

Contents

1.	Apologies and Requests for Leave of Absences	610
2.	Confirmation of Minutes and Attachments	611
3.	Changes to the Order of Business	611
4.	Declaration of Interests	611
5.	Responsible Authority Decisions	611
5.1	PLN249/2019 - Use and development of land for renewable energy facility	611
6.	Planning Authority Decisions	612
6.1	Planning Scheme Amendment C117	612
7.	Question Time	612
8.	Acknowledgements	613
9.	Council Decisions	613
9.1.	Councillor Allowance Confirmation	613
9.2.	Community Vision endorsed for consultation	614
9.3.	Council Plan Initiatives Quarter 3 – Update	614
9.4.	Public Places and Street Trading Policy	614
9.5.	Grogan’s Bridge Load Limit	615
10.	Council Information	615
10.1	Letters of Appreciation	615
10.2	Community Event Sponsorship	616
10.3	Quarter 3 Update – Capital Works Program 2020/21	616
11.	Councillor Reports	617
12.	Chief Executive Officer’s Report	619
13.	Petitions and Letters	620
14.	Notices of Motion	620
15.	Urgent Business	620
16.	Confidential Business	620
16.1	Land Sale – 520 Scobie Road, Kyvalley	620
16.2	Station Street Kyabram Road Discontinuation and Sale of Land	620
16.3	Echuca East Community Precinct Stage 1 Construction Tender	621
16.4	EOI C21004 Lease – Riverfront Kiosk, 14 Watson Street Echuca	621
17.	Close Meeting	622

Minutes



Minutes of the open section of the eighth Campaspe Shire Council meeting held on Wednesday, 19 May 2021, commencing at 6:00pm at the Council Chambers, Echuca Civic Centre.

Present

Councillors	Officers
Cr Christine Weller – Mayor Cr Robert Amos Cr Colleen Gates Cr Paul Jarman Cr Daniel Mackrell Cr Anthony Marwood Cr Leanne Pentreath Cr John Zobec	Declan Moore – Chief Executive Officer Fleur Cousins – General Manager Corporate Jason Deller – General Manager Infrastructure Keith Oberin – General Manager Community Andrew Cowin – Manager Governance and Strategy Deidre Madill – Governance Advisor Annette Waters – Governance Officer.

Business

1. Apologies and Requests for Leave of Absences

COUNCILLOR GATES/AMOS

Apologies

Cr Adrian Weston

CARRIED

Requests for Leave of Absence

Nil.

2. Confirmation of Minutes and Attachments

COUNCILLOR MACKRELL/ZOBEC

That the following minutes be confirmed:

- Campaspe Council Meeting held on 21 April 2021

CARRIED

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

Cr Jarman declared a general conflict of interest due to private interests in item 9.4

Cr Jarman declared a general conflict of interest due to private interests in item 16.4

5. Responsible Authority Decisions

Ms Christine Knight addressed Council in relation to item 5.1

Mr Hugh Barlow addressed Council in relation to item 5.1

Ms Sue Barlow addressed Council in relation to item 5.1

Mr Peter Leeson addressed Council in relation to item 5.1

5.1 PLN249/2019 - Use and development of land for renewable energy facility

The planning application is being reported to Council as it does not meet the conditions of the Instrument of Delegation. 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.

COUNCILLOR JARMAN/PENTREATH

It is recommended that Council as the Responsible Authority issue a Notice of Decision to Grant a Permit subject to the conditions detailed in Attachment 5.1.1 and 5.1.2.

CARRIED

6. Planning Authority Decisions

6.1 Planning Scheme Amendment C117

The Department of Environment, Land, Water and Planning (DELWP) has responded to C117camp, Echuca West Precinct Structure Plan (PSP) and Development Contributions Plan (DCP) which was sent to them 6 months ago, with a list of conditions to be included.

The Amendment commenced some four years ago as a matter of urgency to address the impending lack of developable land. Council has been assisted by the Victorian Planning Authority (VPA) to develop its amendment however despite this and the urgency to progress the matter as quickly as possible it has taken six (6) months for DELWP to provide conditional consent to progress, subject to conditions.

