. Your phone call while I was away was appreciated and when arriving home to your letter and numbers had arrived. The numbers have now been attached in the appropriate spots.
- Tongala Local & Family History Group – thank you for the annual contribution. The funds will be used to have a large number of local newspapers bound ready for storage in archive.
- Joan Stevens, Echuca – thank you for grading O'Dwyer Road, Wharparilla. With the increase in visitors to the Wills Bend National Park the road had become hazardous.

RECOMMENDATION

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

10.2. CREATIVE ACTIVE RECOVERY GRANTS

Author	Department	Manager	General Manager
Executive Assistant Community	Community	General Manager Community	General Manager Community

1. SUMMARY

That Council note two successful applications to the Creative Active Recovery Grants Program. As part of COVID-19 recovery, Council launched the one-off grant program and is calling for innovative ideas from creative businesses and artists to activate public spaces.

2. RECOMMENDATION

That Council note the following grants have been approved in accordance with the Creative Active Recovery Grants Program guidelines and the applicants advised in writing:

- 1. Tongala Development Group Inc. – towards a free community music and market event to be held across both the Tongala Soundshell and Pott’s Green on Friday, 19 March, \$4,000.**
- 2. Lockington District Business Centre Inc. – towards the purchase of materials and equipment for a Pumptrack Park Art project, \$5,000.**

3. PURPOSE

To note the outcomes of the Creative Active Recovery Grants Program applications considered in accordance with the grant guidelines and criteria.

4. DISCUSSION

As part of COVID-19 recovery, Council launched a one-off Creative Active Recovery Grant program and is calling for innovative ideas from creative businesses and artists to activate public spaces.

This grant program is dedicated to supporting talented groups and individuals from inside and outside Campaspe Shire boundaries who have been unable to work due to COVID-19 impacts such as cancelled events, lack of resourcing, restrictions on leaving the home or public gatherings, and venue closures.

This month the following applications have been approved:

Tongala Development Group Inc. – to assist with a free community music and market event to be held across both the Tongala Soundshell and Pott’s Green on Friday, 19 March 2021.

Bringing the community together in a Covid safe environment, an inclusive outdoor community event including an Open Mic line up followed by locally based professional musicians, pop up food menu by local establishments and a pop up locally handmade market has been planned for 19 March 2021.

Grant money will be spent on sound and lighting setup, musicians, advertising and promotion of the event and sanitiser and antibacterial wipes.

Lockington District Business Centre Inc. – to assist with the purchase of equipment and marketing for the Pumptrack Park Art project.

The community has recently installed a Pumptrack on private land that has been donated to the community. The Pumptrack Park Art project aims to beautify the park by painting murals themed “What makes Lockington & District Special”.

There will be three categories for entrants – Primary School, Secondary School and Open. Each artist will be required to submit an A3 template of their artwork with a competition entry form and a thorough explanation of their design.

All entries will be put before a panel to pick the most suitable concepts and finalists will be notified to participate. The competition will run from 22 January to 5 March, with the mural painting to occur from 10 – 18 April.

The mural painting will take place at the Pumptrack site with an official opening and announcement of overall winner on the same weekend as the Tractor Rally and Scarecrow competition to maximise interest.

5. CONSULTATION

Internal consultation:

- EMG

6. POLICY AND LEGISLATIVE IMPLICATIONS

Funds utilised for this program were budgeted in the 2020/2021 Event Support – Service Level contributions.

7. FINANCIAL AND ECONOMIC IMPLICATIONS

There are no financial or economic implications associated with this report.

8. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

9. SOCIAL IMPLICATIONS

This funding provides support to talented groups and individuals from inside and outside Campaspe Shire boundaries who have been unable to work due to COVID-19 impacts such as cancelled events, lack of resourcing, restrictions on leaving the home or public gatherings, and venue closures.

10. RELEVANCE TO COUNCIL PLAN 2017-2021

This aligns with the strategic objective of Strong and Engagement Communities - Services, programs and advocacy enable improved health, wellbeing and safety of our community and Strategy 3 - Enable residents to be active and engaged in their community and support participation in artistic, cultural, sporting and leisure opportunities.

11. 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.

12. 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.

13. 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*.

14. 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.

15. CONCLUSION

Council received two applications to the Creative Active Recovery Grants Program. Council to note that two applications have been successful this month.

