



**Pyrenees**  
Shire Council

# **Agenda**

## **Ordinary Meeting of Council**

**6:00pm Tuesday 16 November 2021**

**Supper Room**

**Avoca Town Hall**

**Rutherford Street, Avoca**

This meeting will be conducted with Councillors, staff and a limited number of members of the public present in person. Bookings are essential. Members of the public may also view the meeting virtually via the livestream.

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## 1. WELCOME

## 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 THE PREVIOUS MINUTES

### RECOMMENDATION

That the Minutes of the:

- Ordinary Meeting of Council held on 19 October 2021;
- Closed Meeting of Council held 19 October 2021; and
- Statutory Meeting of Council held 9 November 2021

as previously circulated to Councillors, be confirmed.

## 8. BUSINESS ARISING

There was no business arising (items taken on notice) from the previous meeting held 19 October 2021.

## 9. PUBLIC PARTICIPATION

### Question Time

- Members of the public are encouraged to ask questions of Council at Ordinary Council Meetings.
- Members of the public may attend the meeting in person to verbally ask a question. All attendees must register by midday on the day of the meeting to ensure Council adheres to the number of attendees permitted under its COVID-Safe Plan. To register either call 1300 797 363 or visit <https://www.pyrenees.vic.gov.au/About-Pyrenees-Shire-Council/Council-Meetings/Council-Meeting-Attendance>
- Members of the public who are unable to attend in person can participate in question time by submitting their questions in writing either online through Council's website, by mail or hand delivered.
- A person can ask a maximum of two questions at any one meeting on any topic and the question(s) and responses shall not exceed five minutes.
- Questions are to be received by 12noon on the day of the meeting.
- Questions are read by the Chairperson during Public Participation.
- 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;

### Public Submissions

- Members of the public may present a submission to Council in the period immediately following public question time.
- Members of the public may attend the meeting in person to verbally make a submission. All attendees must register by midday on the day of the meeting to ensure Council adheres to the number of attendees permitted under its COVID-Safe Plan. To register either call 1300 797 363 or visit <https://www.pyrenees.vic.gov.au/About-Pyrenees-Shire-Council/Council-Meetings/Council-Meeting-Attendance>
- Members of the public who are unable to attend in person to make a submission on an agenda item may do so in writing either online through Council's website, by mail or hand delivered.
- The Chair will allocate a maximum of five (5) minutes to each person who wishes to address Council.
- Submissions are to be received by 12noon on the day of the meeting.
- There will be no discussion or debate with the public attendees however Councillors may ask questions for clarification of the attendee.



## 10. ITEMS FOR NOTING

### 10.1. CORPORATE AND COMMUNITY SERVICES

#### 10.1.1. CUSTOMER ACTION REQUESTS - OCTOBER 2021 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:** 16/08/04

#### PURPOSE

The purpose of this report is to update Council on requests made through the Customer Action Request System (CARS) for the month of October 2021.

#### BACKGROUND

The 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), although efforts continue to reduce this use.

#### ISSUE / DISCUSSION

401 CARs were logged in October 2021, 37 less than the previous month. 230 of these requests related to telephone messages, a drop of 94 or 29% from the previous month.

385 CARs were closed in the month, leaving a total of 250 outstanding, of which 61 related to telephone messages.

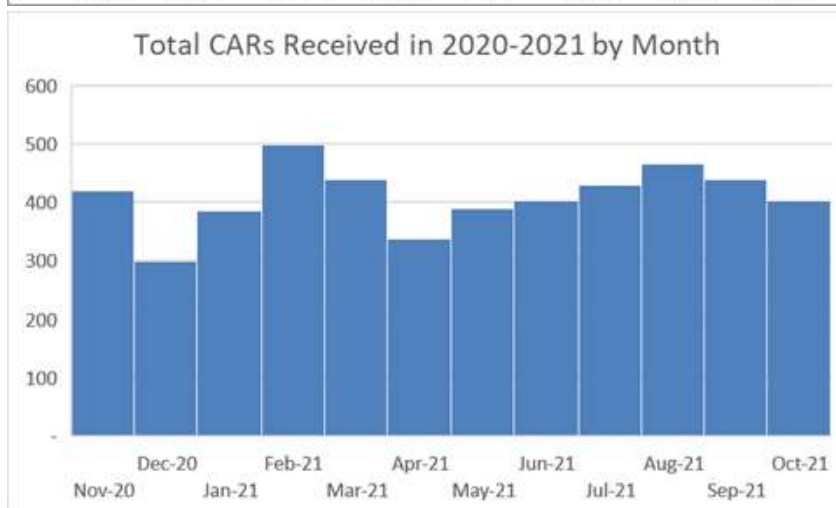
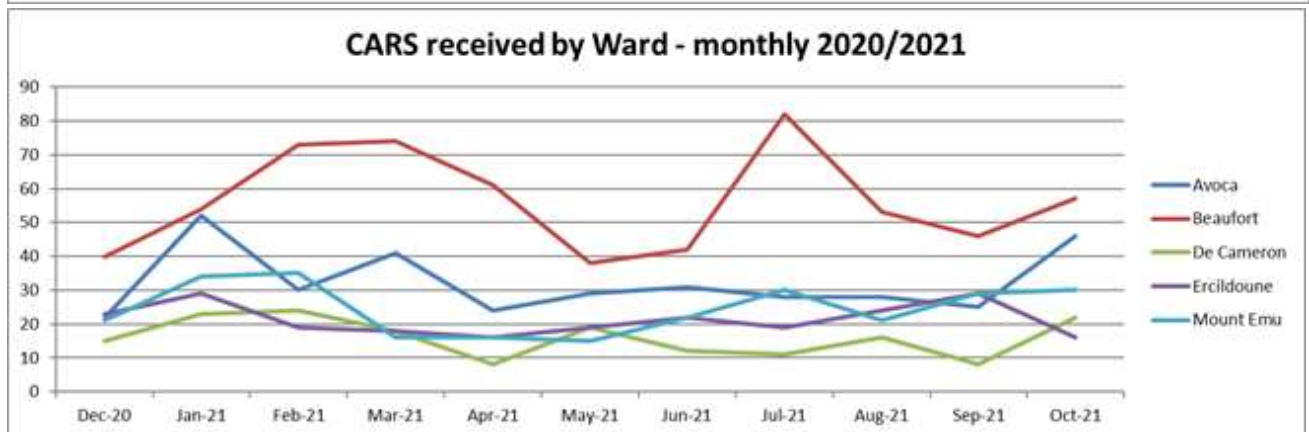
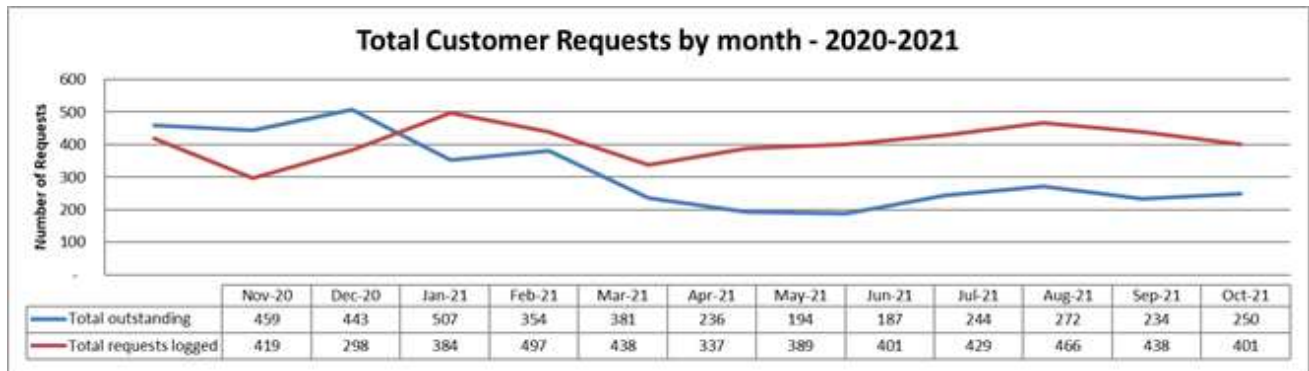
Of the non-telephone call requests received, the following represents those received and still outstanding for October by Ward:

	Avoca Ward	Beaufort Ward	DeCameron Ward	Ercildoune Ward	Mt Emu Ward
<b>Number of requests received in October 2021 (previous month).</b>	46 (25)	57 (46)	22 (8)	16 (29)	30 (21)
<b>Requests received in October and closed in the same month (% of total received).</b>	19 (41%)	35 (61%)	14 (64%)	10 (63%)	18 (60%)
<b>Requests received in October outstanding.</b>	27	22	8	6	12
<b>Outstanding requests from 2020.</b>	0	2	0	0	0
<b>Outstanding requests from 2019.</b>	1	0	0	0	0
<b>Total outstanding requests (previous month).</b>	54 (51)	75 (79)	18 (16)	25 (33)	27 (4)

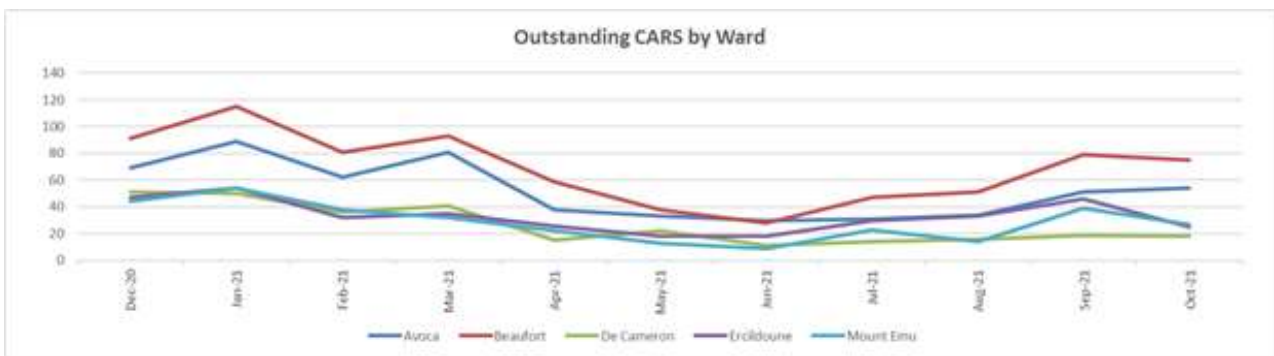
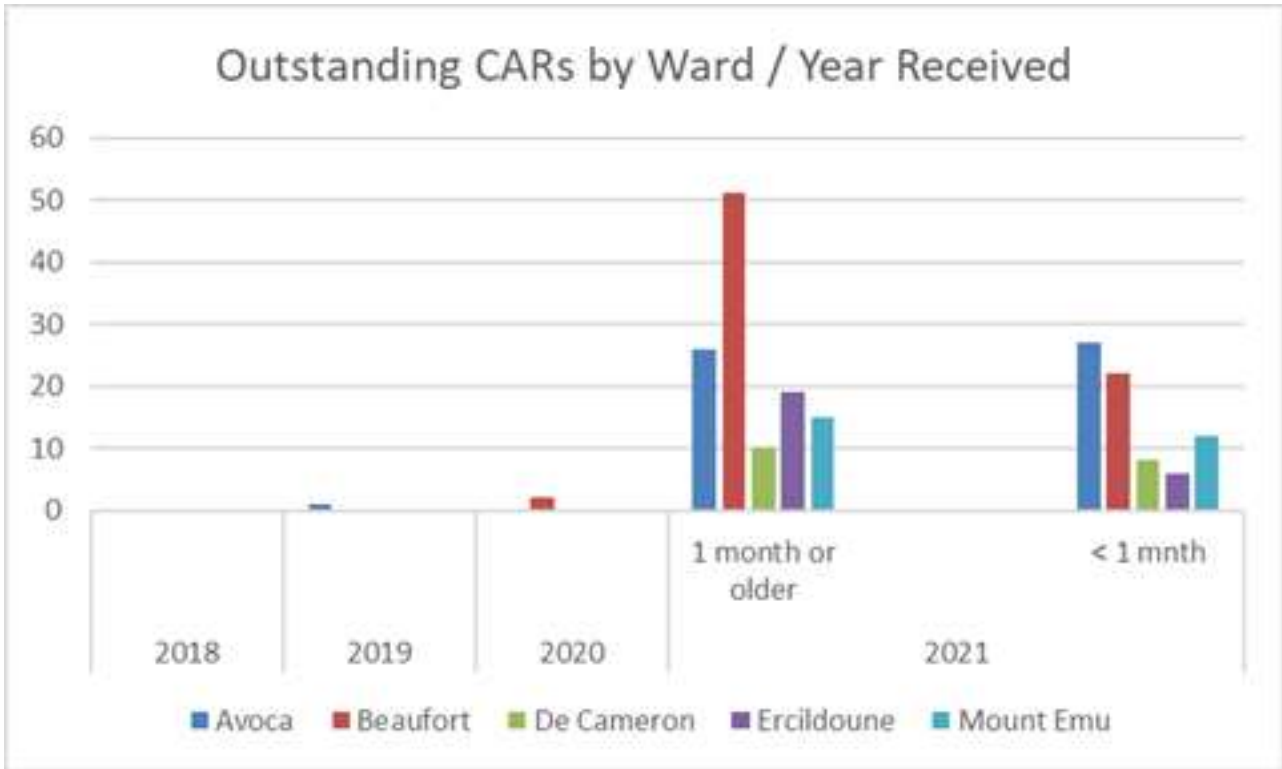
Analysis:

- The number of CARs received in October spiked again towards the end of the month, due to the storm event experienced on 28/29 October.
- No requests remain outstanding from 2017 or 2018. Three requests remain outstanding from 2019 and 2020, all relating to complex drainage issues.
- Despite monthly fluctuations, the trend line of CARs received over the past 12 months remains steady.

