



**Pyrenees**  
Shire Council

**AGENDA**  
**Ordinary Meeting of Council**

**6:00pm Tuesday 21 January 2020**  
**Council Chambers**  
**BEAUFORT**

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## 1. WELCOME MEMBERS OF PUBLIC

## 2. 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

## 3. 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.

## 4. APOLOGIES

## 5. NOTICE OF DISCLOSURE OF INTEREST BY COUNCILLORS AND OFFICERS

## 6. CONFIRMATION OF PREVIOUS MINUTES

### RECOMMENDATION

That the Minutes of the:

- Ordinary Meeting of Council held on 10 December 2019;
- Closed Meeting of Council held on 10 December 2019

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

## 7. BUSINESS ARISING

Responses to questions taken on notice at the previous ordinary Council meeting on 10 December 2019

### 7.1. Ms Jones

Question: To move ahead, is it possible for Council to consider the information detailed in DELWP's document on crown water frontages?

Response by CEO: It is intended that Council give further consideration to the planning of open spaces in Avoca as part of its Avoca Framework Plan. A copy of the DELWP document will be made available to Councillors to reference as part of that planning consideration.

## 8. PUBLIC PARTICIPATION

### Questions

- All questions and answers must be a 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.



## 9. ITEMS FOR NOTING

### ASSET AND DEVELOPMENT SERVICES

#### 9.1. 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 December 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 November and December 2019 are summarised in the table below:-

Activity	November 2019	December 2019	Financial Year to date
Applications received	14	8	58
Applications completed	12	14	68
Number of referrals	1	4	21
Requests for further information	5	6	37
Estimated cost of works	\$1.17m	670,000	7.15 million

General Enquiries for November 2019		
Enquiry Type	December	Year to date (financial)
Pre-purchase enquiry	20	249
Pre-application enquiry	50	427
Existing permit enquiry	16	134
Current application enquiry	9	202
All other enquiries	14	234
<b>Total Enquiries</b>	<b>99</b>	<b>1146</b>

**PART B: BUILDING**

**Activity**

The building activity statistics as at 31/12/2019 are summarised in the table below:

CATEGORY	NUMBER	COMMENT
Permits issued by private Building Surveyor	9	
'Property Information Certificates' prepared and issued	12	
'Report and Consent' issued	3	
Building Notices	1	
Building Order	2	
Resolved Building Notices	1	
Resolved Building Orders	1	
Direction to Fix Building Work	0	
Building permit inspections undertaken	2	
Council issued permits finalised	3	** Council have not issued building permits since June 2018

**Council plan / legislative requirements**

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

**Financial / risk implications**

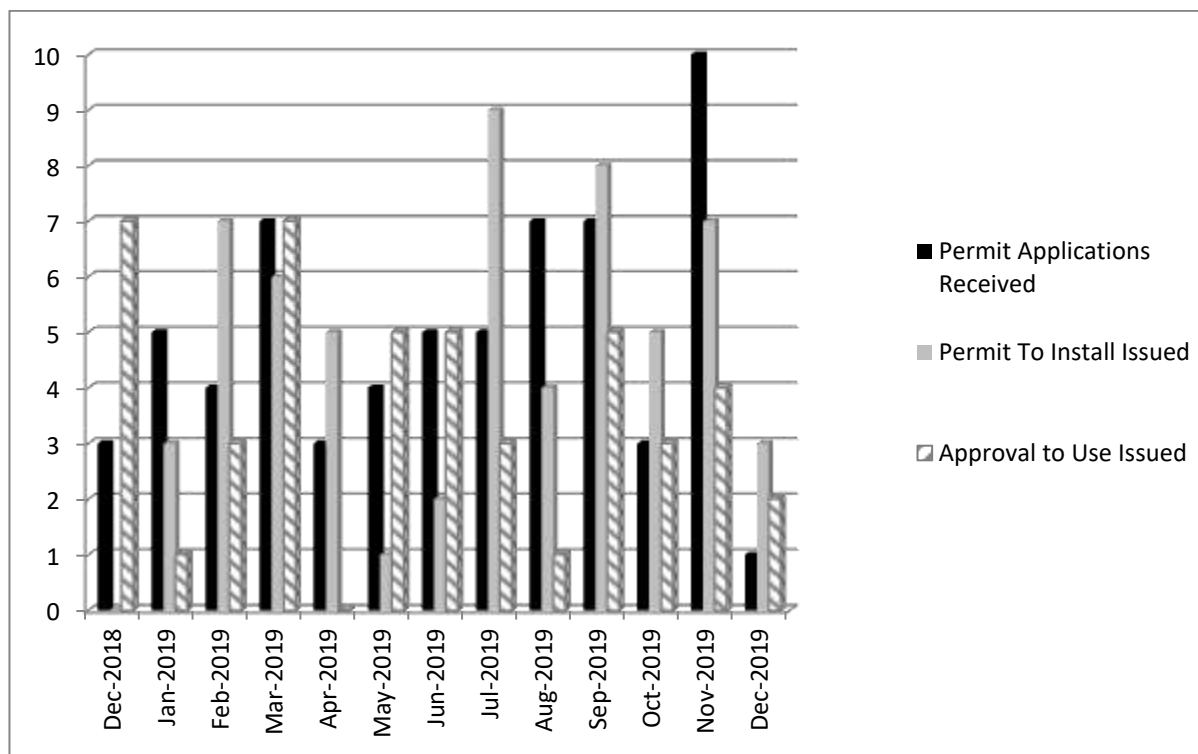
The Municipal Building Surveyor must have regard to any relevant guidelines under the *Building Act* 1993 or subordinate regulations. The building services department must ensure that a responsive service is provided that meets the demand of the building industry within the municipality.

**PART C: ENVIRONMENTAL HEALTH**

**Activity: Wastewater**

Period	Applications to Install or Alter Septic Tanks Received	Permits to Install or Alter Issued	Approval to Use Issued	Fees Paid
1st – 31st December 2019	1	3	2	\$390

Wastewater activity statistics for December 2019



Monthly wastewater activity (December 2018 to December 2019)

Wastewater related tasks for November 2019	
Septic Tank Inspections	7
Domestic Wastewater Management Plan Inspections	25
Domestic Waste Water Service Agent Reports	8

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

*Food Act 1984 and Public Health and Wellbeing Act 2008 Premises activity*

Period	New Premises & Renewals	Routine Inspections and Assessments	Follow Up Inspections	Complaints Received about Registered Premises	Food Recalls	Fees Paid
1st–31st December 2019	40	13	1	0	6	\$8,659

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

Period	New Applications & Renewals	New Class 4 Notifications	Routine Inspections and Assessments	New Statements of Trade (SOT)	Fees Paid
1st–31st December 2019	10	0	0	23	\$1,089.50

At 31st December 2019, Pyrenees Shire had 43 current registrations with 48 premises registered, 77 low risk notifications and 164 current Statements of Trade (SOT).

**Activity: immunisations**

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

Session Type	Number of Clients & Vaccines	2 Month - 4+ Yr Old	Secondary School	Adult
MCHN Opportunistic	Clients	20	0	2
	Vaccines	42	0	2
Beaufort Sessions	Clients	0	0	0
	Vaccines	0	0	0
Avoca Session	Clients	2	0	0
	Vaccines	6	0	0

Immunisation activity statistics for December 2019

**Council plan / legislative requirements**

- Council Plan 2017-2021
- Domestic Wastewater Management Plan 2015-2018
- Food Act 1984
- Public Health & Wellbeing Act 2008
- Public Health & Wellbeing Regulations 2009
- Tobacco Act 1987
- Environment Protection Act 1970
- EPA Code of practice – onsite wastewater management

**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**

	<b>December 2019</b>	<b>Total Year to date</b>
Cats Registered	624	-
Dogs registered	2506	-
Cats impounded	10	56
Cats reclaimed	1	5
Cats Euthanised	9	48
Dogs impounded	2	18
Dogs Reclaimed	2	15
Dogs Euthanised/surrendered	0	3
Stock impounded	0	9

Registration and impoundment statistics

**ACTIVITY - Infringements**

<b>Infringement Type</b>	<b>December 2019</b>	<b>Total YTD (2019/20)</b>
Domestic Animals Act	1	58
Local Laws	1	12
Road Safety Act	15	46
Environment Protection Act	0	0
Impounding of Livestock Act	0	0
Other	0	0
<b>Total Infringements Issued</b>	<b>16</b>	<b>116</b>
Prosecutions	0	7

Infringement statistics

**Council plan / legislative requirements**

- Council Plan 2017-2021
- Domestic Animals Act 1994
- Domestic Animal Management Plan 2017-2021
- Environment Protection Act 1970
- Infringements Act 2006
- Impounding of Livestock Act 1994
- Road Safety Act 1986 / Road Safety Road Rules 2017
- Council General Local Law 2019

## CORPORATE AND COMMUNITY SERVICES

### 9.2. CUSTOMER ACTION REQUESTS – DECEMBER 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 requests made through the Customer Action Request System (CARS) for the month of December 2019.

#### BACKGROUND

Council has operated an electronic Customer Action 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 smart phone “Snap Send Solve” application.

Service requests are received for operational issues regarding maintenance, pools, local laws, building maintenance and compliance matters. The system is also used for internal telephone messaging and case management of some matters (primarily local laws, dogs and cats).

