



Pyrenees
Shire Council

Minutes

Ordinary Meeting of Council

6:00 pm Tuesday 15 November 2022
Supper Room
Avoca Town Hall,
Rutherford Street, Avoca

Dja Dja Wurrung Country

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

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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

Director of Corporate and Community Services: Kathy Bramwell

EA to CEO and Councillors: Chantelle Sandlant (minutes)

Senior Communications Officer: Noel McKeegan

2. STREAMING PREAMBLE

Mayor Cr Ron Eason read the livestream preamble.

3. OPENING PRAYER

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

Amen

4. ACKNOWLEDGEMENT OF COUNTRY

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

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

5. APOLOGIES

There were no apologies.

6. NOTICE OF DISCLOSURE OF INTEREST BY COUNCILLORS AND OFFICERS

There were no conflicts 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 18 October 2022;
- Closed Meeting of Council held 18 October 2022; and
- Statutory Meeting of Council held 8 November 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 18 October 2022.

9. PUBLIC PARTICIPATION

Mr Trevor Davey of Waterloo

Question one:

How do you pronounce the name of the town 'Moyreisk'.

Response:

Cr Eason and Cr Vance advised the pronunciation of 'Moyreisk'.

10. ITEMS FOR NOTING

10.2. CORPORATE AND COMMUNITY SERVICES

10.2.1. QUARTERLY FINANCE REPORT

Presenter: Kathy Bramwell - Director Corporate and Community Services

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: 32/08/18

PURPOSE

The purpose of the report is to provide Council with an update on the financial performance for the period 1 July 2022 to 30 September 2022.

BACKGROUND

The provision of regular reports of Council's financial performance ensures that Council's financial management and associated processes are accountable, transparent, and responsible. The attached financial report for the period 1 July 2022 to 30 September 2022 is a component of ensuring the accountability of the Council's operations. In line with good governance, it forms part of the public accountability process and reporting and includes the following Financial Statements.

- Comprehensive Income Statement
- Balance Sheet
- Cash Flow Statement; and
- Statement of Capital Works

ISSUE / DISCUSSION

Current financial issues are:

1. It is expected that Rate Revenue for the year will be exceeded due to the change in processes and emphasis on processing supplementary valuations.
2. The current inflation rate will result in additional pressure to deliver the financials within the budget parameters. With the rate cap set at 1.75% and current inflation running at 6.2% as at the end of June 2022. An example being Councils waste collection costs have increased by 19.2%.
3. Capital budget has increased significantly when taking into account LRCIP Phase 3 funding and Roads to Recovery. Being the last year of Roads to Recovery, surplus funds from the previous 3 years are required to be spent this financial year. As a result, close monitoring is more critical this financial year.
4. A review of forecasts is currently underway which will ascertain the full impact of inflationary pressures at this time and the impact on the end of year forecast results. If there are any negative impacts, an interim financial report will be presented.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Enabling Principles

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

ATTACHMENTS

1. Finance Report Sept 22-23 - Council [**10.2.1.1** - 25 pages]

FINANCIAL / RISK IMPLICATIONS

All financial implications have been dealt with in the report.

CONCLUSION

At this stage it is anticipated that Council's financial performance is within the 2022/23 budget parameters and 10 year financial plan.

OFFICER RECOMMENDATION

That Council:

1. That Council notes this report.

10.2.2. CUSTOMER ACTION REQUESTS OCTOBER 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 October 2022.

BACKGROUND

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

Service requests are received for operational issues regarding maintenance, pools, local laws, building maintenance and compliance matters.

Work continues to complaints that may have been input as a customer action request and process them accordingly, in accordance with recommendations made by the Victorian Ombudsman and to ensure appropriate and timely responses to our community.

ISSUE / DISCUSSION – NATURAL DISASTER EVENT

In the month of October, the Pyrenees shire was significantly **impacted by flood**. This event was in the form of a series of rain events across the whole of the shire resulting in **widespread damage**, and to private and public infrastructure including Council's Road network. A separate report provides further details of this impact including an initial estimate of \$15 million to restore the damaged Council assets.

This event significantly impacted on Council's business as usual activity (BAU), and priority has been given to the event response involving management, administrative and works staff.

This has meant that there has been little capacity to address the normal customer requests, and a significant **additional demand for service requests has been experienced during October** which is expected to continue for several months until damaged assets are restored, and communities are able to recover.

The following statistics on customer requests for the month of October are provided in the context of this event.

ISSUE / DISCUSSION – CARS

464 CARs were logged in October 2022, 126 more than the previous month. Of these requests 125 related to telephone messages.

327 CARs were closed in the month, leaving a total of 338 outstanding, of which 42 related to telephone messages.

Of the non-telephone call requests received, the following represents those received and still outstanding at the end of the last month by Ward:

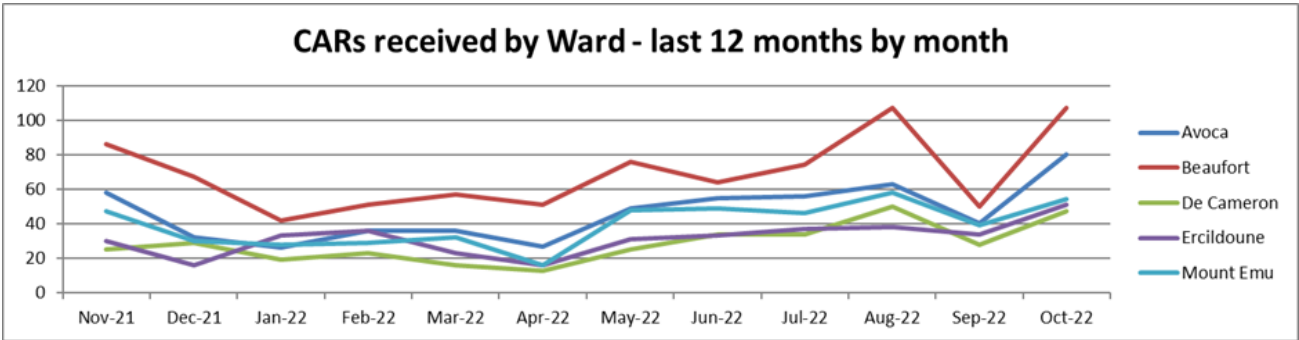
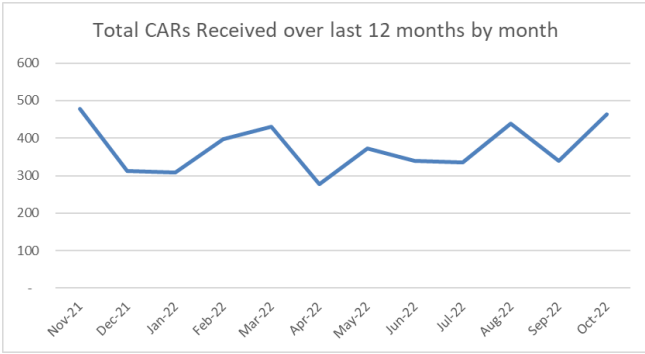
	Avoca Ward	Beaufort Ward	DeCameron Ward	Ercildoune Ward	Mt Emu Ward
Number of requests received in October 2022 (previous month).	80 (47)	107(42)	47 (28)	51 (34)	54 (39)
Requests received in October and closed in the same month (% of total received).	34 (43%)	52 (49%)	23 (49%)	19 (37%)	24 (44%)
Requests received in October outstanding.	46	55	24	32	30
Outstanding requests from 2020.	0	1	0	0	0
Total outstanding requests as at the end of October 2022 (previous month).	79 (47)	79 (42)	41 (24)	53 (23)	42 (18)