The following graphs display requests received by Ward/month and totals received for 2020/21.



The following charts display outstanding cars by Ward/year received and the trend lines of outstanding CARs numbers over the past 12 months of requests received by Ward.



The following table provides greater detail of the areas where outstanding requests remain, showing the functional areas and numbers of requests still outstanding.



31 October 2021 - Open Requests - Type			
	Sept	Oct	Change
Roads & Rd Maint.	51	48	-3
Streetlights	2	2	0
Drainage	25	27	2
Footpaths	8	10	2
Park & Reserves	5	8	3
Roadside Veg	28	35	7
Environmental Health	0	0	0
Planning	3	2	-1
Bld maint	13	17	4
Local Laws	5	17	12
Cats	1	4	3
Dogs	6	2	-4
Livestock Act	0	0	0
Parking	0	0	0
Fire Hazard	0	0	0
Bld Compliance	0	0	0
Waste Management	5	4	-1
Natural Disasters	0	0	0
Pools	3	3	0
Council cleaning	2	5	3
EPA - Litter	0	0	0
Design & Assets	2	2	0
GIS	0	0	0
Community Wellbeing	0	0	0
Rural Addressing	1	0	-1
Road Naming	3	3	0
Telephone messages	80	61	-19
<b>Total</b>	<b>243</b>	<b>250</b>	<b>7</b>

### COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Enabling Principles

b. Provide transparency and accountability

### ATTACHMENTS

Nil

### FINANCIAL / RISK IMPLICATIONS

Financial and reputation risks apply with the receipt and timely resolution of customer action requests. Financial because of the need to address requests from the community where resource and budget capacity allows, reputation because of the adverse reaction within the community when it is perceived that insufficient attention or priority is provided to such requests – e.g., where a timely response is not received.

**CONCLUSION**

The customer action request system remains an integral part of Council’s reactive identification of issues that need attention and is also used as a case management tool for more complex matters, although this is reducing. 2021 sees an ongoing review on how the system is used, including finding proactive ways to improve speedier resolution and reporting against progress.

**OFFICER RECOMMENDATION**

That Council notes this report.

## 10.1.2. SEPTEMBER 2021 QUARTERLY FINANCIAL REPORT

**James Hogan – Manager Finance**

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

**File No:** 32/08/18

### PURPOSE

The purpose of this report is to provide Council with an update of the operating and capital financial performance for the three months from 1 July 2021 to 30 September 2021. The report compares the current budget against year-to-date actuals for each operating program and for all capital works in the 2021/22 financial year to-date.

### BACKGROUND

Council adopted the budget for the 2021/22 financial year at its meeting on 15 June 2021. The budget was adopted based on projected completion of projects and capital works on 30 June 2021 and information available at that time.

After original adoption, Council has adopted carryover of projects from the previous financial year, endorsed project funding from the working capital surplus, and received notification of successful grant applications which were not included in the original budget, these adjustments have been incorporated into the amended budget. It is the amended budget amounts that this report has used for comparison purposes.

### ISSUE / DISCUSSION

The financial reports are prepared in consultation with the senior leadership team.

The attached financial report comprises of the following sections:

- Working capital report
- Income Statement
- Balance Sheet
- Cash Flow Statement
- Summary Operating Results by Service Unit
- Detailed Operating Results by Service Unit
- Capital & Projects Report

The operating results show variations against the amended budget.

### Amended Budget

The below provides a summary of adjustments between Council's Adopted Budget and the Amended Budget used in the report for comparison purposes.

Item	Operating \$000s	Capital \$000s	Total (WCS) \$000s
Early Payment of Financial Assistance Grants and Adjustments for Confirmed Funding	(2,898)		(2,898)
Correa Park Development	2,858	(100)	2,758
Lexton Community Facility (Including allocation from August Council Meeting)	1,280	(1,829)	(549)



Cost related to the wind up of MAV WorkCare	(238)		(238)
Other Operating and Capital Carry Forwards	(945)	(2,943)	(3,888)
<b>Total</b>	<b>57</b>	<b>(4,873)</b>	<b>(4,816)</b>

**Working capital result**

At this stage of the financial year Council’s overall financial result is showing a projected working capital surplus of \$866K at year-end.

From this surplus, it is usual practice to reserve \$800K in case of a call from the defined benefits superannuation scheme or in the event of unexpected expenditure such as a natural disaster, leaving a projected surplus of \$66K for the 2021/22 financial year.

**Income Statement**

Total YTD income is \$826K lower than YTD budget. This variance is driven primarily by timing differences in the receipt and recognition of grants (\$740K) and timing different related to asset sales (\$81K).

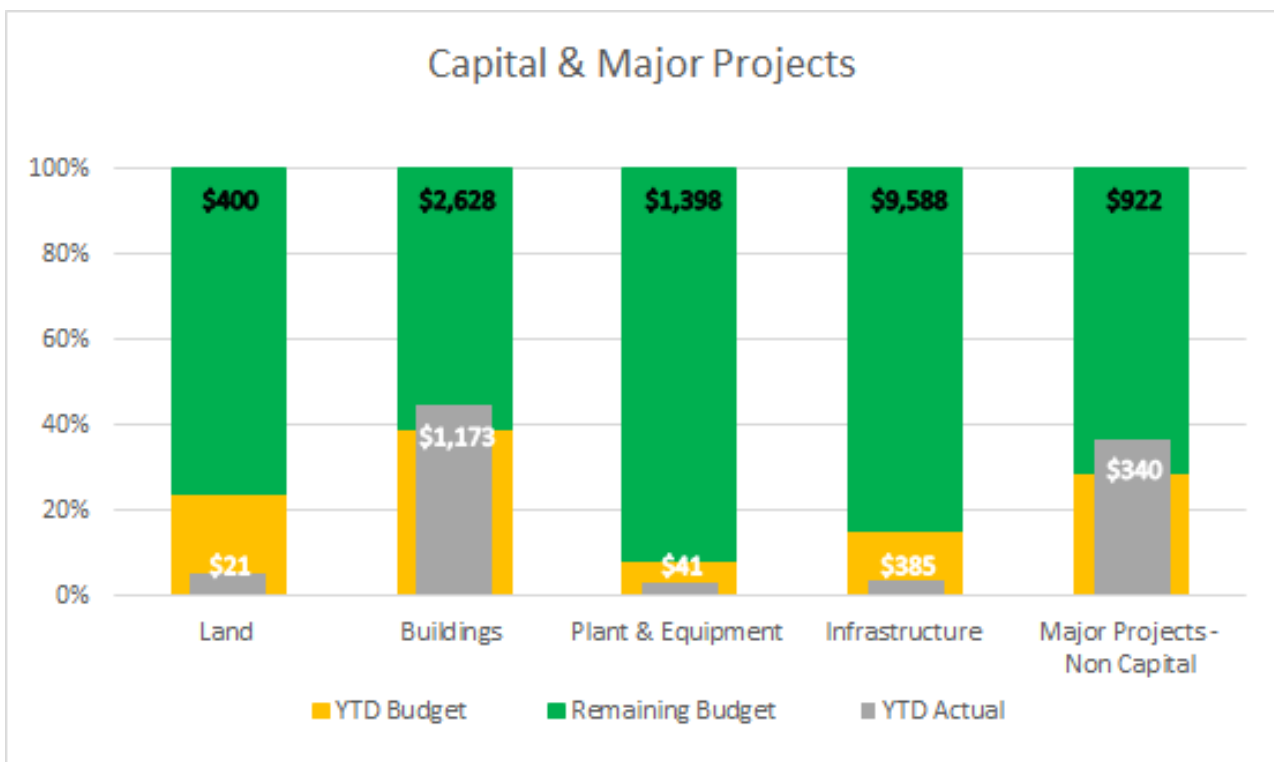
Total YTD expenditure is \$239K lower than YTD budget. This variance is primarily due to timing differences in the payment of expenditure.

**Capital & Major Projects**

Capital expenditure YTD is 17% of the full year budget. This variance is driven by:

- Seasonal spend patterns
- Difficulties obtaining contractors due to COVID

The below graph show Council’s delivery of Capital and Major Projects against budget. Please note all numbers are displayed in thousands.



## **Balance Sheet**

### *Assets:*

- Cash and investments at 30 September 2021 total \$11.742 million.
- Trade debtors (receivables) are \$9.546 million which includes outstanding rates from prior years, current year rates and other miscellaneous debtors. Rates are invoiced in August but not generally received as lump sums.

### *Liabilities:*

- Trade and other payables are \$3.503 million which includes creditors and grants received in advance.
- Loan Liability at 30 September 2021 is nil
- Employee provisions are \$2.4 million

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

### Enabling Principles

c. Use resources efficiently and effectively

## **ATTACHMENTS**

1. 03 Pyrenees Shire Financials - September 2021(COUNCIL) [**10.1.2.1** - 19 pages]

## **OFFICER RECOMMENDATION**

That Council receives this financial report for the YTD to 30 September 2021.

### 10.1.3. LEGISLATIVE CHANGE IMPLEMENTATION 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 and 16/24/18

#### PURPOSE

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

The *Gender Equality Act* came into operation on 31 March 2020 when obligations for Council to commence planning and training to meet new obligations.

#### ISSUE / DISCUSSION

##### Local Government Act 2020 – Integrated Strategic Planning & Reporting Framework

The implementation status of policy and plan deliverables under the Integrated Strategic Planning & Report Framework and the 2020 Act provisions are detailed in the following table. Any item formerly reported as complete is not included.

Item	Due	Status
Community Vision – 2021 to 2031	31 Oct 2021	Complete
Council Plan – 2021 to 2025	31 Oct 2021	Adopted Work underway to implement business as usual tasks and other projects that can be reported against in the future.
Financial Plan – 2021 to 2025	31 Oct 2021	Complete
Annual Report 2020/21	30 Nov 2021	Complete Provided to Minister Oct 2021 Reported to Council Nov 2021
Municipal Public Health & Wellbeing Plan 2021-2031	31 Oct 2021	Complete
Workforce Plan – 2021-2025	31 Dec 2021	In final drafting stages Will be provided to Council for information Dec 2021
Recruitment Policy	31 Dec 2021	In final drafting stages Will be provided to Council for adoption Dec 2021
Revisit Community Engagement Policy and new Community Engagement Strategy	Promised to review Nov 2021	In progress – drafting underway in preparation for Community Engagement
Asset Management Plan 2022-2032	30 Jun 2022	Planning underway



**Gender Equality Act 2020**

The following table shows progress to-date for obligations to be undertaken in 2021. Due to the resurgence of COVID-19 Delta Strain in 2021, the government has extended deadlines for the provision of key data and plans as detailed below.

Item	Due	Status
Develop and implement a process for conducting gender impact assessment on projects, programs, and policy.	31 Dec 2021	Being finalised. Will be utilising the process and templates provided as Council process.
Conduct workplace gender audit based on data available as of 30 June 2021 and submit to the Public Sector Gender Equality Commissioner.	Originally due 31 Oct 2021 Now due 1 Dec 2021	In progress.
Develop and submit Gender Equality Action Plan.	Originally due 31 Oct 2021 Now due 31 Mar 2022	In progress.

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Enabling Principles

b. Provide transparency and accountability

**ATTACHMENTS**

Nil

**FINANCIAL / RISK IMPLICATIONS**

2021 has been a busy period for the implementation of new or changed legislation having a significant impact on processes, workload, and staff in general. It has also provided an opportunity to refresh and improve engagement processes with our communities, and the quality of reporting provided throughout the year and annually.

**CONCLUSION**

A range of new and revised legislation was enacted during the 2020/21 years. This report provides an update on the implementation of two key Acts impacting upon and presenting new opportunities for the Pyrenees Shire Council and its communities.

**OFFICER RECOMMENDATION**

That Council notes this report.

#### **10.1.4. CHRISTMAS HOLIDAY ARRANGEMENTS 2021**

**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:** 16/20/06

#### **PURPOSE**

The purpose of this report is for Council to note the closure of the Pyrenees Shire Council offices and other arrangements during the 2021 Christmas / New Year holiday period.

#### **BACKGROUND**

It has been the practice of Pyrenees Shire Council to close during the Christmas / New Year holiday period. The holiday period closure enables staff to take a break with very little impact on service delivery and at the same time provides the opportunity for staff to reduce outstanding annual leave and rostered day off balances.

There is limited demand placed on municipal services over this period and the closure is generally accepted by the community.

#### **ISSUE / DISCUSSION**

The following closures or service amendments are planned -

##### End-of-year staff break-up function

Each year the Pyrenees Shire Council holds an end-of-year break-up function to thank staff for their contribution to the organisation over the past 12 months. As in 2020, for 2021 this event is especially important to recognise the extraordinary efforts of our staff in a year of extreme change and challenge.

Thankfully, the unprecedented efforts of our staff and the wider population in getting vaccinated against COVID-19 have been rewarded with the ability to hold such an event, something that was in doubt a short time ago. We are happy that a COVID-safe event will now be possible and is scheduled to be held at Summerfields Winery, Moonambel, at 1.30pm on Friday, 17 December 2021.

