



Pyrenees
Shire Council

Agenda

Ordinary Meeting of Council

6:00 pm Tuesday 14 December 2021
Council Chambers
Beaufort Council Offices
5 Lawrence Street, Beaufort

Wadawurrung Country

TABLE OF CONTENTS

1. WELCOME 3

2. STREAMING PREAMBLE 3

3. OPENING PRAYER 3

4. ACKNOWLEDGEMENT OF COUNTRY 3

5. APOLOGIES..... 3

6. NOTICE OF DISCLOSURE OF INTEREST BY COUNCILLORS AND OFFICERS 3

7. CONFIRMATION OF THE PREVIOUS MINUTES..... 4

8. BUSINESS ARISING 4

9. PUBLIC PARTICIPATION..... 4

10. ITEMS FOR NOTING 5

 10.1. Economic Development and Tourism 5

 10.1.1. Economic Development Update..... 5

 10.1.2. Kick Starting Events Update..... 9

 10.2. Corporate and Community Services 11

 10.2.1. Customer Action Requests - November 2021 Update 11

 10.2.2. Legislative Change Implementation Update 16

11. COUNCILLOR ACTIVITY REPORTS 18

 11.1. Councillor Activity Reports - November 2021 18

12. ASSEMBLY OF COUNCILLORS..... 21

13. ITEMS FOR DECISION 23

 13.1. Asset and Development Services..... 23

 13.1.1. PA3031/20 - Planning Report for the Use and Development of a single dwelling at 1035B Elmhurst-Glenpatrick Road Glenpatrick VIC 3469 23

 13.1.2. PA21110 - Planning Report for the Use and development of a single dwelling and outbuildings at 705 Ararat - St Arnaud Rd Crowlands VIC 3377 29

 13.1.3. PA21102 - Planning Report for the Development of an agricultural shed at Pimms Road, Redbank VIC 3477..... 38

 13.2. Corporate and Community Services 42

 13.2.1. Community Asset Committees 42

 13.2.2. Foundational Workforce Plan 2021-2025 45

 13.3. Chief Executive Office 47

 13.3.1. Avoca Chinese Garden..... 47

14. COUNCILLOR REPORTS AND GENERAL BUSINESS 49

15. CONFIDENTIAL ITEMS 49

16. CLOSE OF MEETING 50

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. 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 16 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 16 November 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. ECONOMIC DEVELOPMENT AND TOURISM

10.1.1. ECONOMIC DEVELOPMENT UPDATE

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: 22/02/02

PURPOSE

To provide Council with an update on recent Economic Development and Tourism activities

BACKGROUND

North East Pyrenees Pipeline

Since coordinating a public meeting in partnership with the Natte Yallock Landcare group and GWM Water in March 2021, Council has assisted with stakeholder recruitment and the development of a funding proposal for completion of a feasibility study and business case for this project. The submission was completed in September and submitted by GWM Water to the Victorian Governments “Investment Fast Track Fund”.

The proposed area of investigation for the project encompasses around 150,000 hectares located predominantly north of Avoca which also includes properties in Central Goldfields and Northern Grampians Shires. The scope of the scheme to establish a secure water supply will include farmers, wineries and vineyards, tourism operators and the townships of Stuart Mill, Redbank, Moonambel, Amphitheatre and Avoca.

The study will be completed in partnership with GWM Water who will lead the project, Central Highlands Water, Central Goldfields and Northern Grampians Shire Council’s who have all confirmed their commitment to the project.

The outcome of the grant application remains outstanding at the time of writing this report.

Internet Programs

The opportunity to lodge expressions of interest in the Victorian Government’s Connecting Victoria Program and the Commonwealth Governments NBN Regional Co-investment Fund have been taken to seek improved internet connectivity for the Moonambel and Lexton areas.

The aim of undertaking these programs is to upgrade internet connectivity from satellite internet to fixed wireless technology at the abovementioned locations.

Integrated Water Management projects

Beaufort Closed Loop Water Recycle Project

The Beaufort Closed Loop Water Recycle Project is a joint initiative of Central Highlands Water and Council. It will allow recycled waste-water to be used at recreational sites and sporting fields including the golf club, Goldfields Recreation Reserve oval, school sports grounds and croquet club.

Central Highlands water are facilitating the construction phase of the project with the support of funding from the Victorian Government via the IWM framework.

The project has moved through the planning approvals processes and contractors have now been engaged to undertake the construction phase which involves:-

- Upgrades to water treatment processes at the Beaufort wastewater treatment plant
- Construction of a trunk pipeline between the treatment plant and golf course
- Upgrades to irrigation infrastructure at each of the sites

Construction is scheduled to commence in early 2022 and conclude in the latter half of the year.

Beaufort Linear Project

Since reporting this project to the November council meeting the project has been endorsed by the Central highlands Integrated Water Forum and a draft application for funding has been developed at the time of developing this report. The submission is due to be lodged by 13 December 2021.

Preliminary contact has been made during the application process with the following stakeholders who have provided their written support for the project:-

- Beaufort Secondary College
- Wadawurrung Traditional Owners Aboriginal Corporation
- Glenelg Hopkins Catchment Management Authority
- Central Highlands Water

Business Concierge Program

The Business Concierge Program was initiated by the Victorian Government to allow councils across the state to employ staff to support business owners meet their covid compliance requirements and to assist with the economic recovery. The Government has extended its financial support for this program by a further three months into the first half of 2022.

Victoria progressed to phase D of the Covid recovery roadmap on 18 November which has opened up the economy specifically for members of the community who are fully vaccinated which in the Pyrenees exceeds 95% of the population and (according to the Australian Immunisation Register) 91.4% for Victoria.

Individual liaison and visitation with businesses regarding covid compliance issues as well as providing business resilience support continues as does updating businesses through E-newsletters and emails to inform them where and how to access information on current covid settings and support.

Tourism

Industry Strengthening Project

Ballarat Regional Tourism have developed an Industry Strengthening Program to support the sector in the recovery phase. This project is being developed in partnership with City of Ballarat, Moorabool and Pyrenees Shire Councils.

A region wide survey has been completed on the needs of businesses which was undertaken in the Pyrenees by direct phone calls from council staff to tourism operators. The results of the survey are currently being disseminated to inform the project plan for the Industry Strengthening Program.

Regional Tourism Investment Fund

The Victorian Government recently announced the Regional Tourism Investment Fund which opened on 11 November. The fund is aimed at supporting new and innovative tourism infrastructure projects that will increase visitation, drive private investment and deliver more jobs. Applications have been invited for sums of between \$150,000 and up to \$10M.

Council has circulated the details to industry stakeholders and we are aware of three potential applications at this time. Expressions of interest must be lodged by 7 January with applications to be submitted by 14 January 2022.

Tourism Marketing

The recent opening up of Melbourne and regional Victoria has seen growth in visitation to the region. The MOU with the City of Ballarat has enabled marketing primarily into the Melbourne market for people to come to Ballarat and explore the region including the Pyrenees. The marketing is principally through social media and on digital platforms such as the Visit Ballarat website - [Pyrenees - Visit Ballarat](#)

Visitors are directed to the Visit Pyrenees website for information about the local tourism product, and the nature based *"Unplug and Unwind"* which has been the primary marketing theme. Work is underway to develop a new Pyrenees visitor app, and a collaborative marketing campaign with the City of Ballarat, *"Road to Red"* is proposed to launch in the new year. The Avoca – Moonambel wine cycle touring route signage is installed and a touring map is in preparation.

Events

Following the announcement that Victoria moved to phase D of the Covid19 roadmap on 18 November and the relaxation of restrictions at the time, events are now able to be hosted with much less restriction. In practical terms events can now proceed without requiring individual approval by the Chief Health Officer. And can operate at full capacity unless the crowds exceed 30,000 people.

Events need to follow the requirements in the Chief Health Officer's Directions that apply to their venue, such as QR code check-in and having a COVID Check-In Marshal checking the vaccination status of patrons.

Organisers of events that are held in public places where the event organisers do not have exclusive control over the space – such as street parades or sports events on public roads – are not

required to monitor the vaccination status of spectators or the public. However, event workers, participants and patrons must be fully vaccinated to access areas the event organisers have control over, such as the start and finish areas.

As a consequence of these changes, events are now re-emerging with the following being examples of those which have been scheduled to the end of December:-

- Avoca and Beaufort Markets on the fourth Saturday of each month. Beaufort Progress Association who run these two events have advised that both stall holder and visitors numbers to the November markets were very strong.
- Summerfield Paella in the Pyrenees was held on 27 November. The event was sold out and featured music by artists including Ross Wilson and the Peacenicks, The Badloves, King Canyon and local artist Laura Fitzgibbon.
- Mount Mitchell held an open garden event
- Wild Beeripmo is due to be held on 11 December

Events will recommence in the new year with the town markets and Beaufort Agricultural Society inaugural horse show due on 30 January.

ISSUE / DISCUSSION

Not applicable

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 4 - Economy

4a. Support our local businesses and help to strengthen key industries.

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

The projects and activities outlined in this report do not entail any additional budget considerations by council.

CONCLUSION

Not applicable

OFFICER RECOMMENDATION

That Council notes this report

10.1.2. KICK STARTING EVENTS UPDATE

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: 32/13/06

PURPOSE

This report is to provide an update to Council on the Kick Start Events Program

BACKGROUND

Council secured a \$30,000 grant via the Victorian Governments Regional Recovery Fund. These funds were approved to enable Council to support community and business groups in the Pyrenees to plan and deliver small scale events to stimulate community and economic activity under a “Kick Start Events” program.

ISSUE / DISCUSSION

At the August Council meeting Council endorsed its support for the events outlined below.

Beaufort Progress Association were granted \$5,000 to engage a professional market coordinator for the operation of the Beaufort Town Market. The Beaufort town markets recommenced in October following a Covid19 lock down. BPA have also taken responsibility more recently for coordination of the Avoca Town Market. The two markets are hosted on the fourth weekend of the month with Beaufort being on Saturday and Avoca on Sunday.

Beaufort Walkfest Inc. were allocated \$2,250- to assist with an expanded range of walking trails for their Walkfest event. This event was originally scheduled for October and was postponed to April 2022 due to Covid 19 lock downs.

