



Council Minutes



Campaspe
Shire Council

Date: 21 July 2021

Time: 06.00 PM

Venue: Virtual Meeting

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Minutes of the open section of the ninth Campaspe Shire Council meeting held on Wednesday 21 July 2021, commencing at 6:00 pm at the Echuca Function Room, Echuca Civic Centre.

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
Paul McKenzie - General Manager Development
Keith Oberin - General Manager Community
Andrew Cowin - Manager Governance & Strategy
Deidre Madill - Governance Adviser
Annette Waters - 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 Pentreath

Seconded by Cr Zobec

That the following minutes be confirmed:

- **Campaspe Council Meeting held on 16 June 2021.**

CARRIED

3 Changes to the Order of Business

Nil.

4 Declarations of Conflict of Interest

Cr Mackrell declared a general conflict of interest in item 9.8.

Cr Jarman declared a material conflict of interest due to private interests in items 9.8 and 16.6.

5 Responsible Authority Decisions

Nil.

6 Planning Authority Decisions

Nil.

7 Question Time

Nil.

8 Acknowledgements

Cr Marwood acknowledged the sad passing of Mr Rob Owens, late of Echuca.

On behalf of Campaspe Shire Councillors, I wish to acknowledge the recent passing of Mr Rob Owens, late of Echuca. His life and community contributions have been appropriately recognised by the local media, more especially his love of sport and sportspeople. While he was a long-standing and loyal supporter of the Echuca Football Club, his interest in sport extended beyond this town.

Though many others in our community have recognised his contributions, it is fitting that Council remembers his local government career. Rob worked for the former City of Echuca, from 1962 until 1994, his last appointment being Manager of Finance. Given much of the commentary in the local press about his love for paper records and newspapers, it should be no surprise that long-serving staff recall the mountains of paperwork in his office, and his ability to locate exactly what was required from amongst them. We thank Rob for his service and extend our condolences to his family and friends.

9 Council Decisions

9.1 Community Vision - Community Consultation

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

Council is required under the *Local Government Act 2020* to facilitate a long-term Community Vision, which should reflect the Community's long-term aspirations and influence, if not direct, subsequent strategic planning documents such as the Council Plan, long term financial plan and asset management plan.

Officers undertook an engagement process inviting the Campaspe community to participate in reviewing the existing Vision, testing if it still resonated with them, or did it need to be amended or changed entirely.

As part of that process Council collected a broad set of data from the community, some of which were relevant to the Vision, while other data were seen as relevant for other key strategic work that Council will be required to facilitate in the future, both at a Shire and local community level.

This report is a summary of the validation processes conducted with the community on the data received about the Community Vision demonstrating that the officers' interpretation developed during the consultation phase is in line with the community's intention.

Moved by Cr Pentreath

That Council defer consideration of the Community Vision report to a future Council meeting.

The Motion lapsed for want of a seconder.

Moved by Cr Amos

Seconded by Cr Jarman

That Council accept the community consultation as a true reflection of community opinion for the development of the Community Vision.

CARRIED

9.2 Creative Campaspe - Arts and Culture Strategy

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

The process of developing *Creative Campaspe* clearly demonstrated that artistic and cultural endeavour across the Shire serves multiple purposes, including participation and enjoyment, social inclusion, and economic and tourism development. It also indicated that a variety of formal and informal groups are progressing their passions requiring/desiring limited direct Council support.

Creative Campaspe is the proposed Arts and Culture strategy for the Campaspe Shire Council (CSC), it recognises the extent of activity across the Shire and recommends means by which Council can support community artistic and cultural endeavours.

Moved by Cr Pentreath

Seconded by Cr Mackrell

That Council endorse the Campaspe Arts and Culture strategy entitled “Creative Campaspe”.

CARRIED

9.3 Ten Year Capital Works Program

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

This report provides Council with the latest update of the Ten-Year (10Yr) Capital Works Program with effect from the 2021/22 financial year. It also provides a summary of significant changes from the program previously adopted in July 2020.

Moved by Cr Marwood

Seconded by Cr Jarman

That Council:

- 1. Postpone the adoption of the 10Yr Capital Works Program to enable further briefing.**
- 2. Bring the 10Yr Capital Works Plan back to the August Council Meeting.**
- 3. Note that further work will continue to be undertaken to refine the 10Yr Capital Works Program including Disposals, Acquisitions and Programmed Maintenance during the 2021/22 FY.**

CARRIED

9.4 Murray Regional Tourism Value Proposition 2021-2024

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

The Murray Regional Tourism Board (MRTB) has presented its revised Local Government Partner Value Proposition to Council for consideration (Attachment One). The document is a revised version of the previous agreement between Council and MRTB that expired June 2021. Council is invited to recommit to MRTB by signing the agreement and committing to the terms contained within it.

