



Council Minutes



Date: 20 October 2021

Time: 6:00 pm

Venue: Virtual Meeting

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Minutes of the open section of the ninth Campaspe Shire Council meeting held as a virtual meeting on Wednesday 20 October 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
Paul McKenzie - General Manager Development
Keith Oberin - General Manager Community
Daniel Basham – Acting General Manager Infrastructure
Andrew Cowin - Manager Governance and Strategy
Deidre Madill - Governance Adviser
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 Zobec

Seconded by Amos

That the following minutes be confirmed:

- Campaspe Council Meeting held on 15 September 2021.

CARRIED

3 Changes to the Order of Business

Nil.

4 Declarations of Conflict of Interest

In accordance with Section 130(1)(a) of the *Local Government Act 2020* Councillors are required to disclose any conflict of interest in respect of a matter to be considered at a Council meeting.

Cr Weston declared a general conflict of interest in Item 9.2.

Cr Weston declared a general conflict of interest in Item 9.6.

Cr Jarman declared a material conflict of interest due to private interests in Item 9.8.

5 Responsible Authority Decisions

Nil.

6 Planning Authority Decisions

Nil.

7 Question Time

Nil.

8 Acknowledgements

Nil.

9 Council Decisions

9.1 Community Vision Adoption

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

Campaspe Tomorrow (CT) documents the proposed Community Vision for the Campaspe Shire. As part of the requirements under the *Victorian Local Government Act 2020, Section 88 (4)*, Council is required to develop and adopt a Community Vision in accordance with its deliberative engagement practices.

Since December 2020, Council has been undertaking a deliberative engagement process with a broad range of stakeholders to ascertain the issues and opportunities that the Community identify as key to its long-term prosperity.

CT sets out what the Community aspires towards and therefore places expectations on Council about issues in which it must take the lead, act as a partner and/or advocate for. CT will also support Council in developing and delivering key strategic and operational work, including but not limited to the Council Plan and the Municipal Public Health and Wellbeing Plan.

Moved by Cr Mackrell

Seconded by Cr Pentreath

That Council adopt Campaspe Tomorrow as the Community Vision for the Campaspe Shire in accordance with Section 88(4) of the *Victorian Local Government Act 2020*, removing any references to 2040.

Cr Weston proposed an amendment to the motion that added the following:

“and that the reference to pools in the Community Vision be deleted”

Amendment was approved by Cr Mackrell and Cr Pentreath

Moved by Cr Mackrell

Seconded by Cr Pentreath

That Council adopt Campaspe Tomorrow as the Community Vision for the Campaspe Shire in accordance with Section 88(4) of the Victorian Local Government Act 2020, removing any references to 2040, and that the reference to pools in the Community Vision be deleted.

CARRIED

Cr Weston declared a conflict of interest at item 9.2 and left the virtual meeting at 6:17pm

9.2 Council Plan Adoption

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

The Local Government Act 2020 requires that councils prepare and adopt a Council Plan by 31 October in the year following the general election. The draft 2021-2025 Council Plan is Council's key strategic document for the term of the Council. This draft Plan reinforces the Community Vision of 'Strong and vibrant, supportive and sustainable'.

Moved by Cr Pentreath

Seconded by Cr Jarman

That Council adopt the draft Campaspe Shire Council Plan 2021 – 2025

- a. **Note that this council plan has key actions for Council Plan year 1**
- b. **Annually review the plan refreshing Goals, Objectives and Measures of Success**

CARRIED

Cr Weston re-entered the virtual meeting at 6:25pm

9.3 Financial Plan Adoption

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

The Local Government Act 2020 requires Council to adopt a Financial Plan by 31 October in the year following a general election. The Financial Plan is for ten financial years and describes the financial resources required to give effect to the Council Plan and other strategies. The Financial Plan also describes the assumptions and decisions that have been used to underpin the forecasts included in the ten-year financial statements.

Moved by Cr Amos

Seconded by Cr Pentreath

That Council:

- 1. Adopt the Financial Plan, appended as Attachment 9.3.1**

CARRIED

9.4 Municipal Public Health and Wellbeing Plan Adoption

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

Section 26 of the Public Health and Wellbeing Act 2008 requires councils to produce a Municipal Public Health and Wellbeing Plan within the period of 12 months after each general election of the Council. The Municipal Public Health and Wellbeing Plan is the primary mechanism for planning, coordinating and delivering services and initiatives to improve local public health and wellbeing by Council and its partner organisations.

Bringing together community and stakeholder input, the Campaspe Municipal Public Health and Wellbeing Plan 2021-25 identifies priority health and wellbeing focus areas for Campaspe, allowing Council and its partners to implement actions over the life of the plan that will improve the health and wellbeing of our community.