Analysis:

- The number of requests received in October was 126 more than the previous month and the highest monthly total for the year (primarily due to the flood event).
- The number of requests received that did not relate to flood impacts, focused on pre-purchase planning and rates enquiries.
- The number of outstanding telephone calls remained steady from the previous month at 42.
- The percentage of requests received in October and resolved within the same month increased due to an inability of staff to respond to requests because of the weather. In line with notifications received from Council's insurance advisors, the CEO (Chief Executive Officer) formally suspended adherence to Council's Road Management Plan in October to allow all efforts to focus on the most immediate of flood impacts. This reduces the liability of Council when defects are not resolved within the levels of service detailed in the Plan.
- The increased number of requests, and inability of officers to respond to requests in a timely manner due to the weather events, has resulted in the number of outstanding CARs (Customer Action Requests) once again rising above target levels – an increase of 137 over the previous month.
- 1 request remains outstanding from 2020, relating to long-term drainage issues. The number of CARs outstanding from 2021 has reduced to 15.
- Checks of requests made during October identified no matters that need to be followed up as a complaint.

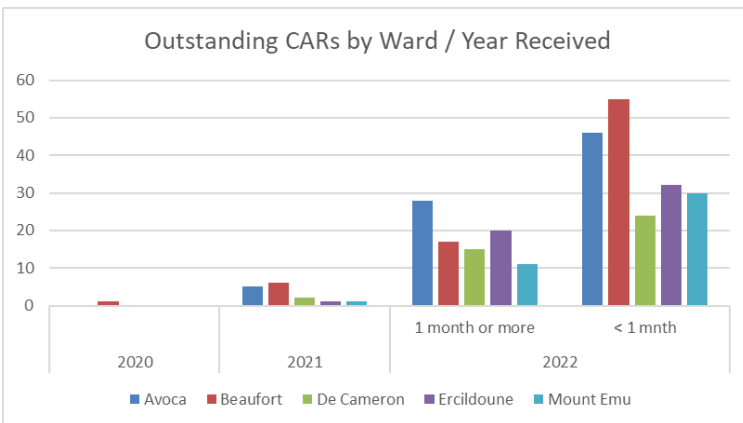
The following shows the requests received by Ward/month and totals received for the last 12 months.

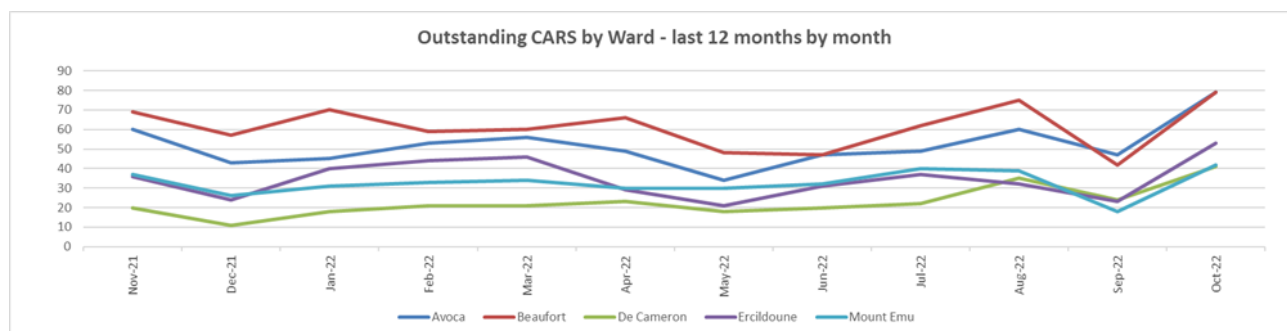
Outstanding requests by age													
Year	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	% Change
2019	1	1	1	1	1	1	-	-	-	-	-	-	
2020	2	2	2	2	2	2	1	1	1	1	1	1	0%
2021	293	171	148	124	115	82	25	24	21	20	16	15	-6%
2022	-	-	109	140	135	191	208	229	258	314	184	322	75%
Total outstanding	296	174	260	267	253	276	234	254	280	335	201	338	68%
Total requests logged	477	312	309	397	431	278	372	339	335	439	339	464	37%



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

Outstanding CARS by Ward - 2022/23												
Ward	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22
Avoca	60	43	45	53	56	49	34	47	49	60	47	79
Beaufort	69	57	70	59	60	66	48	47	62	75	42	79
De Cameron	20	11	18	21	21	23	18	20	22	35	24	41
Ercildoune	36	24	40	44	46	29	21	31	37	32	23	53
Mount Emu	37	26	31	33	34	30	30	32	40	39	18	42
Total by month	222	161	204	210	217	197	151	177	210	241	154	294





The following table provides greater detail of the areas where outstanding requests remain, showing the functional areas and numbers of requests still outstanding, as of end July 2022.

Open Requests Type			
	Sep-22	Oct-22	Change
Roads & Rd Maint.	42	123	81
Streetlights	2	2	0
Drainage	21	54	33
Footpaths / Kerb&Channel	5	7	2
Park & Reserves	3	5	2
Roadside Veg	17	27	10
Environmental Health	7	2	-5
Planning	7	25	18
Bld maint	20	16	-4
Local Laws	5	7	2
Cats	0	0	0
Dogs	5	1	-4
Livestock	0	1	1
Parking	0	0	0
Fire Hazard	1	1	0
Bld Compliance	1	2	1
Waste Management	0	0	0
Local Government Act	1	1	0
Rates	8	10	2
Natural Disasters	0	4	4
Pools	3	3	0
Council cleaning	1	2	1
Litter	3	2	-1
Design & Assets	2	1	-1
GIS	0	0	0
Community Wellbeing	0	0	0
Rural Addressing	0	0	0
Road Naming	0	0	0
Telephone messages	47	42	-5
Total	201	338	137

ISSUE/DISCUSSION - IT TRANSFORMATION PROJECT

In late 2021 a successful funding application has enabled a project to commence that will replace the existing customer action request system with a more contemporary application. This IT Rural Councils Transformation Project is in collaboration with Central Goldfields Shire Council to develop and implement updated systems to manage Council’s financial and revenue management, plus a new customer relationship management system to replace the current CAR (Customer Action Request) system and Council’s name and address systems.

