



**Pyrenees**  
Shire Council

# Agenda

## Ordinary Meeting of Council

**6:00pm Tuesday 19 January 2021**  
**Beaufort Council Chambers**

This meeting will be conducted with only Councillors and staff present in person.  
Members of the public may view the meeting virtually via the livestream.

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## **1. WELCOME MEMBERS OF PUBLIC**

### **2. STREAMING PREAMBLE**

As the meeting Chair, I give my consent for this Open Council Meeting to be streamed live, recorded and published online. Anyone who is invited to read out a question or a presentation will be recorded and their voice, image and comments will form part of the livestream and recording.

The Chair and/or the CEO have the discretion and authority at any time to direct the termination or interruption of livestreaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

The stream will stop prior to the closed section of the meeting, and will recommence for the conclusion of the meeting.

The public is able to view this livestream via our website at [www.pyrenees.vic.gov.au](http://www.pyrenees.vic.gov.au). Should technical issues prevent the continuation of the stream, a recording will be made available on our website.

### **3. 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

### **4. ACKNOWLEDGEMENT OF COUNTRY**

We acknowledge the people past and present of the Wadawurrung, Dja Dja Wurrung, Eastern Maar and Wotjobaluk 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.

### **5. APOLOGIES**

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

### **7. CONFIRMATION OF PREVIOUS MINUTES**

#### **RECOMMENDATION**

That the Minutes of the:

- Ordinary Meeting of Council held on 8 December 2020; and
- Closed Meeting of Council held 8 December 2020,

as previously circulated to Councillors, be confirmed.

## 8. BUSINESS ARISING

Responses to questions taken on notice at the previous ordinary Council meeting on 24 November 2020

### 8.1 Steven Gallina

Question 1:

The Waubra estate Lot 2 Easement drain, (within Lot 2 and adjacent to Lot 3 has been extensively documented and published by me within my face book page Waubra Heights information by Steven Gallina, has a large tree and extensive shallow root system growing in it. This council implied easement drain is poorly formed and maintained, if at all. It has no formed/defined outlet to the rear of the property and it floods the rear of lot 2, Lot 3 (noting that the a dam constructed at the rear of Lot 3 by the former owners can be clearly seen on Google Earth timeline) and the reserve behind them with no constructed drainage path to Sunraysia highway apart from crude uncontrolled overland flow paths that creates a backwater effect contributing to these rear flooding episodes in times of average rainfalls and exacerbated by a wet catchment. It has a clear breach/eroded berm near and influenced by the existing large tree that allows water to unreasonably enter Lot 3. It is understood that this drain was constructed circa 93/94 prior to the estate roads being sealed and the road culvert drain installed in the area to drain storm water to/through the path within Lot 2 referred to as council implied easement drain. It was the subject of a 2013 Petition to Council (posted within my mentioned FB page) by 100% of affected residents in the vicinity of this drain/Kimberly Drive and that includes the affected resident/s of Lot 3.

Noting that Council had recently inspected (well after flows have subsided) its implied Council drain and Culvert drain, on or about 2nd December 2020, would it now care to either acknowledge or refute the well documented/photographed conditions (dating back to at least 2013-2015) mentioned above and within my FB Page: Waubra Heights information by Steven Gallina and again consider funding the previously identified and planned for Stage 2 underground works as it did during a Council mid year financial review but it was dropped in favour of a new Boiler system in Beaufort of equal value in the vicinity of \$80,000.00?

Question 2:

Council has acknowledged and are aware that the reseal of the pavement in the Waubra estate has failed (in less than 48 hours of being laid) in several areas of Wilcar Drive primarily because it was documented by me as being laid over historically deposited sediment runoff (from at least two properties) that was not fully graded away or not at all. As Mr Gowans makes references to only having considered grass invasion of the pavement and not the well documented historical sediment deposits (which is where the grass grows in/on), does Council seriously consider that the repeated encroachments of deposited sediment (not just the grass growing in it) from property runoff that has significantly encroached the road pavement areas concerned by 800mm wide and 75mm high ( as well documented in some areas and recognized by Cr Clark within his customer action request for grading works) is safe to drive on and would not pose a serious danger to all road users?

Mayor Cr Ferrari advised that these questions are further to questions previously submitted to Council.

Response by Douglas Gowans

Douglas Gowans thanked Mr Gallina for his further questions and responded with 'these questions are quite extensive and in order to provide a detailed response which these questions require, I will take the questions on notice and provide the answer to those questions in line with Council's policy'.

Following the Council Meeting Mr Gallina was provided with the following responses by Douglas Gowans in relation to his questions:

In response to question 1.

The implied drainage easement on Lot 2 does carry water away from the formal drainage system within the road reserve. The implied drainage easement within Lot 2 functions even though it does have vegetation within in informal flow path. Any water flow that overtops the implied drainage easement does not cause impacts other than to the owners of Lot 2. The owners of Lot 2 can undertake vegetation management on the implied drainage easement if they so choose to. Council have not prioritised or budgeted for any further underground drainage works at Waubra Heights estate in the foreseeable future.

In response to question 2.

Council is aware of the sediment deposits on Wilcar Drive in a number of locations where water has drained off private property down driveways and onto the road pavement. Council is currently working with the sealing contractor to remedy the impact of the sediment on the recent resealing works. All road users need to drive to the road conditions. In the case of Wilcar Drive, a 50 kilometre per hour maximum speed zone, the current sediment issues that are present do not pose a serious danger to road users.

## **9. PUBLIC PARTICIPATION**

Members of the public are encouraged to ask questions of Council at Ordinary Council Meetings. In normal times, questions may be asked by members of the public in person. However, at present community members are not permitted to attend Council meetings in person due the COVID-19 pandemic.

Questions can be submitted online through Council's website, by mail or hand delivered.

Questions are to be received by 12noon on the day of the meeting in accordance with Council's Governance Rules.

A person can submit a maximum of two questions on any topic and the question(s) and its response shall not exceed five minutes.

Questions are read by the Chairperson during Public Participation.

The Chairperson may accept or reject any question or summarise the question before putting it to the meeting.

The Chairperson may disallow a question if it is:

- Phrased as a statement rather than a question;
- Relates to matters outside the duties, functions and powers of Council;
- Is defamatory, indecent, abusive, offensive, irrelevant or objectionable in language or content;
- Is a repetition of a question already asked or answered (whether at the same or an earlier meeting);
- Is aimed at embarrassing a Councillor or Council officer.

The Chairperson or Councillor or Council officer to whom a question is referred may:

- Immediately answer the question;
- Take the question on notice for the next Ordinary meeting;

## 10. ITEMS FOR NOTING

### ASSET AND DEVELOPMENT SERVICES

#### 10.1. 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 the Planning and Development Department, during November 2020.

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 2020 are summarised in the table below:-

Activity	November 2020	December 2020	Financial Year to date
Applications received	11	9	72
Applications completed	18	6	45
Number of referrals	9	3	25
Requests for further information	15	5	44
Estimated cost of works	\$2,258,590	\$2,123,509	\$11,335,411

General Enquiries			
Enquiry Type	November 2020	December 2020	Financial Year to date
Pre-purchase enquiry	41	32	267
Pre-application enquiry	82	68	514
Existing permit enquiry	5	6	93
Current application enquiry	32	32	169
All other enquiries	33	20	157
<b>Total Enquiries</b>	<b>193</b>	<b>158</b>	<b>1200</b>

## STATUTORY PLANNING

It was a busy end to 2021, with 24 planning permits determined in November and December. Planning and property enquiries remained high and were attributed to the impacts of COVID-19, which has seen an increase in the demand for rural residential property.

Service improvement activities continue to be implemented, with the roll out of Greenlight scheduled for January. Other 'self-help' web-based material is being developed to further compliment the *Do I need A Permit* function of Council's website.

## STRATEGIC PLANNING

Council's strategic planners have continued to deliver elements of the state's outdoor dining initiative, with the purchase and installation of café barriers and planter boxes. Further activities have included supporting traders in obtaining footpath trading permits and other approvals to allow occupancy and works to be undertaken within the public realm.

The next stage of the program will see the installation of shade umbrellas, additional public seating and the activation of key outdoor locations. The place activation work will seek to increase the length of time visitors spend in our townships which will improve expenditure and increase place vibrancy. Other activities will include collecting measurable data from traders and consumers/visitors, which will be used to enhance Council's understanding of the program's effectiveness and to identify further opportunities to support the outdoor dining experience.

