



**Pyrenees**  
Shire Council

# Minutes

## Ordinary Meeting of Council

6:00pm Tuesday 19 July 2022  
Council Chambers  
Beaufort Council Offices,  
5 Lawrence Street, Beaufort

*Wadawurrung Country*

Members of the public may view the meeting virtually via the livestream

## TABLE OF CONTENTS

1. WELCOME .....	3
2. STREAMING PREAMBLE .....	3
3. OPENING PRAYER .....	3
4. ACKNOWLEDGEMENT OF COUNTRY .....	3
5. APOLOGIES.....	3
6. NOTICE OF DISCLOSURE OF INTEREST BY COUNCILLORS AND OFFICERS .....	3
7. CONFIRMATION OF THE PREVIOUS MINUTES.....	3
8. BUSINESS ARISING .....	3
9. PUBLIC PARTICIPATION.....	4
10. ITEMS FOR NOTING .....	5
10.1. Asset and Development Services.....	5
10.1.1. Planning and Development - Quarterly Activity Report.....	5
10.2. Corporate and Community Services .....	11
10.2.1. Customer Action Requests - June 2022 .....	11
10.2.2. Legislative Change Implementation Update .....	16
11. COUNCILLOR ACTIVITY REPORTS .....	19
11.1. Councillor Activity Reports - June 2022 .....	19
12. ASSEMBLY OF COUNCILLORS.....	21
12.1. Assembly of Councillors - June 2022 .....	21
13. ITEMS FOR DECISION .....	23
13.1. Economic Development and Tourism .....	23
13.1.1. Regional Tourism Review.....	23
13.2. Asset and Development Services.....	26
13.2.1. Use of land for Mail Centre (PA22033) - Beaufort .....	26
13.2.2. Preferred Suppliers, Plant and Labour .....	31
13.2.3. Preferred Supplier, Trades & Miscellaneous Services .....	34
13.2.4. Local Government Statewide Waste Forum.....	37
13.2.5. Dja Dja Wurrung - Cultural Art Installation .....	39
13.2.6. Bituminous Resealing Contract .....	41
13.3. Corporate and Community Services .....	43
13.3.1. Community Engagement Policy & Strategy.....	43
13.3.2. Insurance Renewal 2022/23 .....	45
13.3.3. 2022 Community Satisfaction Survey.....	47
13.3.4. Borrowings 2022/23 .....	53
13.3.5. Instrument of Appointment and Authorisation .....	55
14. COUNCILLOR REPORTS AND GENERAL BUSINESS .....	57
15. CONFIDENTIAL ITEMS .....	59
16. CLOSE OF MEETING .....	60

## **1. WELCOME**

Mayor Cr Ron Eason welcomed all to the meeting.

## **PRESENT**

**Mayor:** Cr Ron Eason

**Councillors:** Tanya Kehoe, David Clark, Robert Vance, Damian Ferrari

**Chief Executive Officer:** Jim Nolan

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

**A/Director of Corporate and Community Services:** Martin Walmsley

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

**Communications Officer:** Rebecca Stewart (livestreaming)

## **2. STREAMING PREAMBLE**

Mayor Cr Ron Eason 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**

Director of Corporate and Community Services: Kathy Bramwell

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

There were no disclosures of interest declared.

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

**Cr Robert Vance / Cr Tanya Kehoe**

That the Minutes of the:

- Ordinary Meeting of Council held on 14 June 2022; and
- Closed Meeting of Council held on 14 June 2022,

as previously circulated to Councillors, be confirmed.

## **CARRIED**

## **8. BUSINESS ARISING**

There was no business arising (items taken on notice) from the previous meeting held 14 June 2022.



## 9. PUBLIC PARTICIPATION

There were no questions asked or submitted for public participation question time.

One submission was received. Des Wellar, Secretary of the Beaufort RSL, spoke to the submission, as per below:

*'The Beaufort RSLs preferred location is option 3 aligned parallel to the path to the memorial and facing the highway. The gun's shelter would be 5m x 3m x 3m. If the size of the shelter is of concern to the shire we believe that these dimensions will have a very low impact on the Memorial and Memorial Park. We are currently getting more information regarding an all clear enclosure. Being able to see all the way through will ensure that the gun is the main focus whilst not obscuring the view.'*

*It is very important that this valuable piece of local history is displayed in the best possible location to attract the many tourists that travel through Beaufort. It will also be of huge interest to local people including school groups. Also the impending bypass of Beaufort is going to have a huge impact on our town unless we are very proactive. This piece of war history will be a big draw card to the town especially as we are linking it to a trail from Ballarat's Arch to the overpass on the Western Highway to the Trawalla soldier settlers monument and onward to our avenue of honour of 500 trees leading into Beaufort and on to Memorial Park, the Buangor Cemetery where there is a significant memorial to Sir Brudenell White, a local war hero at Gallipoli, and then onto the Ararat RSL.*

*Beaufort RSL is also reaching out to Ballarat and Ararat RSLs along with Ballarat and Ararat Councils to initiate a joint war memorial trail.*

*The local service group and citizens of Beaufort have donated in excess of \$50,000 towards the restoration of the cannon. They have made it very clear that the cannon has to be displayed in a prominent position not at the back of Memorial Park.*

*After securing the donations for the restoration it was transported to Bendigo for the work to be done. After the restoration it was put on display on Remembrance Day in 2020. The cannon now needs a permanent display location.*

*The history of the cannon can be traced back to 29 September 1918 when it was captured along with 3 other guns in a battle at Bullecourt by the Australian 29th Battalion. A local soldier from Main Lead, Harry Anderson, was with the 29th Battalion at the time of this action. A senior curator at the Australian War Memorial in Canberra has said that it is an honour for the public of Beaufort to have one of the four guns captured and only one of two that are in Australia. He also said that a replica has no historic or honourable place in Beaufort.'*

## 10. ITEMS FOR NOTING

### 10.1. ASSET AND DEVELOPMENT SERVICES

#### 10.1.1. PLANNING AND DEVELOPMENT - QUARTERLY ACTIVITY 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

This report provides Council with a summary of the Planning and Development Department's regulation activity during April, May and June 2022.

#### BACKGROUND

The Planning and Development team is responsible for administering a range of regulatory functions identified within the following Acts, Regulations, Codes and Standards:

- *Local Government Act 2020*
- *Planning and Environment Act 1987*
- *Planning and Environment Regulations 2015*
- *Building Act 1993*
- *Building Regulations 2018*
- *National Construction Codes*
- *Environment Protection Act 2017*
- *Water Act 1989*
- *Public Health and Wellbeing Act 2008*
- *Food Act 1984*
- *Tobacco Act 1987*
- *Domestic Animals Act 1994*
- *Domestic Animals Regulations 2015*
- *Country Fire Act 1958*
- *Impounding of Livestock Act 1994*
- *Road Safety Act 1986*
- *Protection of Cruelty to Animals Act 1986*
- *General Local Law 2019*

The following statistics represent activity undertaken in Q4 of the 2021-22 financial year.

#### Planning

	Apr-2022	May-2022	Jun-2022	Financial YTD Total
<b>Planning Permits</b>				
Applications received	4	9	6	132
Applications completed	8	8	10	128
Request for further information	5	8	8	100
Estimated cost of works (\$)	650,000	724,666	98,000	6,695,577

60-day time frame met (%)	83.33%	100%	100%	97.09%
Number of enquiries	101	121	103	1867
Planning Information Controls	11	17	15	115
General Enquiries through Green Light	5	12	9	60
<b>Enquiries</b>				
Pre-purchase enquiries	20	19	20	478
Pre-application enquiries	10	15	13	457
Current planning application enquiries	8	9	8	266
Existing planning permit enquiries	3	3	3	131
All other enquiries	60	75	59	535
<b>Total Enquiries</b>				<b>1867</b>

### Statutory Planning

Officers attended a session presented by the State Government's Agriculture Victoria in June, which focused on the assessment of Integrated Land Management Plans (ILMP) that accompany planning permit applications for dwellings within the Farming Zone. Agriculture Victoria have established a planning referral branch, which is now available to assist the Responsible Authority in assessing and determining the sustainability and viability of ILMP's, to ensure that the requirement for a dwelling in the Farming Zone is genuine.

This is in response to the increased demand for rural/lifestyle blocks and land uses that are having a detrimental effect on the state's available farming land. The focus intends to ensure that farmland (land within the Farming Zone) can be preserved for genuine agricultural purposes.

The 2021-22 financial saw 117 planning permits granted, with 31 of these being dwellings, 53 sheds (industrial, farming and domestic) and the remainder being activities such as subdivision and existing development extensions.

### Strategic Planning

The Strategic Planning department has been working to finalise the flood mapping that will be used to inform a future Planning Scheme amendment that proposes to introduce controls to better manage and protect development in areas of flooding and inundation. This ongoing work has involved a number of Catchment Management Authorities and is the product of extensive community engagement undertaken in 2019-2020. A detailed progress report, including recommendations will be brought to Council in the coming months.

The township framework plans for Lexton, Snake Valley and Waubra are being progressed in consultation with the Department of Environment, Land Water and Planning. Several matters are being finalised prior to the amendment progressing to exhibition stage. The proposed amendment seeks to introduce the planning elements of the framework plans into the Pyrenees Planning Scheme.

Officers have continued to represent Council in forums that include the Beaufort Bypass Technical Reference Group, the Ausnet Western Victoria Transmission Line Project reference group, and the Grampians Region Climate Adaptation Project group.

During this time a number of VC amendments have been gazetted. Of note VC202 provided for rural workers accommodation, VC219 (and VC196) introduced a framework to support the recognition of extractive resources across Victoria, a GC200 was introduced to facilitate the East Grampians Rural Pipeline Project and VC202 introduced the delivery of neighbourhood batteries to support the electricity distribution network.

### Strategic Planning – Place Making

Part A of the Covid Safe Outdoor Activation Program has been finalised, finishing off with a number of smaller activations in wineries, markets and other existing events.

Part “B” of the program (Precinct Establishment) is progressing, with design elements and costings for the Cambridge Street, Avoca, activation now finalised and contractors engaged.

The funding body has extended the project completion date to 31 August 2022, in response to the statewide demand for trade services and materials, and subsequent delivery timeframe delays.

Implementation of the Cambridge Street activation will commence in July. Adjacent stakeholders have been briefed and a communications plan is being finalised.

Funding of \$7,500 has been received from Stockyard Hill Windfarm to support council in hosting a further *Sunday by The Lake* music event in Beaufort over the coming summer.

### Building

	Apr-2022	May-2022	June-2022	Financial YTD Total
Permits issued by private Building Surveyor	15	20	20	211
‘Property Information Certificates’ prepared and issued	23	20	19	248
‘Report and Consent’ issued	2	2	2	23
Building Notices	1	4	1	18
Building Order	1	1	4	30
Resolved Building Notices	0	1	0	6
Resolved Building Orders	0	0	0	14
Building Inspections	4	6	9	122
Place of Public Entertainment permits issued	0	0	0	0

Council has been made aware of works being started on residential blocks prior to Building Permits being obtained, owners are reminded that site cuts relating to building work require Building approval including protection of the adjoining property to be obtained first.

The building department has been working with owners who have built non-compliant structures, concentrating on outstanding 'show cause' notices. Further enforcement action has commenced for those structures that pose a danger.

### **Environmental Health**

	<b>Apr-2022</b>	<b>May-2022</b>	<b>Jun-2022</b>
<b>Wastewater</b>			
Application to Install or Alter system	1	4	2
Permit to Install or Alter issued	2	2	4
Approval to Use issued	2	7	2
Wastewater inspections	9	7	4
Domestic Wastewater Management Plan inspections	12	18	7
Domestic Wastewater Service Agent reports	5	19	6
Wastewater related complaints	0	0	0
Fees Paid	\$600	\$2100	\$1200
<b>Public Health</b>			
New Premises or Transfers	2	3	1
Registration Renewals	1	0	0
Premises Closures	0	0	0
Routine and Follow Up Inspections	16	24	42
Complaints about Registered Premises	0	0	1
Food Recalls	8	7	3
Mobile/Temporary Food Applications	7	2	3
Mobile/Temporary Food Inspections	1	3	0
Mobile/Temporary Food Statements of Trade	9	7	1
Fees Paid	\$0	\$651	\$0

The environmental health unit has continued to monitor compliance among registered Food and Public Health and Wellbeing premises with no major or critical non-compliances noted. At the end of the June quarter annual assessments for 65% of the registered business had been conducted.