Both the Central Goldfields and Pyrenees Shire Councils are at similar stages with their current systems so were ideally placed to collaborate on this project. Central Goldfields Shire Council are acting as Lead in this project.

Funding of \$500,000 (\$250,000 per council) was successful for the project which will include external project management expertise to build capacity to deliver. The total funding was scheduled to be paid in January, but the funding variation request, input in September, seeking an up-front payment of 10% to enable project management resources to be employed and build capacity earlier was successful and an initial \$50,000 should be received by Central Goldfields Shire Council soon.

Officers are currently finalising the first key deliverable of the project – the development of an IT Architecture Plan or Implementation Plan. The first draft of the Plan is complete and is currently under review by all members of the project team. This Plan was originally due at the end of October 2022, but the deadline date was deferred by Local Government Victoria to the end of the calendar year.

Once the initial \$50,000 funding is received, the recruitment of external expertise will be conducted – for a Project Manager and Business Analyst.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Enabling Principles

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

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

Response to the natural disaster in October has been necessary to address the immediate significant risks to Council and the community. Community safety and wellbeing has been prioritised, and the organisations resources have been deployed away from BAU activity where appropriate to respond to the emergency event.

There is a risk in coming months that the community expectations will not be met due to constraints on council resources.

There is a significant financial risk to Council due to the widespread damage to public road and other assets.

CONCLUSION

The customer action request system remains an integral part of Council's reactive identification of issues that need attention. The system has been used to capture community reporting of requests from the October flood event which has been an unusual activity, and which has impacted on BAU during the month and expected to continue in the months ahead. The strategic approach to management of the flood event is reported elsewhere in tis agenda.

OFFICER RECOMMENDATION

That Council notes this report.

11. COUNCILLOR ACTIVITY REPORTS**11.1. COUNCILLOR ACTIVITY REPORTS - OCTOBER 2022**

Cr Damian Ferrari – Beaufort Ward		
Tues. 04	Strategic Planning Day	Beaufort
Tues. 11	Councillor Briefing Session	Avoca
Tues. 11	Councillor Cuppa	Natte Yallock
Tues. 18	Councillor Briefing Session	Beaufort
Tues. 18	Citizenship Ceremony	Beaufort
Thurs. 20	Meeting with Martha Haylett	Avoca
Fri. 28	Western Highway Action Committee	Melton

Cr David Clark – Ercildoune Ward		
Mon. 03	MAV – Insurance Board	Zoom
Tues. 04	Strategic Planning Day	Beaufort
Thurs. 06	MAV – Metro Southern Region Meeting	Zoom
Fri. 07	MAV – Board Meeting	Melbourne
Fri. 07	Murray Walker Book Launch / Exhibition	Ballarat
Tues. 11	Councillor Briefing Session	Avoca
Tues. 11	Councillor Cuppa	Natte Yallock
Thurs. 13	HLEN Meeting	Virtual
Thurs. 13	MAV Annual Conference	Melbourne
Fri. 14	MAV State Council Meeting	Melbourne
Tues. 18	Councillor Briefing Session	Beaufort
Tues. 18	Citizenship Ceremony	Beaufort
Tues. 25	Constituent Visit	Waterloo
Tues. 25	MAV – Meeting with Emergency Management Victoria	Zoom
Fri. 28	Rural Councils Victoria AGM	Virtual
Fri. 28	MAV – Insurance Board	Zoom
Fri. 28	MAV – Metro East Region Meeting	Zoom

Cr Robert Vance – De Cameron Ward		
Tues. 04	Strategic Planning Day	Beaufort
Tues. 11	Councillor Briefing Session	Avoca
Tues. 11	Councillor Cuppa	Natte Yallock
Tues. 18	Councillor Briefing Session	Beaufort
Tues. 18	Citizenship Ceremony	Beaufort
Thurs. 20	Timber Towns Meeting	Beaufort
Thurs. 20	Meeting with Martha Haylett	Avoca
Thurs. 20	Amphitheatre Mechanics Institute CoM Meeting	Amphitheatre
Sun. 23	Landsborough Public Hall Centenary Capsule Opening	Landsborough
Fri. 28	Rural Councils Victoria AGM	Virtual

Cr Ron Eason – Avoca Ward		
Tues. 04	Strategic Planning Day	Beaufort
Tues. 11	Councillor Briefing Session	Avoca
Tues. 11	Councillor Cuppa	Natte Yallock
Wed. 12	Meeting with Senior Advisor of the Hon Catherine King MP	Virtual
Tues. 18	Councillor Briefing Session	Beaufort
Tues. 18	Citizenship Ceremony	Beaufort
Thurs. 20	Meeting with Martha Haylett	Avoca
Fri. 28	Rural Councils Victoria AGM	Virtual

Cr Tanya Kehoe – Mount Emu Ward		
Tues. 04	Strategic Planning Day	Beaufort
Tues. 11	Councillor Briefing Session	Avoca
Tues. 11	Councillor Cuppa	Natte Yallock
Tues. 18	Councillor Briefing Session	Beaufort
Tues. 18	Citizenship Ceremony	Beaufort
Thurs. 20	Carranballac Progress Association AGM	Carranballac
Fri. 28	Rural Councils Victoria AGM	Virtual

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

MEETING INFORMATION			
Meeting Name	Councillor Briefing		
Meeting Date	11 October 2022 commenced at 1.00pm and closed at 4.30pm		
Meeting Location	Natte Yallock Recreation Reserve		
Items Discussed	<ol style="list-style-type: none"> 1. Agenda Review 2. Discussion regarding Home and Community Care Service 3. Action Items 4. Reflections from Strategic Planning Day 5. Community Grants Procedure 6. Flood Update 7. Councillor only time 		
ATTENDEES			
Councillors	Mayor Cr Ron Eason Cr Damian Ferrari Cr Tanya Kehoe	Cr David Clark Cr Robert Vance	
Apologies	Jim Nolan (Chief Executive Officer)		
Staff	Douglas Gowans (Director Assets and Development Services) - left at 4pm Kathy Bramwell (Director Corporate and Community Services) - left at 4pm Katie Gleisner (Manager Planning and Development Services) - Item 4 Adam Boyle (Community Wellbeing & Grants Coordinator) - Item 5 Martin Walmsley (Manager Community Wellbeing & Development) - Item 5		
Visitors	Nil		
CONFLICT OF INTEREST DISCLOSURES			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil.			

