



Council Minutes



Date: 18 August 2021

Time: 6 pm

Venue: Virtual Meeting

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Minutes of the open section of the ninth Campaspe Shire Council meeting held via 'Zoom' on Wednesday 18 August 2021, commencing at 6:00 pm.

Present

Councillors

Cr Christine Weller - Mayor

Cr Robert Amos

Cr Colleen Gates

Cr Paul Jarman

Cr Daniel Mackrell

Cr Anthony Marwood

Cr Leanne Pentreath

Cr Adrian Weston

Cr John Zobec

Officers

Declan Moore - Chief Executive Officer

Fleur Cousins - General Manager Corporate

Jason Deller - General Manager Infrastructure

Keith Oberin - General Manager Community

Andrew Fletcher – Manager Planning and Building

Andrew Cowin - Manager Governance and Strategy

Deidre Madill - Governance Adviser

Annette Waters - Governance Officer

Rebecca Jones - Governance Officer

1 Apologies and Requests for Leave of Absences

1.1 Apologies

Nil.

1.2 Leave of Absence

Nil.

2 Confirmation of Minutes

Moved by Cr Gates

Seconded by Cr Pentreath

That the minutes of the Campaspe Council Meeting held on 21 July 2021 be confirmed incorporating administrative corrections to Confidential Item 16.4.

CARRIED

3 Changes to the Order of Business

Nil.

4 Declarations of Conflict of Interest

Nil.

5 Responsible Authority Decisions

Nil.

6 Planning Authority Decisions

Cr Daniel Mackrell entered the virtual meeting at 6.20pm.

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

Mr Christopher Banon addressed Council in relation to item 6.2

Ms Vladi Russell addressed Council in relation to item 6.2

Mr Tony Williams addressed Council in relation to item 6.2

Mr Michael Russell addressed Council in relation to item 6.2

6.1 PLN098/2021 - Subdivision of the Land into 16 Lots

Author	Department	Manager	General Manager
Senior Planner	Planning	Manager Planning & Building	Development

The planning application is being reported to Council as it does not meet the conditions of the Instrument of Delegation in relation to community interest. The report attached outlines the proposal, subject site, permit history, notification, consultation, referrals, assessment, summary of key issues and a recommendation.

After undertaking an assessment of the proposal against the provisions of the Campaspe Planning Scheme and *Planning & Environment Act 1987*, it has been recommended that the application should be supported subject to the attached recommendation.

Moved by Cr Pentreath

Seconded by Cr Jarman

That Council as the Responsible Authority support the application and issue a Notice of Decision to Grant a Permit, subject to conditions as recommended in the Planning Assessment Report.

CARRIED

6.2 PLN076/2020 Use of the Land for Intensive Animal Production Farming Zone Schedule 1

Author	Department	Manager	General Manager
Planning Team Leader	Planning	Manager Planning & Building	Development

The planning application is being reported to Council as it does not meet the conditions of the Instrument of Delegation, relating to community interest. The report attached outlines the proposal, subject site, permit history, notification, consultation, referrals, assessment, summary of key issues and a recommendation.

After undertaking an assessment of the proposal against the provisions of the Campaspe Planning Scheme and *Planning & Environment Act 1987*, it has been recommended that the application should be refused subject to the attached recommendation.

Moved by Cr Marwood

Seconded by Cr Pentreath

That Council, as the Responsible Authority, refuse to grant a permit for the reasons outlined in the appended planning report as recommended in the Planning Assessment Report.

CARRIED

7 Question Time

Nil.

8 Acknowledgements

Nil.

9 Council Decisions

9.1 Policy 156 - Policy Management

Author	Department	Manager	General Manager
Manager Governance & Strategy	Governance & Strategy		Chief Executive Officer

Following a review of Council Policy 156 - Policy Framework, it is recommended that the policy be retained as a Council Policy but be renamed and simplified to provide greater clarity to Council and the community around the management and review process for Council and Administrative Policies.

Moved by Cr Pentreath

Seconded by Cr Jarman

That Council adopt the revised Council Policy 156 – Policy Management.

CARRIED

9.2 Appointment of Independent Member to Audit and Risk Committee

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

The Audit and Risk Committee is established under the Local Government Act 2020 and is responsible for providing advice to Council and oversight of Council's discharge of its responsibilities in relation to financial and performance management and its internal control environment.

Following the expression of interest process, one nomination for an independent member was received, and this report recommends the appointment of Ms Linda MacRae (the Nominee) for a four-year term. The Nominee has extensive skills and experience, is a current member of Council's Audit and Risk Committee and has made a positive contribution already during their current term.

Council also acknowledges and thanks Mr Mike Bennett, independent member, for his significant contribution to the Audit and Risk Committee and sound advice provided to Council over the past 7 years.