Moved by Cr Pentreath

That Council endorse the Campaspe Shire Municipal Public Health and Wellbeing Plan 2021-25 as presented.

- a) To include Covid 19 in the Campaspe Shire Municipal Public Health and Wellbeing Plan 2021-25 and understand its affect in any focus areas.**
- b) Annually review the plan refreshing Goals, Objectives and Measures of Success**

The Motion lapsed for want of a seconder.

Moved by Cr Gates

Seconded by Cr Jarman

That Council endorse the Campaspe Shire Municipal Public Health and Wellbeing Plan 2021-25 as presented.

CARRIED

9.5 Road Management Plan Adoption

Author	Department	Manager	General Manager
Infrastructure Development Coordinator	Assets	Manager Assets	General Manager Infrastructure

The Road Management Plan (RMP) details the inspection regime, defect intervention levels and defect repair response times for all nominated road related assets under Council's management.

The RMP was reviewed as scheduled for 2021, after the election of a new Council. The plan has been amended to align with updated insurance advice, current policy, operational objectives, and available resources.

The draft RMP was exhibited to the public and received 11 submissions, including the 4 petitions received prior to the notice period, and they were considered in the preparation of the RMP.

This report seeks Council's decision to formally adopt the Draft RMP.

Moved by Cr Jarman

Seconded by Cr Marwood

That Council

- 1. Adopt the Road Management Plan (and associated appendices) as presented, in accordance with the requirements of Part 4, Division 5 of the Road Management Act 2004.**
- 2. Publish a Notice of Amendment of the Road Management Plan in Government Gazette and Local Newspapers stating the following as required by section 55 of the Road Management Act 2004:**
 - a) That the Road Management Plan, including the Council's Register of Public Roads, has been amended.**
 - b) That the Road Management Plan may be inspected or obtained from Campaspe Shire Service Centres or downloaded from Council's website.**

Cr Pentreath called for a Division.

The decision was set aside and the Mayor put the matter to a vote.

Those in favour of the motion: Cr Marwood, Cr Mackrell, Cr Weller, Cr Zobec, Cr Gates, Cr Jarman, Cr Amos and Cr Weston

Those against the motion: Cr Pentreath

CARRIED

Cr Weston declared a conflict of interest at item 9.6 and left the virtual meeting at 6:56pm

9.6 Kyabram Flood Study

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

This report seeks Council adoption of the draft Kyabram Flood Study following its formal exhibition and consultation with the broader Kyabram community.

The report identifies the extent and depths of flooding and associated risks to be expected in a series of 'design' events comprising floods ranging from 20% (5 year) to 0.0% (100 year) probability of exceedance in any one year (Annual Exceedance Probability, AEP) and Probable Maximum Flood.

Council approved formal exhibition of the report seeking community comment on the 16 June 2021. No written submissions and four verbal submissions relating to specific properties were received generally confirming the

accuracy of modelling. The key issue consistently raised was reliability of the large diesel pump at the Lake Road Sump; several examples of its failure to operate were cited. Results of this consultation indicates a high level of community support for the study and its recommendations.

Moved by Cr Zobec

Seconded by Cr Jarman

That Council:

- 1. Adopt the Kyabram Flood Study Report as a policy document to guide flood management within Kyabram,**
- 2. Refer the draft planning layers to the next scheduled review of the Campaspe Planning Scheme,**
- 3. Refer implementation of the recommendations contained therein to the budget process, and**
- 4. Seek funding from the Department of Environment Land Water and Planning to prepare an amendment to the Campaspe Planning Scheme to implement the recommended draft planning layers.**

CARRIED

Cr Weston re-entered the virtual meeting at 7:02pm

9.7 Echuca Holiday Park

Author	Department	Manager	General Manager
Manager Community Business	Community Business		General Manager Community

The Echuca Holiday Park Master Plan, including a capital works implementation plan for the first five years, developed in conjunction with key stakeholders was adopted by Council in April 2019.

The Master Plan outlined both capital and operational improvements to the park to create a destination/resort style park catering for multiple target markets, including:

- A park that contains modern guest amenities and a range of resort style facilities aimed at delivering quality guest experiences.
- Enhanced recreational facilities to allow the park to attract target markets in the low and midseason periods of the year.
- Providing a focus on offering improved guest experiences i.e., improved Wi-Fi, coffee cart, tourist attraction options.

The implementation plan is now in its third year; therefore, it is considered timely to inform Council of progress to date.

This report also seeks to provide further information to Council for its consideration regarding potential amendments to the implementation plan and options for funding and an extended delivery timeframe.. All proposals have been fully discussed with current Park Management at both a state and national level.