Beaufort Golf and Bowls Club were allocated \$5,000- for an “Elvis on the Green” event scheduled for 20/3/2022. The club have advised that they have had to reorganise their entertainment to a jazz event which will now be promoted as the Beaufort Golf Club’s Jazz on the Green.

Tour de Trails have their Wild Beeripmo run scheduled for Saturday 11 December for which Council allocated \$5,000. The event starting point is from Cave Hill Creek and includes trail runs of distances over 5, 11 and 21 km.

Beaufort Football and Netball Club Beaufort Truck and Car Show was allocated \$5,000 to introduce a new fireworks element. This event remains scheduled for 12/3/2022.

Avoca Arts & Gardens Inc. were allocated \$5,000 to run their “Silobration” event. The event has been postponed from October until Autumn next year due to a combination of factors including Covid restrictions and to allow sufficient time for site remediation and preparations to be completed.

The Beaufort Agricultural Society Summer Horse Show remains on schedule for 30 January 2022. An amount of \$3,670 was provided to support this new event.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 4 - Economy

4a. Support our local businesses and help to strengthen key industries.

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

There are no additional risks or financial implications for the Kick Start Events Program to those previously reported to Council.

CONCLUSION

While some events have been postponed to next year as outlined in this report, all events that were granted support under the Kick Start Program are scheduled to be completed within the timeframes allocated under this program.

OFFICER RECOMMENDATION

That Council notes this report

10.2. CORPORATE AND COMMUNITY SERVICES

10.2.1. CUSTOMER ACTION REQUESTS - NOVEMBER 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 November 2021.

BACKGROUND

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

Work commenced in late 2021 to identify complaints that may have been input as a customer action request and process them accordingly.

ISSUE / DISCUSSION

477 CARs were logged in November 2021, 76 more than the previous month. Of these requests 236 related to telephone messages.

250 CARs were closed in the month, leaving a total of 296 outstanding, of which 78 related to telephone messages.

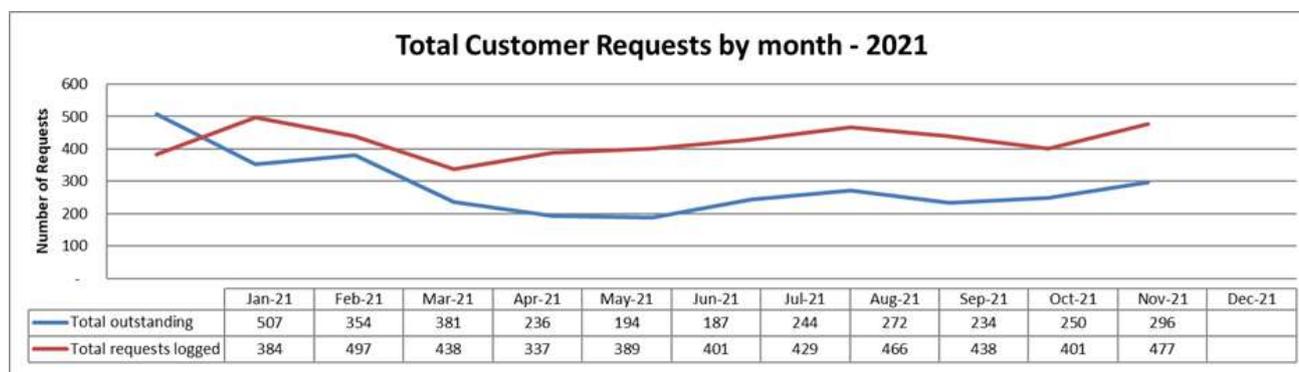
Of the non-telephone call requests received, the following represents those received and still outstanding for November by Ward:

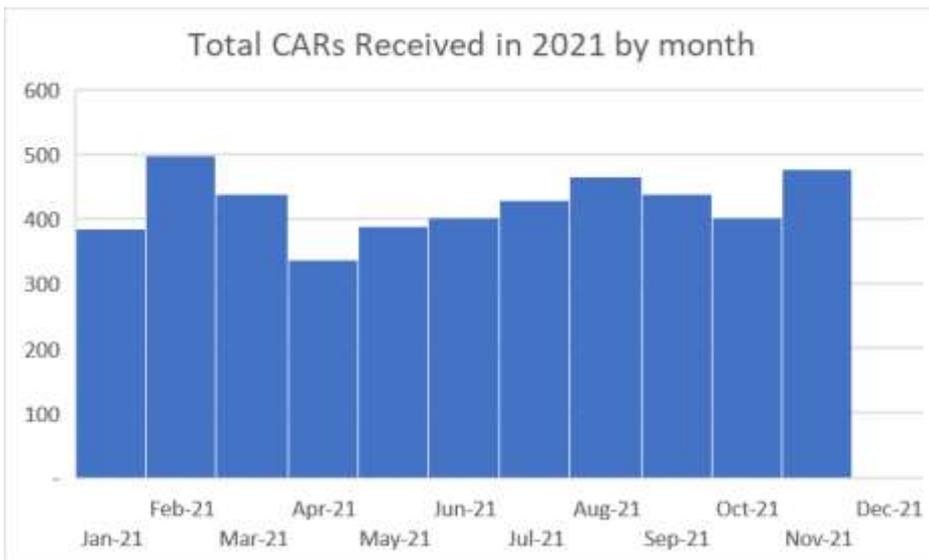
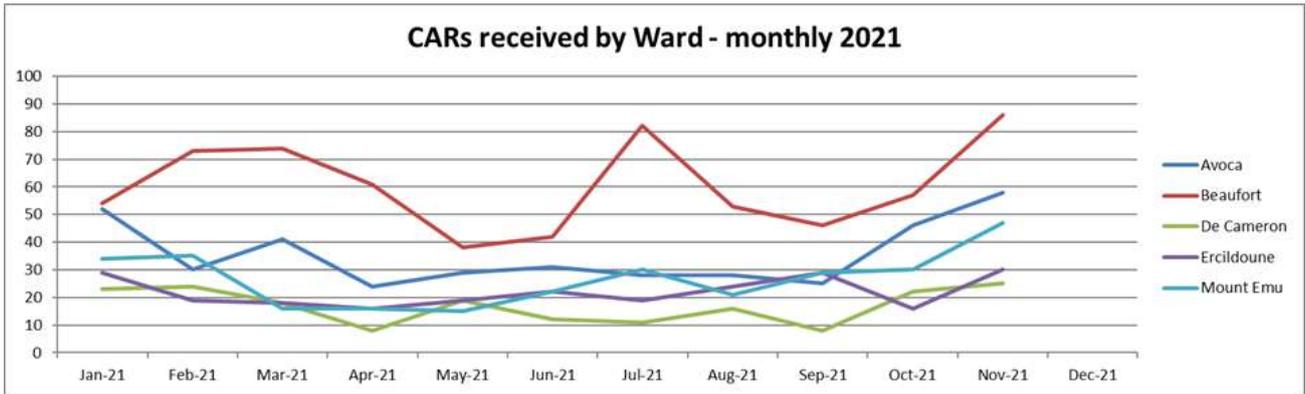
	Avoca Ward	Beaufort Ward	DeCameron Ward	Ercildoune Ward	Mt Emu Ward
Number of requests received in November 2021 (previous month).	58 (46)	86 (57)	25 (22)	30 (16)	47 (21)
Requests received in August and closed in the same month (% of total received).	32 (50%)	56 (5%)	18 (56%)	13 (46%)	25 (71%)
Requests received in November outstanding.	26	30	7	17	22
Outstanding requests from 2020.	0	2	0	0	0
Outstanding requests from 2019.	1	0	0	0	0
Total outstanding requests (previous month).	60 (54)	69 (75)	20 (18)	36 (25)	37 (27)

Analysis:

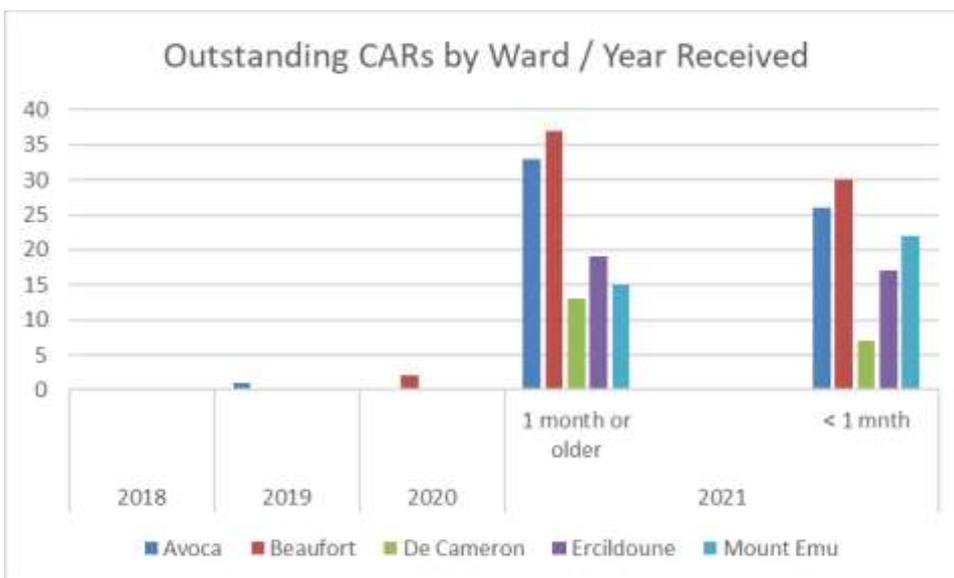
- 78 telephone calls remained open at the end of the month. Many of these relate to matters that are in the process of resolution which means the calls have been returned. Members of the SLT have been requested to follow up with their teams to ensure that phone message CARs are closed off and transferred to whatever process is used to manage outstanding matters, so they don't distort the statistics on meeting target service levels on answering telephone messages.
- Outstanding CARs increased by 12% in November from the previous month, with the largest increases in Ercildoune and Mount Emu Wards.
- The total CARs received during 2021 remained steady across the year but were variable month-on-month.
- No requests remain outstanding from 2017 or 2018. 1 request remains outstanding from 2019 which relates to a complex drainage issue in the Avoca Ward. 2 requests remain outstanding from 2020, both of which relate to drainage issues in the Beaufort Ward. A request has been made to responsible officers for these matters to be moved to a long-term drainage assets replacement program and closed off the CARs system.
- Work continues with scrutinising outstanding CARs with a view to the system continuing to be used as a short-term request system only, with longer-term more complex issues moved to more appropriate processes for management and resolution.
- The Council Plan 2021-2025 includes a new performance measure that requires CARs to be maintained at a total outstanding of less than 300. At the end of November 2021, 296 remained outstanding which is compliant with that measure.
- Checks of requests made during November identified 3 that will be registered and monitored as service complaints -
 - Beaufort Ward – complaint on damage caused by Council slashing to the nature strip.
 - Beaufort Ward – complaint on untidy manner that sealing contractors left kerb and channel after works.
 - Ercildoune Ward – complaint on delays repairing damage at Langi Kal Kal Road. Believe that the original notifications might have been made to Regional Roads Victoria.