At the request of the Chief Executive Officer this matter is being reported to Council to provide Councillors, developers and the public with an understanding of the barriers faced in progressing the Amendment.

COUNCILLOR AMOS/JARMAN

That Council:

1. **Note the response to be provided to the Department of Environment, Land, Water and Planning (DELWP) for Planning Scheme Amendment C117 to the Campaspe Planning Scheme.**
2. **Write to the Minister for Planning expressing concerns about the time it has taken for the DELWP Regional Office to respond to draft amendment C117, the inefficiency of the process and the nature of the conditions provided, given their prior knowledge of the urgency for developable land in Echuca and the Victorian Planning Authorities involvement in developing the draft amendment.**

CARRIED

7. Question Time

Date of question	Name of questioner	Text of Question	Summation of answer given
17 April 2021 (received by Manager Governance and Strategy 22 April 2021)	Deb Chumbley	Will Council fly the rainbow pride flag from the Civic Centre on this 17th of May, being International Day Against Homophobia, Biphobia and Transphobia?	<p>Council did not have a policy position that supported the consideration and determination of requests to fly alternative flags at this or other locations across the municipality. In the absence of an adopted policy position, and the timing of the next Council meeting, a decision to fly an alternative flag could not have been made.</p> <p>While unable to fly the Rainbow flag on 17 May, your question has prompted an internal review and we are in the process of developing a Flag Policy for Council's future consideration.</p>

13 May 2021	Callum Phillips	Can Council please advise what is happening with the boiler from PS Ulonga that has been left in the elements on Murray Esplanade? Can Council also advise how it came to be in possession of the boiler?	It is understood that a former Council employee located the boiler and Council purchased it from Lake Goldsmith for spare parts for the PS Pevensey's boiler. The now stripped boiler was placed below the Allison Barge walk with the intention of installing an interpretive sign on the walkway fence noting its history.
-------------	-----------------	---	---

8. Acknowledgements

Cr Colleen Gates acknowledged the sad passing of Mrs Denise Gemmill, Kyabram's 2021 Citizen of the Year. Denise was a born and bred local who spent time living across the Shire including Tongala, Koyuga, Colbinabbin and Kyabram. Denise spent many hours volunteering across the community, as was recently recognised by the Australia Day awards. On behalf of Campaspe Shire Councillors, we would like to offer our condolences to Denise's husband Murray and their family.

9. Council Decisions

9.1. Councillor Allowance Confirmation

Mayors and councillors are entitled to receive an allowance while performing their duty as an elected official. The Victorian Government sets the upper and lower levels for allowances paid to councillors.

Council is required to review allowance levels by 30 June in the year following a general election and the allowance level determined remains in effect for the full term of the council, subject to annual automatic adjustments by the Minister for Local Government.

This report seeks to adopt the level of mayoral and councillor allowance for the remainder of the term.

COUNCILLOR JARMAN/GATES

That Council having given notice pursuant to section 223 of the Local Government Act 1989 and no submissions being received, adopt:

- a. a mayoral allowance of \$81,204 per annum, plus \$7,714 being the equivalent of the superannuation guarantee, the maximum allowed for category 2 councils, and**
- b. a councillor allowance of \$26,245 per annum, plus an additional \$2,493 being the equivalent of the superannuation guarantee, the maximum allowed for category 2 councils.**

for the 2020-2024 term or until such time as the Remuneration Tribunal determines the allowances in accordance with the Local Government Act 2020.

CARRIED

9.2. Community Vision endorsed for consultation

The *Local Government Act 2020* requires councils to develop and adopt a community vision, a long-term strategic document that has a minimum 10 years forward focus. Community engagement is a critical component in the development of the Vision, because the Vision must be *owned* by the community and reflect its long-term aspirations to thrive.

The Community Vision should inform all subsequent strategic activity by Council, inclusive of the Council Plan, long term financial plan and asset management plan.

In 2015, Council produced a document entitled, "*Campaspe our Future*" and, given the recency of its adoption, the 2021 engagement process tested the structure and validity of the Vision with the community, key stakeholder groups, councillors and staff.

