



**Pyrenees**  
Shire Council

# Minutes

## Ordinary Meeting of Council

6:00pm Tuesday 18 May 2021  
Supper Room  
Avoca Town Hall,  
Rutherford Street, Avoca

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## **1. WELCOME**

Mayor Cr Damian Ferrari welcome all to the meeting.

## **PRESENT**

**Mayor:** Cr Damian Ferrari

**Councillors:** Ron Eason, David Clark, Robert Vance, Tanya Kehoe

**Chief Executive Officer:** Jim Nolan

**Director Asset and Development Services:** Douglas Gowans

**Director of Corporate and Community Services:** Kathy Bramwell

**EA to CEO and Councillors:** Jane Bowker (minutes)

## **2. STREAMING PREAMBLE**

Mayor Cr Damian Ferrari read the livestream preamble.

## **3. OPENING PRAYER**

The Mayor read the Opening Prayer.

## **4. ACKNOWLEDGEMENT OF COUNTRY**

The Mayor acknowledged 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**

There were no apologies.

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

There were no conflicts of interest declared by Councillors or staff.

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

**Cr David Clark / Cr Ron Eason**

That the Minutes of the Ordinary Meeting of Council held on 20 April 2021 as previously circulated to Councillors, be confirmed.

**CARRIED**

## **8. BUSINESS ARISING**

There was no business arising from the previous meeting.

## **9. PUBLIC PARTICIPATION**

The Beaufort Historical Society provided a statement to Council and requested the submission be read prior to the item being presented as an agenda item.

Mr Douglas Gowans read the submission, as per below:

The Historical Society of Beaufort thanks Council for this opportunity to develop on our original submission. We appreciate Centacare's need to sell blocks to finance the preservation of Wombellano and thank them for the restoration work that they have undertaken.

Our concern is that the preserved Wombellano continues to be visible part of the Beaufort streetscape.

It is important that some thought be given to maintaining the sightlines, particularly from Cummins Street to the front of Wombellano. The worst case would be that it is hidden behind high fences and house etc.

In a nutshell we request that some restrictions / conditions be place on the development of the front block so that any buildings and fences erected there do not obscure the street view of the front of Wombellano.

We also request that we be notified at the stage that planning permits are requested for the Cummins street block.

## 10. ITEMS FOR NOTING

### 10.1. ASSET AND DEVELOPMENT SERVICES

#### 10.1.1. PLANNING AND DEVELOPMENT MONTHLY REPORT

**Katie Gleisner – Manager Planning and Development**

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

**File No:** 66/02/02, 08/02/02, 50/24/02, 46/02/02

#### PURPOSE

The purpose of this report is to provide Council with an update on activities within the Planning and Development department, during April 2021.

This report includes four parts:

- Part A: Planning
- Part B: Building
- Part C: Environmental Health
- Part D: Community Safety and Amenities

#### PART A: PLANNING

The planning activity statistics for the previous two months are summarised in the table below:

Planning Permit Activity Reporting			
Activity	March 2021	April 2021	Financial Year to date
Applications received	10	5	107
Applications completed	9	2	79
Requests for further information	3	2	63
Estimated cost of works	\$1,490,932	\$1,150,000	\$16,744,641
Enquiry type	March 2021	April 2021	Financial Year to date
Pre-purchase enquiry	60	61	435
Pre-application enquiry	78	60	857
Existing permit enquiry	20	12	152
Current application enquiry	24	30	293
All other enquiries	36	31	264
<b>Total Enquiries</b>	<b>218</b>	<b>193</b>	<b>1928</b>

#### PART B: BUILDING

Category	March 2021	April 2021	Comment
Permits issued by Private Building Surveyor	12	14	
'Property Information Certificates' prepared and issued	20	20	
'Report and Consent' Issued	2	1	
Building notices	1	0	

<b>Building order</b>			
<b>Resolved building notices</b>	<b>1</b>	<b>1</b>	
<b>Resolved building orders</b>			
<b>Direction to fix Building Work</b>	<b>1</b>	<b>1</b>	
	<b>2</b>	<b>2</b>	
	<b>0</b>	<b>0</b>	
<b>Building permit inspections undertaken</b>	<b>1</b>	<b>0</b>	
<b>Council issued permits finalised</b>	<b>0</b>	<b>0</b>	** Council have not issued building permits since June 2018.

The Building Department is commencing the next phase of swimming pool and spa regulation activity. This involves contacting all applicable registered swimming pool and spa property owners, with advice relating to *Certificate of Compliance* requirements.

To ensure ongoing water safety, the Regulations require that property owners must submit to Council, a valid *Certificate of Currency* every four years. The first certificate is due no later than 1 November 2021.

Due to the proactive efforts of the Building Department at the time of registration, there are only 25 property owners that have not yet submitted a certificate.

Essential Safety Measure inspections on Council owned buildings will continue throughout May.

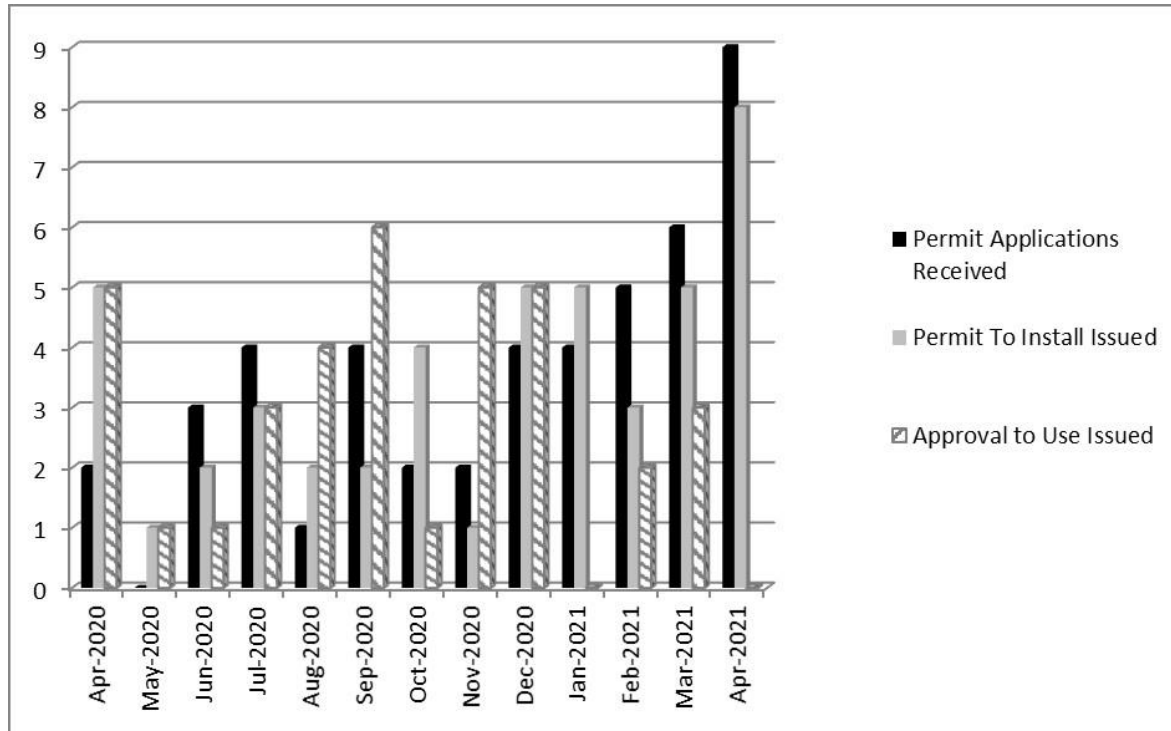
Tender applications for a 3-year Municipal Building Surveyor contract has closed and evaluation has been completed. A recommendation will be submitted for Council's consideration at this meeting.

#### PART C: ENVIRONMENTAL HEALTH

##### **ACTIVITY: WASTEWATER**

<b>Period</b>	<b>Applications to Install or Alter Septic Tanks Received</b>	<b>Permits to Install or Alter Issued</b>	<b>Approval to Use Issued</b>	<b>Fees Paid</b>
1-30 April 2021	9	8	0	\$3,280

Wastewater activity statistics for April 2021



Monthly wastewater activity April 2021

Wastewater related tasks for April 2021	
Septic Tank Inspections	11
Domestic Wastewater Management Plan Inspections	0
Domestic Wastewater Service Agent Reports Received	25

**ACTIVITY: FOOD, HEALTH & ACCOMMODATION PREMISES**

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

Period	New Premises, Transfers and Renewals	Routine Inspection, Assessments and Follow Ups	Complaints Received about Registered Premises	Food Recalls	Fees Paid
1-30 April 2021	1	20	0	3	\$367.50

**Food Sampling**

Proactive and random food sampling of registered food premises was undertaken in April. All samples underwent a microbiological analysis, with 6 found to be satisfactory, 1 marginal and 1 still awaiting results of analysis.

The Environmental Health Department will continue to provide best practice and regulation advice to food premises within the shire.

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

The Pyrenees Unearthed Wine and Food festival was host to 38 mobile and temporary food premises. Council's EHO assessed 19 vendors trading at the event and observed a satisfactory level of compliance.

Council received 10 new applications and 8 statements of trade during April

### ACTIVITY: IMMUNISATIONS

Immunisation sessions in Beaufort and Avoca are not being conducted due to Covid-19. Individual appointments continue to be arranged through Council's Maternal Child Health nurse. Government funded influenza vaccines are now being administered to children over 6 months and adults eligible under the National Immunisation Program.

Session Type	Number of Clients and Vaccines	Two Month to four years old	Five Year Old to Secondary School Age	Adult	Total
Opportunistic April 2021	Clients	57	6	15	78
	Vaccines	97	6	15	118

Immunisation activity statistics for April 2021

### Compliance Issues

There were no compliance issues recorded during April.

### PART D: COMMUNITY SAFETY AND AMENITY

#### ACTIVITY - Animals

	March 2021	April 2021	Total YTD (20/21)
Cats Registered	567	420	-
Dogs registered	2376	1852	-
Cats impounded	5	7	52
Cats reclaimed	1	1	8
Cats Euthanised	4	6	36
Dogs impounded	5	3	22
Dogs Reclaimed	4	3	21
Dogs Euthanised/surrendered	1	0	1
Stock impounded	0	1	3

#### ACTIVITY - Infringements



Infringement Type	March 2021	April 2021	Total YTD (20/21)
Domestic Animals Act	2	0	9
Local Laws	1	1	6
Road Safety Act	0	0	0
Environment Protection Act	0	0	5
Impounding of Livestock Act	0	0	0
Other	0	0	0
<b>Total Infringements Issued</b>	<b>3</b>	<b>1</b>	<b>20</b>
Prosecutions	0	1	4

### Enforcement activity

A matter relating to unrestrained livestock was recently heard in the Ararat Magistrates Court. The accused pleaded “guilty”, with the magistrate finding all five (5) charges proven. The magistrate determined to dismiss the charges in accordance with section 76 of the *Sentencing Act 1991* that allows for *a court, being satisfied that a person is guilty of an offence, may without recording a conviction) dismiss the charge.*

### Pet registration renewals

Pet registration renewals were due in April with a positive number of pets being re-registered. Overdue notices will be sent to approximately 500 pet owners who have failed to re-register or declare that the pet is no longer in their care.

### COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

5.1 - Provide efficient and effective land use planning, ensuring local policies within the Pyrenees Planning Scheme remain relevant and forward looking.

- Building Act 1993
- Building Regulations 2018
- Council Plan 2017-2021
- Domestic Animals Act 1994
- Domestic Animal Management Plan 2017-2021
- Domestic Wastewater Management Plan 2015-2018
- Environment Protection Act 1970
- EPA Code of practice – onsite wastewater management
- Food Act 1984
- Infringements Act 2006
- Planning and Environment Act 1987
- Public Health & Wellbeing Act 2008
- Public Health & Wellbeing Regulations 2019
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010
- Tobacco Act 1987
- Environment Protection Act 1970

In its capacity as Responsible Authority, Council must efficiently administer and enforce the Pyrenees Planning Scheme and comply with requirements of the Planning and Environment Act 1987.

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

The Environmental Health Officer (EHO) must work with regard to various legislative requirements with respect to Food Safety (Food Act 1984), Public Health (Public Health & Wellbeing Act 2008, Environment Protection Act 1970), Tobacco (Tobacco Act 1987) and Wastewater (Environment Protection Act 1970, Domestic Wastewater Management Plan, Code of Practice for Septic Tanks).

It is necessary for the EHO to adapt to any changes in regulations whilst still providing a service that meets the demands of residents within the municipality and complies with legislation.

Council is required to administer its responsibilities in a way which seeks to provide for a safe and healthy environment in which residents of the municipal district enjoy a quality of life that meets the general expectations of the community. Council is also required to protect its assets and facilitate peace, order and good governance.

#### **ATTACHMENTS**

Nil

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

Failing to comply with Council's statutory responsibilities may result in an increased risk to community safety and the environment as well as compromised community development outcomes and associated liabilities.

#### **OFFICER RECOMMENDATION**

That Council notes this report.

## 10.2. CORPORATE AND COMMUNITY SERVICES

### 10.2.1. CUSTOMER ACTION REQUESTS - APRIL 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 April 2021.

#### BACKGROUND

Council has operated an electronic Customer Action Request System (CARS) for several years enabling residents to lodge service requests. Requests can be lodged in person, via telephone, via Council's website or by using a smart phone "Snap Send Solve" application.

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

#### ISSUE / DISCUSSION

337 CARs were logged in April 2021, 101 less than the previous month. 212 of these requests related to telephone messages.

482 CARs were closed in the month, leaving a total of 236 outstanding, of which 72 related to telephone messages. The number of outstanding telephone messages has reduced by 20% from the previous month.