In order to facilitate this celebration, it is proposed that all areas close early on that date – around 12.30 pm – and a bus will be provided to transport staff between Beaufort and the venue.

##### Council offices, Lawrence Street, Beaufort

The Beaufort Council offices will be closed from 3.00pm on Friday, 24 December 2021 and will reopen on Tuesday, 4 January 2022. The Council offices will also close at 12.30pm on Friday 17 December 2021 to allow for attendance at the staff end-of-year break-up event.

The closure period comprises 3 workdays and 3 public holidays. As Christmas Day, Boxing Day, and New Years Day take place on weekends this year, public holidays have been assigned to Monday 27 December 2021 (in lieu of Christmas Day), Tuesday 28 December 2021 (in lieu of Boxing Day), and Monday 3 January 2022 (in lieu of New Years Day).

It is proposed that the three working days outside of the public holidays (Wednesday 29 December, Thursday 30 December, and Friday 31 December 2021) will be taken by staff as leave, unless other arrangements have been made.

#### Municipal Depots

Council's Depots will be closed from Thursday 23 December 2021 and will reopen on Tuesday 4 January 2022.

The period comprises 5 workdays and 3 public holidays. Workdays will be taken by staff as leave during this period, unless other arrangements have been made.

As always, a skeleton staff will continue to operate during the closure period to ensure that essential services continue.

#### Resource / Information Centres

The Beaufort Resource Centre and Avoca Information Centre will close at 12.30 pm on Friday 17 December 2021 to allow for staff attendance at the end of year break-up function.

The centres will operate as follows over the holiday period -

Friday	17 December 2021	10.00am to 12.30pm
Friday	24 December 2021 (Christmas Eve)	10.00am to 3.00pm
Saturday	25 December 2021 (Christmas Day)	Closed
Sunday	26 December 2021 (Boxing Day)	Closed
Monday	27 December 2021	Public holiday – weekend hours
Tuesday	28 December 2021	Public holiday – weekend hours
Wednesday	29 December 2021	Normal weekday hours
Thursday	30 December 2021	Normal weekday hours
Friday	31 December 2021 (New Years Eve)	Normal weekday hours
Saturday	1 January 2022 (New Years Day)	Closed
Sunday	2 January 2022	Weekend hours
Monday	3 January 2022	Public holiday – weekend hours
Tuesday	4 January 2022	Normal weekday hours

#### Pyrenees Community Care

Support staff will provide personal care services only between Christmas and New Year.

#### Emergency management capability

Staff involved in emergency management will undertake their roles and responsibilities in accordance with the municipal emergency management procedures. Council will have a roster for emergency response over the holiday period closure.

Encouragement to take extended leave

In recognition of the stressful years that have been 2020 and 2021, and to assist in reducing outstanding leave balances, staff are being encouraged to extend their leave over the 2021 Christmas / New Year holiday period to include either the week before or the week after the closure as mutually convenient to staff and the organisation.

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Priority 1 - People

1d. Promote health, wellbeing, engagement and connection.

**ATTACHMENTS**

Nil

**FINANCIAL / RISK IMPLICATIONS**

There are no financial impacts associated with this report.

**CONCLUSION**

It is appropriate that the Pyrenees Shire Council offices close during the Christmas / New Year holiday period as detailed in the above report. Essential service delivery and appropriate resourcing for emergency response will be maintained during this period.

**OFFICER RECOMMENDATION**

That Council notes this report.

## 11. COUNCILLOR ACTIVITY REPORTS

### 11.1. COUNCILLOR ACTIVITY REPORTS - OCTOBER 2021

<b>Cr Ron Eason – Avoca Ward</b>		
Tue 12	Councillor Briefing Session	Beaufort
Wed 13	Elmhurst Nursing Home AGM	Virtual
Tue 19	Councillor Briefing Session	Beaufort
Tue 19	Council Meeting	Beaufort

<b>Cr David Clark – Ercildoune Ward</b>		
Mon 4	Finance meeting with new CEO Highlands LLEN	Ballarat
Tue 5	MAV North East Region Meeting	Virtual
Tue 5	Denise Massoud, Chair VLGA	Virtual
Thu 7	Central Victorian Greenhouse Alliance (CVGA) Meeting	Phone
Thu 7	MAV Disaster Recovery Group Annual Meeting	Virtual
Thu 7	MAV Metropolitan West Region Meeting	Virtual
Fri 9	MAV Rural South Central Region Meeting	Virtual
Fri 9	MAV Workcare Update for Member Councils	Virtual
Mon 11	MAV Rate Capping Inquiry	Virtual
Tue 12	MAV Metropolitan South East Region Meeting	Virtual
Tue 12	Councillor Briefing Session	Beaufort
Wed 13	MAV Rules Review	Virtual
Wed 13	MAV Government Relationships Meeting	Virtual
Thu 14	MAV Workcare Windup Discussion	Virtual
Thu 14	Waubra Preschool – Projects Meeting	Waubra
Mon 18	MAV Insurance Board Meeting	Virtual
Tue 19	Councillor Briefing Session	Beaufort
Tue 19	Council Meeting	Beaufort
Fri 22	HLEN FASC Meeting	Virtual
Wed 27	MAV Metropolitan Central Region Meeting	Virtual
Thu 28	MAV Rules Review	Virtual
Fri 29	MAV Insurance Board	Virtual

<b>Cr Tanya Kehoe – Mount Emu Ward</b>		
Tue 12	Councillor Briefing Session	Beaufort
Wed 13	MAV Training – Discrimination, Bullying & Harassment	Virtual
Tue 19	Councillor Briefing Session	Beaufort
Tue 19	Council Meeting	Beaufort
Wed 27	Beaufort Community Bank AGM	Virtual



<b>Cr Robert Vance – De Cameron Ward</b>		
Fri 1	Rural Councils Victoria (RCV) Meeting	Virtual
Fri 8	Rural Councils Victoria (RCV) Meeting	Virtual
Tue 12	Councillor Briefing Session	Beaufort
Tue 19	Councillor Briefing Session	Beaufort
Tue 19	Council Meeting	Beaufort
Wed 20	Rural Councils Victoria (RCV) Meeting	Virtual
Thu 21	Timber Towns Victoria Meeting	Virtual
Fri 29	Rural Councils Victoria (RCV) Meeting	Virtual

<b>Cr Damian Ferrari – Beaufort Ward</b>		
Fri 8	Meeting with Stuart Grimley MP	Virtual
Tue 12	Councillor Briefing Session	Beaufort
Tue 19	Councillor Briefing Session	Beaufort
Tue 19	Council Meeting	Beaufort

**12. ASSEMBLY OF COUNCILLORS**

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Briefing Session		
Meeting Date	12 October 2021 commenced at 1.00pm and closed at 6.00pm		
Meeting Location	Beeripmo Centre, 1-3 Lawrence St, Beaufort		
Items Discussed	<ol style="list-style-type: none"> <li>1. CEO / Councillor Time</li> <li>2. Differential Rating vs Planning Zone</li> <li>3. Pipeline Projects</li> <li>4. LRCIP – Phase 3 Projects</li> <li>5. Australia Day Award Category</li> <li>6. Land Use Activity Agreement (LUAA) – Dja Dja Wurrung</li> <li>7. Preparation for Statutory Meeting and Election of the Mayor</li> <li>8. Agenda Review</li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Damian Ferrari Cr Ron Eason Cr Tanya Kehoe	Cr David Clark Cr Robert Vance	
Apologies			
Staff	Jim Nolan (Chief Executive Officer) Kathy Bramwell (Director Corporate and Community Services) Douglas Gowans (Director Assets and Development Services) James Hogan (Manager Finance) – Item 1 Jane Bowker (EA to CEO and Councillors) – Item 5		
Visitors	Nil		
<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 Briefing Session		
Meeting Date	19 October 2021 commenced at 1.00pm and closed at 5.30pm		
Meeting Location	Council Chambers, 5 Lawrence St, Beaufort		
Items Discussed	<ol style="list-style-type: none"> <li>1. Presentation by Beverley McArthur MP and Shadow Minister for Local Government Mr Richard Riordan</li> <li>2. Regulatory Enforcement</li> <li>3. COVID-19 Update</li> <li>4. Council Plan</li> <li>5. Pyrenees Engagement Hub</li> <li>6. Council Meeting and Briefing Schedule &amp; Councillor/Community Cuppas</li> <li>7. Agenda Review</li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Damian Ferrari Cr Ron Eason Cr Tanya Kehoe	Cr David Clark Cr Robert Vance	
Apologies	Nil		
Staff	Jim Nolan (Chief Executive Officer) Kathy Bramwell (Director Corporate and Community Services) – Items 2 - 7 Douglas Gowans (Director Assets and Development Services) – Items 2 & 3 (left at 3.15pm) Katie Gleisner (Manager Planning and Development) – Items 2 - 7		
Visitors	Beverley McArthur MP and Shadow Minister for Local Government Mr Richard Riordan - Item 1		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

**OFFICER RECOMMENDATION**

That the items for noting in Sections 10, 11 and 12, be received.
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## 13. ITEMS FOR DECISION

### 13.1. ECONOMIC DEVELOPMENT AND TOURISM

#### 13.1.1. BEAUFORT LINEAR PROJECT

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

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

**File No:** 22/17/02

#### **PURPOSE**

This report seeks council's endorsement of an application for funding to complete a feasibility study, community engagement phase and detailed masterplan for the Beaufort Linear project.

#### **BACKGROUND**

The concept for a Beaufort Linear project evolved through collaborative work council has been undertaking as a partner of the Central Highlands Integrated Water Management group. The group consists of two aboriginal corporations, six local government areas, various catchment management authorities and the Department of Environment, Land, Water and Planning.

Integrated Water Management is a Victorian Government framework for a collaborative approach to water planning and management that brings together organisations with an interest in all aspects of the water cycle.

Green Blue Infrastructure is the reference used to describe green spaces such as parks, gardens and other recreational areas while blue represents various sources of water from storms, recycled water, drainage etc.

A Green Blue Infrastructure for Small Towns Project was identified in 2018 as a regional priority by the Central Highlands IWM group, to enable guidelines to be established for the benefit of towns with populations of between 100 and 10,000 people.

During the course of the GBI Small Towns project the Beaufort Linear project was identified as a concept to be explored with the Beaufort community. Funding is currently available for IWM projects which would allow council to undertake the steps required to complete community engagement, a feasibility study and detailed masterplan.

In essence the Beaufort Linear project aims to create a green corridor and walking paths that would join key recreational areas in Beaufort that are highly valued by the local community. The proposal aligns with the Beaufort Walkability Strategy with a proposed corridor that follows the Garibaldi Creek from Beaufort Lake past the school's precinct, RV free camp, swimming pool and through to the playground facilities at Beggs St. The project also proposes to enhance the visual and recreational amenity of the area north of the railway line which is expected to become the town entry once a highway bypass of Beaufort occurs.

The first phase of the project therefore is to undertake community engagement, complete a feasibility study of the proposal and to establish a masterplan to progress the project to shovel ready status.

There are, subject to the projects feasibility, likely to be opportunities for different phases of the project to be constructed over time as funding opportunities arise.

The objectives of the project will include:-

- Improving water quality and environmental outcomes for the Garibaldi Creek
- Engaging with the local community and first nations peoples to seek their input to the project such as considerations for interpretive signage and/or extending the Koori Art trail from Beaufort Lake, installation of street furnishings and tree planting
- Encouraging visitors to the Beggs St playground area to explore the town in more detail, thereby lengthening their visits and creating more opportunity for them to visit businesses in town.
- Formalising pedestrian linkages between the lake, schools precinct, RV park, swimming pool and Beggs St playground
- To improve the amenity of the area for visitors camped at the adjacent RV free camp
- Rejuvenate and landscape the area north of the railway line which is expected to become the town entry in the event of a highway bypass

## ISSUE / DISCUSSION

### PROJECT SCOPE AND ENGAGEMENT

DELWP have recently invited LGA's and other stakeholders within the Central Highlands IWM Forum to submit proposals for funding in a current round of grants applications for IWM specific projects.

The Beaufort Linear Project is a sub project of the Green Blue Infrastructure for Small Towns project council is partner to. The GBI Small Towns project is one of thirteen Central Highlands priority projects identified in the Strategic Directions Statement of 2018.

The current funding opportunity can provide access to the resources and funds council requires to undertake the community engagement, feasibility assessment and masterplanning necessary to progress the project to a shovel ready status. This initial phase of the project will also inform council about the economic viability of undertaking the construction and long term operational costs of such a project. The scope of the project will include the following:

- Creation of a masterplan and project prospectus for the Beaufort Linear Corridor that includes Beaufort Lake, Garibaldi Creek and a potential future Town Entry (land bounded by the Railway and Albert St)
- The project will be developed through a co-design process with the community and stakeholders. This process will involve:
  - The creation of a stakeholder map that identified all potential community groups, individual community members and stakeholders who will have interest in the project development and outcomes
  - Introductory communication to community and stakeholders (using social media, promotional material located within Beaufort and direct communication) to elicit interest and involvement in the project
  - An initial engagement session to allow all project stakeholders to put forward ideas on the project including specific spatial details of issues and opportunities for the project. This initial feedback will be used to create a draft masterplan
  - The draft masterplan will be used in a secondary engagement session, that will allow all the community and stakeholders to comment on initial details developed within the plan

- Any additional community and stakeholder feedback pertaining to project implementation (and not captured in the masterplan) will be included in the final report for future project phases
- The masterplan will form the basis for future design work and construction activities within the corridor. The masterplan will include:
  - Outline key design considerations for pedestrian connectivity within the corridor, amenity enhancements, urban greening, increased vegetation and waterway enhancements
  - Be a visual representation of the proposed works within the corridor and be supported by design concepts, cross sectional sketches and precedent images, clearly defining what the space may look like in the future
  - Also consider potential staging and associated costs to guide future funding and implementation considerations
- The project will include key preliminary investigations including cultural heritage management planning, stormwater management modelling and a dial before you dig utilities investigation
- The project will be supported by preliminary economic analysis, quantifying benefits and costs, using tools recognised by DELWP and other potential funding partners. This tool will assist quantify benefits including, but not limited to:
  - Improved community health
  - Environmental benefits through waterway enhancement and stormwater quality improvements
  - Increased economic benefits to Beaufort due to improved accessibility and creation of a new town entry focal point.

