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#### 1. WELCOME MEMBERS OF PUBLIC

#### 2. OPENING PRAYER

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

Amen

# 3. ACKNOWLEDGEMENT OF COUNTRY

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

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

#### 4. APOLOGIES

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



#### 6. ITEMS FOR DECISION

#### **CORPORATE AND COMMUNITY SERVICES**

#### 6.1. PROPOSED BUDGET 2020/21

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 for Council to consider the Proposed Budget for 2020/21 for approval to exhibit, in accordance with the requirements of section 127 of the Local Government Act (the Act).

#### **BACKGROUND**

Section 127 of the Act requires Council to prepare a budget for each financial year and provide the opportunity for people to make a submission under section 223 of the Act on any proposal contained in the budget.

The Proposed Budget for 2020/21 has been prepared by Councillors and Council Officers and guided by Community Action Plans and Strategies.

Council is required to give public notice that copies of the Proposed Budget are available for inspection for a minimum period of 28 days and invite submissions.

The Council Budget is the tool which guides Council's operations throughout a twelve month period. The Proposed Budget has been drawn up after significant discussion with Council staff and Councillors and contains information as to how Council will direct its financial resources during the next twelve months.

The Proposed Budget document sets out the reasoning behind the many decisions Council has made in order to arrive at this point of its Budget. Council must now seek further community input before determining its Budget.

#### **ISSUE / DISCUSSION**

The Draft Budget for 2020/21 has been prepared by Councillors and Council officers.

The budget includes a rate increase of 2.00%, which is the rate cap set by the Minister for Local Government under the Fair Go Rates System.

Rate revenue from rate increases above rate cap in the previous 4 years have been reserved specifically for capital expenditure on renewing Council's road infrastructure assets. In order to balance the remainder of the budget, Council has continued to pursue operational savings and efficiencies which will enable it to deliver high quality, responsive and accessible services to the community.

The 2020/21 budget has been prepared in line with the Rating Strategy adopted in January 2019.

Council's waste management service is fully funded by waste service and user charges. The 2020/21 Charge includes additional costs related to Glass collection and disposal, e-Waste Collection and Disposal, and an increase to the EPA Levy. Residents with kerbside collections will experience a 17% increase in their garbage charges, residents on improved properties without kerbside collections will experience a 29% increase to their garbage charges, and unimproved properties will experience a 0% increase in their garbage charges.



The Draft Budget includes Capital Works of \$7.041M. Highlights of the 2020/21 Capital Program include:

- Gravel Roads \$953,000
- Reseals at various locations \$846,000
- Council funded Bridge and Drainage works of \$708,000
- Roads to Recovery funded works of \$2.09M
- Swimming pool upgrades of \$60,000

Additionally, the draft budget includes \$1M in projects to be delivered under the second round of Economic Stimulation Funding for Drought Effected Communities. Projects to be delivered with the assistance of this funding include:

# **Round 1 Funding**

- Improved water infrastructure \$280,000
- Footpath improvements \$150,000
- Sewer extension at Carngham Recreation Reserve \$90,000
- Caravan park improvements \$270,000
- Car park at Natte Yallock Recreation Reserve \$110,000
- Future building in small towns \$100,000

#### **Round 2 Funding**

- Avoca Bowls Club facility upgrade \$275,000
- Footpath improvements \$100,000
- Hall improvements \$250,000
- Beaufort Lake Foreshore amenity improvements \$125,000
- Tree planting \$50,000
- Improved water Infrastructure \$95,000
- Snake Valley Linear Park paths \$60,000
- Waubra Recreation Reserve tennis facility upgrade \$45,000

The focus for the next year is to continue to deliver on the projects and services that make the Shire a great place to live, work and invest in, and respond to the challenges we are currently facing. These challenges include:

- Rate capping
- State government cost shifting
- Maintaining our road infrastructure
- Climate change impacts

Property revaluations are now done annually and, although Council's rate increase is 2.00%, actual rate increases of individual properties are impacted by changes in property valuations with individual rate increases dependent on relativity to average valuation increases across the municipality. This means that if your property value increased by more than the average property value increase for the Shire, then your rates will increase by more than 2.50%; however, if your property value increased by less than the average property value increase for the Shire, your rates will increase by less than 2.50% and may in fact reduce from the previous year.