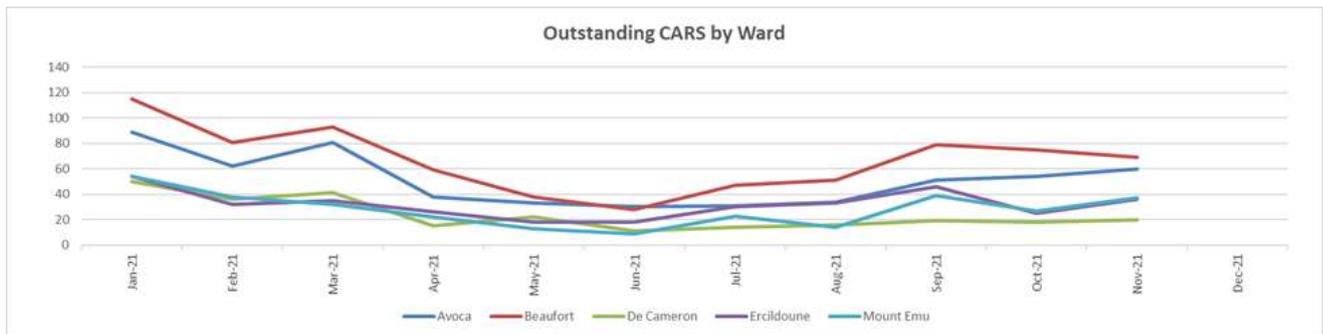
The following graphs display requests received by Ward/month and totals received for 2021.





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.

30 November 2021 - Open Requests - Type			
	Oct	Oct	Change
Roads & Rd Maint.	48	61	13
Streetlights	2	2	0
Drainage	27	34	7
Footpaths	10	12	2
Park & Reserves	8	5	-3
Roadside Veg	35	60	25
Environmental Health	0	1	1
Planning	2	1	-1
Bld maint	17	18	1
Local Laws	17	4	-13
Cats	4	0	-4
Dogs	2	5	3
Livestock Act	0	1	1
Parking	0	1	1
Fire Hazard	0	3	3
Bld Compliance	0	3	3
Waste Management	4	0	-4
Natural Disasters	0	0	0
Pools	3	3	0
Council cleaning	5	2	-3
EPA - Litter	0	0	0
Design & Assets	2	2	0
GIS	0	0	0
Community Wellbeing	0	1	1
Rural Addressing	0	1	1
Road Naming	3	4	1
Telephone messages	61	72	11
Total	250	296	46

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 or where a request is not recognised as a complaint.

CONCLUSION

The customer action request system remains an integral part of Council's reactive identification of issues that need attention. 2021 sees an ongoing review of how the system is used, including finding proactive ways to improve speedier resolution and reporting against progress. This report provides a statistical overview of requests received and actions during November 2021.

OFFICER RECOMMENDATION

That Council notes this report.

10.2.2. 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
Workforce Plan – 2021-2025	31 Dec 2021	Complete Provided to Council for information Dec 2021
Recruitment Policy	31 Dec 2021	Complete Approved by CEO Dec 2021
Revisit Community Engagement Policy and new Community Engagement Strategy	Promised to review late 2021	In progress – drafting underway in preparation for Community Engagement
Employee Code of Conduct	31 Dec 2021	Complete Approved by CEO Dec 2021
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.

Item	Due	Status
Develop and implement a process for conducting gender impact assessment on projects, programs, and policy.	31 Dec 2021	Complete Published for staff use in Dec 2021
Conduct workplace gender audit based on data available as of 30 June 2021 and submit to the Public Sector Gender Equality Commissioner.	Due 1 Dec 2021	Complete

Gender Equality Act 2020 cont.

Item	Due	Status
Develop and submit Gender Equality Action Plan.	Due 31 Mar 2021	In progress. Working Group convened to develop.

As there are just two items left to report against in the implementation of the two pieces of legislation that are the focus of this report, it is proposed that no further implementation updates will be provided until each of the items are completed, unless requested otherwise by Council.

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.

11. COUNCILLOR ACTIVITY REPORTS

11.1. COUNCILLOR ACTIVITY REPORTS - NOVEMBER 2021

Cr Ron Eason – Avoca Ward		
Tue 09	Councillor Briefing Session	Lexton
Tue 09	Statutory Meeting of Council	Lexton
Sat 13	Changeover Dinner of Ararat Legacy	Ararat
Tue 16	Councillor Briefing Session	Avoca
Tue 16	Ordinary Meeting of Council	Avoca
Thu 18	Committee for Ballarat Round Table	Castlemaine
Fri 19	Avoca Food Pantry AGM	Avoca
Fri 19	Municipal Association of Victoria (MAV) Meeting	Virtual
Wed 24	Beaufort Skipton Health Service AGM	Virtual
Thu 25	Book Launch – The Undertaker’s Daughter	Beaufort
Fri 26	Onsite Meeting regarding Drainage	Avoca
Fri 26	MAV Representatives & CEOs Meeting	Virtual
Sun 28	Opening of Avoca Town Market	Avoca
Tue 30	Mayor / CEO Meeting	Avoca

Cr Tanya Kehoe – Mount Emu Ward		
Thu 04	Municipal Emergency Management Planning Committee (MEMPC) Meeting	Virtual
Tue 09	Councillor Briefing Session	Lexton
Tue 09	Statutory Meeting of Council	Lexton
Tue 16	Vaccination Forum Discussion	Virtual
Tue 16	Councillor Briefing Session	Avoca
Tue 16	Ordinary Meeting of Council	Avoca
Wed 17	Pyrenees COVID Vaccination Forum	Beaufort

Cr Robert Vance – De Cameron Ward		
Tue 09	Councillor Briefing Session	Lexton
Tue 09	Statutory Meeting of Council	Lexton
Fri 12	Rural Councils Victoria (RCV) Meeting	Virtual
Tue 16	Councillor Briefing Session	Avoca
Tue 16	Ordinary Meeting of Council	Avoca
Tue 23	Audit & Risk Committee Meeting	Beaufort

Cr David Clark – Ercildoune Ward		
Wed 03	MAV Meeting with Minister De Ambrosio re waste	Virtual
Thu 04	MAV Meeting – Rule Review Steering Committee	Virtual
Thu 04	MAV Board Briefing	Virtual
Fri 05	MAV Board Meeting	Virtual
Fri 05	MAV Meeting – Met with Lord Mayor and City of Melbourne	Virtual
Mon 08	MAV Rural Gippsland Regional Meeting	Virtual
Tue 09	Councillor Briefing Session	Lexton
Tue 09	Statutory Meeting of Council	Lexton
Thu 11	Central Victorian Greenhouse Alliance Finance Meeting	Virtual
Thu 11	Remembrance Day Commemoration	Ararat
Thu 11	MAV Special Board Meeting – MAV Rules	Virtual
Fri 12	MAV Meeting – Greenhouse Alliances	Virtual
Fri 12	ALGA Board Meeting	Virtual
Mon 15	MAV Southern Metro Regional Meeting	Virtual
Mon 15	State Opposition WorkCare Briefing	Virtual
Tue 16	MAV Meeting with Deputy Treasurer Danny Pearson	Virtual
Tue 16	Vaccination Forum Discussion	Virtual
Tue 16	Councillor Briefing Session	Avoca
Tue 16	Ordinary Meeting of Council	Avoca
Wed 17	MAV Meeting - Interface Regional	Virtual
Wed 17	MAV Meeting – Local Government Remuneration Tribunal	Virtual
Wed 17	Pyrenees COVID Vaccination Forum	Beaufort
Fri 19	MAV Rural North West Meeting - North West Municipalities	Virtual
Fri 19	MAV Delegates Introduction Session	Virtual
Tue 23	MAV Meeting – Advocacy Program	Virtual
Tue 23	Richard Riordan (Opposition Spokesperson Local Government)	Colac
Tue 23	Waubra Community Hub Meeting	Waubra
Wed 24	Circular Economy Bill – Meeting with the Greens Party	Virtual
Wed 24	Circular Economy Bill – Meeting with Fiona Patten	Virtual
Thu 25	MAV Meeting – MAV Tech Executive	Virtual
Fri 26	MAV State Council – Rules Workshop	Virtual
Mon 29	Circular Economy Meeting	Virtual
Tue 30	Visit to Hume City Council	Broad Meadows

Cr Damian Ferrari – Beaufort Ward		
Tue 09	Councillor Briefing Session	Lexton
Tue 09	Statutory Meeting of Council	Lexton
Tue 16	Councillor Briefing Session	Avoca
Tue 16	Ordinary Meeting of Council	Avoca
Tue 23	Audit & Risk Committee Meeting	Beaufort
Thu 25	Book Launch – The Undertaker’s Daughter	Beaufort

12. ASSEMBLY OF COUNCILLORS

MEETING INFORMATION			
Meeting Name	Councillor Briefing Session		
Meeting Date	9 November 2021 commenced at 1.00pm and closed at 4.30pm		
Meeting Location	Lexton Community Centre, 1 Gold Smith Street, Lexton Vic 3352		
Items Discussed	<ol style="list-style-type: none"> 1. Statutory Meeting Agenda Review 2. Gender Equity Data 3. Workforce Plan 4. Council Meeting, Briefing and Community Cuppa Schedule 5. Councillor Christmas Gathering 6. Christmas Office Closure and Service Arrangements 7. December Council Meeting Agenda Review 		
ATTENDEES			
Councillors	Mayor Cr Damian Ferrari (from 3.15pm) Cr Ron Eason Cr Tanya Kehoe	Cr David Clark Cr Robert Vance	
Apologies	Nil		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services) Norman Prueter (Manager People and Culture) – Items 2 and 3		
Visitors	Nil		
CONFLICT OF INTEREST DISCLOSURES			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