There has been an increase in noise complaints in the last quarter – all are currently under investigation.

Inspections of properties in line with Council's Domestic Wastewater Management Plan are tracking well.



**Community Safety and Amenity**

Item	Apr-2022	May-2022	Jun- 2022	Financial YTD
<b>Animal Registrations</b>				
Cats Registered				-
Dogs registered				-
<b>Animal collections</b>				
Cats impounded	23	9	6	82
Cats reclaimed	1	1	2	18
Cats Euthanised	22	8	4	61
Dogs impounded	1	3	3	33
Dogs Reclaimed	1	3	2	30
Dogs Euthanised/surrendered	0	0	1	1
Stock impounded	0	0	0	25
<b>Infringements</b>				
Domestic Animals Act	0	2	1	36
Local Laws	0	0	1	13
Road Safety Act	1	0	0	7
Environment Protection Act	0	0	0	1
Impounding of Livestock Act	0	0	0	0
CFA Act	0	0	0	43
Other	0	0	0	0
Total Infringements Issued	1	2	2	100
Prosecutions	0	0	0	1

**Domestic Animal Registrations**

Officers have been busy following up unpaid cat and dog registrations. Registrations are due annually on 10<sup>th</sup> of April. Owners were sent a renewal notice via mail in March, followed up with multiple text messages in April and May and phone calls in June. Officers are now door-knocking properties and issuing infringements.

**Cats in Redbank**

A property in Redbank surrendered 25 cats to Council. The resident started feeding strays which resulted in numbers getting out of hand. None of the cats were registered, desexed or suitable for rehoming.

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE****Priority 1 - People**

- 1a. Prepare for emergencies and ensure community safety.
- 1b. Support a vibrant community arts, culture and heritage environment.
- 1c. Improve accessibility and inclusivity.
- 1d. Promote health, wellbeing, engagement and connection.
- 1e. Improve social outcomes.

**Priority 2 - Place**

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

Priority 4 - Economy

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

Enabling Principles

a. Motivate and inspire community involvement

**ATTACHMENTS**

Nil

**OFFICER RECOMMENDATION**

That Council notes the activities of the Planning and Development Department from April to June 2022.
---

## 10.2. CORPORATE AND COMMUNITY SERVICES

### 10.2.1. CUSTOMER ACTION REQUESTS - JUNE 2022

**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 June 2022.

#### 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, local laws, building maintenance and compliance matters. The system is also used for internal telephone messaging.

#### ISSUE / DISCUSSION

339 CARs (Customer Action Requests) were logged in June 2022, 50 less than the previous month. 104 of these requests related to telephone messages.

319 CARs were closed in the month, leaving a total of 254 outstanding, of which 69 related to telephone messages. The number of outstanding telephone messages dropped by 12% from the previous month.

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

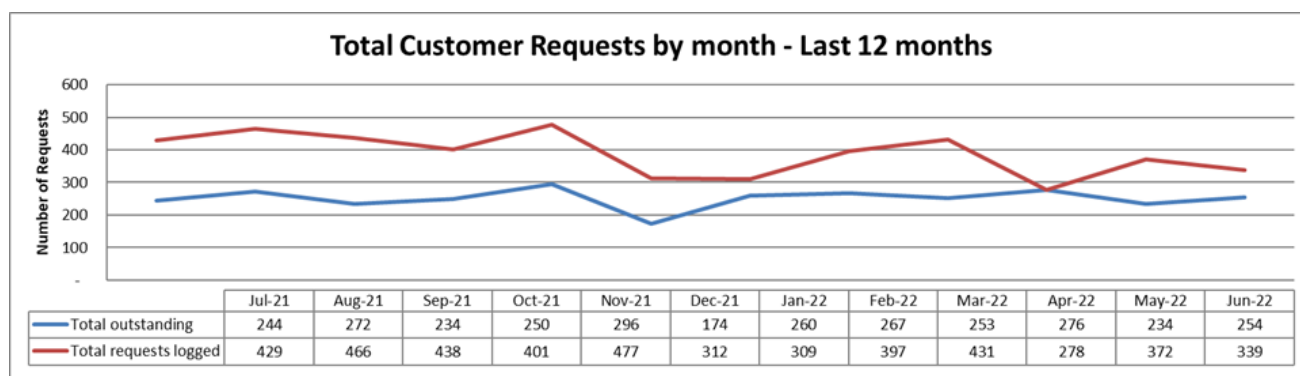
	Avoca Ward	Beaufort Ward	DeCameron Ward	Ercildoune Ward	Mt Emu Ward
<b>Number of requests received in June 2022 (previous month).</b>	55 (27)	64 (51)	34 (13)	33 (16)	49 (16)
<b>Requests received in June and closed in the same month (% of total received).</b>	32 (58%)	46 (72%)	23 (68%)	20 (61%)	31 (63%)
<b>Requests received in June still outstanding.</b>	23	18	11	13	18
<b>Outstanding requests 1 month or older.</b>	24	28	9	18	14
<b>Outstanding requests from 2019.</b>	0	1	0	0	0
<b>Total outstanding requests (previous month).</b>	47 (34)	47 (18)	20 (11)	31 (13)	32 (18)

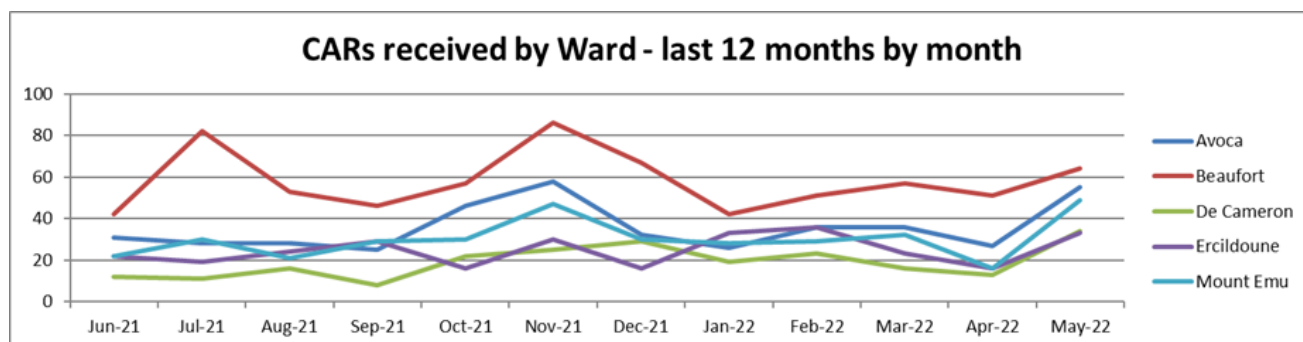
Analysis:

- Notwithstanding ongoing work to close out completed requests, a 9% increase in CARs received in June, in all Wards, resulted in the number of outstanding CARs also increasing as at the end of June by 9%.
- The number of outstanding CARs remains below the Council Plan KPI target of 300.
- The largest growth in CARs received during June was seen in the following categories:
  - Roads and Road Maintenance (including potholes, trees, grading requests,
  - Local Laws (including reporting of containers, animal registration follow-ups, permit enquiries)
  - Rates enquiries (general enquiries and requests for information)
- Issues exist in the rates area with illness significantly impacting upon the available staffing levels in that department and it being impossible to get skilled back-fill staff. To overcome this issue, another staff member is being trained in all aspects of rates administration to enable ongoing back-fill capability. At present, this is causing some delays in response to enquiries for which we apologise and ask for patience.
- One outstanding issue from 2020 remains within the Beaufort Ward, relating to a longstanding drainage matter. This has been put forward to the assets team to consider inclusion in future asset management planning.
- One request received was logged as a complaint and the outcome monitored. This referred to a response given by a staff member which was perceived to be unsatisfactory.

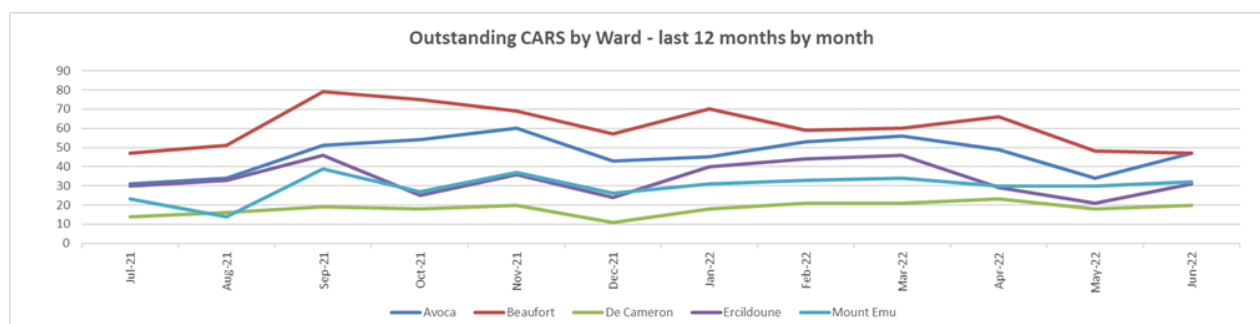
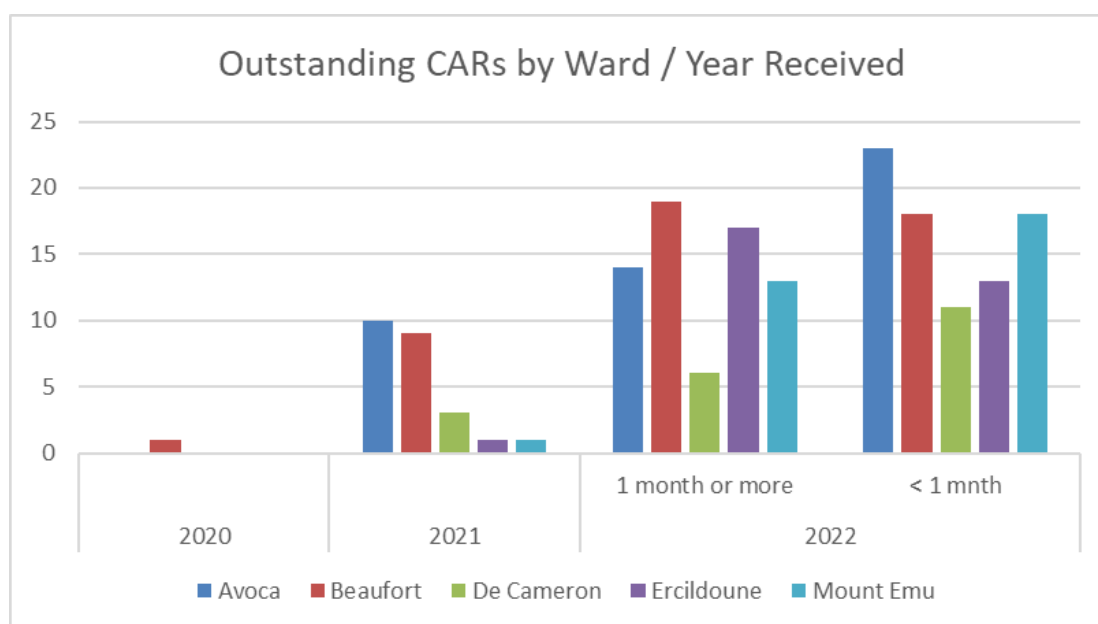
The following tables and graphs display requests received by Ward/month and totals received for 2021/22.