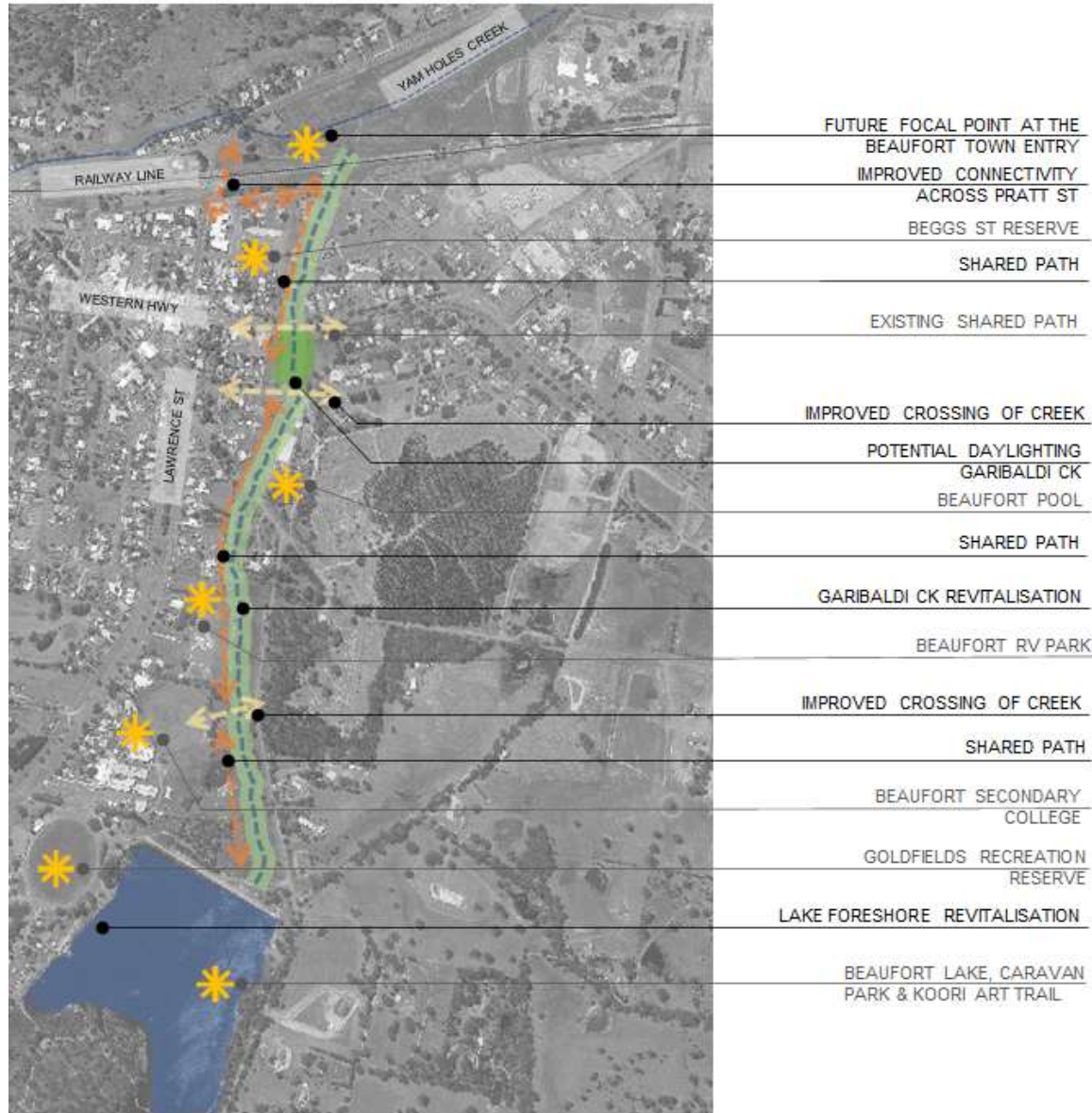
### **PROJECT OUTCOMES**

The key project outcomes are defined and supported by the Figure 1 below (please note the diagram is preliminary only):

- Improved access linkages between key destinations within Beaufort – Beaufort Lake & Caravan Park – Goldfields Reserve – RV Park – Beaufort Pools – Begg Street Reserve – Future Town Entry (on the land bounded by the Railway and Albert St)
- Beaufort Lake Foreshore Revitalisation
- Creation of a Town Entry and focal point for visitors driving through or coming to Beaufort
- Improved amenity and urban green spaces for active and passive recreation
- Environmental enhancements through a waterway rehabilitation and stormwater quality treatment of flows within Garibaldi Creek
- Co-development of project vision with community, including stakeholder potential partnerships from DELWP, GHCMA, DoT and Traditional Owners
- Potential inclusion of alternative water sources and passive irrigation to support urban greening.



Figure 1 - Preliminary Project Concept Plan



**ALIGNMENT WITH COUNCIL AND DELWP STRATEGIC PRIORITIES**

The following tables outline the projects alignment to key priorities defined in the Council Plan and the Central Highlands IWM Strategic Directions Statement.

PROJECT OUTCOMES	RELEVANT DELWP STRATEGIC DRIVERS				
	Safe Secure and affordable water supplies in an uncertain future	Avoided or minimised existing and future flooding	Healthy and valued waterways, wetlands and water bodies	Healthy and valued landscapes	Community values reflected in place-based planning
Improved access linkages between key destinations within Beaufort				●	●
Creation of a Town Entry and focal point for visitors driving through or coming to Beaufort			●	●	●
Improved amenity and urban green spaces for active and passive recreation			●	●	●
Environmental enhancements through a waterway rehabilitation and stormwater quality treatment of flows within Garibaldi Creek		●	●	●	●
Co-development of project vision with community, including stakeholder potential partnerships from DELWP, GHCMA, DoT and Traditional Owners					●
Potential inclusion of alternative water sources and passive irrigation to support urban greening	●			●	●

PROJECT OUTCOMES	COUNCIL STRATEGIC DRIVERS			
	Jobs, economic benefits and innovation	People	Place	Environment
Improved access linkages between key destinations within Beaufort		●	●	
Creation of a Town Entry and focal point for visitors driving through or coming to Beaufort	●	●	●	●
Improved amenity and urban green spaces for active and passive recreation	●	●	●	●
Environmental enhancements through a waterway rehabilitation and stormwater quality treatment of flows within Garibaldi Creek			●	●
Co-development of project vision with community, including stakeholder potential partnerships from DELWP, GHCMA, DoT and Traditional Owners		●	●	
Potential inclusion of alternative water sources and passive irrigation to support urban greening		●	●	●

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Priority 2 - Place

2b. Enhance the liveability and resilience of our communities.

**ATTACHMENTS**

Nil

**FINANCIAL / RISK IMPLICATIONS**

The cost of the feasibility study and masterplan is estimated at \$100,000- with IWM funding guidelines requiring the applicant to contribute 25% of the project cost.

Should Council support the project, funds budgeted for the implementation of the Beaufort Walkability project would be allocated to comprise Councils financial contribution.

**CONCLUSION**

Funding is currently being made available by the Victorian Government specific to Integrated Water Management projects.

The Beaufort Linear project achieves multiple strategic objectives identified in Council Plan and the Beaufort Walkability Strategy as well as the Victorian Governments Integrated Water Management strategic objectives.

By applying for funding Council has the opportunity to access the resources and funding required to progress the project to shovel ready status.

**OFFICER RECOMMENDATION**

That Council:

1. Endorses a funding application for the Beaufort Linear Project; and
2. Commits \$25,000 in matching funding towards completion of a feasibility study and masterplan phase to progress the project towards being shovel ready.

### 13.2. ASSET AND DEVELOPMENT SERVICES

#### 13.2.1. BEAUFORT OFF LEASH DOG PARK - CONSULTATION RESULTS

**Katie Gleisner – Manager Planning and Development**

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

**File No:** 56/08/02

#### PURPOSE

The purpose of this report is to provide Council with a summary of findings, following an online survey of the community, in relation to the need for an off-leash dog park in Beaufort.

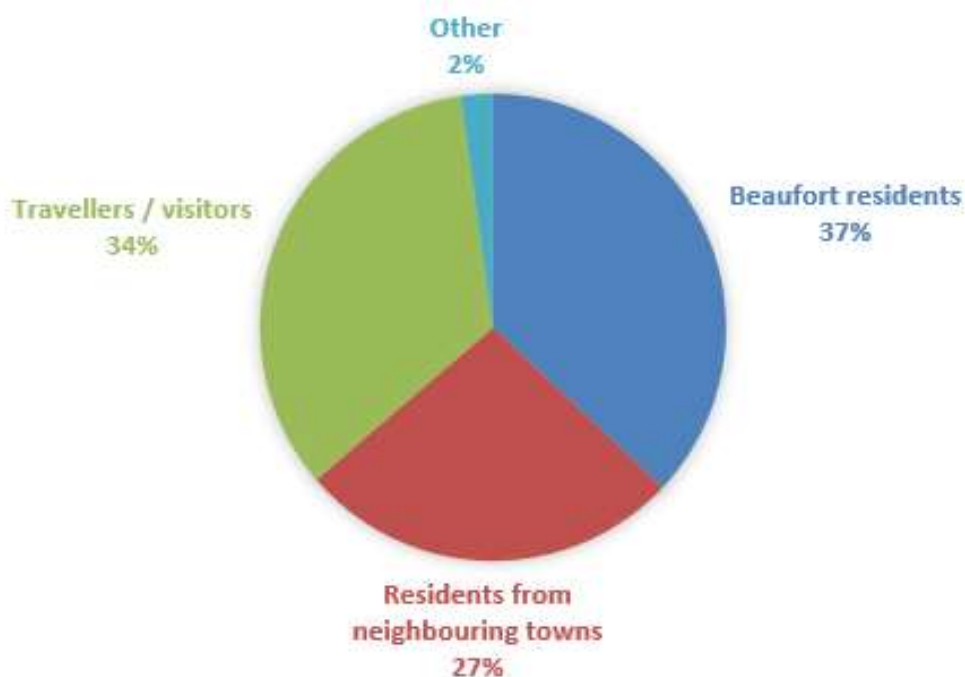
#### BACKGROUND

Council received a submission from members of the Beaufort community in January 2021, requesting that an off-leash dog park be established in Beaufort. In response to this request, Council undertook a survey of the community to understand the scale of interest in a dog park and how one might be used.

The online survey was hosted on Council’s Engagement Hub platform and received 823 page views and 49 survey responses.

Of the 49 respondents, 36 were Beaufort residents, with the remaining 13 being visitors. 43 of the respondents were dog owners and all 49 agreed that a dog park would be well used.

### Who do you think would benefit from or use an off-leash dog park in Beaufort?



*Survey response: Who would benefit from and use an off-leash dog park in Beaufort*

All responders agreed that dog parks facilitate positive community interactions and relationships, and that fresh air and exercise has a positive impact on mental health.

48 of the respondents disagreed with the suggestion that there would be no benefit to having a dog park in Beaufort.

Some of the comments submitted included:

*It's a positive step towards being bypass ready. While traffic is still going through town, the dog park will be known about, and the town will be showcased as being inclusive and having great facilities for any traveller.*

*I travel to and from Horsham to the eastern suburbs of Melbourne, with 2 and sometimes 6 dogs. Beaufort is my preferred stop.*

*I have many older friends in town with dogs that they can't walk due to their own mobility issues. This would allow them to come in their cars to let their dogs run around safely. Very good idea.*

*Just get it built as soon as possible.*

*Excellent idea..!!!*

## **ISSUE / DISCUSSION**

To progress the concept further, an appropriate site needs to be identified, a design prepared, and funding sought.

In the instance that the proposed off-leash dog park is to be constructed, Council will be required to prepare an order in accordance with section 26 of the *Domestic Animals Act 1994*. The order, that will be subject to community consultation, will provide a set of enforceable rules to guide safe and respectful use of the park.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Priority 1 - People

1d. Promote health, wellbeing, engagement, and connection

Priority 2 - Place

2b. Enhance the liveability and resilience of our communities.

## **ATTACHMENTS**

Survey results circulated separately

## **FINANCIAL / RISK IMPLICATIONS**

Further investigative work will be undertaken with existing resources, until such time as a funding allocation or grant is made available.

Site access, preparation and construction cost will not be known until a site is identified, and the park designed.



**CONCLUSION**

The community survey results demonstrate unanimous support for the concept of developing an off-leash dog park in Beaufort.