Moved by Cr Amos

Seconded by Cr Jarman

That Council:

- 1 **Agrees to sign the Murray Regional Tourism Local Government Partner Value Proposition 2021-2024.**
- 2 **Advises MRTB that Council's priorities, programs and services will take precedence over any MRTB membership obligations.**

CARRIED

9.5 Flag Flying Policy

Author	Department	Manager	General Manager
Andrew Cowin	Governance and Strategy	CEO	CEO

The Flag Flying Policy outlines that only formal flags are flown by the Campaspe Shire Council at its offices across the municipality, while other flags may be flown on Council flagpoles (including temporary flagpoles) in other locations. The policy also introduces an application process for community requests to fly other flags.

Moved by Cr Gates

Seconded by Cr Weston

That Council adopt the Flag Policy as per attachment 9.5.1.

CARRIED

9.6 Policy Framework Policy

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 revoked and replaced with an Administrative Policy.

Moved by Cr Gates

Seconded by Cr Pentreath

That Council:

- 1 **Conducts a review of Council Policy 156 – Policy Framework, noting it will remain a Council Policy;**
- 2 **Provides a briefing to Councillors to outline any proposed changes; and**
- 3 **Table a revised policy for adoption at the next Council meeting on 18 August 2021.**

CARRIED

9.7 Annual Caravan Site Occupancy Policy

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

Following a scheduled review of Council Policy 38 – Annual Caravan Site Occupancy, it is recommended that the policy be revoked.

Moved by Cr Amos

Seconded by Cr Jarman

That Council revokes Council Policy 38 – Annual Caravan Site Occupancy.

CARRIED

Cr Jarman left the virtual meeting at 6:46 pm

Cr Mackrell left the virtual meeting at 6.46 pm

9.8 Policy 159 Public Spaces Trading Policy

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

At its May 2021 meeting, Council endorsed the Public Spaces Trading Policy and Guidelines, for a minimum 28-day consultation period. There were no submissions received from the community during the consultation period.

Moved by Cr Marwood

Seconded by Cr Pentreath

That Council:

- 1. Note that there were no submissions received from the community during the 28-day consultation period**
- 2. Adopt Council Policy 159 – Public Spaces Trading and the Public Spaces Trading Guidelines**

CARRIED

Cr Jarman returned to the virtual meeting at 6:51 pm

Cr Mackrell returned to the virtual meeting at 6.51 pm

10 Council Information

10.1 Kyabram Place Based Plan

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

Commencing in early 2020, the Kyabram community, with the support of Council officers, has developed a four-year Place Based Plan (PBP). This is the third whole of township PBP constructed within Campaspe and is a true reflection of the long-term ambition of the Kyabram residents. Developed through extensive community and stakeholder consultation, this PBP has overcome many obstacles perpetuated by the COVID-19 pandemic and is a testament to the leadership and dedication within the Kyabram community.

The Kyabram PBP articulates their residents' vision and the strategic objectives for the township. The Kyabram PBP is broad in its scope and purpose and looks at facilitating projects and actions that will support Kyabram in embracing modern rural/regional living.

Moved by Cr Gates

Seconded by Cr Zobec

That Council note the Kyabram Place Based Plan.

CARRIED

10.2 Notes of Appreciation

Moved by Cr Pentreath

Seconded by Cr Zobec

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 successful application to the Responsive Grants Program.

Moved by Cr Pentreath

Seconded by Cr Mackrell

That Council note the following application was approved in accordance with the Responsive Grants Program criteria and the applicant advised in writing:

- Echuca Historical Society Inc. - \$763.60 to assist with costs to reprint 3,000 Heritage walk brochures for distribution to Echuca Moama Tourism, accommodation and activity providers.

CARRIED

10.4 Community Event Sponsorship

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

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

Moved by Cr Jarman

Seconded by Cr Gates

That Council:

1. **Note the following sponsorships were approved in accordance with the Community Event Sponsorship criteria and the applicants advised in writing:**
 - a. Echuca Moama Triathlon Club Inc. - to assist with the cost to host 2021 Sweat vs Steam to be held on 3 October 2021, \$3,500 in-kind (waste management (provision of bins), traffic management support, provision of temporary white picket fencing and Paddlesteamer).
 - b. Njernda Aboriginal Corporation - to assist with the cost to host The NAIDOC Winter Carnival to be held on 9 July 2021, \$1,000 and in-kind to the value of \$600 for the provision of temporary white picket fencing and bunting.
2. **Note the following application was not approved in accordance with Community Event Sponsorship criteria and the applicant advised in writing:**

- a. **1st Kyabram Scouts (Scouts Victoria) - to assist with costs associated with hosting a Family Trivia Night.**

CARRIED

10.5 Junior Development Grants Program

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

That Council note one successful application to the Junior Development Grants Program.

