

**PYRENEES**  
— S H I R E —



## **AGENDA**

### **Ordinary Meeting of Council**

**6:00pm Tuesday 16 July 2019**

**Council Chambers  
BEAUFORT**

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## **WELCOME MEMBERS OF PUBLIC**

### **OPENING PRAYER**

Heavenly Father, we ask you to give your blessing to this Council, direct and prosper its deliberations to the advancement of your glory, and the true welfare of the people of the Pyrenees Shire.

Amen

### **ACKNOWLEDGEMENT OF COUNTRY**

We acknowledge the people past and present of the Wadawurrung, Dja Dja Wurrung, and Djab Wurrung tribes, whose land forms the Pyrenees Shire.

We pay our respect to the customs, traditions and stewardship of the land by the elders and people of these tribes, on whose land we meet today.

### **APOLOGIES**

### **NOTICE OF DISCLOSURE OF INTEREST BY COUNCILLORS AND OFFICERS**

### **CONFIRMATION OF MINUTES**

That the Minutes of the:

- Ordinary Meeting of Council held on 11 June 2019;
- Closed Meeting of Council held on 11 June 2019 (as previously circulated to Councillors); and
- Special Meeting of Council held 25 May 2019

be confirmed as required under Section 93 (2) of the Local Government Act 1989.

### **BUSINESS ARISING**

### **PUBLIC PARTICIPATION**

#### Questions

- All questions and answers must be as brief as possible, and no debate or discussion will be allowed other than for the purposes of clarification
- The number of questions that any person may ask at each meeting is limited to two.
- A question may include a brief introduction.
- A time limit of five minutes for each question will apply but the time may be extended at the discretion of the Chairperson.
- Questions will only be heard at a meeting if the person who submitted the question or their nominated representative, is present at the meeting.
- The Chairperson or an Officer may:

- a. Immediately answer the question asked; or
- b. Require the question to be taken on notice.

#### Submissions

- Any member of the public wishing to address Council must submit a brief synopsis of the address in writing to the Chief Executive Officer a week prior to the Council meeting.
- A time limit of five minutes for each address will apply but the time may be extended at the discretion of the Chairperson.
- Council may decide to defer an address until a later date.
- The Chairperson may, at their discretion, refuse a request to address Council.
- Addresses will only be heard at a meeting if the person who submitted the synopsis, or their nominated representative, is present at the meeting.

**ITEMS FOR NOTING**

**ASSET AND DEVELOPMENT SERVICES**

**1. PLANNING AND DEVELOPMENT REPORT**

**Katie Gleisner – Manager Planning and Development**

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 66/02/02 – 08/02/02 – 50/24/02 – 46/02/02

**PURPOSE**

The purpose of this report is to provide Council with an update on activities within Planning, Development and Regulatory Services, during June 2019.

This report includes four parts:

- Part A: Planning
- Part B: Building
- Part C: Environmental Health
- Part D: Community Safety and Amenities

**PART A: PLANNING**

The planning activity statistics for May and June 2019 are summarised in the table below:-

Month	Applications received	Applications completed	Number of referrals	Requests for further information	Estimated cost of works
May 2019	10	9	2	4	\$1.8million
June 2019	6	13	4	9	\$1million

General Enquiries for May 2019	
Enquiry Type	Number
Pre purchase enquiry	39
Pre application enquiry	62
Existing permit enquiry	24
Current application enquiry	28
All other enquiries	29
<b>Total Enquiries</b>	<b>183</b>

### Key projects

Officers are in the process of reviewing the second draft of the Planning Policy Framework and Municipal Strategic Statement as part of the framework translation project being run by DELWP. The project is designed to improve operation and better align state and local policy by clarifying the three tiered structure (state, regional and local). It seeks to remove duplication, whilst retaining the key local content and strategic direction.

### Statutory planning

Officers have continued to assess and process planning permit applications for a range of use and developments across the shire whilst responding to a high number of development enquiries.

### Strategic issues

#### Pyrenees Futures

Council has received 116 submissions since putting Avoca's draft Framework and Main Street Plan on public exhibition in May. These submissions have been analysed and mostly relate to the High Street precinct. Common themes include a support for the reduction of travel speed in High Street, a need for improved pedestrian accessibility and additional seating and the planting of more trees. Areas of concern include the need to facilitate the movement of heavy and oversize vehicles along the Sunraysia Highway and the retention of two traffic lanes in each direction.

## **PART B: BUILDING**

### Activity

The building activity statistics as at 30/06/2019 are summarised in the table below:

CATEGORY	NUMBER	COMMENT
Permits issued by private Building Surveyor	9	\$511,349
'Property Information Certificates' prepared and issued	14	
'Report and Consent' issued	1	
Notices issued	2	Direction to fix building work
Building permit inspection undertaken	14	10 Essential Safety Measures of Council Buildings.
Council issued permits finalised	4	Council issued permits prior to July 1 2018

### Key projects & compliance

In anticipation of the new swimming pool regulations that come into effect in December 2019, officers have assessed all pools currently listed on Council's register to ensure compliance (80 pools). With the upcoming requirement for all pool owners to register their asset with Council, it is anticipated that the record of pools within the shire will double. The building department is preparing for the management of pools in line with the new regulations.

Officers commenced inspecting Council owned facilities in line with the legislated Essential Safety Measure requirements. 10 buildings were inspected during June with minor rectification works being identified.

The Victorian Building Authority has introduced a new Building Permit numbering system that came into effect on the 1 July 2019. Proponents will now pay all Building Levies directly to the State.

**Council plan / legislative requirements**

- Council Plan 2013-2017
- *Building Act 1993*
- Building Regulations 2018

**Financial / risk implications**

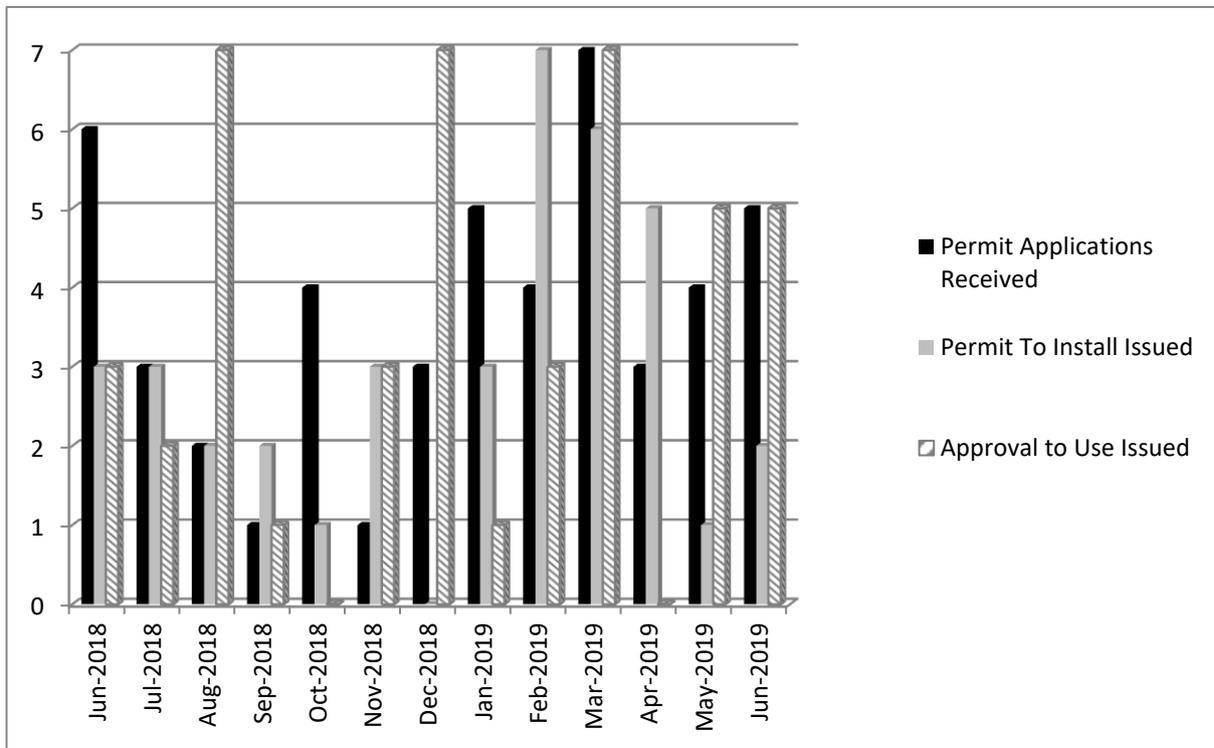
The Municipal Building Surveyor must have regard to any relevant guidelines under the *Building Act 1993* or subordinate regulations. The building services department must ensure that a responsive service is provided that meets the demand of the building industry within the municipality.

PART C: ENVIRONMENTAL HEALTH

**Activity: Wastewater**

Period	Applications to Install New or Alter Existing Septic Tanks Received	Permits to Install Issued	Approval to Use Issued	Fees Paid
1st – 30 <sup>th</sup> June 2019	5	2	5	\$1,900

Wastewater activity statistics for June 2019



Monthly wastewater activity (June 2018 to June 2019)

Wastewater related tasks for June 2019	
Septic Tank Inspections	5
Domestic Wastewater Management Plan Inspections	0
Domestic Waste Water Service Agent Reports	8

**Activity: Food, Health & Accommodation Premises**

Food Act 1984 and Public Health and Wellbeing Act 2008 Premises activity statistics for June 2019 are summarised in the table below.

Period	New Premises	Routine Inspections and Assessments	Follow Up Inspections	Complaints Received about Registered Premises	Food Recalls	Fees Paid
1 <sup>st</sup> -30 <sup>th</sup> June 2019	3	15	4	2	7	\$1,146

**Mobile and Temporary Food Premises in the Shire (Streatrader)**

Period	New Applications	New Class 4 Notifications	Routine Inspections and Assessments	New Statements of Trade (SOT)	Fees Paid
1 <sup>st</sup> -30 <sup>th</sup> June 2019	1	0	0	10	\$220

At 30<sup>th</sup> June 2019, Pyrenees Shire had 38 current registrations with 42 premises registered, 75 low risk notifications and 168 current Statements of Trade (SOT).

**Activity: immunisations**

Immunisation sessions were conducted in Beaufort and Avoca whilst the opportunistic immunisations performed by the Maternal Health nurses continued.

Session Type	Number of Clients & Vaccines	2 Month - 4+ Yr Old	Secondary School	Adult
MCHN Opportunistic	Clients	24	0	3
	Vaccines	52	0	3
Beaufort Sessions	Clients	8	0	0
	Vaccines	12	0	0
Avoca Session	Clients	9	0	0
	Vaccines	20	0	0

Immunisation activity statistics for June 2019

### Key Projects

The Domestic Wastewater Management Plan - Annual Report for 2018 was submitted to Central Highlands and Grampian Wimmera Mallee Water Authorities in June. Work continues on the implementation of the management plan and includes a minor review and amendment of the plan following an independent audit.

### Compliance issues

- Council received 2 complaints regarding registered food premises and 1 complaint about a noise nuisance.
- Council is preparing to issue 2 Food Act Notices and 1 Infringement to a food premises for breaches of the Food Act 1984.
- Work continues to identify prescribed accommodation businesses operating without registration.
- Council received notification from the Department of Health and Human Services of a single incident case of Salmonellosis that required investigation.

### Council plan / legislative requirements

- Council Plan 2013-2017
- Domestic Wastewater Management Plan 2015-2018
- Food Act 1984
- Public Health & Wellbeing Act 2008
- Tobacco Act 1987
- Environment Protection Act 1970
- Code of Practice for Septic Tanks

### Financial / risk implications

The Environmental Health Officer (EHO) must work with regard to various legislative requirements with respect to Food Safety (*Food Act 1984*), Public Health (*Public Health & Wellbeing Act 2008*, *Environment Protection Act 1970*), Tobacco (*Tobacco Act 1987*) and Wastewater (*Environment Protection Act 1970*, *Domestic Wastewater Management Plan*, *Code of Practice for Septic Tanks*).

It is necessary for the EHO to adapt to any changes in regulations whilst still providing a service that meets the demands of residents within the municipality and complies with legislation.

## PART D: LOCAL LAWS AND ANIMAL CONTROL

### ACTIVITY - Animals

	June 2019		June 2019
Cats registered	575	Dogs registered	2244
Cats impounded	5	Dogs impounded	9
Cats reclaimed	0	Dogs reclaimed	0
Cats euthanised	3	Dogs euthanised	0
Stock impounded	0		

Registration and impoundment statistics

## ACTIVITY - Infringements

Infringement Type	June 2019	Total YTD (2018/19)
Domestic Animals Act	24	69
Local Laws	1	29
Road Safety Act	0	0
Environment Protection Act	0	1
Impounding of Livestock Act	0	0
Other	0	0
<b>Total Infringements Issued</b>	<b>25</b>	<b>99</b>
Prosecutions	2	3

Infringement statistics

## Key Activities

Council has entered into an Information Protection Agreement with Regional Roads Victoria, which enables specified officers to access and obtain vehicle owner details.

A new Pet Exchange Register has been set up by the State Government. From 1 July 2019, any person or business who advertises to sell or give away a dog, cat, puppy or kitten will need to be enrolled on the Pet Exchange Register.

Two matters were heard in the Magistrates Court this month:

### 1. Unregistered Dog

The accused contacted Council prior to the hearing and sought to settle the matter out of court. The accused paid the \$322.00 infringement fee, \$25.00 Agency fee and a \$82.40 court filing fee (totalling \$429.50). The matter was struck out.

### 2. Horses at large and unregistered dogs

The accused pleaded guilty to six charges, received an aggregate fine of \$500 without conviction and ordered to pay Council costs of \$199.

## Council plan / legislative requirements

- Council Plan 2013-2017
- Domestic Animals Act 1994
- Domestic Animal Management Plan 2012-2016
- Council Local Laws No. 2, No. 3 and No. 4

## Local laws and animal control summary

1. New internal processes are being developed to strengthen Council's administration of its Local Laws
2. Council continues to investigate matters of non-compliance across the Shire

## CORPORATE AND COMMUNITY SERVICES

### 2. CUSTOMER ACTION REQUESTS – JUNE 2019

**Kathy Bramwell – Director Corporate and Community Services**

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 16/08/04

#### PURPOSE

The purpose of this report is to update Council on our Customer Action Request System (CARS) for the month of June 2019.

#### BACKGROUND

Council has operated an electronic Customer Action Service Request system (CARS) for a number of years enabling residents to lodge service requests. Requests can be lodged in person, via telephone, via Council's website or by using a smartphone "Snap Send Solve" application.

Since December 2012, CARS has been promoted on a regular basis in Council's Public Notices published in the Pyrenees Advocate.

Service requests are received for operational issues regarding maintenance (e.g. potholes, road conditions, drainage, signage, slashing and overhanging branches) plus pools, local laws, building maintenance and compliance matters. The system is also now used for missed telephone calls and messages.

Council formerly received up to 1000 requests per year. This figure has now increased due to the inclusion of outstanding telephone calls needing response.

#### ISSUE / DISCUSSION

182 CARS were received in June 2019, 121 less than the previous month. The number of CARs received has increased due to the use of the system for missed telephone calls that need a response, which is reflected in the largest grouping statistics detailed below. Inclusion of missed telephone calls improves the ability to monitor service provided to the community in the response and resolution of telephone enquiries.

184 requests were closed during the month resulting in 203 outstanding, a 1% decrease in outstanding requests.