Officers are preparing documentation to support a Request for Quote (RFQ) from suitably qualified and experienced consultants to assist with the delivery of the Rural Land use Strategy. The purpose of this project is to review the current provisions of the planning scheme that relate to rural land use and to make recommendations for scheme amendment to reflect improved planning outcomes.

The Central Victorian Goldfields World Heritage project is continuing to gain momentum in the preparation of a bid for world heritage status. Several workshops have recently been facilitated in which officers have participated and provided input including in respect of heritage and natural asset data to populate data bases for the bid documentation.

## PART B: BUILDING

### Activity

The building activity statistics as at 30/11/2020 are summarised in the table below:

CATEGORY	November 2020	December 2020	COMMENT
Permits issued by private Building Surveyor	11	23	
'Property Information Certificates' prepared and issued	17	27	
'Report and Consent' issued	1	2	
Building Notices	0	0	
Building Order	7	4	
Resolved Building Notices	0	0	
Resolved Building Orders	7		
Direction to Fix Building Work	0	4	

		0	
<b>Building permit inspections undertaken</b>	2	0	
<b>Council issued permits finalised</b>	2	0	** Council have not issued building permits since June 2018.

### Swimming Pool update

Since 1 December 2019, the Victorian Building Regulations have required that all Victorian Councils establish and maintain a register of all private swimming pools and spas within the shire. The register must record Child Safety Barrier inspection details and compliance, which is required every 4 years.

In addition to the new requirements for councils, pool and spa owner were required to:

- Register their pool with council by 1 November 2020;
- Organise an inspection of the pool barrier by a registered swimming pool inspector;
- Rectify any issues identified by the pool inspector; and
- Submit a certificate of compliance to council (no more than 12 months from the date of registration).

Council has 125 known private swimming pools identified as at the 31st December 2020, which is up from 86 in December 2019. This increase follows the provision of property data that was collected by the state government and passed on to Council for enforcement.

98 of the 125 known swimming pools/spas have been successfully registered, however there is a further 27 outstanding. The outstanding registrations have stalled due to a range of factors including non-payment of the \$79 registration fee, or the failure to produce any documentation that supports the lawful installation of the pool/spa and associated child safety barrier.

From the information provided by the state government, there are 26 pools/spas that remain to be investigated/verified, which are not reflected in the 125 'known' pools/spas figures. These pools now require site inspections as property owners have failed to respond to written correspondence from Council officers.

### **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.

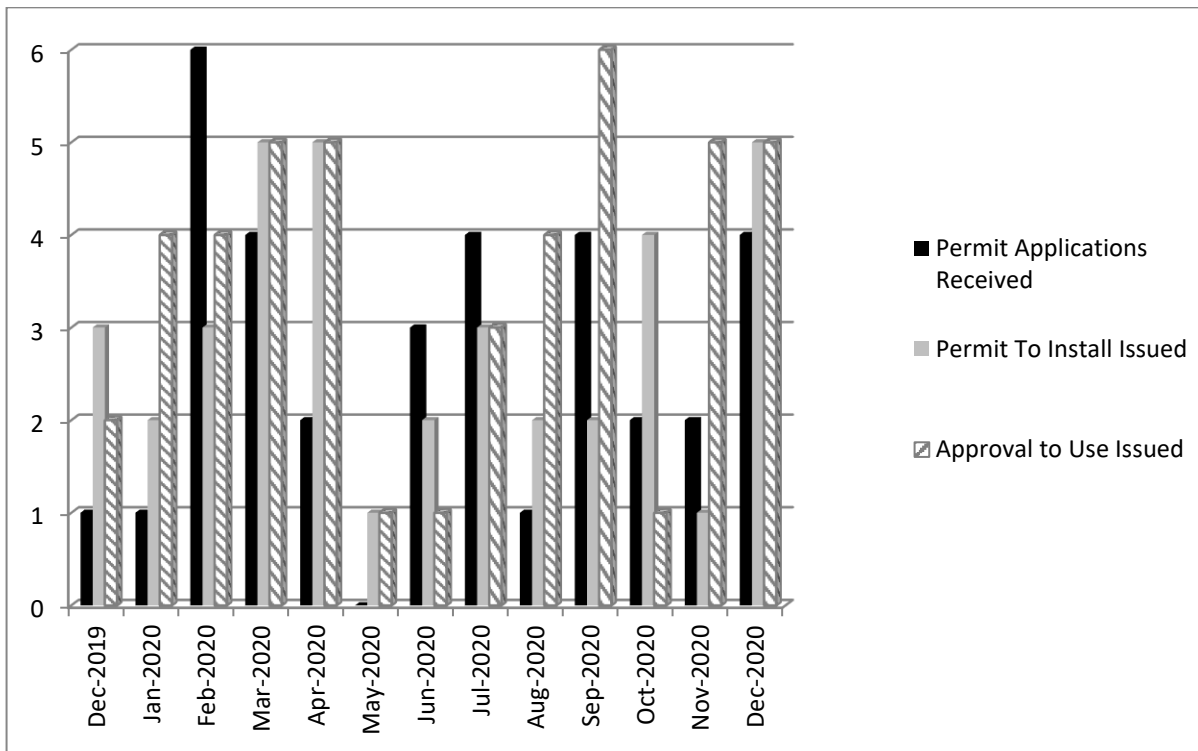


**PART C: ENVIRONMENTAL HEALTH**

**Activity: Wastewater**

Period	Applications to Install or Alter Septic Tanks Received	Permits to Install or Alter Issued	Approval to Use Issued	Fees Paid
1-30 December 2020	4	5	5	\$1435

Wastewater activity statistics for December 2020



Monthly wastewater activity December 2020

Wastewater related tasks for December 2020	
Septic Tank Inspections	6
Domestic Wastewater Management Plan Inspections	25
Domestic Wastewater Service Agent Reports	2

### Activity: Food, Health & Accommodation Premises

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

Period	New Premises, Transfers and Renewals	Routine Inspection, Assessments and Follow Ups	Complaints Received about Registered Premises	Food Recalls	Fees Paid
1-31 December 2020	30	7	0	6	\$252.00*

\*Fees associated with registration renewals have been waived for the 2021 registration period in support of businesses that have and continue to be impacted by COVID-19 restrictions.

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

The easing of COVID-19 restrictions has seen an increase in Streatrader applications and renewals, with seven (7) Statements of Trade being received for the month.

One event was held during the month of December (Beaufort Town Market) which was attended by Council's Environmental Health Officer. Routine inspections of traders were undertaken to ensure food and community safety at the event.

### Activity: Immunisations

Immunisation sessions in Beaufort and Avoca are not being conducted due to Covid-19 and individual appointments continue to be arranged through Council's Maternal Child Health nurse.

Session Type	Number of Clients & Vaccines	2 Month - 4+ Yr Old	Secondary School	Adult
December 2020	Clients	25	1	0
	Vaccines	58	2	0

### Compliance Issues

Council received one public health and wellbeing complaint during the month of December.

### 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 2019
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010
- 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**

	November 2020	December 2020	Total YTD (20/21)
<b>Cats Registered</b>	567	568	-
<b>Dogs registered</b>	2353	2366	-
<b>Cats impounded</b>	9	4	27
<b>Cats reclaimed</b>	1	0	5
<b>Cats Euthanised</b>	2	4	11
<b>Dogs impounded</b>	3	3	9
<b>Dogs Reclaimed</b>	3	3	9
<b>Dogs Euthanised/surrendered</b>	0	0	0
<b>Stock impounded</b>	0	0	0

Registration and impoundment statistics

**ACTIVITY - Infringements**

Infringement Type	November 2020	December 2020	Total YTD (20/21)
Domestic Animals Act	0	1	6
Local Laws	0	0	2
Road Safety Act	0	0	0
Environment Protection Act	0	2	2
Impounding of Livestock Act	0	0	0
Other	0	0	0
<b>Total Infringements Issues</b>	<b>0</b>	<b>3</b>	<b>10</b>
Prosecutions	1	0	3

Infringement statistics

**Key projects**

Council's Community Safety and Amenity officers continue to support the outdoor dining initiative through the assessment and granting of footpath trader permits.