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

	Avoca Ward	Beaufort Ward	DeCameron Ward	Ercildoune Ward	Mt Emu Ward
<b>Number of requests received in April 2021 (previous month).</b>	24 (41)	61 (74)	8 (18)	16 (18)	16 (16)
<b>Requests received in April and closed in the same month (% of total received).</b>	14 (58%)	35 (57%)	5 (63%)	6 (38%)	9 (56%)
<b>Requests received in April still outstanding.</b>	10	26	3	10	7
<b>Outstanding requests 1 month or older.</b>	28	33	12	16	15
<b>Outstanding requests from 2019.</b>	3	2	2	1	0
<b>Total outstanding requests (previous month).</b>	38 (81)	59 (93)	15 (41)	26 (35)	22 (32)

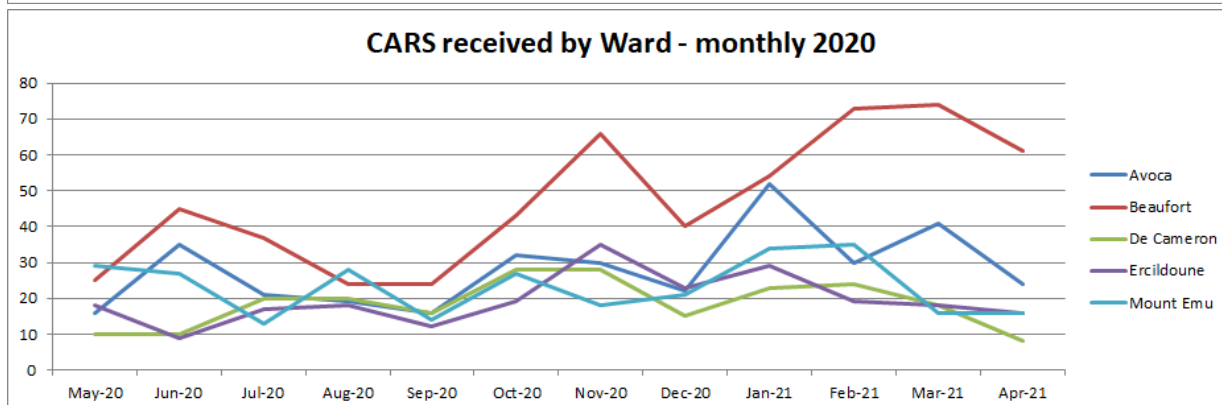
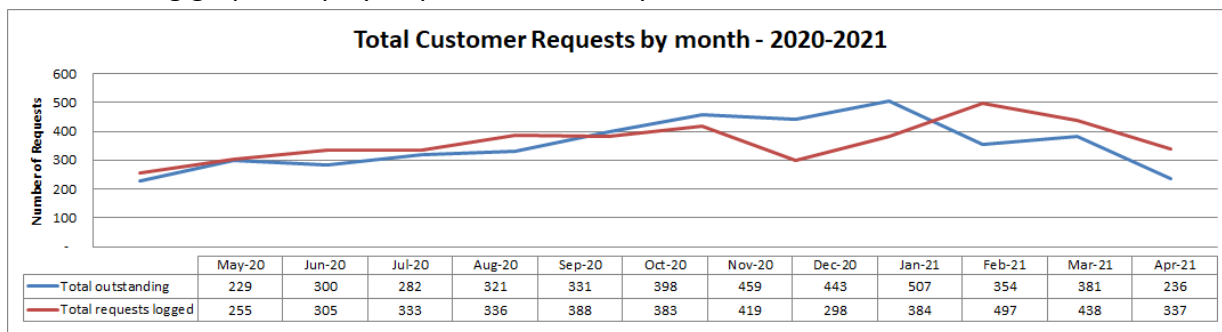
**Analysis:**

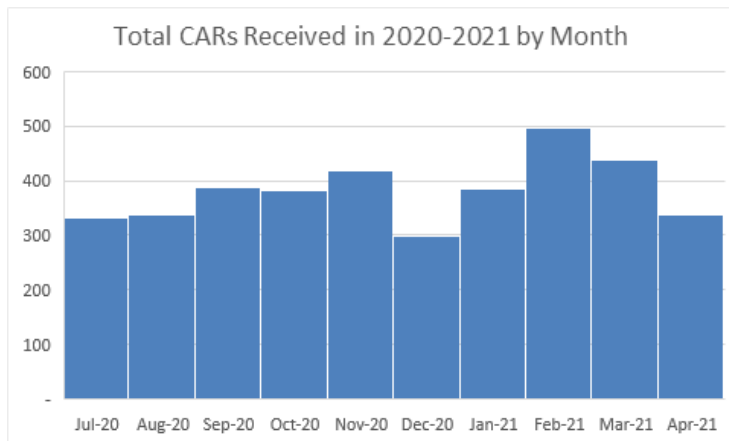
- Work continued in April working at closing out completed requests resulting in outstanding requests reducing by the end of April, compared with the previous month, by 145.
- The number of existing CARs that might additionally be closed off by the end of May is estimated to be a further 53.
- 47 outstanding CARs relate to case management by the public safety & amenity team so are likely to remain on the listing longer term.
- 15 outstanding CARs relate to drainage issues which are not likely to be resolved within the short term.

No requests remain outstanding from 2017 or 2018. 8 requests remain outstanding from 2019:

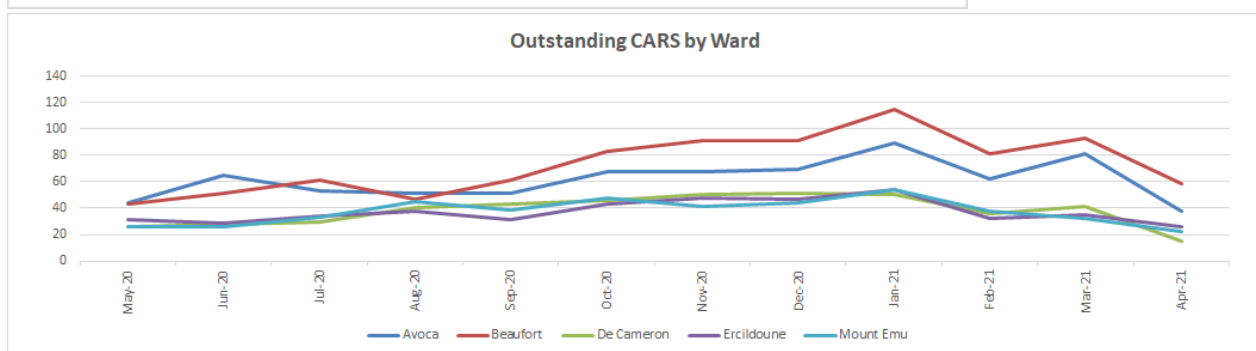
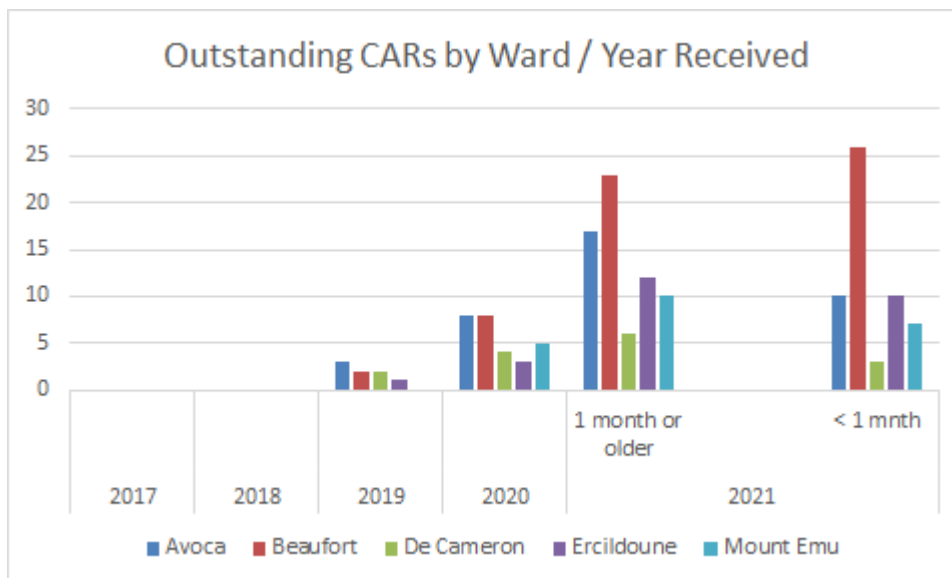
- Avoca Ward – 3 outstanding CARs:
  - 2 relate to requests for drainage improvements.
  - 1 relates to road markings on Homebush Road which were previously scheduled for works. This is being checked for status and may be complete.
- Beaufort Ward – 2 outstanding CARs:
  - 1 relates to a drainage issue.
  - 1 relates to signage which is being checked for status.
- DeCameron Ward – 2 outstanding CARs:
  - 1 relates to tree trimming which is being checked for status.
  - 1 relates to the removal of tree guards which is being checked for status.
- Ercildoune Ward – 1 outstanding CAR:
  - Relates to a request for a speed limit reduction on the Evansford / Clunes Road which is being checked for status.

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





The following charts display outstanding cars by Ward/year received and the trend lines of outstanding CARs numbers over the past 2 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.

	Mar 21	Apr 21	Change
<b>Roads &amp; Road Maintenance</b>	75	39	-36
<b>Streetlights</b>	0	1	1
<b>Drainage</b>	34	13	-21
<b>Footpaths</b>	8	3	-5

Pars & Reserves	17	7	-10
Roadside vegetation	35	25	-10
Environmental Health	5	2	-3
Planning	21	1	-20
Building maintenance	14	13	-1
Local Laws	29	26	-3
Cats	14	12	-2
Dogs	17	9	-8
Livestock Act	2	4	2
Parking	1	1	0
Fire hazards	0	0	0
Building compliance	0	0	0
Waste management	4	0	-4
Natural disasters	0	0	0
Pools	2	2	0
Council cleaning	8	2	-6
EPA - Litter	1	0	-1
Design & Assets	2	3	1
GIS	0	0	0
Community Wellbeing	2	1	-1
Telephone messages	90	72	-18
<b>TOTALS</b>	<b>381</b>	<b>236</b>	<b>-145</b>

### 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.

4.1 - Continue to build and develop an engaged, responsive, accountable and capable workforce.

### ATTACHMENTS

Nil

### FINANCIAL / RISK IMPLICATIONS

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

### CONCLUSION

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

### OFFICER RECOMMENDATION

That Council notes this report.

## 10.2.2. IMPLEMENTING LEGISLATIVE CHANGE PROGRESS UPDATE

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

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

**File No:** 16/20/35 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 2020* came into operation on 31 March 2020 when obligations for Council to commence planning and training to meet new obligations, including:

- [duty to promote gender equality](#)
- [gender impact assessments](#)

During 2021, Council must complete the following actions:

- Implement a process to conduct Gender Impact Assessments on all new or reviewed programs, projects and policies that could impact people as soon as possible after 31 March 2021.
- Assess the state and nature of gender inequality in their workplaces through a [workplace gender audit](#). Audits must be based on data available as at 30 June 2021 and must be submitted to the Public Sector Gender Equality Commissioner by 31 October 2021. To facilitate this a workplace survey will be undertaken comprising of 82 gender-focused questions.
- Develop and submit a Gender Equality Action Plan by 31 October 2021.

Future obligation deadlines include:

- Submit progress report against Council's Gender Equality Action Plan by 31 October 2023.
- Capture data for update workplace gender audit as at 30 June 2025.
- Use data and conduct audit to assess the state and nature of gender inequality in the workplace. Submit workplace gender audit data by 31 October 2025.
- Submit second Gender Equality Action Plan by 31 October 2025.
- Submit second progress report by 31 October 2027.

### ISSUE / DISCUSSION

#### **Community Engagement Panel**

To facilitate the legal requirement to undertake deliberate community engagement in development the 10-year Community Vision 2021-2031 and Council Plan 2021-2025, the selection of participants for the deliberative engagement panel is complete. 30 community members were selected to participate, with a further 7 on a reserve list in case some of the 30 do not accept. Letters of invitation were issued in late April.

Three engagement sessions have been scheduled for:

- Sunday 16<sup>th</sup> May 2021
- Sunday 30<sup>th</sup> May 2021
- Sunday 6<sup>th</sup> June 2021

The sessions will be held at the Lexton Public Hall as a central point within the Shire and facilitated by an external consultant. A small fee of \$50 per session will be paid to participants and childcare and transport will be provided where needed. The engagement sessions will be workshop type and will develop the basics of the community vision, objectives for the Council Plan and input into the Long-Term Financial Plan and Asset Management Plan.

### **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 are not included.

The following table includes key plans outside of the Act which are due for review in 2021 that form part of Council's strategic planning framework.

Implementation item	Timeframe	Status
<b>Budget adoption</b>	30 June 2021	Drafted, out for consultation
<b>Revenue &amp; Rating Plan adoption</b>	30 June 2021	Drafted, out for consultation
<b>Community Vision – 2021 to 2031</b>	31 Oct 2021	Deliberative engagement underway
<b>Council Plan – 2021 to 2025</b>	31 Oct 2021	Awaiting outcome of Community Vision engagement Internal planning commenced
<b>Long Term Financial Plan – 2021 to 2031</b>	31 Oct 2021	Awaiting outcome of Community Vision and Council Plan engagement In progress
<b>Annual Report 2020/21</b>	30 Sep 2021	In progress Working party convened
<b>Municipal Public Health &amp; Wellbeing Plan 2021-2031</b>	31 Oct 2021	In progress Regional collaborative approach underway
<b>Municipal Early Years Plan</b>	31 Oct 2021	Planning Additional resources gained to support development
<b>Positive Ageing Plan</b>	31 Oct 2021	Planning in consideration of Royal Commission recommendations
<b>Reconciliation Action Plan – Phase 2</b>	Mid-2021	Under development Working group convened and external participants appointed
<b>Workforce Plan – 2021-2025</b>	31 Dec 2021	Review in progress
<b>Asset Management Plan – 2022-2032</b>	30 June 2022	Planning
<b>Reporting framework review</b>	30 June 2021	In progress



### **Gender Equality Act 2020**

The Manager People & Culture is leading the implementation of this legislation, supported by the Director Corporate & Community Services and other working group members convened as required.