Outstanding requests by age													
Year	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	% Change
2019	1	1	1	1	1	1	1	1	1	1	-	-	-100%
2020	7	5	2	2	2	2	2	2	2	2	1	1	0%
2021	236	266	231	247	293	171	148	124	115	82	25	24	-4%
2022	-	-	-	-	-	-	109	140	135	191	208	229	10%
<b>Total outstanding</b>	<b>244</b>	<b>272</b>	<b>234</b>	<b>250</b>	<b>296</b>	<b>174</b>	<b>260</b>	<b>267</b>	<b>253</b>	<b>276</b>	<b>234</b>	<b>254</b>	<b>9%</b>
<b>Total requests logged</b>	<b>429</b>	<b>466</b>	<b>438</b>	<b>401</b>	<b>477</b>	<b>312</b>	<b>309</b>	<b>397</b>	<b>431</b>	<b>278</b>	<b>372</b>	<b>339</b>	<b>-9%</b>





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



Open Requests Type			
	May-22	Jun-22	Change
Roads & Rd Maint.	36	52	16
Streetlights	2	2	0
Drainage	18	19	1
Footpaths / Kerb&Channel	8	6	-2
Park & Reserves	2	3	1
Roadside Veg	14	16	2
Environmental Health	3	2	-1
Planning	22	16	-6
Bld maint	11	11	0
Local Laws	5	15	10
Cats	0	0	0
Dogs	8	9	1
Livestock Act	2	2	0
Parking	0	0	0
Fire Hazard	1	1	0
Bld Compliance	3	3	0
Waste Management	0	0	0
Local Government Act	1	0	-1
Rates	5	18	13
Natural Disasters	0	0	0
Pools	0	0	0
Council cleaning	2	1	-1
EPA - Litter	5	2	-3
Design & Assets	2	3	1
GIS	0	4	4
Community Wellbeing	1	0	-1
Rural Addressing	3	0	-3
Road Naming	2	0	-2
Telephone messages	78	69	-9
<b>Total</b>	<b>234</b>	<b>254</b>	<b>20</b>

## COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Enabling Principles

- b. Provide transparency and accountability
- c. Use resources efficiently and effectively

## 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. LEGISLATIVE CHANGE IMPLEMENTATION UPDATE

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

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

**File No:** 16/20/35 and 16/24/18

#### PURPOSE

The purpose of this report is to provide Council with a final 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 2021 when obligations for Council to commence planning and training to meet new obligations.

Required development of new governance and strategic planning documents have been completed and Council now moves these two Acts into future maintenance and management business-as-usual.

#### ISSUE / DISCUSSION

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

The table below provides an overview of the implementation of the Integrated Strategic Planning & Reporting Framework and the provisions of the Local Government Act 2020. Implementation of all required documents was completed within the statutory timeframes.

Commitment	How implemented
Councillor Expenses Policy Governance Rules Community Asset Committee Instruments of Delegation Audit & Risk Committee re-established, and Charter adopted Public Transparency Policy	Adopted by Council August 2020
Councillor Code of Conduct	Adopted January 2021
Community Engagement Policy Gifts Policy and Conflicts of Interest Procedure	Adopted by Council February 2021
Annual Budget Revenue & Rating Plan	Adopted by Council June 2021
Community Vision 2021-2031	Developed by a community representative panel and adopted by Council in October 2021.
Council Plan – 2021-2025	Developed by Council in alignment with the Community Vision and adopted by Council in October 2021.
10-year Financial Plan 2021-2025	Adopted by Council in October 2021. Annual review and re-

	adoption by Council in June 2022.
<b>CEO Recruitment &amp; Remuneration Policy</b>	Adopted by Council October 2021
<b>Annual Report 2020/21</b>	Presented to Council in November 2021. Provided to Minister October 2021.
<b>Workforce Plan 2021-2025</b>	Submitted to government in December 2021. Presented to Council December 2021. Detailed Workforce Plan under review 2022.
<b>Recruitment Policy</b>	Adopted by Council December 2021.
<b>Employee Code of Conduct</b>	Approved by CEO December 2021.
<b>Asset Management Plan 2022-2032</b>	Adopted by Council June 2022
<b>Review &amp; Revision – Community Engagement &amp; Communications Policy</b> <b>Community Engagement &amp; Communications Strategy</b>	Community Engagement Policy adopted initially Feb 2021 Policy and Strategy reviewed, revised and exhibited (Jan-June 2022). For adoption by Council in July 2022

### **Gender Equality Act 2020**

The following table shows implementation of the Gender Equality Act 2020 obligations.

<b>Commitment</b>	<b>How implemented</b>
<b>Develop and implement a process for conducting gender impact assessment on projects, programs, and policy.</b>	Developed and published for staff use in December 2021.
<b>Conduct workplace gender audit based on data available as of 30 June 2021 and submit to the Public Sector Gender Equality Commissioner.</b>	Completed and submitted December 2021.
<b>Develop and submit to the Commissioner Gender Equality Action Plan.</b>	Completed and submitted March 2022.* Work Group convened to implement.

\*The Gender Equality Action Plan was subsequently returned with a recommendation to note more clearly the extent of staff and Council consultation undertaken in its development. This was completed and re-submitted in June 2022.

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

Enabling Principles

b. Provide transparency and accountability

### **ATTACHMENTS**

Nil

### **FINANCIAL / RISK IMPLICATIONS**

2021 was a busy period for the implementation of new or changed legislation having a significant impact on processes, workload, and staff in general. It also provided an opportunity to refresh and improve engagement processes with our communities, and the quality of reporting provided throughout the year and annually. The work was finalised in the first half of 2022 with the final commitments being due and finalised in June 2022.

## **CONCLUSION**

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

## **OFFICER RECOMMENDATION**

That Council notes this report.
---------------------------------



## 11. COUNCILLOR ACTIVITY REPORTS

### 11.1. COUNCILLOR ACTIVITY REPORTS - JUNE 2022

<b>Cr Damian Ferrari – Beaufort Ward</b>		
Tue 07	Councillor Cuppa and Chat	Barkly
Tue 07	Councillor Briefing Session	Avoca
Tue 14	Councillor Briefing Session	Beaufort
Tue 14	Council Meeting	Beaufort

<b>Cr Robert Vance – De Cameron Ward</b>		
Tue 07	Councillor Cuppa and Chat	Barkly
Tue 07	Councillor Briefing Session	Avoca
Tue 14	Councillor Briefing Session	Beaufort
Tue 14	Council Meeting	Beaufort
Thu 16	Timber Towns Meeting	Virtual
Thu 23	Rural Councils Victoria Meeting	Virtual
Fri 24	MAV State Council Meeting	Melbourne
Wed 29	National Timber Council Meeting	Virtual

<b>Cr Ron Eason – Avoca Ward</b>		
Fri 03	Central Highlands Council Victoria Meeting	Virtual
Tue 07	Councillor Cuppa and Chat	Barkly
Tue 07	Councillor Briefing Session	Avoca
Fri 10	Opening of Pyrenees Art Exhibition	Beaufort
Tue 14	Councillor Briefing Session	Beaufort
Tue 14	Council Meeting	Beaufort
Fri 17	Rail Futures Institute Meeting	Virtual
Wed 29	Ministerial Announcement - Mooramong Homestead	Skipton

<b>Cr Tanya Kehoe – Mount Emu Ward</b>		
Tue 07	Councillor Cuppa and Chat	Barkly
Tue 07	Councillor Briefing Session	Avoca
Tue 14	Councillor Briefing Session	Beaufort
Tue 14	Council Meeting	Beaufort

<b>Cr David Clark – Ercildoune Ward</b>		
Wed 01	MAV – Climate Resilient Councils Meeting	Virtual
Thu 02	Rural & Regional Planning Conference	Torquay
Thu 02	MAV - Meeting with Borough of Queenscliff	Queenscliff
Thu 02	MAV - Meeting with Wyndham City Council	Werribee
Thu 02	MAV – Meeting with City of Wyndham	Werribee
Thu 02	MAV – Board Meeting	Melbourne
Fri 03	MAV – Board Meeting	Melbourne
Sun 05 & Mon 06	MAV – ALGWA State Conference	Shepparton
Mon 06	MAV – Internal Audit Tender Evaluation	Virtual
Tue 07	Councillor Cuppa and Chat	Barkly
Tue 07	Councillor Briefing Session	Avoca
Wed 08	MAV – Special Board Meeting (Rules)	Virtual
Thu 09	MAV – Representatives Meeting	Virtual
Thu 09	Highlands LLEN Meeting	Virtual
Fri 10	MAV – Insurance Board Meeting	Virtual
Fri 10	MAV – Metropolitan Central Regional Meeting	Virtual
Fri 10	MAV – Powerline Clearing Meeting	Virtual
Tue 14	MAV – Internal Audit Tender Evaluation	Virtual
Tue 14	Councillor Briefing Session	Beaufort
Tue 14	Council Meeting	Beaufort
Wed 15	Australian Local Government Association Board Meeting	Virtual
Wed 15	MAV – Board Performance Assessment	Virtual
Wed 15	MAV – State Council Meeting Preparation	Virtual
Thu 16	MAV – Rural North East Regional Meeting	Virtual
Fri 17	MAV – Metropolitan East Regional Meeting	Virtual
Fri 17	MAV – Rural Gippsland Regional Meeting	Virtual
Sat 18	MAV – ALGA Board Meeting	Canberra
Sun 19 – Wed 22	MAV – ALGA National General Assembly	Canberra
Tue 23	MAV - State Council Planning Meeting	Virtual
Fri 24	MAV – State Council	Melbourne
Mon 27	MAV – Insurance Board Meeting	Virtual
Tue 28	MAV – School Crossing Supervisors Meeting	Virtual
Tue 28	MAV – ALGA Federal Election Review	Virtual
Wed 29	MAV – Homes Victoria, Social and Affordable Housing	Virtual
Thu 30	MAV – Rules Review Steering Committee	Virtual

**12. ASSEMBLY OF COUNCILLORS****12.1. ASSEMBLY OF COUNCILLORS - JUNE 2022**

MEETING INFORMATION			
Meeting Name	Councillor Briefing Session		
Meeting Date	7 June 2022 commenced at 2.00pm and closed at 5.22pm		
Meeting Location	RTC Room, Avoca Information and Community Centre, High Street, Avoca		
Items Discussed	<div>1. Workshop – Enterprise Risk Register</div> <div>2. Shop Façade Project</div> <div>3. Tourism Strategy</div> <div>4. Beaufort Caravan Park Master Plan</div> <div>5. Commonwealth Games Opportunity</div> <div>6. Submission – Budget, Ten Year Financial Plan, revised Revenue &amp; Rating Plan and Asset Management Plan</div> <div>7. Agenda Review</div>		
ATTENDEES			
Councillors	Mayor Cr Ron Eason Cr Damian Ferrari		Cr David Clark Cr Tanya Kehoe
Apologies	Cr Robert Vance		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services) Michelle Richards (Manager Governance, Risk and Compliance) – Item 1 Ray Davies (Manager Economic Development and Tourism) – Items 2, 3 & 4 Jane Bowker (EA to CEO and Councillors) – Item 2 Glenn Kallio (Manager Finance) - Item 6 virtually		
Visitors	Nil		
CONFLICT OF INTEREST DISCLOSURES			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

MEETING INFORMATION			
Meeting Name		Councillor Briefing Session	
Meeting Date		14 June 2022 commenced at 1.30pm and closed at 5.45pm	
Meeting Location		Council Chambers, 5 Lawrence Street, Beaufort	
Items Discussed		1. Nyaninyuk Wind Farm Update 2. Planning Matter 3. Planning Matter 4. Agenda Review 5. Investment Attraction Plan 6. Local Government Legislation Amendment (Rating and Other Matters) Bill 2022 7. Community Satisfaction Survey	
ATTENDEES			
Councillors		Mayor Cr Ron Eason Cr Damian Ferrari Cr Robert Vance Cr David Clark Cr Tanya Kehoe	
Apologies		Nil	
Staff		Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services) Katie Gleisner (Manager Planning and Development) – Items 1 & 2 Ray Davies – item 5	
Visitors		Theo Carroll, Emma Woods, Helen Kennedy and Kim Duong (Acciona) – Item 1 Leah Clark and Stephanie Durant (Inception Planning) – Item 2 Alex Thorpe – Item 2 via phone Courtney Falzon – Item 2 via phone John Stevens – item 5	
CONFLICT OF INTEREST DISCLOSURES			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

**Cr Tanya Kehoe / Cr Damian Ferrari**

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

**CARRIED**

## 13. ITEMS FOR DECISION

### 13.1. ECONOMIC DEVELOPMENT AND TOURISM

#### 13.1.1. REGIONAL TOURISM REVIEW

**Presenter:** Jim Nolan – Chief Executive Officer

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

**Report Author:** Ray Davies – Manager Economic Development and Tourism

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

**File No:** 62/10/04

#### PURPOSE

To update Council on the Victorian Government review of regional tourism boards.