COUNCILLOR GATES/MACKRELL

That Council:

1. **Note the progress made to date to test the structure and validity of Campaspe Our Future (2015) and the vision that "we want to be strong, supportive, vibrant and sustainable" remains current.**
2. **Receive a report, by the August Council Meeting, summarising the feedback obtained from the 2021 community consultation process conducted across the municipality.**

CARRIED

9.3. Council Plan Initiatives Quarter 3 – Update

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 third quarter update.

COUNCILLOR PENTREATH/AMOS

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

CARRIED

9.4. Public Places and Street Trading Policy

This report presents one policy for adoption as follows:

- 159 – Public Spaces Trading

COUNCILLOR MARWOOD/AMOS

That Council:

1. **Endorse the amended Council Policy 159 – Public Spaces Trading for a minimum 28-day consultation period.**

2. **Conduct an Expression of Interest process for eligible groups/organisations to apply for licences to operate within the Port of Echuca, on the basis that the Policy is adopted by Council following the consultation period.**

CARRIED

9.5. Grogan's Bridge Load Limit

Runnymede Grogan's Bridge Replacement (Grogan's) is a renewal project (PR-100319) in the 2020/21 Capital Works Program (CWP). The project has been on the annual CWP since 2019 and has been subject to conjecture over the required scope of works.

Due to varied scope of works recommendations from two different consultants on the condition of Grogan's Bridge, physical load testing was undertaken on 8 September 2020 to confirm the actual load limit.

The actual load testing comprised of visual inspection, surveying and measuring the bridge superstructure on the top side.

The load limit test produced a positive outcome and provided an opinion for a 20 Tonne (T) load limit. This is significantly more than the current limit of 5T and meets the CFA and service level requirements for the road.

COUNCILLOR JARMAN/ZOBEC

That Council:

1. **Endorse the recommendation that the Grogan's Bridge load limit be increased from 5T to 20T.**
2. **Endorse bridge repair and maintenance works to address the defect and issues identified in the Level 3 bridge assessment report completed on the 16th of November 2020.**

CARRIED

10. Council Information

10.1 Letters of Appreciation

COUNCILLOR PENTREATH/MACKRELL

That Council

1. **Note the letters of thanks and appreciation as listed, and**
2. **Advise the Echuca Historical Society Inc. of the impact of the Interpretive Heritage Signs.**

CARRIED

10.2 Community Event Sponsorship

That Council note three successful applications and one unsuccessful application for Community Event Sponsorship.

COUNCILLOR GATES/ZOBEC

That Council:

1. Note that the following grants have been approved in accordance with the Community Event Sponsorship criteria:
 - **Kyabram AH&P Society Inc. – \$1,000 cash to assist with the cost of children’s entertainment at the Kyabram Annual Spring Show to be held on 16 October 2021, and the use of Council’s temporary white picket fencing to section off the children’s entertainment area**
 - **Kyabram Parkland Golf Club Inc. – \$2,500 towards hosting the Victorian Par 3 Championships to be held from 5 – 13 June 2021**
 - **Kyabram RV Country Music Festival (Kyabram Development Committee Inc.) – \$3,000 towards hosting the Kyabram RV Country Music Festival to be held from 3 – 7 November 2021**
2. Note that the following grant was not approved in accordance with Community Event Sponsorship criteria:
 - **Kyabram Garden Club Inc. – to assist with costs associated with hosting a 61st birthday celebration including a guest speaker to educate those in attendance on garden design**

CARRIED

10.3 Quarter 3 Update – Capital Works Program 2020/21

This report presents an overview of progress of the annual Capital Works Program at 31 March 2021.

The 2020/21 program consists of 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 3. Refer also to the attached dashboard at Attachment 10.3.1.

COUNCILLOR JARMAN/AMOS

That Council note the contents of this report.

