



Pyrenees
Shire Council

Minutes

Ordinary Meeting of Council

6:00pm Tuesday 19 October 2021
Council Chambers
Beaufort Council Offices,
5 Lawrence Street, Beaufort

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1. WELCOME

Mayor Cr Damian Ferrari welcomed all to the meeting.

PRESENT

Mayor: Cr Damian Ferrari

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

Chief Executive Officer: Jim Nolan

Director of Corporate and Community Services: Kathy Bramwell

EA to CEO and Councillors: Jane Bowker

Manager Planning and Development: Katie Gleisner

Business Administration Trainee: Jade Alexander (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

Douglas Gowans - Director Assets and Development Services

6. NOTICE OF DISCLOSURE OF INTEREST BY COUNCILLORS AND OFFICERS

There were no declarations of conflict of interest.

7. CONFIRMATION OF THE PREVIOUS MINUTES

Cr Ron Eason / Cr David Clark

<p>That the Minutes of the Ordinary Meeting of Council held on 21 September 2021, as previously circulated to Councillors, be confirmed.</p>
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CARRIED

8. BUSINESS ARISING

There was no business arising (items taken on notice) from the previous meeting held 21 September 2021.

9. PUBLIC PARTICIPATION

There were no questions submitted for public participation question time.

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 September 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	August 2021	September 2021	Financial Year to date
Applications received	4	5	14
Applications completed	5	17	35
Requests for further information	6	11	25
Estimated cost of works	\$700,270	\$887,822	\$2,648,083
Enquiry Type	August 2021	September 2021	Financial Year to date
Pre-purchase enquiry	53	38	128
Pre-application enquiry	56	53	165
Existing permit enquiry	27	28	46
Current application enquiry	21	33	108
All other enquiries	43	50	139
Total Enquiries	200	202	606

STRATEGIC PLANNING

Online consultation regarding a proposed Beaufort 'off leash dog park' closed on the 15th of October. Evaluation of the results will now be undertaken and inform a subsequent report to Council.

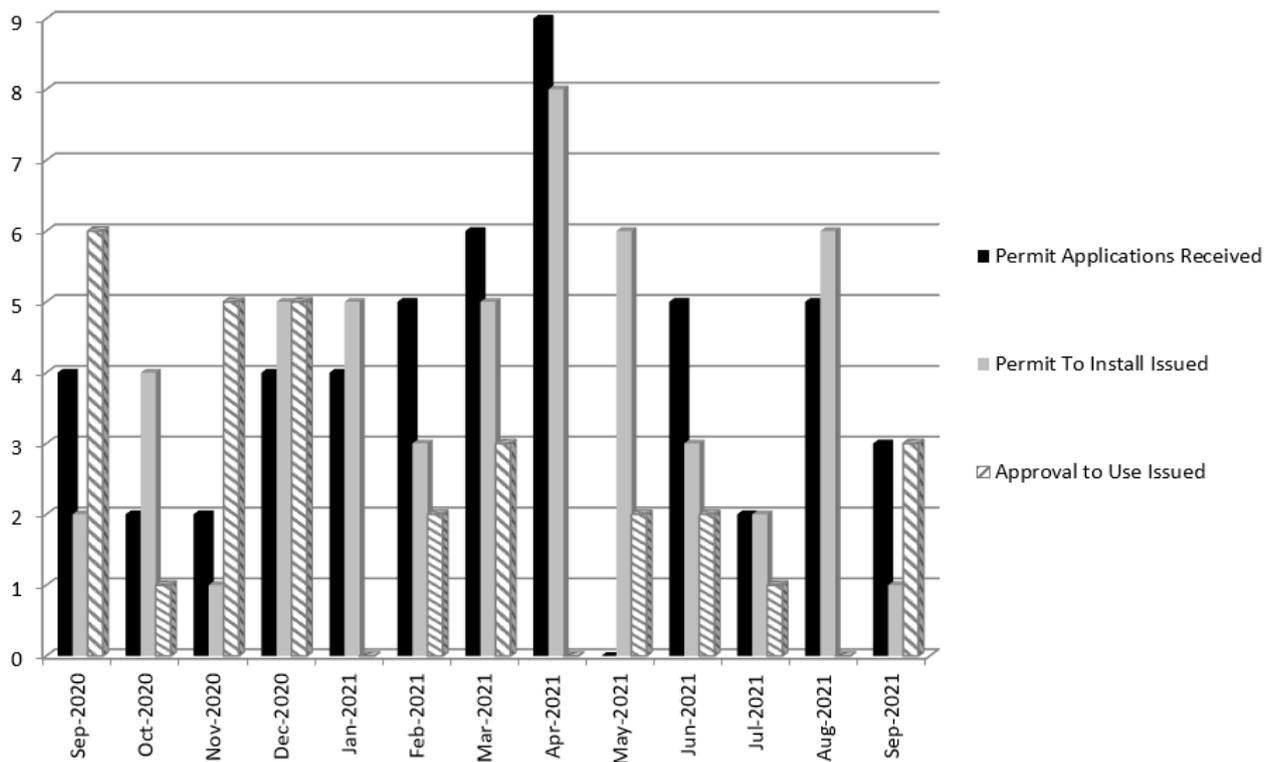
PART B: BUILDING

CATEGORY	August 2021	September 2021	Financial year to date
Permits issued by private Building Surveyor	21	19	58
'Property Information Certificates' prepared and issued	24	19	58
'Report and Consent' issued	3	0	44
Building Notices	1	2	4
Building Order	4	1	8
Resolved Building Notices	0	0	1
Resolved Building Orders	2	0	2
Building Inspections	15	6	30

Final reminders were sent to 20 swimming pool owners who are yet to supply a certificate of compliance in accordance with the State Government's new swimming pool safety barrier regulations. Officers continue to work with swimming pool owners to ensure compliance by the 1st November 2021.

PART C: ENVIRONMENTAL HEALTH**Activity: Wastewater**

Period	Applications to Install or Alter Septic Tanks Received	Permits to Install or Alter Issued	Approval to Use Issued	Fees Paid
1-30 September 2021	3	1	3	\$1200



Wastewater related tasks for September 2021	
Septic Tank Inspections	5
Domestic Wastewater Management Plan Inspections	0
Domestic Waste Water Service Agent Reports	10

Activity: Food, Health & Accommodation Premises

Period	New Premises, Transfers and Renewals	Routine Inspection, Assessments and Follow Ups	Complaints Received about Registered Premises	Food Recalls	Fees Paid
1-30 September 2021	2	5	0	8	\$0

Mobile and Temporary Food Premises in the Shire (Streatrader)

Council processed 1 new Streatrader application and issued 4 Statements of Trade in September 2021. Annual mandatory assessments were undertaken for 3 mobile food premises.

Activity: Immunisations

Group immunisation sessions in Beaufort and Avoca were not conducted during September, due to Covid-19 related impacts. Individual appointments continue to be arranged through Council's Maternal Child Health nurse.

Session Type	Clients / Vaccines	Two Month to four years old	Secondary School	Adult	Total
Opportunistic September 2021	Clients	36	2	1	39
	Vaccines	83	2	1	86

Compliance Issues

Council received one noise and one odour nuisance complaint in September.

PART D: COMMUNITY SAFETY AND AMENITY

Activity: Animals

	August 2021	September 2021	Total YTD (21/22)
Cats Registered	548	564	-
Dogs registered	2270	2304	-
Cats impounded	2	5	12
Cats reclaimed	1	4	8
Cats Euthanised/surrendered	1	0	3
Dogs impounded	2	4	9
Dogs Reclaimed	2	4	9
Dogs Euthanised/surrendered	0	0	0
Stock impounded	0	0	24

Activity: Infringements

Infringement Type	August 2021	September 2021	Total YTD (21/22)
Domestic Animals Act	7	13	26
Local Laws	3	2	9
Road Safety Act	0	0	2
Environment Protection Act	0	1	1
Impounding of Livestock Act	0	0	0
Other	0	0	0
Total Infringements Issues	10	16	38
Prosecutions	0	1	1

Fire Prevention / Preparedness

Approximately 550 advisory letters were issued to property owners in the 1st week of September to advising of the need to prepare properties for the up & coming fire season.

Footpath Trading Permits

Existing footpath trading permits expired on the 30 September with only 9 of 36 permit holders applying to renew their permits. Officers will work with traders to confirm footpath trading intentions and facilitate permit renewal or the removal of goods, as required.

Court proceedings

A matter relating to a dog attack on stock was heard in the Maryborough Magistrates Court in September. The magistrate found the matter proven and ordered the accused to pay compensation to the stock owner totalling \$2600 (vet bills and the cost of the stock).