#### BACKGROUND

##### THE REGIONAL TOURISM REVIEW

**1.1.** In March 2019, the Minister for Tourism, Sport and Major Events, Martin Pakula, and the then Minister for Regional Development, Jaclyn Symes, commissioned the Regional Tourism Review (the **review**). The review's goal was to identify challenges and opportunities that need to be addressed to grow the regional tourism market.

**1.2.** The review identified five key themes that present opportunities for regional tourism:

- (a) *Strengthening our tourism offering*
- (b) *Making the most of our marketing spending*
- (c) *Supporting industry*
- (d) *Enhancing Regional Tourism Boards*
- (e) *Better coordinating efforts*

**1.3.** In response to these five key themes, the review made five recommendations for reforms. The fifth recommendation is:

*5: Improve enabling supports for regional tourism*

*Regional Tourism Boards will be reformed to enhance their capacity and capabilities and clarify their remit. Businesses will be supported to strengthen their resilience and ability to grow. The government is progressing reform activities to enable all regions to be included in the board network. Additionally, it will support vital industry development activities, including crisis management support, digital capability, and workforce skills planning.*

## 2. VISITOR ECONOMY RECOVERY & REFORM PLAN

**2.1.** The findings of the review provided the basis for the State's Visitor Economy Recovery and Reform Plan (**VERRP**). The VERRP outlines the key action areas and further initiatives required to implement the recommendations of the review.

**2.2.** The action areas that were identified in the VERRP and which are relevant to this report are:



**(a) Action 1. Transition Regional Tourism Boards to Visitor Economy Partnerships (VEPs).**

*The VERRP outlined plans for a transition from the existing network of Regional Tourism Boards (RTBs) into a new network of VEPs.*

**(b) Action 2. Industry Strengthening**

*The Department of Jobs, Precincts & Regions (DJPR) will deliver a range of tourism-specific digital capability building and business capability development programs. These programs will advise and mentor in the use of digital platforms, digital marketing, business sustainability, crisis management and experience/product development. New VEPs will also be supported with funding to deliver tailored, localised industry strengthening programs.*

**(c) Action 3. Skills and workforce planning**

*The DJPR will collaborate with industry in a strategic and coordinated way to undertake a workforce Planning and Skills Audit, to identify critical gaps and potential opportunities in the workforce as we recover from the pandemic. Based on the recommendations of the Workforce and Skills Audit, funding will be available for VEPs to develop and implement tailored local workforce plans.*

While the “Victorian Goldfields Tourism Executive” (Goldfields region) has for many years comprised the municipalities of Ballarat, Bendigo, Loddon, Mt Alexander, Central Goldfields, and Pyrenees, a realignment is currently under way to establish a new Central Highlands VEP which will better reflect the customer lense for a visit to Ballarat and surrounds.

The objectives of the VEP (once established) are to maximise the efficiencies of investment by industry and council’s and government in marketing and other resources required to efficiently and effectively promote and service the regions Visitor Economy, support the development of new product, provide industry development and to advocate on behalf of the regions tourism industry stakeholders.

Ballarat Regional Tourism has been identified as an interim Regional Tourism Board pending the establishment of the new VEP for Central Highlands. BRT have subsequently drafted Memorandums of Understanding with each of the Central Highlands LGA partners until such time as the VEP has been established.

## **ISSUE / DISCUSSION**

Council has had an affiliation with regional tourism bodies over many years to capitalize on the industry specific skills and resources these boards provide through working collaboratively and enabling Council to maximize marketing effectiveness. More recently Council has held a tourism MOU with the City of Ballarat pending the outcomes of the review of RTB’s in Victoria.

The VEP being established for the Central Highlands region will become the new peak body representing the region's tourism industry.

A working party to establish the new VEP was formed in early June and consists of representatives from Ballarat Regional Tourism, Ballarat City Council, Moorabool Shire Council, Golden Plains Shire Council, Hepburn Shire Council and Pyrenees Shire Council.

The group have been given a timeframe until the end of the 2022/23 financial year to establish the formation of the new VEP for Central Highlands.

In regard to Industry Strengthening, Ballarat Regional Tourism has been provided resources to deliver a program that commenced with a survey of industry in November 2021. The results of the survey were then used to develop the Industry Strengthening program which was launched in March 2022.

This program has been the subject of recent economic development and tourism networking events at Lexton, Beaufort and Avoca.

The industry Strengthening program consists of various fully subsidized workshops, business health checks, human resources support and mentoring.

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

Priority 4 - Economy

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

### **ATTACHMENTS**

Nil

### **FINANCIAL / RISK IMPLICATIONS**

While no financial contribution is required of Council for membership of BRT at this interim stage, it is anticipated each Council will be required to contribute to become a member of the new VEP once established with the expectation of this commencing in the 2023/24 financial year.

Council's commitment at this time involves officer time to attend meetings of the Central Highlands Tourism Working Party. This group is currently meeting fortnightly so as to provide timely information of any budgetary considerations for 2023/24.

### **CONCLUSION**

Council has been a long-term partner to regional tourism boards over many years.

Following the Victorian Government Review of RTB's it is considered a logical measure for Council to contribute to the development of the newly emerging Central Highlands VEP.

As BRT has been appointed the interim body for regional tourism until such time as the new body is established, then for Council to participate in the development of the VEP requires Council (and other LGA partners) to formalize the relationship with BRT through an MOU.

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

That Council:

1. Endorses the execution of the MOU with Ballarat Regional Tourism pending the formation of the regions Visitor Economy Partnerships (VEP).
2. Receives a further report in due course once the framework for the Central Highlands VEP has been drafted.

**CARRIED**

## **13.2. ASSET AND DEVELOPMENT SERVICES**

### **13.2.1. USE OF LAND FOR MAIL CENTRE (PA22033) - BEAUFORT**

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

**Declaration of Interest:** As presenter of this report, I have no disclosable interest in this item, however for the public record, I have previously been a close acquaintance of the applicant's planning consultant.

**Report Author:** Eoghan McColl – Coordinator Planning Services

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

**File No:** 521034000P

#### **PURPOSE**

The purpose of this report is to provide Council with context about the relevant Planning Policy to determine Planning Permit Application PA22033 for the Use of 56a Neill Street, Beaufort as a Mail Centre.

#### **BACKGROUND**

The land at 56a Neill Street is identified as lot 1 on Title Plan 5701E (formally known as part Crown Allotment 4, Section 7 Township and Parish of Beaufort). This land benefits from a number of carriageway easements, the most relevant being the two easements that traverse the council car park to the north of the lot that provides access to Willoby Street. To the east of the site is the former Bank of Victoria building now utilised as a medical centre. To the west of the site is a hairdresser premises. Between the site and the Hairdresser's premises is a pedestrian link to the car parking areas of Willoby Street.

The site is within the heart of the commercial centre of Beaufort and as such is zoned Commercial 1. It is within the Beaufort Heritage Precinct and abuts Neill Street. (Western Highway) which is recognised as a part of the Principal Road Network in the Pyrenees Planning Scheme.

The existing building provides a prominent two-story façade that faces Neill Street. The building is likely to have been constructed for retail use in the early part of the 19<sup>th</sup> century. It provides two shop fronts with separate entrances and windows to the Neill Street frontage. At the rear of the substantial two-story building is a conglomerate single story extension providing storage and back of house facilities to the Neill Street fronting business(es). The remaining area of the lot provides a paved open area. The rear yard area is fenced and gated off from the Council car park.

The proposal is to utilise the ground floor area as a Mail Centre. It is noted that there is no retail or customer service element attached to the proposal, this is not a post office or outlet that might be part of a mixed business, it is an Australia Post facility used to store and sort mail items for later delivery. The upper floor is not proposed to be used. The application detail provides that there will be a maximum of four staff on site. The proposal will enable the manual sorting and distribution of mail to the surrounding communities. It was noted in the application that there is no mechanical sorting machines proposed for the site.

The site is proposed to be used for a period between 5:30 am to 9:30 am Monday to Friday. These activities will be managed from within the existing building with no major alterations or additions proposed to be created.

A planning permit is required under Clause 34.01-1 of the Pyrenees Planning which describes the proposed use as a warehouse.

From the information provided with the application, it is noted that the proposal includes:

1. The installation of security sensor lighting (location not specified, however assumed to be to the rear), no additional external alterations or additions are proposed;
2. The applicant proposes to use the site as a mail centre for 5 years; and
3. The applicant is supportive of the continued community shop front window displays.

The potential for permit triggers around car parking (at Clause 52.06) will be discussed further below.

The application was advertised to adjoining owners and occupiers. At the time of drafting there were no formal objections or submissions lodged. However, council officers were contacted to discuss the project. In this it is noted that should anyone make a submission council will need to consider them up to the point of determining the application. Any objections will be separately tabled at a Council meeting and if relevant a commentary provided.

## **ISSUE / DISCUSSION**

The application flags access to the national road network as a positive value, however it is then noted that unloading, staff access and the reloading and redistribution of mail is to occur from the rear yard area.

As one of the few two-story buildings in Neill Street the building is quite prominent. The application represents an underutilisation of the site, in terms of the Neill Street frontage not being used, and the fact that the upper level of the site will remain vacant. This may reduce the building's potential to be a key landmark building in the commercial centre of Beaufort.

A mail centre is a warehouse use as defined in the scheme, while an application can be made in a Commercial 1 Zone, this is Beaufort's main commercial/retail centre.

The application included detail of other examples of such facilities (See the 'Comparison sites' provided as part of the application in the attachments), it is important to note that none of these facilities are in a 'High Street' setting. The application suggests that Neill Street is not uniformly active as a main street and that therefore a mail sorting facility is better than a vacant building, even while acknowledging that the use will not generate customer activity and that the activity generated by the proposal is minimal in terms of the experience of Neill Street.

The lack of activity to Neill Street is not going to assist in providing a positive experience of Neill Street or Beaufort into the future if/when any bypass is developed. A short-term occupation (5 years) as now proposed by the applicant could alleviate the tension between an under utilisation of the site in the short term and maintaining the opportunity for the site to be activated in the future.

Car parking:

The application points out that car parking requirements for the proposed mail centre are likely to be less than a retail use. A mail centre requires 3.5 spaces per 100m<sup>2</sup>. A shop requires 4 spaces per 100m<sup>2</sup>. The applicant argues that given a retail use may not even need a planning permit to

establish, the logic being that they therefore have a 'right' to some 16 theoretical car parks in the area.

The applicant is relying on this to provide that there is an existing quota of theoretical car parks assigned to the site. The application is built on an argument that is reliant on existing use rights without establishing if they exist. Anecdotally the site has a stuttering occupation history but has remained unoccupied for substantial periods over the last several years. If in fact it was found that there were no use rights this would negate the idea that there were any pre-existing or theoretical car parks tied to the site, to be able to draw the proposed exemptions from.

It is suggested that this position does not need to be adopted. If a permit were to be granted a condition could require car parking and the proposed loading and unloading of mail transport vehicles be shown to be capable of being contained on site and then restricted to this outcome. Without such a condition the parking and loading requirements of the use could compromise the availability of parking for other users of the other retail and commercial enterprises in the area in the critical pre-opening morning period of a high street business.

### **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

The Pyrenees Planning Scheme requires a permit for the use of the site as a Mail Centre. It therefore is incumbent on Council to consider the fit of such a land use in Neill Street.

A mail centre needs good access to transport routes. While it is convenient for the application that the centre of Beaufort is well located for access to a transport route, it is not ideal for a Town centre to have an industrial activity at its core. Such a use is more ideally located in an industrial area given it is a warehouse activity as defined by the planning scheme. It is also noted that even though the proposal has good access to the Western Highway it is apparent that the proposed activities are more likely to make use of Willoby Street, and as such this illustrates that the use is not dependent requiring a high street frontage in this exact location.