Moved by Cr Amos

Seconded by Cr Marwood

That Council:

- 1. Appoint Linda McRae to the Campaspe Shire Council Audit and Risk Committee for a term of four (4) years commencing 1 January 2022 to 31 December 2025.**
- 2. Acknowledge and thank Mike Bennett for his contribution and sound advice provided to Council during the 7 years he was appointed to the Audit and Risk Committee.**

CARRIED

9.3 Tongala Recreation Reserve Behind Goal Nets

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

The Tongala Football Netball Club has requested permission to supply and install behind goal netting at Tongala Recreation Reserve, citing safety concerns for spectators and potential damage to property (cars) as their justification for the project.

Tongala Recreation Reserve is a Council owned reserve and any infrastructure to be installed must first be approved by Council.

Moved by Cr Gates

Seconded by Cr Mackrell

That Council:

1. **Agrees to Tongala Football Netball Club installing behind goal netting at Tongala Recreation Reserve subject to the club:**
 - **Agreeing to own the nets and associated infrastructure in full.**
 - **Agreeing to use qualified contractors**
 - **Agreeing to provide Officers prior to construction beginning, the following:**
 - a. **Computations**
 - b. **Designs**
 - c. **Site Plan**
 - d. **Building Permit – if applicable**
 - **Paying all capital, maintenance, renewal, removal and rectification costs.**
 - **Acknowledging that should Council believe the behind goal netting is not to a desired standard, Council can at any time direct Tongala Football Netball Club to remove the structure at the Club's cost.**

CARRIED

9.4 Township Facility Plans

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

The benefits of incorporating the development of Township Facility Plans (focused on Council assets) within Place-Based Plans (PBP), has been the subject of officer discussions, as they have been reviewing the use, condition and maintenance of Council's buildings (including pools) to assist determine how 'fit for purpose' they are.

At the same time, completed Place Based Plans have been considered by Council, while others are being considered for commencement.

Based upon the IAP2 model and Council's policy framework, officers are developing a range of engagement tools to explain the condition, maintenance issues and financial challenges of managing the assets (township by township) in a sustainable manner, to be incorporated into new Place Based Planning processes.

Moved by Cr Amos

Seconded by Cr Gates

That Council:

- 1. Agree to incorporate Township Facility Plans into Community Placed-Based Planning engagements going forward.**
- 2. Agree to the terms and conditions, presented in this report, for the creation and operation of Township Governance Committees.**
- 3. Subject to the agreement of the Tongala Place Based Planning Group (in recruitment), approve the recruitment of a community-based Tongala Governance Committee that will be responsible for identifying recommendations (from their assessment and development of a Township Facilities Plan) to be incorporated into the Place Based Plan.**
- 4. Note that officers will provide Council with engagement information packages and a timetable for implementation by November 2021.**

CARRIED

9.5 Ten Year Capital Works Program

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

This report provides Council with the latest update of the Ten-Year (10Yr) Capital Works Program as of August 2021. It also provides a summary of significant changes from the program previously adopted in July 2020.

Moved by Cr Pentreath

Seconded by Cr Jarman

That Council defer the adoption of the 10 Yr Capital Works Program (ending 30/06/2031 FY) until after November 2021 when a further report will be presented to Council.

CARRIED

9.6 Policy 58 - Council Expenses Policy Review

To note Cr Daniel Mackrell left the virtual meeting at 6.55pm.

Author	Department	Manager	General Manager
CEO	Office of the CEO		

The Local Government Act requires that Council adopt and have in place a Council Expenses Policy. The existing Policy was adopted at the July 2020 Council meeting. A review of the policy has now been completed following the election of the new Council. The review has proposed 1 change to the existing policy.

Moved by Cr Amos

Seconded by Cr Gates

That Council adopt revised Policy 58 – Council Expenses Policy

CARRIED

10 Council Information

10.1 Notes of Appreciation

Moved by Cr Gates

Seconded by Cr Jarman

That Council acknowledge the notes of appreciation as listed.

CARRIED

10.2 Council Plan Initiatives Quarter 4 Update

Author	Department	Manager	General Manager
Manager Governance & Strategy	Governance & Strategy		Chief Executive Officer

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 provide to the community. Progress in relation to the implementation of these initiatives are reported quarterly. This report provides the final quarterly update.

Moved by Cr Pentreath

Seconded by Cr Jarman

That Council note the progress and achievement of the 2020/21 Council Plan Initiatives supporting implementation of the Council Plan 2017/21

CARRIED

10.3 Community Event Sponsorship

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

That Council note two successful applications for Community Event Sponsorship.

Moved by Cr Amos

Seconded by Cr Marwood

That Council note the following in-kind support sponsorships, approved in accordance with the Community Event Sponsorship criteria:

- **Echuca Basketball Association Inc. - to waive the cost to hire the Echuca Basketball Stadium for the 2021 Echuca Junior Basketball Tournament to be held from 24 – 26 September 2021, in-kind to the value of \$5,000**
- **Kyabram Swimming Club Inc. - to waive the cost to hire Echuca War Memorial Aquatic Centre (wet area only) for the Kyabram Long Distance/Long Course meet to be held from 23 – 24 October 2021, in-kind \$1,590**

CARRIED

10.4 Quarter 4 Update - Capital Works Program 2020/21

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

This report presents an overview of progress of the annual Capital Works Program (2020/21) as at 30 June 2021.