# **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Under Section 127 of the Local Government Act 1989, Council must prepare a Budget for each financial year. There are stipulations as to what must be included in the Budget and the Budget document meets those requirements. Any person has the right to make a submission on any proposal contained in the Budget. Following completion of the statutory obligations Council may adopt the Budget.

#### **ATTACHMENTS**

6.1.1 – Proposed Budget 2020-21 (circulated separately)

#### FINANCIAL / RISK IMPLICATIONS

All financial implications associated with this report have been accounted for within the 2020/21 Proposed Budget.

#### CONCLUSION

The Proposed Budget 2020/21 has been developed in alignment with the Revised Council Plan 2017 to 2021. The proposed 2020/21 budget as tabled provides guidance on how Council intends to deliver its strategic objectives over the next twelve months.

#### OFFICERS RECOMMENDATION

#### That Council:

- 1. Endorses the 2020/21 proposed Budget for advertising and that Council give public notice of its preparation and invite public submissions to be received up until 5.00pm Friday 15 May 2020.
- 2. Releases the proposed Budget documents to the public on Wednesday 15 April 2020.
- 3. Meets to hear any submissions in person or consider any submissions received at 4.00pm on Tuesday 19 May 2020. Under current COVID-19 arrangements, anyone wishing to make a personal presentation to Council will be invited to do this via virtual means (audio / visual teleconference). Arrangements for this will be facilitated by Council staff.
- 4. At its Ordinary Meeting on Tuesday 9 June 2020, resolves to adopt with or without amendments, the 2019/20 Budget.



# 6.2. UNUSED ROAD – BEAUFORT (PARALLEL TO MITCHELL STREET)

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 making a determination that a section of government road, in the township of Beaufort, is not considered to be required for public traffic and is an unused road.

#### **BACKGROUND**

Council has received a request from a property owner, seeking that Council gives notice to the Secretary of the Department of Environment Land Water and Planning, advising that the section of unused government road, North East of Crown Allotments 6 and 7, Section 49 in the parish of Beaufort, is not required for public traffic and is unused, in accordance with section 400 of the *Land Act 1958*.

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

#### **ISSUE / DISCUSSION**

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

The portion of road is not currently on Council's road register and is not made or maintained.

The intent to licence was advertised in the Pyrenees Advocate – Public Notice on the 19<sup>th</sup> July 2019.

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

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

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".

#### **ATTACHMENTS**

6.2.1 - Location map and evidence of public advertising of intent

#### FINANCIAL / RISK IMPLICATIONS

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

#### **CONCLUSION**

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



# OFFICER RECOMMENDATION

That Council gives notice to the Secretary of the Department of Environment Land Water and Planning, advising that the section of unused government road, North East of Crown Allotments 6 and 7, Section 49 in the parish of Beaufort, is not required for public traffic and is unused, in accordance with section 400 of the *Land Act 1958*.





Crown Land Manager A4 Portrait © The State of Victoria, Department of Environment, Land, Water and Planning 2019 Map Created on 28-Jun-2019



14 THE PYRENEES ADVOCATE • Friday, July 19, 2019

# Warning on medicines

Nearly 150 people are hospitalised in Australia every day as a result of the adverse effects of opioid pain medicines.

In a concerted effort to reduce this – and opioid-related dependence, illnesses and cases of misuse – the Therapeutic Goods Administration (TGA) is urging Australians to return unused prescription pain relief medicines to their local pharmacy.

Australians who are prescribed painkillers and don't use them all are advised not to keep them 'just in case' or for use down the track.

Keeping unused prescription pain medication in the home is dangerous for children and pets if accidently consumed, and can be a target for theft and misuse.

Unused pain relief medication, like all medicines, can be returned to a local pharmacy for safe disposal free of charge.

The TGA is rolling out a social media campaign and working directly with pharmacies to promote this service.

This is an important aspect of work being taken by the TGA to reduce the potential adverse impacts of opioids on the health of Australians.