#### ISSUE / DISCUSSION

210 customer action requests were received in December 2019, 86 of which related to telephone messages. 223 requests were closed during the month resulting in 171 outstanding. As at the 31<sup>st</sup> December 2019 the status of CARS was as follows:

- 4 re-opened from 2016 currently being actioned – currently at 4
- 4 re-opened from 2017 currently being actioned – currently at 5
- 1 closed from 2018 – currently at 5
- Currently 157 outstanding from those received in 2019
- Notwithstanding the additional 8 re-opened to record actions underway from 2016 and 2017, a 8% decrease in total outstanding requests was recorded in December (from 184 to 171)

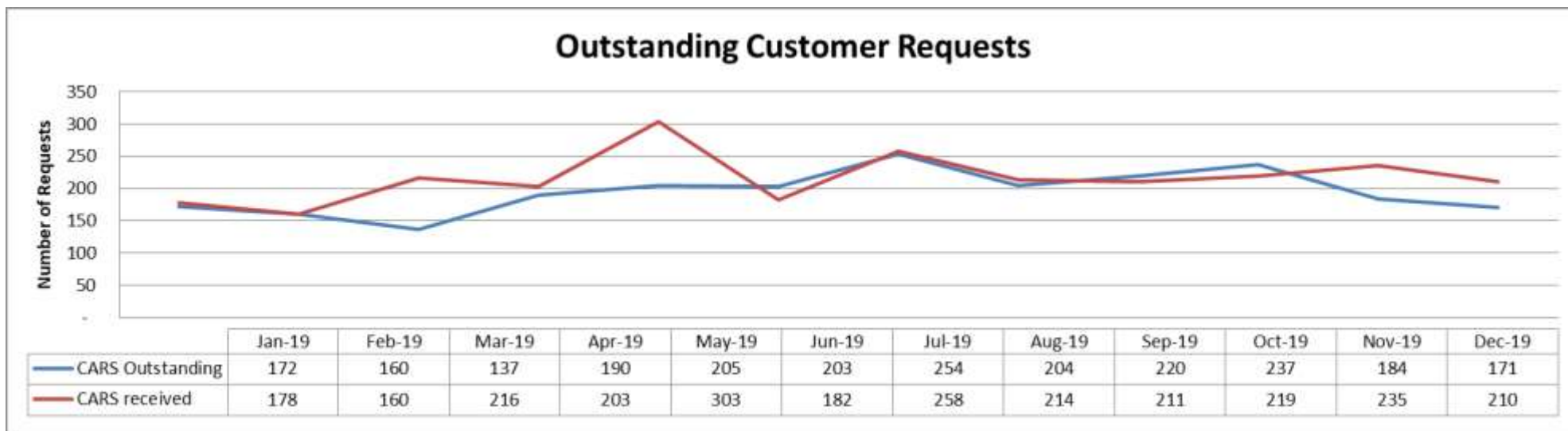
The following table shows an overview of requests received and outstanding by Ward. Requests received over and above these numbers relate to telephone messages which are not allocated by Ward.

	<b>Avoca Ward</b>	<b>Beaufort Ward</b>	<b>De Cameron Ward</b>	<b>Ercildoune Ward</b>	<b>Mount Emu Ward</b>
Number of Requests received in December 2019 (last month)	26 (42)	54 (77)	20 (24)	9 (22)	15 (10)
Requests received in December still outstanding	11	9	10	3	6
Outstanding requests older than 1 month	32	41	15	13	7
Total outstanding requests (last month)	43 (42)	50 (59)	25 (26)	16 (19)	13 (14)

**Telephone messages:** As at the end of December 2019, 24 telephone messages remained open. This is largely due to the holiday break and most are being dealt with upon staff return to work.

Outstanding Requests													
Year	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	% Change
2016	1	1	-	-	-	-	-	-	-	-	-	4	0
2017	6	4	3	2	2	2	2	2	2	2	1	5	80%
2018	105	65	36	22	17	15	16	14	13	13	6	5	-20%
2019	60	90	98	166	186	186	236	188	205	222	177	157	-13%
2020	-	-	-	-	-	-	-	-	-	-	-	-	#DIV/0!
<b>Total</b>	<b>172</b>	<b>160</b>	<b>137</b>	<b>190</b>	<b>205</b>	<b>203</b>	<b>254</b>	<b>204</b>	<b>220</b>	<b>237</b>	<b>184</b>	<b>171</b>	<b>-8%</b>
<b>Total Received</b>	178	160	216	203	303	182	258	214	211	219	235	210	-12%

Some outstanding CARs, originally received in 2016 and 2017 and formerly closed, have been re-opened. As a greater emphasis is put on improved actions recording, these items are currently being actioned. They will be reclosed after works are completed.



<b>31 December 2019 - Open Requests - Type</b>			
	<b>Nov-19</b>	<b>Dec-19</b>	<b>Change</b>
Roads	21	24	3
Streetlights	1	1	0
Drainage	15	20	5
Footpaths	6	6	0
Roadside Veg	27	22	-5
Environmental	1	0	-1
Planning	0	0	0
Bld maint	18	18	0
Park & Reserves	6	8	2
Local Laws	31	16	-15
Fire Hazard	3	0	-3
Bld Compliance	0	0	0
Road Maint	8	12	4
Waste	3	0	-3
Roads Unsealed	2	2	0
Road Maint Unse	4	4	0
Cats	1	1	0
Natural	0	0	0
Pools	0	0	0
Council Clean	1	1	0
EPA - Litter	1	1	0
Design & Assets	0	0	0
GIS	0	0	0
Com Wellbeing	1	1	0
Dogs	9	9	0
Livestock Act	1	1	0
Parking	0	0	0
Telephone mess	24	24	0
<b>Total</b>	<b>171</b>	<b>171</b>	<b>0</b>

### **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**

There are no financial implications associated with this report.

### **CONCLUSION**

The Customer Action Request System remains an integral part of Council's reactive identification of issues that need attention, as well as case management of more complex matters. Ongoing focus and effort continues with regard to resolution of customer requests in a timely and effective manner.

### **OFFICER RECOMMENDATION**

That Council notes the above report.



### 9.3. COUNCILS AND EMERGENCIES PROJECT REPORT – PHASE TWO

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

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

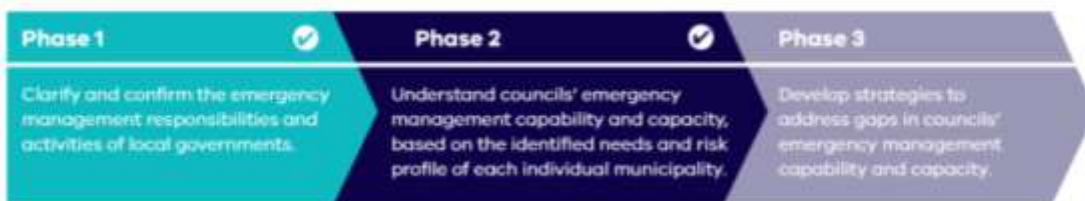
**File No:** 28/06/04

#### PURPOSE

The purpose of this report is to provide Council with a report detailing outcomes from Phase Two of the Councils and Emergencies Project.

#### BACKGROUND

The Councils and Emergencies Project (the project) is a multi-year, three-phase project led by the State Government to enhance the capability and capacity of councils to meet their emergency management obligations.



Phase One was conducted in 2017, clarifying and confirming the emergency management responsibilities and activities of councils. The final report for Phase One, published in December 2017 [*The Councils and Emergencies Position Paper*] identified ninety-four emergency management responsibilities and activities undertaken by one or more councils, without judgement as to whether they were legislative requirements or simply customary. The position paper categorised the responsibilities and activities as occurring:

- Before an emergency (planning)
- During an emergency (response and relief)
- After an emergency (recovery)
- As part of business as usual and with emergency management implications.

The position paper emphasised that community needs differ among councils and not all councils will or should carry out all the responsibilities and activities.

Phase Two was conducted in 2019, aimed at understanding councils' emergency management capability and capacity, based on the needs and risk profile of each municipality. The final report for Phase Two was published in December 2019 and was circulated to Council, together with a report specifically relating to the Pyrenees Shire Council.

Phase Three is the final phase of the project and will commence in early 2020. During Phase Three, all councils, relevant state government agencies, organisations and peak bodies will be engaged to develop action plans and strategies to address the areas for improvement in councils' emergency management capability and capacity identified in the report.

The strategies and action plans developed in Phase Three will align with other sector reforms that aim to build safer, more resilient communities, including the *Victorian Preparedness Framework*, *Emergency Management Planning Reform* and *Resilient Recovery Strategy*.

## ISSUE / DISCUSSION

### 1. Phase Two Methodology

Phase Two utilised a maturity model to evaluate each council's emergency management capability and capacity. The model involved determining a target maturity and an actual maturity.

By comparing the actual maturity with the target maturity, councils determined whether they were below, on or above their target. This then provided an understanding of their emergency management capability and capacity.

- *Capability is defined as the ability of councils to undertake emergency management responsibilities and activities.*
- *Capacity is defined as the level of resourcing councils have to undertake emergency management (including people, resources, governance, systems and processes).*

A council's target maturity indicates the level at which it would like to be able to provide emergency management services to its community. A council's target maturity was evaluated using relative need and emergency risk.