MEETING INFORMATION			
Meeting Name	Councillor Briefing		
Meeting Date	18 October 2022 commenced at 1.00pm and closed at 5.40pm		
Meeting Location	Council Chambers, Beaufort		
Items Discussed	<ol style="list-style-type: none"> 1. Flood Event 2. Nyaninyuk Windfarm Project Update (Acciona) 3. NBN Briefing 4. Councillor & CEO Only Time 5. PCC Office Staff 6. Agenda Review 7. Citizenship Ceremony 		
ATTENDEES			
Councillors	Mayor Cr Ron Eason Cr Damian Ferrari Cr Tanya Kehoe	Cr David Clark Cr Robert Vance	
Apologies	Nil.		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services) Marina Veal (Community Care Team Leader) - Item 5 Emily Beaton (Quality Systems Co-Ordinator) - Item 5 Claire Hodgkinson (PCC Quality & Review Co-Ordinator) – Item 5 Jade Alexander (Client Services Officer) – Item 5 Martin Walmsley (Manager Community Wellbeing & Development) - Item 5		
Visitors	Abbie Sutton, Kim Duong, Maria Caruda, Jacqueline Pertz – Acciona – Item 2 Sarah Incoll and Emma Armstrong – NBN Co – Item 3		
CONFLICT OF INTEREST DISCLOSURES			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil.			

Cr David Clark / Cr Damian Ferrari

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

CARRIED

13. ITEMS FOR DECISION

13.1. ASSET AND DEVELOPMENT SERVICES

13.1.1. PA22068 PROPOSED DEMOLITION OF EXISTING BUILDINGS AND FENCING, DEVELOPMENT OF TWO (2) DWELLINGS AND TWO (2) LOT SUBDIVISION, ON LAND AT 94 RUTHERFORD STREET AVOCA

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: Rachel Blackwell – Principal Planner

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

File No: 229042900

PURPOSE

The purpose of this report is to provide Council with information relevant to making a determination in relation to planning permit application PA22068.

BACKGROUND

Council has received an application for the demolition of existing buildings, and fencing, development of two (2) dwellings/two (2) lot subdivision on land at 94 Rutherford Street, Avoca.

The Application was advertised, and Council has received one (1) objection.

The application has been assessed against the relevant provisions of the Pyrenees Planning Scheme.

APPLICATION DETAILS

Application Number	PA22068		
Proposal	Demolition of existing buildings, and fencing, development of two (2) dwellings/two (2) lot subdivision		
Application Received	21 July 2022	<60 days <input checked="" type="checkbox"/>	>60 days <input type="checkbox"/>
Did the application require further information?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
	Date requested: 28/07/2022	Date received: 07/09/2022	
Did the application require notice?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
Did the application require referrals?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	

PLANNING SCHEME

Zones	Clause 32.08 - General Residential Zone
Overlays	Clause 43.01 - HO - Heritage Overlay
Under what clause(s) is a permit required?	<ul style="list-style-type: none"> General Residential Zone, Schedule 1 – Clause 32.08-3 a permit is required to subdivide land, Clause 32.08-6 a permit is required for the Construction and extension of two or more dwellings on a lot Heritage Overlay – Clause 43.01-1 a permit is required for subdivision, demolition of existing buildings, buildings and works for the development of two additional dwellings, vehicle crossover

SITE DETAILS			
Council VG Number	229042900		
Title Details	Crown Allotment 5 Section 25 Township of Avoca Parish of Avoca.		
Address Details	94 Rutherford street avoca 3467		
Lot Size	998.03 square metres (m2)		
Current Use/Development	Vacant (existing shedding and fencing)		
Encumbrances, covenants or restrictions	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If yes, Details:	
Aboriginal Cultural Heritage Sensitivity Area	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		
Cultural Heritage Management Plan (CHMP)	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		

The subject site is located on the eastern side of Rutherford Street, at a central point between Russell Street to the north and Cambridge Street to the south. The site has a secondary frontage to Barnett Street. The site is located just outside of the Avoca town centre.

The rectangular shaped site has a frontage of 20.12 metres to both Rutherford and Barnett Streets and a depth of 50.29 metres, giving an overall area of 1012m2.

The subject site is currently vacant. It formerly contained a dwelling which was damaged by fire and subsequently demolished. Some shedding, fences and garden planting remain. The land is relatively flat.

An aerial map and image of the site is below detailing the site context. Further detail on the site context can be found in **Attachment 1**.



ISSUE / DISCUSSION

The proposal seeks planning approval to develop two dwellings on a lot and a 2-lot subdivision. As the land is in the heritage overlay a planning permit is also required for demolition of existing buildings and fencing on the land. The key details of the proposal are as follows:

- Demolition of the existing shed, pergola, fencing and removal of several trees on the land.
- The development of two vehicle crossovers to each respective street frontage, Rutherford and Barnett Streets with existing kerb and channel removed and reinstated to access each of the proposed dwellings.

- The proposed development will comprise two dwellings detailed as follows:
 - Dwelling 1 – would have a direct address to Rutherford Street. The dwelling would be setback 5.8 metres from the site frontage and would comprise 3 bedrooms, open plan kitchen, meals, family, separate rumpus and general amenities. A double garage would provide car parking for two vehicles. Private open space would be provided on the north side of the dwelling.
 - Dwelling 2 – would have a direct address to Barnett Street. The dwelling would be setback 5.8 metres from the site frontage and would comprise 3 bedrooms, open plan kitchen, meals, family, separate lounge and general amenities. A double garage would provide car parking for two vehicles. Private open space would be provided on the north side of the dwelling.
- The dwellings would be contemporary in appearance and feature eaves, gable pitch and verandah detail to the frontage. The dwellings would have an overall height of approximately 5 metres to the single storey form.
- Materials of construction include, brick (Selkirk tannum), colorbond roofing (woodland grey).
- The application also includes the subdivision of the land into two lots, each containing a dwelling. Each lot would have a frontage to each respective street with an area of 506m².
- The floor plans, elevations and plan of subdivision are provided as **Attachment 2**

RESPONSE TO NOTICE OF APPLICATION

The application was required to be advertised pursuant to Section 52 of the Planning and Environment Act 1987.

Council has received 1 objection in response to advertising. The key issues raised in the objection can be summarised as follows:

- The proposal is for the construction of two modern style family homes in the centre of the Heritage overlay of Avoca. The features of the heritage overlay include single dwellings on spacious blocks.
- The subdivision to two small allotments upon which two large homes will be positioned reduces the space aspect and minimises the gardening and open space aspect.
- If the proposed subdivision is approved this may result in the further subdivision and development of adjoining properties within the Heritage Overlay and detract from the historical and cultural elements of central Avoca reference Clause 02.03.4 "Conserving cultural and heritage assets, including street scapes, landscapes ... "
- The impact of the proposed development on the adjoining property within a heritage overlay. The density of the proposed development could impact the adjoining property.
- The proposed development should specifically address the features of the neighbourhood and the historical overlay.
- Potential impact on neighbouring amenity and private open spaces.
- The location of the meals rooms and large northern windows will have an overlooking impact into the adjoining property to the north.