**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

### 10.2. CUSTOMER ACTION REQUESTS (CARS) – DECEMBER 2020

**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 2020.

#### BACKGROUND

Council has operated an electronic Customer Action Request System (CARS) for several 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

Council has recently requested that more information is provided regarding outstanding customer action requests (CARs) and that proactive effort is input into a greater level of resolution in the coming months. This report will report against that effort in the future.

In the meantime, information contained within this month’s report provides some clarity over the problems faced, particularly in 2020, with the increase in the quantity of requests received, and the impact of COVID-19 on the ability to respond to telephone messages received.

The report also provides more information on the type of request received, especially where a request forms part of a case management process that is unlikely to be closed on the system in the short-term – e.g. local laws and enforcement matters.

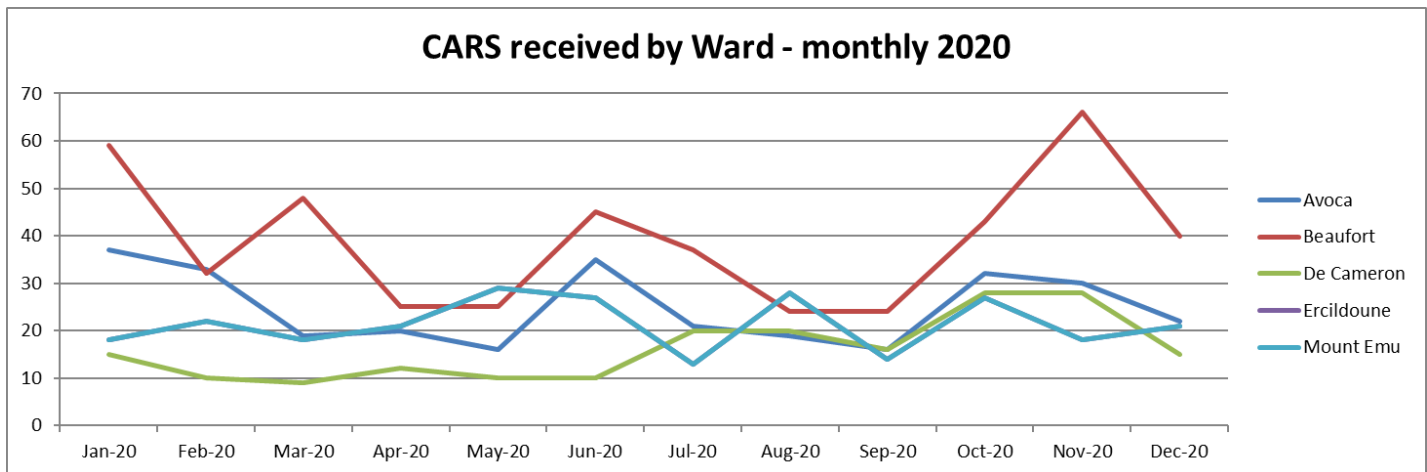
#### Statistics:

298 customer action requests were received in December 2020, of which 242 related to telephone messages. Of the 121 customer actions requests (non-telephone calls) received, the following represents those received and still outstanding by Ward:

	Avoca Ward	Beaufort Ward	De Cameron Ward	Ercildoune Ward	Mount Emu Ward
Number of Requests received in December 2020 (previous month)	22 (30)	40 (66)	15 (28)	23 (35)	21 (18)
Requests received in December and closed in same month (% of total received)	12 (55%)	25 (63%)	9 (60%)	15 (65%)	14 (67%)
Requests received in December still outstanding	10	15	6	8	7
Outstanding requests older than 1 month	59	76	45	39	37
Total outstanding requests	69	91	77	47	44

	Avoca Ward	Beaufort Ward	De Cameron Ward	Ercildoune Ward	Mount Emu Ward
Total outstanding requests relating to Local Laws or enforcement case management (% of total outstanding requests)	17 (25%)	20 (22%)	26 (34%)	17 (36%)	5 (11%)
Total outstanding requests relating to roads, footpaths, or roadside vegetation (% of total outstanding requests)	27 (39)	41 (45%)	12 (16%)	16 (34%)	23 (52%)
Total outstanding requests relating to drainage (% of total outstanding requests)	9 (13%)	13 (14%)	5 (7%)	6 (13%)	8 (18%)

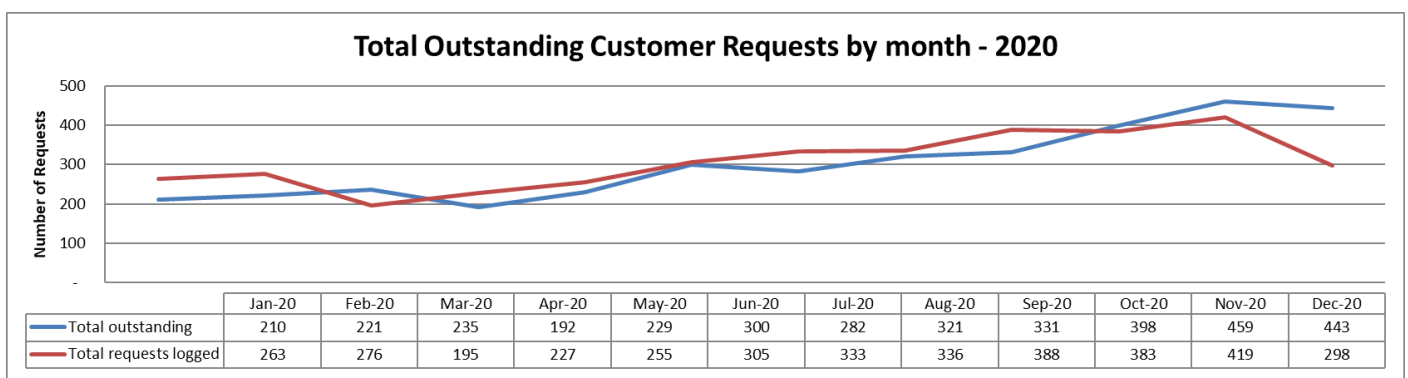
The following graph show details of CARs received by Ward / month during 2020. Several spikes can be seen in individual Wards during the year, with little consistency month-on-month over the year.

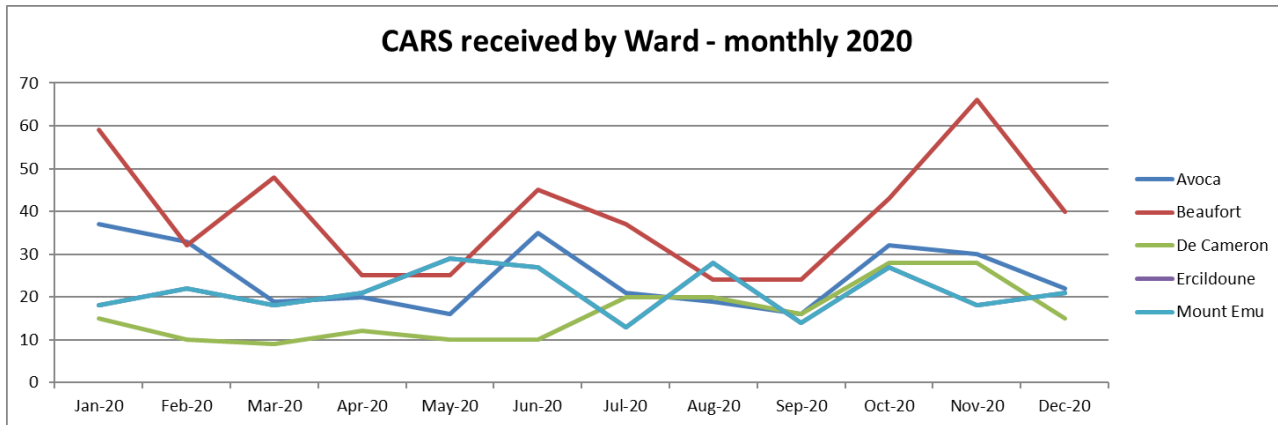


**Requests resolution:**

- 314 Requests were closed in December 2020.
- Of the 121 requests received during December (non-telephone calls) 75 or 62% were resolved and closed within the month.

The following graphs display outstanding CARs for each month during 2020. Although the trend line for total requests logged (red line) in the first graph shows a gradual increase over the year, the growing trend of CARs received over the years is more clearly demonstrated in the graph on the following page.