The 2020/21 program consisted of 103 live projects with an overall target spend of \$38.05m. This report provides a summary of delivery. The final dashboard for 2020/21 is attached.

Moved by Cr Jarman

Seconded by Cr Amos

That Council note the contents of this report.

CARRIED

11 Councillor Calendars

Moved by Cr Marwood

Seconded by Cr Gates

That the Councillor Calendars be noted as amended.

CARRIED

12 Chief Executive Officer's Calendar

Moved by Cr Pentreath

Seconded by Cr Jarman

That Council note the Chief Executive Officer's activities.

CARRIED

13 Petitions and Letters

Nil.

14 Notices of Motion

Nil.

15 Urgent Business

Nil.

16 Confidential Business

Closure of Public Meeting – 7:12pm

Moved by Cr Amos

Seconded by Cr Jarman

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

16.1 Land Sale

- g) private commercial information, being information provided by a business, commercial or financial undertaking that:
 - (i) relates to trade secrets; or
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Commercial in confidence

16.2 Land Sale

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Commercial in confidence

16.4 Land Sale

g) private commercial information, being information provided by a business, commercial or financial undertaking that:

(i) relates to trade secrets; or

(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Commercial in confidence

16.5 Disposal of Property

a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

This report discloses information in confidential matters to be considered and determined on the future sale of a Council property, yet to be released to the public.

7:34pm the Council meeting resumed in Open Session.

Council determined, in confidential session that the following decisions no longer be kept confidential.

16.1 Land Sale

1. Commence the statutory procedures, pursuant to Section 114 of the Local Government Act 2020 for the sale by private treaty of land being Lot 14 on Plan of Subdivision 724007Y comprised in Certificate of Title Volume 12001 Folio 888 known as 26 Kuhle Road, Kyabram; to SnM Builders for a price of \$80,000 plus GST.
2. In the event that no submissions are received from the public notice published pursuant to Section 114 of the *Local Government Act 2020* in respect of the proposal, sell the land being Lot 14 on Plan of Subdivision 724007Y comprised in Certificate of Title Volume 12001 Folio 888 known as 26 Kuhle Road, Kyabram to SnM Builders for the price of \$80,000 plus GST.

16.2 Land Sale

1. Commence the statutory procedures, pursuant to Section 114 of the Local Government Act 2020 for the sale by private treaty of land being Lot 17 on Plan of Subdivision 724007Y comprised in Certificate of Title Volume 12001 Folio 891 known as 16 Kuhle Road, Kyabram; to Andrew Allan for a price of \$70,000 plus GST.

2. In the event that no submissions are received from the public notice published pursuant to Section 114 of the *Local Government Act 2020* in respect of the proposal, sell the land being Lot 17 on Plan of Subdivision 724007Y comprised in Certificate of Title Volume 12001 Folio 891 known as 16 Kuhle Road, Kyabram to Andrew Allan for the price of \$70,000 plus GST.

16.3 Land Sale

1. Commence the statutory procedures, pursuant to Section 114 of the Local Government Act 2020 for the sale by private treaty of land being Lot 5 on Plan of Subdivision 724007Y comprised in Certificate of Title Volume 12001 Folio 880 known as 11 Kuhle Road, Kyabram; to LC and CF Morris Superannuation Fund for a price of \$60,000 plus GST.
2. In the event that no submissions are received from the public notice published pursuant to Section 114 of the *Local Government Act 2020* in respect of the proposal, sell the land being Lot 5 on Plan of Subdivision 724007Y comprised in Certificate of Title Volume 12001 Folio 880 known as 11 Kuhle Road, Kyabram to LC and CF Morris Superannuation Fund for a price of \$60,000 plus GST.

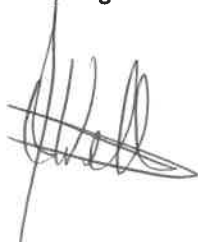
16.4 Land Sale

1. Commence the statutory procedures, pursuant to Section 114 of the Local Government Act 2020 for the sale by private treaty of land being Lot 7 and 8 on Plan of Subdivision 724007Y comprised in Certificate of Titles Volume 12001 Folio 882 and 883 known as 15 and 17 Kuhle Road, Kyabram; to Saza Investments Pty Ltd for a price of \$120,000 plus GST.
2. In the event that no submissions are received from the public notice published pursuant to Section 114 of the *Local Government Act 2020* in respect of the proposal, sell the land being Lot 7 and 8 on Plan of Subdivision 724007Y comprised in Certificate of Titles Volume 12001 Folio 882 and 883 known as 15 and 17 Kuhle Road, Kyabram to Saza Investments Pty Ltd for the price of \$120,000 plus GST.

CARRIED

17 Close Meeting

There being no further business, the Mayor closed the meeting at 7:35pm.



Cr Christine Weller

Mayor