The positive social and economic impacts of establishing a dog park is beneficial to Beaufort's growth as a dynamic community and highway town.

**OFFICER RECOMMENDATION**

That Council:

1. Acknowledge the results of the survey; and
2. Request that a further report be brought to Council that identifies an appropriate location and concept design for the requested off-leash dog park in Beaufort.

### 13.2.2. PA21046 - FOUR (4) LOT SUBDIVISION

Claire Pepin – Planning Officer

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

**File No:** 601025500

#### PURPOSE

The purpose of this report is to provide Council with information on the state and local planning policy that is relevant to making a determination on Planning Permit Application PA21046 for a Four (4) Lot Subdivision at Lot 1 on Plan of Subdivision 212449K (Vol: 09830, Fol: 6668) at 32 Back Raglan Road, Beaufort VIC 3373.

#### BACKGROUND

Council has received a planning permit application, seeking permission for the subdivision of a 7.17 hectare site into the following four lots:

- Lot 1 is proposed to be 4100 square metres;
- Lot 2 is proposed to be 4110 square metres;
- Lot 3 is proposed to be 6690 square metres; and
- Lot 4 is proposed to be 56700 square metres (5.670 hectares).

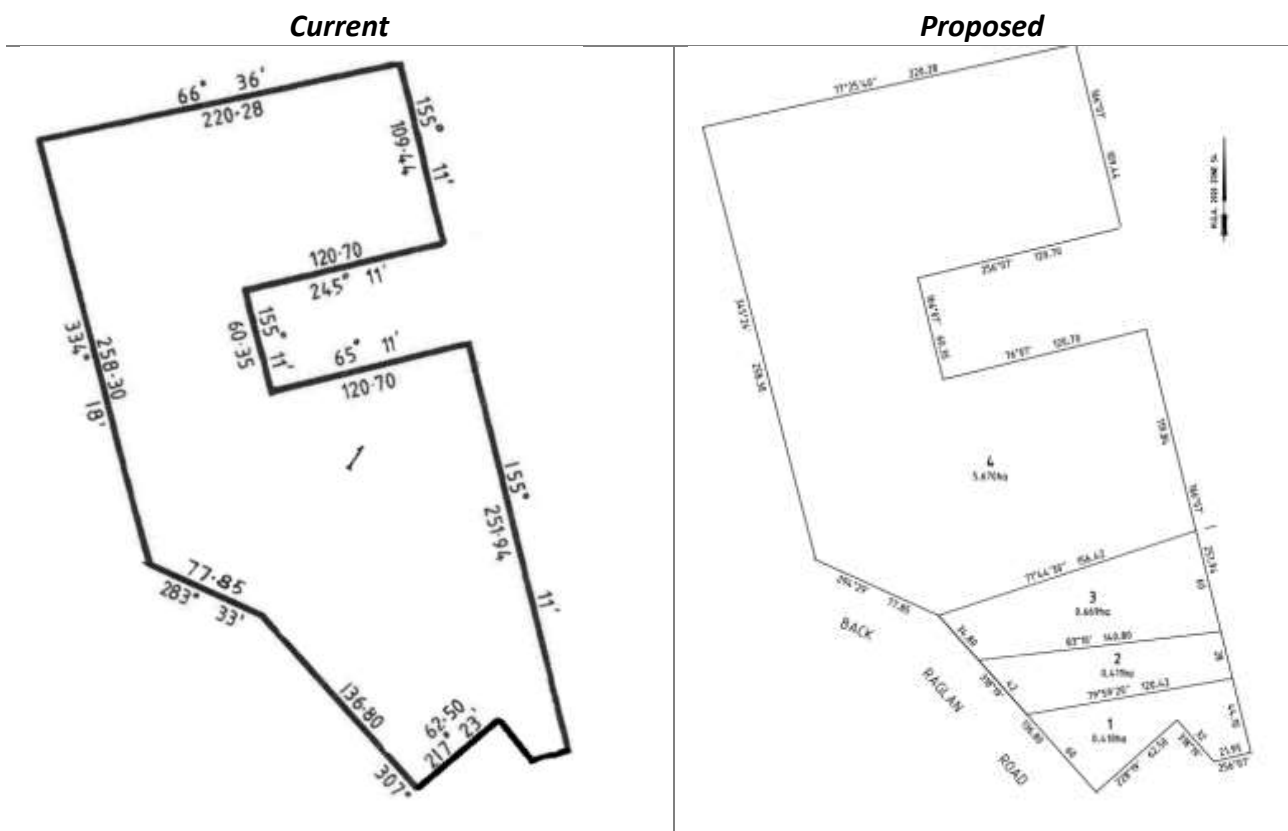


Figure 1: Subject site showing current and proposed subdivision (Application PA21046, 2021)

The existing three lots are currently in the same ownership. One of the lots is part subject the Farming Zone and part subject to the Low Density Residential Zone. The remaining 2 lots are subject to the Low Density Residential Zone.

The application seeks to subdivide land in more than one zone which may be considered in accordance with Clause 64.03.



Figure 2: Image showing subject site (red lines), proposed subdivision (diagonal lines), the land subject to the Farming Zone (light blue area) and the Low Density Residential Zone (light pink)

The proposed subdivision is subject to a planning permit under *Clause 32.03 – Low Density Residential Zone, Clause 35.07 - Farming Zone, Clause 44.06 - Bushfire Management Overlay, Clause 44.02 – Land Subject to Inundation Overlay, Clause 44.03 - Floodway Overlay, Clause 45.05 - Restructure Overlay and Clause 64.03 – Subdivision of land in more than one zone.*

**SITE AND SURROUNDING CONTEXT**

<b>Location</b>	Lot 1 on Plan of Subdivision 212449K (Vol: 09830, Fol: 6668) at 32 Back Raglan Road, Beaufort VIC 3373.
<b>Area</b>	7.17 hectare
<b>Current use</b>	General farming and single residence
<b>Existing structures</b>	The site contains an existing dwelling and farm shedding.
<b>Access</b>	The site has road frontage along the western title boundary to Back Raglan Road.
<b>Other</b>	The site is serviced by the reticulated potable water supply. The site is partly subject to the Floodway Overlay, Land Subject to Inundation Overlay, Bushfire Management Overlay and Restructure Overlay.



Figure 3: Image showing subject site (red line), existing dwelling (yellow star) and surrounding site context (Spectrum Spatial, November 2021)

#### NOTICE & SUBMISSIONS

Under Section 52 of the *Planning and Environment Act 1987* (The Act), notice was sent to nineteen (19) neighbouring landowners and occupiers directly abutting the site in accordance with the scheme. Public notice was also provided through Council's website.

The application was subject to an internal referral to Council's Environmental Health and Engineering Department, who do not oppose the proposed subdivision subject to conditions.

The application was referred under Section 55 of the Act to the Country Fire Authority, Powercor, Central Highlands Authority and Glenelg Hopkins Catchment Management Authority who have provided conditional consent to the granting of a planning permit.

Two (2) submissions were received in relation to the application during the notice period. The grounds of submissions have been described below:

- Visual amenity, loss of rural farmland views
- Overlooking and loss of privacy
- Impact on wildlife that use the subject site
- Adjoining land-owner claims to have been told that the lots would not be developed at the time of purchasing adjoining lot

- Claims that the objector's property floods
- Neighbouring existing dwelling will be "boxed in at every fence line"
- Lack of respect for existing residents and their lifestyle
- Increase in traffic, noise and disturbance during construction
- Site currently supports drainage from road reserve (drainage needs to be retained)
- Potential increase in domestic animal keeping, associated with development
- Cost of erecting suitable fencing on adjoining landowners

### PLANNING CONSIDERATIONS

The Responsible Authority is required, under Section 60 of the Planning and Environment Act 1987, to consider a range of matters including:

- the Pyrenees Planning Scheme; and
- the objectives of planning in Victoria; and
- all objections and other submissions which it has received, and which have not been withdrawn; and
- any decision and comments of a referral authority it has received; and
- any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development; and
- any significant social effects and economic effects which the responsible authority considers the use or development may have.

### **ISSUE / DISCUSSION**

The Low Density Residential Zone seeks to provide for low-density residential development on lots which, in the absence of sewerage, can treat and retain all wastewater. The zone is applied to areas on the fringe of urban settlements and townships.

The proposal is supported by Local Policy which seeks to consolidate urban areas and provides for low density residential development on the periphery of Beaufort (Clause 74.01). The proposed subdivision offers a range of conventional low density sized lots that suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people (Clause 15.01-3S).

The application is supported by a Land Capability Assessment which satisfactorily demonstrates that each of the proposed lots is capable of treating and retaining all wastewater and can suitably accommodate a conventional wastewater system with primary and reserve fields.

The proposed lots are serviced by an existing road network and are considered to be capable of accommodating development that is likely to occur, including the ability to treat and dispose of wastewater on site, maintain a potable and fire-fighting water supply and accommodate electricity connectivity.

The objections made against the application have been considered as follows:

**Visual amenity, loss of rural farmland views** – The proposed subdivision will not unreasonably impact on existing views given the purpose of the applicable zones.

VCAT case *Tashounidis v Shire of Flinders & Others [1 AATR 116](1987)*, and more recently, *J Healy & Other v Surf Coast SC (13 May 2005)*, objections stating ‘loss of views’ cannot be considered as there are “no legal right[s] to a view” and that “the availability of views must be considered in the light of what constitutes a reasonable sharing of these views” (Senior Member Marsden).

**Impact on wildlife that use the subject site** – The act of subdivision does not result in physical ground disturbance and therefore cannot impact wildlife. It is however noted that a planning permit will not be required to support the possible construction of a dwelling on Lots 1, 2 and 3.

**Claims that the objector’s property floods** – The submission does not demonstrate whether the proposed subdivision will exacerbate existing surface water on their property.

However, Glenelg Hopkins Catchment Management Authority, in their capacity as determining authority for the Floodway Overlay and Land Subject to Inundation Overlay, provide the following advice:

*“This location is within the floodplain of a tributary to Yam Holes Creek.*

*The CMA’s estimate of the 1% AEP flood level for this property is 392.48 metres AHD. This level comes from the 2008 Beaufort Flood Study. During 1% AEP floods a portion of proposed Lot 4 would be subject to inundation as indicated by the blue shading on the attached plan. Lot 4 already has an established dwelling outside the estimated 1% AEP flood extent.*

*Each proposed Lot has flood free access up to and including the estimated 1% AEP event.”*





Figure 4: Image showing 1% AEP flood depths - 2008 Beaufort Flood Study (GHCMA September 2021)

The assessing officer is satisfied that the proposed subdivision will not contribute to the occurrence of surface water entering neighboring properties. In the instance that a dwelling is constructed on lots 1, 2 and 3 post subdivision, the *Building Regulations 2018* require that storm and surface water be managed in accordance with relevant regulation.

**Neighbouring existing dwelling will be “boxed in at every fence line”**– The application before Council is for a Four (4) Lot Subdivision with no development proposed. Any future development of Lots 1, 2 or 3 will be subject to assessment against the Building Regulations which stipulate setbacks, height, design standards and overshadowing.

**Adjoining land-owner claims to have been told that the lots would not be developed at the time of purchasing adjoining lot / Lack of respect for existing residents and their lifestyle** - The assessing officer does not support claims that this application is unreasonable, particularly when the underlying zone permits the proposed use. Council, in its role of the Responsible Authority for this application has undertaken all necessary processes as required by the *Planning and Environment Act 1987* and Pyrenees Planning Scheme in considering the application.

Council is unable to control information that is supplied by vendors and real-estate agents at the time of sale.

**Increase in traffic, noise and disturbance during construction** - Any additional traffic associated with the proposed subdivision is not expected to impact on the condition or safety of the existing road network.

Any road disturbance is required to be authorised by Council, and approval will be conditional to the proponent ensuring that impacts to the road network are managed appropriately.

Residential construction noise is managed by the Environmental Protection Authority in accordance with *Environment Protection Act 1970*.

**Site currently supports drainage from road reserve (drainage needs to be retained)** - All drainage works associated with residential development, are required to accord with Council's Infrastructure Design Manual, which ensures appropriate design.

**Overlooking and loss of privacy** - Privacy is not a planning consideration in the context of this application. The future development of Lots 1, 2 or 3 will be subject to an assessment against the *Building Regulations 2018* which stipulate setbacks, height, design standards and overshadowing.

**Potential increase in domestic animal keeping, associated with development/ Cost of erecting suitable fencing on adjoining landowners** – This application does not propose the use and/or development of land for the purpose of domestic animal husbandry.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Priority 2 - Place

- 2a. Sustain and enhance unique character of our communities.
- 2b. Enhance the liveability and resilience of our communities.
- 2c. Promote responsible development.

## **ATTACHMENTS**

- 1. Application P A 21046 [**13.2.2.1** - 36 pages]
- 2. CONFIDENTIAL REDACTED - Submissions [**13.2.2.2** - 18 pages]
- 3. Planning Considerations P A 21046 doc [**13.2.2.3** - 10 pages]

## **FINANCIAL / RISK IMPLICATIONS**

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

## **CONCLUSION**

The proposed subdivision is a suitable planning outcome for the area and is compatible with adjoining and nearby land uses. Whilst this application does not include any uses or developments, the application has been considered in this context as additional planning permissions for the future development of dwellings may not be required given the proposed lot sizes.