11. Councillor Reports

Cr Christine Weller	
21 January	Murray Darling Association
21 January	ABC Radio Interview
25 January	Border Closures Local Government Meeting
26 January	Rochester, Tongala and Rushworth & District Australia Day celebration
28 January	Breakfast meeting and councillor meeting with Peter Walsh
1 February	Echuca-Moama Alliance re Port of Echuca Management Model
2 February	Echuca/ Moama & District Probus Meeting
3 February	Australia Day Award Winners Civic Reception
4 February	Audit & Risk Committee Meeting
8 February	CEO Employment & Remuneration Advisory Committee
11 February	Campaspe Cr Governance-Evaluator discussion

Cr Robert Amos	
26 January	Gunbower Australia Day Breakfast
28 January	Councillor meeting with Peter Walsh
3 February	Australia Day Award Winners Civic Reception
4 February	Audit & Risk Committee Meeting
15 February	VIVID Art Exhibition

Cr Collen Gates	
20 January	Goulburn Valley Waste and Resource Recovery Group
26 January	Kyabram & District, Tongala, Stanhope, Kyvalley, Koyuga Australia Day celebrations
28 January	Councillor meeting with Peter Walsh
1 February	Kyabram Youth Club
1 February	Kyabram Project Committee AGM
2 February	Tongala Development Group Meeting
3 February	Australia Day Award Winners Civic Reception
8 February	CEO Employment & Remuneration Advisory Committee
17 February	Ministerial Boating Strategy Round Table #2

Cr Paul Jarman	
26 January	Rochester & District Australia Day Celebration
28 January	Councillor meeting with Peter Walsh

Cr Tony Marwood	
26 January	Echuca Moama Australia Day
28 January	Councillor meeting with Peter Walsh
4 February	Audit & Risk Committee Meeting

Cr Daniel Mackrell	
26 January	Kyabram & District, Tongala, Stanhope, Kyvalley, Koyuga Australia Day celebrations
1 February	Kyabram Youth Club
2 February	Tongala Development Group Meeting
3 February	Australia Day Award Winners Civic Reception
8 February	CEO Employment & Remuneration Advisory Committee

Cr Leanne Pentreath	
28 January	Councillor meeting with Peter Walsh

Cr Adrian Weston	
26 January	Girgarre, Stanhope, Rushworth Australia Day Celebrations
28 January	Unlocking farm ownership opportunities in Campaspe
1 February	Kyabram Youth Club
3 February	Australia Day Award Winners Civic Reception
8 February	CEO Employment & Remuneration Advisory Committee

Cr John Zobec	
26 January	Kyabram & District, Tongala, Kyvalley, Australia Day celebration
28 January	Councillor meeting with Peter Walsh
2 February	Tongala Development Group Meeting
3 February	Australia Day Award Winners Civic Reception

RECOMMENDATION

The Councillor Reports be noted.

12. Chief Executive Officer's Report

In addition to normal operational activities, the CEO participates in a variety of external meetings in response to the Covid-19 Pandemic.

Meetings continue to be conducted remotely via teleconferences and web based meetings.

COVID-19 related:

- DHHS/MAV/LGV engagement meetings
- NSW Border Issues Briefings (Cross Border Commissioners and LG CEOs)
- Murray River Group of Council's Mayor's & CEO border closure meeting

General

- Kyvalley Australia Day celebrations
- Meeting with Councillors and Member for Murray Plains, Peter Walsh, MP
- Meeting with Echuca-Moama Alliance representatives
- Australia Day Award Winners Civic Reception
- Meeting with Committee for Echuca Moama CEO and Chair
- Meeting with Tourism Victoria and Murray Regional Tourism CEOs
- Loddon Campaspe CEO meetings
- Virtual Victorian Planning Authority stakeholder event

RECOMMENDATION

The Chief Executive Officer's report be noted.

13. Petitions and Letters

13.1. PETITIONS – HALL ROAD, TORRUMBARRY AND GROGAN ROAD, MYOLA

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

1. SUMMARY

A petition was received seeking a review of the section of Hall Road from Torrumbarry Headworks Road to 59 Hall Road, Torrumbarry. The road length segment is approximately 550 metres and was reclassified from a gravel road to an earth road under the Rural Road Review.

A petition was also received seeking a review of the section of Grogan Road, Myola, between Tuohey Road and Lampard Road. The road length segment is approximately 530 metres and was reclassified from a gravel road to an earth road under the Rural Road Review.

Both roads are currently classified as an earth road under Council's Road Management Plan and are inspected once every two years unless a customer request is received. Earth roads require some ongoing maintenance but are often in poor condition after rainfall.

The petitions seek Council to undertake an investigation based on the petitioner's view that the roads are major access paths between well-maintained gravel roads.

2. RECOMMENDATION

That Council note:

- An initial investigation and site visits of the roads has been completed to ascertain why the roads are classified as an earth road and further investigation is warranted.**
- The petition requests be considered during the review of the Road Management Plan, which is underway, and be specifically canvassed in the resulting recommendations to Council**
- That any further petitions or requests regarding the reclassification of roads be referred for consideration as part of the Road Management Plan review.**

3. PURPOSE

To note that two petitions were received seeking a review of the road classification that was generated through the Rural Roads Review, with a request to have the roads reclassified from earth to gravel.