The following table shows progress to-date for obligations to be undertaken during 2021.

<b>Implementation item</b>	<b>Timeframe</b>	<b>Status</b>
<b>Training and planning</b> <ul style="list-style-type: none"> <li>• Training completed for conducting a workplace gender audit.</li> <li>• Training scheduled for conducting a gender impact assessment on projects, programs and policy.</li> </ul>	30 May 2021	In progress
<b>Develop and implement process for conducting a gender impact assessment on projects, programs and policy.</b>	30 June 2021	In progress
<b>Conduct gender-focused workplace survey.</b>	30 June 2021	Planning
<b>Capture data for 2021 workplace gender audit.</b>	30 June 2021	Planning
<b>Conduct workplace gender audit based on data available as at 30 June 2021 and submit to the Public Sector Gender Equality Commissioner.</b>	31 Oct 2021	Training completed
<b>Develop and submit Gender Equality Action Plan.</b>	31 Oct 2021	Not yet started

### **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.

4.1 - Continue to build and develop an engaged, responsive, accountable and capable workforce.

### **ATTACHMENTS**

Nil

### **FINANCIAL / RISK IMPLICATIONS**

2020/21 is a busy period for the implementation of new or changed legislation having a significant impact on processes, workload and staff in general. In addition to the ongoing management of the COVID-19 pandemic, this imposes additional strain on an already busy workplace at capacity in many departments with a risk of workload stress and mental health issues.

### **CONCLUSION**

A range of new and revised legislation was enacted during the 2020/21 financial year. This report provides an update on the implementation of two major Acts impacting upon the Pyrenees Shire Council and its communities.

### **OFFICER RECOMMENDATION**

That Council notes this report.

### **10.2.3. COUNCIL PLAN 2017-2021 INITIATIVES PROGRESS REPORT AS AT 31 MARCH 2021**

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

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

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

#### **PURPOSE**

The purpose of this report is to provide Council with a progress report on actions taken in relation to the initiatives identified in the Council Plan 2017-2021 as at 31 March 2021.

#### **BACKGROUND**

In accordance with Section 125(1) of the former *Local Government Act (1989)*, Council adopted the existing Council Plan 2017-2021 at its Ordinary Meeting on the 13<sup>th</sup> June 2017. As part of its annual review process, Council reviewed and adopted a revised Council Plan 2017-2021 at its meeting on 19<sup>th</sup> May 2020.

The 2020 review of the existing Council Plan 2017-2021 was the final review to be undertaken of this plan, with a new plan in the process of development as part of developing a new Community Vision 2021-2031, prior to October 2021.

The Council Plan 2017-2021 is framed around five Strategic Objectives:

**1. Roads and Townships**

We will plan, manage, maintain, and review infrastructure in a sustainable way that responds to the needs of the community.

**2. Relationships and Advocacy**

We will build and maintain effective relationships with community, government and strategic partners, and advocate on key issues.

**3. Community Connection and Wellbeing**

We will engage with communities to provide responsive, efficient services that enhance the quality of life of residents and promote connected, active, and resilient communities.

**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.

**5. Development and Environment**

We will undertake forward planning and facilitate growth in our local economy while protecting key natural and built environmental values.

#### **ISSUE / DISCUSSION**

This report provides an update on progress made, during the third quarter of the 2020/21 financial year, against the strategic initiatives included in the 2017-21 Council Plan.

The report has been structured for clarity, utilising symbols and brief commentary to provide a snapshot of progress. The status of the initiatives scheduled for the financial year is identified

against each individual item in the attached report. It should be noted that some items cross multiple years.

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

Strategic Objective 1 - Roads and Townships. We will plan, manage, maintain and renew infrastructure in a sustainable way that responds to the needs of the community.

1.1 - Ensure local roads are maintained and renewed in line with adopted plans and strategy to provide a safe transport network and meet community needs.

1.2 - Maintain and renew Council's facilities and built assets in line with community service needs

1.3 - Develop and implement a rolling three-year capital works program.

1.4 - Maintain, develop and renew the public amenity of our townships in consultation with our communities.

1.5 - Prepare and implement township framework plans to guide future development in Beaufort, Avoca, Snake Valley, Lexton, Waubra / Evansford, Landsborough, Moonambel, Amphitheatre, and Raglan, and then consider extending the planning to include other towns

### **ATTACHMENTS**

1. Council Plan Progress Report Q3 2020 21 Jan Mar 2021 [**10.2.3.1** - 22 pages]

### **FINANCIAL / RISK IMPLICATIONS**

There are no risks associated with this report.

### **CONCLUSION**

The Council Plan progress report describes the range and status of initiatives being undertaken by the Pyrenees Shire Council during the 2020/21 financial year. This is the final year of the current Council Plan with the development of the new Council Plan 2021-2025 being led through community engagement processes currently underway.

### **OFFICER RECOMMENDATION**

That Council notes this report.

#### **10.2.4. MARCH 2021 FINANCIAL REPORT**

**James Hogan – Manager Finance**

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

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

#### **PURPOSE**

The purpose of this report is to provide Council with an update of the operating and capital financial performance for the three months from 1 July 2020 to 31 March 2021. The report compares the current budget against year-to-date actuals for each operating program and for all capital works in the 2020/21 financial year to-date.

#### **BACKGROUND**

Council adopted the budget for the 2020/21 financial year at its meeting on 21 July 2020. The budget was adopted based on projected completion of projects and capital works at 30 June 2020 and information available at that time.

Subsequent to the original adoption, Council has further adopted carryover of projects from the previous financial year, endorsed project funding from the working capital surplus, and been notified of successful grant applications which were not included in the original budget but were afterwards incorporated into the amended budget. It is the amended budget amounts that this report has used for comparison purposes.

#### **ISSUE / DISCUSSION**

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

The attached financial report comprises of the following sections:

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

The operating results show variations against the amended budget.

#### **Working capital result**

At this stage of the financial year Council's overall financial result is showing a projected working capital surplus of \$1.692m as at 30 June 2021.

From this surplus, it is usual practice to reserve \$800,000 in case of a call from the defined benefits superannuation scheme or in the event of unexpected expenditure such as a natural disaster, leaving a projected surplus of \$892,000 for the 2020/21 financial year.

## **Income Statement**

Total YTD income is \$976,000 lower than YTD budget. This variance is driven primarily by timing differences in the receipt and recognition of grants (\$346K) and in a reduction in rate revenue (\$541K) primarily related to the Stockyard Hill Windfarm.

Total YTD expenditure is \$2,154,000 lower than YTD budget. This variance is primarily due to timing differences in the payment of expenditure.

The Original Budget shows a deficit of \$698,000 and the Current Budget shows a surplus of \$2,441,000. The movement primarily relates to carried forward capital grants.

## **Major (Capital) projects**

Capital expenditure YTD is 54% of the full year budget. This variance is driven by:

- Seasonal spend patterns
- Difficulties obtaining contractors due to COVID
- Projects pending government grants

## **Balance Sheet**

### *Assets:*

- Cash and investments at 31<sup>st</sup> March 2021 total \$11.896 million which include \$2.4 million for the Long Service Leave and Annual Leave provisions.
- Trade debtors (receivables) are \$1.814 million which includes outstanding rates from prior years, current year rates and other miscellaneous debtors. Rates are invoiced in August but not generally received as lump sums.

### *Liabilities:*

- Trade and other payables are \$4.330 million which includes creditors and grants received in advance.
- Loan Liability at 30th September is nil
- Employee provisions are \$2.4 million

## **Cash Flow**

- Cash and investments at 31<sup>st</sup> March 2021 total \$11.896 million which include \$2.4 million for the Long Service Leave and Annual Leave provisions.

## **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.

4.1 - Continue to build and develop an engaged, responsive, accountable and capable workforce.

## **ATTACHMENTS**

1. CONFIDENTIAL REDACTED - 09 Pyrenees Shire Financials March 2021 (Council) [10.2.4.1 - 23 pages]

## **FINANCIAL / RISK IMPLICATIONS**

All financial implications have been dealt with in the report.

## **CONCLUSION**

The finance report for the 2020/21 financial year to the 31 March 2021 is provided to Council as an attachment to this report. At this stage of the financial year Council's overall financial result is projected to be a net working capital surplus of \$892,000 as at 30th June 2021.

## **OFFICER RECOMMENDATION**

That Council receives this financial report for the YTD to 31<sup>st</sup> March 2021.

**11. COUNCILLOR ACTIVITY REPORTS****11.1. COUNCILLOR ACTIVITY REPORTS - APRIL 2021**

<b>Cr Damian Ferrari – Beaufort Ward</b>		
Thu 08	Beaufort Ag Society Meeting	Beaufort
Mon 12	Mayor / CEO Meeting	Beaufort
Tue 13	Councillor Cuppa	Glenpatrick
Tue 13	Councillor Briefing Session	Avoca
Tue 13	Special Meeting of Council	Avoca
Mon 19	Mayor / CEO Meeting	Beaufort
Tue 20	Councillor Briefing Session	Beaufort
Tue 20	Council Meeting	Beaufort
Sun 25	ANZAC Day Service	Beaufort

<b>Cr David Clark – Ercildoune Ward</b>		
Fri 09	MAV Board Meeting	Melbourne
Tue 13	Councillor Cuppa	Glenpatrick
Tue 13	Councillor Briefing Session	Avoca
Tue 13	Special Meeting of Council	Avoca
Wed 14	Meeting with Bendigo Mayor	Bendigo
Tue 20	Councillor Briefing Session	Beaufort
Tue 20	Council Meeting	Beaufort
Wed 21	Men's Health & Wellbeing Session	Beaufort
Wed 21	MAV Strategic Planning Session	Virtual
Wed 21	CGRSWS roundtable discussions with peak body groups	Virtual
Fri 23	ANZAC Day Service	Waubra
Tue 27	Highlands LLEN Meeting	Ballarat
Thu 29	MAV Board Meeting	Virtual
Fri 30	Victorian Local Government Grants Commission Meeting	Virtual

<b>Cr Robert Vance – De Cameron Ward</b>		
Fri 09	Rural Councils Victoria Meeting	Virtual
Tue 13	Councillor Cuppa	Glenpatrick
Tue 13	Councillor Briefing Session	Avoca
Tue 13	Special Meeting of Council	Avoca
Tue 13	Redbank Reserve Committee of Management Meeting	Redbank
Wed 14	Amphitheatre Recreation Reserve Committee of Management Meeting	Amphitheatre
Thu 15	Timber Towns Victoria General Meeting	Virtual
Tue 20	Councillor Briefing Session	Beaufort
Tue 20	Council Meeting	Beaufort

Sun 25	ANZAC Day Service	Landsborough
Fri 30	Victorian Local Government Grants Commission Meeting	Virtual

**Cr Ron Eason – Avoca Ward**

Thu 08	Meeting with Central Highlands Water	Avoca
Tue 13	Councillor Cuppa	Glenpatrick
Tue 13	Councillor Briefing Session	Avoca
Tue 13	Special Meeting of Council	Avoca
Tue 20	Councillor Briefing Session	Beaufort
Tue 20	Council Meeting	Beaufort
Thu 29	Activate Avoca Meeting	Avoca

**Cr Tanya Kehoe – Mount Emu Ward – On Leave**



**12. ASSEMBLY OF COUNCILLORS**

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Cuppa and Briefing Session		
Meeting Date	Tuesday 13 April 2021 commenced at 2.30pm and closed at 5.55pm		
Meeting Location	Avoca RTC Room, 122 High St, Avoca		
Items Discussed	<ol style="list-style-type: none"> <li>1. Planning Application PA3021/20 – Construction of a dwelling – Frenchmans St Arnaud Road, Barkly</li> <li>2. Planning Application Discussion – PA3021/20</li> <li>3. Draft Budget 2021/22</li> <li>4. Stockyard Hill Wind Farm Agreement</li> <li>5. Amphitheatre Regulatory Matter</li> <li>6. Supreme Court Writ</li> <li>7. MAV Workcare</li> <li>8. Swimming Pool Operations</li> <li>9. Agenda Review</li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Damian Ferrari Cr Ron Eason	Cr David Clark (2.35pm) Cr Robert Vance	
Apologies	Cr Tanya Kehoe		
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 1 & 2 James Hogan (Manager Finance) – Items 1, 2, 3, 4 & 5 April Ure (Property Revenue Officer) – Items 4 & 5		
Visitors	Amy and Brad Weavell – Item 1		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Briefing Session		
Meeting Date	Tuesday 20 April 2021 commenced at 2.00pm and closed at 5.40pm		
Meeting Location	Beaufort Council Chambers, 5 Lawrence St, Beaufort		
Items Discussed	<ol style="list-style-type: none"> <li>1. Illegal Building Activity and Enforcement</li> <li>2. Camping – Avoca River Flats</li> <li>3. Resource Centre Opening Hours – Achieving Consistency</li> <li>4. Social Media Guidelines for Councillors</li> <li>5. Agenda Review – Part 1</li> <li>6. Agenda Review – Part 2</li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Damian Ferrari Cr Ron Eason	Cr David Clark Cr Robert Vance (2.20pm)	
Apologies	Cr Tanya Kehoe		
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 Building) – Items 1 & 2 Kate Deppeler (Communications Officer) – Item 4 James Hogan (Manager Finance) – Item 5		
Visitors	Nil		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

**Cr Robert Vance / Cr Ron Eason**

That the items for noting in Sections 10, 11 and 12, be received.
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**CARRIED**

## **13. ITEMS FOR DECISION**

### **13.1. ASSET AND DEVELOPMENT SERVICES**

#### **13.1.1. UPPER AVOCA AND UPPER WIMMERA FLOOD INVESTIGATIONS**

**Ed Riley – Strategic Planning Officer**

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

**File No:** 20/06/02

#### **PURPOSE**

The purpose of this report is to seek Council's adoption of the Upper Avoca Flood Investigation and the previously undertaken Upper Wimmera Flood Investigation. The report also seeks to obtain Council's approval to seek authorisation from the Minister of Planning to prepare and exhibit a single Planning Scheme Amendment to implement findings of these two Flood Investigations in addition to two other Flood Investigations adopted by Council in August 2020.