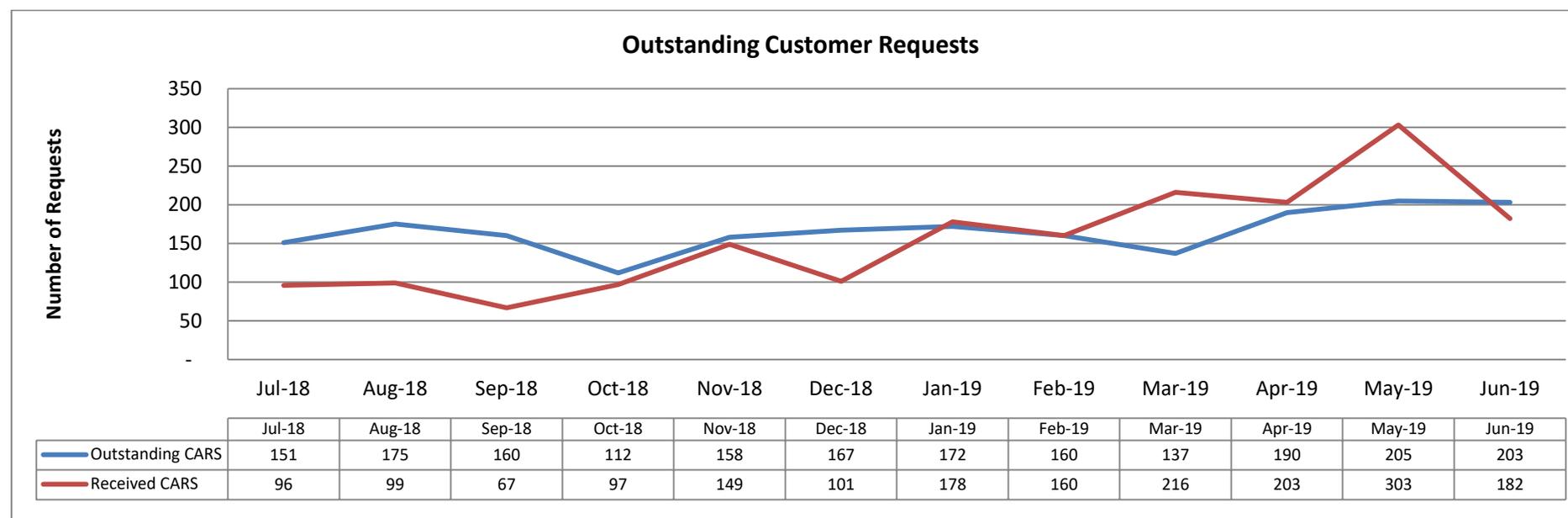
As at the 30<sup>th</sup> June 2019 the status of CARS was as follows:

- No change in 2017 outstanding CARS
- 12% decrease in 2018 outstanding CARS (a reduction from 17 to 15)
- 1% decrease on total CARS outstanding (a reduction from 205 to 203)
- For the month of June 184 CARS were closed

The largest groupings of open CARS requests relate to: Roads (34), Local Laws (28); Missed Phone Calls (27) and Road Maintenance (21).

Reports detailing outstanding CARS are detailed below:

Total Outstanding Cars Requests													
Year	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	% Change
2016	24	23	21	3	3	2	1	1	-	-	-	-	0%
2017	31	30	29	18	12	10	6	4	3	2	2	2	0%
2018	96	122	110	91	143	155	105	65	36	22	17	15	-12%
2019							60	90	98	166	186	186	0%
<b>Total</b>	<b>151</b>	<b>175</b>	<b>160</b>	<b>112</b>	<b>158</b>	<b>167</b>	<b>172</b>	<b>160</b>	<b>137</b>	<b>190</b>	<b>205</b>	<b>203</b>	<b>-1%</b>
<b>Total Received</b>	96	99	67	97	149	101	178	160	216	203	303	182	-40%



<b>30 June 2019 - Open Requests - Type</b>			
	<b>May-19</b>	<b>Jun-19</b>	<b>Change</b>
Roads	32	34	2
Streetlights	0	0	0
Drainage	15	19	4
Footpaths	3	3	0
Roadside Vegetation	13	15	2
Environmental Health	0	0	0
Planning	0	0	0
Bld maintenance	11	19	8
Park & Reserves	5	2	-3
Local Laws	34	28	-6
Fire Hazard	0	1	1
Bld Compliance	0	0	0
Road Maintenance	23	21	-2
Waste Management	0	1	1
Roads Unsealed	6	5	-1
Road Maintenance Unsealed	8	9	1
Cats	4	3	-1
Natural Disasters	1	0	-1
Pools	0	0	0
Council Cleaning	1	0	-1
EPA - Litter	0	0	0
Design & Assets	0	0	0
GIS	0	0	0
Community Wellbeing		1	1
Dogs	14	12	-2
Livestock Act	2	3	1
Parking	0	0	0
Missed Phone Calls	32	27	-5
Council Cleaning	1	0	-1
<b>Total</b>	<b>205</b>	<b>203</b>	<b>2</b>

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Strategic Objective 1 - Leadership

1.1 - Communicate the Council's decisions, policies and activities and the reasons behind them, in a form relevant to ratepayer needs and expectations in accordance to Council's communication strategy.

**ATTACHMENTS**

2.1 - CARS Analysis – June 2019

**FINANCIAL / RISK IMPLICATIONS**

There are no financial implications associated with this report.

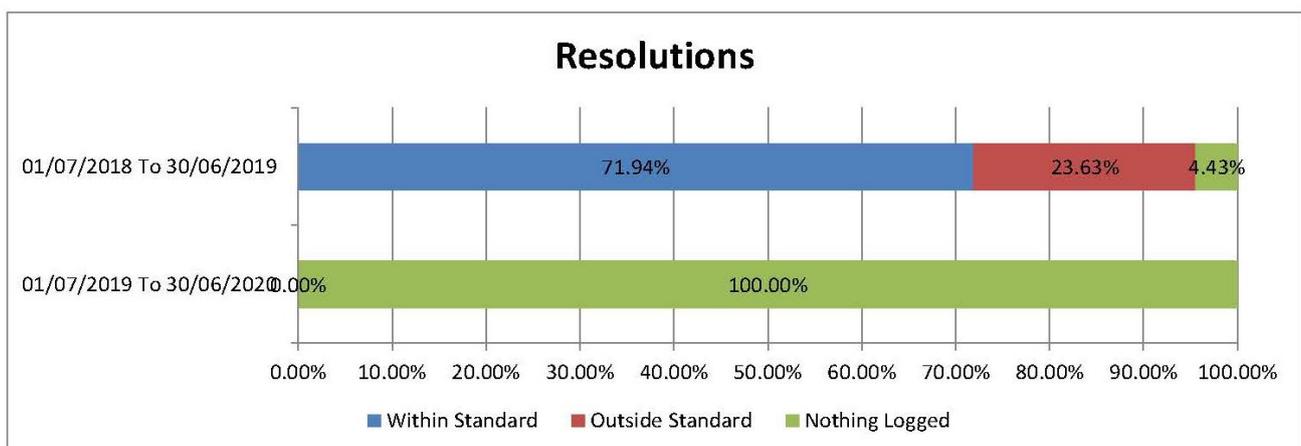
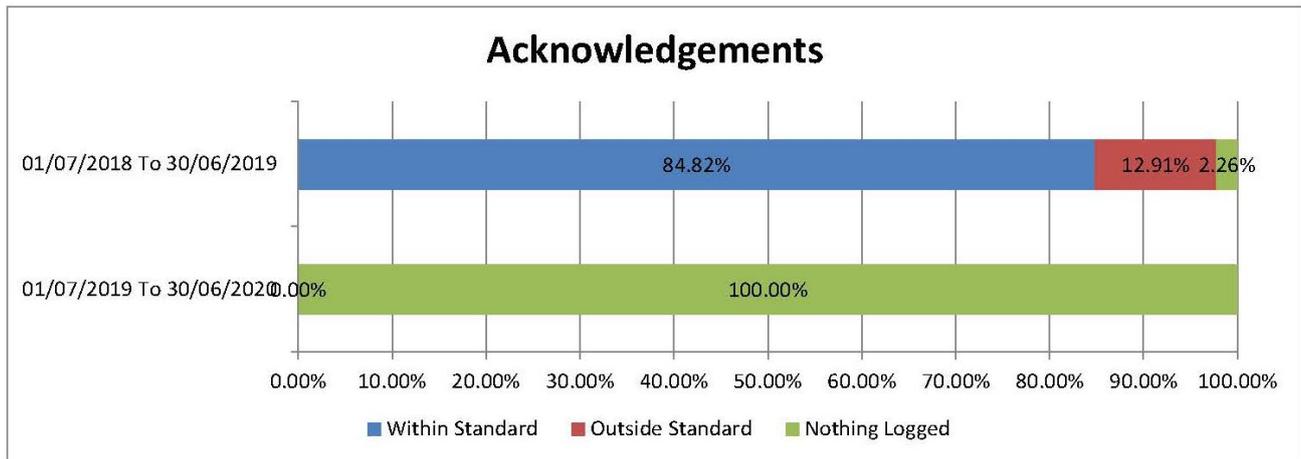
**CONCLUSION**

Ongoing focus and effort continues with regard to resolution of customer requests and to improve status and follow-up notes to create more transparency on actions undertaken prior to final closure.

**OFFICERS RECOMMENDATION**

That Council notes the Customer Action Request update for June 2019.
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	Within Standard	Outside Standard	Nothing Logged
<b>Acknowledgement:</b>			
01/07/2019 To 30/06/2020	0.00%	0.00%	100.00%
01/07/2018 To 30/06/2019	84.82%	12.91%	2.26%
<b>Inspection:</b>			
01/07/2019 To 30/06/2020	0.00%	0.00%	100.00%
01/07/2018 To 30/06/2019	74.42%	16.69%	8.88%
<b>Resolution:</b>			
01/07/2019 To 30/06/2020	0.00%	0.00%	100.00%
01/07/2018 To 30/06/2019	71.94%	23.63%	4.43%



### 3. OUTSTANDING ISSUES REPORT

**Kathy Bramwell – Director Corporate and Community Services**

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 16/30/06

#### PURPOSE

The purpose of this report is to provide Council with an overview of current outstanding issues and progress made in 2018/19 financial year.

#### BACKGROUND

The Outstanding Issues Register details recommendations made through audits. Audits include audits conducted by Council's Internal Auditor; audits conducted through external auditors including VAGO and Council's insurers; and audits conducted by external bodies on other councils that have a relevance to Council operations.

In 2019 the register was extended to include compliance reviews and audits conducted internally – primarily focused at property risk and OHS issues. These internal reviews form part of the WorkSafe requirements implemented as part of the MAV WorkCare OHS improvement plan currently underway.

Annual audits of the internal audit recommendations and associated actions progress are conducted by AFS and Associated, with reports provided to Council's Audit & Risk Committee.

#### ISSUE / DISCUSSION

##### Internal Audit outstanding issues:

- There are currently 47 outstanding issues relating to 11 internal audit reports.
- The oldest outstanding issue relates to late 2017 – Council is considering whether ratepayers should remain able to opt out of using Council's kerbside waste collection service.
- A review of this register was conducted in June 2019 and it is recommended that 17 issues be signed off by the internal auditor as these are complete, and that a further 2 issues be removed as Council does not intend to undertake these recommendations:
  - Recommendation from the Long Term Financial Planning review: to review the current ratios in the Long Term Financial Plan for various reasons relating to mandatory requirements and practicality. This was originally input as an opportunity (not a risk) and has been accepted by the internal auditor.
  - Recommendation from a review of Road Management Act compliance: to improve documentation of asset inspection details regarding defects. It is considered that this cannot be accomplished to the extent recommended within current resources. This has been accepted by the internal auditor.
- Evidence has been provided to the internal auditor and removal of the 19 issues will leave 28 outstanding.

##### External Audit outstanding issues – Audits of Pyrenees Shire Council:

- There are currently 8 outstanding issues relating to 3 past audits, of which 1 was conducted by VAGO (Victorian Auditor General's Office) and 2 by Council's insurers.
- Three outstanding issues identified by Council's insurers related to property loss exposures and the need for a tree management policy. These are being addressed by:
  - A draft tree management strategy is its final drafting stages and is ready for adoption.

- Property loss exposures are being addressed through proactive property inspections with maintenance requests being input for action where appropriate. 15 items have been identified for action during this program to-date.
- The performance audit conducted by VAGO related to Council’s management of insurable risks in which 5 recommendations were made. A report on the outcome of this audit was provided to Council in mid-2018.
- 1 issue was completed in August 2018 with a report provided to Council regarding evaluating whether to tender for insurance in 2019/20.
- 4 issues remain outstanding relating to reviewing insurable risk profiles and operational risk registers. Additional risk support is required to undertake these actions and will be undertaken in the 2<sup>nd</sup> half of 2019.

**External Audit outstanding issues – Audits with recommendations of relevance to Pyrenees Shire Council:**

- Audit reports produced by external agencies, e.g. VAGO, Victorian Ombudsman, Victorian Inspectorate and IBAC (Independent Broad-based Anti-corruption Commission), are scrutinised for recommendations that are relevant to improved governance and compliance at the Pyrenees Shire Council.
- Such recommendations are being included within the outstanding issues register and a separate report on these will be provided to Council at a future date.

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Strategic Objective 4 - Financially Sustainable, High-performing Organisation. Our organisation will respond to community needs, attend to our core business, and strive for excellence in service delivery in an ethical and financially responsible manner.

4.2 - Promote learning and growth that will facilitate change, continuous improvement, innovation and efficiency.

**ATTACHMENTS**

Nil

**FINANCIAL / RISK IMPLICATIONS**

Financial and reputation risk is applicable if audit recommendations remain unaddressed. This report provides Council with assurance that action continues on monitoring and completing outstanding issues.

**CONCLUSION**

Outstanding issues continue to be monitored and addressed by responsible Council staff. Council’s internal auditors monitor progress made against recommendations made during internal audits with regular reports provided to Council’s Audit & Risk Committee.

**OFFICER RECOMMENDATION**

That Council notes the above report.

## CHIEF EXECUTIVE OFFICER

### 4. BEAUFORT MECHANICS INSTITUTE BUILDING

Jim Nolan – Chief Executive Officer

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 513016000

#### PURPOSE

The purpose of this report is to provide clarity about the status of the Beaufort Mechanics Institute Building.

#### BACKGROUND

The land containing the Beaufort Mechanics Institute building was previously under Council management and the subject of a permanent reservation covered by a Restricted Crown Grant / Queens Caveat. The land contained the building facing Havelock Street, and the former croquet court at the rear. For a period of time up until October 2013, Council delegated the operations of the Mechanics Institute site to a Special Committee formed under section 86 of the Local Government Act 1989.

In 2009 Council commenced discussions and subsequently entered into an agreement with the Beaufort and Skipton Health Service to purchase land for stage 1 of the Correa Park residential development. As part of that agreement, Council agreed to relocate the Croquet Club from the Havelock Street site and have the land transferred to the Health Service to allow the Hospital Board to look at long term expansion of the site.

Section 191 of the Local Government Act 1989 enables a council to transfer or exchange land to a hospital with or without consideration.

Council considered detailed reports on the matter and in December 2012, acting on advice from the Department, resolved to write to the Minister for Local Government to arrange for the surrender of the title to the crown.

In March 2013, Council submitted a formal application to surrender the title to the crown. Following which, the Department arranged for an Act of Parliament to remove the permanent reservation covered by the Restricted Crown Grant / Queens Caveat.

On 3rd April 2014 the new reservation of the land containing the former Croquet Court and Mechanics Institute Building was formalised by a notice published in the Victorian Government Gazette setting aside the whole of the crown land comprising 2446 square meters temporarily for Hospital purposes.

Subsequently, Council relocated the Croquet Club to the newly established site comprising croquet court and clubrooms off Audis Lane Beaufort.

The temporary reservation of the site for hospital purposes provides that a further change to the reservation for another public purpose might be possible should that be considered appropriate in the future.

#### ISSUE / DISCUSSION

Currently the crown land comprising the former croquet court and the Mechanics Institute building are under the management of the Beaufort and Skipton Health Services and set aside for hospital purposes.

Future master planning for the hospital may look to include the area as part of any future hospital development.