4. DISCUSSION

In 2008 Council adopted an Asset Renewal Funding Strategy. From this, Council initiated the Rural Roads Review with the following objectives:

- Provide a rural road network that meets the service needs of the community;
- Enable Council to fully fund the maintenance and renewal of the proposed/agreed rural road network in the long term;
- Redirect savings made in reduced depreciation back into the remaining network where agreed;
- Jointly develop proposed changes to the existing rural road network with the community, through extensive consultation and agree on the nature of a future network; and

- Contribute to addressing Council's overall financial sustainability challenge.

Council first adopted the Rural Roads review in 2011 and the final phase (stage 13) of the Rural Roads Review was adopted by Council in February 2014.

Hall Road and Grogan Road are classified as earth roads under Council's Road Management Plan. In accordance with the Road Management Plan earth roads are inspected once every two years unless a customer request is received. These roads are part of a reactive road maintenance schedule of grading, based on a criterion of defects as per the Road Management Plan.

Preliminary investigations have shown that there is access to homesteads and properties via other connector roads. A full analysis of the rural roads needs to be undertaken to recommend whether the petition requests are justified in consideration of the full road network.

Given, there is a review being undertaken of Road Management Plan it is considered reasonable to include the petitioner's requests as part of this review. Concerns from both petitions will be investigated and recommendations made to Council as part of the Road Management Plan review.

5. OPTIONS

Nil

6. CONSULTATION

Internal consultation:

- Road Services Unit
- Works Unit

7. POLICY AND LEGISLATIVE IMPLICATIONS

The Local Government Act 1989, The Road Management Act 2004 and the CSC Road Management Plan has been taken into consideration throughout this report and in the recommendation.

8. FINANCIAL AND ECONOMIC IMPLICATIONS

Should the sections of Hall and Grogan Roads be reverted to a gravel road there will be an impact on the maintenance program. This will be further clarified in a subsequent report to Council as part of the Road Management Plan review.

9. ENVIRONMENTAL IMPLICATIONS

No major environmental issues have been identified. If any works are proposed in the future, consideration will be given to any environmental sustainability issues and consideration of mitigation and planning for climate change risks in accordance with Section 9(2)(c) of Local Government Act 2020.

10. SOCIAL IMPLICATIONS

There are no major social implications for the municipality in accordance with Section 9(2)(c) of Local Government Act 2020. Minor access impacts will occur for local road users and agricultural services.

11. RELEVANCE TO COUNCIL PLAN 2017-2021

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

12. ISSUES AND RISK MANAGEMENT

Issues:

Issue 1:

Data Verification Officers employed a rigorous process undertaking desk top validation, ground truthing and sought subsequent community feedback. Data sets are often subject to change with additional information and data maturity.

Issue 2:

Policy – Following the adoption of the Rural Roads Review an abutting landowner who required all weather access could apply and be assessed under Policy 54 Improvements to the Level of Service of the Road Network. Policy 54 ensured a 50% contribution from the landowner/customer for any improvements.

Issue 3:

Both sections of Hall and Grogan roads provide shorter routes to sealed roads compared with other gravel connector roads provided. Both sections of road are in poor condition following heavy traffic or rainfall events. According to records from the Rural Road Review and the Road Register, these sections of road were routinely maintained as gravel roads before the Rural Road Review.

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.

There is a risk to long term financial planning if locations are considered in isolation.

13. CONFLICT OF INTEREST

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

14. CHARTER OF HUMAN RIGHTS

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

15. INSTRUMENT OF DELEGATION

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

16. CONCLUSION

Hall Road and Grogan Road are classified as earth roads under Council's Road Management Plan. In accordance with the Road Management Plan earth roads are inspected once every two years unless a customer request is received. These roads are part of a reactive road maintenance schedule of grading, based on a criterion of defects as per the Road Management Plan. Preliminary investigations confirm access to homesteads and properties via other connector roads.

The review of the Road Management Plan is underway and a further report will be provided to Council, which will include consideration of both Hall Road and Grogan Roads.

14. Notices of Motion

15. Urgent Business

16. Confidential Business

Confidential Business – Close

Recommendation

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

- a) *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released*
- c) *Land use planning information, being information that if prematurely released is likely to encourage speculation in land values*
- g) *Private commercial information, being information provided by a business, commercial or financial undertaking that - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.*
- h) *Confidential meeting information, being the records of meetings closed to the public under section 66(2)(a)*

Confidential Business - Open

Recommendation

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

17. Close Meeting

Declan Moore, Chief Executive Officer