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
- Environment Protection Act 2017
- Environment Protection Regulations 2021
- 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

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

OFFICER RECOMMENDATION

That Council notes the report.

10.2. CORPORATE AND COMMUNITY SERVICES

10.2.1. CUSTOMER ACTION REQUESTS - SEPTEMBER 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: 16/08/04

PURPOSE

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

BACKGROUND

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

Service requests are received for operational issues regarding maintenance, pools, local laws, building maintenance and compliance matters. The system is also used for internal telephone messaging and case management of some matters (primarily local laws, dogs, and cats), although efforts have been made to reduce this use.

ISSUE / DISCUSSION

438 CARs were logged in September 2021, similar to the previous month. 301 of these requests related to telephone messages.

476 CARs were closed in the month, leaving a total of 344 outstanding, of which 80 related to telephone messages.

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

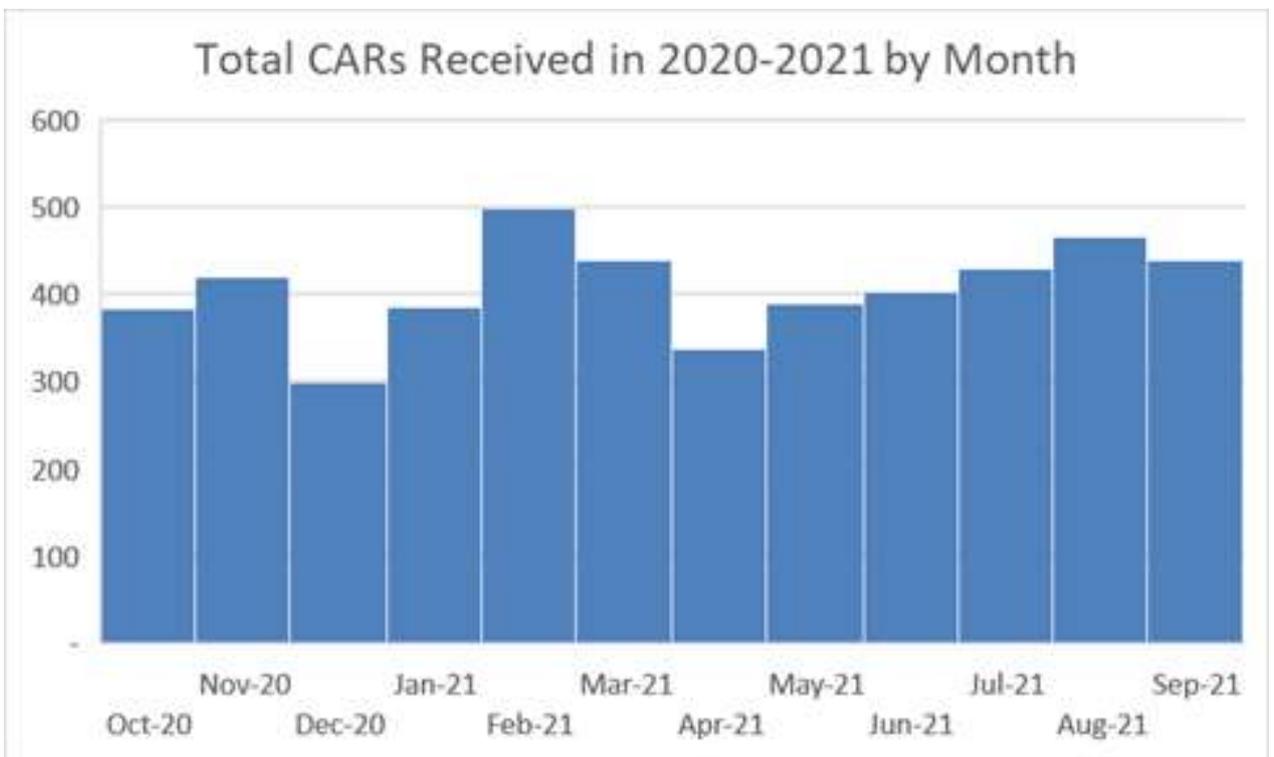
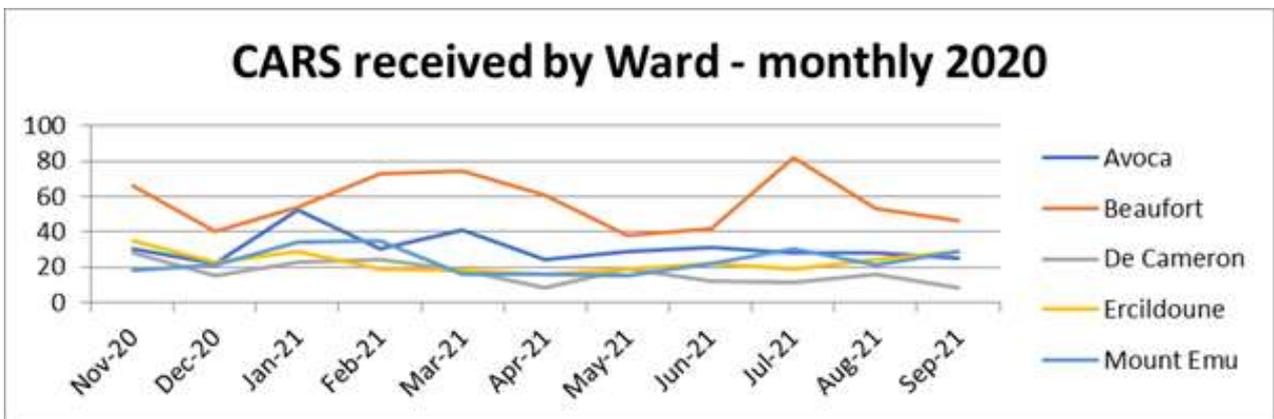
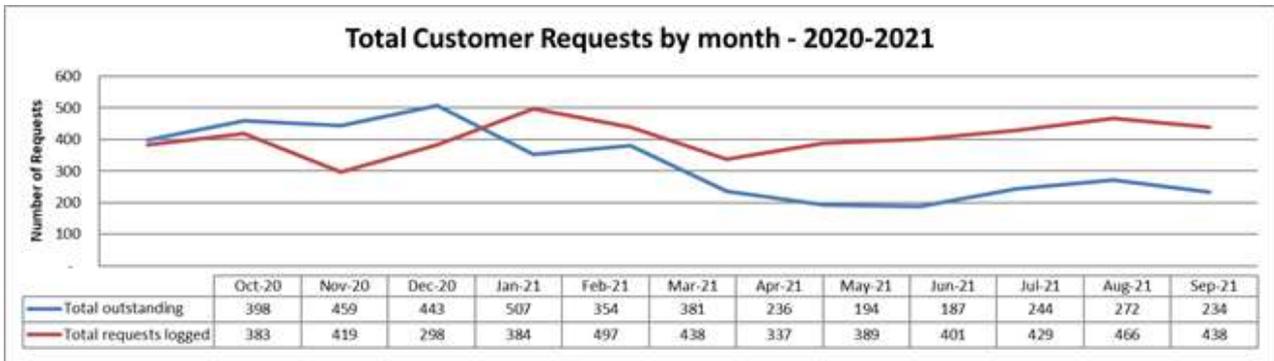
	Avoca Ward	Beaufort Ward	DeCameron Ward	Ercildoune Ward	Mt Emu Ward
Number of requests received in September 2021 (previous month).	25 (28)	46 (53)	8 (16)	29 (24)	29 (21)
Requests received in September and closed in the same month (% of total received).	12 (48%)	31 (67%)	6 (75%)	16(55%)	15 (52%)
Requests received in September still outstanding.	13	15	2	13	14
Outstanding requests from 2020.	0	2	0	0	0
Outstanding requests from 2019.	1	0	0	0	0
Total outstanding requests (previous month).	51 (34)	79 (51)	19 (16)	46 (33)	39(4)

Analysis:

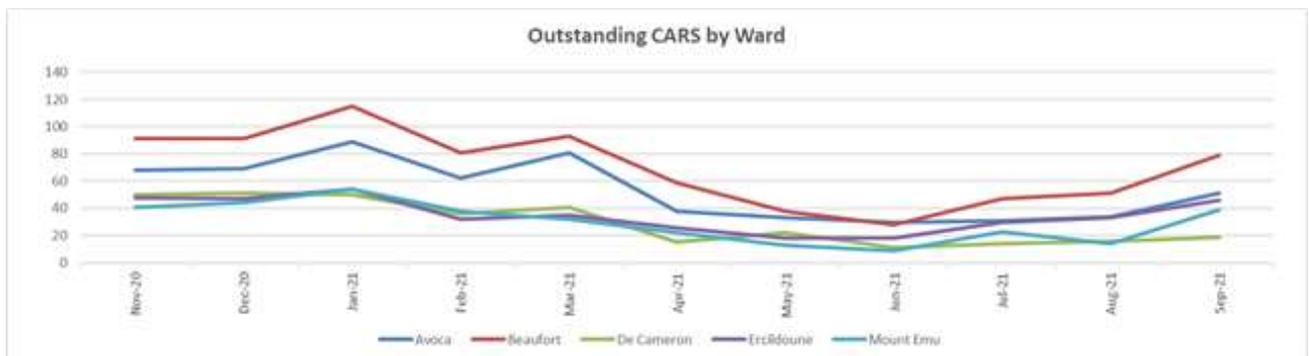
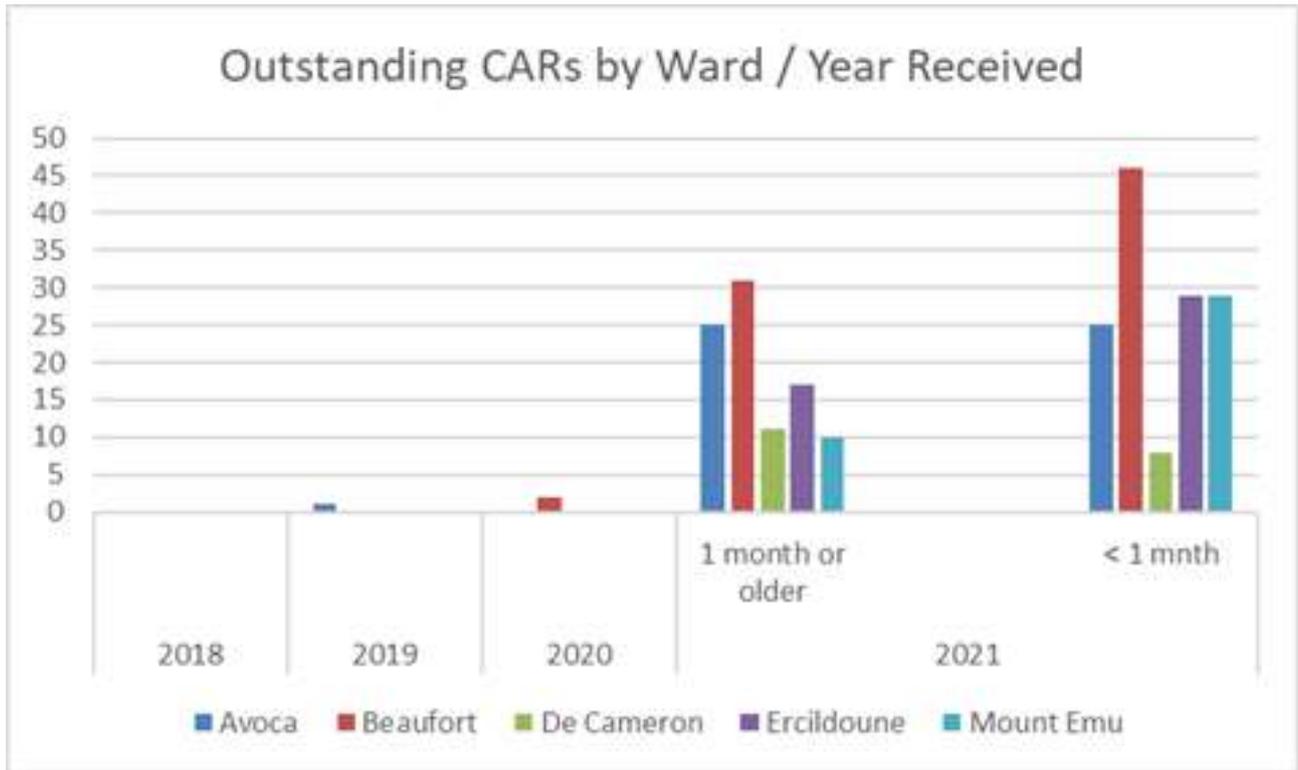
- The ongoing effort to address outstanding CARs as soon as possible is being maintained.

- Outstanding CARs before 2021 have reduced further with just three now outstanding, all relating to complex drainage issues.

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



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



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

30 September 2021 - Open Requests - Type			
	August	Sept	Change
Roads & Rd Maint.	58	51	-7
Streetlights	2	2	0
Drainage	23	25	2
Footpaths	6	8	2
Park & Reserves	3	5	2
Roadside Veg	21	28	7
Environmental Health	1	0	-1
Planning	3	3	0
Bld maint	15	13	-2
Local Laws	3	5	2
Cats	0	1	1
Dogs	3	6	3
Livestock Act	0	0	0
Parking	0	0	0
Fire Hazard	0	0	0
Bld Compliance	0	0	0
Waste Management	3	5	2
Natural Disasters	0	0	0
Pools	3	3	0
Council cleaning	3	2	-1
EPA - Litter	0	0	0
Design & Assets	2	2	0
GIS	0	0	0
Community Wellbeing	0	0	0
Rural Addressing	0	1	1
Road Naming	0	3	3
Telephone messages	124	80	-44
Total	273	243	-30

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 the 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 of 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. AUDIT & RISK COMMITTEE

Kathy Bramwell – Director Corporate and Community Services

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

File No: 32/04/04

PURPOSE

The purpose of this report is to provide Council with an update of the Audit & Risk Committee Meeting M003 held on 23 September 2021.

BACKGROUND

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

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

ISSUE / DISCUSSION

A copy of the Minutes from the Meeting of the Audit & Risk Committee held on 23 September 2021 is attached for Council information.

A brief overview of the issues considered by the Committee is provided below for information -

- Draft year-end financials and performance statement were presented, together with a verbal closing report from Crowe Australasia regarding the end of financial year audit. It was reported that an unqualified audit report is expected soon.
- The Committee requested a review of compliance with the Fraud & Corruption Prevention Policy and Procedure be undertaken in this financial year to demonstrate that the controls in this regard are working. This is being scheduled.
- The final budget 2021/22 and revenue & rating plan 2021-2025 were provided to the Committee, together with the draft long term financial plan.
- An update on Annual Report progress was provided, advising that the draft report is currently undergoing proof reading.
- An update on outstanding issues was provided with a proposal to close two outstanding recommendations -
 - Recommendation 6 from a 2018 review of waste charges – this related to identifying waste components as part of other contracts and it was considered that this was a minor need, and, upon review, management questioned the need.

The Committee advised that this could be closed as a management decision.

- Recommendation 3 from a 2018 Human Resources review – this related to the inclusion of succession planning in the workforce plan. The Committee advised that this was an important part of workforce planning and recommended that this recommendation remain an outstanding issue and be addressed.
- A report from an internal audit review of customer action requests and complaints was presented by Council's Internal Audit Provider – AFS & Associates.
- A comprehensive governance risk and compliance report was provided and AFS provided an industry update, a copy of which is attached for Council information.

A compliance breach was reported to the Committee, comprising of an audit into the Council's compliance with the Dja Dja Wurrung Land Use Activity Agreement which identified areas for compliance improvement.

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. 2021.09.23 - Minutes - Audit & Risk Committee Meeting [**10.2.2.1** - 27 pages]

FINANCIAL / RISK IMPLICATIONS

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

CONCLUSION

A meeting of Council's Audit & Risk Committee was held on 23 September 2021. This report provides an overview of discussions at that meeting.

OFFICER RECOMMENDATION

That Council notes the minutes of the Audit & Risk Committee meeting held on 23 September 2021.

10.2.3. AUDIT & RISK COMMITTEE - REPORT FROM THE CHAIR

Kathy Bramwell – Director Corporate and Community Services

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

File No: 32/04/04

PURPOSE

The purpose of this report is to provide Council with the biannual report for September 2021, from the Chair of Council's Audit & Risk Committee.

BACKGROUND

In accordance with section 54(5) of the *Local Government Act 2020* and the Audit & Risk Committee Charter, the Chair of Council's Audit and Risk Committee must report to Council twice each year on the performance and activities of the Committee.

ISSUE / DISCUSSION

The Chair of Council's Audit and Risk Committee has provided the second report for 2021, covering the period February 2021 to September 2021, on the performance and activities of the Committee.

During the above period, the Audit & Risk Committee held two meetings.

The report is attached for Council information.

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. Report by ARC Chair - September 21 [**10.2.3.1** - 5 pages]

FINANCIAL / RISK IMPLICATIONS

There are no risk implications arising from this report.

CONCLUSION

Pursuant to the Local Government Act 2020 and the Audit & Risk Committee Charter, the Chair of Council's Audit and Risk Committee has provided the second biannual report on Committee performance and activities for 2021.