The site containing the Mechanics Institute building has local heritage significance, and is contained in a Heritage Overlay (HO19) within the Pyrenees Planning Scheme. The protection of the overlay requires that works or any external alteration or demolition of the building are subject to a planning permit.

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Strategic Objective 3 - Community Connection and Wellbeing. We will engage with communities to provide responsive, efficient services that enhance the quality of life of residents and promote connected, active and resilient communities.

**ATTACHMENTS**

Nil

**FINANCIAL / RISK IMPLICATIONS**

This report is for information and there are no financial risks associated with it.

**CONCLUSION**

The report provides some recent history of the site containing the Beaufort Mechanics Institute building in order to provide clarification for Council and the community.

**OFFICER RECOMMENDATION**

That Council notes the report.

## 5. COUNCILLOR ACTIVITY REPORTS

<b>Cr David Clark – Ercildoune Ward</b>		
<b>June</b>		
Tue 04	Councillor Cuppa and Briefing Session	Waubra
Thu 06	MAV Rural Forum	Melbourne
Sat 08-09	Serra Terra	Grampians
Tue 11	Glenelg Hopkins CMA Landcare Gathering	Beaufort
Tue 11	Councillor Briefing Session	Beaufort
Tue 11	Council Meeting	Beaufort
Tue 18	Media Training	Beaufort
Mon 24	Trawalla Hall Committee of Management AGM	Trawalla
Tue 25	Councillor Briefing	Beaufort
Tue 25	Special Council meeting	Beaufort
Wed 26	Farewell Dinner for Lindsay Florence, Chair HLLLEN	Ballarat

<b>Cr Robert Vance – De Cameron Ward</b>		
<b>June</b>		
Tue 04	Councillor Cuppa and Briefing Session	Waubra
Wed 05	CHCV Mayors and CEOs Meeting	Ballarat
Thu 06	MAV Regional and Rural Forum	Melbourne
Thu 06	Meeting with Steph Ryan (Shadow Minister for Water)	Melbourne
Fri 07	Pyrenees Art Exhibition Official Opening	Beaufort
Tue 11	Councillor Briefing Session	Beaufort
Tue 11	Council Meeting	Beaufort
Wed 12	Regional Roads Victoria Strategy Development Workshop	Wendouree
Fri 14	Rural Councils Victoria Meeting	Melbourne
Sun 16- Wed 19	National General Assembly	Canberra
Tue 18	Media Training	Beaufort
Tue 25	Councillor Briefing	Beaufort
Tue 25	Special Council meeting	Beaufort
Wed 26	Meeting with Stuart Grimley (Justice Party)	Beaufort
Fri 28	Beaufort Secondary College Debutante Ball	Beaufort

<b>Cr Damian Ferrari - Beaufort Ward</b>		
<b>June</b>		
Tue 04	Councillor Cuppa and Briefing Session	Waubra
Tue 11	Councillor Briefing Session	Beaufort
Tue 11	Council Meeting	Beaufort
Fri 14	Western Hwy Action Committee Meeting	Bacchus Marsh
Wed 26	Onsite Meeting – Beaufort Cricket Club	Beaufort

<b>Cr Tanya Kehoe - Mount Emu Ward</b>		
<b>June</b>		
Tue 04	Councillor Cuppa and Briefing Session	Waubra
Tue 04	Snake Valley Resilience Project Meeting	Snake Valley
Tue 11	Councillor Briefing Session	Beaufort
Tue 11	Council Meeting	Beaufort
Sun 16	Art Show	Skipton
Tue 18	Hall Committee Meeting	Snake Valley
Mon 24	Snake Valley Resilience Project Meeting	Snake Valley
Tue 25	Councillor Briefing	Beaufort
Tue 25	Special Council meeting	Beaufort

<b>Cr Ron Eason – Avoca Ward</b>		
<b>June</b>		
Tue 04	Councillor Cuppa and Briefing Session	Waubra
Wed 05	Police Report	Avoca
Tue 11	Councillor Briefing Session	Beaufort
Tue 11	Council Meeting	Beaufort
Tue 18	Media Training	Beaufort
Tue 18	Avoca Framework Meeting	Beaufort
Tue 25	Councillor Briefing	Beaufort
Tue 25	Special Council meeting	Beaufort
Fri 28	Rail Freight Alliance Meeting	Melbourne

## 6. ASSEMBLY OF COUNCILLORS

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Briefing Session		
Meeting Date	4 June 2019 commenced at 2.00pm and closed at 6.00pm		
Meeting Location	Waubra Community Hub, 2091 Sunraysia Highway, Waubra		
Matters Discussed	<ol style="list-style-type: none"> <li>1. <b>School Crossing Subsidy Scheme</b></li> <li>2. <b>Strategic Planning Program</b></li> <li>3. <b>Signage Improvement Program</b></li> <li>4. <b>Moonambel Water Supply</b></li> <li>5. <b>Solar Lighting for Entrance Signs</b></li> <li>6. <b>Lexton Hub Funding Strategy</b></li> <li>7. <b>LG Renewable Energy Buyers Group</b></li> <li>8. <b>Council Sustainability (ESC Documents and CT Management Group Report)</b></li> <li>9. <b>Beaufort Scout Building</b></li> <li>10. <b>Agenda Review</b></li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Robert Vance Cr Ron Eason Cr Tanya Kehoe	Cr Damian Ferrari Cr David Clark	
Apologies	Nil		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Asset and Development Services) Kathy Bramwell (Director Corporate and Community Services) Katie Gleisner (Manager Planning and Development) – Items 1 and 2 Dennis Nikoltsis (Community Safety and Amenity Officer) – Item 1 Ray Davies (Manager Economic Development and Tourism) – Items 3 and 4		
Visitors	Nil		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Matter No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Briefing Session		
Meeting Date	11 June 2019 commenced at 2.00pm and closed at 5.30pm		
Meeting Location	Beaufort Council Chambers - 5 Lawrence Street, Beaufort		
Matters Discussed	<ol style="list-style-type: none"> <li><b>1. Bridges Asset Management Condition Report</b></li> <li><b>2. Rainbow Serpent Update</b></li> <li><b>3. Local Laws Implementation Plan</b></li> <li><b>4. Environment Presentation</b></li> <li><b>5. Customer Satisfaction Survey</b></li> <li><b>6. Agenda Review</b></li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Robert Vance		Cr Tanya Kehoe
	Cr David Clark		Cr Damian Ferrari
	Cr Ron Eason		
Apologies	Jim Nolan (Chief Executive Officer)		
Staff	Douglas Gowans (Director Asset and Development Services) Kathy Bramwell (Director Corporate and Community Services) Katie Gleisner (Manager Planning and Development) – Items 2 and 3		
Visitors	Peter Moloney (Moloney Asset Management Systems) – Item 1 Trevor Davey (Siltforce) – Item 4		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Matter No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Briefing Session		
Meeting Date	25 June 2019 commenced at 4.00pm and closed at 5.48pm		
Meeting Location	Beaufort Council Chambers - 5 Lawrence Street, Beaufort		
Matters Discussed	<ol style="list-style-type: none"> <li>1. Review of Submissions for the Proposed Budget 2019/20</li> <li>2. VAGO Fraud and Corruption Control Report June 2019</li> <li>3. Local Government Bill 2019</li> <li>4. Environment Presentation</li> <li>5. Customer Satisfaction Survey</li> <li>6. Agenda Review</li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Robert Vance		Cr Tanya Kehoe
	Cr David Clark		Cr Damian Ferrari
	Cr Ron Eason		
Apologies	Nil		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Asset and Development Services) Kathy Bramwell (Director Corporate and Community Services) Shana Johnny (Manager Finance) – Item 1		
Visitors	Nil		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Matter No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

**RECOMMENDATION**

That the items for noting be received.

## ITEMS FOR DECISION

### ECONOMIC DEVELOPMENT AND TOURISM

#### 7. MOONAMBEL WATER SUPPLY PROJECT

**Ray Davies – Manager Economic Development and Tourism**

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 60/12/04

#### PURPOSE

The purpose of this report is for council to consider a funding strategy and financial commitment for the construction phase of the Moonambel Water Supply Project.

#### BACKGROUND

Moonambel is a small community with a high degree of social disadvantage as indicated by the SEIFA Index and the local economy is significantly dependent on tourism for employment. The town is more significantly dependant on tourism than any other town in the Pyrenees in terms of the percentage of jobs the sector generates. A June 2014 study undertaken by council identified that in excess of 80% of employment (full time, part time and casual) at Moonambel is due to tourism. Based on this information council has deemed that a town water supply is critically important to facilitate the potential growth of the sector for the socio-economic benefit of the town and its local community.

Supplementing unreliable rainwater supplies with brackish ground water, carted water and bottled water is adding a cost impediment to the growth of tourism at Moonambel.

A reticulated, potable town water supply for Moonambel has therefore remained a priority project of council since late 2013.

Moonambel is also the only township within the Pyrenees Shire without a town water supply. A reticulated potable town water supply is considered crucial for the town as it will:-

1. Support the ability of tourism operators to meet visitor expectations and thereby help underpin both existing and potential new investment and jobs by enhancing water supply reliability and quality and
2. Having a water supply that meets Australian Drinking Water Guidelines will mitigate the risk of illness to visitors that is more likely to occur without a potable supply. Such an occurrence would have a dramatic impact on the tourism reputation of Moonambel, with the Moonambel Water Supply Business Case indicating that avoiding such an event could avoid a tourism shut down and has a Benefit Cost Ratio of 2:1.

The potential for tourism growth at Moonambel is based on a combination of nature based attributes and the high quality of wine produced by about nine local vineyards, with Summerfield, Dalwhinnie and Taltarni being listed as “*five red star*” wineries by renowned Australian wine critic James Halliday. This ranking places these wineries within the top ten percent in Australia in terms of wine quality.

The food and hospitality sector at Moonambel will benefit in terms of food preparation while accommodation providers will be able to avoid mixing ground water with often scarce or depleted tank water supplies for bathroom and laundry uses.

According to 2016 ABS Census data the town has a population of 167 people (49 residential properties were identified within the water scheme footprint during recent studies) and provides freehold tourism accommodation for up to 140 guests not including campers and RV visitors that frequent the towns camping area at the recreation reserve and nearby camping areas in the Pyrenees Ranges.

Investigations completed to date for this project are as follows:-

- 2014 Preliminary investigation into a town water supply for Moonambel.
- December 2015 detailed feasibility study and community consultation into a town water supply.

The results of this report recommend a pipeline from the Avoca Water Supply as being the most sustainable and reliable source of a town water supply. The cost of building the water supply infrastructure was estimated at \$5.4M with a 50% contingency allowance increasing the overall cost to \$8.1M. There were a number of risks and uncertainties identified in the report requiring further investigation to enable the contingency allowance to be reduced. The following excerpt from the 2015 study outlines these risks and uncertainties in more detail.

*“Based on the assessment completed, the major risks and uncertainties associated with a potential potable water supply scheme included:-*

- *Securing project funding via various levels of government or others, the willingness/capacity for the community to contribute to capital funding, and affordability issues associated with ongoing scheme costs (fixed and variable water supply charges).*
  - *Environmental issues and approvals such as native vegetation removal and increased energy usage/greenhouse gas emissions.*
  - *Management/approval and consideration of areas of high cultural and heritage sensitivity.*
  - *Construction requirements, such as traffic management and trenchless pipe installation, due to environmental and cultural heritage considerations.*
  - *Public and private land availability and possible compulsory acquisition to support the development of the major infrastructure needs (tanks, pipelines, pumps, etc.).*
  - *The capacity of Avoca’s water supply system to provide the required additional supply yield, manage the additional brine for salt reduction water treatment technology and service the future growth in Avoca in addition to Moonambel.*
  - *The potential major economic benefits/growth identified in this study are based on a significant reliance on speculative third-party private investment (much of which to date has been based on interest generated by overseas investment, as confirmed by the PSC and interviews with several businesses).*
  - *The level of contingency built into the engineering estimate reflects the feasibility nature of the investigations and is reflective of the identified risks, but could be amended if further investigations are undertaken to support a better understanding of these risks and uncertainty”.*
- Phase three investigations were completed during 2017-18 to address the risks and uncertainties identified in the 2015 feasibility study:-
    - Economic and Financial Analysis
    - Community consultation
    - Investigations into the capacity of the Avoca town supply to meet the town’s population growth and that of Moonambel

- Concept Design incorporating cultural and environmental assessments, pipeline alignment and water storage, construction methodology, and proposed landholder engagement

This phase identified the cost of the project at \$6M with a reduced contingency allowance of 20% taking the overall cost of the project to \$7.2M

- Completion of Business Case in March 2019

The conclusion of the business case is summarised as follows:-

*“A decision to invest in a water supply scheme therefore becomes primarily one of supporting local employment provided by existing businesses, and investing in the expectation that a potable water supply would allow those businesses to expand, and for new businesses to take advantage of the enabling infrastructure.*

*Thus, the business case is predicated on meeting social objectives rather than strict economic criteria. In this regard, development of a water scheme for Moonambel is seen as being consistent with the vision and principles contained in the Central Highlands Regional Growth Plan”.*

Since completion of the business case council has engaged with Central Highlands Water (CHW) and various representatives of the State and Federal Government to present the case for funding a town water supply.

## **ISSUE / DISCUSSION**

The next stage of the project is to raise the capital necessary for completion of the detailed design and construction phase.

In developing a funding strategy for the project it is recommended that council consider the following aspects:-

- The cost impacts on residential property owners including:-
  - CHW charges for New Customer Contributions (2019-20 scale of fees) of \$1,385.37
  - Associated plumbing costs for residential property owners to connect to the water supply from the metre to the dwelling. These were estimated during the 2017 community consultation phase to amount up to \$2,000- per property, not including potential internal plumbing upgrades that may be required as a result of a mains pressure supply.
  - The impost of water rates on householders within the footprint of the reticulated water scheme whether or not they are connected to it. The current charges which are available from the CHW web site include an annual water access fee for properties that are not connected of \$194.81 for 2019-20
- The level of financial contribution council is prepared to make on behalf of the community and industry at Moonambel to progress the project to construction so as to unlock the potential for future growth of the town and support optimum socio economic benefits.

Taking into account these factors and in considering the funding mix of other regional water infrastructure projects occurring within the Grampians Region of Regional Development Australia a funding proposal for councils consideration is as follows:-

### Design and Construct

Pyrenees Shire Council	\$1,000,000-
State Government	\$2,700,000-
Federal Government	\$2,700,000-
Industry contribution	\$ 300,000-
<u>*Central Highlands Water (in kind)</u>	<u>\$ 500,000-</u>
Project cost	\$7,200,000-

\* The proposed contribution by Central Highlands Water comprises in kind project support from officers contributing engineering, technical and other support as required.

None of the amounts suggested above have been negotiated with the relevant stakeholders at this stage, rather they are proposed amounts due for negotiation.

### Support for Residential Landowners

It is recommended that council make provision of a further \$200,000- in its budgets to support residential land owners with the following initial establishment costs:-

- CHW charges for New Customer Contributions (2019-20 scale of fees) of \$1,385.37
- Associated plumbing costs for residential property owners to connect to the water supply from the metre to the dwelling estimated at up to \$2,000- per property

### **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Strategic Objective 5 - Development and Environment. We will undertake forward planning, and facilitate growth in our local economy while protecting key natural and built environmental values.

5.3 - Grow the economy by implementing the Pyrenees Shire Council Growth Strategy.

### **ATTACHMENTS**

7.1 Moonambel Water Supply Business Case – *circulated separately*

### **FINANCIAL / RISK IMPLICATIONS**

The concept design phase completed in early 2018 projected the cost of the project at \$7.2M. This comprises \$6M in design and construction costs plus a 20% contingency allowance. It is council's view that any potential cost overruns for the project beyond \$7.2M would remain the responsibility of the asset manager.

The business case for the Moonambel Water Supply project mentions that during the consultation phase with the commercial sector and in considering the scale of these operations, that local businesses have limited capacity to contribute a significant amount of capital towards the project.