#### **BACKGROUND**

##### **Adopted Flood Investigations and Planning Scheme Amendment**

At its August 2020 meeting, Council adopted the findings and recommendations of the Raglan and Upper Mount Emu Creek Flood Investigations. At the same time as those decisions, Council also confirmed its intention to seek authorisation from the Minister for Planning to prepare a Planning Scheme Amendment to incorporate into the Pyrenees Planning Scheme the recommended planning controls from those Investigations. Officers continue to work with Catchment Management Authority partners on the preparation of mapping and documentation to incorporate those controls into our Planning Scheme.

Findings from two other Flood Investigations (the Upper Avoca and the Upper Wimmera Flood Investigations) can also be incorporated into the Pyrenees Planning Scheme within the same Planning Scheme Amendment. For that to occur, Council would need to adopt findings for both of those remaining two Flood Investigations.

Council has received an offer of funding from the Department of Environment, Land, Water and Planning (DELWP) to cover costs associated with a Planning Scheme Amendment to incorporate flood controls into the Pyrenees Planning Scheme. The funding would cover costs such as document preparation, engaging short-term professional assistance, consultation, analysing submissions, and Panel fees. Council would have discretion on where the funding is spent. DELWP requires confirmation that Council intends to proceed with the Amendment.

##### **Upper Avoca Flood Investigation**

Council adopted the draft findings from the Upper Avoca Flood Investigation (UAFI) at the September 2020 meeting. Those draft findings related to the likely extent of recommended Planning Scheme controls in the form of the Floodway Overlay (FO) and the Land Subject to Inundation Overlay (LSIO). Council endorsed the recommendations of the Draft Upper Avoca Flood Modelling Report, and also authorised officers to bring full details of the flood-related controls back to Council for endorsement at the earliest opportunity. The UAFI is now complete and the full suite of recommendations for Council's consideration are set out below.

### *Structural Mitigation Options*

The following are structural mitigation options recommended for further consideration by the UAFI:

- Where required channel clearing of individual blockages, particularly at critical locations such as upstream of bridges should be investigated
- Remediation works should be investigated for sections of the existing Avoca River bank that are degrading
- Where appropriate public or private local levees/bund to protect specific areas and assets can be further investigated

Another structural mitigation option considered for Avoca in the UAFI was the construction of a bund to protect the Avoca Public Park from inundation and flood damage. Further investigation of the bund is recommended by the report, though it does not recommend it as a preferred mitigation method. The bund would cost an estimated \$629,000, of which \$550,000 would be capital works and the remainder would be engineering design costs.

Other structural mitigation options were considered, but none was recommended for further investigation due to the unfavourable Benefit-Cost Ratios for each.

### *Non-Structural Mitigation Options*

The non-structural mitigation options recommended in the UAFI are as follows:

- Incorporation of the flood mapping and intelligence outputs into emergency response procedures and actions, including update of the Municipal Flood Emergency Plan (MFEP)
- Incorporate the flood mapping into the Planning Scheme
- Use of the Investigation inputs and outputs to further educate/inform the local community of the flood risk in the Upper Avoca River
- Use the flood models developed to undertake future assessments such as further investigation of potential structural mitigation options or infrastructure design
- The possible actions identified in the flood warning feasibility assessment for the establishment of Total Flood Warning System be further investigated by Council and the local community, with support other relevant authorities as required

The recommended planning controls would see the application of the FO and the LSIO as per the details presented to and endorsed by Council in August 2020. Finalising the UAFI has not resulted in a change to the extent of either Overlay as adopted by Council.

The Flood Warning System set out by the consultants at paragraph 6.2 of the Flood Warning Feasibility Assessment Report (Attachment 6) is extensive, identifying short-, medium-, and long-term 'building blocks' to achieve more flood-resilient communities within the Upper Avoca River catchment. In summary, the consultants recommend Council partner with VICSES, North Central CMA, DELWP, the Bureau of Meteorology, the Country Fire Authority and Central Goldfields Shire Council on data collection and collation. This work, when coupled with the monitoring of rain gauges and river level data, would provide indicative flood guidance tools for local communities

and emergency service responders. This work would also produce outcomes to be captured within Council's Municipal Flood Emergency Plan. Recommendations on communications methods (including the creation of online resources) and community education, including organisational responsibilities for each action, are also set out.

### **Upper Wimmera Flood Investigation**

The Upper Wimmera Flood Investigation (the UWFI) was completed in 2014. Prepared by BMT WMB consultants in association with Michael Cawood and Associates, the UWFI covered the entire Wimmera CMA catchment and was funded by the Wimmera CMA and State and local governments. Consultation through public meetings and community surveys throughout the CMA area was undertaken. As well as for Pyrenees Shire, the Investigation recommended Planning Scheme controls in the neighbouring Northern Grampians Shire and Ararat Rural City Council areas. Those controls have been incorporated into those municipalities' Planning Schemes.

Pyrenees Shire Council has not yet adopted the Investigation or endorsed its findings, which are set out below.

### *Structural Mitigation Options*

Two structural options were considered on land within Pyrenees Shire:

1. Removal of vegetation on creek alignments around Landsborough, and
2. Upgraded road design to ensure safe interconnecting road access during all flood events.

None was concluded to have a Benefit-Cost Ratio high enough to make them a 'preferred' structural mitigation option. This is largely because the cost of each option is significant (\$1.165m for option one; \$51.443m for option two) relative to the positive impact they would have on the agricultural land and roads that are primarily affected by flood events.

### *Non-Structural Mitigation Options*

The UWFI concluded that there was sufficient evidence to apply the FO and the LSIO to land in the vicinity of the settlements of Barkly, Frenchmans, Wattle Creek, Landsborough, Shays Flat, Glenlofty, Glenpatrick, and Glenlogie – Appendix C of Attachment 9 shows the areas identified. These areas correspond almost exactly with the current extent of Schedule 1 of the Design and Development Overlay (DDO), which was applied to potentially flood-prone areas and already sets out a range of planning permit requirements to ensure landowners avoid the worst impacts of flooding. The recommended areas of FO and LSIO are, however, more precise than the areas covered by DDO1. Accordingly, the replacement of the DDO Schedule 1 areas with the recommended FO and LSIO would reduce the areas of land covered by flood-related controls. This would also ensure a more up to date style of planning control is applied, to the benefit of landowners in the affected areas and to the benefit of emergency services.

The UWFI also recommended the following mitigation options:

- Declaration of flood levels;
- Flood response plan, including flood intelligence and consequence information.
- Flood warning system; and
- Community education

Officers understand that these options – especially those relating to community information / education – have been primarily led by the CMA on a CMA-wide level. In addition, recommendations regarding flood intelligence have been picked up as part of other Flood Investigation work - for example, the identification of the most appropriate locations for rain gauges in the Shire without being constrained by CMA boundaries. The recommendations have also been incorporated into the Pyrenees Shire Municipal Flood Emergency Plan (adopted 2020).

## **ISSUE / DISCUSSION**

### **Upper Avoca Flood Investigation**

The UAFI sets out implications of flood events at Amphitheatre, Avoca, and Natte Yallock, and on the rural land surrounding these townships. The findings of the Investigation provide useful flood awareness, avoidance, mitigation, and community resilience tools. Its findings are considered to be sufficiently robust to warrant inclusion in the Pyrenees Planning Scheme in the form of Overlays, as previously endorsed by Council. The other non-structural mitigation options recommended in the Investigation are specific to this catchment and reflect outputs from the community consultation.

The investigation of the construction of a bund to protect the Avoca Public Park from inundation and flood damage has provided clear evidence that a bund will not adversely impact other properties. This evidence allows consideration of other methodologies to protect the oval from flood waters such as raising the level of the oval to reduce the risk of flooding from future flood events. The appropriate time to undertake this work would be most probably be after significant damage from a future flood event as the oval has recently been fully restored.

### **Upper Wimmera Flood Investigation**

The UWFI is an older Investigation but remains the best source of flood-related data available within the Wimmera Catchment. In addition, it is some six years more recent than the current flood-related controls in the Pyrenees Planning Scheme. The replacement of those controls with more accurate data will provide greater levels of security and certainty to landowners affected by flood risk, and also to other stakeholders who provide input into planning decisions (such as the Wimmera CMA) and the emergency services.

The non-structural mitigation options outlined in the UWFI continue to act as useful tools for community awareness and flood resilience and have been reflected in the Shire's Municipal Flood Emergency Plan.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

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

5.1 - Provide efficient and effective land use planning, ensuring local policies within the Pyrenees Planning Scheme remain relevant and forward looking.

## **ATTACHMENTS**

1. Upper Avoca Flood Investigation - Potential Planning Scheme Overlays [**13.1.1.1** - 1 page]
2. Upper Avoca Flood Investigation - Study Area [**13.1.1.2** - 1 page]
3. Upper Avoca Flood Investigation - Summary Report [**13.1.1.3** - 39 pages]

4. Upper Avoca Flood Investigation - Data Review Report ( Appendices removed) [**13.1.1.4** - 22 pages]
5. Upper Avoca Flood Investigation - Flood Modelling Report [**13.1.1.5** - 96 pages]
6. Upper Avoca Flood Investigation - Flood Warning Assessment Report [**13.1.1.6** - 40 pages]
7. Upper Avoca Flood Investigation - Mitigations Report [**13.1.1.7** - 93 pages]
8. Upper Wimmera Flood Study - Planning Scheme Report [**13.1.1.8** - 116 pages]
9. Upper Wimmera Flood Study - Final Report [**13.1.1.9** - 216 pages]
10. Wimmera Flood Study - Proposed LSIO & FO [**13.1.1.10** - 1 page]

### FINANCIAL / RISK IMPLICATIONS

There are financial risks associated with flood-related damages to Council-managed infrastructure and to private infrastructure. This can be mitigated through planning controls and other mitigation measures, with some measures being implemented at minimal cost to Council.

### CONCLUSION

Both the Upper Avoca Flood Investigation and the Upper Wimmera Flood Investigation set out evidence-based safeguarding measures for the development of flood-resilient communities. Both were prepared with close regard to community input. The structural and non-structural mitigation tools recommended in the Investigations provide Council with the opportunity to update its MFEP and its Planning Scheme to incorporate the most up to date evidence.

### Cr Robert Vance / Cr Tanya Kehoe

That Council:

1. Endorses the Planning Control recommendations as outlined in the Upper Avoca Flood Investigation;
2. Endorses the non-structural mitigation recommendations as outlined in the Upper Avoca Flood Investigation;
3. Endorses the structural flood mitigation measures as outlined in the Upper Avoca Flood Investigation as possible options for implementation through external funding;
4. Further investigates the design and costing for flood mitigation measures at the Avoca Oval, to include the possible installation of a protective bund;
5. Authorise officers to update the Municipal Emergency Flood Plan to incorporate recommendations from the Upper Avoca Flood Investigation;
6. Endorses the Planning Control recommendations as outlined in the Upper Wimmera Flood Investigation;
7. Endorses the non-structural mitigation recommendations as outlined in the Upper Wimmera Flood Investigation;
8. Seeks authorisation from the Minister for Planning under section 8A of the Planning and Environment Act 1987 to prepare a Planning Scheme Amendment to incorporate into the Pyrenees Planning Scheme the recommended Land Subject to Inundation Overlay and Floodway Overlay Controls, and
9. Following receipt of authorisation from the Minister for Planning, prepares that Planning Scheme Amendment in accordance with section 12 of the Planning and Environment Act 1987, and exhibits that Amendment under sections 17, 18 and 19 of that Act.

**CARRIED**

### 13.1.2. PA3055/20 - PLANNING PERMIT APPLICATION (THREE LOT SUBDIVISION AT 43 CUMMINS STREET, BEAUFORT)

**Katie Gleisner – Manager Planning and Development**

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

**File No:** 508012100

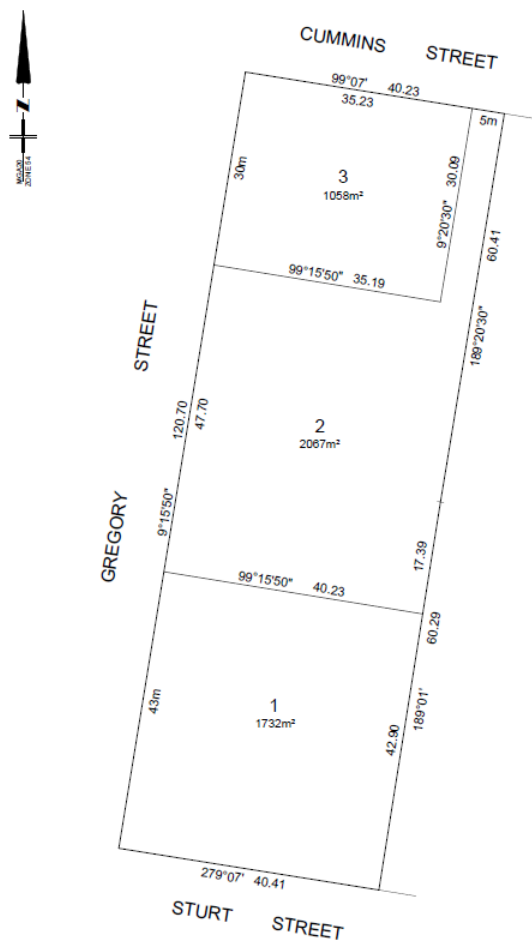
#### PURPOSE

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 PA3055/20A for a Three (3) Lot Subdivision at Land in Plan of Consolidation 378741J (Vol: 12174, Fol: 951), 43 Cummins Street, Beaufort VIC 3373.