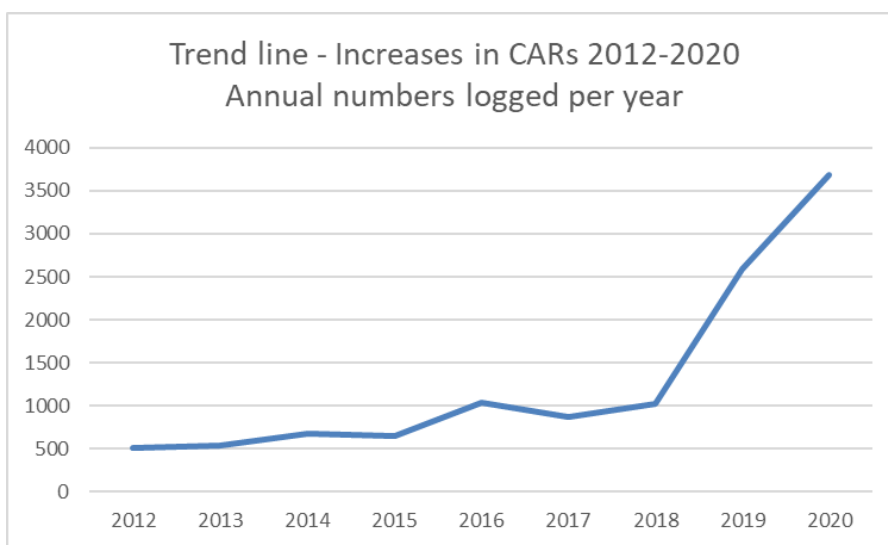


**Trends:**

The graph below displays the number of CARs received each year since 2012 when the system was introduced.

The years 2016 and 2018 showed annual logging of CARs of over 1000 per year (an average of 86 and 85 per month respectively) from the averages in previous years of between 500-650 per year (an average of between 40 and 56 per month).

The end of 2018 shows the start of a consistently growing trend of CARs being logged to the 2020 figure of 3678 CARs logged for the year. The 2020 monthly average of CARs received is 307 per month, compared with the 2012 **annual** receipt of 516.

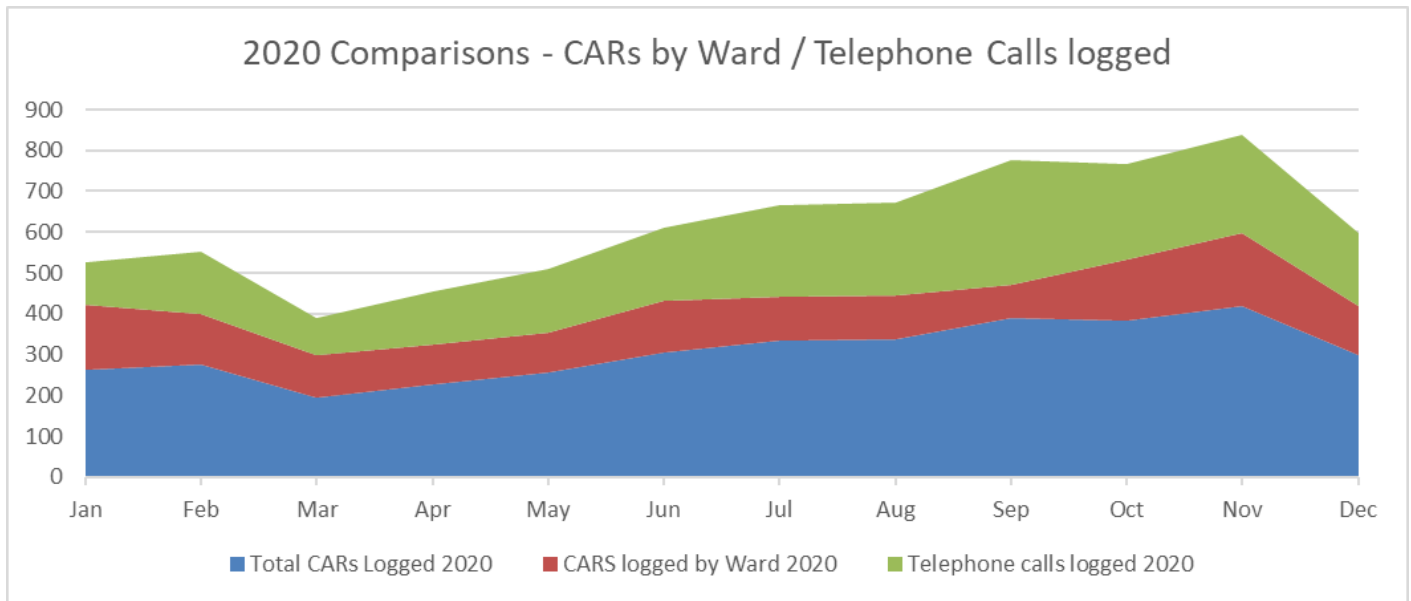


**Telephone calls:**

In early 2020, COVID-19 restrictions forcing many staff to work from home caused an increase in telephone calls being logged through the CARs system.

In December 2020, 177 telephone calls were logged. During 2020 a total of 2227 telephone calls were logged, a total of 186 per month compared with normal subject-matter CARs of an average of 121 per month over the year. The number of telephone calls logged via the CARs system represents 61% of the total received.

The annual data is demonstrated by the graph below.



The number of telephone calls logged in 2020, primarily due to the immediate unavailability of staff by telephone caused by remote working, has resulted in understandable dissatisfaction by our community, but also a tremendous increase in workload for staff – both those receiving the calls (switchboard) and those returning the calls.

The difficulties in ability to return the increased levels of calls within Council’s customer service levels of service, set prior to the COVID-19 Pandemic disruption, combined with the added difficulties of remote working with similar numbers of staff available, have caused frustration in staff and our community. In some areas, the pandemic has created additional workload which has added to the problem – e.g. statutory planning requests.

Work is planned in 2021 to analyse the type of calls received and be more proactive in general information that can be provided in advance to reduce the amount of calls received.

The following graph provides greater detail of the areas where outstanding requests remain.

31 December 2020 - Open Requests - Type			
	Nov	Dec	Change
Roads & Rd Maint.	67	64	-3
Streetlights	1	1	0
Drainage	49	41	-8
Footpaths	10	11	1
Park & Reserves	24	26	2
Roadside Veg	49	44	-5
Environmental Health	2	4	2
Planning	7	9	2
Bld maint	9	12	3
Local Laws	42	46	4
Cats	6	7	1
Dogs	21	23	2
Livestock Act	1	3	2
Parking	2	2	0
Fire Hazard	2	1	-1
Bld Compliance	0	0	0
Waste Management	1	1	0
Natural Disasters	0	0	0
Pools	0	0	0
Council cleaning	0	0	0
EPA - Litter	3	3	0
Design & Assets	3	2	-1
GIS	0	0	0
Community Wellbeing	0	1	1
Telephone messages	160	142	-18
<b>Total</b>	<b>459</b>	<b>443</b>	<b>-16</b>

**Note:**

- The item 'Roads' now represents an amalgamation of Roads, Road Maintenance, Roads Unsealed and Road Maintenance Unsealed.
- Local Laws and related CARs reflect case management of issues rather than un-managed matters.

**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 and is now also used as a case management tool for more complex matters. 2020 will see a continued review in how the system is used, proactive ways to improve speedier resolution and reporting against progress.

**OFFICER RECOMMENDATION**

That Council notes the information contained within this report.



### 10.3. LOCAL GOVERNMENT ACT 2020 IMPLEMENTATION PROGRESS UPDATE

**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:** 16/20/35

#### PURPOSE

The purpose of this report is to provide Council with a progress update on the implementation of the *Local Government Act 2020*.

#### BACKGROUND

The *Local Government Act 2020* was proclaimed on 6 April 2020 with transition from the former Act being implemented in stages between 1 May 2020 and 30 June 2022.