OFFICER RECOMMENDATION

That Council notes the information provided in this report.

11. COUNCILLOR ACTIVITY REPORTS

11.1. COUNCILLOR ACTIVITY REPORTS - SEPTEMBER 2021

Cr Damian Ferrari – Beaufort Ward		
Thu 09	Mayoral Briefing with Minister for Local Government	Virtual
Mon 13	Western Bulldogs Youth Leadership Graduation	Virtual
Tue 14	Councillor Briefing Session	Beaufort
Tue 21	Councillor Briefing Session	Beaufort
Tue 21	Council Meeting	Beaufort

Cr Robert Vance – De Cameron Ward		
Fri 10	RCV Meeting	Virtual
Tue 14	Councillor Briefing Session	Beaufort
Thu 16	Timber Towns Victoria Meeting	Virtual
Tue 21	Councillor Briefing Session	Beaufort
Tue 21	Council Meeting	Beaufort
Wed 29	Moonambel Hall Committee AGM	Moonambel

Cr Ron Eason – Avoca Ward		
Tue 14	Councillor Briefing Session	Beaufort
Tue 21	Councillor Briefing Session	Beaufort
Tue 21	Council Meeting	Beaufort
Thu 23	Audit & Risk Committee Meeting	Virtual

Cr Tanya Kehoe – Mount Emu Ward		
Thu 02	MAV Meeting Procedures Councillor Training	Virtual
Mon 13	Western Bulldogs Youth Leadership Graduation	Virtual
Tue 14	Councillor Briefing Session	Beaufort
Tue 21	Councillor Briefing Session	Beaufort
Tue 21	Council Meeting	Beaufort

Cr David Clark – Ercildoune Ward		
Wed 01	MAV – Victorian Auditor General Meeting	Virtual
Wed 01	MAV – Minister De’Ambrosio (waste)	Virtual
Tue 02	MAV – Board briefing	Virtual
Fri 03	MAV – Board briefing	Virtual
Fri 03	MAV – Dept Treasury & Finance (MAV Workcare)	Virtual
Mon 06	MAV – Rules review sub committee	Virtual
Wed 08	MAV – ALGA Board meeting briefing	Virtual
Thu 09	Mullawallah Wetlands Strategy (Ballarat)	Virtual

Cr David Clark – Ercildoune Ward cont.		
Thu 09	MAV – ALGA Board meeting	Virtual
Fri 10	MAV – Meet with Kevin Hogan MP (Federal LG)	Virtual
Fri 10	MAV – Workcare update for member Councils	Virtual
Sun 12	Constituent matters Snake Valley / Burrumbeet	In location
Mon 13	MAV – Victorian Ombudsman	Virtual
Mon 13	MAV – Hon. Samantha Ratnam MLC	Virtual
Tue 14	Councillor Briefing Session	Beaufort
Wed 15	MAV – Rules Review	Virtual
Thu 16	MAV – Hydrogen gas presentation	Virtual
Thu 16	Waubra Pre School – Projects	Waubra
Fri 17	MAV – Rules review selection panel	Virtual
Fri 17	Hon. Ali Cupper MLA – Rate Gate	Virtual
Fri 17	MAV – CEO annual review	Virtual
Mon 20	MAV – Mayoral conversations	Virtual
Tue 21	Councillor Briefing Session	Beaufort
Tue 21	Council Meeting	Beaufort
Wed 22	MAV – Audit Committee	Virtual
Wed 22	MAV – Hon Fiona Patten MLC	Virtual
Wed 22	MAV – Hon Andy Meddick MLC	Virtual
Wed 22	MAV – Board briefing MAV Workcare	Virtual
Thu 23	MAV – Greenhouse Alliances cooperation	Virtual
Thu 23	MAV - Board briefing MAV Workcare	Virtual
Mon 27	MAV – Insurance Board meeting	Virtual
Thu 28	MAV – Workcare Board meeting	Virtual
Thu 28	MAV – Mayoral conversations	Virtual

12. ASSEMBLY OF COUNCILLORS

MEETING INFORMATION			
Meeting Name	Councillor Briefing Session		
Meeting Date	14 September 2021 commenced at 1.00pm and closed at 6.00pm		
Meeting Location	Beeripmo Centre, 1-3 Lawrence St, Beaufort		
Items Discussed	<ol style="list-style-type: none"> 1. Proposed Wind Farm (Acciona) 2. Council Plan Measures 3. Planning Permit Matter 1 4. Planning Permit Matter 2 5. Planning Discussion 6. 10 Year Financial Plan 7. Local Roads and Community Infrastructure Program 8. Draft CEO Employment and Remuneration Policy 9. Avoca Railway Station Precinct 10. Agenda Review 		
ATTENDEES			
Councillors	Mayor Cr Damian Ferrari Cr Ron Eason Cr Tanya Kehoe		Cr David Clark (1.08pm) Cr Robert Vance
Apologies	Douglas Gowans (Director Assets and Development Services)		
Staff	Jim Nolan (Chief Executive Officer) Kathy Bramwell (Director Corporate and Community Services) Katie Gleisner (A/ Director Assets and Development Services) Jane Bowker (EA to CEO and Councillors) – left at 5.30pm Ember Parkin (Placemaking Facilitator) – Item 2 (virtual) Claire Pepin (Planning Officer) – Items 3, 4 and 5 James Hogan (Manager Finance) – Item 6		
Visitors	<ul style="list-style-type: none"> • Dmitry Danilovich, Emma Woods, Maria Caruda and Theo Carroll (Acciona) - Item 1 (virtual) • Terry Nagra, Daniel Vidal, Aditya Halim, Dennis Jerram, Mike Chew, Victor Ding and Liz Easton – Item 3 (virtual) • Tessa Halliday, Dominique, Andrew and Diane Hewat – Item 4 (virtual) 		
CONFLICT OF INTEREST DISCLOSURES			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
3	Cr Tanya Kehoe	Cr Kehoe declared a conflict of interest through close association with the landholders of PA21078	3.00pm returning at 3.24pm

MEETING INFORMATION	
Meeting Name	Councillor Briefing Session
Meeting Date	21 September 2021 commenced at 12noon and closed at 5.29pm

Meeting Location	Beeripmo Centre, 1-3 Lawrence St, Beaufort		
Items Discussed	<ol style="list-style-type: none"> 1. CEO / Councillor Time 2. Land Access (AusNet Services) 3. Municipal Public Health & Wellbeing Plan 4. Aged Care Review 5. Planning Permit Matter 6. Response to matters raised by Councillors 7. Rainbow Flag 8. Agenda Review 		
ATTENDEES			
Councillors	Mayor Cr Damian Ferrari Cr Ron Eason Cr Tanya Kehoe	Cr David Clark Cr Robert Vance	
Apologies	Nil		
Staff	Jim Nolan (Chief Executive Officer) Kathy Bramwell (Director Corporate and Community Services) Douglas Gowans (Director Assets and Development Services) Jane Bowker (EA to CEO and Councillors) – left at 4.30pm Claire Pepin (A/Manager Planning and Development Services) – Items 1 and 4 Martin Walmsley (Manager Community Wellbeing) – Items 2 and 3 (virtual) Marina Veal (Community Care Team Leader) – Item 3 (virtual)		
Visitors	<ul style="list-style-type: none"> • Jack Krohn, Justin Justin and Michael Willis (AusNet Services) - Item 1 (virtual) • Craig Kenny – Item 3 (virtual) • Mark Lawson and Chase Martin – Item 4 (virtual) 		
CONFLICT OF INTEREST DISCLOSURES			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
8	Cr Tanya Kehoe	Cr Kehoe declared a conflict of interest through close association with the landholders of one of the planning matters PA21078 on the Council Meeting Agenda.	4.00pm returning at 4.28pm

Cr Tanya Kehoe / Cr Ron Eason

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

CARRIED

13. ITEMS FOR DECISION

13.1. ASSET AND DEVELOPMENT SERVICES

13.1.1. LOCAL ROAD AND COMMUNITY INFRASTRUCTURE PROGRAM - PHASE 3

Douglas Gowans – Director Assets and Development Services

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 to seek direction from Council about the projects to be funded under the Local Roads and Community Infrastructure Program (Phase 3).

BACKGROUND

Council considered a report at the February 2021 Council Meeting regarding the allocation of \$1,126,363 through the Local Roads and Community Infrastructure Program – Phase 2 which was designed by the Commonwealth government as part of its economic stimulus package. Council endorsed a number of projects to be funded under that phase of the program, successful applications were made, and works are currently underway on those projects.