#### BACKGROUND

Council has received a planning permit application, seeking permission for the subdivision of a 4856 m<sup>2</sup> lot into the following three lots:

- Lot 1 is proposed to be 1732 m<sup>2</sup>, accessible from Sturt Street and Gregory Street.
- Lot 2 is proposed to be 2067 m<sup>2</sup>, containing the existing dwelling and accessible from Gregory Street.
- Lot 3 is proposed to be 1058 m<sup>2</sup>, accessible from Cummins Street and Gregory Street.



The proposed subdivision is subject to a planning permit under Clause 32.08 General Residential Zone.

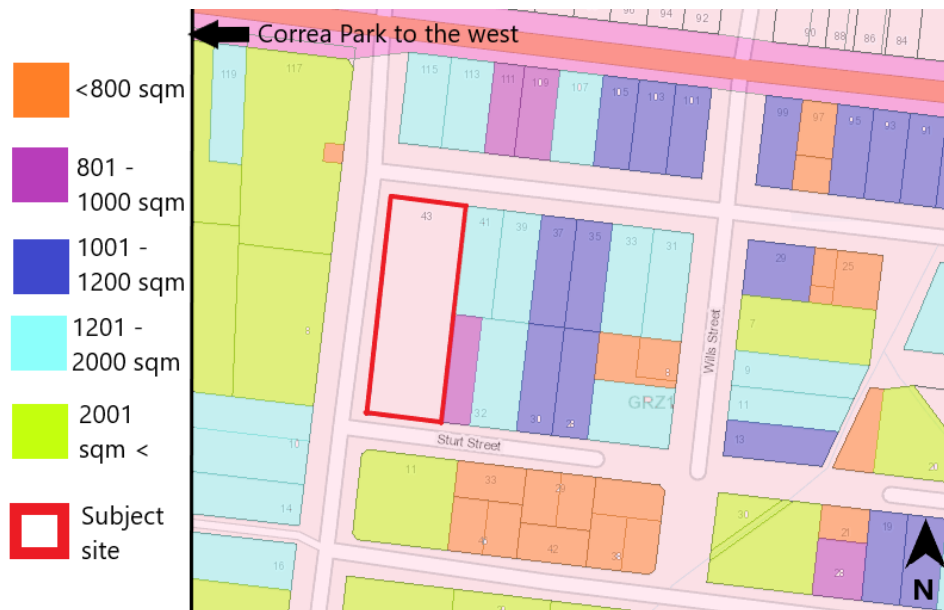


The application has been made in response to the relevant decision guidelines.

SITE AND SURROUNDING CONTEXT

- Location:** Land in Plan of Consolidation 378741J (Vol: 12174, Fol: 951), 43 Cummins Street, Beaufort VIC 3373
- Area:** 4856 m<sup>2</sup> (square meters)
- Current use:** Residential
- Existing structures:** Existing dwelling and outbuildings.
- Access:** The site has road frontage along the northern boundary (Cummins Street), western boundary (Gregory Street) and southern boundary (Sturt Street). The existing dwelling is accessible from Gregory Street. All surrounding roads are sealed and Council managed roads.
- Other:** The site contains scattered vegetation.





**REFERRALS AND NOTICE**

The application before Council originally consisted of a 4 lot subdivision. Under Section 52 of the *Planning & Environment Act 1987* (The **Act**), notice was sent to eleven (11) adjoining landowners and occupiers directly abutting the site in accordance with the scheme. Public notice was also provided through Council’s website. Four submissions were received.

At the completion of the notice period and in response to the submissions received, the proponent amended the application by reducing the number of lots from four to three. The amendment also attempted to protect view lines to an existing building that is regarded as having historic value by some locals.

Following amendment of the proposed subdivision, the application was placed on public exhibition for a second notice period. No additional submissions were received, and the existing submissions were not withdrawn.

The application was referred under Section 55 of the Act to Central Highlands Water Authority and Powercor. Both agencies have provided conditional consent to the granting of a planning permit.

The submissions have been summarised below.

**Submissions**

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

**Submission 1**

1.1 *Concerns regarding drainage and seepage from the subject site to neighbouring properties.*

**Submission 2**

2.1 *Local policy recognises that streetscapes and residential dwellings of note or difference are subject to the threat or loss of the essential rural township character of Beaufort.*

2.2 *The proposed development does not accord with the policy outlined within the Pyrenees Shire Heritage Precinct Study (December 2001).*

2.3 *The significant building (“Womballano”) will [be] substantially impaired by the development in so far as the streetscape, which this building is of considerable merit and significantly altered.*

2.4 *The entire aspect of the property will be irreparably damaged by this development in that the large garden which is an obvious and conspicuous part of the building will be destroyed by the development.*

### Submission 3

3.1 *The rear large lot can be subdivided without visual damage occurring to the fine old mansion when and if residential buildings are placed there,*

3.2 *At the front, 2 homes built on two lots would compromise and destroy the superb elevation and compromise the historic colonial settings.*

3.3 *The grandeur of this remarkable house needs the space in front of it down to Cummins Street.*

3.4 *The property is one of Beaufort’s Finest*

3.5 *It needs to retain the front landscape setting with its scattered attractive trees.*

### Submission 4

4.1 *Objecting on the grounds of heritage and history will be lost to elimination of the look of Wombelano house by covering the front portion of the house which will take away its significant imposing character and will diminish the important of the house.*

### Response

In response to the objections, the assessing officer provides the following advice:

#### Heritage

The dwelling at 43 Cummins Street, locally known as “Womballano”, is not subject to heritage protection under the Heritage Overlay or any other means. As such, Council is not obliged to have regard for these elements of the submissions.

Officers do however acknowledge the community interest in and regard for the building, and in doing so, have worked with the applicant to encourage further regard to these values.

The dwelling façade is north facing and located on an elevated area towards the centre of the lot.

#### Drainage

The application was subject to referral to Central Highlands Water Authority. The authority does not object to the granting of a permit subject to a range of conditions which seek to mitigate any surface water drainage concerns expressed in the submissions.

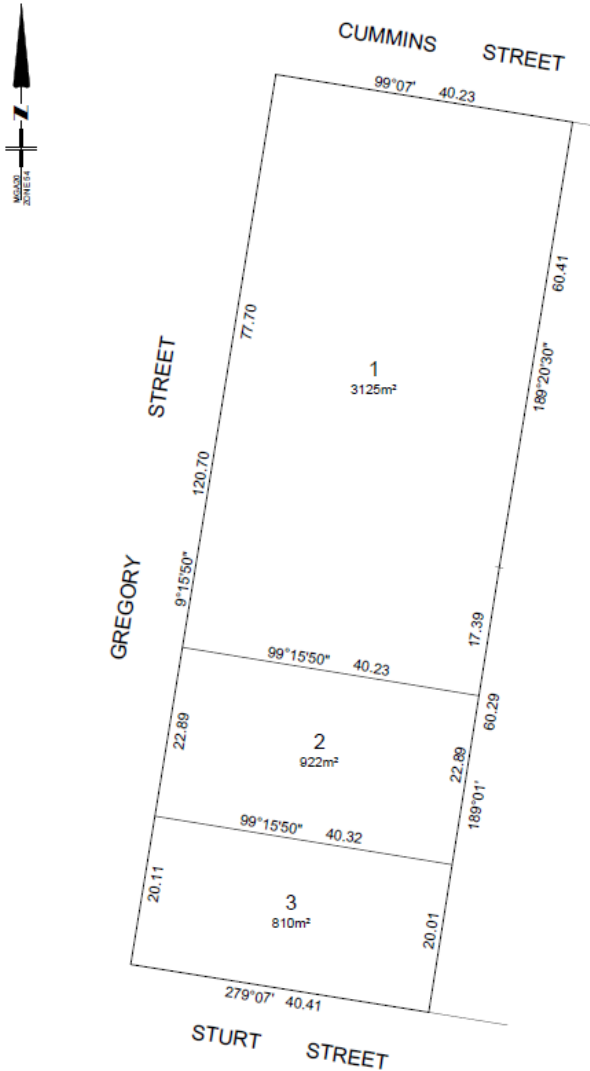
The management of stormwater and runoff is also subject to compliance with the Building Act 1993 and Building Regulations 1998.

#### Subdivision Design

Officers have continued to work with the applicant to identify ways of facilitating the proposed 3 lot subdivision, whilst preserving the façade of the existing building and achieving generous lot sizes. Recent correspondence has confirmed a commitment by the applicant to not pursue a subdivision on the north part of the lot, and to concentrate activity towards the south. This will

allow for complete protection of the façade of the existing building, the open garden and achieve a minimum lot size of 810m<sup>2</sup>.

A preliminary plan of subdivision has been submitted and show below:



**PLANNING CONSIDERATIONS**

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

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

## ISSUE / DISCUSSION

The General Residential Zone encourages diverse housing types and residential growth. The proposed subdivision offers lots that are suitably sized to support future residential growth.

The proposal is supported by State and Local Policy which seeks to consolidate urban areas and provides for higher density residential development in places that are serviced with a wide range of facilities and amenities. The site is located within the established township of Beaufort in an area that is identified within the Local Policy for significant infill development. The subdivision offers a range of conventional sized lots that suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people (Clause 15.01-3S).

The site is serviced by three road frontages, being Cummins Street, Gregory Street and Sturt Street. The site is also serviced by mains water and sewerage as well as being with walking distance of the town's commercial precinct, schools, hospital and other community facilities.

The site contains an existing building which is locally known as "Womballano". The building is not subject to the Heritage Overlay or afforded any heritage protection. Despite the lack of formal protection, it appears to be a building that is well regarded by the Beaufort community.

The proposed subdivision pattern is sympathetic to the façade and front garden whilst considering other site constraints. The northern lot (lot 3) boundary has been set forward from the existing building in an attempt to minimise impacts on view lines. It should however be reiterated that the applicant has committed to no longer pursuing a subdivision on the northern parts of the lot, in a further effort to preserve the façade and garden associated with the existing building.

## COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

5.1 - Provide efficient and effective land use planning, ensuring local policies within the Pyrenees Planning Scheme remain relevant and forward looking.

## ATTACHMENTS

1. Application PA 3055-20A [**13.1.2.1** - 54 pages]
2. Submissions [**13.1.2.2** - 16 pages]
3. PA3055-20 Planning Considerations [**13.1.2.3** - 7 pages]
4. Proposed Plan of Subdivision PS841957 (amended) [**13.1.2.4** - 2 pages]

## FINANCIAL / RISK IMPLICATIONS

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

## CONCLUSION

The proposed subdivision accords with the objectives of the Pyrenees Planning Scheme (General Residential Zone and applicable State and Local Planning Policies).

The applicant has demonstrated an exceptional effort to mitigate the concerns raised in the submissions. Permit conditions required by the referral agencies will further address any concerns.

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

### **Cr David Clark / Cr Ron Eason**

That Council, 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 Three (3) Lot Subdivision at Land in Plan of Consolidation 378741J (Vol: 12174, Fol: 951), 43 Cummins Street, Beaufort VIC 3373 subject to the following conditions including: amended plans that reconfigure the proposed subdivision to preserve the northern frontage and façade (visible from Cummins and Gregory Streets).

#### **Amended Plans**

1. Before the certification of the plan, 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. Reconfiguration of the subdivision plan to preserve the northern frontage and building façade.

#### **Mandatory Conditions**

##### Telecommunications

2. The owner of the land must enter into an agreement with:
  - a. a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
  - b. a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
3. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
  - a. a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
  - b. a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

#### **Central Highlands Conditions**

4. Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.

5. Reticulated sewerage facilities must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
6. A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
7. The owner will provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.
8. The owner will provide easements to the satisfaction of Central Highlands Region Water Corporation for pipeline or ancillary purposes through other land in the vicinity, as it is considered by the Authority that such easements are required for the economical and efficient subdivision or servicing of or access to land covered by the subdivision.
9. If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.

**Powercor Conditions**

10. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
11. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor’s requirements and standards.

**Notes:** Extension, augmentation or rearrangement of the Distributor’s electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

12. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).
13. **Notes:** Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
14. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

15. **Notes:**

- a. Existing easements may need to be amended to meet the Distributor’s requirements;
- b. Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

c.

<i>Easement Reference</i>	<i>Purpose</i>	<i>Width (metres)</i>	<i>Origin</i>	<i>Land Benefited / In Favour Of</i>
	<i>Power Line</i>		<i>Section 88 - Electricity Industry Act 2000</i>	<i>Powercor Australia Ltd</i>

**Vehicle Access**

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

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

**Time for starting and completion**

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

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

**CARRIED**



### 13.1.3. PA3021/20 - USE AND DEVELOPMENT OF A SINGLE DWELLING

**Katie Gleisner – Manager of Planning and Development**

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

**File No:** 101039930

#### PURPOSE

The purpose of this report is to provide Council with information on State and Local Planning Policy that is relevant to making a determination on Planning Permit Application PA3021/20 for the Use and development of a single dwelling at Crown Allotment 65 Section D Parish of Barkly (Vol: 06718, Fol: 429) at Frenchmans-St Arnaud Road, Barkly.

#### BACKGROUND

Council has received a planning permit application for the use and development of a single dwelling and associated shed. The proposed dwelling contains a master bedroom with ensuite and walk in robe, three additional bedrooms, a kitchen and meals area, family area, study, living room, alfresco and attached garage. The proposed shed is 8 metres by 12 metres.

The site falls within the Farming Zone and is subject to the Restructure Overlay.