#### ISSUE / DISCUSSION

##### Implementation Status – Policy and Plan development:

The status of implementation of policy and plan deliverables required under the 2020 Act provisions is provided in the table below:

Items to be implemented	Timeframe	Status
Councillor Expenses Policy revision and adoption Governance Rules development and adoption Delegated committees and asset committee Instruments of Delegation in place Audit & Risk Committee Charter adopted and Committee re-established Public Transparency Policy adopted	1 September 2020	Completed
Election candidate training completed	17 Sept 2020	Completed
Councillor Code of Conduct revision and adoption	Jan 2021	In progress – <ul style="list-style-type: none"> <li>• Consideration 19 Jan briefing</li> <li>• Adoption 19 Jan meeting</li> </ul>
Community Engagement Policy adopted	Mar 2021	In progress – <ul style="list-style-type: none"> <li>• Public consultation complete</li> <li>• Submissions 9 Feb briefing</li> <li>• Adoption 16 Feb meeting</li> </ul>
Gifts Policy revision and adoption (New Conflicts of Interest Policy)	Apr 2021	In progress – <ul style="list-style-type: none"> <li>• Consideration 19 Jan briefing</li> <li>• Adoption 16 Feb meeting</li> </ul>
Councillor induction training	May 2021	In progress – <ul style="list-style-type: none"> <li>• Role of Councillor &amp; Mayor – Complete</li> <li>• Role of CEO – Complete</li> <li>• Interaction between Councillors &amp; staff – scheduled 19 Jan briefing</li> <li>• Governance – Complete</li> <li>• Standards of Conduct – Complete</li> <li>• Misconduct – Complete</li> <li>• Internal arbitration process - Complete</li> </ul>

Items to be implemented	Timeframe	Status
		<ul style="list-style-type: none"> <li>Engagement &amp; reconciliation with traditional owners of land – being arranged prior to April 2021.</li> <li>Gender equality, diversity &amp; inclusiveness – scheduled 9 Feb briefing</li> </ul>
Budget adopted Revenue and Rating Plan revision and adoption	30 Jun 2021	In progress
Long Term Financial Plan Council Plan revision and adoption Community Vision (Community Plan) – <b>SHAPE PYRENEES 2030</b>	31 Oct 2021	In progress Target reset to 30 June 2021 for PSC
Annual Report 2020/21	31 Oct 2021	Not yet started
CEO Employment & Remuneration Policy adopted Long-term Workforce Plan adopted Recruitment Policy revision and adoption Staff Code of Conduct revision and acceptance Complaints Policy revision and adoption Procurement Policy revision and adoption	1 Jan 2022	Not yet started  In progress Not yet started Not yet started  In progress In progress
Long-term Asset Management Plans in place	30 Jun 2022	In progress

### Integrated Strategic Business Planning Project

Two key plans will steer all other business and financial plans throughout the next 4 to 10 years: the 10-year Community Vision (proposed to be entitled **Shape Pyrenees 2030**) and the 4-year Council Plan. Planning of community engagement for these plans has commenced and the first Council workshop was held on 1 December 2020.

Additional strategic plans have been included within the project to ensure alignment with community vision and Council plan. An update on the full deliverables is provided below.

Deliverable	Applicable Timeframe	Target for completion	Status
Community Engagement Policy	4 years	1 Mar 2021	First draft complete Community consultation complete Adoption scheduled 19 Feb 2021
Community Vision – <b>Pyrenees 2030</b>	10 years	30 Jun 2021*	Planning underway Working Group convened
Council Plan 2021-2025	4 years	30 Jun 2021*	Planning commenced Council workshop held 1 Dec 2020 Community consultation planning underway
Annual budget	1 + 3 years#	30 Jun 2021	In progress – Management budget packs prepared and feedback underway
Revenue & Rating Plan	4 years	30 Jun 2021*	Drafting in progress
Financial Plan (LTFP)	10 years	30 Jun 2021*	In progress
Gender Equality Action Plan	4 years	30 Jun 2021	Planning underway to conduct gender audit

Deliverable	Applicable Timeframe	Target for completion	Status
(new Act - 31 Mar 2021)			Working Group convened
Municipal Public Health & Wellbeing Plan	10 years	Oct 2021	Planning for review underway
Municipal Early Years Plan		Oct 2021	Not yet started
Positive Ageing Plan		Oct 2021	Planning for review underway
Reconciliation Action Plan Phase 2	1 year	June 2021	Planning underway Working Group convened
Workforce Plan	4 years	31 Dec 2021**	Review in progress Workforce Plan already in place
Asset Management Plans	10 years	30 June 2022	In progress
Reporting framework review	n/a	30 Jun 2021	Review in progress

\*Although these documents are not officially required to be completed before October 2021, Council officers are focusing completion by 30 June 2021 to enable alignment between all aspects of strategic business and short to long-term financial planning.

#From 2021, the budget will require to be a 4-year focus, with the first year detailed and an overview of the subsequent three.

\*\*The Workforce Plan is due for completion by 31 December 2021; however, it is envisaged that many of the deliverables for this plan will be determined by 30 June 2021 to align with other strategic business and financial planning.

### COUNCIL PLAN / LEGISLATIVE COMPLIANCE

The *Local Government Act 2020* was enacted in April 2020 and includes a requirement for councils to develop an integrated and collaborative approach to strategic business and financial planning, monitoring and reporting.

### ATTACHMENTS

Nil

### FINANCIAL / RISK IMPLICATIONS

Alignment of strategic business and financial plans is a primary requirement of the 2020 Local Government Act. Robust and effect monitoring and reporting mechanisms are key in managing any risks, enterprise or financial, involved with the delivery of the Pyrenees Shire Council Plan and Community Vision.

### CONCLUSION

The *Local Government Act 2020* was enacted in April 2020 and is being implemented in stages throughout 2020-2022. Council has developed a project plan to develop an integrated strategic business planning framework, together with improving its monitoring and reporting framework in alignment. This report provides a progress update on these plans.

### OFFICER RECOMMENDATION

That Council notes this report on the progress within the Pyrenees Shire Council on implementing the Local Government Act 2020 requirements.

#### **10.4. AUDIT & RISK COMMITTEE**

**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:** 32/04/04

#### **PURPOSE**

The purpose of this report is to provide Council with an update of the Audit & Risk Committee meeting M001 held on 3<sup>rd</sup> December 2020.

#### **BACKGROUND**

Section 54 of the *Local Government Act 2020* (the Act) requires Council to establish an Audit & Risk Committee. Council re-established its Audit & Risk Committee and approved the revised Audit & Risk Committee Charter under these provisions at its meeting in June 2020.

The Act also requires an Audit & Risk Committee to develop and work to an annual work plan.

#### **ISSUE / DISCUSSION**

The Committee welcomed its new member – Mr Brian Keane – who replaced Mr Geoff Price as independent member. The Committee expressed its thanks to Mr Geoff Price for his work over his nine-year tenure as a member of the Committee.

A brief overview of the issues considered by the Audit & Risk Committee is provided for Council's information:

- Final year-end financials, performance statement and Annual Report were presented for the Committee's information.
- As part of the Committee's financial monitoring obligation, the quarterly financial report was presented by the Manager Finance. Committee Members requested a shorter financial summary for future meetings, focusing on critical information.
- An Internal Audit Report on Occupational Health, Safety & Wellbeing was presented by Council's Internal Auditor – AFS & Associates. Several strengths were identified during the review, with the auditor stating that the Pyrenees Shire Council was in the top 20% of councils audited recently. Risks and recommendations have been added to the outstanding issues register for action.
- A brief update of the Internal Audit Program for 2020-2023 was provided by AFS & Associates.
- A status report on internal audit outstanding issues was provided. It was noted that of the 57 outstanding issues, 13 were considered complete and an additional 14 to 20 should be complete by the next internal audit review scheduled for March 2021. Committee Members requested a more concise summary report of outstanding issues be provided to the committee at future meetings.
- An update was provided on external performance audits in which Council was involved, including: A survey on sexual harassment conducted with all Victorian councils by the Victorian Auditor-General's Office (VAGO), and an update against VAGO's 2018 performance audit on Local Government Insurance Risks which was recently provided to VAGO as part of their monitoring program. The outcomes of the sexual harassment survey had not been received at the time of the committee meeting.
- A report on governance, risk and compliance activities was presented to the Committee, including information on the MAV WorkCare self-funded workers compensation insurance scheme, implementation of the Local Government Act 2020, and Council's Policy & Procedure review program,
- A final status report against the Audit & Risk Committee 2020 Annual Work Plan was provided, together with a draft Annual Work Plan for 2021, which was accepted. As part of the 2021 Work Plan, the 2021 meetings schedule was approved:

- Meeting 002 – Tuesday, 25<sup>th</sup> May 2021
- Meeting 003 – Tuesday, 28<sup>th</sup> September 2021
- Meeting 004 – Tuesday, 23<sup>rd</sup> November 2021

- A compliance update was provided to the Committee.
- An industry update on recent reports and publications of interest was provided
- A report was presented by the CEO.