MEETING INFORMATION			
Meeting Name	Councillor Briefing Session		
Meeting Date	16 November 2021 commenced at 1.00pm and closed at 5.30pm		
Meeting Location	RTC Room, Avoca Community Information Centre, 122 High Street, Avoca Vic 3467		
Items Discussed	<ol style="list-style-type: none"> 1. Avoca Chinese Garden 2. Western Victoria Transmission Network Project (WVTNP) Update 3. Avoca Community Arts & Gardens Inc. 4. WVTNP Discussion 5. Beaufort Lake Caravan Park Assessment Update 6. Off the Leash Dog Park and Beaufort Weighbridge 7. Community Grants 8. December Council Meeting Agenda Review 9. Councillor Column 		
ATTENDEES			
Councillors	Mayor Cr Damian Ferrari Cr Ron Eason Cr Tanya Kehoe	Cr David Clark (from 1.10pm) Cr Robert Vance	
Apologies	Nil		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services) Katie Gleisner (Manager Planning and Development) – Items 2, 4, 5 and 6 Ray Davies (Manager Economic Development and Tourism) – Item 5		
Visitors	Elizabeth Teal and Deb Hicks (Avoca Chinese Garden Committee) – Item 1 Justin Justin and Michael Willis (AusNet Services) – Item 2 Hugh Forster and Marg Pilgrim (Avoca Community Arts & Gardens Inc.) – Item 3 Tony Briody and John Moloney – Item 4		
CONFLICT OF INTEREST DISCLOSURES			
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.

13. ITEMS FOR DECISION

13.1. ASSET AND DEVELOPMENT SERVICES

13.1.1. PA3031/20 - PLANNING REPORT FOR THE USE AND DEVELOPMENT OF A SINGLE DWELLING AT 1035B ELMHURST-GLENPATRICK ROAD GLENPATRICK VIC 3469

Katie Gleisner – Manager Planning and Development Services

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

File No: .

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 PA3031/20 for the Use and development of a single dwelling at Crown Allotment 17 Section 5 Parish of Glenpatrick (Vol: 09132, Fol:569) at 1035B Elmhurst-Glenpatrick Road Glenpatrick VIC 3469.

BACKGROUND

Council has received a planning permit application, seeking permission for the use and development of a single dwelling. The proposed dwelling contains three bedrooms, a bathroom, laundry, wash closet, kitchen, meals and family area.

The site is within the Rural Conservation Zone and is entirely subject to the Restructure Overlay and Bushfire Management Overlay. The proposed use and development is subject to a planning permit in accordance with Clause 35.06 Rural Conservation Zone, Clause 44.06 Bushfire Management Overlay and Clause 45.05 Restructure Overlay.

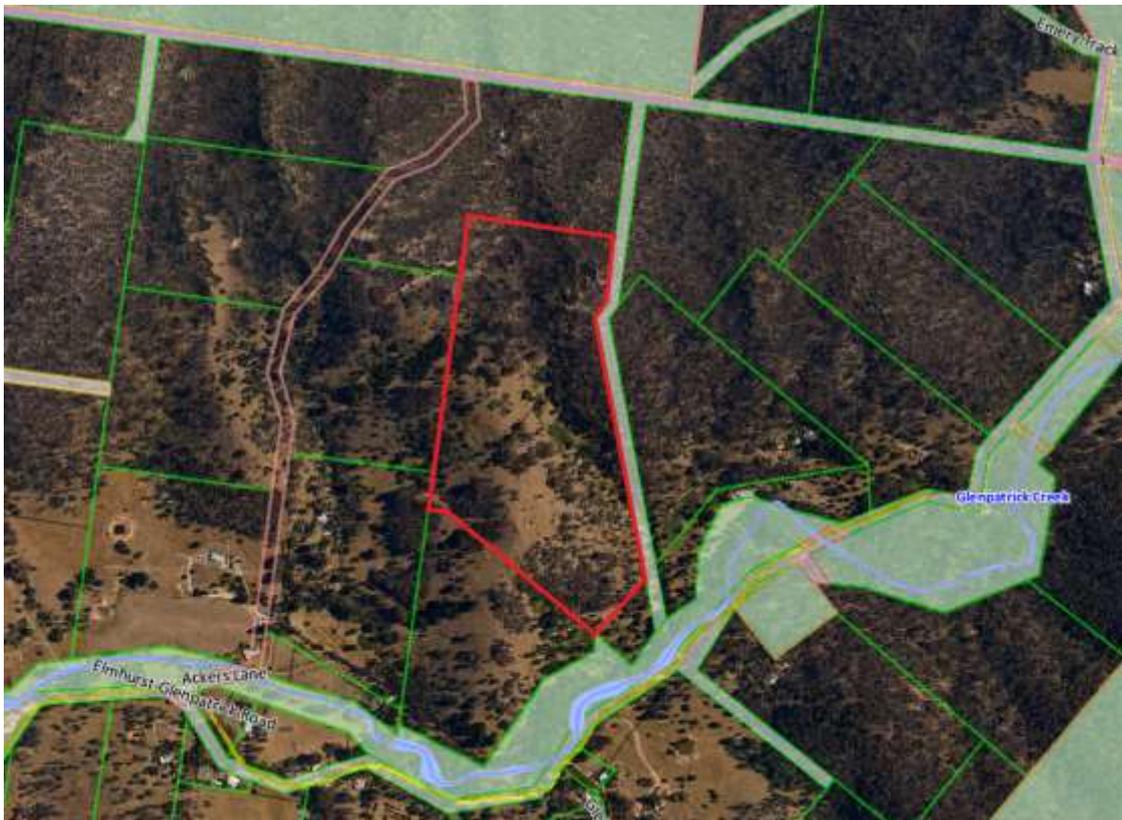


Figure 1: Locality plan showing subject site in red (Spectrum Spatial, 2021)

SITE AND SURROUNDING CONTEXT

Location	Crown Allotment 17 Section 5 Parish of Glenpatrick (Vol: 09132, Fol:569) at 1035B Elmhurst-Glenpatrick Road Glenpatrick VIC 3469
Area	20.4 hectares
Current use	The site vacant, unfenced
Existing structures	Nil (domestic materials being stored on site)
Access	Access to the site is via an “unmade” Government Road on the eastern title boundary which intersects the Glenpatrick-Elmhurst Road.
Zones and Overlays	Clause 35.06 Rural Conservation Zone Clause 44.06 Bushfire Management Overlay Clause 45.05 Restructure Overlay, Schedule 8

NOTICE AND SUBMISSIONS

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 a range of conditions.

The application was referred under Section 55 of the *Planning and Environment Act 1987* (The Act) to the Country Fire Authority in their role as a determining referral authority. The CFA have provided conditional consent to the granting of a planning permit. These conditions include:

“Endorsement of Bushfire Management Plan

Endorsement of Bushfire Management Plan Before the development starts, the Bushfire Management Plan Elmhurst-Glenpatrick Rd 1035B Glenpatrick, Version 1, Dated: 7 October 2020, page 1 of 2 & 2 of 2 prepared by BAL Assessments must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.”

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;
- the objectives of planning in Victoria;
- all objections and other submissions which it has received, and which have not been withdrawn;
- any decision and comments of a referral authority it has received;
- 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

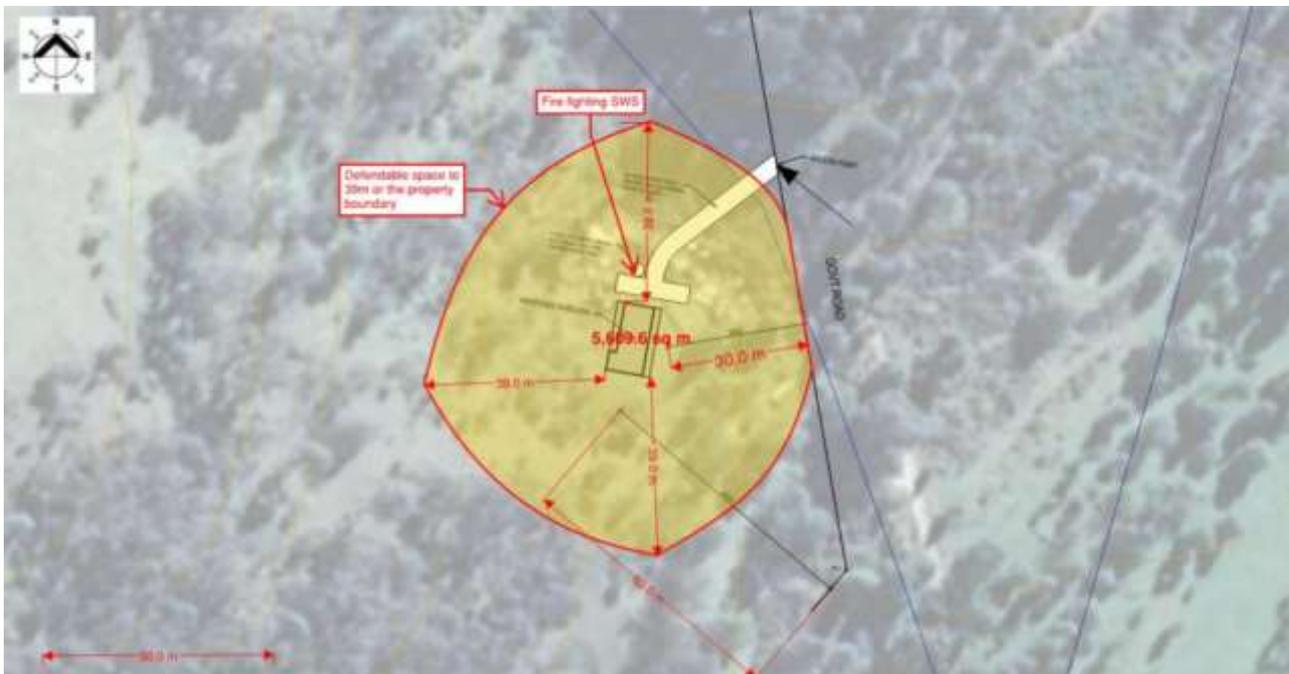
The Glenpatrick locality is identified under the Pyrenees Planning Scheme as an area to be restructured and protected for its significant environmental attributes.