A mediation meeting was not undertaken. The applicant provided a written response to objector concerns. The written response was circulated to the objector for consideration. A copy of the objection and the applicant's response to this objection are provided at **Attachment 3**.

The issues raised in the objection will be addressed throughout the discussion on the key issues relating to the proposal.

Strategic Justification

The site is located within the township of Avoca and is located on the periphery of the town centre. The site comprises land, which is zoned for residential purposes. It is a strategic direction of Clause 02.03-1 Settlement of the Municipal Planning Strategy to encourage a diversity of housing types in Avoca. Clause 02.03-5 Housing also seeks to encourage medium-density housing in central locations in established townships, with good accessibility to transport, shops, infrastructure and community facilities.

It is therefore considered that the site is suitable for medium density housing as its central location has access to local shops, infrastructure and community facilities. The development of two, three-bedroom dwellings on the site will seek to provide diversity of housing choice/types which may be suitable for a variety of community needs in an area which is predominantly characterised by single dwellings on large lots.

The proposal is further supported by the Planning Policy framework at Clause 11 Settlement, Clause 11.01-1S Regional Growth Plan and Clause 16 Housing of the Pyrenees Planning Scheme where it is policy to facilitate well-located, integrated and diverse housing that meets community needs and to deliver more affordable housing, closer to jobs, transport and services.

The provision of medium density housing on land, which is unconstrained, residentially zoned and located within walking distance of a town centre and other services, such as schools and open spaces is consistent with Clause 16.01-1L in relation to the location of residential development in Pyrenees Shire which seeks to direct residential development to areas within townships that have the potential to accommodate infill development and where water and sewerage services are provided.

In terms of the suitability of the development to its context it is established that residential development in Avoca is currently characterised by single dwellings on medium to large sized lots. Most dwellings are single storey in form. Dwellings are generally constructed in weatherboard or brick with colorbond/tiled roofing. Older dwellings located in proximity of the town centre, including on Rutherford Street are generally weatherboard with some brick dwellings.

The design detail/architectural design of the dwellings represents a modern /contemporary interpretation of the heritage form of dwellings within the area and features brick/cladding with colorbond pitched roofing with gabled detail, double hung windows and verandah treatments.

Planning policy expressly supports the role of urban and building design, and heritage in delivering sustainable communities. Development should achieve built form outcomes which respond to valued character, identity and contribute to a sense of place, as encouraged by the Planning Policy Framework (PPF), specifically Clause 15 Built Environment & Heritage

The proposal is considered to support the aspirations for built environment and heritage of the planning policy framework. The proposed development will facilitate a high-quality built form outcome which responds to site features, including the heritage context.

The proposed development has been designed to avoid views into existing secluded private open spaces of existing dwelling, incorporating generous setbacks, fencing and opportunities for landscaping. The permit applicant has offered to raise the height of the fence and provide additional landscaping adjacent to the fence to further address objector concerns regarding overlooking.

An Urban Stormwater analysis was submitted with the application. The analysis for the development has been reviewed by Council Development Engineers who deem it to be satisfactory in addressing Planning Scheme Requirements. The stormwater strategy is to be implemented as a recommended condition of approval in addition to standard engineering requirements.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 1 - People

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

ATTACHMENTS

1. Attachment 1 - Site Context [**13.1.1.1** - 1 page]
2. Attachment 2 - plans [**13.1.1.2** - 10 pages]
3. Attachment 3 - Response to Planning Submission Objection Letter - 94 Rutherford Street Avoca [**13.1.1.3** - 4 pages]
4. Attachment 4 - objection P A 22068 [**13.1.1.4** - 2 pages]
5. Attachment 5 ResCode Assessment Clause 55 [**13.1.1.5** - 23 pages]
6. Attachment 6 - Site Context [**13.1.1.6** - 1 page]
7. Attachment 7 PA22068 Full Report [**13.1.1.7** - 21 pages]

FINANCIAL / RISK IMPLICATIONS

Enter Financial/Risk Implications

CONCLUSION

The proposed development of two dwellings on the land is considered to be an appropriate response to the site, adjoining properties and the surrounding neighbourhood character and heritage values. It is also considered to be an appropriate transitional response to development within the Avoca Township.

The development is considered to provide for a high-quality response which positively contributes to the public realm (streetscape) while ensuring that the character and amenity of the built environment are maintained.

Cr Robert Vance / Cr David Clark

That Council:

1. Issues a Notice of Decision to Grant a Planning Permit PA22068 for the land located at 94 Rutherford Street Avoca for the Partial demolition and alteration and additions to a dwelling, subject to the following Conditions:

Amended Plans Required

1. Before development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted but modified to show:
 - a. Nomination of 1.8-metre-high timber paling fencing to the southern boundary with this fencing to

taper to 1.2 metres high forward of the dwelling setback to both the Rutherford and Barnett Street frontages.

- b. Nomination of a 2-metre-high timber paling fence to the northern boundary with 96 Rutherford Street
- c. Nomination of 1.8-metre-high timber paling internal fencing between dwellings 1 and 2.
- d. The provision of a landscape plan in accordance with Condition 4.

Unless otherwise approved in writing by the Responsible Authority, all buildings and works are to be constructed and or undertaken in accordance with the endorsed plans to the satisfaction of the Responsible Authority prior to the commencement of the use.

Layout not Altered

2. The development as shown on the endorsed plans must not be altered without the further written consent of the Responsible Authority. All buildings shall be located clear of any easements or water and sewer mains.

Formal Plan of Subdivision

3. The formal plan of subdivision lodged for certification must be in accordance with the approved plan and must not be modified except to comply with statutory requirements or with the further written consent of the Responsible Authority.

Landscape Plan

4. Prior to the commencement of any works, a landscape plan must be submitted to and approved by the Responsible Authority. When approved the plan will form part of the permit.

The landscape plan must include:

- a. A survey (including botanical names) of all existing vegetation to be retained and/or removed.
- b. Retention of existing vegetation where practical.
- c. The provision of one semi advanced canopy tree to the front setback of each dwelling and within the private open space area of each dwelling.
- d. The provision of screen planting to the north of the development where practical adjacent to the existing dwelling and private open space of the dwelling at 96 Rutherford Street.
- e. The provision of screen planting to the south of the development, where practical to manage the interface between the dwellings and the town hall car park.
- f. Nomination of street tree planting – Condition 6.
- g. Details of surface finishes of pathways and driveways.
- h. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, size at planting, sizes at maturity, and quantities of each plant.