Moved by Cr Amos

Seconded by Cr Zobec

That Council note the following application was approved in accordance with the Junior Development Grants Program criteria and the applicant advised in writing:

- **Olivia Cartwright, Kyabram – \$200 to assist with costs associated to represent Victoria at the U18 Lawn Bowls State Test Series to be held in Tasmania in July 2021.**

CARRIED

11 Councillor Calendars

Moved by Cr Marwood

Seconded by Cr Pentreath

That the Councillor Calendars be noted.

CARRIED

12 Chief Executive Officer's Calendar

Moved by Cr Pentreath

Seconded by Cr Jarman

That the Chief Executive Officer's be noted.

CARRIED

13 Petitions and Letters

Nil.

14 Notices of Motion

Nil.

15 Urgent Business

Nil.

16 Confidential Business

Closure of Public Meeting - 7:10 pm

Moved by Cr Weston

Seconded by Cr Mackrell

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 Community Business - Service Level

- a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- b) security information, being information that if released is likely to endanger the security of Council property or the safety of any person;

Council's decision to cancel, continue (with or without conditions) needs to be made without the potential vendors being privy. A real potential exists for animal activists, or disgruntled sellers or the agent, to engage in actions that place the saleyards and/or employees at risk.

16.2 Land Purchase

- 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;

16.3 Land Sale

- 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;

This report discloses information on officers' internal workings in recommending surplus land for sale, confidential property valuations. This report contains information on property valuation, which may cause speculation on auction and reserve prices, adjoining properties and those properties in the vicinity of the land for future land use and values for the same or similar zoned land.

16.4 Land Sale

- a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released;
- f) Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs;
- 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;
- h) Confidential meeting information, being the records of meetings closed to the public under section 6(2)(a);

This report discloses information in confidential matters to be considered and determined on the future sale of a commercial property, yet to be released to the public. Personal information of respondents, including names and addresses are contained in the report. Confidential offers by business undertakings on commercial matters are contained in this report. This report relies on previous Council decisions made in a confidential meeting, closed to the public 21 April 2021.

16.5 Commercial Lease

- 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;

This report discloses information on officers' internal workings in recommending surplus land for sale, confidential property negotiations to date. This report contains information on auction of a property, and may affect those adjoining properties and those properties in the vicinity of the land for future land use and values for the same or similar zoned land.

8:22pm the Council meeting resumed in Open Session.

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

16.2 Land Purchase

1. Agree to the purchase of the land from Goulburn Murray Water (GMW) known as Lot 1 Plan of Subdivision 733245F Certificate of Title Volume 11616, Folio 515 for the consideration of \$29,000 plus GST.
2. Conduct statutory procedures pursuant to Section 112 of the Local Government Act 2020

16.3 Land Sale

1. Agree to the disposal of Lot 4 on Plan of Subdivision 317477E comprised in Certificate of Title Volume 10114 Folio 213 and Lot 5 on Plan of Subdivision 317477E comprised in Certificate of Title Volume 10114 Folio 214 known as Fox Island Road, Gunbower by private treaty.

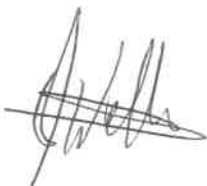
16.4 Land Sale

1. Acknowledge that the previous resolution of 21 April 2021 to sell the property by public Auction, has not been enacted upon, noting that a Real Estate Agent has not been appointed to conduct the public Auction.
2. Having regard to the compelling reasons set out in this report, commence the statutory procedures pursuant to Section 114 of the Local Government Act 2020 for the sale by private treaty of land being Lot 2 on Plan of Subdivision PS430703Q comprised in Certificate of Title Volume 10599 Folio 238 situated at 392-394 High Street, Echuca known as part of the Paramount Theatre (Land) to Southern Star Enterprises PTY LTD (S.S.E PTY LTD) for a price of \$850,000 inclusive of GST, but, if the contract is not agreed by 30 September 2021, for the sale to proceed by public auction.

CARRIED

17 Close Meeting

There being no further business, the Mayor closed the meeting at 08:24 pm.



Cr Christine Weller

Mayor