The Rural Conservation Zone has been applied to this area in recognition of the landscape, environmental values of the locality, high degree of environmental hazard and sensitivity to environmental deterioration.

The subject site is within an area identified to be environmentally sensitive and is defined as forming part of the Palaeozoic II (2) sediment land system (Clause 02.03-3). This system consists of prominent ranges and environmental hazards including high incidences of erosion, widespread salting and steep slopes. Local policy seeks to preserve the hillscares, ridgelines and key topographic features by preventing and discouraging inappropriate use and development on land that is demonstrated to have serious environmental management constraints and to encourage increased tree and vegetation cover on hills and slopes.

The documentation accompanying the planning permit application, does not suitably demonstrate how the proposed use and development will enhance the natural environment or how the development takes into account the conservation values and environmental sensitivity of the locality.

Specifically, the application does not seek to address the impacts associated with the removal of native vegetation to achieve the required amount of defensible space and the development of appropriate access. Rather, the application claims that no native vegetation will be removed. The Bushfire Management Plan requires the removal of 5609.6 square metres of native vegetation to achieve a level of defensible space for the development. This includes the modification and ongoing management of vegetation within a radius of 39 metres of the proposed dwelling to reduce the effects of flame contact and radiant heat associated with bushfire.



The removal of this vegetation is inconsistent with the Rural Conservation Zone which emphasizes the protection and enhancement of the natural environment particularly on slopes within the Palaeozoic II sediment land system.

The application of the Bushfire Management Overlay on this location, identifies the site as being an area of extreme bushfire hazard. Clause 13.02-1S Bushfire Planning, seeks to direct population growth and development to low-risk locations and ensure the availability of, and safe access to, areas where human life can be protected from the effects of bushfire.

Further, the Bushfire Planning Policy, seeks to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life and to ensure fire risks are carefully considered throughout the development process.

Access to the subject site is limited to a singular point of ingress, egress, and regress, via the Glenpatrick-Elmhurst Road. This road is narrow with heavily vegetated verges, and may not be available to support the evacuation of residents from the subject site, or access for emergency services in the instance of a bushfire.

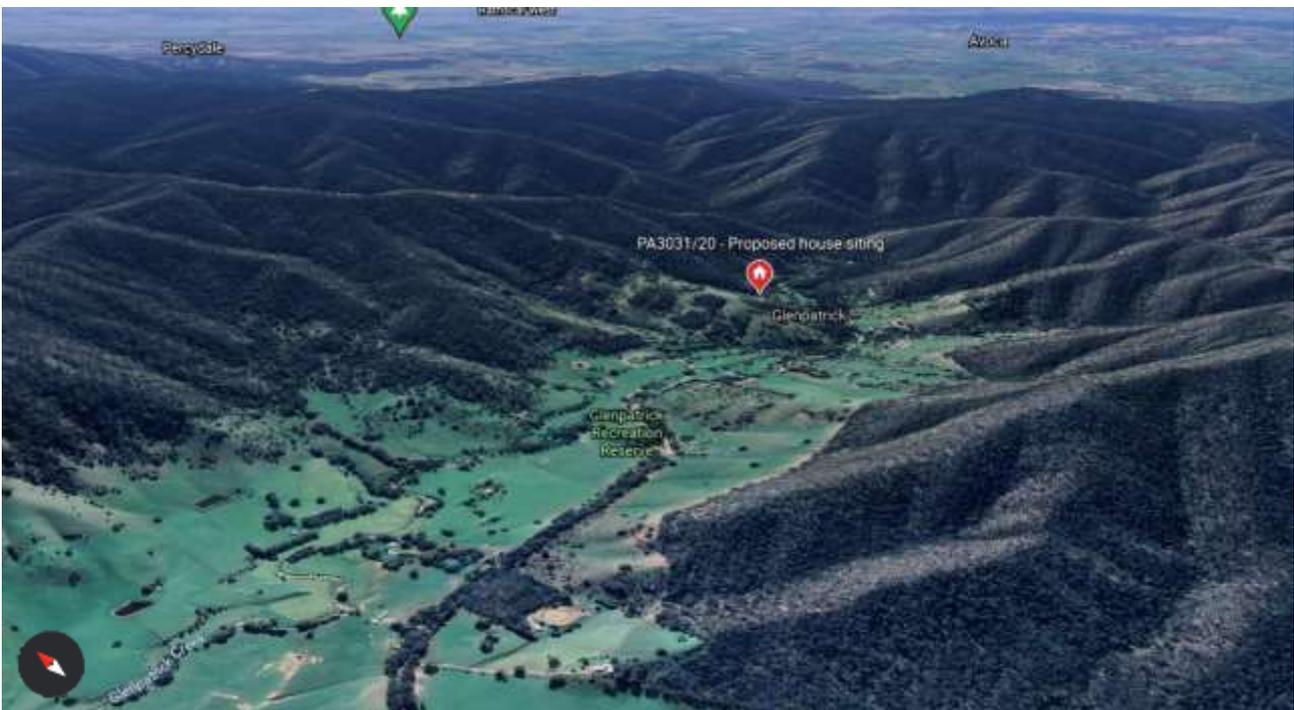


Figure 2: Subject site as shown on Google Earth with topography (Google Earth 2021)

Clause 71.02-3 (Integrated decision making) sets out principles that the Responsible Authority must apply when making planning decisions. These include:

“Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.”

The Restructure Overlay seeks to identify old and inappropriate subdivisions which are to be restructured and to preserve and enhance the amenity of the area and reduce the environmental impact of dwellings and other development. The Glenpatrick Creek & Nowhere Creek Environs seeks to prevent inappropriate development in the environs of Glenpatrick Creek and discourage inappropriate small lot rural residential development.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 1 - People

1a. Prepare for emergencies and ensure community safety.

Priority 2 - Place

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

2c. Promote responsible development.

Priority 3 - Environment

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

ATTACHMENTS

1. P A 3031 Application Redacted [13.1.1.1 - 83 pages]
2. Planning Scheme Planning Considerations [13.1.1.2 - 213 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 Responsible Authority must ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts.

Whilst the application details how the development may meet the 'Approved Measures' for bushfire protection, it does not satisfactorily identify the site as being suitable for residential development when balancing the objectives of the Rural Conservation Zone, against the impacts associated with achieving the required defendable space.

Further, Bushfire Planning Policy seeks to prioritise the protection of human life by directing population growth and development to low-risk locations and strengthening the resilience of settlements and communities to bushfire through risk-based planning.

Clause 65 states that *'Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.'*

The Planning Policy Framework does not support the application for the use and development of a single dwelling at Crown Allotment 17 Section 5 Parish of Glenpatrick (Vol: 09132, Fol:569) at 1035B Elmhurst-Glenpatrick Road Glenpatrick VIC 3469, as it would produce planning outcomes that are inconsistent with the objectives and strategies of the Pyrenees Planning Scheme.

OFFICER RECOMMENDATION

That Council:

1. Notes the objectives and strategies of the Local and State Planning Policy Framework and the Municipal Strategic Statement of the *Pyrenees Planning Scheme*.
2. 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 Refusal to Grant a Planning Permit under the provisions of the Pyrenees Planning Scheme for the Crown Allotment 17 Section 5 Parish of Glenpatrick (Vol: 09132, Fol:569) at 1035B Elmhurst-Glenpatrick Road, Glenpatrick VIC 3469 for the following reasons:
 - a. The proposed use and development is not supported by Planning Policy objectives and strategies which relate to Environmental Risks as described in Clause 13.02-1S Bushfire Planning,
 - b. The proposed use and development is not supported by Clause 35.06 Rural Conservation Zone.
 - c. The proposed use and development is not supported by local policy objectives as described within Clause 02.03.
 - d. The proposed use and development is not supported by Clause 13.02-1S Bushfire Planning.

13.1.2. PA21110 - PLANNING REPORT FOR THE USE AND DEVELOPMENT OF A SINGLE DWELLING AND OUTBUILDINGS AT 705 ARARAT - ST ARNAUD RD CROWLANDS VIC 3377

Katie Gleisner – Manager Planning and Development Services

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

File No: 103033300

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 PA21110 for the Use and development of a single dwelling and primary produce sales at Crown Allotment 14 Section 5 Township of Crowlands Parish of Crowlands (Vol: 09989 Fol: 329) at 705 Ararat - St Arnaud Rd Crowlands VIC 3377.

BACKGROUND

Council has received a planning permit application, seeking permission for the use and development of a single dwelling, associated outbuildings and primary produce sales.

The proposed dwelling contains three bedrooms, a dining and lounge room, kitchen, laundry and bathroom.

The proposed primary produce sales include a Primary Produce Sales (farm gate) located on the south-eastern corner of the site to sell produce to the public.

The proposed use and development is subject to a planning permit in accordance with Clause 35.07 of the Pyrenees Planning Scheme, as the subject lot is less than 40ha and the proposal is within 100 metres of a dwelling in a separate ownership.