Moved by Cr Jarman

Seconded by Cr Amos

That Council approve the proposed amendments to the Echuca Holiday Park Master Plan Implementation plan and consider alternative funding sources and an extended timeframe for the delivery of the adopted implementation plan:

- I. Reduce the complexity and offering of the play area
- II. Commence a cabin refurbishment program to reduce the cabin replacements originally planned, which will provide a further five years of life expectancy at minimal cost and allow for the funds for cabin replacement to be sourced.
- III. Modify plans to alter the Park front entrance to accommodate a more modest and affordable option.
- IV. Not progress the proposed Safari tents as the proposed construction materials cannot achieve an appropriate Bushfire Level Rating
- V. Consider available options to obtain necessary funds to complete all components of the implementation plan
- VI. Extend the timeframe for delivery of the five-year implementation plan to ten years to enable funding to be obtained and all works to be finalised

CARRIED

Cr Jarman declared a conflict of interest at item 9.8 and left the virtual meeting at 7:06pm

9.8 Policy No. 110 Commercial Leasing

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

The Commercial Leasing Policy (Policy 110) provides clear guidance regarding the transparent, consistent, and impartial processes when leasing and licensing Council owned and managed land and buildings.

The purpose of the policy is to ensure compliance with legislative requirements and maximise Council's return on investment in premises used for commercial purposes.

Moved by Cr Gates

Seconded by Cr Weston

That Council adopt Policy 110 Commercial Leasing as at attachment 9.8.2, with the following addition to section 4.4 Agreements, d. Term reading:

“viii a maximum two year term, if negotiated by Council officers.”

CARRIED

Cr Jarman re-entered the virtual meeting at 7:10pm

9.9 Instruments of Delegations

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

Section 11 of the Local Government Act 2020 (Vic) (LGA 2020) gives Council the authority to delegate any powers, other than those specifically prohibited in the legislation, to the CEO or the members of a delegated committee. Council must review all in force delegations made under section 11, within 12 months of a general election pursuant to section 11(7) of the LGA 2020.

The instruments of Council delegations are:

- S5 Instrument of Delegation from Council to the CEO (no changes proposed, requires review and endorsement by Council).
- S6 Instrument of Delegation from Council to Members of Council Staff (updated and requires approval from Council).
- S18 Instrument of Sub-delegation from Council to Members of Council Staff – Environment Protection Act 2017 (a new instrument requiring approval from Council).

Moved by Cr Jarman

Seconded by Cr Marwood

That Council approve the attached:

1. **S5 Instrument of Delegation dated 20 October 2021.**
2. **S6 Instrument of Delegation which will come into force immediately upon the common seal of Council being affixed to it.**
3. **S18 Instrument of Sub-delegation which will come into force immediately upon the common seal of Council being affixed to it.**

CARRIED

9.10 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.

An expression of interest process has been conducted seeking nominations for one independent member and one independent affiliate member. These nominations are to fill a current vacancy following the resignation of one independent member in May 2021 and the impending vacancy that will arise following the conclusion of a current independent affiliate member term.

Following the expression of interest process, one nomination for an independent member was received. This report recommends the appointment of Mr Chris Gillard (the Nominee) for a four-year term. The Nominee has extensive skills and experience in the local government sector and has experience of being a member of a local government audit and risk committee.

The current independent affiliate member's term concludes on 31 December 2021 and is not eligible for re-appointment to the independent affiliate member position. It is recommended that Council recognise and acknowledge Mr Ray Warren's participation in the Committee for the past two years.

Moved by Cr Marwood

Seconded by Cr Amos

That Council:

- 1. Appoint Chris Gillard to the Campaspe Shire Council Audit and Risk Committee for a term of four (4) years commencing 25 October 2021 to 24 October 2025.**
- 2. Recognise and acknowledge Ray Warren for his participation in the Audit and Risk Committee during his term as an Independent Affiliate member.**

CARRIED

9.11 Event Agreement Extensions

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

Westbound Productions (Riverboats Music Festival) and Moama Water Sports Club Inc (Southern 80) have separately written to Council seeking a “roll over” of the current agreements that each party holds with Council, as these events were postponed last year due to the restrictions imposed due to Covid 19.

The report recommends that Council agree to the requests, which will provide support and confidence for both organisations to continue their planning for next year’s events.