- *Relative need indicates how well councils are resourced to undertake their services, including emergency management. A high relative need indicates a council has limited resources as an organisation and therefore has fewer resources to undertake emergency management. A low relative need indicates a council has greater resources as an organisation and therefore more resources to undertake emergency management.*
- *Emergency risk indicates how the municipality could be affected by an emergency and therefore the level to which council may need to resource emergency management. A higher emergency risk indicates a council has a greater risk of being affected by an emergency and could allocate more resources to undertake emergency management planning. A lower emergency risk indicates a council has a lower risk of being affected by an emergency and could allocate less resources to undertake emergency management planning.*

The final stage of this Phase involved the provision of data through the analysis of Council's target maturity and the answering of survey questions designed to reflect Council's current maturity in meeting its target maturity. The survey consisted of 90 questions about Council's capability and capacity to undertake emergency management. The questions addressed emergency management preparedness and planning activities and responsibilities. The questions were grouped into six categories:

- Planning with stakeholders
- Planning within council
- Planning for activation
- Planning for relief coordination
- Planning for recovery coordination
- Risk mitigation

### 2. Pyrenees Shire Council (PSC) position on emergency capability and capacity maturity

A team of staff directly involved in emergency management planning, response and recovery were involved in Phase Two of the Project, including the Municipal Emergency Manager [MEM], Municipal Emergency Resource Officer [MERO], Municipal Recovery Manager [MRM] and the Emergency Management Coordinator.

### **Target maturity**

When assessing Council's target maturity, the formula used by the Phase Two online modelling provided a target maturity of 2 out of a maximum of 5. This indicated that the model identified the Pyrenees Shire's aim was to undertake its emergency management responsibilities and activities to a fairly basic level only, and that the risk of emergency impacting upon the Shire was low. The Pyrenees Shire Council team considered that the automatic target maturity level was inconsistent with what the relative need and emergency risk actually was in the Shire and accordingly over-wrote the target maturity to a more realistic level of 4. Of the 79 councils in Victoria, 78% identified a target maturity of 3 or 4, indicating the level assessed by the PSC team to be more realistic than the automatic model assessment.

### **Actual maturity**

Overall 59% of councils had an actual maturity below their target maturity, including the PSC (-1: actual maturity of 3). However, the report does indicate that 77% of councils were on or within one level of their target maturity (again including the PSC) meaning that most councils are operating at or close to their identified target maturity.

If Council had chosen the automatically allocated target maturity of 2, without overriding this, PSC would have had an actual maturity above their target maturity. However, without doubt there is need for improvement at the PSC so hindsight would indicate that the overwriting of this value was accurate and in accordance with our knowledge and experience of where our capacity gaps exist.

### **3. Key areas of exposure for the Pyrenees Shire Council and its municipality**

It was noted by the PSC Team, and documented in the survey responses, that the Phase Two survey questions focused on planning rather than the actual delivery of activation, relief or recovery activities and as such gave a skewed picture of the true capacity of council, particularly in the event of a prolonged incident.

It was also noted that emergency planning strongly depended upon the funded role of the Emergency Management Coordinator and that funding (Municipal Emergency Resourcing Program [MERP]) was (at the time the survey was undertaken) only guaranteed to 30 June 2020. It is pleasing to note that this funding has now been confirmed as ongoing to 30 June 2024 which gives some continuity of planning support – however, this funding remains at the same level as when originally allocated in 2016, in real terms reducing each year and not allowing for wage increases negotiated through the Enterprise Agreement negotiations, resulting in a long term need for Council to subsidise this position. In the report it was acknowledged that the industry considers the level of MERP funding to be insufficient to fulfil their increasing emergency management responsibilities.

It is noted that legislative change in the emergency management field includes new mandated positions of Municipal Emergency Management Officer and Municipal Recovery Manager. Although these positions cover activities currently undertaken at PSC, these are roles secondary to the main operational focus [substantive role] of each incumbent and as such are unfunded if they expand.

The survey response analysis indicates that, of the focus categories, PSC are weakest in:

- Planning with stakeholders (-1.1 below target maturity); and
- Planning for recovery coordination (-1.2 below target maturity).

However, although the analysis indicates a potential exposure in planning for recovery coordination, actual recovery activities undertaken following the Lexton fires in December 2019 were prompt, efficient and well-coordinated by experienced and knowledgeable staff. Contracted resources were quickly obtained to allow the uninterrupted delivery of Council's normal services.

The survey response analysis indicates that PSC's strengths are:

- Planning for activation (-0.9 below target maturity); and
- Planning for relief coordination (-0.9 below target maturity).

Common areas for improvement were identified through the survey data, including:

- **Emergency relief and recovery** - councils identified a lack of capacity and capability to undertake their emergency relief and recovery responsibilities and activities.
- **Integration of emergency management into business as usual** – councils reported the significant impact that the coordination of emergency relief and recovery imposes on their organisations. 54% of councils were below their target maturity for planning to maintain their capacity for business-as-usual services during an emergency.
- **Community engagement for emergency management** – councils reported that emergency management planning with the community is a large capability and capacity gap. 69% were below their target maturity for collaborating with the community to plan for emergency events, and 70% were below their target maturity for collaborating with the community to mitigate emergency risk.
- **Further clarification of council roles in emergency management** – there remains uncertainty in the emergency management sector about the responsibilities and activities of councils, including the extent to which councils should undertake particular responsibilities or activities and the difference between a lead and support role.
- **Emergency management budget and funding** – given the wide range of services councils provide to their communities, the budget they can allocate to emergency management is often constrained and where MERP funding is received, the level of that funding is insufficient to fulfil increasing emergency management responsibilities.

#### 4. Summary of issues

The report identified the following issues that commonly challenge councils in meeting their target maturity. The most common reason councils identified for not achieving their target maturity was that they lack the capacity to undertake the required range of emergency management responsibilities.

- **Capacity**
  - **People – staffing (before)** – the emergency management planning function is commonly undertaken by one or a few staff, sometimes as an additional responsibility to their non-emergency management substantive role. This results in a reduced staffing capacity to plan for emergencies.
  - **Systems – budget** – for some councils emergency management is not as high a priority as other council functions. Councils provide a wide range of services to their communities and allocate their budget accordingly and emergency management budgets are commonly constrained.
  - **Governance – funding** – councils that receive funding through MERP reported that although these funds increase capacity, they are insufficient to cover the wide range of emergency management responsibilities.
  - **Processes – procedures** – councils have formal municipal plans that outline high-level arrangements for emergency management, but they often lack the capacity to develop detailed procedures.
  - **People – staffing (during and after)** – lack of staffing capacity is an issue during and after emergency events, when council staff must be diverted from their normal duties to undertake emergency roles. Councils have limited numbers of staff available due to:
    - need to maintain business-critical functions



- total number of staff may be insufficient to maintain normal services and emergency management needs in a major emergency
- staff may be unable to take on emergency roles because they are not sufficiently resiliently to deal with the trauma of affected communities, or they may be personally affected by the emergency
- not all councils have formal resource-sharing agreements or detailed procedures about how to activate and carry out a resource-sharing agreement.
- **Geographic size** – councils with large geographic areas have additional barriers: distances to travel to local communities, dealing with a large area for hazard planning, undertaking relief and recovery functions in multiple geographic areas. This issue is amplified in geographically larger municipalities with smaller rate bases, a large amount of assets and less available council resources.
- **Capability**
  - **People – organisational knowledge** – most emergency management knowledge and expertise is held by only a few people within council. Staff responsible for emergency management have strong capability but that often does not extend to the surge workforce or the wider organisation.
  - **People – emergency event experience** – infrequent emergency events mean there are limited opportunities for staff to gain experience.
  - **Systems – training** – there is little emergency management training available in the sector and councils reported that a lack of training leads to a lack of capability in surge staff with an emergency management role. Although some councils have developed training internally or through an emergency management collaboration, most emergency planning staff lack capability and capacity to do this.
  - **Processes – procedures** – a lack of clearly written procedures and other reference documents can result in staff not understanding their role and its requirements.
  - **People – organisational changes** – staff turnover results in a loss of staff with experience in emergencies and reduces an organisation’s capability.

#### 5. Next steps

The report states that Phase Two of the Councils and Emergencies Project has completed a comprehensive evaluation of the emergency management capability and capacity of Victoria’s 79 councils. It has identified strengths and areas for improvement to be addressed to improve capability and capacity across the local government sector.

During Phase Three of the project, councils and other agencies will be engaged to develop strategies and action plans to address the areas for improvement:

- Emergency relief and recovery
- Integration of emergency management into business as usual
- Community engagement for emergency management
- Further clarification of council roles in emergency management
- Emergency management budget and funding

In Phase Three, councils and other agencies will have the opportunity to review and discuss the areas for improvement and develop strategies and action plans to address them.

The findings of Phase Three will be developed into a final report which will identify options to address areas for improvement and support wider emergency management sector reform, with a wider aim to build safe, more resilient communities.

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

Council operates under various pieces of legislation, including the Emergency Management Act, that dictate the roles and responsibilities of local government in emergency management planning, response and recovery activities.

#### **ATTACHMENTS**

9.3.1 Councils and emergencies capability and capacity evaluation report

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

Areas of risk exposure have been discussed in the body of this report.

#### **CONCLUSION**

The Councils and Emergencies Project is a multi-year, three-phase project to enhance the capability and capacity of councils to meet their emergency management obligations. Phase One of the Project was completed in 2017 and Phase Two was undertaken in 2019, with data compiled into a report published in December 2019. An Appendix Report was also provided to each council providing a greater level of detail. Phase Two of the Project evaluated councils' emergency management capability and capacity, based on the needs and risk profile of each municipality.