The creation of the lots and the residential density that the application supports, is in keeping with the adjoining subdivision pattern and accords with the objectives of the Pyrenees Planning Scheme including state and local planning policy.

The objections made against the application have been assessed in accordance with the Scheme and are not considered to provide a sufficient basis to refuse the application.

### **OFFICER RECOMMENDATION**

That Council:

1. Having considered all matters required under Section 60 of the Planning and Environment Act 1987 and the provisions of the Pyrenees Planning Scheme determines to issue a Notice of Decision to Grant a Planning Permit under the provisions of the Pyrenees Planning Scheme for a Four (4) Lot Subdivision at Lot 1 on Plan of Subdivision 212449K (Vol: 09830, Fol: 6668) at 32 Back Raglan Road, Beaufort VIC 3373 subject to the following conditions:

#### **Plans**

1. The formal plan of subdivision lodged for certification must be generally in accordance with the endorsed plan and must not be modified except to comply with statutory requirements or with the further written consent of the Responsible Authority.

#### **Mandatory Conditions**

##### Provision of Services

2. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time

##### Easements

3. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

##### Referral of Plan of Subdivision

4. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act

#### **Central Highlands Conditions**

#### **Powercor Conditions**

#### **Environmental Health Conditions**

5. Before the development starts, the area set aside for the waster envelope and purposes of distribution and absorption of wastewater must be protected to prevent soil disturbance during construction of the proposed development to the satisfaction of the Responsible Authority.
6. Before the development is occupied, all sewage and sullage wastewater from the proposed development must be discharged into a new EPA approved on-site wastewater treatment system.

to the satisfaction of the Responsible Authority.

7. Before the development is occupied, all sewage and sullage wastewater from the proposed development must be retained within the property boundaries of the subject land to the satisfaction of the Responsible Authority.

#### **Vehicle Access**

8. Vehicle access to the each of the lots must be constructed at an approved location to the satisfaction of the Responsible Authority.
9. A Road Excavation Permit will be required for any works to install or upgrade a driveway.
10. All vehicle access works must be completed to the satisfaction of the Responsible Authority to the Statement of Compliance being issued.

**Note:** Please contact Council's Engineering Department as the construction or altering of a vehicle crossing, footpath and/or any other works or alterations within a road reserve or any other Council asset may require either a Road Excavation Permit (which includes a driveway and new crossover), or other approval to be obtained from the Pyrenees Shire Council. This Planning Permit does not constitute such approval. Failure to obtain an appropriate permit or damaging Council infrastructure, including footpaths, kerbs, drains, street trees, nature strips etc. or failing to remove redundant crossings and reinstate the kerb, drain, footpath, nature strip or other part of the road is a breach of the Pyrenees Shire Council development requirements.

#### **Time for starting and completion**

11. This permit will expire if one of the following circumstances applies:
  - a. The plan of subdivision is not certified within two (2) years of the date of this permit.
  - b. The plan of subdivision is not registered at Land Registry within five (5) years of the certification of the subdivision.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires of within six months afterwards. There is no provision to grant an extension of time for a Certified Plan.

#### **Permit Notes**

**Glenelg Hopkins Catchment Management Authority:** A designated waterway passes through the property. Any works in, on or around a designated waterway require a licence from the Glenelg Hopkins CMA. An application form can be obtained from their Hamilton Office or downloaded from their website at [www.ghcma.vic.gov.au](http://www.ghcma.vic.gov.au) .

### **13.2.3. BEAUFORT HISTORIC WEIGHBRIDGE BUILDING RELOCATION**

**Katie Gleisner – Manager Planning and Development**

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

**File No:** 513016000

#### **PURPOSE**

The purpose of this report is to provide Council with an overview of community feedback that has been received in relation to the proposed relocation of a historic weighbridge building in Beaufort and determine a relocation site.

#### **BACKGROUND**

At the August 2021 Ordinary Meeting, Council resolved to:

*Undertake a community engagement process seeking feedback from the community on an alternative site for the weighbridge building; and  
Bring a further report to Council on the matter when the community engagement process has been completed.*

An online survey of the community was conducted, with the opportunity to participate being advertised in the *Pyrenees Advocate* and on the Council's website.

Twelve survey responses were received, which included suggestions of having the weighbridge relocated to the following locations:

- The courthouse precinct;
- The Camp Hill BBQ area;
- Lake Goldsmith Steam Rally site;
- Centre of town (Beaufort Memorial Gardens, band rotunda area, Rotary Place); and
- The Beaufort railway precinct

#### **ISSUE / DISCUSSION**

The survey responses demonstrated support for relocating the weighbridge to the railway precinct, with 41% of responders suggesting that it would complement existing uses (Goods Shed Museum, ArtTrax Gallery) whilst respecting that the weighbridge has a relationship with transport.

Other provided reasons in support of the railway precinct included the continued public visibility of the structure, including that post by-pass the precinct will have increased visibility as the Beaufort – Lexton Road becomes the primary entry into the township; and that there is an existing historic theme to the precinct that would be complimented.

Whilst Pyrenees Shire Council is not the landowner of the rail precinct, it does have a lease agreement with VicTrack and is confident that consent could be sought to permit the proposed relocation of the weighbridge to this site.

There are several stakeholders that require further consultation in relation to the proposed relocation, including VicTrack, the Department of Transport, Beaufort & Skipton Health Services, Department Environment Land Water and Planning, Pyrenees Arts Council, and the Lake Goldsmith Steam Preservation Association.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Priority 1 - People

1e. Improve social outcomes.

Priority 2 - Place

2a. Sustain and enhance unique character of our communities.

Enabling Principles

a. Motivate and inspire community involvement

## **ATTACHMENTS**

1. Weighbridge Feedback Responses October 2021 [**13.2.3.1** - 3 pages]

## **FINANCIAL / RISK IMPLICATIONS**

The costs associated with the relocation, restoration and maintenance of the building is currently unknown, however would be expected to become the responsibility of Council. Officers would seek to work with community groups and volunteers to assist in undertaking any associated works.

## **CONCLUSION**

Based on the survey outcomes, land management arrangements, existing usage and future township planning work associated with the proposed by-pass of Beaufort, the preferred location to relocate the weighbridge to is the Beaufort Rail Precinct.

This site allows for the building to remain publicly accessible whilst complimenting existing usage.

## **OFFICER RECOMMENDATION**

That Council:

1. Acknowledges the outcome of the community survey and that the Beaufort Rail Precinct has been identified as the preferred location to relocate the weighbridge;
2. Support officers in working with stakeholders to gain approval to relocate the weighbridge to the Beaufort Rail Precinct; and
3. Subject to recommendation 2, agrees to coordinate the relocation of the weighbridge from its current site at the Beaufort Mechanic's Institute to the Beaufort Rail Precinct.

### **13.3. CORPORATE AND COMMUNITY SERVICES**

#### **13.3.1. UNUSED ROADS - SOUTH AND EAST OF LOT 3 ON PS804378, PARISH OF BEAUFORT**

**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:** 30/02/08

#### **PURPOSE**

The purpose of this report is for Council to consider a report that was laid on the table in October 2021, and to consider deciding whether two sections of government road, in the township of Beaufort, are not required for public traffic and are unused roads.

#### **BACKGROUND**

Council received a request from a resident, seeking that Council gives notice to the Secretary of the Department of Environment Land Water and Planning (DELWP), advising that the sections of unused government road South and East of Lot 3 on PS804378, Parish of Beaufort, are not required for public traffic and are unused, in accordance with section 400 of the *Land Act 1958*.

The resident has made an application to DELWP to licence the described portions of road in accordance with section 138 of the *Land Act 1958* for the purposes of grazing sheep and alpaca to maintain grass and weeds.

The process of allocating licences on Crown Land is managed by DELWP. Part of that process is seeking confirmation from the relevant council that the land in question / road is not required for public traffic and is unused.

#### **ISSUE / DISCUSSION**

##### **Report laid on the table**

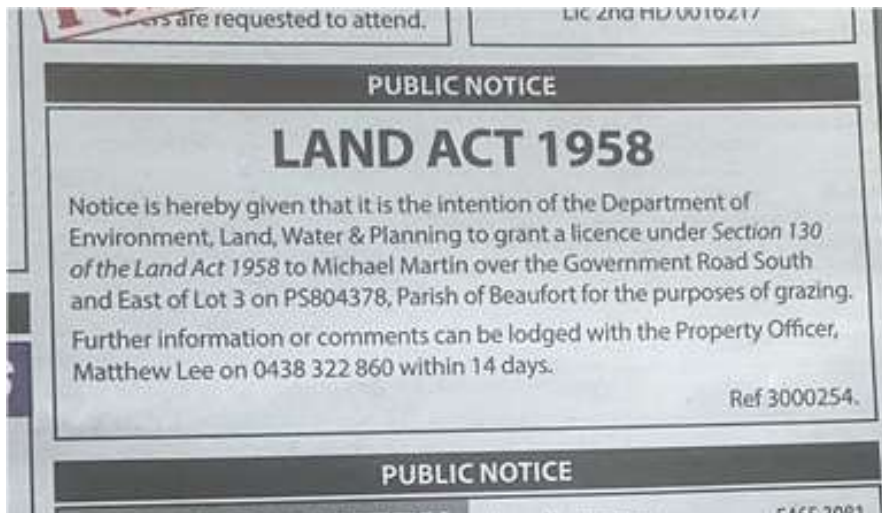
The report seeking Council confirmation that the roads detailed below are not required for public traffic and are unused was submitted to the Ordinary Meeting of Council dated 19 October 2021.

Following consultation with Council, it was recommended that the report be laid on the table for one month to allow consultation with neighbouring property owners to take place. The original report is attached for reference.

##### **Consultation with neighbouring properties**

Objections to a proposal to license Crown land for grazing purposes are sought through a public notice process. To meet this requirement, the requestor advertised this intention in the Pyrenees Advocate on 3 September 2021. A copy of the advertisement is provided below.





As requested by Council at their meeting in October 2021, Council officers directly contacted neighbouring property owners to determine whether any objections were raised to the proposal. The following comments were made, and will be passed on to DELWP to aid in their decision-making processes -

- A request that fencing on the property boundary should be stock-proof at no cost to neighbouring property owners,
- An objection was raised with concerns about access to the land into the future, potential for tree removal, and the length of the licence period. This neighbour has requested a key to any locked gates, indicating that there may be some informal use of the land, and this request will be forwarded to DELWP for follow-up.

**Request to confirm that the road is not required for public traffic and is unused**

Before DELWP will enter into a licence agreement over the described land, Council is requested to confirm that the road is not required for public traffic and is unused.

Section 400 of the *Land Act 1958*, provides that *“a municipal council may give notice to the Secretary that any road or part of a road which is within the municipal district of that council and which it considers is not required for public traffic is an unused road and upon the giving of any such notice any such road or part of a road specified therein shall be an unused road”*.

The portions of road shown on the map below are not currently on Council’s Road Register and are not made or maintained.



It is now requested that Council provide appropriate notice to DELWP that the road is unused and not required for public traffic, and provide details of the comments provided by neighbours for their use in determining whether to issue a licence.

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Priority 3 - Environment

3c. Encourage community care of biodiversity and natural values.

**ATTACHMENTS**

- Attachment - Unused Roads\_-\_ South and East of Lot 3 - Laid on the Table [13.3.1.1 - 3 pages]

### **FINANCIAL / RISK IMPLICATIONS**

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

### **CONCLUSION**

A request was received for Council to give notice advising of two sections of unused government road are not required for public traffic and are unused, in accordance with section 400 of the *Land Act 1958*. Council laid the original report on the table in October 2021 to allow Council officers to determine whether any objections were likely from neighbouring property owners which was done with ...

It has been determined that the portions of road in question are not currently on Council's road register and are not made or maintained.

### **OFFICER RECOMMENDATION**

That Council authorises Council officers to give notice to the Secretary of the Department of Environment Land Water and Planning -

1. advising that the sections of unused government road, South and East of Lot 3 on PS804376, Parish of Beaufort, are not required for public traffic and are unused for the purpose of a road, in accordance with section 400 of the *Land Act 1958*; and
2. provide details of comments made by neighbouring property owners to aid in DELWP decision making processes, including one neighbour's request that their accessibility be maintained and therefore may in use by that neighbouring property owner.

### **13.3.2. COMMUNITY GRANTS - ROUND 1 2021/22**

**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:** 32/14/35

#### **PURPOSE**

The purpose of this report is to seek Council consideration and awarding of Community Grant applications received for Round 1 of the 2021/22 Program.

#### **BACKGROUND**

Council allocates funding in its annual budget for community grants to recognise the importance of providing financial assistance to community group, services and organisations located or operating within the Pyrenees Shire, and the support that these groups give to our residents.

Grants are allocated under the following schemes -

- Grants of up to \$2,000 for programs, projects, or equipment
- Grants of up to \$1,000 for events
- Grants of up to \$1,500 for programs or projects aimed at increasing awareness or facilities for minority groups or gender equality
- Grants of up to \$1,000 for events focused at our youth
- Grants of up to \$7,000 for capital works or infrastructure projects

#### **ISSUE / DISCUSSION**

Council has allocated \$84,000 in the 2021/22 budget to fund the community grants program. \$1,569 overspend in 2020/21 was brought forward and Council approved \$5,000 funding to the Waubra Recreation Hub for the purchase of a mower before Round 1 opened. This leaves \$77,431 available for the balance of the community grants program.