It is recommended therefore that council make provision in its strategic resource plan for a contribution on behalf of the community and industry of up to \$1.2M as follows:-

1. A sum of \$1M towards the \$7.2M capital costs of the project which are outlined in the concept design completed by Stantec in early 2018 and
2. An allowance of up to \$200,000- as a contribution towards residents initial costs comprising:-
  - a. New customer contributions of \$1,385.37 per property
  - b. To subsidise the plumbing connection costs to an amount of \$2,000- per residential property owner and
  - c. That the combined costs outlined in 2a and 2b above be subject to landholders confirming their connections during the detail design phase of the project

## CONCLUSION

The conclusion of the Moonambel Water Supply business case is summarised as follows:-

*“A decision to invest in a water supply scheme therefore becomes primarily one of supporting local employment provided by existing businesses, and investing in the expectation that a potable water supply would allow those businesses to expand, and for new businesses to take advantage of the enabling infrastructure.*

*Thus, the business case is predicated on meeting social objectives rather than strict economic criteria. In this regard, development of a water scheme for Moonambel is seen as being consistent with the vision and principles contained in the Central Highlands Regional Growth Plan”.*

To enable council to progress the project to the construction phase requires a financial commitment by council as recommended in this report.

## OFFICER RECOMMENDATION

That Council:

1. Endorses the Moonambel Water Supply business case.
2. Considers the funding model contained in this report where it reviews its long term financial strategy and future budgets.
3. Gives in principle support for allocation of additional funds towards the capital cost of the Moonambel Water Supply Project.

## ASSET AND DEVELOPMENT SERVICES

### 8. MOLONEY ASSET MANAGEMENT CONDITION REPORT SURVEY – ROADS AND BRIDGES

**Robert Rowe – Manager Assets and Engineering**

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 14/08/10

#### PURPOSE

The purpose of this report is to obtain Council endorsement for the Moloney Asset Management Systems (MAMS) methodology and forecasting in undertaking roads and bridges condition surveys.

#### BACKGROUND

Moloney Asset Management Systems were engaged in September 2010 to undertake condition surveys of Council's roads and bridges network. Every three years, Council is required by Accounting Standard AAS 27 to complete these Asset Condition Surveys. Council have now completed four surveys which allow accurate degradation graphs to be produced for the asset classes involved in the surveys. The Road Survey includes sealed surfaces, sealed pavements, unsealed pavements, footpaths, kerb and channel and a separate condition survey is undertaken for bridges.

Due to financial constraints the condition surveys for major culverts has always been conducted utilising in-house resources. The results of the major culvert survey are forwarded to MAMS allowing more inclusive forecasting for structures.

#### ISSUE / DISCUSSION

The 2019 bridges condition survey does not include or forecast the results of the major culvert condition survey. Due to resourcing restrictions the major culvert condition survey will be completed in the coming months.

The Director of Moloney Asset Management System, Peter Moloney, delivered presentations to Council briefing sessions in March and June 2019 on the findings of the most recent Condition Surveys for the Road Assets and the Bridges Assets.

Road assets were found to be in good to very good condition and while bridges remain in an overall poor condition, a quite measurable condition improvement was evidenced since the last survey report in 2016.

#### COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 1 - Roads and Townships. We will plan, manage, maintain and renew infrastructure in a sustainable way that responds to the needs of the community.

1.2 - Maintain and renew Council's facilities and built assets in line with community service needs.

#### ATTACHMENTS

- 8.1 Change in Condition Distribution Graphs for sealed pavements, sealed surfaces, unsealed pavements, kerbs, footpaths and bridges
- 8.2 MAMS Final Report Roads - *circulated separately*
- 8.3 MAMS Final Report Bridges - *circulated separately*

## **FINANCIAL / RISK IMPLICATIONS**

In each budget, Council allocate funds that allow MAMS to apportion payments over a three year period, this arrangement benefits both Council and MAMS.

The very strong performance in all asset groups since 2016 has been on the back of relatively high levels of external funding. If external funding were to be substantially lowered in future years council would need to review their approach to renewal funding on the road and bridges assets.

## **CONCLUSION**

MAMS undertake condition surveys and financial forecasting for 56 Councils throughout Australia. Their methodology and financial forecasting systems have been developed and proven over 25 years. The extent of the services that are provided to Council by MAMS allow Council to benefit from 'value adding'.

In the Change of Condition Distribution Graphs attached, Council can witness the results of targeted management and prudent investment in the various asset classes.

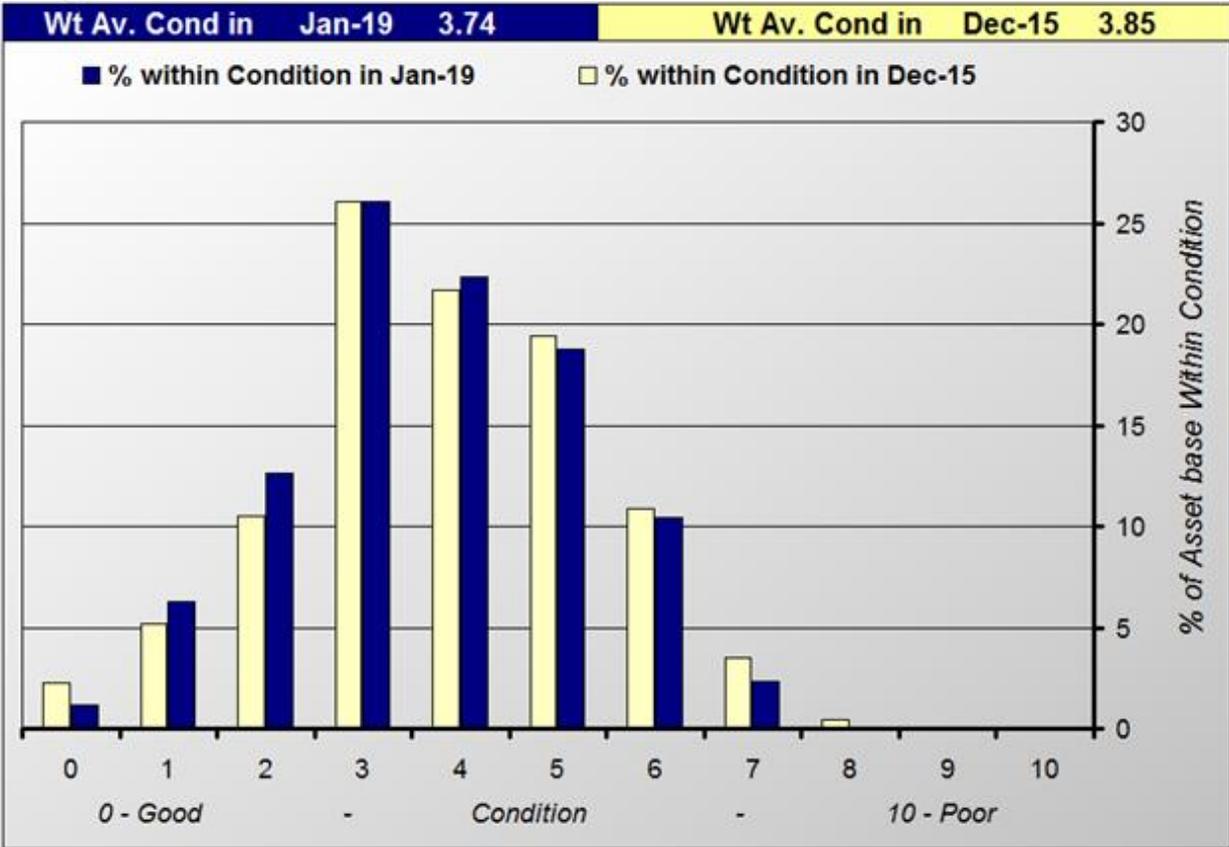
## **OFFICER RECOMMENDATION**

That Council:

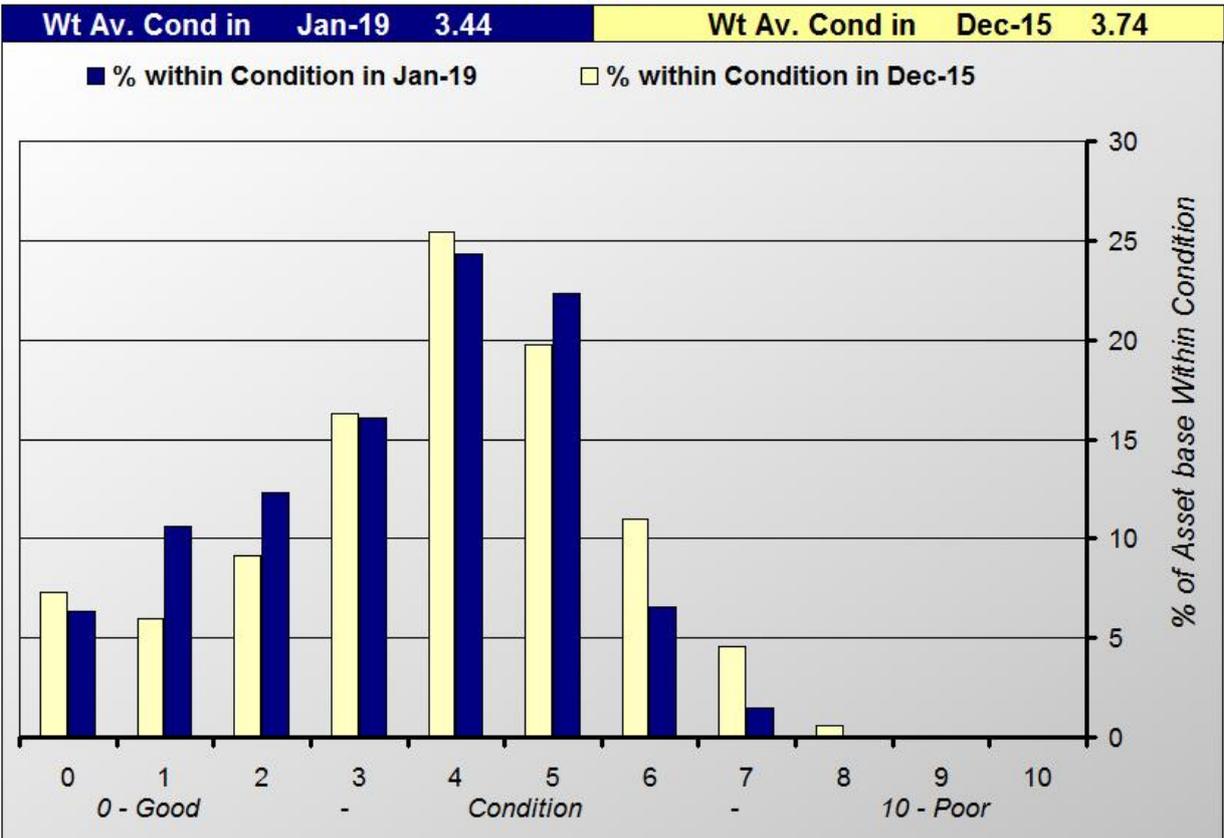
1. Endorses the findings of the Moloney Asset Management Systems Roads and Bridges report.
2. Supports the continued use of the Maloney Asset Management Systems methodology and financial forecasting.
3. Reflects the report recommendations for funding of asset classes in Council's Long Term Financial Plan.

**Attachments - Change in Condition Distribution Graphs**

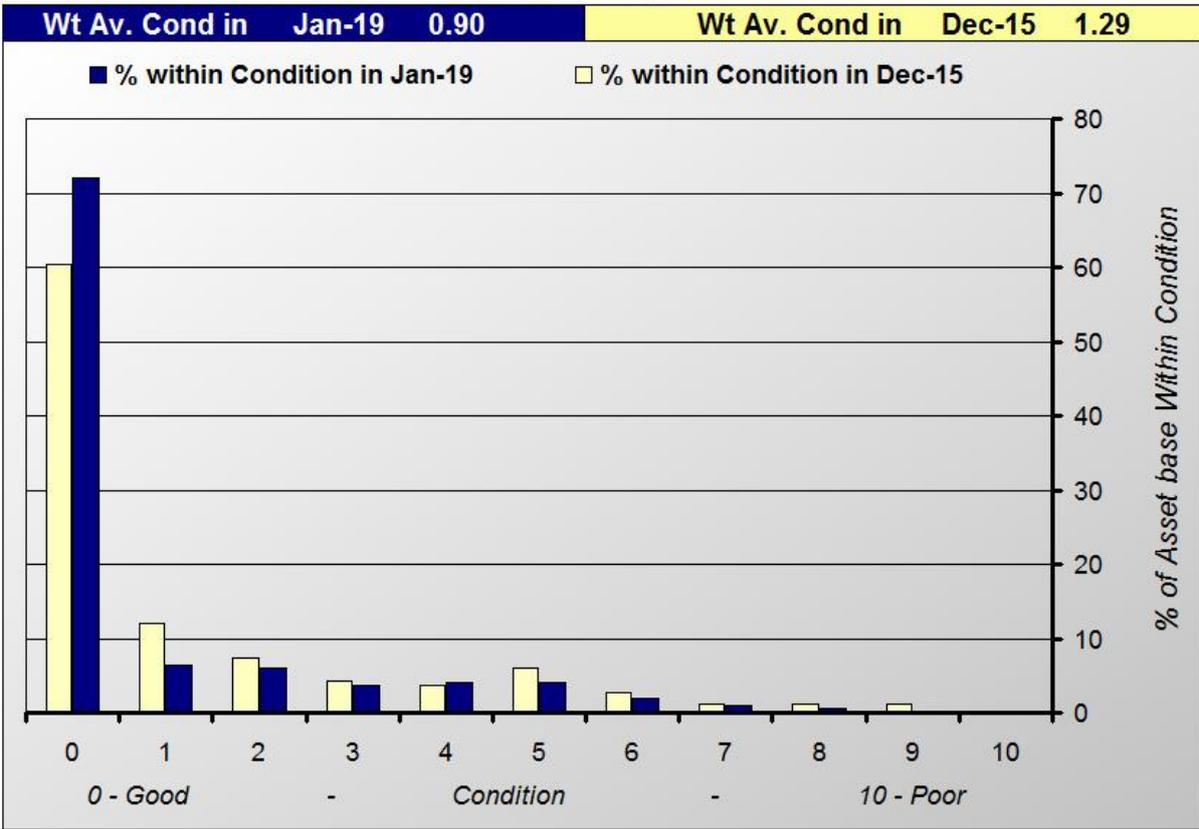
**Change in Cond. Distribution for Sealed Pavement**