The TGA's decision to up-schedule codeine to a Prescription Only Medicine in February 2018 has also led to a significant decrease in the number of products supplied to Australian patients.

Analysis of medicine sales data from IQVIA shows the total volume of products containing codeine supplied in Australia during 2018 was around 50 per cent lower than the average total supplied in the previous four years – from an average of 34.7 million packs per year from 2014 to 2017, to 17.2 million packs in 2018.

The TGA did not find any increase in the supply of high-strength codeine products following upscheduling and the data also suggests patients previously taking over-the-counter codeine did not switch to other opioids.

# Days of forgetting thei homework over soon?

The days of students 'forgetting' their homework may soon be over as Deakin engineers develop a new generation of schoolbag that can complete its own morning check-list.

The smart schoolbag, designed by Deakin School of Engineering researchers, comes with built-in hardware and software that works to ensure it is packed correctly for each day's timetable, including books, lunch and sports gear.

It also has the capability to send content alerts by smartphone to students, parents and even teachers

The schoolbag can tell when items are not

# Strong growth is continuing

Victoria's strong economic record continues, with the state recording the country's strongest retail trade growth in May.

Australian Bureau of Statistics data shows Victoria's retail trade grew by a total of \$45.6 million in May – the strongest performance in the nation and well above the national total of \$27.3 million.

Over the past 12 months, Victoria's total retail sales grew by \$290 million, more than any other state or territory.

In May, the value of Victoria's retail trade rose by 0.6percent to \$7.2 billion, accounting for 26.3percent of national trade.

The state's strongest performing retain sectors over the past 12 months was 'food retailing' (5.1percent) and 'cafes, restaurants and takeaway food' (5percent) – consolidating Victoria's reputation as the restaurant and food capital of Australia.

Since the Andrews Labor Government was first elected in November 2014, Victoria's monthly retail trade has grown by a total of \$1.5 billion – equivalent to 21.8 per cent growth – the strongest results in Australia during the period.

required and should be left home, ensuring bag is no heavier than it needs to be.

Designed by Dr Hamid Abdi, and Ma students Jayadev Ajayakumar, Naga Ve Durga Surendra Anna and Lahiru Abeys the smart school bag uses radio freq identification (RFID) tags to detect items bag and the Internet of Things (IOT) techn to check its contents against the daily school

"We know packing the school bag morning can be difficult, especially for you kids, because the timetable changes daily each day they need to pack different thing Abdi said.

"A mobile application developed in project lets parents see the items in the and automatically checks them off against innetable, identifying what is missing and no parents if anything else needs to be packed

"We think the smart schoolbag will save a time and stress that occurs when homeworl or lunches are left home by mistake, espa if that requires parents to quickly race ho collect the missing item.

"At the same time we wanted to min the weight of the bag to reduce the disco children experience carrying a heavy los their backs and shoulders.

"With a smart schoolbag, children won't to leave everything in their bag every day system helps them pack only what is neede day and not worry about forgetting some the next day."

While the system can be fitted to any s bag. Dr Abdi and his team have desig prototype smart schoolbag that include smart phone application and could reta between \$125 and \$150, making it an affor option for many families.

"We are now at the demonstration stag looking for commercial partners to take project to the next level," Dr Abdi said.



IN MEMORIAM

#### **KEITH WRIGHT**

19/1/31 -22/7/18
1 year since you left this world to be with Mum. You were such a presence in our lives. We miss you every day Dad.
Time hasn't healed yet. Love Cheryl & Chris

LOST

MISSING

PUBLIC NOTICE

BEAUFORT FOOD PANTRY

# Annual General Meeting

Wednesday 7th August 2019 at Library. Election of Office Bearers. Pat Watson Sec.

PUBLIC NOTICE

AND SHED

PUBLIC NOTICE

# LAND ACT 1958

Notice is hereby given that it is the intention of the Department of Environment, Land, Water & Planning To grant a licence under Section 130 of the Land Act 1958 to Larry & Barbara Parke over Government Road North East of Crown Allotments 6 & 7, Section 49, Parish of Beaufort for the purposes of Grazing.