CARRIED

11. Councillor Reports

Cr Christine Weller	
21 April 2021	Campaspe Council Meeting
24 – 25 April 2021	Lockington and District 23rd Annual Vintage Tractor and Machinery Rally
25 April 2021	ANZAC Day Dawn Service - Echuca
25 April 2021	ANZAC Day Service - Moama
25 April 2021	ANZAC Day Service – Echuca
26 April 2021	GVWRRG - Kerbside Audits
28 April 2021	Echuca Moama Show Society Meeting
30 April 2021	Social Media Knowledge workshop - Via Zoom
7 May 2021	Social Media Knowledge Workshop – Via Zoom
7 May 2021	Lighting up the Murray – Media preview Event
10 May 2021	Meeting – member of the community
10 May 2021	Campaspe Community Volunteer Awards - Nomination Judging
10 May 2021	C4EM Meeting
14 May 2021	Social Media Knowledge Workshop – Via Zoom
16 May 2021	LEAD Loddon Murray Guest Speaker
17 May 2021	Mural judging – Lockington Hall
19 May 2021	Stewardship Commissioning and Blessing Stratton Rd – St Joseph's College
19 May 2021	Campaspe Council Meeting

Cr Robert Amos	
21 April 2021	Campaspe Council Meeting
25 April 2021	ANZAC Day Dawn Service - Echuca
25 April 2021	ANZAC Day Service – Echuca
27 April 2021	GVWRRG - Kerbside Audits
30 April 2021	VLGA Councillor Briefing Gender Equality Act 2020
3 May 2021	Echuca Moama Show Society AGM
6 May 2021	IMEMPC meeting
10 May 2021	C4EM Meeting
19 May 2021	Fonterra Industry Breakfast meeting
19 May 2021	Campaspe Council Meeting

Cr Colleen Gates	
21 April 2021	Campaspe Council Meeting
23 April 2021	Rural North Central Regional Meeting & Strategic Planning Session
25 April 2021	ANZAC Day Service – Kyabram
26 April 2021	GVWRRG - Kerbside Audits
30 April – 1 May 2021	2021 ALGWA Vic Conference
5 May 2021	Tongala Multi-Purpose Hub – Tongala PS
7 May 2021	Lighting up the Murray – Media preview Event
19 May 2021	Campaspe Council Meeting

Cr Paul Jarman	
21 April 2021	Campaspe Council Meeting
25 April 2021	ANZAC Day Service – Rochester RSL
28 April 2021	EM B2B - Intro & Business Networking Invite
19 May 2021	Campaspe Council Meeting

Cr Daniel Mackrell	
21 April 2021	Campaspe Council Meeting
25 April 2021	ANZAC Day Service - Tongala
7 May 2021	Lighting up the Murray – Media preview Event
19 May 2021	Campaspe Council Meeting

Cr Tony Marwood	
20 April 2021	MDBA Webinar
21 April 2021	Campaspe Council Meeting
29 April 2021	Manufacturing & Agriculture Round Table Dinner
10 May 2021	C4EM Meeting
12 May 2021	Youth Advisory Group Meeting
13 May 2021	Goulburn Broken Catchment Management Authority - Meeting
19 May 2021	Fonterra Industry Breakfast meeting
19 May 2021	Campaspe Council Meeting

Cr Leanne Pentreath	
21 April 2021	Campaspe Council Meeting
24 April 2021	Lockington and District 23rd Annual Vintage Tractor and Machinery Rally
25 April 2021	ANZAC Day Service - Torrumbarry
25 April 2021	ANZAC Day Service - Lockington
25 April 2021	ANZAC Day Service – Gunbower
7 May 2021	Lockington Senior Citizens 52nd Anniversary – Lockington Hall
12 May 2021	Lockington Lions Club Changeover Dinner
19 May 2021	Campaspe Council Meeting

Cr Adrian Weston	
20 April 2021	Barmah-Millewa Capacity Options Workshop
21 April 2021	Campaspe Council Meeting
25 April 2021	ANZAC Day Service – Rushworth
25 April 2021	ANZAC Day Service – Corop
25 April 2021	ANZAC Day Service – Colbinabbin
27 April 2021	Girgarre Development Meeting
29 April 2021	VCTA - Echuca Gun Club
19 May 2021	Campaspe Council Meeting

Cr John Zobec	
21 April 2021	Campaspe Council Meeting
25 April 2021	ANZAC Day Service - Girgarre
25 April 2021	ANZAC Day Service - Kyabram
27 April 2021	Girgarre Development Meeting
19 May 2021	Campaspe Council Meeting

COUNCILLOR GATES/MACKRELL

The Councillor Reports be noted.