In May 2021, the Commonwealth advised of a Phase 3 of the program with Pyrenees allocation being \$2,789,842. From 1 January 2022, Council will be able to access funding, with projects to be delivered by 30 June 2023. The longer delivery window intends to allow councils to pursue larger and more complex projects. Phase 3 intends to help communities bounce back from the COVID-19 pandemic and will continue to support.

The program guidelines being similar to those of phase two with eligible projects described as follows:

Eligible Community Infrastructure Projects are projects that involve the construction, maintenance and/or improvements of council owned assets (including natural), that are generally accessible to the public.

Examples of locations include parks, playgrounds, footpaths, roads and sporting fields, with possible projects including:

- *Bicycle and walking paths*
- *Improvements to community facilities*
- *Improved accessibility of facilities and areas*
- *Landscaping and beautification works*
- *Picnic or BBQ shelters at community parks*
- *Public art associated with an eligible project*
- *Playgrounds/skate parks*
- *Noise and/or vibration mitigation measures; and*
- *Off-road car parks (sporting ground/community facilities).*

Eligible Local Road Projects are projects that involve the construction or maintenance of roads managed by local governments. Local governments are encouraged to consider works that support improved road safety outcomes.

Ineligible expenditure is detailed as follows:

- *Costs associated with preparation of works schedule*
- *General administration, overheads, staff salaries not connected to funded projects*
- *Commencement ceremonies, opening ceremonies or other event*
- *Transport planning studies*
- *Road rehabilitation studies*
- *Plant/ capital equipment purchase*
- *Land purchase*
- *Training*
- *Public Liability Insurance*
- *Retrospective costs*

When allocating endorsing projects to be nominated under phase 2, Council used the following principles to guide the selection of eligible projects to be nominated for funding under the program:

1. Projects that have previously been identified in a forward works program.
2. Projects that renew existing infrastructure.
3. Projects that create local employment
4. Projects that are relatively easy to deliver and generally shovel ready.
5. Projects that help to deliver identified community needs or plans that have been endorsed by Council
6. Projects that reduce Council's long term financial burden

It is suggested that Council use these same principles when providing direction on phase 3 projects.

ISSUE / DISCUSSION

The following list of projects have been nominated by officers for Council consideration and endorsement:

Category	Location	Project	Project benefits	Projects to fund
Community Infrastructure	Amphitheatre	Formalise vehicle parking at the Amphitheatre Post Office	Improve safety and accessibility for service users	\$100,000
Community Infrastructure	Avoca	Swimming Pool carpark upgrade including resurface, landscaping and shade tree planting.	Improve function and amenity.	\$100,000
Community Infrastructure	Avoca	Electric Vehicle recharging station	Encourage and prolong visitation (expenditure in towns), support residents to transition to a more sustainable transport option, demonstrate progressiveness to the community.	\$100,000
Community Infrastructure	Beaufort	Beaufort Footpath construction (motel to Olinda Street) 840m	To provide critical pedestrian connectivity and improve liveability and health whilst decreasing the dependency on motor vehicles for local retail and services.	\$250,000
Community Infrastructure	Beaufort	Beaufort Lake Foreshore Project – Stage two BBQ Shelter	Deliver further elements identified through 2019 consultation. Support additional and all weather use of the precinct.	\$330,000
Community Infrastructure	Raglan	Hall improvements	Improve function to enable a higher level of community use.	\$100,000
Community Infrastructure	Beaufort	Power upgrade to recreation reserve facilitate future sports lighting upgrade	Improve function and amenity.	\$230,000
Community Infrastructure	Beaufort	Electric Vehicle recharging station	Encourage and prolong visitation (expenditure in towns), support residents to transition to a more sustainable transport option, demonstrate progressiveness to the community.	\$100,000
Local Road	Stockyard Hill	Stockyard Hill Road improvement (1.3km)	\$136k contribution received from SHWF operator. \$380k shortfall	\$380,000
Community Infrastructure	Avoca	Avoca Footpath construction (location to be confirmed)	To provide an improved level of connectivity and accessibility.	\$300,000
Community Infrastructure	Moonambel	Footpath development between town centre and tourist locations	Improved link between township and tourist facilities	\$100,000
Community Infrastructure	Beaufort	Beaufort Lake walking trail and associated infrastructure upgrade	Replace / repair unsafe and failing infrastructure to support an observed increase in usage. Works will support tourism and visitation, and community health and wellbeing.	\$200,000

Category	Location	Project	Project benefits	Projects to fund
Local Road	Crowlands	Crowlands – Eversley Road – 1km upgrade (between twin bridges and section of funded upgrade)	Join two sections of upgrade. Possibly more suited to funding from R2R	\$500,000
TOTAL:				\$2,790,000

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

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

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

There is an opportunity to reduce Council's financial burden through the renewal and improvement of Council managed assets funded under the Local Roads and Community Infrastructure Program.

CONCLUSION

The projects listed in this report provide for community benefit through improvements to infrastructure and amenity.

Cr Robert Vance / Cr Ron Eason

<p>That Council endorses the projects listed in the report for funding under the Local Roads and Community Infrastructure Program- Phase 3.</p>

CARRIED

13.2. CORPORATE AND COMMUNITY SERVICES

13.2.1. UNUSED ROADS - SOUTH AND EAST OF LOT 3 ON PS804378, PARISH OF BEAUFORT

Kathy Bramwell – Director Corporate and Community Services

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

File No: 30/02/08

PURPOSE

The purpose of this report is for Council to consider deciding whether two sections of government road, in the township of Beaufort, are not required for public traffic and are unused roads.

BACKGROUND

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

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

ISSUE / DISCUSSION

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

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

The portions of road shown on the map below are not currently on Council’s Road Register and are not made or maintained. Before the licence is issued, the resident must also advertise this intention, which was done on 3 September 2021 in the Pyrenees Advocate. A copy of the advertisement is provided below.



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.

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

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

CONCLUSION

A request was received for Council to give notice advising of two sections of unused government road are not required for public traffic and are unused, in accordance with section 400 of the *Land Act 1958*. It has been determined that the portions of road in question are not currently on Council's road register and are not made or maintained.

OFFICER RECOMMENDATION

That Council authorises Council officers to give notice to the Secretary of the Department of Environment Land Water and Planning, advising that the sections of unused government road, South and East of Lot 3 on PS804376, Parish of Beaufort, are not required for public traffic and are unused, in accordance with section 400 of the *Land Act 1958*.

Cr Ron Eason / Cr Tanya Kehoe

That Council recommends that this report be laid on the table.

CARRIED

13.2.2. 10-YEAR FINANCIAL PLAN 2021-2031

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: 32/08/18

PURPOSE

The purpose of this report is to seek Council adoption of the draft 10-Year Financial Plan for 2021-2031.

BACKGROUND

Section 91 of the *Local Government Act 2020* requires the Council to develop, adopt, and keep in force a 10-year Financial Plan, by 31 October 2021.

The Plan must include -

- statements describing the financial resources required to undertake activities in the Council Plan and other strategic plans of Council,
- Information about decisions and assumptions that underpin the forecasts in Council and other strategic plans,
- Statements describing other resource requirements Council considers appropriate to include in the financial plan, and
- Any other matters prescribed by regulations.

The draft Financial Plan is based on the adopted Budget 2021/22, with adjustments made for -

- carried forward works from the 2020/21 financial year,
- Council decisions made after budget adoption (e.g., allocation of additional funds to complete the Lexton Hub),
- adjustments for confirmed funding through Financial Assistance Grants, and
- reductions in insurance costs against forecasts.

The Plan will be updated on a rolling basis to maintain financial sustainability.

ISSUE / DISCUSSION

The Financial Plan is an integral part of the Integrated Strategic Planning and Reporting Framework and enables improved monitoring of the Council's financial viability, and better reporting and analysis of decisions and assumptions over a 10-year period.

The Plan establishes the financial framework for the achievement of the Community Vision 2021-2031 and Council Plan 2021-2025 and will support the following objectives -

- to maintain the existing range and level of service provision; and improve the quality and understanding of the range and levels of service provided,
- to maintain a viable cash position, ensuring the Council remains financially sustainable in the long term,
- to rationalise unused assets and allow capacity to continue investing in asset renewal for road infrastructure, and
- to continue to pursue recurrent grant funding for strategic capital funds from the state and federal governments.

In meeting long term sustainability objectives, the Plan identifies limitations and challenges on maintaining and improving service level range and quality, through the limited ability to grow resources throughout the life of the Plan – particularly staffing resources. This requires the Council's executive team to find alternate ways to build capacity and address these challenges. It is proposed that a project be undertaken to develop a Capacity Raising Plan with future reporting requirements to the Council on how we intend to build our capacity and meet service delivery expectations.