SITE AND SURROUNDING CONTEXT

Location	Crown Allotment 14 Section 5 Township of Crowlands Parish of Crowlands (Vol: 09989 Fol: 329) at 705 Ararat - St Arnaud Rd Crowlands VIC 337
Area	3.03 hectares
Current use	Nil
Existing structures	The site is fenced and contains a small shed
Access	The site has road frontage to Ararat-St Arnaud Road along the western title boundary and to an unmade Government Road along the northern title boundary.
	The application proposed primary access to the site via Ararat-St Arnaud Road.
Zones and Overlays	Clause 35.07 Farming Zone, Clause 45.05 Restructure Overlay



Figure 3: Subject site (Spectrum Spatial, 2021)

Site plan - proposal

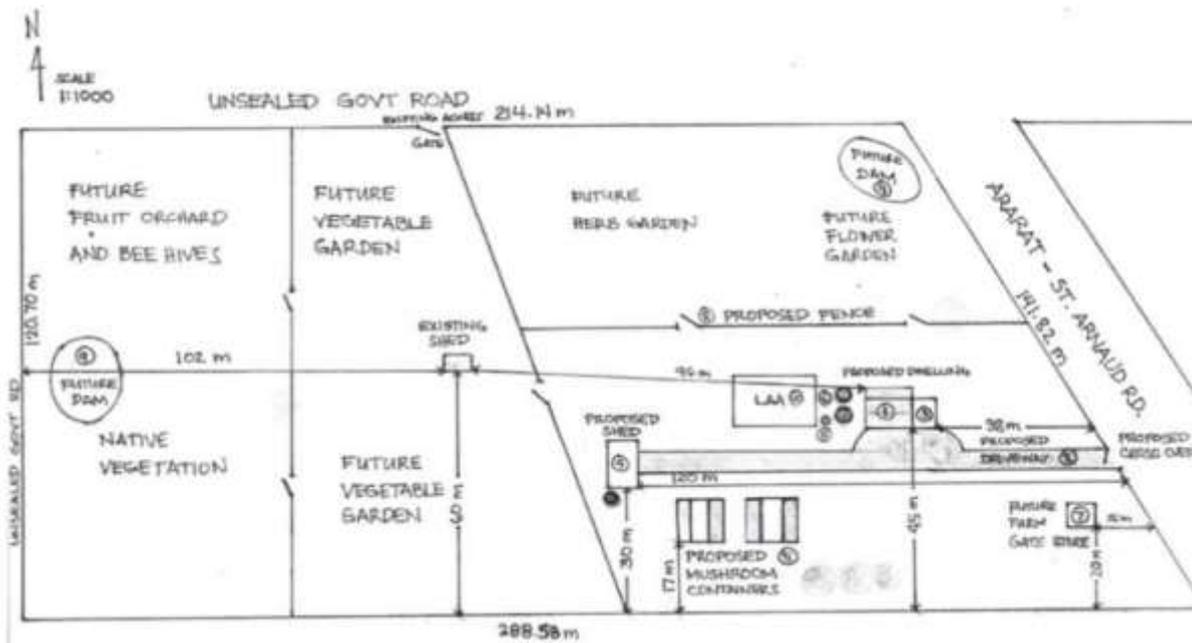


Figure 4: Farm Management Plan (excerpt from Application PA21110)



Photo for illustration purposes only

Figure 5: Proposed mushroom growing facility (Excerpt from Application PA21110)

NOTICE AND SUBMISSIONS

Under Section 52 of the *Planning and Environment Act 1987* (The Act), notice was sent to twelve (12) neighboring landowners abutting the site in accordance with the scheme. Public notice was also provided via Council's website.

The application was subject to an internal referral to Council's Environmental Health and Engineering Departments, who do not oppose the proposed use and development.

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

- Location of proposed farm gate (Primary produce sales) and dwelling in relation to neighbouring dwelling (setbacks)
- The use of land as a rural industry
- Traffic safety concerns associated with property access and farm gate (primary produce sales) and speed limit of the Ararat-Crowlands Road.
- Suggestion that an alternative point of access be encouraged
- Odour and noise associated with mushroom growing and production
- Loss of privacy
- Horses kept on adjoining property
- Suggestion that storage should be positioned to the north of the property so as to not detract from views

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;
- the objectives of planning in Victoria;

- all objections and other submissions which it has received, and which have not been withdrawn;
- any decision and comments of a referral authority it has received;
- 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 Planning Policy Framework and the *Planning and Environment Act 1987* seek to protect and enhance environmental values whilst mitigating risks resulting from the inappropriate use and development of land. It also seeks to ensure that agricultural and productive rural land use activities are managed for long-term sustainable outcomes, whilst also supporting and encouraging the diversification of the agriculture base.

The site is within the Farming Zone, which seeks to provide for the use of land for agriculture and encourage comprehensive and sustainable land management practices and infrastructure.

The application for a dwelling is supported by a Land Management Plan and Planning Report which demonstrates the economic and environmental sustainability of the proposed enterprise. The proposal intends to commit a significant amount of the lot to food production, which includes the growing of mushrooms, fruit, vegetables, herbs, honey and flowers.

The development has been designed to minimise visual impacts on the surrounding natural landscape. This has been achieved through the use of small structures that have been clustered together to minimise the overall footprint, strategically sited and painted to reduce visibility and impact.

The site is subject to the Restructure Overlay and local policy, which collectively seek to encourage rural land uses outside of the core township area.

The assessing officer has considered the objections made in relation to this application and provides the following response:

Location of proposed farm gate and dwelling in relation to neighbouring dwelling (setbacks)

Primary Produce Sales (Farm Gate)- The Farming Zone identifies Primary Produce Sales as a *Section 1 - Permit not required use*, if the use meets the following conditions:

1. *Must not be within 100 metres of a dwelling in a separate ownership.*
2. *The area used for the display and sale of primary produce must not exceed 50 square metres.*

In this instance, the setbacks are less than 100m from a dwelling not in the same ownership and the proposed use must be treated as a *Section 2 Use - Permit Required*. This allows the Responsible Authority to understand and manage any impacts. The applicant has responded to this concern, advising that they are flexible in the location of the Primary produce sales (farm gate). The assessing officer is satisfied that there is flexibility within the lot to accommodate an

alternative location for produce sales, and that any impacts on the adjoining dwelling can be mitigated.

Dwelling - The proposed dwelling is setback 113 meters from the nearest neighbouring dwelling. This setback satisfies the distance specified within the scheme and therefore the assessing officer.

The use of land as Rural industry.

The Pyrenees Planning Scheme defines the land use term for Rural Industry as:

Land used to:

- a) *handle, treat, process, or pack Sawmill agricultural produce;*
- b) *service or repair plant, or equipment, used in agriculture; or*
- c) *manufacture mud bricks*

The application before Council does not satisfy the definition of a Rural Industry, and therefore the concerns raised are invalid.

Traffic safety concerns associated with the property access, farm gate sales (Primary produce Sales) and speed limit of the Ararat-Crowlands Road.

The Ararat-St Arnaud Road is an Arterial Road managed by VicRoads. The approval associated with the construction of a cross over/property access point is subject to further approval of VicRoads, who have a set of criteria to be satisfied.

Council is not the road manager and not responsible for approving the location or design of a proposed access point. Should a planning permit be granted, it will be subject to the applicant obtaining approval from VicRoads, to construct a vehicle crossover/property access point and complying with any traffic management conditions that may apply.

Horses kept on adjoining property.

The objection does not describe how the proposed use and development will impact the keeping of horses on the neighbouring property. In the absence of this information, officers are unable to understand and require actions to mitigate any impacts that may be had.

Odour and noise associated with mushroom growing and production

All Victorians have a responsibility under the *General Environment Duty of the Environment Protection Act 2017* to reduce the risk of harm from their activities to human health and the environment, from pollution or waste. In the instance that this requirement is not complied with the Environment Protection Authority or Council's Environmental Health Department will take appropriate action.

Suggestion that storage should be positioned to the north of the property so as to not detract from views

The proposed location of the infrastructure associated with the agricultural activity, complies with the requirements of the Pyrenees Planning Scheme. The objection does not clarify what is intended by requesting the infrastructure to be relocated, and therefore appropriate mitigations cannot be identified.

Loss of privacy.

Privacy is not a planning consideration in the context of this application.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 2 - Place

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

2c. Promote responsible development.

ATTACHMENTS

1. Application P A 21110 Redacted [**13.1.2.1** - 37 pages]
2. P A 21110 Submissions [**13.1.2.2** - 8 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

It should be noted, that the use of the subject land, for agricultural purposes, is a section one use, and therefore does not require a planning permit.

Consideration of this application is limited to the use of the land for a dwelling within the Farming Zone and Primary Produce Sales.

The assessing officer is satisfied that Land Management Plan supplied with the application, justifies the development of a dwelling. The proposed use and development accords with the objectives of the Pyrenees Planning Scheme, specifically the Farming Zone and Restructure Overlay. It can be suitably accommodated upon the subject site, through the application of planning permit conditions and the requirement to comply with other legislative obligations.

Officers have assessed the submissions made against the application in accordance with the Scheme and have determined that the points raised do not sufficiently justify refusing to grant a Planning permit.

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 the Use and development of a single dwelling and primary produce sales at Crown Allotment 14 Section 5 Township of Crowlands Parish of Crowlands (Vol: 09989, Fol: 329) at 705 Ararat - St Arnaud Rd Crowlands VIC 3377 subject to the following conditions:

Plans required

1. Before the use and/or development starts, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application and include:
 - a. Floor plan & plan of elevations of the shedding (including mushroom sheds);
 - b. Colour and material schedule of the dwelling and buildings.
2. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a. Amended location of the Farm gate sales
3. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

Building and works

4. The layout of the site and size of the development hereby permitted must be generally in accordance with the plans submitted with the application and endorsed by the Responsible Authority.

Building approval

5. All building works associated with this development must be in accordance with the Building Act 1993 and Building Regulations 2018.

Amenity

6. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a. transport of materials, goods or commodities to or from the land
 - b. appearance of any building, works or materials
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
 - d. presence of vermin.

Hours of operation: Primary Produce Sales

7. The use may operate only between the hours of 8am and 6pm.

Construction Waste

8. The applicant shall be responsible for the control of construction waste during construction and its removal upon completion and the reinstatement of damaged areas about the site to the satisfaction of the Responsible Authority.

Easements

9. All buildings and works must be located clear of any easements or water and sewer mains unless written approval is provided by the relevant authority.

Stormwater management

10. No storm water from the development shall drain or discharge from the land to water ways or adjoining properties, without the prior approval of the Responsible Authority.

Services

11. The dependent persons unit hereby permitted shall not be occupied until such time as it is:
 - a. Connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes
 - b. Connected to reticulated electricity services (or an alternative electricity supply approved by the responsible authority);
 - c. Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles to the dwelling site.
 - d. Connected to a reticulated sewerage system or if not available, the wastewater must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

All service works must be completed to the satisfaction of the responsible authority, prior to the occupation of the dwelling.

Environmental Health Department

12. All wastewater from proposed dwelling/lots must be treated and contained within the property boundaries in accordance with the current EPA Code of Practice – Onsite Wastewater Management: Guidelines for Environmental Management, Australian Standards 1547 and Council requirements.
13. The area set aside for the disposal of waste referred to in this permit shall not be developed by the erection of buildings or the construction of hard standing surfaces.
14. Prior to their occupation, the building or buildings allowed by this permit must be connected to a sewerage disposal system as approved by the Responsible Authority.
15. No buildings or works shall occur over any part of the approved waste disposal system including the septic tank in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).