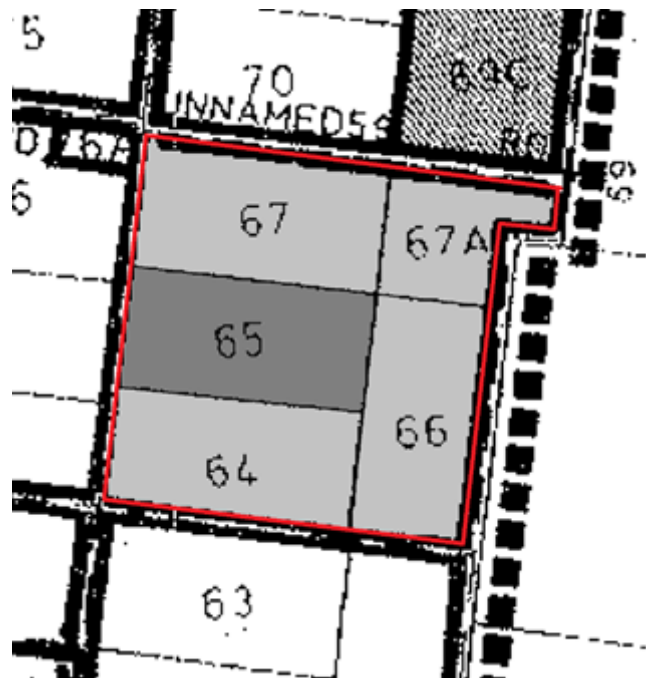
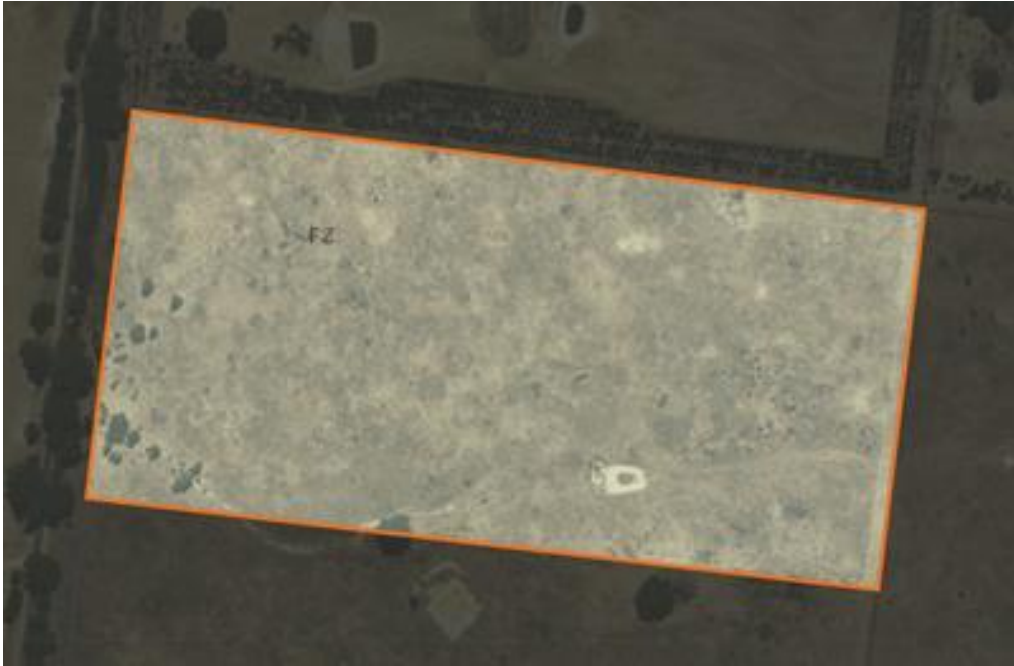
The proposed use and development is subject to a planning permit in accordance with:

- Clause 35.07 (Farming Zone) of the Pyrenees Planning Scheme – which specifies that a permit is required if the *section 1* condition (lot size must be at least 40ha) is not met; and
- Clause 45.05 (Restructure Overlay) of the Pyrenees Planning Scheme, which specifies that a permit is required to construct or extend a dwelling or other building.

#### Site and surrounding context



Location:	Crown Allotment 65 Section D Parish of Barkly (Vol: 06718, Fol: 429), Frenchmans-St Arnaud Road, Barkly
Area:	8.09ha
Current use:	Vacant
Existing Structures:	A single dam
Access:	The site is accessible via the Frenchmans-St Arnaud Road which adjoins the western boundary of the lot.



The site is contained within a *Restructure Parcel* (bordered red above) that incorporates the following lots:

- Crown Allotment 67 Section D Parish of Barkly (Plan 02074);
  - Crown Allotment 67A Section D Parish of Barkly (Plan 02074);
  - Crown Allotment 66 Section D Parish of Barkly (Plan 02074);
  - Crown Allotment 64 Section D Parish of Barkly (Plan 02074); and
  - Crown Allotment 65 Section D Parish of Barkly (Plan 02074) – Lot subject to the application.
- All five lots subject to the restructure parcel are in separate ownership.

The total Restructure Parcel area is 35.99ha, and whilst supporting the capacity to construct one dwelling on the collective lots, is also of sufficient size to permit the construction of a second dwelling, subject to assessment against the Pyrenees Planning Scheme.

The formula applied to support the justification of a second potential dwelling is as follows:

$$N = A/20$$

*where N = number of dwellings (corrected to nearest whole number)*

*A = area in hectares of the Restructure Parcel.*

In the case of the subject Restructure Parcel:

$$N = 35.99/20 \text{ where } N = 1.7995 = 2 \text{ dwelling entitlements.}$$

The first of the dwelling opportunities has been expended at Crown Allotment 67 Section D Parish of Barkly (Plan 02074), being 10 Morrows Lane, Barkly. The second dwelling opportunity remains available and has enabled the making of this planning permit application.

### **REFERRALS AND NOTICE**

Under Section 52 of the *Planning and Environment Act 1987* (The Act), notice was sent to eight (8) adjoining landowners under Clause 35.07 - Farming Zone. Public notice was also provided through Council's website.

The application was subject to an internal referral to Council's Environmental Health Department, which does not oppose the proposed development subject to conditions.

### **SUBMISSIONS**

A submission was received by an adjoining landowner, in relation to the foreseen impact that supporting the proposed use and development, would have on the adjoining land's capacity to construct a dwelling.

This submission was made in relation to provisions of the *Restructure Overlay* and the implications that supporting the proposed application would have on adjoining lots.

Activities within the *Restructure Overlay* are exempt from the notice requirements of the Act. This exemption also applies to an objectors' rights to have a decision, made by the Responsible Authority, reviewed by VCAT.

The submission has been provided below:

*I own the land next door to the aforementioned application. I held planning, building and temporary living permits from 2015 until 2019 Building Permit [redacted].*

*I was aware that the building and temporary living permits had elapsed on my property, holding the belief that the planning permit was permanent and would always apply to my property. I have now discovered this is incorrect.*

*I have improved my property since purchasing in 2015. I have commenced work on building my house, had first inspection undertaken and are approx. ¼ of the way in building. I put in a 2 megalitre dam, new fences and a service driveway to the house site, a 108sqm shed built and planted over 6,000 trees. [redacted] and as owner builders our project just kept delaying when the last building permit was due to expire which meant we could not live there we used our funds to purchase a property in Landsborough with the view to regroup and save to restart the project in the future to return and eventually live there. I continue to go there at least 5 days per week to tend to the gardens that I have established and to enjoy the quiet beauty of the area.*

*Owing to the subdivision of these allotments I am aware that only two dwellings can be erected. If this planning permit is granted, then I will no longer be able to complete my project. I cannot express how devastating this would be to me.*

#### Officer Comments

In accordance with section 60 (1) (c) of the Act, Council must consider the submitted objection, before deciding on the application.

It is the officer's assessment that the grounds provided within the submission have been made in relation to provisions of the Restructure Overlay.

The 'second dwelling' entitlement referred to in the objection above, was previously assigned to Crown Allotment 64 Section D Parish of Barkly (Plan 02074) through a planning permit which was granted in August 2015 for the Use and Development of a Single Dwelling. This planning permit expired in August of 2019 due to the non-completion of works, with the capacity to request an extension expiring in August 2020.

#### **PLANNING CONSIDERATIONS**

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

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

any significant social effects and economic effects which the responsible authority considers the use or development may have.

### **ISSUE/DISCUSSION**

The 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 proposed use and development provide for the use of land for agriculture and ensures that non-agricultural uses do not adversely affect the use of land, in accordance with the zone. Further, the proposed use and development will support and enhance sustainable agricultural production at the site.

The proposal seeks to intensify agricultural activities by increasing the productivity of the land with the introduction of a cattle stud and chicken enterprise. The application suitably demonstrates how the use of a dwelling at the site is required to facilitate the intensive management requirements of the agricultural activity.

The site is subject to the Restructure Overlay which encourages the protection and enhancement of the natural environment and the character of the area. The application proposes to protect existing vegetation and preserve the natural environment through siting and design.

The applicant has provided a legal opinion on how the Restructure Overlay ought to be applied in this instance. The opinion suggests that the number of lots does not currently exceed the number of dwellings which may be constructed in accordance with the *formula*, however the number of lots within the *restructure parcel* is five whereas the number of permissible dwellings is two. It is clear to the assessing officer that the number of lots within the *restructure parcel* exceeds the number of permissible dwellings. It is on this basis that any planning permits granted for the development of a dwelling within the subject *restructure parcel*, be subject to a condition of consolidation or section 173 agreement which prevents any further dwellings being constructed on any lots within the *parcel*.

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

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

5.1 - Provide efficient and effective land use planning, ensuring local policies within the Pyrenees Planning Scheme remain relevant and forward looking.

### **ATTACHMENTS**

1. Attachment 2 - Objection [**13.1.3.1** - 2 pages]
2. Attachment 3 Planning Considerations PA3021 20 [**13.1.3.2** - 9 pages]
3. Attachment 1 - Application PA3021-20 [**13.1.3.3** - 60 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 application satisfactorily demonstrates how the proposed use and development accords with the purpose and decision guidelines of the Farming Zone and Restructure Overlay.

It is the assessing officer's opinion that the proposed use and development is a good planning outcome for the shire as it will enhance agricultural productivity.

## **Cr Robert Vance / Cr Ron Eason**

That Council 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 at Crown Allotment 65 Section D Parish of Barkly (Vol: 06718, Fol: 429) at Frenchmans-St Arnaud Road, Barkly subject to the following conditions:

### **Plans**

1. The use and development allowed by this permit and shown on the endorsed plans must not be amended or modified for any reason without the prior written consent of the Responsible Authority.

### **Building and works**

2. 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.

### **Construction Waste**

3. 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**

4. 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.

### **Storm water management**

5. 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.

### **Vehicle Access**

7. A Road Excavation Permit will be required for any works to install or upgrade a driveway
8. Vehicle access to the proposed development shall be constructed at an approved location to the satisfaction of the Responsible Authority.
9. All vehicle access works shall be completed to the satisfaction of the Responsible

Authority prior to the development hereby approved commencing

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

#### **Environmental Health Department**

10. 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.
11. 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).

#### **Services**

12. The dwelling 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.

#### **Vegetation protection works**

13. 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;
14. Weeds around the construction area are to be removed and controlled.
15. All vegetation protection works shall be undertaken to the satisfaction of the Responsible Authority.
16. No trees are permitted to be removed from within the development area without the further approval of the Responsible Authority.

**Time for starting and completion**

17. This permit will expire if one of the following circumstances applies:

- a. The development and use is/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.

**Permit Notes****Building approval**

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

**Effluent Disposal Permit**

- b. A separate permit must be obtained from Council's Environmental Health Department prior to the installation of any effluent disposal system for either the dwelling and or the cabins. A land capability assessment may need to accompany these applications.

**CARRIED**



## **13.2. CORPORATE AND COMMUNITY SERVICES**

### **13.2.1. LEXTON - BEN MAJOR BUSHFIRE RECOVERY FUNDING**

**Martin Walmsley – Manager Community Wellbeing and Development (Municipal Recovery Manager)**

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

**File No:** 32/13/08

#### **PURPOSE**

The purpose of this report is for Council to consider Project Funding allocations as part of the Lexton – Ben Major Bushfire Emergency Recovery funding.

#### **BACKGROUND**

A bushfire started just west of the Lexton township at 4.30pm on Friday 20<sup>th</sup> December 2019. The fire burned more than 3,000 hectares of farmland and bush. Loss and damage included:

- one primary residence and 26 farming properties (11 primary producers);
- 4 sheds (2 wool and 2 machinery);
- 120 kilometres of fencing;
- 1056 sheep (219 in the fire, 850 euthanised - 10 by a farmer and 840 by AgVic);
- 92 hectares of cropping (85h field crop and 7.2h hay);
- total pasture 1,123 hectares.

Council received funding from Bushfire Recovery Victoria of \$200,000 in March 2020. The funding was provided to undertake activities facilitating recovery and renewal of the Lexton and district community.

Council has also received funding of \$200,000 in February 2020 from the National Bushfire Recovery Agency. The funding is for local recovery efforts, as determined by Council.

#### **ISSUE / DISCUSSION**

The COVID –19 Pandemic in March 2021 meant that recovery efforts were put on hold. With the easing of restrictions this year, a Lexton – Ben Major Community Recovery Committee was established in April. The Committee has met on four occasions primarily to consider plan recovery events.

In September 2020, Council considered a report for tenders for the construction of the Lexton Community Hub. Council resolved to allocate \$100,000 from the Lexton Bushfire Recovery Fund to provide solar panels.

In addition, \$88,242 was allocated for guard rail works on the Lexton – Ararat Road, which were not claimable under the Natural Disaster Relief and Recovery Arrangements (NDRRA).

A claim has been made to the NDRRA for costs Council incurred with clean-up following the fire. A response has not been received from the NDRRA. It is suggested that a contingency amount of \$60,000 be reserved should the claim not be successful.

The following is a summary of financial commitment to date:

Lexton Community Hub – Solar Panels	\$100,000
Guard rails works – Lexton - Ararat Road	\$88,242
NDRRA Claim contingency	\$60,000
<b>TOTAL</b>	<b>\$248,242</b>

This leaves a balance of \$151,758.