At its meeting of 21 September 2021, the Council approved the placing of the draft Financial Plan on exhibition for public comment. The deadline for feedback was 8 October 2021 and no feedback or submissions were received.

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. Draft 10 Year- Financial Plan- for adoption [**13.2.2.1** - 31 pages]

FINANCIAL / RISK IMPLICATIONS

Long term financial sustainability is the cornerstone of the Financial Plan over the 10-year period. There is a raft of financial indicators utilised to ensure that the Council remains financially sustainable.

CONCLUSION

S91 of the *Local Government Act 2020* requires the Council to develop a 10-year Financial Plan as part of the Integrated Strategic Planning and Reporting Framework. The Plan was put on exhibition in September for public feedback and is now presented to the Council as a final draft for adoption.

The Council is also requested to endorse a project to develop a Capacity Building Plan to address the challenges in meeting internal growth and capacity needs over the next 10 years.

Cr David Clark / Cr Ron Eason

That Council:

1. Resolves to adopt the 10-Year Financial Plan 2021/22 to 2031/32; and
2. Authorises the executive leadership team to undertake a project to develop a Capacity Building Plan for the organisation.

CARRIED

13.2.3. CEO APPOINTMENT & REMUNERATION POLICY

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: 16/24/12

PURPOSE

The purpose of this report is to seek the Council's adoption of the draft Chief Executive Officer Employment and Remuneration Policy.

BACKGROUND

Section 45 of the *Local Government Act 2020* requires the Council to develop and implement a policy to set out its approach in managing the recruitment, performance, and remuneration of a Chief Executive Officer (CEO).

The Pyrenees Shire Council, comprising of the elected Councillors, is responsible for the appointment of the CEO, determining with the CEO the CEO's Key Performance Plan, assessing the CEO's performance against that plan, and determining the CEO's contract conditions, including appropriate remuneration.

A CEO Employment and Remuneration Policy must be adopted by 31 December 2021.

ISSUE / DISCUSSION

A Chief Executive Officer (CEO) Employment and Remuneration Policy has been drafted in accordance with the requirements under the *Local Government Act 2021* (the Act).

The Policy meets the obligations pursuant to the Act, including -

- The requirement for the Council to obtain independent professional advice in relation to any matters dealt with in the Policy, including but not limited to CEO recruitment and performance review,
- The ability for the Council to establish a CEO Employment and Remuneration Committee to manage CEO employment and remuneration, if required,
- Mandatory terms and conditions for inclusion within the CEO contract of employment,
- Processes around CEO recruitment, review, remuneration and payment of expenses, and
- Guidance on dispute resolution processes.

All documentation relating to the CEO 's employment and remuneration processes will be confidentially managed and maintained by the Manager People & Culture.

The draft policy is attached to this report for the Council's consideration and adoption.

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. DRAFT CEO Employment and Remuneration Policy 2021 [**13.2.3.1** - 7 pages]

FINANCIAL / RISK IMPLICATIONS

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

CONCLUSION

In accordance with obligations pursuant to section 45 of the Local Government Act 2020, a new CEO Employment and Remuneration Policy has been drafted and is provided to the Council for consideration and adoption.

Cr David Clark / Cr Robert Vance

That Council adopts the new Chief Executive Officer Employment and Remuneration Policy 2021 in accordance with section 45 of the *Local Government Act 2021*.

CARRIED

13.2.4. INVESTMENT POLICY - AUDITOR RECOMMENDATIONS

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 to inform Council of concerns raised by our external auditors regarding our current investment practices, and to resolve to continue invest its surplus funds with Bendigo Bank.

BACKGROUND

Council adopted its Investment Policy at on the 18th of May 2021 at the Ordinary Meeting of Council. The investment policy reaffirmed Council's long-standing position of investing all surplus funds with Bendigo Bank.

As part of the 2020-2021 Financial Statements Audit our Auditors highlighted concerns with this position.

ISSUE / DISCUSSION

Community banks are a great resource for small business loans and other financial services. In addition, the earnings of these community banks are often re-injected into the community through investment in local businesses, support of community development projects such as the beautification of parks and the provision of resources to local organisations like local charities, sporting clubs and volunteer programs.

In recognition of the social and economic benefits that community banks have for our Shire. Council currently invests all surplus funds with Bendigo Bank.

Our auditors have highlighted that this position is not consistent with best practice. Best practice investment policy is to diversify investments to spread risk including to receive maximum benefit under the Australian Government Financial Claims Scheme.

Bendigo Bank has a long-term rating of BBB+ and a short-term rating of A-2 indicated they have a strong capacity to repay monies invested and that the risk of Council losing invested funds being low.

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

Nil

FINANCIAL / RISK IMPLICATIONS

All Financial/Risk Implications have been addressed in the report.

CONCLUSION

Council has a long-standing position of investing all surplus funds with Bendigo Bank.

To limit exposure from Bank failure best practice is to diversify investments across Financial Institutions.

Cr Ron Eason / Cr Tanya Kehoe

That Council, in recognition of the social and economic benefits that community banks have for our Shire, invests all surplus funds with Bendigo Bank.

CARRIED

13.2.5. PYRENEES MUNICIPAL HEALTH & WELLBEING PLAN 2021 - 2025

Martin Walmsley – Manager Community Wellbeing & Development

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

File No: 50/24/06

PURPOSE

The purpose of this report is to present to Council the Pyrenees Municipal Public Health & Wellbeing Plan 2021 – 2025 for adoption.

BACKGROUND

Municipal Public Health & Wellbeing Plans (MPH&WP) are the primary mechanism for planning, coordinating and delivering local public health and wellbeing by councils and partner organisations.

Under S26 of the Public Health and Wellbeing Act (2008), councils must prepare a four-year MPH&WP, within 12 months of a general election of council.

MPH&WPs must:

- Include an examination of data about the health status and health determinants in the municipal district,
- Identify goals and strategies based on available evidence for creating a local community in which people can achieve maximum health and wellbeing,
- Provide for the involvement of people in the local community in its development, implementation and evaluation,
- Specify how Council will work in partnership with the Health Department and relevant partner agencies to accomplish the goals and strategies identified in the Plan,
- Be consistent with the Council Plan and Municipal Strategic Statement.

Plans must also have regard for the Victorian Public Health & Wellbeing Plan 2019 – 2023 and links to the Victorian Outcomes Framework.

ISSUE / DISCUSSION

Work commenced on developing this new MPH&WP in December 2020 with 6 Forums / Workshops being facilitated by the Grampians Pyrenees Primary Care Partnership to determine the Priority Areas for the Plan. Partner agencies included:

- Beaufort & Skipton Health Service
- Maryborough & District Health Service
- Women's Health Grampians
- Ballarat Community Health
- Grampians Community Health
- Northern Grampians Shire Council
- Rural City of Ararat

The three Priority Areas identified are:

- Increasing Healthy Eating
- Increasing Active Living
- Preventing All Forms of Violence

Reference is also made to the Health Impact of Climate Change and Improving Mental Health and Wellbeing, particularly in our COVID – 19 Pandemic environment.

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.

3.1 - Health – Building partnerships to ensure that all the residents have access to a range of preventative and health services that enhances the quality of life of our residents.

ATTACHMENTS

1. Municipal Health Wellbeing Plan Draft [13.2.5.1 - 18 pages]

FINANCIAL / RISK IMPLICATIONS

There are no financial / risk implications identified.

CONCLUSION

The Pyrenees MPH&WP presented is the result of the past 10 months of community and partner agencies consultation that have informed the Priority Areas of:

- Increasing Healthy Eating
- Increasing Active Living
- Preventing All Forms of Violence

Cr Robert Vance / Cr David Clark

That Council adopts the Pyrenees Municipal Public Health & Wellbeing Plan 2021 – 2025.
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CARRIED

13.3. CHIEF EXECUTIVE OFFICE

13.3.1. COUNCIL PLAN 2021-2025 AND COMMUNITY VISION

Jim Nolan – Chief Executive Officer

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

File No: 16/20/06

PURPOSE

The purpose of this report is for Council to consider submissions received and to adopt the draft Council Plan 2021-2025

BACKGROUND

At the Ordinary Council Meeting on 17 August 2021, Council considered a report on the development of the Council Plan 2021-2025 and resolved as follows:

That Council:

- 1. Endorses the draft Council Plan 2021-2025 be released for public exhibition, subject to any amendments.*
- 2. Gives public notice of the draft Council Plan 2021-2025 in accordance with the Local Government Act 2020 and Council's Community Engagement Policy, inviting submissions.*
- 3. Meets after submissions close to hear and consider any submissions received on the proposed Council Plan.*
- 4. At its Ordinary Meeting on 21 September 2021 resolves to adopt the Council Plan 2021-2025 with or without amendments.*

Section 90 (1) of the Local Government Act 2020 states that,

“(1) A Council must prepare and adopt a Council Plan for a period of at least the next 4 financial years after a general election in accordance with its deliberative engagement practices.