CARRIED

12. Chief Executive Officer's Report

CEO Report for 19 May 2021 Council Meeting

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

CEO activities and meetings since the April Council meeting include:

- Loddon Campaspe Council's CEO meeting
- Lockington and District 23rd Annual Vintage Tractor and Machinery Rally
- Loddon Campaspe Partnership Meeting
- Echuca Moama Show Society
- Echuca Neighbourhood House – Back 9 site visit
- Manufacturing & Agriculture Round Table
- Murray River Group of Councils CEOs meeting
- Meeting re Cross Border Commissioner role in emergency management
- Meeting with C4EM CEO
- Fonterra Industry Breakfast
- Stewardship Commissioning and Blessing of the Stratton Rd Site - St Joseph's College

COUNCILLOR JARMAN/AMOS

The Chief Executive Officer's report be noted.

CARRIED

13. Petitions and Letters

Nil.

14. Notices of Motion

Nil.

15. Urgent Business

Nil.

16. Confidential Business

COUNCILLOR ZOBEC/MACKRELL

Confidential Business – Close 7.41pm

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 four reports that contain confidential information as defined in section 3(1) of the Act as follows:

16.1 Land Sale – 520 Scobie Road, Kyvalley

- a) *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;*
- b) *This report discloses information on confidential negotiations with the proposed purchasers and confidential sale offers for the land.*
- c) *land use planning information, being information that if prematurely released is likely to encourage speculation in land values;*

This report may cause speculation on the nature of future use and purchase price affecting the land value and adjoining properties within the same or similar zoning.

16.2 Station Street Kyabram Road Discontinuation and Sale of Land

- a) *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;*
- b) *This report discloses 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;*

This report may cause speculation on Council road reserves, use of land, nature and future use and purchase price affecting land value and adjoining properties within the same area.

16.3 Echuca East Community Precinct Stage 1 Construction Tender

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

The contract related to this resolution is still under negotiation any disclosure of information by CSC may have an impact on those negotiations.

- 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;*

Information related to this contract is still subject to a confidential tender evaluation process. In particular, the attachments include a confidential financial assessment of the preferred tenderer. For probity reasons, all information relating to the tender submissions and evaluation process must remain confidential.

16.4 EOI C21004 Lease – Riverfront Kiosk, 14 Watson Street Echuca

- 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 leasing of a commercial property, yet to be released to the public.

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

Personal information of respondents, including names and addresses are contained in the report.

- 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;*

Confidential offers by business undertakings on commercial matters are contained in this report.

- h) *confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);*

This report relies on former Council decision made in confidential meeting closed to the public 15 September 2020.

8.36 pm the Council meeting resumed in Open session.

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

16.1 Land Sale – 520 Scobie Road, Kyvalley

COUNCILLOR ZOBEC/MACKRELL

That Council:

1. **Commence the statutory procedures pursuant to Sections 189 and 223 of the *Local Government Act 1989* for the sale of land being Crown Allotment 43A Section B on TP34125H comprised in certificate of title Volume 08462 Folio 466 situated at 520 Scobie Rd Kyvalley, known as the Kyvalley Tennis Courts.**
2. **In the event that no submissions are received under Section 223 of the *Local Government Act 1989* in respect of the proposal, sell the land being Crown Allotment 43A Section B on TP34125H comprised in certificate of title Volume 08462 Folio 466 situated at 520 Scobie Rd Kyvalley, known as the Kyvalley Tennis Courts to Kyvalley Tennis Club Inc for the consideration of \$100 plus GST.**
3. **Authorise the Chief Executive Officer to sign the Contract of Sale and associated documents subject to the satisfactory outcome of the statutory requirements of Section 189 of the *Local Government Act 1989*.**
4. **Agree to reimburse the Kyvalley Tennis Club Inc for their reasonable legal fees incurred in appointing a solicitor or conveyancer to act in their purchase of the land.**

CARRIED

17. Close Meeting

There being no further business, the Mayor closed the meeting at 8.37pm.



.....
CR CHRISTINE WELLER

MAYOR