Further information or comments can be lodged with The Property Officer, Matthew Lee on 0438 322 860 within 14 days.

Ref 2006376:#133388.





#### **CHIEF EXECUTIVE OFFICER**

#### 6.3. COUNCIL TO CHIEF EXECUTIVE OFFICER DELEGATION – EMERGENCY POWERS

Jim Nolan – Chief Executive Officer

Declaration of Interest: As author of this report I have an interest in this item as it relates to the

delegation of powers to the Chief Executive Officer

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

#### **PURPOSE**

The purpose of this report is for Council to review the Instrument of Delegation to the Chief Executive Officer, to enable the continuation of good governance and operations of Council during a State of Emergency.

#### **BACKGROUND**

The Local Government Act and other legislation provides for the appointment of delegates to act on behalf of Council. This is because Council is a legal entity composed of individual councillors that can only act by resolution, or through others acting on its behalf by way of delegations. Essentially, delegations enable day to day decisions to be made, without the need for resolutions by Council.

A State of Emergency has been declared in relation to the COVID-19 pandemic, which is expected to have far reaching and lengthy implications for the community. Due to the pandemic, there is a risk that Council meetings cannot be held, or a quorum at meetings cannot be achieved due to councillor illness or self-isolation. Three councillors are required to be present for a Council meeting to proceed, and there is currently no provision in the *Local Government Act* permitting councillors to attend meetings electronically.

To ensure Council operations continue to function during the pandemic, it is deemed necessary to enhance the Chief Executive Officer's delegations.

#### **ISSUE / DISCUSSION**

The attached Instrument of Delegation has been prepared to include a clause that enhances the Chief Executive Officer's powers during a State of Emergency that affects Pyrenees Shire, when Council meetings cannot be held or a quorum of Councillors cannot be achieved.

At such times, the Chief Executive Officer would be able to make decisions on behalf of Council beyond that which is currently permitted. However, it is important to note that section 98(1) of the *Local Government Act 1989* states certain functions cannot be delegated and require a decision of Council such as the adoption of the budget. Should a Council meeting or quorum not be achievable at the time the budget requires adoption, it will be possible to seek an extension of time to do so from the Minister.

It is intended that any decisions made under the State of Emergency clause in the revised Instrument of Delegation would be reported to Council at the next possible Council meeting.

The Instrument of Delegation has been prepared based on a template provided by Maddocks' delegations service, with a new clause enhancing the Chief Executive Officer's powers during a State of Emergency when Council meetings cannot be held or a quorum of councillors cannot be achieved.

In addition, the delegation has been amended to include provision for the Chief Executive to be able to award a contract up to the value of \$4,000,000.

Maddocks recommended councils review their Instrument of Delegation to the Chief Executive Officer, to enable the continuation of Council operations during the COVID-19 pandemic should it become impossible to hold Council meetings.



The proposed change to the Instrument of Delegation has been discussed with Councillors, and is consistent with the approach taken by other councils.

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

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

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

#### **ATTACHMENTS**

6.3.1 - S5 Instrument of Delegation to Chief Executive Officer (circulated separately)

# FINANCIAL / RISK IMPLICATIONS

If Council does not amend its delegation to the Chief Executive Officer, there is a risk that important decisions will not able to be made as a result of Council not being able to form a quorum at a Council Meeting. This in turn will impede the operations of council business and the delivery of critical capital projects.

#### CONCLUSION

Council, as a legal entity only capable of making decisions by resolution, delegates it powers to Council staff to enable day to day decisions to be made, without the need for Council resolutions.

The current COVID-19 pandemic may result in Council being unable to meet or a quorum of Councillors unable to be achieved due to illness or self-isolation. To ensure Council operations continue during the pandemic, Council's Instrument of Delegation to the Chief Executive Officer has been reviewed and updated. A new clause had been added to enable the Chief Executive Officer to make greater decisions on behalf of Council during a State of Emergency that affects Pyrenees Shire Council, when Council meetings cannot be held or a quorum cannot be achieved, and to award contracts not exceeding \$4,000,000 in value.