In a planning sense a town centre is expected to be the hub for commercial, civic and community functions. A mail distribution centre is an important adjunct to these functions but not in itself any of these things. As described above and shown by the applicant's own detail it also does not need to be in the centre of town. It is noted of the examples of similar facilities in other towns provided by the applicant, none are in the high street of any of these towns (see attachment 2).

It is suggested that the proposed use will not add any real perception of activity in Neill Street given any activity will be largely completed before 9:30 am and then even more it is more likely for any activity to occur at the rear of the property. Therefore, as a positive there is likely to be minimal impact on amenity, however nor will there be any vibrancy, activation and activity created by the proposed use while it is on site.

Late in the process the proposal was modified to provide a 5-year lifespan for the use, therefore if council consented to the use of the site as an interim it could still enable Beaufort the ability to re-invent itself post any Beaufort Bypass works being completed, which is an important concession in the formulation of the recommendation to Council in this report.



## ATTACHMENTS

1. PA22033 comparison sites [13.2.1.1 - 2 pages]
2. Application P A 22033 Redacted [13.2.1.2 - 26 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

While it is acknowledged that such a facility is important to Beaufort and its surrounds, it is also important to coordinate development of Beaufort's main street in a way that ensures the ongoing viability of the commercial centre of Beaufort to provide for the wider community. Given the defined timeframe of 5 years for the mail centre now proposed by the applicant it is suggested that the proposal may be supported as an interim step for Australia Post to manage the mail services for Beaufort and its surrounds, enabling some use of the building without limiting the longer term potential of this building to be a focal point for the commercial heart of Beaufort.

## Cr Damian Ferrari / Cr Robert Vance

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 Grant a Planning Permit under the provisions of the Pyrenees Planning Scheme for a Mail Centre at 56a Neill Street, identified as lot 1 on Title Plan 5701E (formally known as part Crown Allotment 4, Section 7 Township and Parish of Beaufort) subject to the following conditions:

### Plans required

1. Before the use starts, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the plans submitted with the application and include:
  - a. details of the security lighting and method of fixture to any brickwork of the two-story element of the building;
  - b. A layout of the rear loading and parking area that provides for a clear loading bay and a minimum 4 car parking bays for staff; and
  - c. Details of the management of the Neill Street window display.

### Layout not Altered

2. The layout of the uses on the endorsed plans must not be altered without the further written consent of the Responsible Authority.

### Amenity

3. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
  - a) transport of materials, goods or commodities to or from the land, which must occur only between the hours of 5:30 and 9:30 am on a Monday to Friday not including Public Holidays;
  - b) All ancillary motors or trucks are to be turned off whilst picking up or dropping off stock/materials;

- c) appearance of any building, works or materials;
- d) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
- e) presence of vermin; and
- f) all security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia International Limited and be connected to a security service.

**Time limited**

- 4. This permit will expire, and the use of the site will cease within 5 years of the issue date of this permit.

**Signs requiring further approval**

- 5. Unless no permit is required under the Planning Scheme, no other signs are to be constructed or displayed without a further permit.

**Loading/unloading**

- 6. The loading and unloading of vehicles and the delivery of goods to and from the premises must at all times be conducted entirely within the site and/or the designated loading bay hereby approved and must not disrupt the circulation and parking of vehicles on the land or street network to the satisfaction of the Responsible Authority.

**CARRIED**

### 13.2.2. PREFERRED SUPPLIERS, PLANT AND LABOUR

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

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

**Report Author:** Philip Diprose - Waste and Administration Officer

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

**File No:** C2022-002

#### PURPOSE

The purpose of this report is to provide information to Council on the tenders received for the public tendering of Contract C2022/002 Plant and Labour Services and consideration of their inclusion in the Preferred Supplier Panel for Plant and Labour Services.

#### BACKGROUND

Council Officers sought expression via a public tender for contractors to become a preferred supplier for Plant and Labour, this would include but not limited to;

<b>Heavy Combination Vehicles</b>	<b>Road Profiler</b>
<b>Prime movers, Heavy rigid vehicle with trailer</b>	Drum Rollers
<b>Heavy Rigid Trucks</b>	Water Tank Vehicles
<b>Medium Rigid &amp; Light Rigid Trucks</b>	Wheel Rollers
<b>Graders</b>	Excavators
<b>Backhoes</b>	Skid Steer (Posi Track)
<b>Utility - Car</b>	Tractors
<b>Trenchers</b>	Grass Cutting
<b>Water Pumps</b>	Generators
<b>Chainsaws</b>	Fencing Equipment
<b>Concreting Equipment</b>	Personnel

The Tender for Preferred Supplier of Plant and Labour was released to the market through Councils Tender Platform on the 31st January 2022, it was advertised until the 18th March 2022.

The tender was viewed 294 times online with 41 companies downloading the tender documents. There were 18 companies that provided a submission for the Preferred Supplier Panel.

#### ISSUE / DISCUSSION

To be eligible for the Preferred Supplier Panel a Company must demonstrate the following minimum eligibility criteria:

- Confirmation of Public Liability Insurance,
- Work Health and Safety Management policy and processes,
- Environmental Management policy and processes.
- Appropriate Licences and Registration for vehicles and plant.
- Quality systems, policy and processes.

All successful preferred supplier contractors will be required to participate in regular reviews of performance and comply with Councils Contractor Management System that will maintain certificates, registration and licences for preferred suppliers.

Previous relevant experience and satisfactory performance in the areas of competency described for the pre-qualification level.

A successful supplier will be asked to register with [www.rapidglobal.com](http://www.rapidglobal.com) to place insurance, public liability and other relevant documents on Council's portal. The Supplier will maintain and update the certificates to be compliant. Suppliers without current insurance will not be provided work

A review of the submissions provided by the tenderers showed all 18 are compliant with the tender requirements.

The submissions Plant and Personnel services are:

CONTRACTOR	SERVICE
A & N Durant Earthmoving	Earthmoving Contractors
Ballarat Groundworks	Landscaping and Minor Civil Works
Beaufort & District Earthworks	Earthmoving Contractors
Central Spraying	Chemical Spraying
RSP Environmental Services	Stormwater Repair, Inspection & Maintenance
Grampians Excavations Pty Ltd	Earthmoving Contractors
Howell Contractor	Earthmoving Contractors
Hutchings Plant Hire	Earthmoving Contractors
LMK Earthworks	Earthmoving Contractors
McArdle Transport	Transport Contractors
On Trak Rentals	Plant & Machinery Hire
Rhysez Transport	Transport Contractors
Rollers Australia	Static & Vibrating Roller Hire
Pearce Earthmoving	Earthmoving Contractors
Broadbent Machinery	Tree and Limb removal
Jeff Blake Engineering	Mechanical Engineering & Construction
Tiley Industries	Earthmoving Contractors and Sand & Soil
Chipaway Tree Care	Tree and Limb removal

## COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 4 - Economy

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

## ATTACHMENTS

Nil

## FINANCIAL / RISK IMPLICATIONS

The tender will minimise the risk to Council in procurement. The Preferred Supplier services are available to be utilised, when required, over the next three years with an additional two-year extension. Annual inflation will be linked to the Consumer Price Index (All Groups) for the weighted average for the eight capital cities in Australia as issued by the Australian Bureau of Statistics and separately approved by Council.

Insurance, Registrations and Licences for the Preferred Suppliers will be maintained by Councils Contractor Management System. Compliance certification for the Preferred Suppliers will be available to Council Officers for engagement purposes.

The Preferred Suppliers are to be engaged in accordance with the Council's Procurement Policy.

### **CONCLUSION**

The tender received a wide range of respondents which offers Council a variety of services that can be utilised within Council's works and maintenance services.

The tenderers included in the attached list are recommended for appointment as a preferred supplier for Plant and Labour Services.

The Preferred Supplier Panel will provide Council market competitive rates for the required services.

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

That Council:

1. Receives the preferred supplier report for Contract C2022/002 - preferred suppliers for Plant and Labour Services shown in the table.
2. Resolves to appoint the tenderers detailed in the table as preferred supplier for Plant and Labour Services under Contract C2022/002.

**CARRIED**

### 13.2.3. PREFERRED SUPPLIER, TRADES & MISCELLANEOUS SERVICES

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

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

**Report Author:** Philip Diprose. Waste and Contract Administration Officer

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

**File No:** C2021-003

#### PURPOSE

The purpose of this report is to provide information to Council on the tenders received for the public tendering of Contract C2022/003 Trades and Miscellaneous Services and consideration of their inclusion in the Preferred Supplier Panel for Trades and Miscellaneous Services.

#### BACKGROUND

Council Officers sought expression via a public tender for contractors to become a preferred supplier for Trades and miscellaneous Services, this would include but not limited to;

TRADES	MISCELLANEOUS SERVICES
Air Conditioning Services	Asbestos Removal
Arborist Services	Automatic Door Service
Auto crash Repairer	Chipping/Mulching of Greenwaste
Auto Mechanics	Drone Services
Builder (Commercial)	Fencing
Builder (Domestic)	Essential Services (Fire, Emergency signs and access inspection)
Building Maintenance Inspector	Gardening services
Building Surveyor	Grass Slashing
Concreter	Home Maintenance Services
Diesel Mechanic	Land and Aquatic Weed Control Services
Electrician	Roller Door services and repair
Glazier	Sand Blasting
Landscaping services	Signage Manufacturer
Locksmith	Snake catcher
Painting	Stormwater Inspection services
Plumber	Test and Tag Services
Printer Services	Traffic Management Services
	Underground Service Locations

The Tender for Preferred Supplier of Plant and Labour was released to the market through Councils Tender Platform on the 31st January 2022, it was advertised until the 18th March 2022.

The tender was viewed 182 times online with 58 companies downloading the tender documents. There were 16 companies that have provided a submission for the Preferred Supplier Panel.

## ISSUE / DISCUSSION

To be eligible for the Preferred Supplier Panel a Company must demonstrate the following minimum eligibility criteria:

- Confirmation of Public Liability Insurance,
- Work Health and Safety Management policy and processes,
- Environmental Management policy and processes.
- Appropriate Licences and Registration for vehicles and plant.
- Quality systems, policy and processes.

All successful preferred supplier contractors will be required to participate in regular reviews of performance and comply with Councils Contractor Management System that will maintain certificates, registration and licences for preferred suppliers.

Previous relevant experience and satisfactory performance in the areas of competency described for the pre-qualification level.

A successful Supplier will be asked to register with [www.rapidglobal.com](http://www.rapidglobal.com) to place insurance, public liability and other relevant documents on Council's portal. The supplier will maintain and update the certificates to be compliant. Suppliers without current insurance will not be provided work

A review of the submissions provided by the tenderers showed all 16 are compliant with the tender requirements.

The submissions to the Trades and Miscellaneous Services are:

CONTRACTOR	SERVICE
Ballarat Groundworks	Landscaping
BLR Provincial	Construction
Broadbent Machinery	Arborist Services
Driscoll Home Maintenance	Building
JD Media Blasting	Abrasive Blasting
M Whelan Building & Construction	Building & Construction
Noble Olive Groves	Plant & Nursey Suppliers
Programmed Property Services	Painting & Property Management
Elec Connect	Electrical Contracting
Ryan Day Plumbing	Plumbing
S.H.A.E. Enterprises	Civil, Landscape & Arbiculture
SP Tree & Wood Services	Arbiculture
BJC Gardening and Home Maintenance	Gardening & Handyman Services
Blake Engineering	Mechanical Engineer
WR & LC Day	Arborist Services
Traffic Management Solutions	Traffic Management

## COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 4 - Economy

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



**ATTACHMENTS**

Nil

**FINANCIAL / RISK IMPLICATIONS**

The tender will minimise the risk to Council in procurement. The preferred supplier services are available to be utilised, when required, over the next three years with an additional two-year extension. Annual inflation will be linked to the Consumer Price Index (All Groups) for the weighted average for the eight capital cities in Australia as issued by the Australian Bureau of Statistics and separately approved by Council.

Insurance, registrations and licenses for the preferred suppliers will be maintained by Councils Contractor Management System. Compliance certification for the preferred suppliers will be available to Council officers for engagement purposes.