There are a number of projects that could be considered for the balance of funds:

Lexton Public Hall – re-cladding and installation of 2 heating / cooling systems	\$100,000
Lexton community contribution shortfall of \$20,000 towards Lexton Community Hub	\$20,000
Playground improvements – Toll Bar Park / Lexton Recreation Reserve	\$31,758
<b>TOTAL</b>	<b>\$151,758</b>

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

Strategic Objective 3 - We will engage with communities to provide responsive, efficient services that enhance the quality of life of residents and promote connected, active and resilient communities.

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

### **ATTACHMENTS**

Nil

### **FINANCIAL / RISK IMPLICATIONS**

N/A

### **CONCLUSION**

Council has received \$400,000 in infrastructure funding for the Lexton – Ben Major bushfire recovery. Council is required to allocate the funding to appropriate recovery projects.

### **Cr Tanya Kehoe / Cr David Clark**

That Council allocates the \$400,000 funding from Bushfire Recovery Victoria and National Recovery Agency to the following projects:

1. Lexton Community Hub – solar panels - \$100,000
2. Guard rail works – Lexton – Ararat Road - \$88,242
3. NDRRA Claim contingency - \$60,000
4. Lexton Public Hall upgrades - \$100,000
5. Lexton community contribution shortfall towards the Lexton Community Hub - \$20,000
6. Playground improvements – Lexton - \$31,758

**CARRIED**

### **13.2.2. FINANCE POLICIES - BORROWINGS AND INVESTMENTS**

**James Hogan – Manager Finance**

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

**File No:** 16/24/17

#### **PURPOSE**

The purpose of this report is for Council to consider and adopt the following policies:

- Investment Policy
- Borrowing Policy

#### **BACKGROUND**

In preparing the 2021 Revenue & Rating Plan, Council officers reviewed the existing Treasury Management Policy. This review determined that the existing policy be split into two separate policies:

- Investment Policy
- Borrowing Policy

Council considered the draft policies at its meeting of 20<sup>th</sup> April 2021 and suggested changes to be made prior to final approval.

#### **ISSUE / DISCUSSION**

At its meeting in April 2021, Council considered two new policies drafted to support the Revenue & Rating Plan and replace the existing Treasury Management Policy. Council requested changes to be made to the draft documents prior to tabling in May for final consideration and approval.

##### Investment Policy

The purpose of this policy is to establish the guidelines for investing Council's surplus funds and ensure that investments comply with legislative regulations, the returns on investments are maximised and the level of risk exposure is mitigated.

These amendments have been included and the revised policy is put forward for Council consideration and approval.

##### Borrowing Policy

The purpose of this policy is to establish the financial framework which will guide Council in the utilisation and management of loan borrowings as a source of financing.

This Borrowings Policy aims to ensure the application of prudent fiscal management principles and compliance with the applicable provisions of the Local Government Act 2020 in the Council's undertaking of borrowings and management of its loan portfolio.

This policy shall apply to all borrowings of the Council, including finance leases. It does not apply to determining any operating account overdraft facilities.

These amendments have been included and the revised policy is put forward to Council consideration and approval.

**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**

1. Borrowings Policy Draft2021 [**13.2.2.1** - 6 pages]
2. Investment Policy Draft2021 [**13.2.2.2** - 6 pages]

**FINANCIAL / RISK IMPLICATIONS**

All financial implications associated with this report have been addressed within the Rating & Revenue Plan and associated policies.

**CONCLUSION**

The draft Investment Policy and Borrowing Policy were developed in support of the draft Revenue & Rating Plan 2021, currently out for public feedback, and to replace the existing Treasury Management Policy. At its meeting in April 2021, Council requested amendments to the draft policies. The revised policies are now attached for Council further consideration and approval.

**Cr David Clark / Cr Ron Eason**

That Council:

1. Resolves to adopt the Investment Policy.
2. Resolves to adopt the Borrowing Policy.
3. Resolves to rescind the current Treasury Management Policy which has been replaced by the two new policies.

**CARRIED**

### 13.2.3. COMMUNITY GRANTS 2020/21 - ALLOCATION OF ROUND 2

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

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

**File No:** 32/14/35

#### PURPOSE

This report is to provide Council with information regarding applications for Round 2 2020/21 Community Grants Program and seek Council's consideration and allocation of funding.

#### BACKGROUND

Council provides funding annually through community grants to recognise the importance of providing financial assistance to community groups, services and organisations located or operating within the Pyrenees Shire. These grants are included within Council's annual budget and are designed to enable the provision of activities and events which promote community activity, achievement, participation and wellbeing. Grants are allocated under the following streams:

- Community Grants
  - Grants of up to \$1,500 for programs and equipment
  - Grants of up to \$750 for events
  - Grants of up to \$1,000 for programs or projects aimed at increasing awareness or facilities for minority groups or gender equality
- Community Capital Grants
  - Grants of up to \$5,000 for capital works projects

At its meeting in September 2020, Council approved a split in available budget between Community Grants and Community Capital Grants of:

- Community Grants – allocation of 35% - \$33,250
- Community Capital Grants – allocation of 65% - \$61,750

#### ISSUE / DISCUSSION

After a delayed start in 2020 to the Community Grants program due to COVID-19, the second round for the financial year opened in its normal timeframes of March/April 2021. A full summary of grant applications was considered by Councillors at its briefing session on 11<sup>th</sup> May 2021.

##### 1. Community Grants

9 applications were received for community grants:

Community Group	Township	Purpose	Amount requested
<b>Beaufort Walkfest Inc</b>	Beaufort	Events - Beaufort Walkfest Annual event – local health & wellbeing, attracts visitors	\$750
<b>Beaufort CWA</b>	Beaufort	Event - Beaufort Group CWA Conference Attracts new members, improves CWA sustainability	\$750
<b>Casablanca Movie Club</b>	Avoca	Event - Seniors Movie Festival & Old Time Dance	\$750

		Annual event – local health & wellbeing, well-known around Victoria and attracts visitors	
<b>Evansford Community Centre</b>	Evansford	Event – Spring Harvest Festival <sup>1</sup>	\$750
<b>Raglan Hall &amp; Rec Reserve Committee</b>	Raglan	Equipment purchase – whipper snipper Facilitates maintenance of grounds	\$736
<b>Snake Valley Hall of Management</b>	Snake Valley	Playground improvements Facilitates growing young demographic in the southern end of the Shire	\$598
<b>Lake Goldsmith Hall Committee</b>	Lake Goldsmith	New chairs for hall <sup>2</sup> Improves facilities for users.	\$1,500
<b>Avoca &amp; District Senior Citizens</b>	Avoca	Chair replacement Improves facilities for users. Growing range of community groups using the Centre.	\$1,500
<b>Beaufort Agricultural Society</b>	Beaufort	Sunshade protection for sheep in working dog trials <sup>3</sup>	\$1,060

The total amount requested in this category is \$8,394. The amount requested in Round 2 by eligible applicants (i.e., not having received funding in a previous round) for this section totals \$5,250. Two applications were deemed ineligible due to having received funding in Round 1 2020/21, amounting to \$1,810 (Evansford Community Centre and Beaufort Agricultural Society).

After an allocation of \$9,950 in Round 1, \$23,300 is available for provision in the Community Grants category in Round 2 2020/21.

Additional comment and information to support Council decision-making, relating to the grant applications in this category, is provided below:

- Evansford Community Centre – Spring Harvest Festival - \$750 requested. Although Evansford Community Centre received funding in Round 1 of this financial year, the previous funding received was for a capital works program (BBQ pavilion upgrade) and therefore in a different category. As there are sufficient funds left after all eligible applications have been satisfied, Council is requested to accept this application and approve the grant request of \$750.
- Beaufort Agricultural Society – sunshade protection for sheep in working dog trials - \$1,060 requested. Although Beaufort Agricultural Society received funding in Round 1 of this financial year, the current request meets a valid humanitarian need. As there are sufficient funds left after all eligible applications have been satisfied, Council is requested to accept this application and approve the grant request of \$1,060.

<sup>1</sup> Received funding in Round 1 2020/21.

<sup>2</sup> If approved will need to be subject to provision of public liability insurance coverage.

<sup>3</sup> Received funding in Round 1 2020/21 - subject to funding availability for eligible projects before recommending approval.

It is therefore recommended that Council awards grant amounts to all applicants in this category. If Council approves all recommended applications in this category, the unused budget balance amount is \$14,906.

## 2. **Community Capital Grants**

6 applications were received for community capital grants:

Community Group	Township	Purpose	Amount requested
<b>Lexton Public Hall Inc</b>	Lexton	Kitchen improvements – fridge purchase Considered not capital, but equipment, so only eligible for \$1,500.	\$2,080
<b>Lake Goldsmith Steam Preservation Association</b>	Lake Goldsmith	Camera Security System for Steam Rally Gates	\$5,000
<b>Landsborough &amp; District Historical Group Inc</b>	Landsborough	Repairs to old police stables on Barkly Room Site This aligns with Council’s support to preserve local history	\$1,510
<b>Brewster Community Hall Association</b>	Brewster	Purchase and installation of Solar Panels Council facility – insufficient funds to provide financial contribution. See notes below.	\$6,800
<b>Day Breakers Automobile Club of Victoria</b>	Snake Valley	Shade sails for Snake Valley skate park New Council facility. Amount limit of \$5,000 applies. <sup>4</sup>	\$6,025
<b>Trawalla &amp; District Recreation Reserve</b>	Trawalla	Replacing the roof at Trawalla Hall. Final quotes not yet received but likely to be around \$20,000. <sup>5</sup>	\$5,000

The amount requested in Round 2 for this section totals \$26,415. After an allocation of \$9,666 in Round 1, \$52,084 is available for provision in the Community Capital Grants category for Round 2 2020/21.

Additional comment and information to support Council decision-making, relating to the grant applications in this category, is provided below:

- Lexton Public Hall – purchase of refrigerator - \$2,080 requested. Assessment of this application has deemed this to be an equipment purchase, not a capital works. As such, the maximum grant allowable is \$1,500.  
However, as funds available are undersubscribed for the year, Council may want to consider allocation of the additional \$580 requested.
- Day Breakers Automobile Club of Victoria – Shade sails for Snake Valley skate park - \$6,025 requested. Maximum grant available under this category is \$5,000.

<sup>4</sup> If approved, will be subject to obtaining appropriate permits for installation.

<sup>5</sup> If approved, will be subject to provision of appropriate insurance coverage.

However, as funds available are undersubscribed for the year, and this is to enhance a new facility recently installed by Council, Council may want to consider allocation of the additional \$1,025 requested.

- Brewster Community Hall Association – Solar Panels - \$6,800 requested. Although this is a valid project under this category, the Association have indicated their inability to meet their financial contribution requirement. Brewster Hall is a Council facility, and the Association is a Council Community Asset Committee, with their financial position because of the COVID-19 pandemic impact well known. Council is already subsidising electricity costs for the facility.

For these reasons, and as funds available are undersubscribed for the year, Council is requested to consider allocation of the full amount for this purpose.

It is therefore recommended that Council awards grant amounts to all applicants in this category. If Council approves all recommended applications in this category, the unused budget balance amount is \$25,669.

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

Strategic Objective 3 - We will engage with communities to provide responsive, efficient services that enhance the quality of life of residents and promote connected, active and resilient communities.

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

### **ATTACHMENTS**

Nil

### **FINANCIAL / RISK IMPLICATIONS**

The 2020/21 budget provides for \$95,000 to be allocated to eligible and approved community grants in two rounds, across two streams, conducted during the financial year. Reputation risk arises if this program is perceived as being administered in an unfair or inequitable manner.

Positive obligations were introduced in the Local Government Act 2020 and supporting Regulations to increase equity and decrease discrimination.

### **CONCLUSION**

Round 2 of the 2020/21 community grants was advertised in March/April with 9 applications received under the Community Grants category and 6 applications received for Community Capital Grants. Allocation recommendations for Council approval have been made as part of this report.

### **Cr Ron Eason / Cr Robert Vance**

That Council:

1. Allocates funding of \$8,394 under the Community Grants category for Round 2 of the 2020/21 community grants program to the following applicants:
  - a. Beaufort Walkfest Inc - \$750 towards the Beaufort Walkfest event.
  - b. Beaufort CWA - \$750 towards the Beaufort Group CWA Conference.



- c. Casablanca Movie Club Inc - \$750 towards the Seniors Movie Festival & Old Time Dance.
  - d. Evansford Community Centre - \$750 towards the Spring Harvest Festival.
  - e. Raglan Hall & Recreation Reserve Committee - \$736 towards the purchase of a new whipper snipper for maintenance purposes.
  - f. Snake Valley Hall Committee of Management - \$598 towards playground improvements at the hall.
  - g. Lake Goldsmith Hall Committee - \$1,500 towards the purchase of new chairs for the hall.
  - h. Avoca & District Senior Citizens Inc - \$1,500 towards replacement of chairs at the centre.
  - i. Beaufort Agricultural Society - \$1,060 towards sunshade protection for the sheep in the working dog trials.
2. Allocates funding of \$26,415 under the Community Capital Grants category for Round 2 of the 2020/21 community grants program to the following applicants:
- a. Lexton Public Hall Inc - \$2,080 towards the purchase of a new refrigerator for the hall.
  - b. Lake Goldsmith Steam Preservation Association - \$5,000 towards the purchase of a new camera security system for the Steam Rally Gates.
  - c. Landsborough & District Historical Group Inc - \$1,510 towards repairs to the old police stables on the Barkly Room site of the Landsborough Historical Group.
  - d. Brewster Community Hall Association - \$6,800 towards the purchase of solar panels at the hall.
  - e. Day Breakers Automobile Club of Victoria - \$6,025 towards the installation of shade sails at the newly installed Snake Valley skate park.
  - f. Trawalla & District Recreation Reserve - \$5,000 towards a project to replace the roof at the Trawalla Hall.
3. Invites further applications for another round of funding allocation.