This report provides an overview of the Phase Two outcomes and the key issues facing the Victorian Local Government sector in meeting its emergency management responsibilities in support of their respective communities.

#### **OFFICER RECOMMENDATION**

It is recommended that Council note this report.
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#### **9.4. AVERAGE RATE CAP INCREASE FOR 2020-21 FINANCIAL YEAR**

**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:** 52/04/20

#### **PURPOSE**

The purpose of this report is to inform Council of the rate cap set for the 2020-21 financial year.

#### **BACKGROUND**

The Victorian Government introduced rate capping effective from the 2015-16 financial year. In previous years, the rate cap set ranged between 2.0% and 2.5%.

Where appropriate, councils may apply for higher rate cap consideration under the “Fair Go Rates” system subject to meeting certain criteria. At its meeting in November 2019 Pyrenees Shire Council resolved not to apply for a rate cap increase for the 2020-21 financial year.

#### **ISSUE / DISCUSSION**

The Minister for Local Government, the Hon Adem Somyurek MP, announced in December 2019 that the Average Rate Cap for the 2020-21 financial year will be 2.0%, applicable to all Victorian councils. This will be factored into Council’s 2020-21 Budget.

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

Under Section 185D(1) of the *Local Government Act 1989* the Minister for Local Government may set an Average Rate Cap for a financial year by publication in the Government Gazette.

#### **ATTACHMENTS**

Nil

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

Council’s long term financial sustainability has been identified as a high risk for Pyrenees Shire Council. The setting of the 2020-21 average rate cap at 2% presents increased risk for Pyrenees Shire Council following the 2019 Enterprise Agreement being set at an annual increase for staff at 2% or \$28 per week (whichever is the higher). This annual increase, plus annual salary increases relating to band increments, takes the annual salary cost increases to nearer 2.5%, potentially escalating the risk to Council’s financial sustainability.

#### **CONCLUSION**

The Minister for Local Government has set the Average Rate Cap for the 2020-21 financial year at 2.0%. As this is below the actual increased wages cost to Council in 2020-21 of nearer 2.5%, this is likely to escalate Council’s financial sustainability risk.

#### **OFFICER RECOMMENDATION**

That Council notes the Average Rate Cap set for the 2020-21 financial year at 2.0%.
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## 10. COUNCILLOR ACTIVITY REPORTS

<b>Cr Tanya Kehoe – Mount Emu Ward</b>		
<b>December</b>		
Tue 3	Council Planning Day	Waubra
Wed 4	You the Man Performance	Beaufort
Thu 5	MAV Mayoral Induction Day	Melbourne
Tue 10	Councillor Briefing	Beaufort
Tue 10	Council meeting	Beaufort
Wed 11	Beaufort Primary School Grade 6 Presentation	Beaufort
Tue 17	Woody Yaloak Primary School Presentation	Smythesdale
Tue 17	Beaufort Secondary College Presentation	Beaufort
Wed 18	Migrant Day Afternoon Tea	Beaufort
Thu 19	Xmas Dinner	Beaufort
Fri 20	Rail Fast Track	Ballarat
Fri 20	CHCV Mayors and CEOs Meeting	Ballarat
Sun 22	Community Meeting – Lexton Fire	Miners Rest
Mon 23	Community Meeting – Lexton Fire	Lexton
Tue 24	Meeting with Lexton residents	Lexton

<b>Cr David Clark – Ercildoune Ward</b>		
<b>December</b>		
Tue 3	Council Planning Day	Waubra
Wed 4	You the Man Performance	Beaufort
Mon 9	Central Highlands LLEN	Ballarat
Tue 10	Councillor Briefing	Beaufort
Tue 10	Council meeting	Beaufort
Fri 13	Waubra Primary School Concert	Wendouree
Tue 17	Waubra Primary School Pen Presentation	Waubra
Thu 19	Xmas Dinner	Beaufort

<b>Cr Robert Vance – De Cameron ward</b>		
<b>December</b>		
Tue 3	Council Planning Day	Waubra
Thu 5	Senior Citizens Election	
Tue 10	Councillor Briefing	Beaufort
Tue 10	Council meeting	Beaufort
Fri 13	Rural Councils Victoria Meeting	Melbourne
Mon 16	Moonambel Primary School Presentation	Moonambel
Tue	Community Safety Advisory Meeting	Landsborough
Thu 19	Xmas Dinner	Beaufort



<b>Cr Ron Eason – Avoca Ward</b>		
<b>December</b>		
Tue 3	Council Planning Day	Waubra
Sat 7	Picnic by the Pool Project Opening	Avoca
Tue 10	Sunraysia Highway Meeting	BIRCHUP
Tue 10	Councillor Briefing	Beaufort
Tue 10	Council meeting	Beaufort
Wed 18	World Migrant Day Afternoon Tea	Beaufort
Thu 19	Avoca Primary School Presentation Night	Avoca
Thu 19	Xmas Dinner	Beaufort

<b>Cr Damian Ferrari – Beaufort Ward</b>		
<b>December</b>		
Tue 3	Council Planning Day	Waubra
Wed 4	You the Man Performance	Beaufort
Tue 10	Councillor Briefing	Beaufort
Tue 10	Council meeting	Beaufort
Thu 19	Xmas Dinner	Beaufort

## 11. ASSEMBLY OF COUNCILLORS

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Planning Day		
Meeting Date	3 December 2019 commenced at 9.15am and closed at 5.30pm		
Meeting Location	Quoin Hill Vineyard, Waubra		
Matters Discussed	<ol style="list-style-type: none"> <li>1. <b>Environmental Scan</b></li> <li>2. <b>Workforce Planning</b></li> <li>3. <b>Economic Development Strategy</b></li> <li>4. <b>Frontline Services Review</b></li> <li>5. <b>Operational Matters</b></li> <li>6. <b>Agenda Review (December Council Meeting)</b></li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Tanya Kehoe Cr Ron Eason Cr Robert Vance	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) Norman Pruefer (Manager People and Culture) – Item 2 Ray Davies (Manager Economic Development and Tourism) – Item 3		
Visitors	Craig Kenny (Mach2 Consulting) – 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	10 December 2019 commenced at 2.00pm and closed at 5.45pm		
Meeting Location	Quoin Hill Vineyard, Waubra		
Matters Discussed	<ol style="list-style-type: none"> <li>1. <b>Old Beaufort Primary School</b></li> <li>2. <b>Agenda Review (December Council Meeting)</b></li> <li>3. <b>Staff Meet n Greet</b></li> <li>4. <b>Council Debt Collection Update</b></li> <li>5. <b>Planning Application – Keeping of 40 Dogs</b></li> <li>6. <b>Planning Matters</b></li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Tanya Kehoe Cr Ron Eason Cr Robert Vance	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) Ed Riley (Strategic Planning Officer) – Item 3 Rashil Pradhan (Engineer) – Item 3 Shaun Elliott (Information Systems Officer) – Item 3 Rebecca Briody (Community Safety and Amenity Officer) – Item 3 Hannah Shanks-Colla (Environmental Health Contractor) – Item 3 April Ure (Manager Governance, Risk and Compliance) – Item 4 Katie Gleisner (Manager Planning and Development) – Item 5		
Visitors	George Kirsanovs, Bill Blackburn, Nicole Battle, Philippa Hedges, Pauline Ball, Sue Foster, Catherine Tweddle, Deborah Bourke, Murray Walker, Cara Lovejoy, Sharon Roxburgh – Item 1 James Isles (iPlanning Services) – Item 5 Simon Tol – Item 5 Julie Lee (NRLinks) – Item 5		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Matter No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

## 12. ITEMS FOR DECISION

### ECONOMIC DEVELOPMENT AND TOURISM

#### 12.1. RV FREE CAMPING

**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:** 62/22/06

#### PURPOSE

The purpose of this report is to inform council about the operation of the Beaufort RV free camp site on completion of the twelve month trial period.

#### BACKGROUND

Council established a trial RV free camp site at 10 Audas Lane Beaufort in late 2018 and RV dump point in early 2019.

The free camp was established as a means of Beaufort qualifying for RV Friendly Town status with the Campervan and Motorhome Club of Australia (CMCA). The free camp site at Audas Lane was endorsed by Council as the preferred option on a twelve month trial basis after consideration of the sites outlined below:-

1. The former Beaufort Primary School oval
2. Council land adjacent to the Beggs Street Playground
3. Land adjacent to the former goods shed on the north side of the Beaufort Railway Station
4. Council owned land that includes the facilities of the Beaufort Apex and Croquet Clubs at 10 Audas Lane Beaufort.
5. Raglan Recreation Reserve

Council decided to trial the site at Audas Lane for a period of twelve months with an interim report having been provided to Council in September 2019.

During the course of the trial during 2019 the site was monitored (during week days) for two periods:-

The first period was from 27 February up to and including 1 June 2019 with the following observations:-

- During the period 27 February to 31 March the use of the site peaked on 12 and 13 March (following the Labour Day public holiday) with up to five RV users observed at the site. There were 25 RV campers recorded in total during this period while there were nine days where no RV's were observed
- During April 36 RV units were observed and only one day where campers were not noted at the site
- During May there were 31 RV units observed for the month, however there was a peak of up to seven RV's at the site during the week of the Lake Goldsmith Steam Rally weekend with patronage declining later in May.