Vegetation protection works

16. The following vegetation protection works shall be undertaken during site construction including:

- a. No stockpiling around the base of any vegetation;
 - b. No excavation works shall be carried out within the drip line of any tree canopy;
 - c. No damaging roots greater than 50mm in diameter;
17. Weeds around the construction area are to be removed and controlled.
18. All vegetation protection works shall be undertaken to the satisfaction of the Responsible Authority.

Time for starting and completion

19. This permit will expire if one of the following circumstances applies:
- a. The development and use are not started within two years of the date of this permit;
 - b. The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the period for starting the development if a request is made in writing before the permit expires, or within 6 months afterwards.

The Responsible Authority may extend the timeframe for completing the development (or any stage of it) provided the development has been lawfully started before the permit expires, and the request for an extension is made within 12 months after the permit expires.

13.1.3. PA21102 - PLANNING REPORT FOR THE DEVELOPMENT OF AN AGRICULTURAL SHED AT PIMMS ROAD, REDBANK VIC 3477

Katie Gleisner – Manager Planning and Development Services

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

File No: .

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 PA3031/20 for the development of an agricultural shed and the removal of native vegetation at Crown Allotment 1 Section A Parish of Redbank (Vol 09778 Fol 750) at Pimms Road, Redbank VIC 3477.

BACKGROUND

Council has received an application for a planning permit for the development of an agricultural shed and the removal of native vegetation.

The application seeks permission to construct a 12m x 9m (108m²) shed to store equipment associated with the maintenance of the 1.8ha property, as well as the removal of native vegetation from a road reserve associated with the establishment of an access crossover.

The proposed development is subject to a planning permit in accordance with Clause 35.07 Farming Zone and Clause 45.05 Restructure Overlay of the Pyrenees Planning Scheme.

SITE AND SURROUNDING CONTEXT

Location	Crown Allotment 1 Section A Parish of Redbank (Vol: 09778, Fol: 750) at Pimms Road, Redbank VIC 3477.
Area	18635 square metres (1.86 hectares)
Current use	Vacant (no existing agricultural activity)
Existing structures	Remnant fencing (not stock proof)
Access	The western title boundary of the property fronts Pimms Road, which is classed as <i>local access 2</i> on Council's Road Register. However, the application seeks to open a section of unused and unmade government road, which borders the northern property boundary, to serve as primary access.
Other	The property is partially treed with remnant native eucalyptus species.



Figure 6: Subject site in orange (VicPlan 2021)

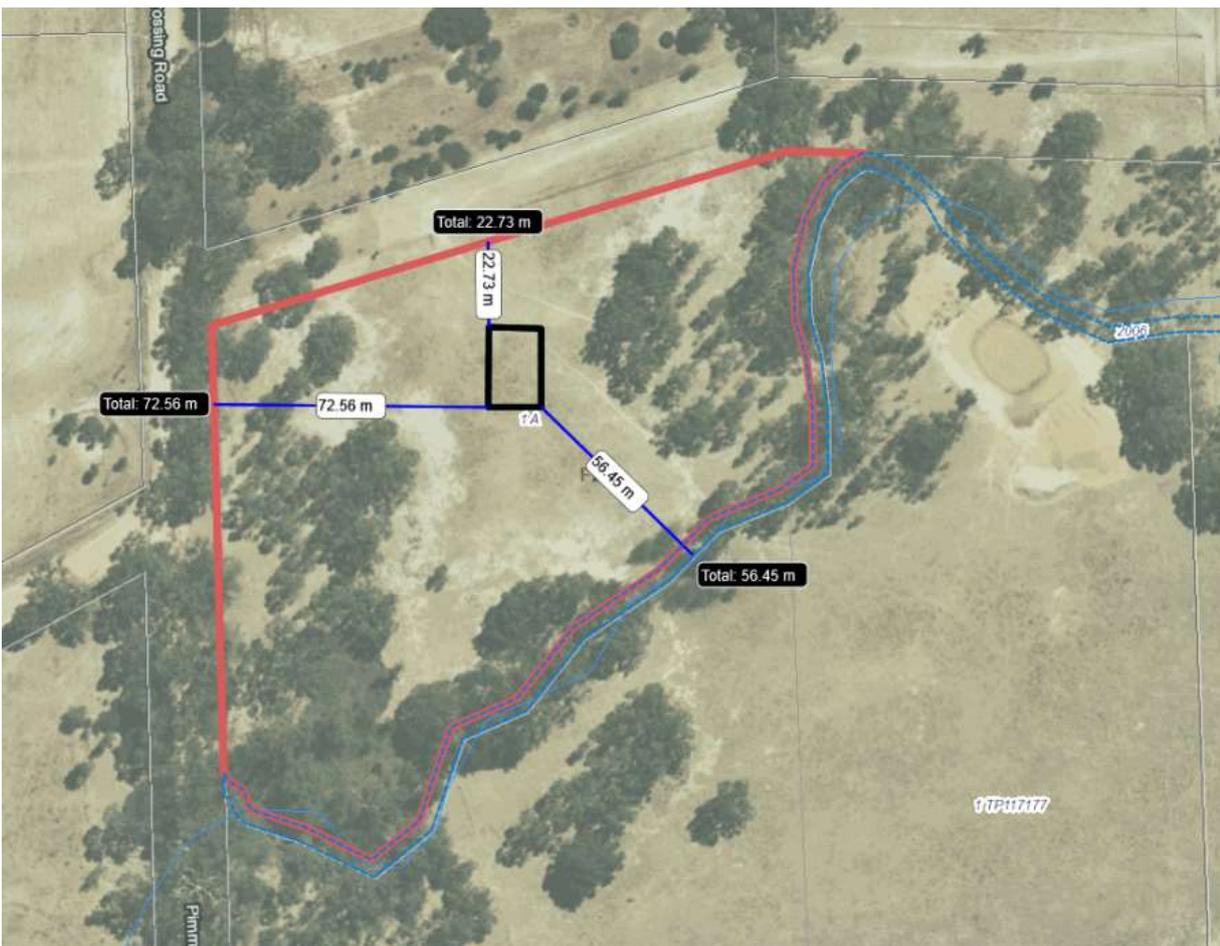


Figure 7: Proposed site plan showing shed location (Application 2021)

NOTICE AND SUBMISSIONS

Under Section 52 of the *Planning and Environment Act 1987* (The Act), the application was referred to North Central Catchment Management Authority (NCCMA), who have not objected to the proposed development, subject to conditions.

ISSUE / DISCUSSION

Planning considerations

When assessing a planning permit application, 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;
- the objectives of planning in Victoria;
- all objections and other submissions which it has received, and which have not been withdrawn;
- any decision and comments of a referral authority it has received;
- 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.

To enable officers to undertake these considerations, section 47 of the *Planning and Environment Act 1987* (the “Act”) requires that an application for a planning permit be accompanied by the information required by the planning scheme.

The information submitted with the planning permit application did not sufficiently demonstrate how the proposed use and development accords with the objectives defined within the Pyrenees Planning Scheme. A request for additional information was made in accordance with section 54 of the Act on the 21st of September 2021 which requested that information relating to the following be supplied:

1. Further information relating to how the development of a shed will:
 - a. Provide for the use of land for agriculture;
 - b. Encourage the retention of productive agricultural land;
 - c. Encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
2. Further information as to the purpose of a 108 square metre shed and how the siting of the shed on the site minimises the loss of productive agricultural land.
3. Detailed plan of elevations.

The request for further information prescribed a 30 day period by which the additional information was required. At the expiry of the prescribed 30 day period, officers contacted the applicant/s, who confirmed both in writing and verbally, that they “have nothing to add...” Due to the deficiency of information supplied in the application, the proposal does not demonstrate accordance with the objectives of the Pyrenees Planning Scheme.

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. Request for Information letter [13.1.3.1 - 2 pages]
2. Application P A 21102 Redacted [13.1.3.2 - 37 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

Clause 65 of the Pyrenees Planning Scheme states that *'Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.'*

In the absence of evidence that demonstrates how the proposal responds to relevant policy, officers have not been able to assess the proposal, as required by the Pyrenees Planning Scheme and the *Planning and Environment Act 1987*, and therefore cannot be reasonably satisfied that the proposed development is an appropriate planning outcome.

OFFICER RECOMMENDATION

That Council:

1. Notes that application PA21102 is incomplete and does not allow for the Responsible Authority to undertake an assessment against the objectives of the Pyrenees Planning Scheme.
2. 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 Refusal to Grant a Planning Permit under the provisions of the Pyrenees Planning Scheme for the development of an agricultural shed and removal of native vegetation at Crown Allotment 1 Section A Parish of Redbank (Vol 09778 Fol 750), being Pimms Road, Redbank VIC 347 for the following reasons:
 - a. The application does not respond to the objectives of the Pyrenees Planning Scheme including Clause 35.07 – *Farming Zone* and Clause 45.05 *Restructure Overlay*.

13.2. CORPORATE AND COMMUNITY SERVICES

13.2.1. COMMUNITY ASSET COMMITTEES

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: 16/16/10, 16/16/12, 16/16/20, 16/16/24, 16/16/26

PURPOSE

The purpose of this report is for Council to formally adopt the new Committee members as part of the recent Annual General Meetings. These were held in the later part of this year and to adopt the Instruments of Delegation for the Community Asset Committees in accordance with the *Local Government Act 2020* (the Act). This report also has a component of recommending funds to assist in the maintenance of a Council Asset.

BACKGROUND

Section 65(1) of the Act allows Council to establish Community Asset Committees and appoint members to those Committees as necessary to enable a Committee to manage a community asset within the municipal district.

Section 47(1)(b) of the Act allows the Chief Executive Officer, by instrument of delegation, to delegate any power, duty or function of the Council that has been delegated to the Chief Executive Officer to the members of a Community Asset Committee. Delegations must include:

- Specified limit on any financial delegation and the specified purpose for which the financial delegation may be used,
- Compliance with specified governance requirements to ensure appropriate standards of probity are met, and
- Specified monitoring and reporting of the activities and performance of the Community Asset Committee.

Community Asset Committee Governance and Operations Manuals have been prepared and will be supplied with the new Instruments of Delegation. A copy of the Manual is attached to this report.