Completion and Maintenance of Landscaping Works

5. Prior to the occupation of the buildings commencing all landscape works forming part of the approved Landscape Plans must be completed to the satisfaction of the Responsible Authority. The landscaping shown on the approved landscape plan must be maintained to the satisfaction of the Responsible Authority for 18 months from the practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be repaired or replaced during the period of maintenance and must not be deferred until the completion of the maintenance period.

Street Tree Provision

6. Prior to any works commencing on site, the permit holder shall prepare a plan for the provision of street trees within the road reserve adjacent to and within the proposed development at locations

approved by the Responsible Authority.

Prior to the occupation of the development, the street trees shall be planted within the road reserve in accordance with the approved plan. The trees shall be of semi-mature age and approved species and supplied, planted and maintained in accordance with the Responsible Authority's Tree Planting Guidelines.

Heritage (Demolition)

7. Demolition is only permitted to sections of the buildings as identified in the approved demolition plan. The remainder of the building(s) must be retained in its (their) entirety. Only deteriorated and or unsound building elements (fabric) should be removed with as much of the original material retained as possible. No fabric of retained portion(s) of building(s) is to be removed until assessed by the Responsible Authority and written approval is given.

Construction of Vehicle Crossings within a Heritage Overlay

8. The location of the proposed crossing as shown on the approved plans must not be altered without the further written approval of the Responsible Authority.

The proposed crossing detail must be completed in accordance with the standard drawings prepared and issued by Council's Engineering Department to the satisfaction of the Responsible Authority.

Engineering

9. Crossover is to be built to Pyrenees Shire Council's IDM standard drawings. Any redundant vehicle crossings must be removed, and the nature strip reinstated to the satisfaction of the Responsible Authority. A vehicle crossing permit must be taken out for the construction of the vehicle crossing.
10. Storm water drainage from the development must be directed to a legal point of discharge to the satisfaction of the Responsible Authority. A Stormwater Point of Discharge permit must be obtained from the responsible authority prior to the commencement of the works associated with the permit.
11. Prior to the commencement of the development and post-completion, the notification including, photographic evidence, must be sent to Council's Asset Services department identifying any existing damage to council assets. Any existing works affected by the development must be fully reinstated at no cost to and to the satisfaction of the Responsible Authority.
12. Vehicle access to the proposed dwelling must be constructed at an approved location to the satisfaction of the Responsible Authority.
13. All vehicle access works must be completed to the satisfaction of the Responsible Authority prior to the development hereby approved commencing.
14. Vehicle crossings are not permitted within 6.0 meters of the intersection of the road reserve boundaries as per IDM standards clause 12.9.1.2.
15. A side entry stormwater pit must be replaced as per IDM SD 496 Modified Existing Pit to Grated Pit in Vehicle Crossing/Layback.

Provision of Services

16. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the approved plan in accordance with the authority's requirements and relevant legislation at the time.
17. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

18. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

Section 173 Agreement

19. Unless otherwise agreed in writing by the Responsible Authority, prior to Statement of Compliance being issued/prior to Certificate of Occupancy being issued (whichever occurs first) the development approved by Planning permit PA22068 must be completed to the satisfaction of the Responsible Authority or the owner must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning & Environment Act 1987 to provide the following prior to the occupation of the building:

- a. All future land use and development on the land must be in accordance with Planning Permit PA22068 issued by the Responsible Authority or any subsequent Planning Permit. This does not apply if a Planning Permit is not required under the Ballarat Planning Scheme.

Prior to Statement of Compliance being issued/prior to Certificate of Occupancy being issued (whichever occurs first) an application must be made to the Register of Titles to register the Section 173 agreement on the title to the land under section 181 of the Act. The responsible authority will not release Statement of Compliance until the agreement has been registered at the titles office and a dealing number assigned confirming that the agreement has been registered.

The Responsible Authority may release the owner from these obligations and/or vary the requirements upon the written request of the owner. The Responsible Authority must be satisfied that the release and/or variation to the agreement will result in a better planning outcome or that the agreement is no longer required.

All costs associated with the preparation, signing, lodgement, registration, amending and ending of the Agreement must be borne by the owner, including all notification costs and legal fees.

Permit Expiry – Development and Subdivision

20. The permit for development of the land will expire if one of the following circumstances applies:
- The development is not started within two years of the date of this permit.
 - The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (for a request to extend the time to commence the development) or twelve months after the permit expires (for a request to extend the time to complete the development).

The permit for subdivision of the land will expire if the plan of subdivision is not certified within two (2) years of the date of issue of this Permit unless the Responsible Authority grants an extension of the Permit upon application in writing by the permit holder within six (6) months of the prescribed expiry date. Once the plan of subdivision is certified, the Permit will expire five years from the date of certification of the plan of subdivision.

Notes

Bushfire Prone Area

This site is located within a designated Bush Fire Prone Area. Compliance with AS3959 is required.

Building Act

This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained. The works hereby approved must accord with the requirements of the Building Act 1993, Building Regulations 2006 and Building Code of Australia 2014.

CARRIED

13.1.2. STRATEGIC PLANNING PROGRAM

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: 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

PURPOSE

This report is to provide Council with information relevant to a proposed Strategic Planning Program that intends to deliver a holistic review and update of the Pyrenees Planning Scheme.

BACKGROUND

The Pyrenees Planning Scheme was gazetted in November 1998. The strategic basis of this 'New Format Planning Scheme' has been serviceable to date. However, by some measures it is beginning to show its age and is no longer as responsive as it could be or as representative of the goals and ambitions of the communities in the Pyrenees Shire. Council wishes to commence a systematic review and update of the Pyrenees Planning Scheme.

ISSUE / DISCUSSION

The last formal review of the scheme was conducted in 2015. This review made recommendations to amend the scheme, that ultimately were not pursued. The 2015 review and proposed amendments, like many before, focused on relatively minor tweaks and rezonings that did not substantially review the strategic policy basis of the Pyrenees Planning Scheme.

Council currently has two Planning Scheme Amendments in preparation, the first (C47pyrn) is a proposal to update elements of local planning policy in the townships of Lexton, Snake Valley and Waubra with some minor rezoning proposed for Lexton. Conditional Ministerial authorisation to exhibit the proposed amendment was granted, subject to further justification and clarification being provided. This project is ongoing and will be brought back to Council for review in due course. DELWP's Regional Planning Hub is providing support to Council in progressing C47pyrn.

The second amendment involves the proposed introduction of flood mapping in four separate catchments within the Shire. Work is being undertaken to finalise the draft mapping of the Mount Emu Creek, Upper Avoca Catchment and Raglan flood studies, whilst the mapping work for Upper Wimmera has been completed. Once the extent mapping has been completed, the proposed amendment will be brought to council for endorsement prior to seeking Ministerial Authorisation to exhibit.