The data for the latter part of May indicated a level of the reduced activity from RV's during the onset of the winter period (which was very wet during 2019) and therefore consistent with occupancy trends at the local caravan park. The peak periods for camping activities in the region generally occur during the spring and autumn seasons, generally reducing after ANZAC day, and in the case of Beaufort following the Steam Rally.

The second period of observation for the trial commenced during spring and included the period from 1 October up to and including half of December with the following observations.

- RV activity was observed at the site on 42 days out of a total of 54 monitoring days during this period representing activity on 79% of the days observed. Based on these observations it appears that the site is being used a majority of the time.
- The busiest period of activity was during the week of the Lake Goldsmith Steam Rally, as was the case in autumn
- A total number of 67 RV's were observed at the site during the spring monitoring period

Based on the observations from both of the monitoring periods, which included weekdays only, there was a total of 159 RV's using the site with up to seven units using the site at any one time.

Assuming an average of one and one half people for each RV unit, then the estimated economic return (at an average visitor spend in the Pyrenees of \$109- per night) for this period amounted to at least \$25,996-50-. It is reasonable to also expect that:-

1. There have been other patrons using the site at weekends and over public holidays that will have provided additional economic benefit and
2. Because the observations were made at single point in time on each day there may have been times when activity was not captured such as for example, with early departures

## **ISSUE / DISCUSSION**

The observations of the Audas Lane site are that it is attracting regular RV patronage and has fulfilled Council's objectives of:-

1. Becoming an RV Friendly Town and
2. Having regular usage at the designated site

While there has been interest by some members of the community to see the site relocated to the former Beaufort primary school oval, that site presently remains under the control of the Victorian Government. Furthermore, there may be alternative future uses for the former school oval put forward by the community for consideration by Council. It is envisaged that these alternatives will be explored in more detail during the consultancy phase of the Pyrenees Futures project and other strategic work being undertaken by Council.

## **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.

5.4 - Increase the visitor economy by implementing the Pyrenees Shire Council Tourism Strategy.

## **ATTACHMENTS**

Nil

## **FINANCIAL / RISK IMPLICATIONS**

Council invested \$38,306- to establish the free camp site (not including the RV dump point) with maintenance of the facility (similar to its previous use) being built into councils existing operational budgets.

## **CONCLUSION**

The existing free camp site is being well utilised and remains the preferred option at this time.

**OFFICER RECOMMENDATION**

That Council concludes the trial phase of the RV free camp and allows the site to remain at the present address.



## **12.2. WATER SUPPLY PROPOSAL**

**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 to inform Council about and seek its support for a proposed water supply project in the north west of the Shire that has been initiated by the Natte Yallock Landcare group.

### **BACKGROUND**

Council has deemed that a town water supply at Moonambel is a high priority for some years. Various studies into the project have been completed since late 2013 which have culminated in the completion of a business case almost twelve months ago.

In Late March 2019, Natte Yallock Landcare held a meeting where a major agenda item was the opportunity to extend the SW Loddon Mallee Pipeline project - or develop a new, similar project - to include farm businesses around Natte Yallock and other adjacent areas.

At the time, many farmers in the area had scarce water supplies in farm dams and water carting was relatively common in the north of the Shire.

Thirty one farm businesses were represented at the meeting where preliminary information was presented by a local water engineer, Eddy Ostarcevic. While there was a general discussion of service connection, the primary discussion was about costs and what additional funding would be needed to resource the project adequately.

The notes supplied by the Landcare group from that meeting indicate there was overwhelming support and preparedness by participants to cover any liabilities they would meet in securing a farm supply – this included for the purchase of a water allowance, annual meter charges and also usage charges.

*“As one landowner said ‘If I have to spend \$20,000 securing a reliable water supply to drought-proof my farm, then it’s a cheap buy’”.*

Everyone at the meeting was prepared to sign a formal expression of interest and commit to meeting the farm costs.

Following the meeting, and with the assistance of Eddy Ostarcevic, contact was made with GWM Water (GWMW) who supplied fact sheets which were circulated to all group members at Natte Yallock.

In preliminary discussions by the Landcare group with GWMW there was talk of setting up a community meeting that would include not only Natte Yallock but any other interested farm businesses in the district (beyond the borders of Pyrenees Shire). Phone calls between Natte Yallock Landcare, the Buloke and Northern Grampians Landcare Network and GWMW took place over an extended period trying to set this up.

Contact was made with Council by the Landcare group in late November 2019 to provide the background to their objectives which also raised the possibility of including the Moonambel town water supply within the scope of a feasibility study.

A meeting of stakeholder agencies was called by Natte Yallock Landcare for 10 December which was held at St Arnaud. The meeting was attended by the Member for Ripon and representatives of Natte Yallock Landcare, GWMW, Central Goldfields Shire Council, Northern Grampians Shire Council and Pyrenees Shire Council.

Natte Yallock Landcare opened the meeting and made a presentation about the need for water to service the farming community south of the GWMW South West Loddon Pipeline scheme including areas within Northern Grampians and Central Goldfields Shires. GWMW outlined the process they used to develop schemes of this type. The water authority mentioned the Loddon SW Mallee project was strongly driven by Loddon Shire Council and that this proposal by the Landcare group would require a lead agency to act as the proponent.

The following steps were outlined as a way forward:-

1. A proponent for the scheme is required to lead the advocacy for the proposal to GWM as mentioned above. This could be PSC based on council objectives for both a Moonambel Water Supply project (a Council priority for many years) and the ability to include a reliable General Stock and Domestic water supply to farmers within the shires boundaries for drought mitigation purposes
2. Undertake a feasibility study which includes an EOI process to determine the potential client base and financial viability. Support of Local government GIS officers is required during this phase to assist with establishing databases for property owners and expression of interest mail outs to land holders within the proposed footprint of the scheme. While no quotes have been obtained for the study at this point, based on past experience of GWMW, the estimated cost is in the vicinity of \$40,000-
3. Develop a business case (with costs unknown at this time)  
The Natte Yallock Landcare group have been urged to have their members individually write to their elected representatives to take action so as to develop the interest of councils and state and federal government MP's. A public meeting has been suggested in early 2020 to raise interest in the project and to get the written support from as many interested parties as possible.

Assuming there is sufficient community support for the proposal then sharing of the costs of the feasibility study will need to be negotiated with other stakeholders including the water authority and local governments. There already appears to be evidence of strong support in the Natte Yallock area based on the sentiments expressed at the March 2019 Landcare meeting.

## **ISSUE / DISCUSSION**

The proposal by the Natte Yallock Landcare group touches on two strategic priorities of Council:-

1. Supporting the livestock and grain growers, with reliable supplies of good quality water for animals and crop spraying. This industry is a key propulsive sector in the Pyrenees economy contributing to 30% of output generated within the Shire and 28% of all jobs
2. A possible alternative town water source for Moonambel which would support tourism operators to provide better quality tourism experiences and unlock the potential for further investment

Completing a feasibility study would substantiate for all stakeholders, whether or not such a scheme is plausible.

## **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**

Nil

## **FINANCIAL / RISK IMPLICATIONS**

While quotes for a feasibility study have not been sought at this stage, preliminary estimates based on similar projects by GWMWater indicate that a feasibility study is likely to cost around \$40,000-.

Council will need to negotiate what portion of this amount is to be shared with other agencies involved in the project.

In addition to a share of the cost of consultants to develop the report, there will be officer time involved which is difficult to determine at this early stage. This will include but not be limited to the following activities:-

- Represent council at stakeholder meetings
- Project management and governance of meetings and stakeholder relations should PSC become the proponent for the project
- Communications with the local community
- GIS mapping to produce landholder databases for mail outs to landholders within the footprint of the scheme within the Shire boundaries
- Regulatory services relating to planning provisions will be required post feasibility study phase

In the event the project is deemed feasible then the next steps involve development of a business case which has not been costed at this time.

## **CONCLUSION**

The completion of a feasibility study will be beneficial to achieving Council priorities from two perspectives:-

1. It will determine whether there is an alternative water supply source for a town supply at Moonambel and
2. Whether there is scope for GWMWater to expand their reticulated water supply footprint for the benefit of farmers to the north west of the Shire and into adjoining municipalities to the north and east of Natte Yallock

## **OFFICER RECOMMENDATION**

1. That Council endorses it's in principal support for the project.
2. Council provides its support to the Natte Yallock Landcare group in holding a public meeting to further develop this proposal.
3. That the CEO be allowed to negotiate Council's participation in the project with other key stakeholders, including whether its involvement be as the project proponent.
4. That the CEO be able to negotiate Council's financial contribution towards completion of a feasibility study up to \$15,000.

## **ASSET AND DEVELOPMENT SERVICES**

### **12.3. OLD SHIRLEY ROAD, BEAUFORT ALIGNMENT**

**Ross Cowie – Project Engineer**

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

**File No:** 604047100

#### **PURPOSE**

The purpose of this report is to propose that Council commences the statutory procedure to declare a section of Old Shirley Road formally as a road and public highway under Section 11 of the Road Management Act 2004.

#### **BACKGROUND**

In June 2019, Council was advised in writing by a property owner that a section of Old Shirley Road (approximately 575m long) traverses his property. Although the road is fenced on both sides, the land incorporated within the fences has never been declared as a road. The road is therefore effectively constructed on freehold land. Council maintains this section of Old Shirley Road, which is on Council's Road Register.