ISSUE / DISCUSSION

The Council has five Community Asset Committees to manage the following community assets:

- Beaufort Community Bank Complex
- Brewster Hall
- Landsborough Community Precinct
- Snake Valley Hall
- Waubra Community Hub

Draft Instruments of Delegation are attached for each Committee forming part of this report. Council is also requested to formalise appointments to the Community Asset Committees as follows:

Beaufort Community Bank Complex Community Asset Committee

- Bradley Foster – President (Beaufort Football & Netball Club)
- Sean Broadbent - Vice President (Beaufort Cricket Club)
- Lynelle Day – Secretary, Bookings Officer, Risk Manager (Beaufort Football & Netball Club)
- Jenny Trengove – Treasurer, Bookings Officer, Risk Manager (Community Representative)
- Maurice Trainor – Beaufort Agricultural Society

- Jim Mahony – Community Representative
- Vicki Hancock – Beaufort Community Bank
- To be advised – Beaufort & District Little Athletics
- To be advised – Beaufort Secondary College

Brewster Hall Community Asset Committee

- Richard Hayward (President)
- Annie Morcombe (Secretary)
- Lyn Hayward (Treasurer)
- Jenny Verberne
- David Morcombe
- Gary Swan
- John Dunn

Landsborough Community Precinct (Currently working on a solution to reinvigorate membership)

****No Annual General Meeting has been held.**

- Graeme Sandlant (Chair)
- Vonda Sandlant

Snake Valley Hall Community Asset Committee

- Kate Breen (President)
- Lyn White (Vice President)
- Clayton Keefe (Secretary / Treasurer)
- Sonia Missen (Booking Officer)
- Tony Collett
- Shirley Carson
- Ann Collett
- Gay Pearse
- Tania Currie
- Sherry McCarthy
- Danie Vecchio

Waubra Community Hub Community Asset Committee

- Jim Troy (President)
- Richard White (Vice President)
- Cath Koros (Secretary)
- Rebekkah Martin (Assistant Secretary)
- Marie Loader (Booking Manager)
- Karen Hinchcliffe (Treasurer)

General Members

- Ken Fraser,
- Maggie Davidson,
- Kerry Gallagher,
- Rebekkah Martin.
- June Harrison
- Simon Tol
- Cr David Clark (Council Representative)

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Enabling Principles

- a. Motivate and inspire community involvement
- b. Provide transparency and accountability
- c. Use resources efficiently and effectively

ATTACHMENTS

1. C 7 - Instrument - Community Asset Committee - BEAUFORT Dec 2021 [**13.2.1.1** - 6 pages]
2. C 7 - Instrument - Community Asset Committee - BREWSTER Dec 2021 [**13.2.1.2** - 6 pages]
3. C 7 - Instrument - Community Asset Committee - LANDSBOROUGH Dec 2021 [**13.2.1.3** - 6 pages]
4. C 7 - Instrument - Community Asset Committee - SNAKE VALLEY Dec 2021 [**13.2.1.4** - 6 pages]
5. C 7 - Instrument - Community Asset Committee - WAUBRA Dec 2021 [**13.2.1.5** - 6 pages]
6. PSC CAC Governance and Operational Manual December 2021 [**13.2.1.6** - 49 pages]

FINANCIAL / RISK IMPLICATIONS

Enter Financial/Risk Implications

CONCLUSION

The Local Government Act 2020 allows Councils to establish Community Asset Committees to manage community assets within the Pyrenees Shire. The Council is requested to adopt the new committee members to enable the continued management of the five Community Asset Committees and adopt instruments of delegation to allow these committees to continue to operate.

OFFICER RECOMMENDATION

That Council:

1. Formally appoints community representatives to the Community Asset Committees, as detailed in this report.
2. Adopts the attached Instruments of Delegation for each of the Community Asset Committees established under section 65 of the Local Government Act 2020 as attached to this report; and
3. In accordance with Section 47(6) of the Local Government Act 2020, Council Officers to appropriately guide and monitor activities of the Community Asset Committees established under section 65 of the Act, and report annually on committee activities to Council.
4. That Council distribute \$2,000 to Brewster Community Asset Committee to assist with the maintenance of Council's Asset Brewster Community Hall.

13.2.2. FOUNDATIONAL WORKFORCE PLAN 2021-2025

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

To purpose of this report is to provide Council with information relating to the Foundational Workforce Plan 2021-2025.

BACKGROUND

Section 46(4) requires the Chief Executive Officer to develop and maintain a workforce plan that describes the organisational structure of the Council, specifies projected staffing requirements for a period of at least four years, and sets out measures to seek to ensure gender equality, diversity, and inclusiveness.

The first stage in workplace development is the development of a Foundational Workforce Plan by 31 December 2021.

ISSUE / DISCUSSION

The Foundational Workforce Plan for the four years 2021 to 2025 was developed during 2021 and approved by the Chief Executive Officer in November 2021.

A foundational workforce plan describes the basic plan required to meet the minimum needs of an organisation in mapping their workforce needs. It serves as the starting point to develop an operational or strategic work plan based on the unique requirements of the organisation.

As this workforce plan is 'foundational', it allows for future amendment as Council's Executive Leadership Team develop and implement a Capacity Building Plan, agreed with Council earlier in 2021 and needed to overcome the significant financial constraints on growing Council's administrative workforce, as detailed in the 10-year Financial Plan, yet maintain the change and growth necessary to fully deliver the Council Plan and Community Vision.

The attached plan is designed to start the conversation on strategic workforce planning with a view to developing an operational workforce plan in the future. The plan will support the Executive Leadership Team in gaining a better understanding of future service and workforce needs to meet future demand.

Section 46(6) of the Local Government Act 2020 requires the Mayor, Councillors, and members of Council staff to have access to the workforce plan. This report allows for provision to the Mayor and Councillors for information, and the Plan will be circulated to all members of Council staff.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Enabling Principles

c. Use resources efficiently and effectively

ATTACHMENTS

1. PSC New Workforce Plan - November 2021 [13.2.2.1 - 16 pages]

FINANCIAL / RISK IMPLICATIONS

Significant risks exist in ensuring the appropriately skilled workforce is in place to deliver Council's strategic objectives within the financial constraints of the 10-year Financial Plan.

CONCLUSION

Significant challenges are faced in maintaining employment costs while ensuring appropriate numbers of appropriately skilled staff are in place to deliver upon the Council Plan 2021-2025. This plan supports Council in achieving a better understanding of the current workforce, future workforce needs, and the type and size of the workforce required over the next four years to meet strategic objectives and community needs.

OFFICER RECOMMENDATION

That Council receives the attached Foundational Workforce Plan 2021-2025 in accordance with section 46(6) of the Local Government Act 2020.

13.3. CHIEF EXECUTIVE OFFICE

13.3.1. AVOCA CHINESE GARDEN

Jim Nolan – Chief Executive Officer

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

File No: 217018200

PURPOSE

The purpose of this report is for Council to consider a request for assistance from the Avoca Chinese Garden Committee.

BACKGROUND

Following a written request from the Avoca Chinese Garden Committee, Councillors met with members of the Committee to discuss relevant issues being faced by the Committee in maintaining and operating the Garden, and to consider options for providing support.

The Avoca Chinese Garden was established as a result of a Small-Town Transformation grant initiated by several passionate community members on private land at the corner of Dundas and Cambridge Streets Avoca. A 30 year lease over the land was agreed with the committee by the landowner commencing in September 2013. A local committee was established as an incorporated legal entity as the lessee.

The committee has continued to maintain the garden to a high standard and has become a much-loved asset of Avoca. The site is open to the public and is used for a range of events and activities and as a place of contemplation for locals and visitors.

The committee runs events on the site to raise funds to support the maintenance of the garden which is undertaken by extensive volunteer labour as well as through a maintenance contractor to the extent that funds allow.

The average age of the committee members is around 70 years and the work required to run and maintain the asset is becoming a challenge.

ISSUE / DISCUSSION

There are several options that Council could consider supporting the Committee as outlined below:

1. Council provides funding through the community grants program to support events and for capital and community work which the committee would be eligible to apply for. This would not, however, provide a guaranteed funding stream for the committee to do the work needed to maintain the site.
2. Council could provide a fixed amount of financial support annually to the group towards engaging a contractor to undertake the maintenance work needed. This would ensure a minimum amount of revenue which the group could supplement with funds from any events that they run. This would allow the committee to continue to have a role in how the site is managed and used.
3. Council could commence a process to take over the lease and take on the responsibility for the site. This would be subject to agreement with the Lessor. The annual maintenance cost for Council to maintain the site is estimated to be in the order of \$8,000 (excluding any

long-term asset renewal cost). Under this scenario, Council would have control over the site, and could agree to a supporting ongoing role for the committee or not.

4. Council could seek to commence discussions with the landowner to purchase the land and manage and maintain the assets ongoing. There has been no discussion to date with the owner on whether this option is available to Council.

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.

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

Council has not budgeted for options 2,3 or 4.

Long-term asset management will require risks associated with public access to be managed, including risks associated with the mature trees and damage of assets due to flood, storm or vandalism. The matter of asset renewal will also require consideration and budget.

CONCLUSION

The Avoca Chinese Garden is a unique and a highly valued asset in the Avoca Community. The Committee has done a fantastic job to initiate and maintain the garden since its establishment in 2013. Acknowledging the challenges outlined by the committee, and having considered the options for Council to provide support as outlined above, the following recommendation is made for Council consideration

OFFICER RECOMMENDATION

That Council:

1. Provides \$3,000 to the Avoca Chinese Garden Committee annually commencing in 2021/22 to assist with the maintenance and management of the garden.
2. Reviews the arrangement and its level of support for the Committee in three years' time.

14. COUNCILLOR REPORTS AND GENERAL BUSINESS

15. CONFIDENTIAL ITEMS

CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

That, pursuant to the provisions of Section 4.1.1(c) of Council's Governance Rules, and Section 66 of the Local Government Act 2020, the meeting be closed to the public in order to consider confidential items.

RECOMMENDATION

That the meeting be closed to members of the public in accordance with Section 4.1.1(c) of Council's Governance Rules, and Section 66 of the Local Government Act 2020, in order to discuss the confidential reports listed below:

15.1 – Australia Day Award Nominations

RE-OPENING OF MEETING TO MEMBERS OF THE PUBLIC

RECOMMENDATION

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

16. CLOSE OF MEETING

Meeting closed at

Minutes of the meeting confirmed

.....
2021

Mayor Cr Ron Eason