The preferred suppliers are to be engaged in accordance with the Council's Procurement Policy.

**CONCLUSION**

The tender received a wide range of respondents which offers Council a variety of services that can be utilised within Councils works and maintenance services.

The tenderers included in the attached list are recommended for appointment as a preferred supplier for Trades and Miscellaneous Services.

The Preferred Supplier Panel will provide Council market competitive rates for the required services.

**Cr Robert Vance / Cr David Clark**

That Council:

1. Receives the preferred supplier report for Contract C2022/003 - preferred suppliers for Trades and Miscellaneous Services shown in the table.
2. Resolves to appoint the tenderers detailed in the table as preferred supplier for Trades and Miscellaneous Services under Contract C2022/003.

**CARRIED**

### **13.2.4. LOCAL GOVERNMENT STATEWIDE WASTE FORUM**

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

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

**Report Author:** Douglas Gowans – Director Assets and Development

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

**File No:** 68/08/02

#### **PURPOSE**

The purpose of this report is for Council to consider appointing a representative on recycling and waste matters for the purposes of ongoing collaboration between Councils in the Grampians Central West region.

#### **BACKGROUND**

Council officers have received a letter from Cr Tom Sullivan, Mayor, Moorabool Shire Council and Chair of Grampians Central West Waste and Resource Recovery Forum requesting that Council appoints a representative to participate in the Local Government State-wide Waste Forum.

The Forum has been established through the Regional Waste Forums who voted unanimously to allow each of their Chairs to advocate to the State Government on their behalf in regard to the roll out of the new Victorian Waste and Recycling Act. The seven Forum Chairs in total represent the 79 LGA's across the State.

#### **ISSUE / DISCUSSION**

The Local Government State-wide Chairs Forum aims to ensure consistent representation across our rural, regional and metropolitan Councils to advise the State Government in the lead up to the establishment of the Circular Economy (Waste and Recycling) Bill 2021.

On commencement of Recycling Victoria (RV), the Waste and Resource Recovery Groups (WRRGs) will be dissolved, and relevant functions will be transferred to Recycling Victoria. The Recycling Victoria Authority commenced on 1 July 2022. The State Government has yet to provide any concrete details as to an ongoing mechanism that would serve a similar function after 30 June 2022.

It has been the experience of Cr Tom Sullivan as Chair of the Grampians Central West Waste and Recovery Local Government forum that these groups have provided an important structure for regional collaboration between local governments, including for delivering effective services, achieving efficiencies of scale, sharing expertise, advocating for better policy and legislation, education and procurement.

The Minister for Energy, Environment and Climate Change in her second reading speech said "I intend to establish a local government advisory committee to advise the Head on the new functions, how these arrangements impact and can benefit Councils, and how the setup of Recycling Victoria can ensure effective relationships with local government across the State".

Cr Sullivan would like to formalise the Forum so that beyond the 1 July 2022 date there continues to be a structure for ongoing collaboration for Councils on a regional and statewide level. In order to facilitate this Cr Sullivan is proposing that each Council appoint a representative to participate.

The Forum Chairs have formally requested a comprehensive briefing from representatives from the Department of Environment, Land, Waste and Planning (DWELP), in relation to the timeframes and the planned and proposed investment, policy and regulatory implementation measures that the State Government is considering in relation to the Circular Economy Bill. The Forum Chairs have also previously written to Minister Lily D'Ambrosio MP and engaged with her office seeking the Minister and State Government's engagement with the Forum.

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

Priority 3 - Environment

3d. Improve waste management to reduce landfill and reduce harm to the environment.

### **ATTACHMENTS**

Nil

### **FINANCIAL / RISK IMPLICATIONS**

There is a risk that if previously beneficial forums no longer exist, waste and recycling responses could be inconsistent across the region.

### **CONCLUSION**

The Grampians Central West Waste Forum has been a beneficial body for the consistent dissemination of information relating to waste and recycling.

### **Cr David Clark / Cr Damian Ferrari**

That Council:

1. Notes the State Government has introduced legislation that dissolves the regional waste management groups effective from 1 July 2022.
2. Recognises the benefits of regional collaboration between local governments including for delivering effective services, achieving efficiencies of scale, sharing expertise, advocacy for better policy and legislation, education and procurement.
3. Notes that the Waste and Resource Recovery Groups (WRRGs) have provided an effective mechanism for regional collaboration between Councils; and
4. Appoints Cr Damian Ferrari as Councillor representative and Cr Tanya Kehoe as a proxy representative if Cr Ferrari is unavailable on recycling and waste matters for the purposes of:
  - a. Meeting with other councils in the Grampians Central West region to consider recycling and waste matters and provide advice to councils in the region.
  - b. Appointing a Chair of the Regional Advisory Group who would represent the region in a state-wide advisory group, including electing a state-wide Chair.
  - c. Developing a proposal for governance (including a Terms of Reference) of regional co-ordination between councils, for consideration by Council at a future date; and
  - d. Calling on the State Government to support regional collaboration by providing the secretariat function via Recycling Victoria.
5. That Council officers write to Cr Tom Sullivan advising of Council's resolution.

**CARRIED**

### **13.2.5. DJA DJA WURRUNG - CULTURAL ART INSTALLATION**

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

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

**Report Author:** Tim Day – Manager Assets

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

**File No:** 04/08/02

#### **PURPOSE**

This report seeks direction from Council regarding the incorporation of indigenous art in association with community and infrastructure works.

#### **BACKGROUND**

The Dja Dja Wurrung Aboriginal Clans Organisation (Djaara) has Registered Aboriginal Party status and has a Recognition and Settlement Agreement with the Victorian Government. This agreement includes a Land Use Activity Agreement (LUAA) which requires Council to engage with Djaara regarding works on certain lands including road reserves and crown land.

The type of engagement required by Council depends on a hierarchy of works in 4 activity classes being: routine; advisory; negotiation; and agreement activities. The majority of Council works falls into the routine (largely road and land maintenance) and advisory activities (minor projects such as new pathways, bridge and culvert works).

For advisory activities, Council submits plans, documents and other information to Djaara for their review and comment prior to commencement of the works.

Through this process, in relation to the replacement of culverts in Lexton, Djaara asked Council if there was an opportunity for Dja Dja Wurrung artists to decorate the culvert wing walls. Because these wing walls were not readily visible to the public Djaara were advised that the location, while available, was not ideally suited to the purpose of promoting indigenous art. An alternative was put forward by Council officers for supporting an indigenous public art-work at Amphitheatre in conjunction with the construction of a carpark.

#### **ISSUE / DISCUSSION**

Support is being sought from Council to fund an indigenous artist to create and install a public art-work in conjunction with the construction of a carpark at Amphitheatre outside the Post Office. This location has high visibility, being on the Pyrenees Highway and centrally located in the township.

This will be a significant gesture of recognition of, and support to an ongoing and vibrant indigenous culture in the region and is one element of an ongoing commitment to indigenous reconciliation.

It is proposed to provide an amount of \$5000, through the project grant funds, to contribute in part, or in whole, for this work to be commissioned and installed. Given that emerging and established artists have the potential to create art works that will appreciate in value over time, yet following sale, are unable to benefit from this change in value, it is proposed that in this commission, ownership of the artwork would remain with the artist.

Suggested terms of the commission are as follows:

1. Payment to the artist is managed by Djaara with payment made from Council to Djaara.
2. Ownership of the artwork remains with the artist.
3. Council has the right to display the work publicly for a defined period not less than 5 years.
4. Council to insure the work to the value of its financial contribution with the artist responsible (if they so elect) to insure any value of the work in excess of the amount covered by Council.
5. If Council decides to no longer display the work following the defined period, Council, as its expense, returns the work to Djaara.
6. If the artist decides to reclaim the work following the defined period, the artist may remove the work and make good the installation location at the artist's expense.
7. Both parties being required to provide 60 days notice to the other party of their intent to remove the work from public display.

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

Priority 1 - People

1b. Support a vibrant community arts, culture and heritage environment.

#### **ATTACHMENTS**

Nil

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

Council's financial risk is limited to the cost of insurance and site remediation.

#### **CONCLUSION**

Council is asked to consider the proposal to install indigenous public art at Amphitheatre and contribute their support to the ongoing process of indigenous reconciliation.

**Cr David Clark / Cr Tanya Kehoe**

That Council endorses the installation of a piece of indigenous public art at Amphitheatre.
---

**CARRIED**

**13.2.6. BITUMINOUS RESEALING CONTRACT**

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

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

**Report Author:** Phillip Hoare – Manager Works

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

**File No:** C2017-002

**PURPOSE**

The purpose of this report is for Council to consider exercising the option to extend the existing contract C2017 – 002 Bituminous Resealing Program – 2016/17 to 2019/20 for a further year in line with the existing contract agreement.

**BACKGROUND**

In April 2017, Council entered into a contract with Victorian Surfacing Alliance to provide bituminous resealing works throughout the municipality. The initial contract period was for three years with two further options to extend (2 Years and 1 Year). Council has previously exercised its option to extend the contract by 2 years.

**ISSUE / DISCUSSION**

Council's road resealing program forms a key component in Council's risks management strategy to provide a safe road network. In order to maintain this strategy sealed roads should generally be resealed every 17 years. The proposed program aims to reduce the gap between the standard Council is currently able to provide and the required reseal life. The risk to Council of not maintaining this program is the further increase of the road infrastructure renewal gap which will be accompanied by an increased economic and safety risk/cost to the community.

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Priority 4 - Economy

4b. Invest in road infrastructure to improve connectivity for commerce and community.

**ATTACHMENTS**

Nil

**FINANCIAL / RISK IMPLICATIONS**

The cost to Council in 2020/21 based on the proposed bituminous sealing program will be \$700,000. Provision has been made in Council's 2022/23 Budget for this expenditure.

Council's long-term financial plan includes provision for the Bituminous Sealing program for the life of the plan.

**CONCLUSION**

Bituminous sealing is a vital component of Council's ability to maintain and renew the Pyrenees Shire road network.

**Cr Robert Vance / Cr Tanya Kehoe**

That Council extends Contract No C2017-002 with Victorian Surfacing Alliance Pty Ltd for one year.

**CARRIED**



### 13.3. CORPORATE AND COMMUNITY SERVICES

#### 13.3.1. COMMUNITY ENGAGEMENT POLICY & STRATEGY

**Presenter:** Martin Walmsley - Manager Community Wellbeing

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

**Report Author:** 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:** 16/24/18

#### PURPOSE

The purpose of this report is to seek the Council's endorsement of the revised Community Engagement & Communications Policy and a new Community Engagement & Communications Strategy.

#### BACKGROUND

The *Local Government Act 2020* (the Act) was proclaimed on 6 April 2020 with transition from the former Act being implemented in stages between 1 May 2020 and 30 June 2022.

Section 55 of the Act requires Council to adopt a Community Engagement Policy by 1 March 2021. A Policy was developed in late 2020, exhibited for public feedback in December 2020 / January 2021, and subsequently adopted by Council in February 2021.

Public feedback provided suggestions, the majority of which were included within the adopted policy.

During the development of the current Community Engagement Policy in late 2020 / early 2021, it was acknowledged that:

1. The Community Engagement Policy adopted in February 2021 was likely to need further revision in accordance with lessons learned during the 2021 deliberative engagement process used for the creation of the Community Vision 2021-2031 and Council Plan 2021-2025, and
2. A Community Engagement Strategy may be needed to provide more robust operational guidance to officers on when, how and with whom engagement should be undertaken.

When recommending Council adoption of the existing Policy, a commitment was made to undertake a review of that policy approximately 12 months from the date of adoption (February 2021) and develop a Community Engagement Strategy at the same time.

#### ISSUE / DISCUSSION

A review has been conducted of the Community Engagement Policy in early 2022 and this was renamed as the Community Engagement & Communications Policy, to bring together aligned functions. At the same time, a new Community Engagement & Communications Strategy was developed to clearly articulate the Council's commitment to community engagement and how this would be implemented over the next few years.

At its meeting on 18 January 2022, the Council resolved to allow the documents to be exhibited for public feedback when drafting was complete. The draft documents were published for consultation in May 2022 with no external submissions being received.