Round 1 of the 2021/22 program was open for applications throughout the month of October and a total of 21 applications were received -

- 4 applications for events
- 1 application for the youth grant
- 7 applications for programs, projects & equipment
- 9 applications for capital works and infrastructure

In summary, it is recommended that between \$42,449.60 and \$42,849.60 be awarded in grants for the first-round of the 2021/22 community grants program.

#### **1. Events**

Four applications were received in this category, two of which relate to the same event.

- Two applications are recommended for awarding grant application amounts in full -
  - \$1,000 to the Beaufort Progress Association for the Avoca Riverside Market, subject to notification to the Dja Dja Wurrung of the event, and
  - \$1,000 to the Barkly Hall & Recreation Reservice for the Barkly Outdoors event.

- Two applications were received for the same Christmas event at the Avoca pool, from two separate community groups. The event arrangements are likely to be shared between the groups, but the total of the grant applications amounts to more than the usual maximum limit for events (\$1,000). Council is asked to determine whether the full amount be awarded to each group or whether the maximum events grant of \$1,000 be allocated to both groups to work together.
  - Avoca Friends of the Pool applied for \$450,
  - Advance Avoca Inc applied for \$950.

## **2. Youth**

One application was received in this category. It is recommended that the application be awarded in full - \$1,000 to the Avoca Community Arts & Gardens Inc for “What’s Your Story” workshops for youth in Avoca; subject to confirmation from Council officers that all required permissions have been obtained and appropriate mitigation implemented to the satisfaction of Council officers to prevent noise complaints.

## **3. Programs, projects, or equipment**

Seven applications were received in this category, plus two re-directed from capital / infrastructure making a total of nine applications.

- Seven applications are recommended for awarding grant application amounts in full -
  - \$2,000 to the Beaufort Progress Association for equipment and marketing materials to support the Avoca Riverside Market,
  - \$1,937.60 to Business for Beaufort to purchase a new computer for Radio 88 Beaufort,
  - \$682 to the Beaufort Agricultural Society for new ceiling spotlights for the photography display at the Beaufort Goldfields Recreation Reserve, subject to written approval from the relevant Community Asset Committee and Council,
  - \$1,100 to the Beaufort Historical Society for equipment to support digitisation of the Collection,
  - \$2,000 to the Avoca Community Arts & Gardens Inc to purchase equipment for the “Gaming for Youth” Project, subject to confirmation from Council officers that all required permissions have been obtained and appropriate mitigation implemented to the satisfaction of Council officers to prevent noise complaints.
  - \$391 to the Beaufort Croquet Club Inc for the supply and installation of a turf line marker,
  - \$2,000 to the Beaufort & Skipton Health Service for the purchase of a wall-mounted pulley as part of establishing a community gym / rehabilitation facility.
- One application was received for a capital grant of \$5,000 from the Beaufort Football Netball Club for the purchase of a new coffee machine. Council officers considered this to be more appropriate for an equipment grant which is for a maximum of \$2,000. It is recommended, therefore, that Council award \$2,000 to the Club for this purchase.
- One application was received for \$1,477 from the Barkly Hall & Recreation Reserve. The application was to purchase basketball rings and equipment to complete a current project to develop a basketball / netball half-court at the facility, or which a capital grant application has also been made. It is recommended that funding of \$1,477 be awarded towards this project but that provision of the funds be deferred until the project is fully funded to allow for a full acquittal period.

#### **4. Capital works / infrastructure**

Nine applications were received in this category. Two applications were transferred from capital for inclusion in the equipment category, leaving seven for assessment.

- Four applications are recommended for awarding grant application amounts in full -
  - \$200 to the Pyrenees Petanque Club to support resurfacing of the Moonambel Petanque Piste,
  - \$7,000 to the Avoca Community Arts & Gardens Inc for the purchase of a mower for landscaping,
  - \$5,262 to the Moonambel Hall for the erection of a fence, and
  - \$5,400 to the Crowlands Hall & Reserves Committee Inc for the installation of a split system at the Crowlands Hall kitchen.
  
- One application was received from the Raglan Hall & Recreation Reserve Committee Inc for \$6,737.53 towards Stage 3 of the Hall Improvement Works. This application has been put on hold subject to the outcome of the nominated projects to the Commonwealth Local Roads & Community Infrastructure Phase 3 Funding, which includes a nomination for this purpose.
  
- One application was received for \$7,000 from the Barkly Hall & Recreation Reserve, as part funding towards a project to install a basketball/netball half-court at the facility. The total cost of the project is \$23,000 and it is recommended that funding of \$7,000 be awarded towards this project but that provision of the funds be deferred until the project is fully funded to allow for a full acquittal period.
  
- One application was received for \$5,883 from the Beaufort Progress Association for facility upgrades at the premises known as Servo @23, including the installation of a security system, replacing gutters and down pipes etc. As these premises are owned by a commercial for-profit organisation, it is recommended that Council do not award funding of this application.

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

Priority 1 - People

1d. Promote health, wellbeing, engagement, and connection.

#### **ATTACHMENTS**

Nil

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

All risk implications have been discussed in the body of the report.

#### **CONCLUSION**

Round 1 of the community grants program for 2021/22 was open for applications during the month of October 2021. 21 applications for funding were received. Council is now recommended to consider applications and award grants funding.

#### **OFFICER RECOMMENDATION**

That Council considers this report regarding community grant applications for Round 1 2021/22 and -
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1. Awards community grant payments of \$ as follows -
  - a. \$1,000 to the Beaufort Progress Association for the Avoca Riverside Market events, subject to confirmation of notification to the Dja Dja Wurrung of this monthly event,
  - b. \$1,000 to the Barkly Hall & Recreation Reserve Committee for the Barkly Outdoors event,
  - c. \$1,000 to the Avoca Community Arts & Gardens Inc towards the 'What's Your Story Workshops for Youth', subject to confirmation from Council officers that all required permissions have been obtained and appropriate mitigation implemented to Council's satisfaction to prevent noise complaints,
  - d. \$2,000 to the Beaufort Progress Association for signage and marketing equipment for the Avoca Riverside Market events,
  - e. \$1,937.60 to Business for Beaufort for a new computer to be used for Radio 88 Beaufort,
  - f. \$682 to Beaufort Agricultural Society to purchase and install ceiling spotlights at the Beaufort Goldfields Recreation Reserve changerooms, subject to obtaining written approval from the Beaufort Community Bank Complex Community Asset Committee and Council,
  - g. \$1,100 to the Beaufort Historical Society towards equipment supporting the digitisation of the Collection,
  - h. \$2,000 to the Beaufort Football Netball Club for the purchase of a new coffee machine,
  - i. \$2,000 to the Avoca Community Arts & Gardens Inc for equipment for the 'Gaming for Youth' Project, subject to confirmation from Council officers that all required permissions have been obtained and that appropriate mitigation implemented to prevent noise complaints,
  - j. \$391 to the Beaufort Croquet Club to supply and install a turf line marker,
  - k. \$2,000 to the Exercise Physiology Department at the Beaufort & Skipton Health Service for installation of equipment to be used in a small community gym to be established,
  - l. \$200 to the Pyrenees Petanque Club towards resurfacing of the Moonambel Petanque Piste,
  - m. \$7,000 to the Avoca Community Arts & Gardens Inc for purchase of a mower for landscaping,
  - n. \$5,262 to the Moonambel Hall for the erection of a fence at the facility, and
  - o. \$5,400 to the Crowlands Hall & Reserves Committee for the installation of a split system in the Crowlands Hall kitchen.
2. Allocates the following grant amounts to the Barkly Hall & Recreation Reserve, but defers payment until the project is fully funded to maximise time for funding acquittal -
  - a. \$7,000 towards the installation of a basketball / netball half-court, and
  - b. \$1,477 towards the purchase of basketball equipment.
3. Defers any decision on the grant application from the Raglan Hall & Recreation Reserve Committee Inc as this may be withdrawn if Council's funding nominations against the Local Roads & Community Infrastructure Phase 3 Program are successful.
4. Considers the grant applications for the same event, detailed below, and determine whether grant amounts should be allocated as requested, or whether the maximum \$1,000 grant for events be awarded between the applicants, in a proportion to be determined by Council officers -
  - a. Avoca Friends of the Pool Christmas event – application for \$450
  - b. Advance Avoca Inc Christmas event – application for \$950
5. Denies the capital grant application for \$5,883 by the Beaufort Progress Association for facility upgrades at the premises known as Servo @23 in Beaufort for the reasons detailed in the body of the report.



### **13.3.3. PRIVACY POLICY**

**Helen Swadling – Manager Governance, Risk and Compliance**

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

**File No:** 16/24/12

#### **PURPOSE**

The purpose of this report is to seek Council adoption of a revised Privacy Policy.

#### **BACKGROUND**

In accordance with Council's policy, the Privacy Policy is due for review in 2021, this was in accordance with the review schedule and did not result in any material changes.

#### **ISSUE / DISCUSSION**

The purpose of the Privacy Policy is to state Council's commitment to the:

- Victorian Information Privacy Principles and other obligations proscribed within the Privacy and Data Protection Act 2014 (Vic); and
- Health Privacy Principles and other obligations proscribed within the Health Records Act 2001 (Vic).

The Privacy Policy was last reviewed and adopted in October 2017.

The Council's Privacy Policy has been reviewed, which ensures that all current legislation was referenced and was provided in our new policy format.

A copy of the policy is attached to this report and Council adoption is requested.

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

Enabling Principles

b. Provide transparency and accountability

#### **ATTACHMENTS**

1. Council Report - Privacy Policy Attachment [**13.3.3.1** - 5 pages]

#### **CONCLUSION**

The Privacy Policy review has been undertaken in accordance with the scheduled review with no material changes.

#### **OFFICER RECOMMENDATION**

That Council adopts the revised Privacy Policy.
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### **13.3.4. DELEGATION UPDATE**

**Helen Swadling – Manager Governance, Risk and Compliance**

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

**File No:** 16/20/08

#### **PURPOSE**

The purpose of this report is for Council to review and adopt three updated Instruments of Appointment and Authorisations in accordance with the Local Government Act 2020 (the Act).

#### **BACKGROUND**

The Local Government Act 2020 (the Act) requires Council to review its delegations, appointments, and authorisations, as required. Council is advised by Maddocks Lawyers in preparation of Instruments of Delegation, Appointment & Authorisation as and when updates are required. Further updates were received in July 2021.

#### **ISSUE / DISCUSSION**

A change of officers in the role of Environmental Health Officer requires that the S11 Instrument of Appointment and Authorisation be amended to include the appointment of Lachlan Benjafield, Billie Ling and Tom Russell as Authorised Officers.

Advice from Maddocks in 2019 indicated also that individual S11 Instrument of Appointment and Authorisations should be done for individual officers, this is considered best practice and allows for separate officers to provide original Individual Instrument of Appointment and Authorisation documents in evidence where legally required.

New Individual Instrument of Appointment and Authorisations relating to S11 have been created for these appointments and Council is requested to consider and adopt these documents. These are attached for Council's information.

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

Enabling Principles

b. Provide transparency and accountability

#### **ATTACHMENTS**

1. Instrument of Appointment Authorisation S11 EHO LachlanBenjafield Nov [T5AW] [**13.3.4.1** - 3 pages]
2. Instrument of Appointment Authorisation S11 EHO Tom Russell Nov 2021do [XL5S] [**13.3.4.2** - 3 pages]
3. Instrument of Appointment Authorisation S11 EHO Billie Ling Nov 2021do [KTVN] [**13.3.4.3** - 3 pages]

#### **CONCLUSION**

To legally allow staff to enforce provisions of legislation, Council must review its delegations and instruments of appointment and authorisation as and when required to maintain currency. New Instruments of Authorisation have been prepared for the new officers and are provided for Council authorisation.

**OFFICER RECOMMENDATION**

That Council, in the exercise of the powers conferred by the Local Government Act 2020 and other legislation referred to in the attached Instruments of Appointment and Authorisation, adopt the Instruments of Appointment and Authorisation for Lachlan Benjafield, Billie Ling and Tom Russell, the new Environmental Health Officers, allowing officers to undertake the duties of an Environmental Health Officer.

## 13.4. CHIEF EXECUTIVE OFFICE

### 13.4.1. ANNUAL REPORT 2020-21

**Kate Deppeler – Senior Communications Officer**

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

**File No:** 16/20/04

#### **PURPOSE**

The purpose of this report is for Council to receive the Annual Report for 2020/21

#### **BACKGROUND**

The 2020/21 Annual Report has been prepared in accordance with Section 98 of the *Local Government Act 2020* and details the operational and financial activities of Council throughout the 2020/21 financial year.

An Annual Report must contain the following:

- A report of operations of the Council
- An audited performance statement
- Audited financial statements
- A copy of the auditor's report on the performance statement
- A copy of the auditor's report on the financial statements under Part 3 of the *Audit Act 1994*
- Any other matters prescribed by the regulations

The Annual Report must be prepared as soon as practicable after the end of the financial year.

#### **ISSUE / DISCUSSION**

The Annual Report provides an insight into Council's operations and fulfils statutory requirements. This year's report includes additional information on projects, the organisation and an increased focus on sharing images and stories of our staff. Additions to this year's report include an eight-page section of highlights including photographs, and another eight pages on departments and staff. Increasing visibility of staff and the work of Council aims to improve transparency and understanding of what the organisation does. Photographs from recent tourism campaigns also add to the vibrancy of this year's report.