Both of the proposed amendments (C47pyrn and the flood mapping) will be resource intensive, particularly post exhibition, as it is expected that community members and other stakeholders may require additional consultation or make submissions.

Other projects that Council has committed to in recent times, include the next stages of *Pyrenees Futures* (which C47pyrn is a product of) and a *Rural Review*. Significant backgrounding work has been completed in relation to both of these projects, however further Council strategy and objective development is required in order to allow these projects to progress further.

Whilst a number of principles and plans have been adopted by Council (including the Council Plan 2021-2025, Climate Change Response and Mitigation Plan 2021, Economic Development Strategy 2020), further strategic direction is required to be developed to inform further Planning Policy setting. In the absence of

such defined strategy and objectives, large or progressive changes to the Pyrenees Planning Scheme will be challenging.

Examples of the studies required to inform foundation objectives and strategy include:

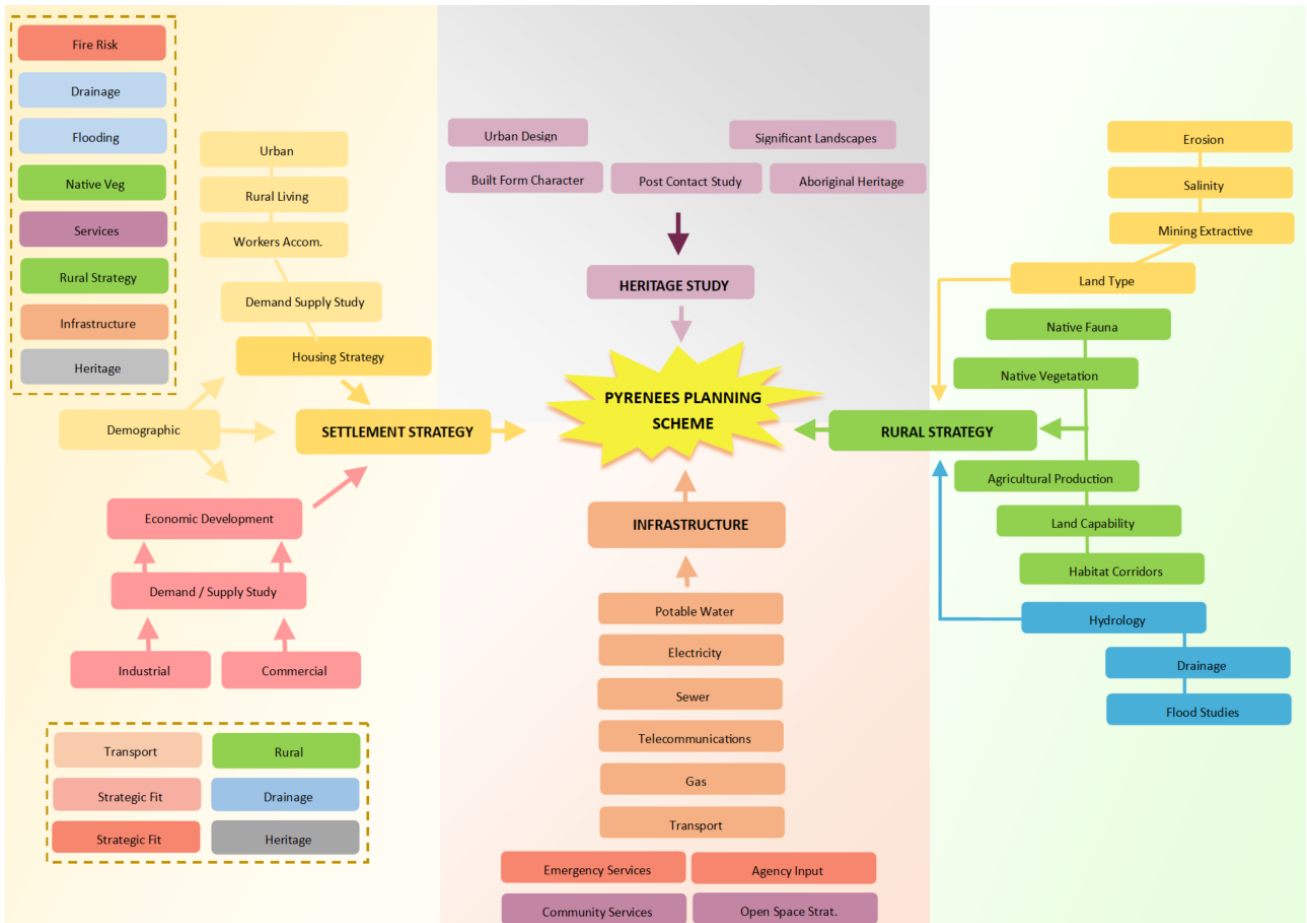
- Land capacity and suitability assessments which include:
 - Hydrology
 - Native vegetation and habitat
 - Erosion and soil properties
 - Agricultural properties
 - Bushfire risk
 - Existing/required infrastructure (transportation, serviceability)

- Demand and Supply assessment
 - Commercial
 - Industrial
 - Residential (Housing Strategy – urban v’s rural)
 - Tourism
 - Agriculture and viticulture growth

- Heritage Study

Elements of the above studies are heavily dependent upon community and stakeholder consultation.

The below diagram has been prepared to illustrate the relationship of studies to strategy development, and how such studies are required to inform and justify amendments to the Pyrenees Planning Scheme.



To establish an understanding of the resources required to progress a systematic review and update of the Pyrenees Planning Scheme, it is first necessary to identify priorities and timeframes for completion of each component.

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

Maintain, develop and renew the planning scheme to meet the Objectives of the Planning and Environment Act 1987 in consultation with our communities.

(via sec 12B of the Planning and Environment Act 1987)

ATTACHMENTS

1. Strategic Planning Diagram Studies- Amendment [**13.1.2.1** - 1 page]

FINANCIAL / RISK IMPLICATIONS

Strategic land use planning requires significant resourcing due to the requirement to develop a comprehensive understanding of the need for change, undertake engagement with the community and Minister for Planning, and other relevant stakeholders.

Planning Panels are costly to Council, both in the form of lodgment fees and professional representation.

Abandoning proposed amendments or having them refused is seen as a poor use of public money and resources.

Ensuring that proposed amendments are evidence based and comprehensively justified, is a means of mitigating the financial, reputational and relationship risks identified above.

CONCLUSION

There is a significant amount of effort and resourcing required to develop strategy and progress amendments to the Pyrenees Planning Scheme.

Proposed amendments are subject to public exhibition and Ministerial Approval and require a demonstration of stakeholder engagement and strategic justification.

Ongoing collaboration between Officers and Councillors is required to progress the development of a land use planning strategy, which defines objectives and identifies priorities, timeframes and resourcing requirements.