(2) A Council Plan must include the following—

- (a) the strategic direction of the Council;*
- (b) strategic objectives for achieving the strategic direction;*
- (c) strategies for achieving the objectives for a period of at least the next 4 financial years;*
- (d) strategic indicators for monitoring the achievement of the objectives;*
- (e) a description of the Council's initiatives and priorities for services, infrastructure and amenity;* *(f) any other matters prescribed by the regulations.*

(3) A Council must develop or review the Council Plan in accordance with its deliberative engagement practices and adopt the Council Plan by 31 October in the year following a general election.

(4) The Council Plan adopted under subsection (3) has effect from 1 July in the year following a general election.”

Council adopted its Community Engagement Policy in February 2021 in accordance with section 55 of the Local Government Act 2020 and the deliberative engagement practices.

Furthermore, Section 88 of the Local Government Act 2020 states that,

“(4) A Council must develop or review the Community Vision in accordance with its deliberative engagement practices and adopt the Community Vision by 31 October in the year following a general election.

(5) The Community Vision adopted under subsection (4) has effect from 1 July in the year following a general election.”

As part of the engagement process to form the Community Vision and draft Council Plan, a postcard questionnaire was mailed out to all households in the Pyrenees Shire. The postcard asked residents three questions:

- What are your hopes for the Pyrenees Shire for 2031?
- What do you love about your community?
- What would you change about your community?

129 responses were received from people in a number of age brackets and places across the municipality.

A Community Panel of 25 community representatives was then formed through an expression of interest process. The Community Panel’s task was to develop a community vision through a series of workshops, to describe what the Pyrenees region will be like as a place to live, play, work and visit in the future. A wide range of economic, social, demographic, environmental information was presented to the group to inform thinking. The Community Panel’s words have directly informed the Council Plan and are presented in full in the Vision and in each of the sections of the Council Plan.

The preparation of the plan also involved facilitated Council workshops with officer assistance in preparing the draft which was further workshopped at a Council briefing session.

ISSUE / DISCUSSION

The draft Council Plan and Community Vision were placed on exhibition via the Pyrenees Shire Council Engagement Hub. Members of the public were invited to visit the site online and to register their feedback. Public notice was also given through the noticeboard in the Pyrenees Advocate, and the Maryborough Advertiser, and hard copies of the draft plan were made available at Council Offices and Resource Centers. As Regional Victoria was under lockdown due to the Covid-19 pandemic for a portion of the consultation period, members of the public were invited to contact the office for hard copies of the plan to be posted to them. Submissions were also invited to be made by means other than the online portal, including by email or in writing.

173 downloads of the Council Plan were recorded on the Engagement Hub, and at the end of the consultation period, two submissions had been received. Copies of the submissions have been circulated to Councilors for consideration and are attached to this report.

Minor adjustments have been made to the measures and targets in the Council Plan in consideration of the submissions and following further review by Councilors.

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.

3.4 - Community Services – Increasing the liveability of our communities through the provision of efficient and responsive services

ATTACHMENTS

1. Pyrenees Shire Community Vision [**13.3.1.1** - 10 pages]
2. Pyrenees Shire Council Plan Draft [**13.3.1.2** - 24 pages]
3. Council Plan Feedback [**13.3.1.3** - 2 pages]

FINANCIAL / RISK IMPLICATIONS

The financial and other resource capacity to implement the draft plan was considered by Council throughout the process of development of the plan, and it is acknowledged that the extent to which the plan is implemented will be limited by Council's financial capacity.

CONCLUSION

Having undertaken a deliberative engagement process to develop a 10-year Community Vision and 4-year Council Plan, and after giving public notice and considering submissions received, the Community Vision and draft Council Plan 2021-25 are presented for Council adoption.

Cr Ron Eason / Cr Tanya Kehoe

That Council:

1. Adopts the Community Vision
2. Adopts the Council Plan 2021-25

CARRIED

13.3.2. MAV WORKCARE LIABILITY

Jim Nolan – Chief Executive Officer

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

File No: 38/12/18

PURPOSE

The purpose of this report is to inform Council of the financial impost by Work Safe Victoria, following its decision not to renew the license of the Municipal Association of Victoria's (MAV) WorkCare Scheme, and to seek agreement to pay the financial liability.

BACKGROUND

The MAV WorkCare Scheme (the Scheme) was Victoria's only local government workers' compensation self-insurance scheme; at its peak, it had 31 members.

Pyrenees Shire Council was a member of the Scheme from 2017 until it ceased operations on 30 June 2021. The decision to cease the operation of MAV WorkCare followed WorkSafe Victoria's refusal of the MAV's application for renewal of approval as a self-insurer, despite a strong performance.

With the Scheme having now come to an end, its council members and their communities - the majority of whom are regional and rural councils - will be required to absorb significant financial cost as required by WorkSafe. It is an ongoing financial burden that will be felt by members potentially until the latter half of 2027.

As of 30 June 2021, WorkSafe's valuation estimated the scheme members' unpaid claims was approximately \$74 million, of which approximately \$59million is funded by existing assets held by MAV.

ISSUE / DISCUSSION

The outstanding claims liabilities has significantly increased as a consequence of the cessation of the Scheme and the related funding gap has escalated materially. Among the reasons for the higher claims' liabilities include:

- The impairment of the scheme's reinsurance assets due to WorkSafe not recognising these contracts despite purchasing this reinsurance being a condition of the self-insurance licence
- A higher cost of claims management within the WorkSafe Victoria system
- Significant costs associated with the closure and transition of the scheme to a ceased self-insurer

Obligations now exist for the MAV as a ceased self-insurer and the 31 members of the scheme until June 2027. These obligations are significant and will impose significant obligations and risks to the MAV and the Scheme's constituent members. These risks are particularly acute as WorkSafe has now assumed control of the outstanding claims.

The Scheme is constituted as a mutual which is formalised via a Participation Agreement between the MAV and each of its members. A mutual is a mechanism to operate collaboratively and share risk to reduce the overall harm to participants' workers and ultimately reduce costs.

As part of this structure, there exist a range of obligations on each participants, the most relevant of which is that any deficiency in funding is required to be paid by those members.

The WorkSafe Victoria obligations are set out in the Workplace Injury Rehabilitation and Compensation Act, which requires:

- Valuations of claims liabilities to occur annually by the WorkSafe appointed actuary.
- Any increase in the value of claims at the three and six-year period will be funded by the ceased self-insurer, which in this case is MAV
- Any reduction in the value of claims at the three and six-year period will be refunded to the ceased self-insurer by WorkSafe Victoria
- The ceased self-insurer is required to hold a bank guarantee of 50 per cent of the outstanding claims liabilities at all times until June 2027
- The ceased self-insurer is required to meet the cost of the actuarial review and audits for this six-year liability period.

The MAV has held briefing sessions for member councils since March this year to inform Council of the winddown of MAV WorkCare and forecast potential financial implications.

The MAV has advocated for a range of solutions to reduce the financial consequence on councils. Among genuine solutions it had pursued - through meetings and correspondence with Work Safe Victoria, the Victorian Government, and the State Opposition - to mitigate the financial consequences for members were:

- Calling on WorkSafe agree to recognise the MAV's re-insurance in the transfer of scheme assets.
- Deferral or waiver of the bank guarantee
- Recognition of WorkSafe's underfunding of the Scheme at its commencement, and
- Recognition of WorkSafe's investment income that it will earn on the returned scheme assets.

As a result of consultation with Scheme members, the MAV ceased its advocacy efforts and has requested more modest forms such as recognising the high credit rating of participating members by seeking a waiver of the bank guarantee requirement, or alternatively for the guarantee to be provided by the Treasury Corporation of Victoria and for an extension to the payment terms.

To date, there has been little acknowledgement of the significance of the cost to councils despite previous WorkSafe Victoria public concerns about the financial consequence to scheme members in its consideration of the licence.

WorkSafe has determined and has invoiced the liabilities to the MAV. Full payment is due to WorkSafe Victoria on 12 November 2021. The initial payment of \$59 million was to be made by the MAV on 11 October 2021.

MAV has issued invoices to member councils requiring payment to be paid to the MAV by 31 October 2021.

