

17 June 2020

Ms Lyn Strachan  
Principal  
Echuca East Primary School  
[strachan.lynette.a@edumail.vic.gov.au](mailto:strachan.lynette.a@edumail.vic.gov.au)

Cnr Hare & Heygarth Streets  
Echuca VIC 3564  
PO Box 35  
Echuca VIC 3564  
P: 1300 666 535  
03 5481 2200  
E: [shire@campaspe.vic.gov.au](mailto:shire@campaspe.vic.gov.au)  
[www.campaspe.vic.gov.au](http://www.campaspe.vic.gov.au)  
ABN 23 604 881 620

Dear Ms Strachan

**Re: *Removal of Supervised School Crossing***

Thank you for your email of 12 June 2020 and copies of student letters, regarding the *school crossing* at Eyre Street Echuca.

Please ensure that the teachers who organised student letters receive a copy of this correspondence so they can provide feedback to those students.

I note, like several other correspondents, that you have cited a Council Policy in your letter; so I will respond to that part first.

In their simplest form, policies guide staff and/or the elected council towards the provision of standard/consistent service delivery, setting out why (and often how) things are done.

Policies may be expressed in formal written documents, by precedent or by custom and practice established over time.

Whether a document is called a policy, procedure, plan, guideline or charter, the intent is effectively the same; to guide practice.

But policies are neither regulations nor laws that must be followed and for which sanctions are applied for perceived breaches.

In making any decision, the elected council is guided by policies, but it is not bound to adhere to one or more of them (some may even be at odds depending on the circumstances); and the making of a decision that is not in keeping with a policy does not render the decision invalid or unlawful.

Council's decision on the school crossings is entirely consistent with its agreed level of service (policy/practice), that budget allocations are to only provide for school crossings that are funded through the state's School Crossing Scheme.

Council's approach is also consistent and fair to other schools that do not meet (or no longer meet) the requirements for a VicRoads warrant.

If/when a warrant is established for a school crossing and funds are allocated by the State, then Council will apply its complementary policy.

In terms of Council's engagement policy, there is no requirement in the current Local Government Act (1989) for community engagement policies, and, although Campaspe has had one for some time, it does not take precedence over any other council policy/practice.

The new Local Government Act 2020, requires councils to adopt a complying Community Engagement Policy by **May 2021** (s55(3)); the Act sets out matters for inclusion and the underlying principles, but it remains up to each Council to develop the specifics of a complying policy and to then engage with its community about that policy.

There have also been a number of similar questions/statements in the correspondence received by Council, my response to them follows:

Was the advice from Council timely?

Yes, in terms of it being communicated the day after the Council meeting.

No, in terms of the delays confirming whether a warrant existed or not, because discussions were being held between Council and VicRoads, and for that delay I apologise.

Did the School Community have time to advise parents?

Yes. Judging by the engagement with print and social media, similar efforts could have been (and still should be) directed to advising families that the crossing will no longer be operational from Term 3 2020.

Why doesn't the Council maintain funding until a new warrant is established?

Because there is no guarantee when/if a new warrant will be established, it would be inconsistent with Council's approach (i.e. to only fund State approved crossings) and would be unfair to other schools that have not established a warrant.

The numbers are wrong

Council conducts each audit in accordance with a standard methodology, established by VicRoads, which is applied across the State.

All audits are correct when conducted, but they will inevitably only be regarded as accurate if a warrant is established, and inaccurate if a warrant isn't established.

Isn't Council responsible for the safety of children going to school?

It is unclear why or when (as evidenced in communications with council and the media) parents, caregivers, students, principals, teachers, school boards and special interest groups (i.e. school communities) decided that Council is responsible for the safety of children attending school within the Shire?

It is not.

Like all of those described above, Council has a role to play and that role is to contribute funding towards the operation of school crossings that are approved and funded by the State. Council will continue to play that role, and play it consistently.

Further Action?

It is entirely appropriate that school communities should question the basis under which support for school crossings is provided (or not) because they are rightly concerned about the safety of their students; but Council is not the responsible authority.

May I suggest that your school community use its status within the State Education Department to seek the Minister's support to advocate with their colleague (the Minister for Roads) for change within VicRoads, so that the entire funding, operation and management of school crossings rests entirely within one or other of their respective departments.

Council is using its best endeavours towards achieving the same outcome.

In closing, the letter sent to advise you of Council's decision clearly referenced the incorrect school and crossing, an administrative error for which I apologise.

Yours sincerely



**DECLAN MOORE**  
**CHIEF EXECUTIVE OFFICER**