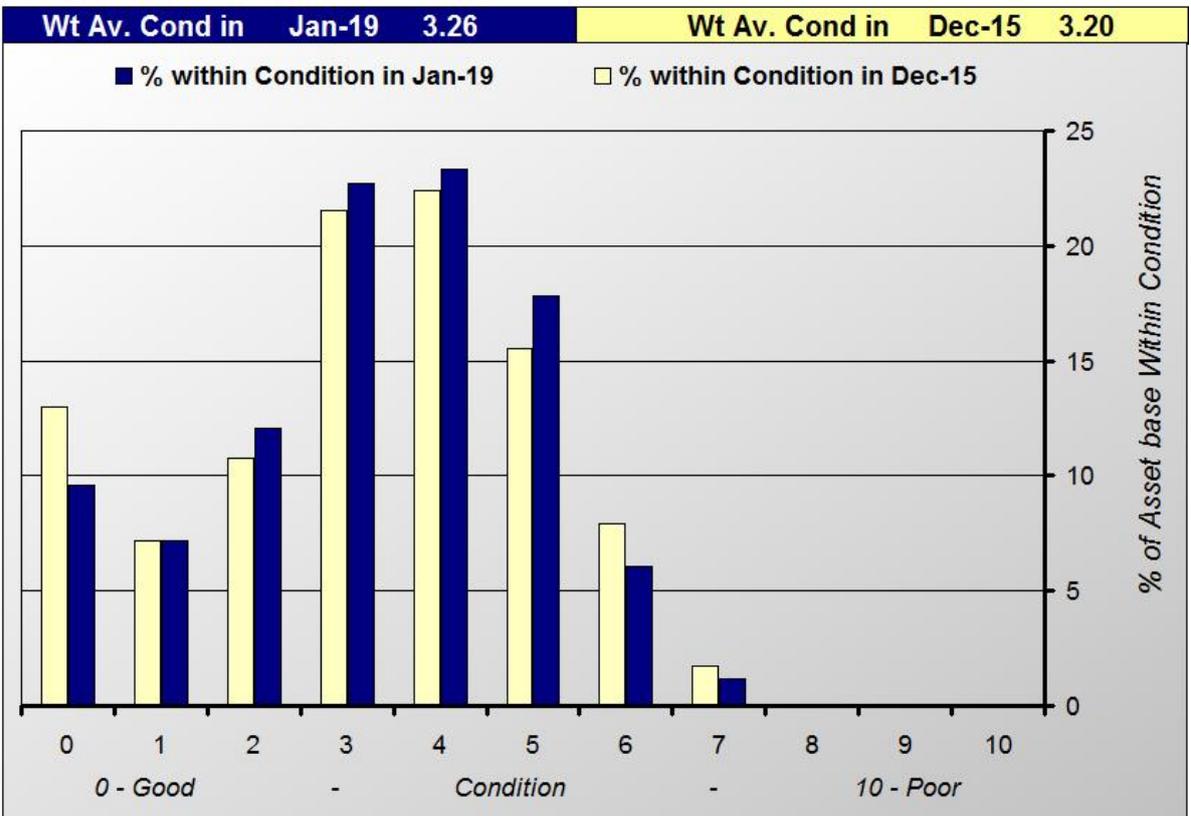
**Change in Cond. Distribution for Sealed Surface**



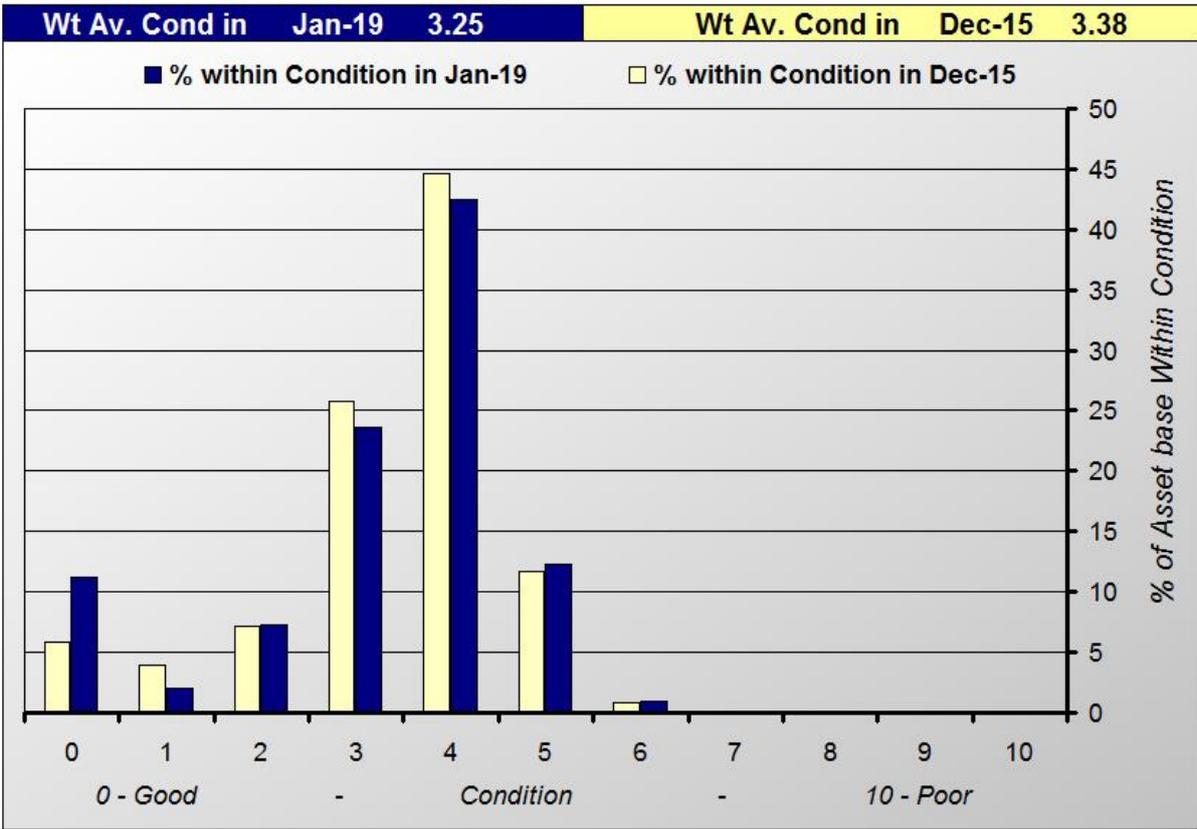
**Change in Cond. Distribution for Unsealed Pavement**



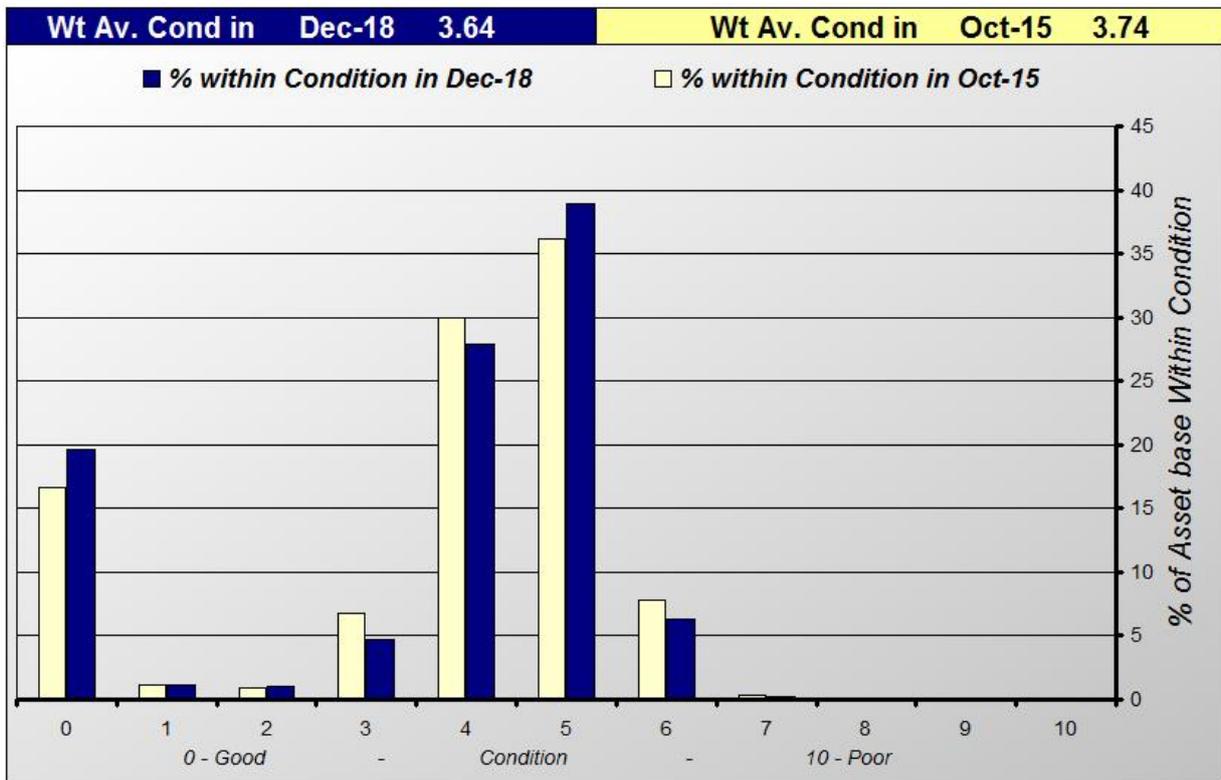
**Change in Cond. Distribution for Kerb**



**Change in Cond. Distribution for Footpaths**



**BRIDGES ASSET MANAGEMENT CONDITION SURVEY**



## 9. NP37 PROPOSAL TO NAME THREE NEW ROADS IN CORREA PARK ESTATE

Ross Cowie – Project Engineer

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 58/02/08

### PURPOSE

The purpose of this report is for Council to give notice of its intent to name three new streets in the next stage of Correa Park estate, Beaufort.

### BACKGROUND

Council has progressively developed the Correa Park residential estate in three stages (Stage 1 in 2011, Stage 2 in 2014 and Stage 3 in 2016). The purchase of land to facilitate the development of Stage 4 is nearing finalisation. Stage 4 will include the construction of three new roads.

Emergency services, postal services and other public service providers rely on street names being officially registered and sign-posted. It is therefore important that the newly constructed roads be named.

### ISSUE / DISCUSSION

In accordance with Clause 4.1(a) of the Council's *'Principals on Road Naming'* policy, it is proposed to name the 3 new roads in the estate, namely the extension of Hains Close and two culs-de sac roads east and west of the Hains Close extension respectively.

Existing roads other than Hains Close within the estate have been given names with a botanical theme, namely Banksia Court, Orchid Court, Heath Court and Acacia Court. It has been suggested that consideration could be given to selecting names of rare or threatened indigenous species identified in the Beaufort bypass investigations.

To commence the naming process, the following names are suggested:

#### 1. Hains Close

It is clear that in accordance with the *Naming Rules for Places in Victoria – Statutory requirements for naming roads, features and localities 2016*, the extension of Hains Close must be given that name also.

#### 2. Culs-de-sac

The following names have been selected from the rare and threatened indigenous species list, and have been checked against the naming criteria listed in Naming Rules:

❖ Grevillea:	Not recommended, as Grevillea Walk at Raglan is within 30km and public safety issues may arise with the name duplication.
❖ Wattle:	Acceptable.
❖ Eucalyptus:	Acceptable.
❖ Flax:	Acceptable.
❖ Lomandra:	Acceptable.

In accordance with Appendix A of the *Naming Rules for Places in Victoria*, the acceptable road types for culs-de-sac are Close, Court, Mews, Place, Plaza and Retreat. It is suggested that given that existing culs-de-sac within the Estate are named as Courts, this convention be continued.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Strategic Objective 1 - Roads and Townships. We will plan, manage, maintain and renew infrastructure in a sustainable way that responds to the needs of the community.

1.1 - Ensure local roads are maintained and renewed in line with adopted plans and strategy to provide a safe transport network and meet community needs.

The proposal complies with:

- Pyrenees Shire Council – Principles on Road Naming Policy
- Naming Rules for Places in Victoria – Statutory requirements for naming roads, features and localities 2016.

## **ATTACHMENTS**

9.1 NP37 – Proposed Subdivision Layout

## **FINANCIAL / RISK IMPLICATIONS**

Costs for the naming of the roads will be accommodated within Council's budget allocation for the development of this stage of Correa Park estate.

The naming of new roads and accurate addressing is important to ensure that residents are able to be located by emergency services and to receive mail. To mitigate the risk of errors, Council needs to comply with the *Naming Rules for Places in Victoria – Statutory requirements for naming roads, features and localities 2016*, and the Australian Standards for Rural and Urban Addressing and Signing.

## **CONCLUSION**

To complete the naming process, names need to be formally adopted by Council along with the recommendation to forward a report to the Registrar of Geographic Names for consideration of these names.

## **OFFICER RECOMMENDATION**

That Council:

1. That Council commences the naming process to name the extension of Hains Close (shown as Road No. 1 on the attached plan) as Hains Close.
2. That Council commences the naming process to name a proposed road (shown as Road No. 2 on the attached plan) as Wattle Court.
3. That Council commences the naming process to name a proposed road (shown as Road No. 3 on the attached plan) as Eucalyptus Court.
4. That Council seeks approval from Geographic Names Victoria to proceed with the proposed names.

16 JULY 2019 – PYRENEES SHIRE COUNCIL – ORDINARY MEETING OF COUNCIL  
 AGENDA – ITEMS FOR DECISION – ATTACHMENT 9.1



## **10. PROPOSED ROAD DISCONTINUANCE OF GOVERNMENT ROAD OFF BACK RAGLAN ROAD, BEAUFORT**

**Ross Cowie – Project Engineer**

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 30/02/04

### **PURPOSE**

The purpose of this report is to propose that Council commences the statutory procedures to discontinue a Government road in the locality of Beaufort just south of Main Lead.

### **BACKGROUND**

In May 2017 Council officers were made aware of a proposal to discontinue a section of an unmade and non-trafficable road that links Main Lead Road and Back Raglan Road just south of Main Lead. It would appear that the owner of property on both sides of the particular section of the road has approached the Department of Environment, Land, Water and Planning (DELWP) with a view to purchasing the road. Consultants Beveridge Williams, engaged by the property owner to facilitate the process, provided Council with an Original Plan and a Title Plan (subject to road discontinuance), and requested that Council proceed with the formal road discontinuance. It appears that Council has previously indicated that it would undertake the discontinuance process.

### **ISSUE/DISCUSSION**

Under Section 206 Schedule 10 Clause 3 of the Local Government Act 1989, Council is obliged to advertise the proposal by a public notice. Any submissions made must be considered in accordance with Section 223 of the Act. Once any submissions are considered, Council can then decide if the proposal is to either proceed or be abandoned. If Council approves the discontinuance, it then completes the process by formally gazetting the proposed discontinuance. The road will then revert to unalienated Crown land vested in the Government.

The proposed discontinuance was advertised by public notice in the Pyrenees Advocate on 24 May 2019 and on Council's website. No submissions were received by the nominated closing time of 5pm on Friday 21 June 2019.

The following specific comments on the proposed discontinuance of the road reserve (highlighted in blue on the attached plan) are made:

- The road is already under licence to the owner.
- The properties highlighted on the plan (C.A.'s 6, 7, 9, 29 and 30) are in a Farming Zone and are all in the same ownership.
- There is no road constructed in either the road reserve highlighted blue or the road reserve highlighted in pink (which is not accessible to the public, being fenced off at the east end – see attached photograph).
- Properties east of the highlighted land are accessed from Main Lead Road.
- Properties west of the highlighted land are accessed from Back Raglan Road.
- There would appear to be no functional reason for Council to object to the proposed discontinuance, as Council and the Crown have never required the land as a 'road' and are highly unlikely to ever do so.

The following general comments in regard to road discontinuances are made:

- Council can discontinue a road under either the Local Government Act or the Road Management Act. The land then becomes unalienated Crown land vested in the Government.
- DELWP can discontinue a government road under the Land Act, which has provisions to allow the land to be then sold directly to the current occupier of the land.
- If Council discontinues a road and the Crown then sells the land to the abutting property owner (or other interested parties), Council would be meeting the costs of the discontinuation process and the Crown would benefit financially from the sale.
- In similar circumstances where DELWP is proposing to sell land created by a road discontinuance, it is suggested that Council should refuse to undertake the discontinuance process and allow DELWP to do so under the Land Act.

### **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

The proposed discontinuance is in accordance with the relevant Strategy in the Council Plan, namely that “We will plan, manage, maintain and renew infrastructure in a sustainable way that responds to the needs of the community.”