In line with advice from the MAV's actuary, the shortfall in funding has been allocated between members based on their share of the unpaid claims' costs. Given that not all claims' costs are known as yet the allocation methodology used the estimates of unpaid, open claims ("case estimates") and member premiums to estimate each member's share of the financial shortfall.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

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

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

ATTACHMENTS

1. MAV Work Care Invoice - Pyrenees Shire Council [13.3.2.1 - 1 page]

FINANCIAL / RISK IMPLICATIONS

The cost to Pyrenees for the wind down of the MAV WorkCare scheme is \$249,700.00.

CONCLUSION

Having considered the matter outlined in the report above, the following recommendation is made.

Cr David Clark / Cr Tanya Kehoe

That Council:

1. agrees to pay \$249,700 being the financial cost to Pyrenees Shire Council associated with the wind down of the MAV WorkCare Scheme.
2. writes to our State Parliamentarians alerting them to the significant current and ongoing financial penalties the Pyrenees Shire will suffer as a result of the work safe decision.

CARRIED

13.3.3. RENTAL RELIEF FOR NOT FOR PROFIT GROUPS

Jim Nolan – Chief Executive Officer

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

File No: 32/24/02

PURPOSE

The purpose of this report is for Council to consider rent relief for community not-for-profit groups

BACKGROUND

Council has a lease in place with the Pyrenees Arts Council for the Art Trax building in Beaufort which includes a \$500 annual rental.

Similarly, Council has a lease in place with Avoca Arts and Gardens Inc. for the Avoca Station precinct which includes an annual rental of \$500.

The groups have sought rent relief from Council for the current financial year due to the impact of covid_19 restrictions on their activities, limiting their ability to raise revenue.

ISSUE / DISCUSSION

Both groups are not-for-profit legal entities providing valuable community service, maintaining assets, providing activation of creative arts and supporting visitation to the shire.

For part of the year, regional Victoria has been in lockdown due to the covid_19 restrictions, and at the time of preparing this report state borders are closed, and metropolitan Melbourne remains in lockdown. Not only have the restrictions restricted visitation, which is the main source of revenue for the groups, but additional measures have needed to be put in place to ensure the facilities operate in a covid safe environment.

While restrictions are likely to be progressively eased over coming months, it is considered reasonable for Council to provide part or full rent relief for the groups for the current financial year.

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

1. AA G rent relief request [**13.3.3.1** - 1 page]
2. PA C- rent relief request [**13.3.3.2** - 2 pages]

FINANCIAL / RISK IMPLICATIONS

The annual rent for each group is \$500.

CONCLUSION

The Pyrenees Arts Council and Avoca Arts and Gardens Inc have sought rent relief, which is recommended for Council support.

Cr Ron Eason / Cr Tanya Kehoe

That Council provides a 50% rent relief for the 2021/22 year for the Pyrenees Arts Council and the Avoca Arts and Gardens Inc.

CARRIED

13.3.4. PETITION

Jim Nolan – Chief Executive Officer

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

File No: 16/20/02

PURPOSE

The purpose of this report is to provide Council with details of a petition calling upon Council to review and improve community engagement.

BACKGROUND

Council received a petition dated 14 September 2021 from residents in the Carngham / Snake Valley area highlighting their dissatisfaction with the level of consultation Council affords its residents and ratepayers in the municipality, making reference to the new waste collection service. The petition received contained 15 signatures and was accompanied with an explanatory submission.

ISSUE / DISCUSSION

Before making any decision in respect of the matter, Council should have regard to the Pyrenees Shire Council Governance Rules 2020, Section 4.8.3 which states that:

- (a) No motion may be made on any petition, joint letter, memorial or other like application until the next Council meeting after that at which it has been presented (except where it meets sub-Rule 4.9(b)) except for:
- i. That the petition be received, and
 - ii. That the petition be referred to the Chief Executive Officer or relevant Director for consideration and response, or
 - iii. That the petition be referred to the Chief Executive Officer or relevant Director for a report to a future Council meeting.

It is normal practice then for Council to seek a report to be prepared by the relevant Director for a subsequent meeting addressing the merits of the issues contained in the petition and the additional letter received.

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.

3.4 - Community Services – Increasing the liveability of our communities through the provision of efficient and responsive services

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.

5.5 - Protect our environment by providing efficient and effective waste management.

ATTACHMENTS

1. Petition p 1-2 [**13.3.4.1** - 2 pages]
2. Petition p 3 [**13.3.4.2** - 1 page]
3. Petition Submission [**13.3.4.3** - 2 pages]

FINANCIAL / RISK IMPLICATIONS

Financial implications will be addressed within any future report for decision.

Cr Robert Vance / Cr Tanya Kehoe

That Council:

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

CARRIED

14. COUNCILLOR REPORTS AND GENERAL BUSINESS

Cr Vance (De Cameron Ward)

- Joined an online meeting with Rural Councils Victoria. Discussion was around a proposition put forward by Ali Cupper MP, that \$13mil be forthcoming to 13 smaller Councils to help resolve their issues. After a great deal of discussion, it was thought that efforts would be better off increasing financial grants that come from the Federal Department.
- A template has been developed to assist Councils in putting together their financial 10-year plan with 13 Councils using the template.
- In the process of advocating for the undergrounding of powerlines in townships, residents are starting to be concerned about the mutilation of the trees planted to beautify towns.
- Joined an online Timber Towns Meeting. The proposal PIAC had put forward was rushed through Parliament. We now have national parks in the Pyrenees and Mount Cole.
- Attended the Moonambel Mechanics Institute Hall meeting and officiated in the changeover of official positions.
- Noted with joy with the amount of growth in the Northern end of Pyrenees.
- Passed on thanks to the Planning Team with their help in progressing the re-opening of the Landsborough Store.
- The CEO clarified two questions asked of Cr Vance. All blocks in Correa Park are sold, however not all are settled at this point in time. The Michael O'Connor Park is moving ahead, and it is hoped an opening will be held in the coming months.

Cr Ron Eason (Avoca Ward)

- Joined Council's Audit & Risk Committee.
- Joined the Elmhurst Nursing Home AGM last week. Credit is given to the Bush Nursing Home as it one of the better run AGM's.
- Attended a visit from Parliamentarian, Beth Macarthur, who discuss various items relating to Council and Victorian politics.

Cr Tanya Kehoe (Mount Emu Ward)

- The good news being that we are moving towards that path out of COVID and that the vaccination rates are increasing rapidly.
- The new kerbside collection seems to be running smoothly.
- The Engagement Hub on Council's website is a great way to get involved and communicate with Council about any projects.
- A lot of sheep farmers have been kept on their toes with the weather.
- All residents are asked to get their properties ready for what could be a busy fire season.

Cr David Clark (Ercildoune Ward)

- Supported the comment by Cr Kehoe on Council's Engagement Hub. Residents can register on the Hub and will be informed of when the community are asked to provide feedback on items such as projects. Residents only need to register once.
- Been very busy in the MAV role attending various meetings.
- Met with Hon Kevin Hoeman MP who is the Assistant Minister to the Deputy Prime Minister and effectively the Minister for the Local Government in the Federal Government. Discussed a range of issues such as grants.
- Met with a number of the Upper House MPs including Andy Medic who is one of our Local Members for our region. Had the chance to talk to him with a range issues such as financial

assistants grants which was great. Discussed the Planning reform that the Government is bringing to Parliament within the next couple of months.

- Met with the new teachers at the Waubra Pre-School to discuss a few of their projects.
- Attended a meeting with the independent member for Mildura, Ellie Cupper, about a better deal for smaller rural councils.

Cr Damien Ferrari (Beaufort Ward)

- Joined a Mayoral briefing with the Minister for Local Government.
- Joined a meeting with Stuart Grimley MP who represents the Justice Party. Had a discussion and provided him with some advice and information, and he provided us with some support and advocacy.
- Attended some constituent meetings regarding economic development strategies and moving forward out of the COVID space.
- Supported Cr Kehoe's comment around spring and the significant grass growth. Encourage everyone to commence their property maintenance to reduce fuel loads.

15. CONFIDENTIAL ITEMS

CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

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

Cr David Clark / 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 Management of Municipal Swimming Pools

CARRIED

The live streaming of Ordinary Meeting of Council held 19 October 2021 stopped at 7.10pm to consider confidential items.

RE-OPENING OF MEETING TO MEMBERS OF THE PUBLIC

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 7.40pm and the Mayor chose to report on confidential items discussed in closed Council which is noted below:

The contract was awarded for the management of the pools for a three-year period.

Cr Vance then went on to congratulate Cr Ferrari for his time as Mayor with this meeting being the last meeting for Cr Ferrari as Mayor before the Statutory Meeting.

16. CLOSE OF MEETING

Meeting closed at 7:43pm

Minutes of the meeting confirmed

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2021

Mayor