Moved by Cr Jarman

Seconded by Cr Marwood

That Council agrees to provide:

- 1. Westbound Productions a one year extension of its current agreement with Council for the Riverboat Music Festivals.**
- 2. Moama Water Sports Club Inc. a one year extension of its current agreement with Council for the Southern 80 Water Ski Race.**
- 3. Negotiate a draft event agreement with the Winter Blues Festival Inc. and submit to Council for consideration at the January 2022 Council meeting.**

CARRIED

10 Council Information

10.1 Annual Report 2020-2021

Author	Department	Manager	General Manager
Manager Communications	Customer Service	Manager Communications	General Manager Corporate

To receive the Annual Report for the year ended 30 June 2021 as required by section 134 of the Local Government Act 1989.

Moved by Cr Pentreath

Seconded by Cr Jarman

That Council:

1. Receive the Annual Report for the year ended 30 June 2021.
2. Note that the Annual Report has been forwarded to the Minister for Local Government.

CARRIED

10.2 Notes of Appreciation

Moved by Cr Weston

Seconded by Cr Jarman

That Council acknowledge the notes of appreciation as listed.

CARRIED

10.3 Responsive Grants Program

Author	Department	Manager	General Manager
EA General Manager Community	Community		General Manager Community

That Council note one unsuccessful application to the Responsive Grants Program.

Moved by Cr Amos

Seconded by Cr Mackrell

That Council note the following application was not approved in accordance with the Responsive Grants Program criteria and the applicant advised in writing:

- Rochester Golf Club Inc. – to purchase 80 litres of OzCrop Dicamba to spray and eliminate noxious weeds.

CARRIED

10.4 Community Event Sponsorship

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

That Council note the three successful applications for Community Event Sponsorship.

Moved by Cr Jarman

Seconded by Cr Amos

That Council note the following sponsorships were approved in accordance with the Community Event Sponsorship criteria and the applicants advised in writing:

- Veterans Cricket Victoria Inc. - to assist with costs associated to host the 9th Annual Over 60's Cricket Carnival to be held across the shire from 20 – 24 March 2022, \$2,000.
- St Patrick's Primary School, Tongala – in-kind to the value of \$185 for venue hire (Tongala Town Hall), for the End of Year Performance to be held on 6 December 2021.
- Rotary Club of Rochester Inc. - \$375 to assist with marketing costs for the Creative Seeds Art Exhibition in person, to be held at the Heritage Court House, and online from 17 – 28 November 2021.

CARRIED

10.5 Business & Commercial Event Sponsorship

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

That Council note one successful application for Business & Commercial Event Sponsorship.

Moved by Cr Jarman

Seconded by Cr Weston

That Council note the following sponsorship was approved in accordance with the Business & Commercial Event Sponsorship criteria:

- Rochester Hotel - \$2,500 to market the Hotel Rochester Motor & Music Fest 2021 – Truck, Bike & Car Show (Show & Shine) in the Mackay Street Carpark, Rochester on 23 & 24 October 2021,

CARRIED

11 Councillor Reports

Nil.

12 Chief Executive Officer's Calendar

Nil.

13 Petitions and Letters

Nil.

14 Notices of Motion

Nil.

15 Urgent Business

Nil.

16 Confidential Business

Closure of Public Meeting – 7:37pm

Moved by Cr Weston

Seconded by Cr Zobec

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

- 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

16.3 Letter of Support

- 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

16.4 Redevelopment Project

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

The tender process commenced in June 2021. The delay to awarding the tender could result in the respondents not 'holding' the tender prices submitted. The increase in project budget recommended in this report seek to allow for any variance between the original QS and market estimates.

CARRIED

Resumption of Public Meeting

7:47pm 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. To commence the statutory procedures, pursuant to Section 114 of the Local Government Act 2020 for the sale by private treaty of land being Lot 4 on Plan of Subdivision 724007Y comprised in Certificate of Title Volume 12001 Folio 879 known as 9 Kuhle Road, Kyabram to LC and CF Morris Superannuation Fund for a price of \$60,000 plus GST.
2. That 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 4 on Plan of Subdivision 724007Y comprised in Certificate of Title Volume 12001 Folio 879 known as 9 Kuhle Road, Kyabram to LC and CF Morris Superannuation Fund for a price of \$60,000 plus GST.

16.2 Land Sale

1. To 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 on Plan of Subdivision 724007Y comprised in Certificate of Titles Volume 12001 Folio 882 known as 15 Kuhle Road, Kyabram; to Jordan Florance of Permission to Build Pty. Ltd. for a price of \$60,000 plus GST.
2. That if 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 on Plan of Subdivision 724007Y comprised in Certificate of Titles Volume 12001 Folio 882 known as 15 Kuhle Road, Kyabram to Jordan Florance of Permission to Build Pty. Ltd. for the price of \$60,000 plus GST.

17 Close Meeting

There being no further business, the Mayor closed the meeting at 7:48pm.



Cr Christine Weller

Mayor