An opportunity was provided for Committee members to hold closed discussions with internal and external auditors, but this was not exercised.

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

The *Local Government Act 2020* requires Council to establish an Audit & Risk Committee to work under an approved Audit & Risk Committee Charter.

#### **ATTACHMENTS**

10.4.1 - Minutes of the Audit & Risk Committee meeting of 3<sup>rd</sup> December 2020 (*circulated separately*).

10.4.2 – Report by Audit & Risk Committee Chair (*circulated separately*).

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

All financial issues have been addressed in the body of this report.

#### **CONCLUSION**

A meeting of Council's Audit & Risk Committee was held on 3<sup>rd</sup> December 2020. This report provides an overview of discussions at that meeting.

#### **OFFICER RECOMMENDATION**

That Council notes the minutes of the Audit & Risk Committee meeting held on 3 <sup>rd</sup> December 2020.
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## 11. COUNCILLOR ACTIVITY REPORTS

<b>Cr Damian Ferrari – Beaufort Ward</b>		
<b>December</b>		
Tue 01	Planning Day and Hearing Session	Waubra
Wed 02	RDV, RDA, CH Councillors Briefing	Virtual
Thu 03	MAV Mayors Induction Session	Virtual
Mon 07	Councillor Induction Session	Beaufort
Tue 08	Councillor Induction and Briefing Session	Beaufort
Tue 08	Council Meeting	Beaufort

<b>Cr David Clark – Ercildoune Ward</b>		
<b>December</b>		
Tue 01	Planning Day and Hearing Session	Waubra
Sun 06	Constituent Matter	Mount Lonarch
Mon 07	Councillor Induction Session	Beaufort
Tue 08	Councillor Induction and Briefing Session	Beaufort
Tue 08	Council Meeting	Beaufort
Tue 15	Grade 6 Student Pen Presentation	Waubra
Wed 16	Grade 6 Student Pen Presentation	Trawalla

<b>Cr Robert Vance – De Cameron Ward</b>		
<b>December</b>		
Tue 01	Planning Day and Hearing Session	Waubra
Wed 02	RDV, RDA, CH Councillors Briefing	Virtual
Mon 07	Councillor Induction Session	Beaufort
Mon 07	Grade 6 Student Pen Presentation	Moonambel
Tue 08	Councillor Induction and Briefing Session	Beaufort
Tue 08	Council Meeting	Beaufort
Fri 11	RCV Committee Meeting	Virtual
Mon 14	Implementation Matters for CEOs, Mayors and Councillors	Virtual
Tue 15	Grade 6 Student Pen Presentation	Landsborough
Wed 16	Timber Towns Victoria AGM and General Meeting	Virtual
Wed 23	Constituent Meeting	Moonambel

<b>Cr Ron Eason – Avoca Ward</b>		
<b>December</b>		
Tue 01	Planning Day and Hearing Session	Waubra
Thu 03	Audit & Risk Committee Meeting	Virtual
Mon 07	Councillor Induction Session	Beaufort
Tue 08	Councillor Induction and Briefing Session	Beaufort
Tue 08	Council Meeting	Beaufort
Wed 09	Activate Avoca Project Reference Committee Meeting	Virtual

<b>Cr Tanya Kehoe – Mount Emu Ward</b>		
<b>December</b>		
Tue 01	Planning Day and Hearing Session	Waubra
Thu 03	MAV Councillor Induction Day 2	Virtual
Mon 07	Councillor Induction Session	Beaufort
Tue 08	Councillor Induction and Briefing Session	Beaufort
Tue 08	Council Meeting	Beaufort
Mon 14	Implementation Matters for CEOs, Mayors and Councillors	Virtual

## 12. ASSEMBLY OF COUNCILLORS

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Planning Day		
Meeting Date	1 December 2020 commenced at 9.15am and closed at 3.30pm		
Meeting Location	Waubra Community Centre		
Items Discussed	<ol style="list-style-type: none"> <li>1. <b>Achievements and Lessons of Past Term, Environmental Scan, New Term of Council, Senior Leadership Team Strategic Input</b></li> <li>2. <b>Councillor Input and Discussion</b></li> <li>3. <b>Capturing the Key Messages</b></li> <li>4. <b>Hearing Session for Planning Application PA2932/20</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 Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services) Katie Gleisner (Manager Planning and Development) – Item 4 Claire Pepin (Planning Officer) – Item 4		
Visitors	R & J Barber B Faehrmann P & S Stewart C Gardner K & H Green S James L Giles		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			



<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Induction and Briefing Session		
Meeting Date	8 December 2020 commenced at 1.30pm and closed at 5.45pm		
Meeting Location	Beaufort Council Chambers		
Item Discussed	<ol style="list-style-type: none"> <li>1. <b>Councillor Induction Session 4</b></li> <li>2. <b>Stockyard Hill Wind Farm Update</b></li> <li>3. <b>Community Engagement</b></li> <li>4. <b>Amphitheatre Planning Matters</b></li> <li>5. <b>Planning Matter – Egans Lane, Glenlogie</b></li> <li>6. <b>Agenda Review (December Council Meeting)</b></li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Damian Ferrari Cr Ron Eason Cr Robert Vance	Cr Tanya Kehoe (left room at 2.30pm returning 3.20pm) Cr David Clark	
Apologies	Nil		
Staff	Jim Nolan (Chief Executive Officer) Kathy Bramwell (Director Corporate and Community Services) Douglas Gowans (Director Asset and Development Services) Ember Parkin (Community Engagement Officer) – Item 3 Katie Gleisner (Manager Planning and Development) – Item 4 and 5 Claire Pepin (Planning Officer) – Item 4 and 5		
Visitors	Ian Courtney (Goldwind) – Item 2 Zbig and Lyn Szczepanski – Item 5		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor/ Officer left meeting
Nil			

**OFFICER RECOMMENDATION**

That the items for noting be received.
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## **13. ITEMS FOR DECISION**

### **ECONOMIC DEVELOPMENT AND TOURISM**

#### **13.1 TOURISM MEMORANDUM OF UNDERSTANDING WITH CITY OF BALLARAT**

**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:** 62/10/08

#### **PURPOSE**

The purpose of this report is to update council regarding the Tourism Memorandum of Understanding established in early 2020 with the City of Ballarat.

#### **BACKGROUND**

Council has been a partner to regional tourism boards (RTB's) for many years to allow access to the benefits of their resources for marketing, advocacy, product development and industry development.

The Victorian Government undertook a review of the states RTB's during 2019-20 and the outcomes of the review have as yet to be ratified.

Council entered into a MOU with City of Ballarat (Ballarat) in February 2020 for a period of twelve months pending the outcomes of the review.

The Tourism MOU allows council to be included in Ballarat's strategic planning initiatives, marketing activities and opportunities to support industry and product development.

Regular contact, at least on a monthly basis, has been maintained between Council's staff and staff at Ballarat to capitalise on the initiatives outlined within the agreement.

#### **ISSUE / DISCUSSION**

It is expected that the conclusion and implementation of the RTB review remains some months away at this time and it is therefore considered appropriate to extend the tenure of the Tourism MOU with Ballarat by a further twelve months.

The benefits of the MOU are that it allows Pyrenees marketing content to be included in messaging by Ballarat to a significantly broader audience in metropolitan and regional areas through its more substantial marketing platforms compared to those of Council.

There have also been a number of examples of tourism forums led by Ballarat to build on skills of our staff and industry operators, their understanding of changes within the industry and the ability for Council to share relevant tourism information received from government and other tourism related agencies via Ballarat to operators across the Shire.

The tourism MOU allows Council the option to buy into collaborative marketing campaigns and of fee for service for industry development etc. if and when required.

#### **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**

The 2020/21 budget allows for expenditure of up to \$42,365- for partnering a regional tourism body. Expenditure under the interim MOU with Ballarat is expected to fall within these parameters.

## **CONCLUSION**

The MOU allows Council to be supported with a greater degree of resources to build the capacity of our tourism industry and staff and to attain a significantly greater marketing reach.

The agreement is due to be exchanged between CEO's for execution prior to expiry of the current MOU in February.