As the introduction states, 2020-21 was yet another challenging year, heavily affected by COVID-19 and its ongoing impacts. Some of the major events or happenings included:

- A Pandemic Planning Committee oversaw the ever-changing restrictions and lockdowns affecting Council services.
- Economic recovery was prepared with help from a community taskforce and focused on tourism marketing.
- Street furniture to support outdoor dining was funded from the State Government.
- Live streaming of Council meetings occurred, with Councillors meeting both virtually and in person.
- Project delivery was a key part, including the delivery of the Avoca Inclusive Playspace, Snake Valley Skatepark, Carngham Female Friendly facilities and the Lexton Hub, which is substantially completed.

- Council also delivered \$2million worth of projects funded by the Federal Government's Drought Communities Program, as well as several footpaths under the Commonwealth's Local Road and Community Infrastructure Program.
- Stockyard Hill Wind Farm was finished.
- Council has implemented a shire-wide kerbside waste and recycling system, and introduced a household glass bin.

Council staff continued to perform wonderfully, managing their workload regardless of their location. Restrictions meant the workforce has been in and out of the office environment for much of the past financial year.

This Annual Report 2020-21 is also the final year of reporting under the Council Plan 2017-2021. Council elections were held in 2020 and Crs Clark and Eason were returned following a postal vote and Crs Ferrari, Kehoe and Vance were elected unopposed.

This report reflects a year of challenge but also a year of triumph where the organisation has continued to deliver for the community.

The Annual Report 2020-21 will be made available on the Council website and printed copies at our counters. The public will be advised of the report via public notice.

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

Under Section 100 of the *Local Government Act 2020* a council must consider the Annual Report at a meeting of the Council.

#### **ATTACHMENTS**

1. Pyrenees Shire Annual Report 2020-21 with Financial Report and Performance Statement  
[13.4.1.1 - 162 pages]

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

No financial risks are attached to this report.

#### **CONCLUSION**

The 2020/21 Pyrenees Shire Council Annual Report has been prepared is now provided for Council information.

#### **OFFICER RECOMMENDATION**

That Council receives the Pyrenees Shire Council Annual Report 2020/21 and places a copy on the Pyrenees Shire Council website.
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### **13.4.2. COUNCIL MEETINGS 2022**

**Jane Bowker – Executive Assistant to the CEO and Councillors**

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

**File No:** 16/17/02

#### **PURPOSE**

The purpose of this report is for Council to decide on the meeting schedule for Council meetings and briefing sessions for 2022.

#### **BACKGROUND**

A 2022 schedule of meetings has been prepared in consultation with Councillors and is circulated with this report.

The schedule contains dates for Ordinary Council meetings held monthly as well as Assemblies of Councillors (Briefing Sessions), Special Meetings, Community Cuppas and the annual Statutory Meeting.

#### **ISSUE / DISCUSSION**

The schedule also contains locations for the meetings to be held across the municipality to enable Councillors to engage with the various communities.

Notice of meeting dates is available on Council's website and is published in Council's Noticeboard available in The Pyrenees Advocate each week.

The Ordinary Council and Statutory meetings are now live-streamed providing the community, who are unable to attend in person, the ability to view the meetings in real time, provide an awareness of how Council meetings are conducted and to reach a wider audience.

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

Priority 1 - People

1c. Improve accessibility and inclusivity.

#### **ATTACHMENTS**

1. Council Meeting Dates 2022 - draft [**13.4.2.1** - 1 page]

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

Council has made provisions in its 2021-2022 budget to meet the costs associated with the meetings.

#### **CONCLUSION**

Subject to Council's agreement to the meeting schedule, it is proposed that public notice be given in accordance with Council Policy – Governance Rules 2020.

#### **OFFICER RECOMMENDATION**

That Council:

1. Adopts the meeting schedule for 2022, as attached to this report; and
2. Gives public notice, in accordance with Council Policy – Governance Rules 2020, of the proposed Council meeting dates.

### 13.4.3. PETITION

**Jim Nolan – Chief Executive Officer**

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

**File No:** 16/20/02

#### **PURPOSE**

Enter Report Purpose is to consider the matter of a petition that was tabled at the Ordinary Council Meeting in October relating to Council's engagement with the community.

#### **BACKGROUND**

Council received a petition dated 14 September 2021 from residents in the Carngham / Snake Valley area highlighting their dissatisfaction with the level of consultation Council affords its residents and ratepayers in the municipality, making reference to the new waste collection service. The petition received contained 17 signatures and was accompanied with an explanatory letter.

The petition was tabled at the Ordinary Council Meeting in October, and having regard to Council's Governance Rules, Council resolved as follows.

*That Council:*

- 1. Receives the petition; and*
- 2. Requests a report to be presented to the November 2021 Ordinary Council Meeting on the matter contained in the submission and petition.*

#### **ISSUE / DISCUSSION**

The petition states as follows:

We, the signatories to this letter, have read the attached letter and agree it contains the bases for being a signatory to this action.

We serve notice to the Pyrenees Shire Council of our dissatisfaction with the level of **consultation** Council affords residents and ratepayers of the shire. This is especially demonstrated in regard to Council's recent processes for introducing "universal" "compulsory" roadside collection of waste.

We also express our dissatisfaction with Council's declared transparency of decision-making.

We express our collective dismay that Council considers the recent processes (of the waste collection matter) genuinely pass the "pub test".

We collectively call upon Council to urgently address their methods and standards to reflect a pro-active engagement of ratepayers, with an emphasis on **"active"**, and more readily available and direct information dissemination; specifically **in addition** to current print media and internet access modes.

We call upon Council to publicly declare a review of procedures, involving public participation, to address these concerns, with the aim of improving public awareness of Council projects and processes, as well as a much needed boost to Council's reputation of community engagement.



### Engagement Strategy

The central issue in the petition relates to the engagement and dissemination of information to residents and ratepayers, and this is the focus of this report.

Council's Engagement strategy 2017-21 sets out Council's approach to engagement. The aim of the strategy is set out as follows:

*This strategy aims to foster a positive, communicative relationship between Council and its communities.*

#### *Guiding Principles*

- 1. Engagement will be responsive and timely*
- 2. Promote activities and achievements*
- 3. Increase awareness of Council activities*
- 4. Foster a positive relationship with the community*
- 5. Match communication methods to community expectations*
- 6. Fulfil statutory requirements*

*The strategy identifies the following key customers*

*Our Pyrenees Communities*

*Our Organization*

*Our Friends – including governments, government agencies, regulatory bodies, other LGAs*

How we engage is based on the IAP2 Model with the spectrum of engagement being Inform, Consult, Involve, Empower.

The approach of the engagement strategy is to develop an annual plan which identifies the key activities/projects/issues which council intends to deliver / address, and considers the stakeholders and methods of communication and engagement appropriate to each.

In the context of the petition, it is worth Council asking two questions:

Is the existing strategy current, appropriate and meeting Council and the Community engagement needs?

Are we implementing the strategy as it is intended?

The appropriateness of the strategy, and extent to which Council has implemented its own strategy is worthy of a more in-depth assessment than what is provided in this report, and it is intended that that assessment be undertaken in conjunction with the review of the strategy which is currently underway and due to be further reported to Council. This review will go some way to meeting what has been sought by the petition.

### Council Plan

The development of the Council Plan 2021-25 involved a deliberative engagement process as previously reported when the final plan was presented to Council for adoption.

This deliberative engagement process was a significant attempt by Council to properly resource an engagement process. This involved the formation of a 25-person community panel, and resulted in the development of a ten-year community vision which then formed the foundation of the Council Plan. This process demonstrated Council's trust in the community and commitment to engagement.

The four-year Council Plan is based on a number of **enabling principles** as stated below:

*Motivated and inspired **community engagement** and involvement, by:*

- *Utilise active community groups and encourage new and under-represented groups to participate in driving actions (e.g. environmental, arts, health, youth)*
- *Identify and encourage community involvement in the creation, prioritisation, delivery and ownership of unified action plans*
- *Ensuring wide representation of community diversity in gender, age, culture and occupation (for example, nominate a Youth Councillor to target this under-represented part of the community)*
- *Encourage input and feedback from a wide section of the community by providing opportunities to engage both in person and online in council activities / meetings*
- *Engagement of small and large businesses through effective support and communication*
- *Expert advice and resources are provided to educate and assist community groups in developing action plans that better meet the vision objectives, and support community groups in framing local actions within the vision*
- *Annually convene a Community Consultative Group to review and oversee the implementation of the Community Vision*
- *Key environmental impacts (i.e. biodiversity, people, liveability) are considered and addressed during creation of action plans.*

*Providing **transparency and accountability**, through:*

- *Regular updates on current projects including detailed information (e.g. delivery timelines)*
- *Information used to inform council decisions including research and what effective community consultation took place as part of the decision-making process*
- *Clearly describe concrete goals and actions to deliver community vision*
- *Accessible updates via a broad range of communication channels to reach groups and individuals within our community (e.g. website, email, e-newsletters, paper newsletters, notice boards)*
- *Ongoing engagement with community in the creation, prioritisation, delivery and ownership of unified action plans.*

The measures contained in the Plan will be used by Council to assess how well it is implementing the Council Plan and the results will be published regularly during the term of Council.

### Specific Initiatives

Some of the specific initiatives developed which Council has committed to ongoing include:

Face to face engagement by Councillors and Senior Officers with communities across the shire in the form of **Community Cuppas**. While there has been mixed success with these events over recent years which have also been interrupted by the pandemic, it can be a good means for residents to have direct access to Councillors at a local level.

The recently initiated **Engagement Hub** appears to be well received by those community members who choose to engage and interact online. Council is committed to increase the use of this engagement tool given the recent response rates.

**Social Media** has continued to be an important tool to disseminate information. It is particularly useful in getting information into the community quickly where it is important to do so. Council is committed to grow its facebook interaction and to continue to promote the shire through its use of instagram and other social media.

The print media still remains a reliable source of information for residents, and Council is committed to continue to provide a **Noticeboard** weekly containing a range of relevant information to residents, and particularly those who do not have access to the internet.

Council produces a **Community Newsletter** quarterly which is posted to all residents in the shire. This provides more content on specific and relevant issues and projects. Again, this is particularly important for residents who do not have access to information online.

Council maintains a **website** which is a primary tool for residents to access information and as improvements occur, to be able to do business with council.

### Significant Change

Community engagement is most important when there is something that is going to result in significant change. The change may only be significant for a small segment of the community, in which case the focus of the engagement should be designed to meet the needs of that segment. This is typically the case when Council does capital works projects such as a road or bridge reconstruction which impacts on residents' access. It's important in this case to engage directly with these residents as a priority.

Sometimes the significant change is more widespread and the recent implementation of a new **waste collection service** is one of those examples, and as referenced in the petition. While the petition is not expressing criticism of the waste service, its issue is with the engagement aspects of the change.

The following contains some of the specific engagement undertaken as part of that service change.

- A survey of residents was conducted initially.
- The survey and / or the proposed service was widely promoted through the Community Newsletter contained articles (Spring 2020 and Summer 20/21 editions) – these were posted to all residents and could be found on the PSC website.
- The Community noticeboard published in the Pyrenees Advocate (and the same noticeboard in the Maryborough Advertiser but on a different date) promoted the survey on 20<sup>th</sup> and 27<sup>th</sup> November and 4 December 2020. The noticeboard on 21<sup>st</sup> and 28<sup>th</sup> May 2021 also alerted residents to the letter that was sent to all residents in relation to the new service.
- On social media, Facebook posts were posted on 19 and 24 November and 8 December 2020 promoting the survey and the link to Council's website. Posts were also posted on 20<sup>th</sup> and 23<sup>rd</sup> May 2021 in respect of the new service and glass bins. A post on 18 May 2021 was posted about the universal service and providing a link to the Council website that provided information and FAQ on the service. Social media posts are available to access on Councils Facebook page.
- A letter was posted to all residents about the service changes and a change to the service fee
- The 2021/22 draft budget containing the waste service was also published and submissions sought.

While it is felt that a significant effort was given to engaging on the waste service, it is worth considering how this may have been done better and some lessons have been learned through that process. One of the lessons in this case was the way that formal notification was provided to residents.

One of the key measures that Council uses to assess its performance is the community satisfaction survey, including its performance in community engagement and its performance in service areas including waste.

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

Enabling Principles

- a. Motivate and inspire community involvement
- b. Provide transparency and accountability

### **ATTACHMENTS**

Nil

### **FINANCIAL / RISK IMPLICATIONS**

There are no financial implications to note in this report.

There are significant reputational and other risks to Council however if it fails to engage appropriately with its community.

### **CONCLUSION**

This report responds to matters contained in a petition which expresses concern about Council's level of engagement and dissemination of information. Importantly the report acknowledges the need to continue to improve the way Council engages with the community, and critical to this will be the review of Council's engagement strategy and the implementation of the Council Plan 2021-25

### **OFFICER RECOMMENDATION**

That Council:

1. Seeks the views of the author of the petition as part of the review of the Pyrenees Shire Council Engagement Strategy
2. Considers a report on the review of the Engagement Strategy, and adoption of a new Engagement Strategy at a future Council Meeting.
3. Writes to the author of the petition to thank them for raising the concerns and to advise of the outcome of this report.

**14. COUNCILLOR REPORTS AND GENERAL BUSINESS**

**15. CLOSE OF MEETING**

Meeting closed at

Minutes of the meeting confirmed

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2021

Mayor Cr Ron Eason