#### **ISSUE/DISCUSSION**

In his letter to Council dated 04 June 2019, the property owner stated that "I expect the Pyrenees Shire to correct the former Ripon Shire oversight in completing the legal paperwork which should have been done when the road was realigned, as soon as possible."

Council has received advice that it has the power under Section 11 of the Road Management Act 2004 to declare a road. The Act states that a road authority may (under this Act) declare a road over any land managed by the road authority, by a notice published in the Government Gazette. If the land is freehold land owned by a person, the road authority must obtain the written consent of that person. It is considered that the property owner's letter dated 04 June 2019 constitutes such consent.

The Act also states that land declared to be a road under Section 11 of the Act becomes a road from the date of publication of the notice in the Government Gazette, and further that a road so declared is dedicated to the public as a public highway within the meaning of the common law or any Act.

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

The proposed road declaration 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**

12.3.1 Locality plan

12.3.2 Photographs

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

Costs for the road declaration will be accommodated within Council's recurrent budget.

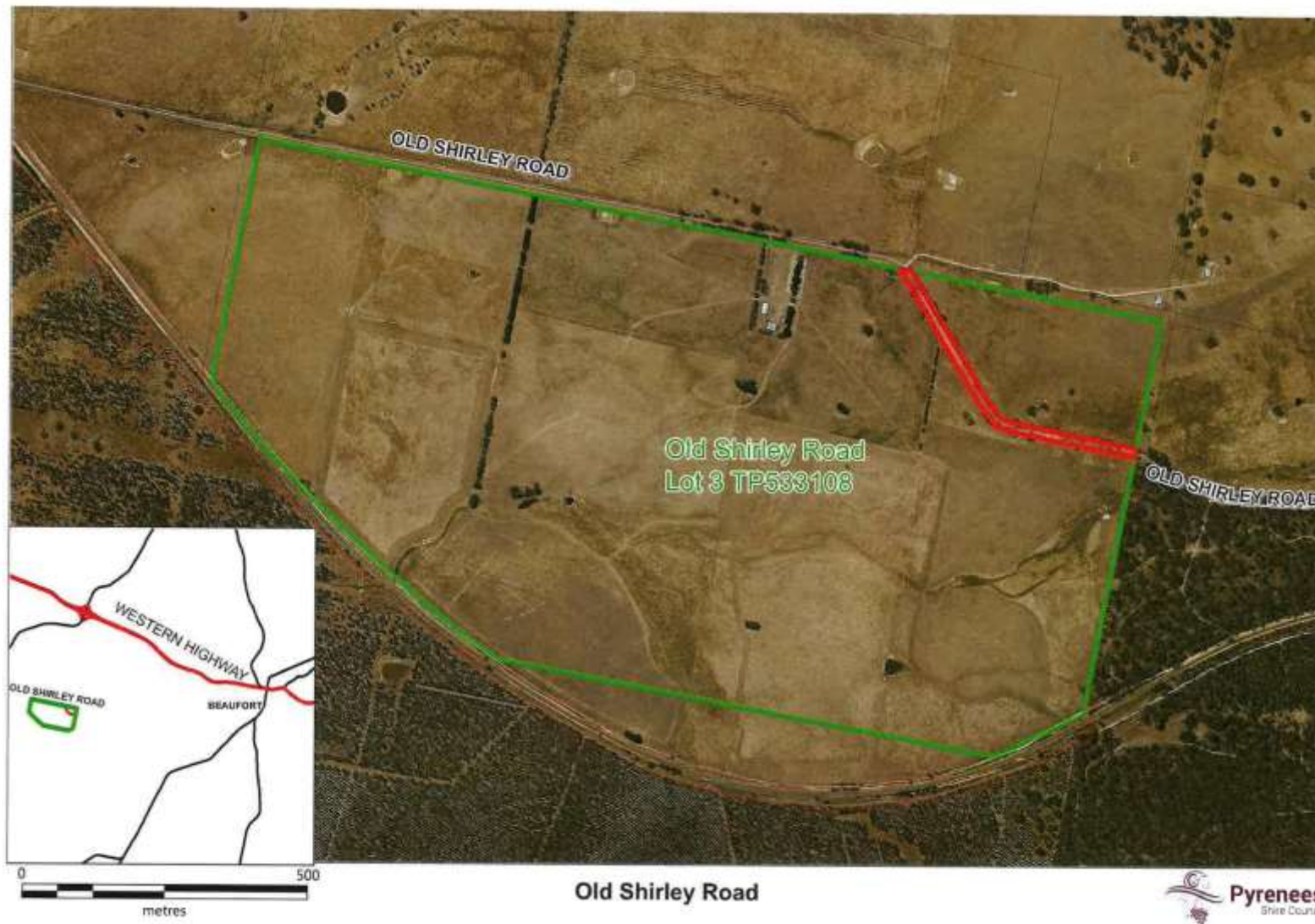
The property owner indicated in his letter dated 04 June 2019 that he had concerns about his legal liability if a motor accident was to occur on the section of road on his freehold land. The declaration of the road will remove any legal ambiguity, and will also formalise Council's obligations under the Road Management Act and Council's own Road Management Plan.

#### **OFFICER RECOMMENDATION**

That Council, pursuant to Section 11 of the Road Management Act 2004 resolves that:

1. The statutory procedure be commenced to declare as a road that section of Old Shirley Road, Beaufort as shown on the attached plan.
2. The Chief Executive Officer or his delegate be authorised to arrange for a notice of declaration to be published in the Victorian Government Gazette.









## 12.4. UNUSED GOVERNMENT ROAD - LEXTON

**Katie Gleisner – Manager Planning and Development**

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

**File No:** 30/02/08

### PURPOSE

The purpose of this report is for Council to consider making a determination that a section of government road, in the township of Lexton, is not considered to be required for public traffic and that it is an unused road.

### BACKGROUND

Council has received a request from a property owner who adjoins a government road (shown red on the below map) seeking that Council gives notice to the Secretary of the Department of Environment Land Water and Planning, advising that the section of unused government road, adjoining the southern and eastern boundary of land in Plan of Consolidation PC356583 and Crown allotment 12, Parish of Lexton, is not required for public traffic and is unused, in accordance with section 400 of the Land Act 1958.

The land owner has made an application to the Department of Environment Land Water and Planning, to licence the described portion of road in accordance with section 138 of the Land Act 1958, for the purposes of undertaking conservation and fire prevention activities.







### **ISSUE / DISCUSSION**

Before the Department of Environment Land Water and Planning can enter into a licence agreement over the described land, Council must have first provided notice that the road is not required for public traffic and is unused.

The portion of road is not on Council's road register and is not made or maintained. It is heavily vegetated and does not accommodate vehicular access. The intent to licence was advertised in the Pyrenees Advocate – Public Notice on the 22nd November 2019.

### **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**

12.4.1 Pyrenees Advocate – Public Notice Excerpt - 22 November 2019

### **FINANCIAL / RISK IMPLICATIONS**

The management responsibility that currently rests with Council will be transferred to the applicant at such time as a licence under section 138 of the Land Act is issued.

### **CONCLUSION**

Giving notice that the portion of road is not required for public traffic and is unused, will not impact the access to surrounding freehold properties.

**OFFICER RECOMMENDATION**

That Council gives notice to the Secretary of the Department of Environment Land Water and Planning, advising that the section of unused government road, adjoining the southern and eastern boundary of land in Plan of Consolidation PC356583 and Crown allotment 12, Parish of Lexton, is not required for public traffic and is unused, in accordance with section 400 of the Land Act 1958.

14 THE PYRENEES ADVOCATE • Friday, November 22, 2019

# classifieds

**DEATH NOTICE**

**FIELD Alma**  
 Passed away on Saturday 16th November 2019.  
 Loving Mum of the late Barry, mother-in-law of Beverley.  
 Always the proud and loving Nanna to her grandchildren Trevor, Janet (decd), David, Mark, Paul, Mandy and their families.  
 Loving Nanna to her great grandchildren and great great grandchildren.  
 Sleeping Peacefully.

**THANK YOU**

**PRETTY Ronald**  
 Thanks for the cards and phone calls on our loss of Ron.  
**Christina, Glen, Rodney and families**

**GARAGE SALE**  
**November 30th & December 1st at 8.30am.**  
**351 Buangor - Ben Nevis Road Buangor.**  
 Furniture, household items, plants, clothing, outdoor items and sundries.