**CARRIED**

### **13.2.4. POLICY - HUMAN RIGHTS & RESPONSIBILITIES**

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

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

**File No:** 16/24/17

#### **PURPOSE**

This report is to seek Council's adoption of the revised Human Rights & Responsibilities Policy.

#### **BACKGROUND**

Victoria adopted the Charter of Human Rights & Responsibilities Act 2006 (the Charter) with effect from 1<sup>st</sup> January 2008. The purpose of the Charter is to protect and promote human rights by recognising that all people are born free and equal in dignity and rights. The Charter applies to the Victorian Public Sector, including local government.

Council adopted the first Human Rights & Responsibilities Policy in April 2017.

#### **ISSUE / DISCUSSION**

The Policy was reviewed in April 2021 as part of the review schedule and in line with the policy requirement that it be reviewed within 12 months of a local government general election.

The review has made minor changes including:

- Clarification that the Act is an overarching law in accordance with all other Victorian laws, regulations, local laws, policies and procedures must be implemented.
- Updates were made, where applicable, to related legislation.

A guidelines document to assist staff in assessing policy, procedure and program development to ensure compliance to the Charter is under development to support the policy.

It is requested that Council resolves to adopt the attached Human Rights & Responsibilities Policy.

#### **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.

4.1 - Continue to build and develop an engaged, responsive, accountable and capable workforce.

#### **ATTACHMENTS**

1. Human Rights Responsibilities Policy DRAFT [**13.2.4.1** - 3 pages]

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

Compliance and reputation risk exist if Council does not implement processes to ensure compliance with the Victorian Charter of Human Rights & Responsibilities Act 2006.

**CONCLUSION**

Council's Human Rights & Responsibilities Policy was due for review in April 2021 and within 12 months of the 2020 local government general election. This review is complete, and the revised policy is attached for Council's adoption.

**Cr Ron Eason / Cr Robert Vance**

That Council adopts the revised Policy – Council – Human Rights & Responsibilities.
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**CARRIED**

### 13.2.5. REQUEST FOR PLACE NAMING - ROTARY PLACE

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

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

**File No:** 521034600

#### PURPOSE

This report is to seek Council approval to enter a public consultation process regarding a place naming request received from the community.

#### BACKGROUND

In April 2021, Rotary requested Council to consider the naming of the green space bounded by Neill Street, Havelock Street and Livingstone Street in Beaufort be named as 'Rotary Place'. This space was formerly the site of a toilet block, no longer there.

The Rotary Club of Beaufort feels that the name 'Rotary Place' acknowledges the history of the Club and the service provided to the Beaufort Community over the past 34 years. A copy of the letter is attached for Council information.

#### ISSUE / DISCUSSION

A request was received from the Rotary Club of Beaufort to seek Council endorsement of naming the green space shown in the map below as 'Rotary Place'.



Naming rules for places in Victoria is governed by the Registrar of Geographic Names and must be undertaken in accordance with the *Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2016*. Under these rules, any public or private road, feature or locality within Victoria can be named, renamed or have its boundary changed.

Apart from road naming in new developments, proposals for place naming often arise from community members, as in this case. Council is the responsible naming authority within the Pyrenees Shire.

Subject to Council's approval to enter the community consultation phase of the place naming process, the following details the steps to be undertaken to facilitate consideration and potential approval of the naming request:

1. Internal checks on current naming, conflicts with similar names in close proximity etc.
2. Community consultation – consult with the community – usually those with a direct impact from the proposal. In this case it is suggested that this be undertaken with the Beaufort community via media release, social media, notice in the local media (Pyrenees Advocate), flyers published at places around Beaufort; and direct communication with the businesses surrounding the green space and Beaufort community groups who use the space.

It is considered that the statutory minimum period of 30 days is appropriate for this naming proposal.

3. Consideration of objections – objections must be lodged with Council within the 30 days allocated for feedback. Provide opportunity for objectors to present in person to Council.
4. Assessment report development – including details of objections and Council's consideration / response to the objections.
5. Report to Council – seeking endorsement of a recommended decision.

Following the above process, and subject to a positive outcome and resolution of Council to proceed, the proposal and Council's assessment report and resolution will be provided to the Registrar of Geographic Names for final consideration and approval.

If Council resolves to approve the naming proposal, objectors are provided with information on how an appeal can be made to the Registrar of Geographic Names within 30 days of sending Council's request for Registrar approval.

Internal checks on current naming or naming conflicts are complete. The green space is currently not formally named or known colloquially as a particular name. Council is now requested to approve this process to move to the community consultation stage.

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

Strategic Objective 1 - Roads and Townships. We will plan, manage, maintain and renew infrastructure in a sustainable way that responds to the needs of the community.

1.4 - Maintain, develop and renew the public amenity of our townships in consultation with our communities.

### **ATTACHMENTS**

1. Shire CEO Rotary Place 12-4-2021 [**13.2.5.1** - 2 pages]

### **FINANCIAL / RISK IMPLICATIONS**

Compliance risks if statutory process is not followed. Reputation risks if public consultation is insufficient.

### **CONCLUSION**

The Rotary Club of Beaufort requested a green space in the centre of Beaufort be named as 'Rotary Place' in recognition of 34 years of community service in the town. A formal process must be followed for all place naming proposals in Victoria, and it is requested that Council approves commencing the public consultation part of this process.

### **Cr Robert Vance / Cr David Clark**

That Council resolves the proposal to name the green space bounded by Neill Street, Havelock Street and Livingstone Street in Beaufort as 'Rotary Place' follows the statutory Victorian place naming process and is published for community and public feedback for a period of 30 days.

### **CARRIED**

### **13.3. CHIEF EXECUTIVE OFFICE**

#### **13.3.1. AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - NATIONAL GENERAL ASSEMBLY**

**Jim Nolan – Chief Executive Officer**

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

**File No:** 44/06/02

#### **PURPOSE**

The purpose of this report is to seek approval for the Mayor and Chief Executive Officer to attend the Australian Local Government Association (ALGA) National General Assembly in Canberra 20–23 June 2021.

#### **BACKGROUND**

The 2021 National General Assembly and Conference will be held in Canberra 20-23 June 2021.

The theme for the 2021 Conference is ‘Working Together for Our Communities’. This assembly is focussing on the COVID recovery and how well governments can work together to ensure no community is left behind. This includes the national roll-out of the COVID vaccine, border restrictions and returning to normal, albeit a ‘COVID normal’.

Topics include:

- Learning more about how working collaboratively helps councils and communities to get results in cost-effective and innovative ways;
- Sharing knowledge and lessons learned about approaches and models that build resilience, overcome adversity, and grow local economies;
- Discovering initiatives that can be integrated into current council operations and maintained in the longer term; and
- Identifying ways to effectively engage your local community and businesses in creative, community-focused activities that build local capacity and capability.

The Assembly also provides an avenue for the sector to consider motions from member councils to provide input into ALGAs activity and strategic direction.

#### **ISSUE / DISCUSSION**

With the exception of 2017 and 2020, it has been the practice for the Mayor and CEO to attend the NGA. In the past, Council has also used the opportunity to undertake a range of advocacy work.

Several councils that form Central Highlands Councils Victoria (CHCV) are proposing to attend and there is an opportunity to engage with MPs, ministers and ministerial office staff to advocate on Central Highlands regional projects.

The member Councils of CHCV are Ararat, Ballarat, Central Goldfields, Golden Plains, Hepburn, Moorabool, Northern Grampians, and Pyrenees councils.

The group has, in the past, been successful in advocating to state and federal governments for funding, policy change and support around key regional issues such as road and rail transport funding, employment, telecommunications, health and wellbeing, waste, sport and recreation, township development and the arts.

A number of projects, under the CHCV banner, are currently being undertaken. The current projects are focussed around:

- Growing our food and fibre industries;
- Connecting our economy;
- Enhancing our social fabric, liveability and wellbeing;
- Advancing new technology;
- Strengthening our visitor economy; and

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

Strategic Objective 2 - Relationships and Advocacy. We will build and maintain effective relationships with community, government and strategic partners, and advocate on key issues.

2.2 - Work with other LGAs to develop strategy for the delivery of Shared Services.

2.3 - Maintain strategic partnerships, and participate with peak bodies for support and to enhance advocacy.

### **ATTACHMENTS**

Nil

### **FINANCIAL / RISK IMPLICATIONS**

The delegation to Canberra will require Councils to meet their own participant costs associated with attendance at the NGA, flights, accommodation, cab fares and meals. These costs have been provided for within Council's 2020/21 budget.

### **CONCLUSION**

The National General Assembly and ALGA conference provides an opportunity for Council to participate with local governments nationally to advance issues shaping the future of the sector.

The visit to Canberra also provides an opportunity to partner with CHCV to advocate to government ministers and their offices on regional priorities, ensuring that the interests of the residents and ratepayers of the Pyrenees Shire and the region are well represented.

### **Cr Ron Eason / Cr Tanya Kehoe**

That Council supports the participation of the Mayor and Chief Executive Officer to attend the ALGA National General Assembly and conference from 20-23 June 2021.
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**CARRIED**



## 14. COUNCILLOR REPORTS AND GENERAL BUSINESS

### Cr Clark (Ercildoune Ward)

- Been a very busy month with combined duties with Council and the Municipal Association of Victoria (MAV).
- Visited the Central Goldfields Council that has now transitioned from having administration to having Councillors. They now have a really good group of Councillors.
- Joined a meeting with the Victorian Government Grants Commission which was really valuable. The Commission explained the method by which Council secures funding by the Federal Government through the State Government. Credit is paid to the Federal Government for the funding. Cr Clark asked the CEO to take on notice what can be done in the future to remind the Federal Government of the importance of continued funding.

### Cr Vance (De Cameron Ward)

- Also had a busy month with attending AGMs for Redbank Hall Committee, the Amphitheatre Recreation Reserve and the Landsborough Hall Committee.
- Attended the dawn service on ANZAC Day in Landsborough. There was a terrific attendance by community members. Leonard Daly was recognised for his service with the Airforce.
- Joined the Timber Towns meeting.
- Joined the Victorian Government Grants Commission meeting.
- Joined the Rural Councils Victoria meeting. RCV is busy with preparation for the RCV Summit next week. There is a concern with the rising land valuations throughout Victoria and the impact it is having on the community.

### Cr Eason (Avoca Ward)

- Attended the ANZAC Day dawn service with a great number of community members attending. Also attended the morning service where children from the primary school got involved which gave them a great understanding of the significance of ANZAC Day.
- Attended an Activate Avoca meeting.
- The playspace in Avoca is nearly complete with only one minor issue to overcome. Looking forward to it opening.
- The Community Cuppa was held in Raglan last week. There was only one person from the community attend. Councillors make themselves available at Community Cuppas which are held around the municipality. This is the opportunity for community members to meet Councillors and ask questions. It has been disappointing to not have many community members attend the last two Cuppas.

### Cr Tanya Kehoe (Mount Emu Ward)

- Now back from leave. Appreciate the support from the community during leave.

- The ANZAC Day dawn service was held in Snake Valley. It was wonderful to see many people attending and thanks to the RSL for organising the service.
- The new Opportunity Shop is open at the Uniting Church in Snake Valley. The shop is open 9am - 1pm on Saturday. Donations can be dropped off on Wednesdays and Saturdays.
- The Carngham Recreation Reserve AGM was held.
- Will be attending a community led meeting in relation to the possibility of gold exploration in the Skipton area.
- Have received some great feedback from community members who will now be receiving the waste collection service.

#### Cr Damian Ferrari (Beaufort Ward)

- Attended a meeting with the Beaufort Agricultural Society who are working hard to prepare for this year's Ag Show. There is a lot to organise for the show and it's a credit to Society members who are all volunteers.
- Attended constituent meetings and Council meetings.
- Attended the ANZAC Day dawn service in Beaufort. We need to keep in the mind that the number of veterans from the earlier conflicts is reducing and it is very important we support those veterans into the future by not forgetting their sacrifice.
- It is National Volunteer Week this week. Volunteers in the Pyrenees do so much for our communities so a big thank you goes to all volunteers.

**15. CONFIDENTIAL ITEMS****A FORMAL MOTION WAS PUT FORWARD****Cr Ron Eason / Cr David Clark**

That Council consider a late report in the Closed Meeting of Council in relation to C2021-011 High Street, Avoca.

**CARRIED**

**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.

**Cr Robert Vance / Cr Ron Eason**

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 – Pyrenees Hay Business Support
- 15.2 – Awarding of Contract C2021/008 – Management of Council's Transfer Stations
- 15.3 – Awarding of Contract C2020/039 – Municipal Building Surveyor Services
- 15.4 – C2020/035 – Street Collection and Transportation of Landfill and Recyclable Materials
- 15.5 – Supply of Mobile Waste Bins
- 15.6 – C2021/007 – South Street Footpath Construction
- 15.7 - C2021-011 High Street, Avoca

**CARRIED**

**Cr Ron Eason / Cr Tanya Kehoe**

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

**CARRIED**

***The live stream re-commenced at 8.22pm and the Mayor chose to report on confidential items discussed in closed Council which are noted below:***

- 15.1 – Pyrenees Hay Business Support
- 15.2 – Awarding of Contract C2021/008 – Management of Council's Transfer Stations
- 15.3 – Awarding of Contract C2020/039 – Municipal Building Surveyor Services
- 15.4 – C2020/035 – Street Collection and Transportation of Landfill and Recyclable Materials
- 15.5 – Supply of Mobile Waste Bins
- 15.6 – C2021/007 – South Street Footpath Construction

15.7 – Late Report in relation to pedestrian crossings in Avoca as part of the Avoca Streetscape. It is accepted as a late item as it was a matter of urgency in relation to making some decisions for funding streams for that item.

## **16. CLOSE OF MEETING**

Ordinary Council Meeting 18 May 2021 closed at 08:24 pm.

Minutes of the Meeting confirmed \_\_\_\_\_

2021

Mayor Cr Damian Ferrari