## **OFFICER RECOMMENDATION**

That Council:

1. Supports the signing of the Tourism MOU with the City of Ballarat as outlined in this report; and
2. Seeks a further report on the outcome of the State review of Regional Tourism Boards and its implementation.

## **CORPORATE AND COMMUNITY SERVICES**

### **13.2 RISK MANAGEMENT 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:** 16/24/06

#### **PURPOSE**

The purpose of this report is to provide Council with information relating to risk trends, provide an annual report on OHS activity and seek Council approval of a revised Health, Safety & Wellbeing Policy.

#### **BACKGROUND**

Effective risk identification and management is an integral part of business management and good governance. Risk management comprises of several elements, including business continuity, enterprise or business risk management, and occupational health and safety (OHS).

Council has a dedicated Risk Management Coordinator whose focus includes health, safety & wellbeing and maximising safety in the workplace. Council has a Health, Safety & Wellbeing Strategy, due for review in 2021, plus a Health, Safety & Wellbeing Policy which heads an OHS Management System (OHSMS) comprising support procedures, processes and guidelines.

Council maintains a strategic risk register as part of its enterprise risk management focus. To maintain currency of the register, Council officers regularly scan the global risk environment to identify new and emerging risks with the potential to impact on Council operations and advise Council on changes required to the register.

Under the Local Government Performance Reporting Framework, risk management reports must be provided to Council at least every six months. This report forms part of that compliance obligation. The last report to Council on risk management was provided in September 2020.

#### **ISSUE / DISCUSSION**

This report comprises four parts:

##### **1. Strategic risk trends**

As part of its enterprise risk management activities, Council maintains a strategic risk register detailing the key risks of impact to the operations of the business and its sustainability. In 2020, Council reviewed that register and improved its effectiveness by determining risk appetite tolerances and statements against each of the key risk categories used in the register.

In late 2020, a financial risk materialised for Council with the rate cap being set at 1.5% for the 2021/22 financial year, compared to Council's commitment to Enterprise Agreement salary increases in that year of 2%. This is being considered as part of budget planning currently underway.

In late 2020, Council officers scanned global risk reports<sup>1</sup> to identify risk trends that could change the focus of Council's strategic risk focus and mitigation activities. Findings include -

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<sup>1</sup> Environmental scan included AON cyber insurance market insights, KPMG post-COVID forecasts for 2021, World Economic Forum global risks report for 2020, Marsh insurance market index report, and a range of other insurance and risk focused media.

- Climate change continues to dominate global risk reports – trending into expected adverse impacts from increased propensity and severity of natural disasters and extreme weather events and increasing concern over climate action failure.

Although not a key impact for Council as a business, an impact on societal wellbeing is the consequences of global degradation and record species decline.

Climate change as a category dominated the top ten global risks in 2020, occupying all the top five spots for the first time.

- Post-COVID work and economic environment – what will our workplaces look like post-COVID and how can we take advantage of the positive changes forced upon us in 2020.

Potential post-COVID opportunities and risks include - greater focus on workforce automation and digital transformation, introduction of the ‘gig’ economy<sup>2</sup>, increased need for reskilling of the workforce due to digital transformation, reduction in and increased focus on societal financial security<sup>3</sup>. The need for change in how Council interacts with its communities becomes more important.

The continued ability to work remotely will also impact how Council and other businesses operate – challenging the 9-5 workday and where people want to live; increasing the role leaders will play in managing the mental health and connection of their workforces; potential challenge to traditional management and hierarchical structures; developing a workforce that have strong digital skills, are cyber security aware, and have the soft skills needed to maintain remote-working flexibility and collaboration; and the need to extend OHS management into the home office.<sup>4</sup>

Remote working could also trigger new inequalities, between those with a better home-based workspace and technology.

The global economic trends, as a result of restricted global trade in 2020 and unsettled geopolitical environment indicate the potential for 2021 onwards to be a period of extended low-growth – impacting Council funding opportunities and our communities from a commercial, agricultural and employment perspective.

- Increasing cyber-attacks resulting in data theft and potentially significant financial loss, reduction in community trust and breakdown in information infrastructure.

Reportedly the global community remains ill-positioned to address vulnerabilities introduced alongside advancements of the 20<sup>th</sup> and 21<sup>st</sup> Centuries, including the widening of artificial intelligence.

- The risk of further infectious diseases – the changing strains of the COVID-19 virus and the risk of further drug-resistant epidemics.
- For our communities, the unsettled geopolitical environment has the real potential to impact on agricultural and export markets as centres of power and influence change.

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<sup>2</sup> Less permanent workforce due to increased automation and digital transformation, with increased casual and flexible workforce working across a range of jobs and workplaces.

<sup>3</sup> Increased ‘gig’ economy and workforce would translate to a shift in the traditional financial security of a worker, resulting in a need for financial institutions to rethink their practices re credit access, and governments re the welfare system and retirement programs.

<sup>4</sup> Increased demand for treechanges could impact growth in the Pyrenees Shire. Continued working from home could impact on infrastructure planning as less peak hour traffic reduces stress on existing public infrastructure, office space demand reduces and could be repurposed, and a potential surge in demand for more outdoor spaces.

Some of these risk areas may produce changes in political policy, particularly around regulation of operational resilience, cyber and technology, climate change, and financial crime. Council is already managing policy change around conduct, governance and reporting.

## 2. Insurance market trends

Insurance forms part of risk management and mitigation in the form of risk transfer and has a long history of providing protection for operational risk events. However, insurance markets continually change with subsequent impact on companies seeking coverage.

Generally, global insurance prices increased in late 2020 by an average of 20%<sup>5</sup>, and in the Pacific Region (including Australia) by 33%. It is anticipated that pricing will remain challenging across most products in 2021, combined with a hardening market, meaning that Council may need to consider additional risk mitigation actions such as increasing deductible levels, reducing coverage limits or modifying policy terms to reduce potential premium increases in its 2021/22 insurance program.

The impact of COVID-19 on the insurance market introduces an element of uncertainty and fear. Where uncertainty exists, insurers tend to price premium against the worst-case scenario or withdraw coverage altogether.

The trends below indicate that a move towards entering the private insurance market for 2021/22 might be against Council's best interests and this will form the basis of a further report in coming months.

Below are some of the expected insurance trends in 2021. Pricing data relates to the Pacific Region, including Australia).

**Cyber** – the cyber insurance market continues to evolve in response to cyber criminals taking advantage of COVID-19 confusion and technology becoming a critical component of business success.<sup>6</sup> An increasing trend of increasing penalties for serious privacy and data protection breaches makes maintaining cyber coverage vital. Ransomware events are causing major concerns for insurers with some markets reporting more than a 20% increase in events in mid-2020. Pricing trends for the next financial year are in the range of 10-15% increases.

**Property** – in 2020 pricing increases were seen in property insurance of 31%, the 12<sup>th</sup> consecutive quarter of double-digit increases. A decrease in underwriting capacity is driving price increases and the impact of COVID-19 added 3-5% to pricing.

**Professional Indemnity** – reportedly moving into a 'hard' market with decreasing underwriter interest and increasing premium as insurers strive to move returns from a loss ratio to a positive combined with increased claims. Premium increases seen in 2020 averaged 49% (13<sup>th</sup> consecutive quarter of double-digit increases) expected to continue in 2021.

**Councillors & Officers** – (Directors & Officers (D&O) market) in Australia is viewed as the most difficult in the world for underwriting insurance and the market is deteriorating. This market is particularly difficult as many events could trigger a D&O claim where an event could be seen to have an element of 'wrongful act'. Significant premium increases are expected for the next financial year, following 2020 increases of more than 100% and it is possible that future coverage may be unobtainable due to reducing underwriting capacity.

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<sup>5</sup> Marsh – Global Insurance Market Index Q3 2020

<sup>6</sup> AON – Cyber Insurance Market Insights Q3 2020

Planning for future risk mitigation approaches will be done in anticipation of unavailable insurance options in the future.

The impact of COVID-19 on the insurance market introduces an element of uncertainty and fear. Where uncertainty exists, insurers tend to price premium against the worst-case scenario or withdraw coverage altogether.

The above trends indicate that a move towards entering the private insurance market for 2021/22 might be against Council's best interests and this will form the basis of a further report in coming months.