**GARAGE SALE**  
**November 23rd & 24th at 8.30am**  
**23 KING STREET BEAUFORT**  
 Steel Lockers, Tradies Tool Box, Tools Kitchrome, Iceboxes, Shearing Gear, Washing Machine, BBQ with cover, Gas Fridge and Sundries. **0418 592 381**

**PUBLIC NOTICE**

**SERVICE Sunday 10.30am**

**BEAUFORT COMMUNITY CHURCH**  
 PASTOR ABBY

**DEATH NOTICE**

**FIELD Alma**  
 Passed away 10th November 2019 at Avoca Nursing Home. Aged 100 years.  
 Loving Nanna of Trevor and Michelle, Great Nanna of Jena and Michael, Jessica and Brad, Nathan and Amber, Great Nanna of River, Lucas and Ryan.  
*Forever in our hearts, Loved and remembered always.*

**PUBLIC NOTICE**

**ROAD CLOSURES: SKIPTON RD**  
 Civil construction works are pending on Skipton Rd from late December 2019 until mid-February 2020.  
 Five separate medium voltage branched crossings will be dug across Skipton Rd in this timeframe (excluding harvest peak periods: 20th December till 13th January).  
 The initial two road crossings shall:  
 • Occur during the week commencing 16th December 2019  
 • Trenches to be dug approximately 800m south of the intersection of Skipton Rd with Thompson's Rd.  
 • Multi-message signs to detail actual road closure dates.  
 Note: Each crossing will require temporary detours for up to one day to divert all traffic for these important works to progress.  
 Please address queries to any VicRoads Customer Service Centre.  
**Thank you for your understanding.**

**PUBLIC NOTICE**

## DECLARATION

### Fire Danger Period

The Chief Officer of CFA will be introducing the Fire Danger Period for all land within the municipalities listed below.  
 The Fire Danger Period will commence at 01:00 hours on the date above and shall extend by a subsequent declaration, will end at 01:00 hours on 1 May 2020.

Municipality	Date of Commencement
Pyrenees Shire - North Part	25.11.2019

That part north and east of the line described as:

Shire Boundary at old Gosling Road to St Marnocks Rd then south to Mt William Rd then north to Meadows Lane to Beaufort. Carranballec Rd to Stockyard Hill, Wangatta Rd then south along Stockyard Hill Rd to Strathnam Cammigan Rd east to Marchup Mount Emu Rd south to Chepeltowe Pittong Rd to the Shire Boundary

**PUBLIC NOTICE**

## BLOOMIN FRESH STUFF & BEAUFORT FLORIST

# WANTED

Fresh, locally grown vegetables/fruit

Got an oversupply of chemical free produce from your garden and live within 100 Kilometres of Beaufort?

Pay it to Bloomin Fresh Stuff florists opposite the library in it, or the florist in Beaufort.  
 Telephone: 5349 2557 / 0428 850 628

**DEATH NOTICE**

**PIERT Oily**  
 Passed away 16/11/19  
 Loved sister and sister in law of Joan and Bob both deceased.  
 Loved and beautiful Auntie Oily to Robert, Ruth, Lynn, Allen, Glenn, Mark and their families.  
 We have beautiful memories of our dear Auntie Oily that we will always cherish

**PUBLIC NOTICE**

**LAND ACT 1958**  
 Notice is hereby given that it is the intention of the Department of Environment, Land, Water & Planning to grant a licence under section 131 of the Land Act 1958 to **L. Brown over Crown Allotment 12 and PC355583**, Parish of Loxton for the purposes of Conservation & Fire Prevention.  
 Further information or comments can be lodged with the Property Officer, Anthony Dunster Jones on 0488 123 130 within 14 days.  
 Ref 0512-0023-#129183.

**PUBLIC NOTICE**

### BEAUFORT AND SKIPTON HEALTH SERVICE BOARD DIRECTOR

Appointments to the boards of directors of public health services, public hospitals, Ambulance Victoria and Health Purchasing Victoria

**Forthcoming Vacancies on Beaufort and Skipton Health Service Board of Directors**

The Minister for Health, the Hon Jenny Mikakos MP is pleased to invite applications for part time board positions on the Board of Directors of Beaufort and Skipton Health Services with terms of office commencing from 1 July 2020.

The Beaufort and Skipton Health Service Board of Directors would particularly welcome applicants with expertise in 'Clinical Governance' and 'Audit and Risk Management' to fill identified gaps in their current board skills profile. Please refer to the Position Description for more details about the competencies needed on health service boards.

These positions provide an exciting opportunity for members of the Victorian public with relevant experience and qualifications to contribute to the strategic leadership of public health care delivery to the community.

The Victorian Government is committed to ensuring boards and committees broadly reflect the diversity of the Victorian community. We welcome applications from women, Aboriginal and Torres Strait Islander people, people of all ages, people with disabilities, people from culturally and linguistically diverse backgrounds and lesbian, gay, bisexual, transgender, gender diverse and intersex people.

**Applications close at 5.00 pm Monday 2 December 2019.**

Further information including how to apply and to see the Position Description, please visit [www.health.vic.gov.au/governance](http://www.health.vic.gov.au/governance)

**Beaufort & Skipton Health Service**

## ANNUAL GENERAL MEETING

Notice is hereby given that this public meeting will be held on **Wednesday, 27th November, 2019 at 2.00 p.m.** at the Pyrenees Shire Hall, 5 Lawrence Street, Beaufort.

An open invitation is extended to all interested persons. Requests for further business require 7 days notice.

**Business:**

- To receive the Annual Report incorporating the Report of Operations and Financial Statements for the year ended 30th June 2019.
- Presentation of staff service awards.
- The guest speaker will be Professor Susan Brumby, Director, National Centre for Farm Health. Professor Susan Brumby is the founding Director for the National Centre for Farmer Health, a partnership between the Deakin University's School of Medicine and Western District Health Service and is based in Hamilton, Australia.

The Centre provides leadership to improve the health, wellbeing and safety of farmers, farm workers and their families across Australia.

RSVP to Narelle Harrison, Executive Assistant to the Chief Executive Officer on 5349 1682 or [narelle@shs.org.au](mailto:narelle@shs.org.au) by 22 November 2019.

Certain restrictions on the lighting of fires are in force during the Fire Danger Period.

Information about fire restrictions within the County Area of Victoria can be obtained from [www.cfa.vic.gov.au](http://www.cfa.vic.gov.au), your local CFA District Office or Municipal Fire Protection Officer.

**Steven Warrington**  
 Chief Executive Officer/  
 Chief Officer, CFA

**PUZZLE SOLUTIONS**

DOWN 11	ACROSS 130
3 4 8 6 1 7 2 5 9	8 1 0 4 2 5 3 9 7
2 7 0 8 0 3 1 4 8	6 2 7 1 3 4 0 6 5
9 3 1 5 8 8 4 7 2	5 8 4 2 7 8 0 1 3
7 9 3 6 5 1 0 2 4	4 8 3 7 9 8 6 3 1
1 5 8 3 4 2 7 6 9	



## 12.5. UNUSED GOVERNMENT ROAD - MAHKWALLOK

**Katie Gleisner – Manager Planning and Development**

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

**File No:** 30/02/08

### PURPOSE

The purpose of this report is for Council to consider making a determination that a section of government road, in the parish of Mahkwallok, is not considered to be required for public traffic and that it is an unused road.

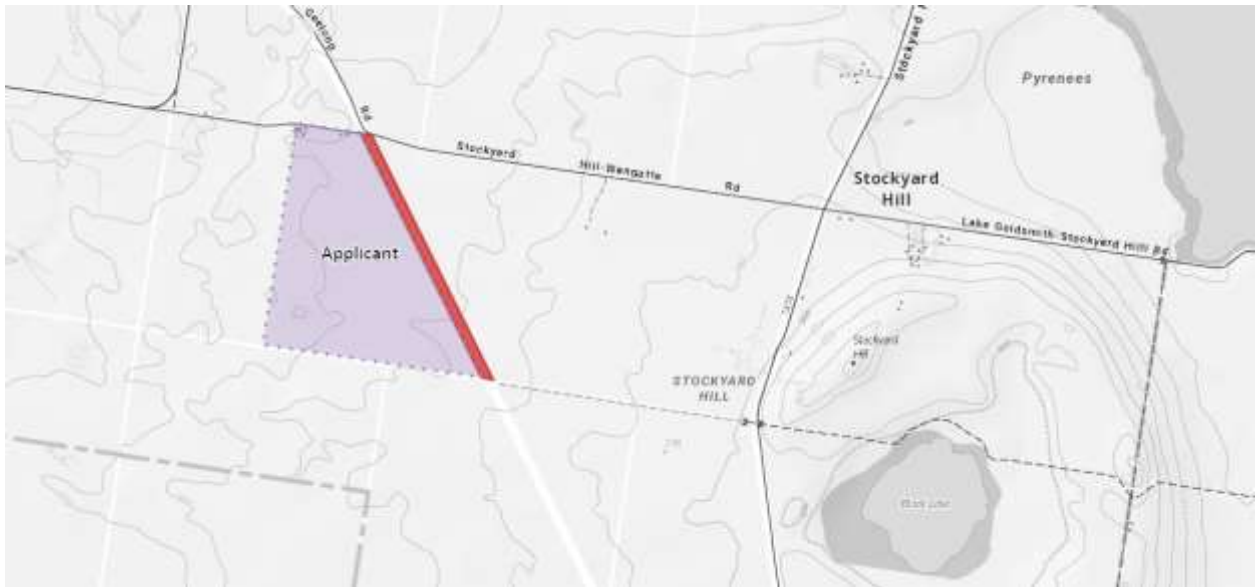
### BACKGROUND

Council has received a request from a property owner who adjoins the western side of a government road (shown red on the below map) seeking that Council gives notice to the Secretary of the Department of Environment Land Water and Planning, advising that the section of unused government road, adjoining the western boundary of Lot 2 on PD604561 and Lots 2 and 4 on TP173370, Parish of Mahkwollok, is not required for public traffic and is unused, in accordance with section 400 of the Land Act 1958.

The land owner has made an application to the Department of Environment Land Water and Planning, to licence the described portion of road in accordance with section 138 of the Land Act 1958, for the purpose of grazing.