The proposal complies with:

- Local Government Act 1989
- Road Management Act 2004
- Pyrenees Shire Council’s Road Management Plan

### **ATTACHMENTS**

- 10.1 Locality plan
- 10.2 Photograph

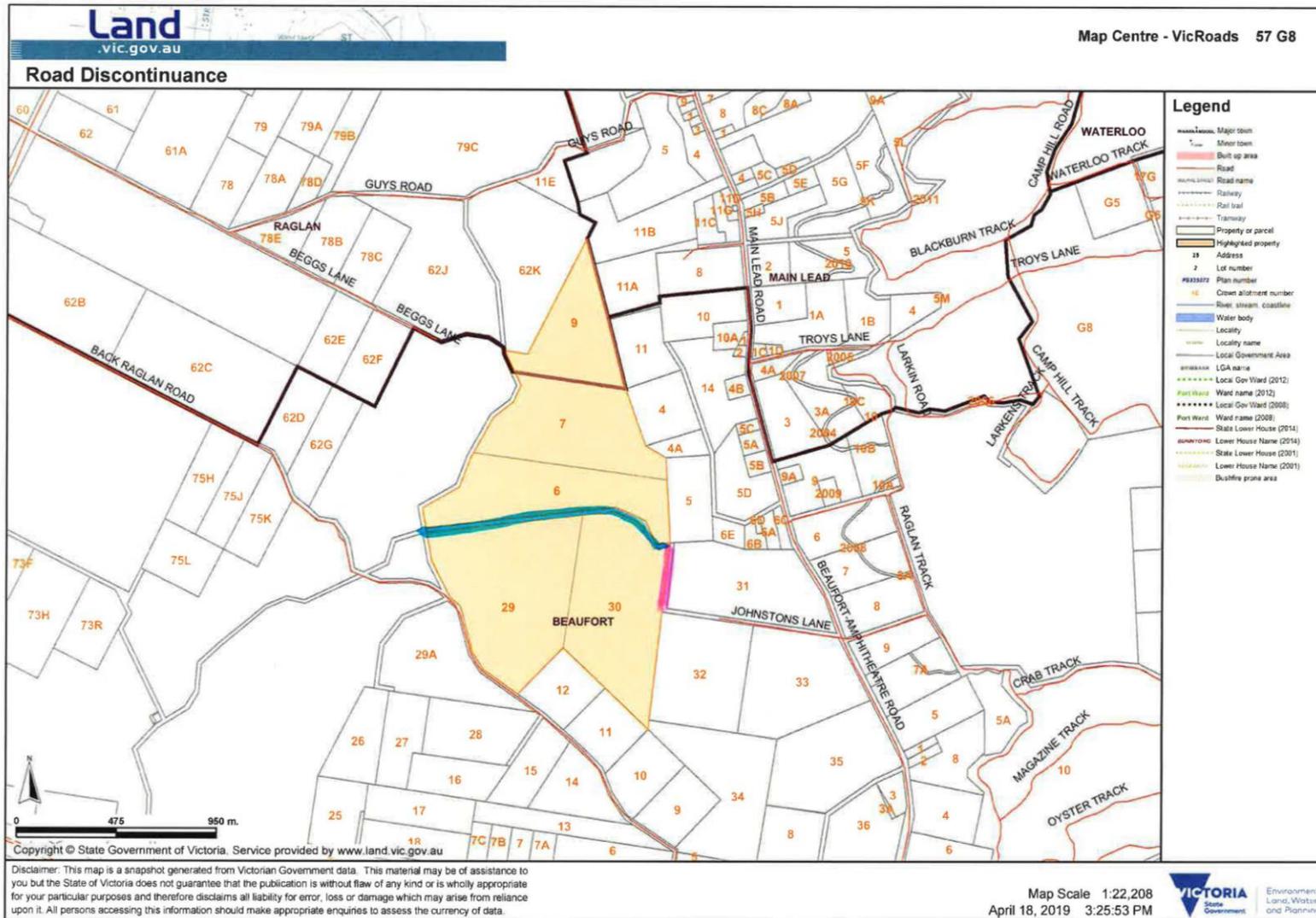
### **FINANCIAL / RISK IMPLICATIONS**

Costs for the road discontinuance will be accommodated within Council’s recurrent budget. As Council and the Crown have never required the land as a ‘road’ and are highly unlikely to ever do so, there is no reputational risk to Council.

### **OFFICER RECOMMENDATION**

That Council, pursuant to Clause 3 of Schedule 10 of the Local Government Act 1989 and being of the opinion that the section of government road shown in the attached plan is not reasonably required as a road, resolves that:

1. The statutory procedure to discontinue that section of government road be commenced.
2. The Chief Executive Officer or his delegate be authorised to arrange for a Notice of Discontinuance to be published in the Victorian Government Gazette.
3. In future where discontinued roads are to be sold by the Crown, Council declines requests to discontinue the road(s) under the Local Government Act.





## 11. STARS ROAD, RAGLAN

**Douglas Gowans – Director Asset and Infrastructure Services**

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 6020

### PURPOSE

The purpose of this report is to provide Council with information for the consideration of resheeting a section of Stars Road, Raglan following a complaint from a landholder of the poor condition of this road.

### BACKGROUND

Councillors received direct correspondence from Mr Len Carey on 21 March 2019 requesting Council to consider upgrading a section of Stars Road that adjoins the Western Highway. In the correspondence, Mr Carey makes reference to former Shire personnel who he claims made a commitment to upgrade this section of road. There is also reference to a customer action request from July 2018 where Mr Carey requests action due to poor road condition due to pot holes.

Council officers inspected the road at this time, repaired the pot holes and provided a response to Mr Carey. The road was found to be in a trafficable condition, consistent with the low use of this road. It is acknowledged that the road was constructed from a natural gravel material that includes larger rock pieces than would not typically be used as part of current practice.

Subsequent inspections by senior staff have also found that, although the road surface is generally rougher than many other gravel roads within the shire, it meets Councils construction standards including having adequate material on the road.

The northern section of Stars Road has been constructed to a higher standard and allows access to the property of the correspondent without the need to use the southern section of Stars Road. Stars Road does not service residential properties.

### ISSUE / DISCUSSION

Resheeting prioritisation is generally given to roads where there has been a loss of material over time. The cost estimated to resheet this section of road is \$20,000. Mr Carey has stated in his correspondence that Stars Road is the worst road in the shire. Council's independent condition audit has shown that Stars Road is far from Council's worst road.

The gravel road resheeting program responds to roads where gravel losses have occurred, where there are multiple customer action requests and are prioritised by road hierarchy which generally reflects higher use roads. Prioritisation of Stars Road for resheeting is outside of the forward program.

The gravel road network within Pyrenees Shire Council contains 1248 kilometres of road. The current gravel road resheeting budget allows for approximately 3% or 37 kilometres of roads to be resheeted each year.

Council could substitute Stars Road for a road in the forward program. Roads that are due for resheeting that could be substituted include:

- Ferntree Gully Road
- Church Road
- Dalgleishes Road

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Strategic Objective 1 - Roads and Townships. We will plan, manage, maintain and renew infrastructure in a sustainable way that responds to the needs of the community.

1.1 - Ensure local roads are maintained and renewed in line with adopted plans and strategy to provide a safe transport network and meet community needs.

## **ATTACHMENTS**

Nil

## **FINANCIAL / RISK IMPLICATIONS**

The estimated cost to resheet the portion of Stars Road is \$20,000. Council has allocated in its 2019-20 Budget \$1,042,100 for gravel road resheets across the Shire.

## **CONCLUSION**

Council prioritises its road resheeting program on a needs basis. Any substitution for resheeting based solely on a customer request will have an impact on the forward program.

## **OFFICER RECOMMENDATION**

That Council undertakes to resheet Stars Road in a future year when it meets the condition requirements and prioritisation criteria, taking into account all gravel roads within the Shire.

## **12. AVOCA STREETScape FEEDBACK REPORT AND FORWARD ACTIONS**

**Douglas Gowans – Director Asset and Infrastructure Services**

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 66/19/02

### **PURPOSE**

The purpose of this report is to provide Council with a summary of community feedback received following the public exhibition of the Avoca Streetscape and Framework plans, and to confirm Council's response to elements raised throughout the feedback.

### **BACKGROUND**

Pyrenees Futures is a strategic planning project that has been established to guide the growth and development of nine key settlement areas within the Shire including the township of Avoca.

It focuses on incorporating community feedback, local stories and natural landscapes into a place-based and strategic plan for development. The project intends to support community growth by enhancing existing attributes and ensuring the sustainability of towns.

Consultation for Pyrenees Futures began in December 2017, where it became clear that the Avoca community sought to activate the town centre, enhance community cohesion and ensure that Avoca remains a place of character and prosperity. It was also found that the community sought a solution to the hazardous traffic conditions of High Street.

The consultation process raised concerns around traffic safety, speeding, a lack of shade and shelter, limited seating, footpath surface quality and the general amenity of the town centre. Feedback in this initial stage was received from approximately 130 residents, including grade 5 and 6 students of the Avoca Primary School.

In addition, Council has received requests for a reduction in the 60km/h speed limit through Avoca. A petition of 110 signatures was received in June 2017 and presented to Council at the July 2017 meeting where Council resolved to:

1. Forward the petition to VicRoads being the responsible authority; and
2. Supports, in principle, a review of the speed limit in Avoca to reduce the speed from 60km to 50km at the town entry on Sunraysia Highway (High Street).

The draft Avoca Township and Framework Plan was developed earlier this year and Council resolved at the April 2017 Meeting, to place the plans on public exhibition. The plans were exhibited during May and supported by two (2) well attended community drop-in session. Officers have continued to be available to receive, discuss and respond to submissions received.

At the time of writing this report, 116 written submissions had been made to Council. The submissions discussed a range of themes including the proposed reduction of High Street from two lanes to one in each direction, additional tree planting, suggestions on how to improve hazardous intersections, the introduction of pedestrian crossing points and the installation of street furniture.

### **ISSUE / DISCUSSION**

Officers have assessed and evaluated the submissions received. Follow up phone calls and written responses have been provided where contact details have been provided.

The following six themes were evident in the submissions:

- Traffic
- Speed limit
- Parking
- Heritage
- Tree planting
- General issues

Each theme had a number of sub themes with the results tabulated below:

Traffic	
• Want one lane	3
• Retain two lanes	55
• Need to cater for RV community	5
• Concern for movement of heavy and oversize vehicles	21
• Want a traffic treatment at Sunraysia/ Pyrenees intersection	34
• Preserve bus stop at Info centre	1
• Want a bypass	3
• Retain median crossing turn arounds	11
• Retain overtaking opportunity	3

Speed Limit	
• Want 40km/hour	5
• 50km/hour	19
• Supports speed reduction	19

Parking	
• Parking in median to remain	4
• No median side parallel parking	5
• Want more parking	2
• Wants more disabled parking	3
• Need provision for long vehicle parking	11
• Need provision for bus parking	2
• Suggestion for angled parking	1

Heritage	
• Plans compromise Heritage value	3
• Plans need to do more to protect and celebrate heritage	2

Tree Planting	
• Want more trees at entrance to town	1
• Too many trees in the proposed plans	4
• Want more deciduous trees	7
• Trees shown in plan will obstruct views	2
• Trees show in plan will obstruct vehicle movement	1
• Difference/concerned about tree species selection	3
• Support proposed tree species	2
• Support more trees generally	9

• General issues	
• Congestion in Cambridge Street	5
• Negative visual amenity impact	1
• Want footpaths upgraded	2
• Support improved pedestrian movement	13
• Does not support proposed location of play space	21
• Supports location of play space	1
• Does not support relocation of play space from Lions Park	2
• Support seating demonstrated in plans	14
• Require more seating than shown in the plans	7
• Supports linking of places	4
• Supports shade (tree and structure) as shown in the plans	8
• Required more shade than what is demonstrated in the plans	5
• Supports additional lighting as shown in plans	1
• Supports existing location of toilets (not moved as proposed)	16
• Supports an enhanced use of the median strip	2
• Support overall plan	15
• Does not support overall plan	37
• Questioned the need for change	4
• Need to maintain vehicular and pedestrian access to businesses	5
• Traffic signage	2
• Preserve uniqueness	7
• Plans appear too urban (compromised rural character)	10
• Want a town hall / convention centre	1
• Management of river flats	1
• Walking path circuits	1
• Areas for housing development	2

### Traffic and Speed

Although there is broad support for a reduced speed in the town centre, there are mixed views on the proposal to shift High Street to a one-lane configuration in the town centre. The submissions indicate that 48% of the submitters do not support the carriageway reduction through Avoca from two lanes to one.

The various reasons provided for retaining the second lane have been summarised below:

- Maintain town uniqueness – retain the wide open street that makes Avoca unique
- Preserve heritage value – wide, two lane carriage way is a design of days gone by and contributes to the heritage value of the town
- Safety – the second lane allows for driver error and provides vehicles with an opportunity to avoid collision
- Two lanes are required to cater for oversized and long vehicles

Officers are confident that the themes raised above can be addressed through a re-design of the parking and carriageway configuration whilst committing to a single lane road that complies with Australian Standards. By including a buffer lane either side of the carriage way, the road will accommodate vehicles of up to 6.8 meters in width. It should be noted that Regional Roads Victoria does not permit vehicles wider than 6.5 meters to travel on Victorian roads.

It should also be noted that the current plans (and any future versions) do not seek to adjust the road width and that the kerb to kerb distance will remain unchanged.

Research and observations confirm that reducing a speed limit by simply changing the displayed signs has very little impact on driver behaviour and does not effectively reduce travelling speeds. Speed reduction is best achieved through urban design interventions and by creating an environment that is less conducive to speeding traffic. Such interventions include tree planting, single lanes, pedestrian outstands and pedestrian crossing points.

It would be difficult to achieve a speed reduction in High Street whilst maintaining two lanes as it is relied upon as an overtaking opportunity for vehicles using the Sunraysia Highway.

Preliminary conversations with Regional Roads Victoria suggest that they would be less likely to support a speed reduction along High Street without design interventions being included in the strategy.

### **Parking**

Concerns around the proposed High Street car parking configuration have been raised. Such concerns include the need to retain median car parking, the requirement to accommodate long vehicle parking and the accessibility of parallel parks in the instance that the carriage way is reduced to one lane.

Officers acknowledge the concerns raised and will adjust plans to ensure that some of the median car parks are retained and will introduce a buffer zone either side of the carriage way to provide vehicles entering or exiting a park with an area free of moving traffic.

Further adjustments to the plans will include tree planting upon the median strip rather than between the median side parallel car parks. By moving the trees, it is intended to provide a clear passage of travel for wide loads and accommodate long vehicle parking.

### **Heritage**

The heritage value and uniqueness of the Avoca streetscape is an extremely important element that designers have attempted to acknowledge, incorporate and enhance in the development of the draft plans. There are very few components of the draft plan that restrict access to the visual built form of the streetscape. Nevertheless, officers will invest more time in understanding the perceived impacts on heritage value and adjustment to the plans accordingly.

### **Trees**

Four (4) of the 116 submissions received do not support the planting of additional trees as proposed in the draft plans. Reasons provided for the objection to additional tree planting include the potential to obstruct views, a sense that the street would become too cluttered and that additional trees would change the feel of the town. Three (3) submissions raised concerns around the species of trees selected and nine (9) submissions generally supported additional tree planning in the main street.

To accommodate the concerns raised, whilst providing additional shade and cooling for High Street, the plans will be reviewed and adjusted accordingly. Some preliminary modifications to the plan will include planting trees upon the median strip rather than between the median side parallel car parks and reviewing the species and tree numbers and locations.

## General Issues

Other key themes raised via submission include:

- Broad support for the Cambridge Street Civic Spine proposal, including the central square and measures taken to better connect the town hall and riverfront. Some submissions raised property access issues (which are all addressed in the draft designs) and suggestions around fine-grained design changes such as moving proposed bicycle racks
- Support for footpath surface improvements and the provision of additional seating.
- A recognition of the need for more shade/shelter in the main street
- The need to protect and foster Avoca's sense of place
- Many High Street businesses are supportive of the proposal
- Support a more pedestrian friendly design
- Seek to retain the toilet block in its current location as moving would be a waste of money
- Support for identified residential growth areas
- Concerns around the location of the play space

Council received a grant for the installation of a new play space within the median reserve of the town centre. The application and granting process included a risk assessment of the location to be undertaken by the funding body, who determined that the proposed location (median reserve) is appropriate with the proposed safety measures. Funding was provided conditional to the play space being located in the median reserve. There is no mechanism available to Council to change the location of the play space without surrendering the funding.

## COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 5 - Development and Environment. We will undertake forward planning, and facilitate growth in our local economy while protecting key natural and built environmental values.

5.2 - Prepare and implement township framework plans to guide future development in Beaufort, Avoca, Snake Valley, Lexton, Waubra/Evansford, Landsborough, Moonambel, Amphitheatre and Raglan and then consider extending the planning to include other towns.

## ATTACHMENTS

12.1 Public submissions – *circulated separately*

## FINANCIAL / RISK IMPLICATIONS

The Framework and Streetscape plan mitigates risks to Council and the community posed by outdated planning framework that are no longer fit for purpose.

The Streetscape Master plan reflects the need for significant capital works investment in Avoca's town centre. This would need a staged approach to implementation and advocacy support in order to seek funding from other levels of government.

## CONCLUSION

The Avoca Framework and Streetscape plan represents an important step in the Pyrenees Futures project. The plan addresses a previous lack of investment in strategic planning within the township and provides a clear direction for future use and development. The plans have been developed in response to community feedback and seek to focus on vital public realm improvements whilst intensifying a strong and distinctive sense of place.

The plans also seek to respond to changing climatic conditions by providing increased shade and cooling and ensuring that the township remains viable for years to come.

There is broad support for the draft streetscape plans amongst the community.

Officers are committed to reviewing the draft plans following the receipt of community feedback and making a number of changes in line with feedback received.

#### **OFFICER RECOMMENDATION**

That Council:

1. Formally receives the community submissions received in relation to the Avoca Pyrenees Futures project – Draft Avoca Frameworks and Streetscape plan.
2. Resolves to have the Avoca Streetscape Plans amended in response to community feedback.
3. Resolves to support a reduced speed limit in High Street, Avoca to no greater than 50km per hour and formally write to Regional Roads Victoria requesting the change.
4. Seeks a formal response from Regional Roads Victoria regarding design condition requirements to support a reduced speed limit, pedestrian crossing points and outstands on a dual lane road (High Street, Avoca).
5. Provides in principle support for the proposed change of High Street, Avoca to one lane in each direction, to allow officers to amend plans in response to elements of community feedback.
6. Ensures that any amended plans provide unrestricted access to oversize and over mass vehicles in line with the *VicRoads – Heavy Vehicle Network Access Considerations*.
7. Commits to additional tree planting in line with a review of the Streetscape Plans and following further specialist advice on species selection.
8. Commits to the closure of the Cambridge Street median access where it intersects with High Street to allow for the development of a public open space.
9. Undertakes some further refinement of the proposed design elements of the Cambridge Street Civic Spine and gives in principle commitment to implementing the proposed design elements.
10. Commits to keeping the public toilets in their current location.
11. Acknowledges that funding for the Avoca play space was conditional on its location within the median reserve of High Street and that the funding body had undertaken a risk assessment to ensure that the location and design does not compromise child safety.
12. Advocates to the Regional Roads Victoria for an improved traffic treatment at the Sunraysia and Pyrenees Highway intersection.

### 13. PA2505/16 REQUEST FOR AN EXTENSION OF TIME

**Katie Gleisner – Manager Planning and Development**

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 108026400P

#### PURPOSE

The purpose of this report is to seek Council's decision relating to an 'Application to Extend Time' for planning permit PA2505/16. The planning permit allows for the use and development of land for the purpose of a retirement village (85 dwelling and staged subdivision) at 232 High Street, Avoca.

#### BACKGROUND

At the Special Council meeting of the 22nd of August 2017, Council considered an application for a 133-lot subdivision and retirement village (independent living community) at 232 High Street Avoca. Council put forward and endorsed a motion to issue a notice of decision in support of a modified development that would reduce the number of lots to 87 and the number of dwellings to 85.

The permit was issued on the 18<sup>th</sup> of September 2017 subject the following condition:

##### *PERMIT EXPIRY*

*68. This permit will expire if:*

- *The development is not started within two years of the date of this permit;*
- *The plan of subdivision for the first stage of the subdivision is not certified within two years of the date of this Permit.*
- *Any subsequent stage of the development is not commenced within ten years of the date of this Permit.*
- *Any stage of the subdivision is not completed within five years of the certification of its plan of subdivision.*

*The Responsible Authority may extend the commencement periods referred to if a request is made in writing before the permit expires or within six months after the expiry date.*

#### ISSUE / DISCUSSION

On 11<sup>th</sup> July 2019, Council received an 'Application to Extend Time' in accordance with section 69 of the *Planning and Environment Act 1987*.

The applicant has sought a time extension of two (2) years from 18<sup>th</sup> September 2019 to commence the development and certify the first stage 'Plan of Subdivision'.

If an extension were to be granted, it could apply to each element of the original approved timeframes (condition 68), at the discretion of the Responsible Authority.

The reason and evidence provided to support the request is as follows:

"Finalising of the development and plans to be submitted for endorsement; Progression in finalising the land and seeking commitment from a builder".

In deciding whether to grant an extension under section 69 *Planning and Environment Act 1987*, a responsible authority should reassess the proposal in the present context, taking into account the following considerations:

- whether there have been any changes to relevant planning controls or planning policy

- the likelihood of a permit being granted if a fresh application was made for the proposal
- the total elapsed time, taking into account whether the originally imposed time limit was adequate
- whether the landowner is seeking to ‘warehouse’ the permit (that is, store the permit without intending to act upon it)
- intervening circumstances, including: x action taken by the applicant in the context of any legislative and policy uncertainties, including under other jurisdictions x whether conditions on adjoining land may have changed in a way that would affect the proposal
- the economic burden imposed on the landowner by the permit, including whether the cost of having to comply with the permit conditions was so onerous that the time available for compliance was inadequate

It should be noted that the application incorrectly identifies the owner of the land and that Council cannot reasonably be satisfied that the owner of the land is aware of the request for an extension of time being made.

This application has been brought to Council as the decision to grant a permit was originally determined by Council, subject to conditions.

#### **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Strategic Objective 5 - Development and Environment. We will undertake forward planning, and facilitate growth in our local economy while protecting key natural and built environmental values.

5.1 - Provide efficient and effective land use planning, ensuring local policies within the Pyrenees Planning Scheme remain relevant and forward looking.

#### **ATTACHMENTS**

13.1 Application to Extend Time – *circulated separately*

13.2 Planning Permit PA2505/16 granted 18<sup>th</sup> September 2017 – *circulated separately*

#### **FINANCIAL / RISK IMPLICATIONS**

An application determined by Council, which is subject to appeal rights at VCAT, may incur costs in the form of representation fees and staff resources.

It is worth noting that the design details of the development are unknown as plans have not yet been submitted for endorsement, as required in condition 1 of the planning permit.

#### **CONCLUSION**

Council has discretion with respect to the length of time that a planning permit will be extended for. Council reserves the right to extend the permit for an alternative time frame than the timeframe requested. Council will take into account the extent of the time delay, the reasons for the extension and the scale of the development when considering what length of time is appropriate for the permit to be extended.

#### **OFFICER RECOMMENDATION**

That Council having considered the ‘Application for Extension of Time’ for PA2505/16 determines to grant an extension for a period of time of \_\_\_\_\_ months.

## CORPORATE AND COMMUNITY SERVICES

### 14. SECTION 86 COMMITTEES – EXEMPTION FROM COMPLETING PRIMARY AND ORDINARY RETURNS

#### April Ure – Manager Governance, Risk and Compliance

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 16/16/04, 16/16/10, 16/16/20 and 16/16/24

#### PURPOSE

The purpose of this report is to seek Council's approval to exempt members of special committees of Council, appointed under Section 86 of the *Local Government Act 1989* (the Act) from the requirement to submit Primary Returns and Ordinary Returns, normally required under Section 81(2) and 81(5) of the Act.

#### BACKGROUND

Section 81(2A) of the *Local Government Act 1989* gives Council the discretion to exempt members of special committees (who are not Councillors) from being required to submit a primary return or an ordinary return.

#### ISSUE / DISCUSSION

Following completion of the mandatory reviews of the Instruments of Delegation for Council's special committees appointed under Section 86 of the Act, Council approval is requested to exempt members of these committees (who are not Councillors) from the requirement to submit Primary Returns and Ordinary Returns under Section 81(2) and 81(5) of the Act.

Primary and Ordinary Returns are currently submitted twice per year by Councillors, members of Council's Audit & Risk Committee, and nominated officers [Senior Officers of Council and other members of the Council staff nominated by the Chief Executive Officer] but not for members of special committees appointed under S.86 of the Act (S.86 Committees).

The basis of this request for exemption is that Council relies on the volunteer effect of the community members who contribute to the various Section 86 Committees and it is considered that the requirements of the Act in this regard would be onerous to those volunteers; and may deter some community members from remaining on committees due to the personal nature of the information that is required to be disclosed.

If approved, the following Committee Members would be exempted from the requirements of Section 81(2) and 81(5) of the Act.

#### Beaufort Community Bank Complex

Jim Mahony, Trish Collins, Heather Biddle-McCracken, Brett Charmings, Jennifer Trengove, Lynelle Day, Brad Foster, Seean Broadbent, Cameron Russell and Kate McGinty.

#### Brewster Hall

Richard Hayward, Annie Morcombe, Lyn Hayward, Jenny Verbene, Ted Purves, David Morecombe, Gary Hayward, Gary Swan and John Dunn.

#### Landsborough Community Precinct

Graeme Sandlant, Vonda Sandlant, Kaye Daly, Michael Coughlan, Krystal Browne, and Diane Western.

### Snake Valley Community Hall

Kate Breen, Clayton Keefe, Ann Collett, Tony Collett, Shirley Carson, Sonia Missen, Gay Pearse, Sherry McCarthy, Lyn White and Tania Currie.

### Waubra Community Hub

Jim Troy, Karen Hinchcliffe, Marie Loader, Peter Beckwith, June Harrison, Ken Fraser, Pat Clark, Kerryn Gallagher, Cath Koros, Kate Tol, Gerard Dooley, Karen Molloy and Simon Tol.

This report recommends that Council exempts all Section 86 Committee Members from the requirements of Section 81(2) and 81(5) of the Act.

If approved, this exemption will be further reviewed after the next general election of Council in accordance with Section 81(2B) of the Act.

### **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Strategic Objective 3 - Community Connection and Wellbeing. We will engage with communities to provide responsive, efficient services that enhance the quality of life of residents and promote connected, active and resilient communities.

3.4 - Community Services - Increasing the liveability of our communities through the provision of efficient and responsive services.

Sections 81(2A) provides Council with the power to exempt a member of a special committee (who is not a Councillor) from being required to submit a primary return or an ordinary return.

### **ATTACHMENTS**

Nil

### **FINANCIAL / RISK IMPLICATIONS**

There are no financial costs associated with this resolution.

This resolution reduces the risk of committee members resigning from their committees due to eliminating the requirement of having to disclose personal information to Council.

### **CONCLUSION**

Section 81(2A) of the *Local Government Act 1989* provides councils with the power to exempt a member of a special committee who is not a Councillor from being required to submit a primary or ordinary return.

This resolution will reduce the risk of committee members either resigning from committees or not joining committees, by eliminating the need for members to disclose personal information to Council.

### **OFFICERS RECOMMENDATION**

That Council provides its approval to exempt members of special committees of Council, appointed under Section 86 of the *Local Government Act 1989* from the requirement to submit Primary Returns and Ordinary Returns under Section 81(2) and 81(5) of the *Local Government Act 1989*.

**15. RATES ARREARS AS AT 30 JUNE 2019**

**April Ure – Manager Governance, Risk and Compliance**

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 52/08/02

**PURPOSE**

The purpose of this report is to provide an update of Rates and Charges currently outstanding as at 30 June 2019

**BACKGROUND**

This report on rate arrears is to provide Council further information. Listed below is a comparison of rate arrears outstanding at the end of the financial year for the past six years.

**ISSUE / DISCUSSION**

The table below compares the rate arrears for the past 6 years:

Year	Amount	% Outstanding Against Rates Raised with Arrears
Current year ending 30/06/2019	\$500,186.57	4.51
Year ending 30/06/2018	\$592,972.21	5.39
Year ending 30/06/2017	\$489,450.22	4.66
Year ending 30/06/2016	\$532,113.42	5.36
Year ending 30/06/2015	\$391,465.74	4.19
Year ending 30/06/2014	\$417,856.96	4.60

(Note: For the purpose of this report, all properties with a credit balance (totalling \$162,437.80) have been excluded from the calculation, and the amount of Fire Service Property Levy that is outstanding has been included for the years ending 30 June 2014 to present day. As at the 30 June 2019, an amount of \$59,758.90 remains outstanding for Fire Services Property Levy which is included in the figure mentioned above.)

The Property Revenue team are currently working to reduce the level of outstanding Rates and Charges, with following breakdown of accounts:

Collection Method	Balance	% Outstanding (% Outstanding Against Rates Raised with Arrears)
Instalment Payments - Final Notice	\$69,092.22	13.81 (0.62)
Arrangement with Council	\$59,161.57	11.83 (0.53)
Accounts with Debt Collection Agency	\$352,238.04	70.42 (3.17)
Misc/Minor Bal (<\$500.00)	\$19,694.74	3.94 (0.19)
<b>Arrears Balance</b>	<b>500,186.57</b>	<b>100 (4.51)</b>

Legal Action has not commenced on 18 properties currently with the Debt Collection Agency and will be commenced by 31<sup>st</sup> July 2019 where appropriate in line with the Revenue Collection Procedure. This process is later than previous years, and represented by the higher balance outstanding compared to previous reports.

### **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Strategic Objective 1 - Leadership

1.1 - Communicate the Council's decisions, policies and activities and the reasons behind them, in a form relevant to ratepayer needs and expectations in accordance to Council's communication strategy.

### **ATTACHMENTS**

Nil

### **FINANCIAL / RISK IMPLICATIONS**

Costs associated with the collection of outstanding rates and charges are incurred by the ratepayer.

### **CONCLUSION**

Outstanding rates and charges as at 30<sup>th</sup> June 2019 is \$500,186.57, representing 4.51% of the amounts due in the 2018/19 financial year.

### **OFFICERS RECOMMENDATION**

That Council receives the Rate Arrears Report as at 30 June 2019 and requests that regular reports be provided to Council with details of the rate arrears.

## 16. ADOPTION OF PROPERTY VALUATIONS 2019

**April Ure – Manager Governance, Risk and Compliance**

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 52/08/02

### PURPOSE

The purpose of this report is to outline the process for the 2019 property valuations and to seek Council's approval to adopt the revaluation to be used for the purposes set out in the *Valuation of Land Act 1960* and the *Local Government Act 1989*.

### BACKGROUND

Section 11 of the *Valuation of Land Act 1960* requires Council to make a general revaluation of rateable land within the Shire as at 1 January each calendar year. The last revaluation of the Shire was as at 1 January 2018.

### ISSUE / DISCUSSION

Council's property valuations are completed by the Valuer General who in turn subcontracts the valuation to VRC Property. VRC Property has officially returned the final revaluation data for use in the 2019/20 rating period. A valuation report was sent to the Valuer General (See Attachment) and Council has received the declaration from the Minister (See Attachment).

Council must adopt the 2019 General Revaluation of all rateable properties within the municipality.

Overall, valuations for rateable properties within the Pyrenees Shire Council have increased by 6.4%. Rate notices will be issued in August 2019, at which point ratepayers will be informed of their new property valuation. If any ratepayer feels their property has been incorrectly valued, objections can be lodged in the 60 days after the issue of the rate notice. Initial objections will be considered by VRC Property with a further avenue of appeal to VCAT if the matter remains unresolved.