# OFFICER RECOMMENDATION

#### That Council:

- Resolves that there be delegated to the person holding the position, acting in or performing the
  duties of Chief Executive Officer, the powers, duties and functions set out in the attached
  Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations
  specified in that instrument.
- 2. Resolves that the Instrument comes into force immediately the common seal of Council is affixed to the Instrument.
- 3. Resolves that on the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.
- 4. Resolves that the duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
- 5. Notes that the Instrument includes a power of delegation to members of Council staff, in accordance with section 98(3) of the Act.
- 6. Resolves that the common seal be affixed to the instrument.



# 6.4. REVIEW OF COUNCIL PLAN 2017-2021

Jim Nolan - Chief Executive Officer

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

**File No:** 16/20/06

#### **PURPOSE**

The purpose of this report is for Council to endorse minor adjustments be made to the Council Plan 2017-2021 following a recent review of the plan, and resolve to give public notice and invite submissions be made on the adjustments.

#### **BACKGROUND**

Section 125 (7) of the Local Government Act 1989 requires that "at least once in each financial year, a Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan".

Councillors participated in an annual planning day in December 2019, and the need for some minor amendments was discussed at a Councillor Briefing Session held 31 March 2020. A copy of the revised Council Plan document has been circulated to Councillors.

#### **ISSUE / DISCUSSION**

The minor changes to the plan include:

- The layout of the Plan and the inclusion of initiative numbering to assist in reporting.
- Inclusion of a number of new initiatives including initiatives relating to:
  - Impact and response to COVID-19.
  - o 2020 Council election.
  - o Implementation of the transition provisions for the new Local Government Act 2020.
  - Key capital projects including Correa Park, Lexton Hub, Snake Valley and Avoca projects, road projects and Drought Communities Program.
  - Organisation development including implementation of transformation program, and the Frontline Services Review.
  - Commitment to long term planning such as Pyrenees Futures, Housing strategy and Rural Land use strategy.

Having considered the changes, and in accordance with section 125 (8) and (9) of the 1989 Act, give public notice in accordance with section 223 and invite submissions on the proposed adjustments to the Council Plan document.

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

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

While the Local Government Act 2020 received Royal Assent on 24 March 2020, the Transitional Arrangements provide for the new Act to be proclaimed in four stages over 2020 and 2021. The provisions relating to the review and amendment of the existing Council Plan are to be dealt with under the 1989 Act.

Section 125 of the Local Government Act 1989 requires that:

(7) At least once in each <u>financial year</u>, a <u>Council</u> must consider whether the current <u>Council</u> Plan requires any adjustment in respect of the remaining period of the <u>Council</u> Plan.



- (8) Subject to subsections (9) and (10), a <u>Council</u> may make any adjustment it considers necessary to the <u>Council</u> Plan.
- (9) A <u>person</u> has a right to make a submission under section 223 on a proposed adjustment to a Council Plan which relates to a matter specified under subsection (2)(a), (2)(b) or (2)(c).

#### **ATTACHMENTS**

6.4.1 - Council Plan 2017-2021 containing proposed adjustments (circulated separately)

# FINANCIAL / RISK IMPLICATIONS

The proposed adjustments to the Council have been considered in the draft 2020-2021 Council budget.

# **CONCLUSION**

Having considered that the Council Plan 2017-2021 requires minor changes be made, and in accordance with the provisions of the Local Government Act 1989, the following recommendation is made.

#### OFFICER RECOMMENDATION

That Council having reviewed the Council Plan 2017-2021, and determined that minor adjustments are needed:

- 1. Gives public notice in accordance with section 223 of the Local Government Act and invites submissions to be made on the adjustments to the Council Plan 2017-2021.
- 2. Considers any submissions at a Council Meeting to be held on Tuesday 19th May 2020.



# 7. CONFIDENTIAL ITEMS

#### **CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC**

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

# **RECOMMENDATION**

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

7.1 Contract 2020/002 Residential Subdivision Works, Correa Park, Beaufort



# 8. 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.

9. CLOSE OF MEETING				
Meeting closed at				
Minutes of the meeting confirmed				
	2020	Mayor		