### ISSUE / DISCUSSION

Before the Department of Environment Land Water and Planning can enter into a licence agreement over the described land, Council must have first provided notice that the road is not required for public traffic and is unused.

The portion of road is not on Council's road register and is not formally made or maintained. It has a farm track established on it hosts the occasional tree (both native and exotic). The intent to licence was advertised in the Pyrenees Advocate – Public Notice on the 25th October 2019.

Officers have contacted the only adjoining land owner and the Stockyard Hill Wind Farm and have confirmed that they do not object to the road being declared as not required for public traffic and subsequently licensed for grazing.

#### **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**

Nil

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

The management responsibility that currently rests with Council will be transferred to the applicant at such time as a licence under section 138 of the Land Act is issued.

#### **CONCLUSION**

Giving notice that the portion of road is not required for public traffic and is unused, will not impact the access to surrounding freehold properties.

#### **OFFICER RECOMMENDATION**

That Council gives notice to the Secretary of the Department of Environment Land Water and Planning, advising that the section of unused government road, adjoining the western boundary of Lot 2 on PD604561 and Lots 2 and 4 on TP173370, Parish of Mahkwollock, is not required for public traffic and is unused, in accordance with section 400 of the Land Act 1958.

## CORPORATE AND COMMUNITY SERVICES

### 12.6. RECOVERY UPDATE

**Martin Walmsley – Manager Community Wellbeing**

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

**File No:** 28/06/37

#### PURPOSE

The purpose of this report is to update Council on recovery arrangements for the Lexton – Ben Major bushfire.

#### BACKGROUND

At approximately 4.30pm on Friday 20<sup>th</sup> December, the Country Fire Authority issued an “Advice” message regarding a grassfire that had started near the Lexton – Ararat Road, Amphitheatre. The grassfire was travelling in a south easterly direction towards Ben Major Forest.

The fire burned approximately 3000 hectares of farmland and bush. Loss and damage included:

- one primary residence and 26 farming properties were impacted (11 primary producers).
- 4 sheds (2 wool and 2 machinery)
- 120 kilometres of fencing
- 1056 sheep (219 in the fire, 850 euthanised - 10 by a farmer and 840 by AgVic)
- 92 hectares of cropping (85h field crop and 7.2h hay)
- total pasture 1123 hectares

At the height of the fire a call to evacuate the township of Lexton was made when a forecasted westerly wind change was made known. It was feared that the strength of this wind change could turn the fire front directly towards the town. Fortunately the forecasted wind change was weaker than expected and the fire was contained.

#### ISSUE / DISCUSSION

Council enacted the Pyrenees Shire Emergency Management Plan and established two Relief Centres in Avoca and Learmonth (City of Ballarat) to accommodate evacuees.

A community Recovery Centre was set up at the Lexton Community Centre on Saturday 21<sup>st</sup> December to provide information and assistance. The Centre was closed on Monday 23<sup>rd</sup> December at 4pm.

A community meeting was held at Miners Rest at the CFA station on Saturday 21/12 at 12:30 attended by approximately 20 people, followed by one at the Lexton Community Centre on Sunday 22<sup>nd</sup> December at 6:00pm with approximately 60 people in attendance. The Incident Controller provided a status report on the fire.

A Blaze Aid team has been established at the Lexton Recreation Reserve to assist with the repair and rebuilding of fences damaged in the fire.

Council’s Emergency Management staff have also undertaken the following Recovery tasks:

- Municipal Post Impact Assessment – Council infrastructure and private property
- disposal of animal carcasses
- publication and distribution of the Lexton – Ben Major Bushfire Newsletter - Issue 1

The Lexton – Ben Major Bushfire Recovery Implementation Plan has also been drafted to guide recovery operations.

The Plan provides for 14 Key Recovery Areas and includes:

- Emergency Relief Services
- Business continuity
- Impact assessment
- Temporary accommodation
- Communication and information
- Animal welfare
- Donations
- Recovery centre
- Facilitate municipal recovery across the municipality
- Social and Community Development Task Force
- Agriculture Task Force
- Council Infrastructure and Assets Task Force
- Funding and finance
- Organisational resilience

Two other matters for Council to give further consideration relating to the Lexton-Ben Major fire are 1) the financial implications for Council and 2) the future plan for the Rainbow Serpent Festival.

#### **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.

3.3 - Community Development - Supporting communities to build connections, capacity and resilience.

#### **ATTACHMENTS**

12.6.1 Lexton – Ben Major Bushfire Recovery Implementation Plan – *circulated separately*

#### **OFFICER RECOMMENDATION**

1. That Council notes this report and the Lexton – Ben Major Bushfire Recovery Implementation Plan.
2. That a further report be brought to a future Council meeting to consider the financial impacts on Council as a result of the Lexton-Ben Major fire.
3. That a further report be brought to a future Council meeting regarding the proposal by the Rainbow Serpent Festival organisers to hold an event during Easter 2020.

## **12.7. S86 COMMITTEE EXEMPTION FROM 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, 16/16/26, 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 Section 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 current and future Committee Members of the following committees would be exempted from the requirements of Section 81(2) and 81(5) of the Act.

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 2 - Community

Support and promote the development of community hubs, where applicable, as a means of increasing the utilisation of community assets throughout the Shire.

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 current and future 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.



## 12.8. COLLECTION OF FARM DIFFERENTIAL RATES AND CHARGES

### 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 consider the impact of a variation to the implementation of Council's Revenue Collection Procedure in relation to 28 properties that were affected by the Lexton-Ben Major bushfires in December 2019.

#### BACKGROUND

Rates and Charges are raised on all assessable properties annually and form a major part of Council's income in the annual Budget. Farm differential rate assessments comprise approximately 30% of total rateable assessments, and generate approximately 51% of rates income. Action taken towards collection of overdue rates and charges is undertaken in accordance with Council's Revenue Collection Procedure.

In December 2019, 28 properties were directly impacted by the Lexton-Ben Major bushfires. This event will significantly impact the cash flow and profitability of affected farmers, and hence their capacity to pay their outgoings including their 2019/20 Council Rates and Charges.

#### ISSUE / DISCUSSION

Given the financial impact on the income of farmers affected the Lexton-Ben Major bushfires in December 2019, it is appropriate that Council considers varying the implementation of its Revenue Collection Procedure in 2020. The variations for consideration are an interest waiver and deferral of payment of the 2019/20 Rates and Charges until 15<sup>th</sup> February 2020.

Under Section 171(1)(b) of the *Local Government Act 1989* "Council may waive the whole or part of any rate or charge or interest in relation to any other class of persons determined by the Council for the purpose of waiving rates or charges on the grounds of financial hardship. A resolution of the Council for the purposes of subsection (1)(b) must include the objectives to be achieved by the waiver."

For the purposes of this discussion an "interest on overdue rates waiver" is defined as Council not raising any interest on overdue 2019/20 rates on selected rate assessments until 15 February 2021.

Council consideration of two actions would provide meaningful assistance to farmers impacted by the Lexton-Ben Major bushfires:

- Council resolution to waive interest for overdue rates for all affected ratepayers; and
- Council resolution to defer the due date of payment for the 2019/20 Rates and Charges to the 15<sup>th</sup> February 2021.

These actions would allow those affected to focus their attention on recovering from the devastating events.

Following previous natural disasters, Council considered a range of options including exclusion of all farm differential ratepayers from debt collection. This had an unintended consequence of providing the opportunity for some ratepayers to unnecessarily delay the payment of outstanding rates and charges, thereby creating a much larger debt to Council in 2019 and negatively impacting Council's cash flow. Based on this experience, this recommendation would be to only exclude those affected ratepayers who find themselves in financial hardship as a consequence of the Lexton-Ben Major bushfire. To reduce the burden on individuals, officers who were involved in the emergency have provided a list of the 28 affected properties, and the hardship provisions could be automatically applied under the Hardship section of the Revenue Collection Procedure.

By implementing this hardship provision, Council would forgo collection of \$61,690.80 of 2019/20 Rates and Charges until 2021.

### **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**

Implementation of the recommended action will predominantly result in a change to the timing of Council's cash flow, and will have a small but immaterial impact to Council's long term profit and loss.

### **CONCLUSION**

Given the significant impact of the December 2019 Lexton-Ben Major bushfires on the cash flow and profitability of some farm enterprises within the Shire, it is considered appropriate that Council provide an interest waiver to affected properties, and defer the payment date of the 2019/20 Rates and Charges to 15<sup>th</sup> February under the Hardship section of the Revenue Collection Procedure.

### **OFFICER'S RECOMMENDATION**

As a result of the significant impact of the Lexton-Ben Major bushfires in December 2019, on 28 affected properties within the Shire, that Council resolves to:

- a. Waive interest on their outstanding 2019/20 Rates and Charges under the Hardship section of the Revenue Collection Procedure, until 15<sup>th</sup> February 2021; and
- b. Defer due payment of their outstanding 2019/20 Rates and Charges to 15<sup>th</sup> February 2021 under the Hardship section of the Revenue Collection Procedure.

### **13. COUNCILLOR REPORTS AND GENERAL BUSINESS**

## **14. CONFIDENTIAL ITEMS**

### **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 a 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 a report on the:-

14.1 Bridge Component Installation on Eurambeen Streatham Road

**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.

**15. CLOSE OF MEETING**

Meeting closed at

Minutes of the meeting confirmed .....

2020 Mayor