The policy and strategy will be supported by detailed internal guidelines for officers conducting engagement and an annual Community Engagement & Communications Plan, currently under development.

The draft documents were updated following internal feedback and are now presented to the Council for consideration and adoption.

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

Enabling Principles

- a. Motivate and inspire community involvement

### **ATTACHMENTS**

1. Community Engagement Communications Policy 2022 [**13.3.1.1** - 10 pages]
2. Engagement Communications Strategy 2022-2025 [**13.3.1.2** - 10 pages]

### **FINANCIAL / RISK IMPLICATIONS**

Officer follow-through on commitments made in 2021 is essential to ensure that the Council does not damage its reputation nor impact community satisfaction.

### **CONCLUSION**

Council adopted an initial Community Engagement Policy in February 2021 and committed to further review and consultation commitments in 2022. In early 2022, the policy was reviewed and renamed as the Community Engagement & Communications Policy and a new Community Engagement & Communications Strategy was developed to articulate how the policy and Council's intentions regarding community engagement and communications would be implemented.

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

That Council resolves to adopt the:

1. Community Engagement & Communications Policy 2022, and
2. Community Engagement & Communications Strategy 2022-2025.

**CARRIED**

**13.3.2. INSURANCE RENEWAL 2022/23**

**Presenter:** {custom-field-presenter-do-not-remove}

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

**Report Author:** 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:** 38/02/04

**PURPOSE**

The purpose of this report is for Council to endorse the insurance program renewal placed for the 2022/23 financial year.

**BACKGROUND**

As part of good governance, the Council annually purchases and maintains insurance as part of sharing risk for various lines including public liability, professional indemnity, property, travel, and motor vehicles.

In line with previous years, the Pyrenees Shire Council has maintained its relationships with the Municipal Association of Victoria (MAV) for Liability and Professional Indemnity coverage through the Liability Mutual Scheme, and its risk advisor, JLT Public Sector.

The global risk environment continues to experience significant challenges, responding to the demands of the COVID pandemic, global weather events and increasing cyber exposure.

**ISSUE / DISCUSSION**

The annual insurance program has been successfully procured for another year, commencing 1<sup>st</sup> July 2022. Increases were lower than expected, with the current hard market in place, with an increase of 4.91% for the total program.

The largest percentage increase was for cyber protection; however, this insurance line is a minor part of the total program cost and had a limited impact on the total increase of just 0.83%.

The largest cost components of the program (Public/Products Liability and Professional Indemnity, Property and Motor Vehicle insurance) have risen by an average of 3.62%.

Commercial-in-confidence information relating to individual insurance line premiums has been provided to the Council separately. The insurance program renewal was required by 1<sup>st</sup> July 2021 and, as has been the case in previous years, renewal information was received too late to be provided to Council at its June 2021 meeting for advance approval.

Due to timing constraints and the mandatory nature of needing an insurance program in place, the insurance program has been accepted on behalf of Council and Council is now requested to provide endorsement of the decision made to procure insurance at a total cost of \$455,760.96 for the 2022/23 financial year.

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Priority 4 - Economy

4c. Encourage and invest in assets and infrastructure for commerce and community.

Enabling Principles

- b. Provide transparency and accountability
- c. Use resources efficiently and effectively

**ATTACHMENTS**

Nil

**FINANCIAL / RISK IMPLICATIONS**

Significant financial and risk implications are inherent in a poorly procured insurance program. Risks include insufficient coverage in the event of a disruptive incident, inability to obtain appropriate insurance, and exposure to an extremely variable cost impost year on year.

**CONCLUSION**

Insurance has been procured for the 2022/23 financial year through MAV/JLT Public Sector with 2022/23 premium detail provided to Council separately. The council is asked to endorse payment of the 2022/23 insurance premiums, which reflect an overall increase of 4.91% over the previous year.

**Cr Robert Vance / Cr Tanya Kehoe**

That Council endorses payment of \$455,760.96 for the procurement of the 2022/23 insurance program.
---

**CARRIED**

### **13.3.3. 2022 COMMUNITY SATISFACTION SURVEY**

**Presenter:** Martin Walmsley - Manger Community Wellbeing

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

**Report Author:** 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:** 44/10/04

#### **PURPOSE**

To provide the Council and its community with a follow-up report regarding planned actions to address matters raised in the 2022 Local Government Pyrenees Shire Council Community Satisfaction Survey.

#### **BACKGROUND**

Each year Local Government Victoria (LGV) coordinates and auspices a State-wide local government community satisfaction survey throughout Victorian local government areas.

Although participation is optional, some included questions are relevant to the mandatory local government performance reporting obligations and information gained informs Council's annual performance statement and Annual Report.

Key objectives of the survey are to assess the performance of Pyrenees Shire Council as perceived by its community, across a range of measures and to seek insight into ways to provide improved or more effective service delivery. When coupled with previous data, the survey provides a reliable historical source of the community's views since 1998.

The survey was conducted in February / March 2022 by telephone and the Pyrenees Shire Council results are benchmarked against the state-wide average and the average for small rural councils. An electronic copy of the survey report is available on Council's website and can be provided via email upon request by contacting Council on [pyrenees@pyrenees.vic.gov.au](mailto:pyrenees@pyrenees.vic.gov.au) or by telephoning 1300 797 363.

The 2022 survey report was provided to Council for information at its meeting in June 2022. At that meeting Councillors requested a further report be tabled in July 2022 to advise of planned actions to improve future community perceptions of the Council's performance.

#### **ISSUE / DISCUSSION**

##### **Perception results overview**

In the latest Community Satisfaction Survey Report for 2022, perceptions of Council's overall performance declined in the past year and are now at their lowest level in a decade. Performance scores in individual service areas are either in line with or lower than that observed in 2021 except for waste management where there was an improvement. Younger residents (aged 18-34 years) consistently provide among the lowest performance ratings, often with scores that are significantly lower than their ratings in 2021, and lower than Council average in 2022.

In 2022, Council rated below the small rural and/or state-wide group averages for half of the service area measures tracked. For the remainder, Council performance index scores are in line with these group averages.

Key observations include:

- Waste Management performance score increased from 2021 – from 66 in 2021 to 69 in 2022. This score increased in 2021 from 58 in 2020, so 2022 marks two years of consecutive increases in satisfaction.
- Business/Community Development/Tourism - scored 60, and remained the same in 2022, 2021 and 2020.
- The overall performance index score was 57, a reduction of 4 points from 2021 (61) and below the comparative averages – state average 59, small rural average 58.
- Decreases in scoring for overall performance were seen in specific cohorts:
  - Women
  - Residents of Avoca and Decameron Wards
  - Residents aged 18 to 34 years
- There were no areas where Pyrenees Shire Council performance was perceived as significantly higher compared to statewide and small rural group averages.
- Areas where performance is considered significantly lower than comparative averages include:
  - Art centres & libraries (lower than statewide and small rural group averages)
  - Consultation and engagement (lower than state-wide and small rural group averages)
  - Enforcement of local laws
  - Appearance of public areas
- The perception of overall council direction remained the same as 2021, but below other comparative averages.
- Customer service again decreased by a further 3 points. The customer service index score has been declining year-on-year after reaching a peak index score of 74 in 2017 to 63 in 2022. Customer service ratings are now at their lowest point to date.  
70% of residents have contact with Council in the last 12 months, with the highest rate of contact satisfaction being among 50-64 year olds (82%) and lowest among 18-34 year olds (59%).  
Individual cohort perceptions of customer service remain like previous years, except for women who report a significant drop in their rating – down 9 points to an index score of 64.
- Emergency management was reduced from its highest scoring point – down from 72 to 2021 to 65 in 2022.

A comparison of individual service area importance and performance identifies those areas with the greatest gap between importance and performance as shown below:

Service area	Importance to Community	Performance Perception	Comment
Unsealed roads	85	39	-46 is the largest differential requiring further investigation.
Emergency & disaster management	80	65	-15 differential. This was previously the highest scoring area and needs further investigation.
Elderly support services	79	68	
Family support services	73	64	
Recreational facilities	71	68	
Appearance of public areas	71	68	
Business/Community Development/Tourism	68	60	
Enforcement of local laws	65	59	
Art centres & libraries	60	68	

### **Verbatim comments overview**

As part of the service, unidentified verbatim comments were provided to Council. Although many of Council's individual services were included within the verbatim comments, likely to be focused on individual issues, many of the comments can be consolidated into common themes shown in the table below.

The total number of comments received upon which the following groupings are based was 414, however some survey responders provided comments on more than one grouping. There were some other individual comments that did not relate to any of the following categories.

The main groupings focused on:

- Service delivery – primarily road maintenance and condition, and
- Communications, engagement, and customer service.

Grouping of comments	% of comments
Services - Road maintenance and condition, including grading of gravel roads.	25%
Communications, engagement, consultation, and active listening to our community. Poor delivery on promises and projects; and a need for increased officer visibility / accessibility, advocacy on community behalf, and being active in the community.	23%
Perception of Council and its administration – Number of staff, indoor/outdoor staff ratios, outsourcing, transparency/accountability, understanding and being part of the community.	9%
Services - Roadside slashing, fire prevention, tree maintenance, environment protection	7%
Attract investment to the area – business, arts, tourism, housing development, protection of our heritage and creation of dog friendly areas.	7%
Too much focus on Beaufort and Avoca. Distribute funding fairly across the shire and interact more with rural ratepayers.	6%



Infrastructure – Footpath quantity and quality, more community hubs, recreation reserves and public area maintenance and beautification, road cleaning.	6%
Overall poor customer service, lack of responsiveness and care when providing a response, impersonal treatment. Need to simplify and improve ease of online interactions and business.	5%
Improve social services – disability, aged and vulnerable person support; attract more health services to the region, social improvement activities, youth activities, public transport, and parking. Hold more community events and festivals.	4%
Services – Waste management (bins, hard rubbish collection)	4%
Perceived barriers to local investment and development – permit timelines and costs, red tape, zoning barriers and uncertainty.	3%

### **Planned actions**

Recently, the Council's senior leadership team met to discuss:

1. Identifying root causes for declines in scores,
2. Identifying where Council action can deliver change, and
3. Identifying actions to deliver improvements in future community perceptions.

It is acknowledged that the performance scores are based on our community's perception of performance and that a lack of awareness of what Council does or is responsible for can lead to diminished confidence in its service performance. However, community perception is what Council's reputation is based upon and requires action to understand and improve where practicable.

It is also easy to dismiss a decline in scores over the past couple of years due to the impact that COVID-19 has had upon the community and Council officer visibility and availability. This does not, however, explain the decline over the period of the past 10 years. The first action to be undertaken, therefore, is to determine the root causes of the decline in confidence.

The individual service areas that have the strongest influence on overall performance ratings are (a) decisions made in the interest of the community, and (b) community consultation and engagement. The report recommends that these should remain a priority focus.

Another key focus area will be the council's performance on the condition of sealed roads.

The Report identified the following areas as priorities for improvement:

- Sealed road maintenance
- Community consultation
- Unsealed road maintenance

Our community has consistently expressed their need to be engaged using a variety of methods. The Community Satisfaction Survey (CSS) facilitated by the State Government and conducted by JWS Research uses one medium (telephone) to gather the information from residents. Council may wish to consider alternative methods of surveying residents in future to supplement the CSS

including using Council's Engagement Hub where targeted and meaningful feedback on specific issues and services can be obtained.

The following provides an overview of the planned actions to understand the reasons behind the steady reduction in community satisfaction over the past 10 years, and the past 12 months; and identify what can be done to improve the perceptions of our community in the future.