Insurance costs for 2020/21 totalled \$378,061, an increase of \$42,634 or 11.28% from the previous financial year. If estimated pricing increase forecasts materialise, it is likely that insurance costs for 2021/22 may increase to above \$500,000 for the next financial year – 2% of Council's annual revenue.

### **3. Annual report – OHS Management System**

A first annual OHS report is provided as an attachment to this report. The report provides an overview of the COVID-19 pandemic during 2020 which was a primary focus for much of the OHS activity during the year, driven by the need to maintain services to our community, maintain workplace mental health and morale, all whilst maintaining the day-to-day operation and financial sustainability of the organisation.

In addition, other physical risks to the safety of staff, organisation and community were planned for and managed – including the risk of fire as we move into the summer season and the potential of flooding that comes alongside a La Nina weather pattern.

The report provides information on consultation undertaken with staff, development of safety-focused procedures and statistical information relating to injury management and claims, workplace inspections and incidents occurring during the year.

In 2020, an internal audit review was conducted on Council's OHS practices. Overall a good review outcome with a statement made by AFS & Associates (Council's Internal Auditor) that the Pyrenees Shire Council was in the top 20% of councils audited recently. Several strengths were identified and some risk exposures which are currently being addressed.

Key focus areas for early 2021:

- Maintaining mental health
- Maintaining COVID-19 prevention measures
- OHS training planning and delivery
- Reinforce importance of hazard / risk and incident reporting
- Review the current system used for risk management

### **4. Health, Safety & Wellbeing Policy for adoption**

In accordance with Council's policy review schedule, the Health, Safety & Wellbeing Policy was reviewed, and the revised draft is attached for Council's consideration and adoption.

The review found that the Policy remained current and relevant and only minor changes were made.

### **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.

4.3 - Provide a safe working environment through the provision of an integrated risk and OH&S management system.

#### **ATTACHMENTS**

13.2.1 - OHSMS Performance Report December 2020 (*circulated separately*)

13.2.2 - Draft Health, Safety and Wellbeing Policy 2020 (*circulated separately*)

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

All risk implications are included within the body of the report.

#### **CONCLUSION**

The risk report has been provided to Council as part of its regular risk management reporting regime. This report focuses on four areas: (1) Strategic and global risk trends, (2) Insurance market trends, (3) Annual OHS report, and (4) adoption of a reviewed Health, Safety and Wellbeing Policy.

Council is now requested to receive the information within this report and adopt the revised Health, Safety and Wellbeing Policy 2020.

#### **OFFICER RECOMMENDATION**

That Council:

1. Notes the information contained within this report; and
2. Adopts the revised Health, Safety & Wellbeing Policy.



## CHIEF EXECUTIVE OFFICER

### 13.3 EAST GRAMPIANS PIPELINE

**Jim Nolan – Chief Executive Officer**

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

**File No:** 30/22/12

#### PURPOSE

The purpose of this report is to obtain Council's formal support for the East Grampians Rural Pipeline project, on which Council has previously been briefed, and to obtain Council's endorsement of the approach to a Planning Scheme Amendment that would facilitate the project.

#### BACKGROUND

Rural communities within the Ararat, Northern Grampians and Pyrenees municipalities are primarily reliant on rainfall runoff for their water supplies. During the prolonged droughts of the past decade, water security and access have been impacted.

The proposed East Grampians Rural Pipeline (EGRP) project, being led by the Grampians Wimmera Mallee Water Corporation (GWM Water), aims to increase productivity and diversity across agricultural sectors whilst enhancing community wellbeing, safety and resilience. It also seeks to reduce pressures on stressed natural catchments. The pipeline will service up to 1500 rural farming properties over a 530,000 hectare area.

The project has been fully funded through Federal Government (\$32m), State Government (\$32m), GWM Water (\$15.5m), and landowner contributions (\$5.7m).

Council has been supportive of the project since first proposed. Officers have participated on the project's Steering Committee, which includes representation from the Department of Environment, Land, Water and Planning, Rural City of Ararat, Northern Grampians Shire Council, GWM Water and the Glenelg Hopkins and Wimmera Catchment Management Authorities.

The project will service a small area within the Pyrenees Shire, east of Streatham. The exact route of the pipeline is yet to be confirmed and will be determined once construction contracts have been awarded.

Water for the project will be primarily sourced from Lake Bellfield via Lake Fyans. However, it may also be taken from other GWM Water-managed assets, including Mt Cole reservoir. The water will be raw (untreated) and not potable.

The Minister for Planning has determined that the project does not require an Environmental Effects Statement (EES) to be prepared, subject to a Project Design and Impact Assessment Report being developed to the satisfaction of the Minister. This Report will be prepared in consultation with DELWP and other relevant agencies.

#### ISSUE / DISCUSSION

The Project Design and Impact Assessment Report that is required to be prepared to the satisfaction of the Minister, in support of the EES exemption, must include the following:

- a) the proposed alignment locations, design and site selection of the trunk pipelines, distribution pipelines and associated infrastructure (including scour valves, powerlines, pump stations, firefighting infrastructure and emergency access points);
- b) the predicted environmental impacts of the proposed alignments and design, in particular on native vegetation and biodiversity values, including large trees and listed communities and species of flora

- and fauna (such as under the Flora and Fauna Guarantee Act 1988 and DELWP’s advisory lists of threatened flora and fauna);
- c) mapping that clarifies the locations of proposed infrastructure, predicted environmental impacts and key environmental assets/values to be avoided (e.g. environmental control points and no-go zones);
  - d) investigations and surveys undertaken by suitably qualified persons to inform the prediction of potential environmental impacts of the project, particularly on native vegetation and biodiversity values, including large trees and listed communities and species of flora and fauna;
  - e) the approach to delivery (including any staging) of the project’s construction;
  - f) an assessment of environmental and geotechnical risks from the construction of the project to inform decisions on the proposed alignment, crossing methods and environmental management to be implemented to avoid and minimise environmental impacts; and
  - g) the proposed avoidance, minimisation and management measures/methods for mitigating potential impacts on key environmental assets and values identified, including Crown land.

In order to expedite the approvals process and commence construction, GWMWater intends to request that the Minister for Planning amends the relevant Planning Schemes under section 20(4) of the *Planning and Environment Act 1987*, which would exempt the project from being formally exhibited as defined under section 19 of the Act, and from planning permit requirements.

Project development has involved engagement with stakeholder groups that include Traditional Owners, government authorities and recipient and infrastructure hosting landowners.

Whilst the details around alignment and subsequent impacts will not be known until contracts have been awarded and the design refined, the Minister’s conditions relating to the exemption of an EES will ensure that such values are identified, considered and managed appropriately.

By supporting a Planning Scheme Amendment under Section 20(4) of the *Planning and Environment Act 1987*, Council would be confirming its satisfaction with the process being wholly administered by DELWP. Such an approach is usually appropriate where a regional-level project is proposed as it allows joint project management by DELWP.

#### **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 process of a Ministerial Planning Scheme Amendment limits Council’s statutory rights as the responsible Authority, and therefore the ability to contribute to decision-making regarding this project.

As Council is not the proponent and has not been involved in the community engagement activities, it has not been in a position to confirm the community’s position in relation to the project, and therefore cannot guarantee that the broader community will be supportive of the proposed.

## **CONCLUSION**

The East Grampians Rural Pipeline is an infrastructure project that will ensure positive outcomes for landowners and rural community members within the Pyrenees, Northern Grampians and Ararat Rural City local government areas.

The Minister's conditions relating to the exemption of an EES will ensure that environmental values are effectively managed, to the satisfaction of the Minister.

## **OFFICER RECOMMENDATION**

That Council:

1. Affirms its support for the delivery of the East Grampians Rural Pipeline Project;
2. Supports officers in continuing to attend the East Grampians Rural Pipeline Steering Committee meetings to ensure the project addresses the interests of the Pyrenees community; and
3. Supports a Planning Scheme Amendment to facilitate the project that would exempt the Minister from the requirements of Section 19 of the *Planning and Environment Act 1987*.

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

## **15. 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 personal matters.

### **RECOMMENDATION**

That the meeting be closed to members of the public under Section 89(2) of the Local Government Act 1989, in order to discuss a contractual matter considered in the report on:-

15.1 Environmental Health Contracted Services

**16. 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.

**17. CLOSE OF MEETING**

Meeting closed at

Minutes of the meeting confirmed \_\_\_\_\_

2020

Mayor