The revaluation of properties every year is a legal requirement. The general revaluation of all rateable properties has been completed in accordance with section 13DC (1) of the *Valuation of Land Act 1960*.

### COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 2 - Community

We will provide community leadership and advocacy to ensure financial sustainability and improve the economic, social and environmental wellbeing of the Pyrenees Shire.

Communicate the Council's decisions, policies and activities and the reasons behind them, in a form relevant to ratepayer needs and expectations in accordance to Council's Communication Strategy.

### ATTACHMENTS

16.1 2019 General Valuation – Certification made to the Minister

16.2 2019 Report of General Valuation

### FINANCIAL / RISK IMPLICATIONS

The new capital improved values have been used as the base for rate calculations in the Adopted Budget 2019/20.

## CONCLUSION

In accordance with the *Valuation of Land Act 1960* and the *Local Government Act 1989* the revaluation of all properties within the shire has occurred.

## OFFICERS RECOMMENDATION

That Council:

1. Adopts the return of the revaluation of all properties within the Shire as at 1 January 2019 from the Valuer General.
2. Understands that the adopted Valuations will be used for the purposes set out in the Valuation of Land Act 1960 and the Local Government Act 1989, subject to any subsequent amendment to the valuation permissible under these acts.



## Department of Environment, Land, Water & Planning

**Valuer-General Reference: PY05.19.4**

Valuer-General Victoria  
Level 4, 1 Little Collins Street  
Melbourne Victoria 3000  
GPO Box 527  
Melbourne Victoria 3001  
Telephone: 03 7004 1491

Mr Jim Nolan  
Chief Executive Officer  
Pyrenees Shire Council  
5 Lawrence Street  
BEAUFORT VIC 3373

Dear Mr Nolan,

**Re: 2019 General Valuation – Certification recommended to the Minister**

Please be advised the 2019 General Valuation for the Pyrenees Shire Council is finalised and attached is the Form 2 summarising the valuation totals. It is recommended that council review the valuation totals of the Form 2 document and reconcile with the preliminary valuation figures used for rate budgeting purposes.

Auditing throughout the valuation cycle has shown that the general valuation of all rateable land and non rateable leviable land in the Pyrenees Shire Council has been made in accordance with the 2019 Valuation Best Practice Specification Guidelines.

In accordance with Section 7AD of the Valuation of Land Act 1960 (the Act), I certify the General Valuation to be generally true and correct.

I will be reporting to the Minister that the 2019 General Valuation of your municipality is generally true and correct with respect to each of the bases of value.

Once the Minister has made his declaration under Section 7AF of the Act that the valuation is suitable to be adopted and used for the purposes of any rating authority allowed to use the valuation, a copy of the declaration will be forwarded to your municipality.

Should you have any questions, please contact Mark Sanderson on (03) 7004 0431.

Yours faithfully



**ROBERT MARSH**

Valuer-General  
3/06/2019

## Valuation of Land Act 1960

### REPORT OF GENERAL VALUATION UNDER SECTION 7AA(1)

#### Valuation summary

Area:	Date valuation was returned to rating authority:	Date of previous valuation returned to rating authority:	Name of rating authority:	Basis of rating:
3433 ha	25 <sup>th</sup> March 2019	26 <sup>th</sup> April 2018	Pyrenees Shire (VGV)	CIV
	Level of value date: 01 Jan 2019	Level of value date of previous valuation: 01 Jan 2018		

	Residential	Commercial	Industrial	Rural	Non-Rateable leviable	Other	Total
Number of assessments with buildings	1,931	152	37	3,031	137		5,288
Number of assessments without buildings	267	3	24	551	14		859
Total Net Annual Value	\$24,052,450	\$4,313,700	\$456,050	\$86,923,700	\$24,863,400		\$140,609,300
Total Site Value	\$153,351,000	\$7,740,000	\$3,447,000	\$1,357,542,000	\$26,198,000		\$1,548,578,000
Total Capital Improved Value	\$481,049,000	\$55,113,000	\$9,121,000	\$1,738,474,000	\$263,920,000		\$2,547,677,000

#### Summary of previous valuation details as amended to the end of the rating year immediately preceding the current valuation

	Residential	Commercial	Industrial	Rural	Non-Rateable leviable	Other	Total
Number of assessments with buildings	1,931	152	37	3,031	137		5,288
Number of assessments without buildings	267	3	24	551	14		859
Total Net Annual Value	\$21,080,450	\$4,386,750	\$427,350	\$81,335,600	\$26,204,550		\$133,434,700
Total Site Value	\$134,781,000	\$6,927,000	\$3,016,000	\$1,247,522,000	\$25,410,000		\$1,417,656,000
Total Capital Improved Value	\$421,609,000	\$54,599,000	\$8,547,000	\$1,626,712,000	\$276,507,000		\$2,387,974,000

Signed:



Date: 20<sup>th</sup> May 2019

## CHIEF EXECUTIVE OFFICER

### 17. RURAL COUNCILS TRANSFORMATION PROGRAM

Jim Nolan – Chief Executive Officer

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 32/20/12

#### PURPOSE

The purpose of this report is to inform Council about the outcome of the funding applications involving Pyrenees Shire Council under the Rural Government Transformation Program, and to assist Council to understand the next steps and issues involved in the implementation.

#### BACKGROUND

At the Ordinary Council Meeting on 16 April 2019, Council considered a report on the Rural Councils Transformation Program (RCTP) and resolved:

*That Council:*

1. **Notes** that Pyrenees Shire Council is a participant in a grouping of councils that have made an application for funding under the Victorian Government Rural Councils Transformation Program (RCTP) for the following initiatives:
  - a. Rural Councils Corporate Collaboration – Shared Services Program in conjunction with West Wimmera Shire Council, Yarriambiack Shire Council, Hindmarsh Shire Council, Central Goldfields Shire Council, Golden Plains Shire Council, Buloke Shire Council, Loddon Shire Council and Horsham Shire Council (lead council)
  - b. Central Highlands Councils Transformation Project in conjunction with Ararat Rural City Council, Central Goldfields Shire Council, Golden Plains Shire Council, Hepburn Shire Council, Moorabool Shire Council and City of Ballarat Council (lead council)
2. **Notes** that for an RCTP application to be eligible for consideration, the following criteria must be met:
  - a. Submission of a joint business case by 31<sup>st</sup> March 2019.
  - b. Each council must pass an accompanying resolution committing to implement the business case, if approved for funding. The resolution must be lodged with Local Government Victoria by 30<sup>th</sup> April 2019.
3. **Approves** the submission of the business cases by Horsham Rural City Council and the City of Ballarat on behalf of Pyrenees Shire Council.
4. **Approves** implementation of the project(s) / initiative(s) within the submitted business cases by Pyrenees Shire Council, subject to the applications being approved for RCTP funding.
5. **Approves** prioritization of participation in the Central Highlands Councils Transformation Project should both initiatives be approved.

On 2 July 2019, the Minister for Local Government Adem Somyurek announced the successful recipients under the \$20 million Rural Councils Transformation Program (RCTP).

The application from the Central Highlands Councils of Ballarat, Ararat, Central Goldfields, Golden Plains, Hepburn and Pyrenees, was successful. The \$4.5 million project will be used to deliver a regionally-shared IT platform to support finance, payroll, records, safety, fleet management, building, environmental health, planning, waste and community services. The regional project seeks to deliver more than \$11 million in productivity benefits and reduced costs over five years.

The purpose of the program is to improve the financial sustainability of rural councils and allow them to reallocate any funds saved to other projects and service areas.

The second project application involving Pyrenees was the Rural Councils Corporate Collaboration – Shared Services Project with West Wimmera Shire Council, Yarriambiack Shire Council, Hindmarsh Shire Council, Central Goldfields Shire Council, Golden Plains Shire Council, Buloke Shire Council, Loddon Shire Council and Horsham Shire Council. This project was also successful. However Local Government Victoria requires that councils participate in just one project. Three of the participating councils (Golden Plains, Central Goldfields and Pyrenees) involved in both project bids have prioritised participation in the Central Highlands Project.

### **ISSUE / DISCUSSION**

The City of Ballarat, as the lead council for the Central Highlands Councils project has entered into a funding agreement with Local Government Victoria on behalf of the participating councils, and the funding has been made available for commencement of the project.

The next milestone for the project involves a comprehensive review of the business case to confirm the scope costs, risks and implementation plan for the project which is intended to be done in conjunction with relevant staff across the organisations involved. It will also be necessary to market sound the business case to ensure it can be delivered to within 15% of the funding provided. This review and refining work is required to be completed by 31 March 2020.

The proposed end date for the project is 30 June 2025.

Given the change that will be introduced across the participating organisations, the business case looks to identify and address the costs and resourcing necessary to accommodate and manage the change. This will of course involve consultation with relevant staff and unions.

The review and refinement of the scope and implementation plan will result in interruption and change to other previously adopted projects and plans such as the implantation of Council's ICT strategy. We will look to plan and manage this process, and communicate back to Council in a timely was as the project is being delivered.

### **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Strategic Objective 4 - Financially Sustainable, High-performing Organisation. Our organisation will respond to community needs, attend to our core business, and strive for excellence in service delivery in an ethical and financially responsible manner.

4.2 - Promote learning and growth that will facilitate change, continuous improvement, innovation and efficiency.

4.4 - Develop our systems to support and enable our people to deliver efficient and quality services which are cost effective.

## ATTACHMENTS

Nil

## FINANCIAL / RISK IMPLICATIONS

The implementation of the projects will require significant organisational change which will need to be managed well.

There will be disruption, and costs associated have been identified and expected to be offset by the funding provided through the RCTP and as detailed in the business case.

## CONCLUSION

The collaborative effort of the two groups of councils in their endeavour to secure funding for shared service models across the region has demonstrated the willingness of each participating council to improve the way we do business. The process has identified that significant resources are needed to make the transformational change expected given the complexity of systems and the wide range of services provided.

## OFFICER RECOMMENDATION

That Council:

1. Notes the successful funding announcement of the *Central Highlands Councils Transformation Project*;
2. Acknowledges the opportunity under the funding offer to review and refine the business case to ensure the project delivered is achievable within the funding parameters; and
3. Seeks a further update report on the implementation of the project in conjunction with the consideration of the 2020/21 draft budget.

## 18. COMMUNITY SATISFACTION SURVEY

**Jim Nolan – Chief Executive Officer**

**Declaration of Interest:** As author of this report I have no disclosable interest in this item.

**File No:** 44/10/04

### PURPOSE

The purpose of this report is for Council to receive the 2019 Community Satisfaction Survey report, and to consider the key findings.

### BACKGROUND

Each year Local Government Victoria (LGV) coordinates and auspices a State-wide Local Government Community Satisfaction Survey throughout Victorian local government areas.

Participation in the State-wide Local Government Community Satisfaction Survey is optional and participating councils have a range of choices as to the content of the questionnaire and the sample size to be surveyed, depending on their individual strategic, financial and other considerations.

The main objectives of the survey are to assess the performance of Pyrenees Shire Council across a range of measures and to seek insight into ways to provide improved or more effective service delivery. The survey also provides councils with a means to fulfil some of their statutory reporting requirements as well as acting as a feedback mechanism to LGV.

The survey was conducted by Computer Assisted Telephone Interviewing (CATI) as a representative random probability survey of residents aged 18+ years in Pyrenees Shire Council. A total of 402 completed interviews were achieved in Pyrenees Shire Council. Survey fieldwork was conducted in the period of 1st February –30th March, 2019.

The Local Government Community Satisfaction Survey has been carried out annually since 1998. The survey from 1998 to 2011 was carried out with the same format. For the 2012 survey and onwards the Department introduced significant changes to the methodology and content of the survey. The changes were introduced to provide councils with more meaningful and reliable information. These changes meant in that instance, Council could not draw direct comparisons with previous year's survey results.

Pyrenees Shire is listed in the Small Rural Councils group which includes the following 16 other councils:

Golden Plains	Indigo	Queenscliff	Hepburn
Buloke	Loddon	Strathbogie	Hindmarsh
Central Goldfields	Mansfield	West Wimmera	Murrindindi
Gannawarra	Mount Alexander	Yarriambiack	Benalla

### ISSUE / DISCUSSION

While the report, which has been circulated to Councillors separately, contains the detailed findings, the following is a summary of core measures and individual service areas.

**Summary of Core Measures:**

	<b>Pyrenees 2019</b>	<b>Pyrenees 2018</b>	<b>Small Rural 2019</b>	<b>State-wide 2019</b>
<b>Overall Performance</b>	<b>60</b>	62	58	60
<b>Community Consultation</b> (Community consultation and engagement)	<b>57</b>	55	56	56
<b>Advocacy</b> (Lobbying on behalf of the community)	<b>54</b>	56	55	54
<b>Making Community Decisions</b> (Decisions made in the interest of the community)	<b>56</b>	57	55	55
<b>Sealed Local Roads</b> (Condition of sealed local roads)	<b>54</b>	54	53	56
<b>Customer Service</b>	<b>68</b>	73	70	71
<b>Overall Council Direction</b>	<b>48</b>	51	53	53

**2019 individual service area (index scores):**

	<b>2019</b>	<b>2018</b>	<b>2017</b>	<b>2016</b>	<b>2015</b>	<b>2014</b>	<b>2013</b>	<b>2012</b>
Emergency & disaster management	72	73	74	73	69	71	73	69
Recreational facilities	69	68	72	65	69	72	72	70
Elderly support services	69	70	74	69	70	70	71	72
Appearance of public areas	69	69	73	70	71	72	70	73
Family support services	68	68	70	68	68	67	66	n/a
Waste management	65	69	75	70	71	73	71	72
Bus/community dev./tourism	61	62	67	60	62	n/a	66	64
Informing the community	58	n/a						
Consultation & engagement	57	55	60	56	58	58	59	59
Community decisions	56	57	62	56	57	57	n/a	n/a
Sealed local roads	54	54	55	54	55	56	n/a	n/a
Lobbying	54	56	59	55	57	56	58	58
Local streets & footpaths	53	56	57	58	56	58	n/a	57
Planning & building permits	47	55	54	54	54	51	58	57
Unsealed roads	43	44	44	45	43	46	44	47

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Strategic Objective 3 - Community Connection and Wellbeing. We will engage with communities to provide responsive, efficient services that enhance the quality of life of residents and promote connected, active and resilient communities.

3.4 - Community Services - Increasing the liveability of our communities through the provision of efficient and responsive services.

## **ATTACHMENTS**

18.1 Pyrenees Shire Council Community Satisfaction Survey 2019 – *circulated separately*

## **FINANCIAL / RISK IMPLICATIONS**

There are no financial implications associated with this report.

## **CONCLUSION**

The 2019 Community Satisfaction Survey provides an assessment of the performance of Pyrenees Shire Council across a range of measures and seeks to provide insights into ways to provide improved or more effective service delivery. The survey also provides council with a means to fulfil some of its statutory reporting requirements as well as acting as a feedback mechanism to Local Government Victoria.

## **OFFICER RECOMMENDATION**

That Council:

1. Receives the 2019 Community Satisfaction Survey.
2. Places the 2019 Community Satisfaction Survey results on Council's website.



## **COUNCILLOR REPORTS AND GENERAL BUSINESS**

## CONFIDENTIAL ITEMS

### 19. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

That pursuant to the provisions of Section 89(2) of the Local Government Act 1989, the meeting be closed to the public in order to consider contractual matters.

### RECOMMENDATION

That the meeting be closed to members of the public under Section 89(2) of the Local Government Act 1989, to consider reports on the:-

20. Renewal of Bridges 93 and 94 over the Wimmera River on the Landsborough-Elmhurst Road
21. Rental Agreement – Beaufort Community House and Learning Centre



**22. RE-OPENING OF MEETING TO MEMBERS OF THE PUBLIC**

**RECOMMENDATION**

That Council, having considered the confidential items, re-opens the meeting to members of the public.

**CLOSE OF MEETING**

Meeting closed at

Minutes of the meeting confirmed .....

2019

Mayor