Surveying residents	Council will use <b>alternative methods of surveying residents</b> in future to supplement the CSS including using Council's Engagement Hub where targeted and meaningful feedback can be obtained.
Survey result understanding	We will investigate further into the <b>root causes</b> of some key perception declines included in the survey report.
Service improvements	In response to the root causes identified, we will <b>identify proposed improvements</b> , and provide feedback / information to our community on relevant council priorities and constraints in key service areas.
	We will engage with our communities when undertaking <b>service planning</b> to ensure our priorities are aligned with community needs.
Communications, engagement, and customer service	We will prepare an annual <b>Communication and Engagement Plan</b> that identifies specific initiatives to improve the way we engage with our communities over the coming year. This will include the following:
	Work is underway to investigate how improvements can be made in these areas of dissatisfaction:
	<ol style="list-style-type: none"> <li>1. An internal change management project to improve <b>responsiveness</b> and customer service standards throughout the organisation.</li> <li>2. A project to identify how our community interacts with us and what is needed to improve the ease and quality of those <b>interactions</b> – including improvements in enabling technology and systems.</li> <li>3. An Engagement and Communications Strategy has been developed to drive improvement. Strategy Goals include: <ul style="list-style-type: none"> <li>• <i>Improve engagement and communication methods,</i></li> <li>• <i>Build robust processes and tools to support communication and engagement,</i></li> <li>• <i>Create an engagement environment accessible to all,</i></li> <li>• <i>Create an informed, empowered, and skilled workforce,</i></li> <li>• <i>Develop a culture of proactive and authentic engagement, communication, and responsiveness.</i></li> </ul> </li> </ol>
	As part of engagement improvements already planned for 2022-2024, we will develop a greater understanding of how we should communicate with our <b>younger residents</b> and enable a greater involvement in Council planning and decision-making.
	We will review our regular communications to utilise different media and formats to reach a greater proportion of the community.
	In 2022/23 we will re-invigorate <b>community action planning</b> and provide greater support to our communities in informing and aligning community and council priorities.
Visibility and availability	We will spend more time actively listening to our community members and provide more opportunities for deliberative engagement.
	We will seek to become more responsive and available when needed, within the financial and resource constraints that council works under.
	We will ensure our focus is on our core business - aligned with community-driven and agreed council priorities for the benefit of our community.

Education - improve community understanding	We will work on ways to educate and improve community understanding of what councils do and what they are responsible for. Specifically, we will focus on how councils manage critical and community infrastructure and provide more information on the structure and functions of local government.
Celebrate success and achievement	We will improve how we promote and celebrate our achievements using different forums and improve our marketing of Council operations and activities.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

### Enabling Principles

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

## **ATTACHMENTS**

Nil

## **FINANCIAL / RISK IMPLICATIONS**

Primary risk implications are those related to reputation. Local Government is reportedly the most trusted level of government in Australia and considerable effort is input into maintaining the levels of integrity and service delivery that contributes to that level of trust. A report that indicates a lowering of that level of trust that Council will continue to perform highly is of concern to the Councillors and leaders in the organisation and requires action to improve our community's perception.

## **CONCLUSION**

The 2022 Community Satisfaction Survey provides an assessment of the perceived performance of the Pyrenees Shire Council across a range of measures and seeks to provide insight into ways to provide improved or more effective delivery of its services. The survey also provides Council with a means to fulfil some of its statutory reporting requirements as well as acting as a feedback mechanism to Local Government Victoria.

In 2022, the report showed a decline in many of the measurements of our community's perception, falling below the state-wide and small rural council benchmark averages for the first time. This report summarises actions determined by the Council's senior leadership team on how to reverse that trend and regain our community's trust and confidence in the future.

## **Cr Damian Ferrari / Cr Tanya Kehoe**

That Council

1. Receives the information contained in this report and endorses the proposed actions to be taken to improve community perception of Council performance, and
2. Seeks a report to be provided in early 2023 on progress against the actions.

## **CARRIED**

### **13.3.4. BORROWINGS 2022/23**

**Presenter:** Martin Walmsley - Manger Community Wellbeing

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

**Report Author:** Glenn Kallio – Manager Finance

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

**File No:** 32/16/02

#### **PURPOSE**

The purpose of this report is to seek approval from Council to borrow \$650,000 that was included in the 2022/23 Budget.

#### **BACKGROUND**

In the preparation of the 2022/23 Budget an amount of \$650,000 was included to offset capital expenditure to ensure Council continued to have sufficient liquidity to operate the business going forward.

The borrowings are essential to ensure the long term cashflow of the Council to be sustainable as per the Council's 10 year financial plan.

#### **ISSUE / DISCUSSION**

Due to the current economic climate and prediction that interest rates will continue to rise this year, it is considered prudent to borrow these funds immediately. It is considered that to delay the borrowing of the funds will increase the overall costs of the borrowings to Council over the life of the loan.

The proposal is to seek quotes from the following institutions:

- State Government Treasury
- Bendigo Bank
- National Australia Bank
- Commonwealth Bank
- ANZ Bank
- Westpac Bank

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

Enabling Principles

b. Provide transparency and accountability

#### **ATTACHMENTS**

Nil

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

The financial risks of borrowing \$650,000 have been set out in the 2022/23 budget. Should Council resolve not to seek the borrowings it is anticipated that the Council will experience a tightening of cashflows over the next few years.

## **CONCLUSION**

To remain within the financial parameters of Council's 10 year financial strategy it is imperative that the borrowings as set out in the 2022/23 budget be sought.

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

That Council:

1. Authorises the Chief Executive Officer to seek expressions of interest for loan funds totalling \$650,000.
2. Authorises the Chief Executive Officer to accept the terms and conditions of the loan totalling \$650,000, sign and seal the documentation on behalf of Council.

**CARRIED**

## **A MOTION WAS PUT FORWARD**

### **Cr Damian Ferrari / Cr Robert Vance**

That Council agrees to consider 13.3.5 Instrument of Appointment and Authorisation, as an item of urgent business.

**CARRIED**

### **13.3.5. INSTRUMENT OF APPOINTMENT AND AUTHORISATION**

**Presenter:** Martin Walmsley - Manger Community Wellbeing

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

**Report Author:** 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:** 16/20/08

#### **PURPOSE**

The purpose of this report is for Council to review and adopt an updated Instrument of Appointment & Authorisation in respect to the Building Inspector role within Council.

#### **BACKGROUND**

The Local Government Act requires Council to review its delegations, appointments, and authorisations. This is done when updates to legislation are received, or new staff appointments require appropriate delegations or authorisations to be put in place to allow that officer to fulfil their role obligations.

#### **ISSUE / DISCUSSION**

The incumbent in the role of Building Inspector has recently changed, with Ben Spiteri being appointed in the role.

For the officer to fulfil the requirements of the role, an Instrument of Appointment & Authorisation is required to delegate this authority from the Council. It is impracticable to wait until the normal review to be undertaken in July / August 2022, as this would delay the officer being able to undertake the full role specification.

A draft Instrument of Appointment & Authorisation has been prepared for Council consideration and adoption is now requested.

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

Priority 1 - People

1a. Prepare for emergencies and ensure community safety.

Priority 2 - Place

2c. Promote responsible development.

Enabling Principles

b. Provide transparency and accountability

c. Use resources efficiently and effectively

#### **ATTACHMENTS**

1. Instrument of Appointment Authorisation Building Inspector [13.3.5.1 - 2 pages]

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

The role cannot fulfil its full obligations without appropriate delegation and authorisations.

## **CONCLUSION**

To legally allow the officer appointed into the role of Building Inspector, Council is requested to consider and adopt the draft Instrument of Appointment and Authorisation as attached.

### **Cr Damian Ferrari / Cr Tanya Kehoe**

That Council, in the exercise of the powers conferred by the Local Government Act 2020 and other legislation referred to in the attached Instrument of Appointment & Authorisation, resolves that there be delegated to the officer appointed in the role of Building Inspector the powers, duties, and functions set out in the Instrument of Appointment and Authorisation, subject to the conditions and limits specified in that Instrument.

## **CARRIED**



## 14. COUNCILLOR REPORTS AND GENERAL BUSINESS

### Cr Robert Vance (Decameron Ward)

- Joined a Rural Councils Victoria (RCV) meeting. The main discussions at this meeting were putting together strategies for the up-and-coming state election and also for organising a forum for next month at Daylesford.
- Attended the MAV's State Council. Cr Clark is the Chair of the MAV and is congratulated on how well the meeting was conducted. There were approximately 120 motions put forward which are a lot to get through.
- Joined the Timber Towns Victoria (TTV) meeting on 16 July. TTV would like to have the Tires Report out prior to the state elections. 40% of Australia's timber comes from the Green Triangle and there is a fair bit of timber coming in offshore which is disappointing. There are some new plantings underway in the Colac/Otway area. The cost of building homes has increased considerably. The timber industry is very important to the Australian economy.

### Cr Tanya Kehoe (Mount Emu Ward)

- In the Mount Emu Ward there are works being undertaken on roads and also the bridge on Carngham Streatham Road. There is a bridge detour in place so residents are asked to plan extra time in their commute. Please be safe on our roads particularly in these winter conditions.
- Just a reminder that Council has for sale bin latches to stop the lid from blowing open or animals getting in. The latches are \$10.85ea and can be purchased at Beaufort Office, Beaufort Community Resource Centre and Avoca Information & Community Centre.
- In relation to waste and recycle, would really like to see more recycling undertaken to stop recyclable items going to landfill.

### Cr Damian Ferrari (Beaufort Ward)

- Attended the Cuppa at Barkly. There was a good turn up by community members.
- Attended the Rotary Changeover Dinner which was fantastic. Congratulations to Merryn Pease who is the incoming President and a big thank you to Graeme Wakefield the outgoing President. Anne Beer has recently left the Club, moving interstate. Anne will be missed. The Rotary Club are very community minded and are proactive in getting things done in the community.

### Cr David Clark (Ercildoune Ward)

- Thank you to Council staff with the road grading/repair works across the municipality. It is very much appreciated.
- Attended the recent Cuppas at Landsborough and Barkly.
- Went onsite to look at some constituent issues in Waubra, Lexton and Waterloo. The issues were submitted using Council's CARs system to have them investigated.
- In relation to the MAV, rural planning, school crossing supervisors, social affordable housing and getting ready for the state elections have been the hot topics.

Mayor Cr Ron Eason (Avoca Ward)

- Joined a Central Highlands Councils Victoria (CHCV) meeting to discuss opportunities to create a better region to live in and also apply pressure to governments for funding.
- Attended the opening of the Pyrenees Art Exhibition. The volunteers who organised the event did a wonderful job and deserve a lot of credit. The pieces of artwork on display were amazing.
- Attended the funding announcement for restoration and accommodation work at Mooramong. The story of Mooramong is really interesting and worthwhile finding out about.
- Thanks is passed onto Council staff for completing the works on Cambridge St in Avoca. The local residents are very appreciative.

## 15. CONFIDENTIAL ITEMS

### CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

**Cr Robert Vance / Cr Tanya Kehoe**

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 – Future Direction of Home-based Aged Care Provision in the Pyrenees Shire

**CARRIED**

***The live streaming of Ordinary Meeting of Council 19 July 2022 stopped at 7.19pm to consider confidential items.***

***The Ordinary Meeting of Council re-opened at 7.37pm and live streaming recommenced.***

***The Mayor chose to report on the confidential item discussed in closed Council and made the following comment:***

'The Pyrenees Shire Council has been delivering aged and disability services to our community for many years. We are immensely proud of our service and staff members. We are gratified to be working within our community supporting the people to stay in their homes longer, delivering community connection and running programs and events for our clients. This year a commonwealth funding that helps support us to deliver these services and programs will change which will have a detrimental effect on our ability to continue delivering these services. The changes include the funding amount needing us to cover a larger subsidy for our community that we cannot afford. Our service is small delivering over 13,000 hours of service to our community in 2020 and 2021. Our existing services are varied and essential to supporting our community members with care needs to remain at home. In comparison larger government local government organization can deliver around 120,000 hours and private providers more than 3 million hours of service. We have been monitoring the local government sector's response to these changes and working closely with the Municipal Association of Victoria and taking advice on options available to us. We have decided to seek expressions of interest from relevant agencies who could provide ongoing services in our region following the new commonwealth provisions. Once we have had a look at the EOIs received, we will review our position as a service provider. We will continue to support our staff who have been outstanding in delivering services and our community during the expressions of interest and review period. We are continuing to investigate, and we will keep our staff and our community up to date with what those investigations find. Please accept that this is an ongoing process no decisions have yet been made.'

## **16. CLOSE OF MEETING**

The Ordinary Meeting of Council 19 July 2022 closed at 07:40pm.

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

2022

Mayor Cr Ron Eason