Cr David Clark / Cr Robert Vance

That Council:

1. Acknowledges that work undertaken in relation to the flood studies and *Pyrenees Futures* to date; and
2. Commits to ongoing engagement with officers, to ensure continued improvements are made to the Pyrenees Planning Scheme.
3. Seek a further report to be tabled with more detailed information to be able to adopt a Land Use Planning Strategy following appropriate consultation.

CARRIED

13.2. CORPORATE AND COMMUNITY SERVICES

13.2.1. SERVICE REVIEW PROGRAM

Presenter: Kathy Bramwell - Director Corporate and Community Services

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: 16/20/35 and 16/20/36

PURPOSE

The purpose of this report is to provide an update on the service review plan for 2021-2025 and to provide the outcome of a service review of the Avoca community car service.

BACKGROUND

Council has a strong commitment to continuously plan, review, and improve its services. In line with the Service Planning Principles included within the *Local Government Act 2020*, Council must ensure that community expectations and standards are met in a cost-effective manner, and that service outcomes are aligned to Council's long-term strategic objectives and plans.

Service reviews are processes that review the delivery of Council services and ensure they are:

- Appropriate – services that meet current community needs and wants and can be adapted to meet future needs and wants.
- Effective – that Council delivers targeted, better-quality services in the most effective way.
- Efficient – that Council improves resource use (people, materials, plant and equipment, infrastructure, buildings) and redirects savings to finance new or improved services.

Service reviews also strive to relieve increasing financial pressures and the widening gap between revenue and expenditure, by ensuring that Council focuses on its primary deliverables whilst continuing to meet community expectations in being environmentally and socially responsible and providing a wide range of quality services.

Service reviews help clarify the needs of our community and use an evidence-based approach to assess how efficiently and effectively it is meeting those needs. Using this information, Council and its senior leadership team can determine what changes should be made to service delivery that will provide benefits to stakeholders whilst remaining financially sustainable.

ISSUE / DISCUSSION

Service Review Program 2021-2025 – Progress Update

An update on the Service Review Program is provided in the table below where it is proposed that service reviews continue.

Proposed changes to the future service review program are put forward for Council approval as follows:

- A service review of Operations / Works was proposed for 2023. Following the October 2022 flood event, it is necessary that focus be given to the flood recovery and the restoration of damaged road and bridge assets. It is therefore considered that this review be removed from the program and deferred to a future date to be determined once the recovery work has substantially been addressed.

- A service review of Community Wellbeing & Development was proposed for 2024. As a large part of this business unit is comprised of the community aged care service which is already under separate review, and the community development part of the unit will be included in the new scope of the strategic planning function, a separate review of this business unit is considered unnecessary and removal of this from the program is requested.
- A new scope has been developed for the service review of Planning & Development, as detailed in the table below, with a deferral in timeframe to 2023/24.

Service	Scope and update	
Avoca Community Car 2021/22	Scope:	Focus on mitigating exposures existing within a high-risk activity. Key objective to identify available alternatives to provide a similar service to customers from the Avoca region to attend medical appointments.
	Update:	The review is complete, and a report is being finalised. A summary of key findings and draft recommendations is provided below.
Beaufort Caravan Park 2021/22	Scope:	To address areas of concern arising from an internal audit of the Beaufort Caravan Park indicating a change in direction was required, the disruption of the tourism sector throughout the COVID-19 pandemic, and the changed focus in business recovery over the past 24 months (about 2 years).
	Update:	Review is complete and a report including a new Masterplan was provided to Council earlier in the year. \$500,000 State funding was successfully achieved towards the project implementation, with further funding opportunities being sought.
Planning & Development 2023/24	Original scope:	To broadly review the areas contained within the planning & development business unit, including statutory planning, strategic planning and building control, with a key focus on statutory planning in response to community and Councillor feedback.
	New scope:	To identify barriers to effective strategic planning and make recommendations to overcome those barriers, including in-house capabilities and capacity, and operational alignment between business areas.
	Update:	Review against new scope in progress. Original review was deferred due to temporary staff shortages / lack of capacity experienced over the past 12 months. Following relevant discussions with Councillors and Senior Leadership Team members, the scope was changed to focus on building organisational focus on the strategic planning needed to deliver strategic planning outcomes included within the Council Plan 2021-2025.
Future of Aged Care Service Delivery 2022/23	Scope:	A revisit of the 2019 review of the provision of aged care in the home in response to the outcomes of the Royal Commission into Aged Care and the Commonwealth Government aged care reforms.
	Update:	Review in progress. A report on progress against this review was provided under separate cover. A final report on this review will be presented to Council in December 2022.
Corporate Services: Information	Scope:	To investigate opportunities arising from a proposed change in electronic records / information management system and increased external obligations relating to data security.

management 2022/23	Update:	Review in progress – aligned with the review into Governance Risk & Compliance. Progress report provided below.
Corporate Services: Governance Risk & Compliance 2022/23	Scope:	A wide range of services are provided within one department. Identify and investigate opportunities: <ul style="list-style-type: none"> • For systemic improvement to reduce workload. • To continue organisational culture change re customer first focus. • To identify potential for shared services with neighbouring LGAs. • To ensure appropriate functional alignment with other departments.
	Update:	Review partly complete and balance in progress. Progress report provided below.
Asset Management Completed	Scope:	Response to change in Local Government Act 2020 requiring a 10-year planned focus on asset management and asset life-cycle planning.
	Update:	High level service review completed to inform the new Asset Management Plan which was developed and adopted by Council in June 2022 to address this legislative requirement.
Community Safety & Public Health 2023/24	Scope:	Community safety is spread across various business units – opportunity to focus on interdependencies, areas of priority focus for Council and consideration of functions that may not be mandatory or essential services for Council to deliver.
	Update:	Schedule updated to deliver this review in 2023. Not yet started.
Waste management 2024	Scope:	Review of service provision in preparation for new waste contract arrangements.
	Update:	Scheduled for 2024. Not yet started.

Service Review – Avoca Community Car

As part of the Service Review Program 2021-2025, a review of the Avoca Community Car Service was conducted in 2022. The scope of this review was to mitigate risk exposures associated with the activity and identify what lower risk alternatives may be available to provide a similar service to customers from the Avoca region to attend medical appointments.

The review is complete, and a report is being finalised. The service costs Council approximately \$8,000 annually, including vehicle depreciation.

As part of the review, legal advice was sought on whether the Council-managed service is subject to the *Commercial Passenger Vehicle Industry Act 2017*. Potential legislative breaches were identified that could have significant financial penalties for Council if subject to this Act. The questions asked were:

- “Is Council’s Community Car Service subject to the *Commercial Passenger Vehicle Industry Act 2017*?”

Response: “No. The Service is a ‘charitable passenger service’ and is therefore not subject to regulation under the Act.

- “Are there any competition issues associated with the Service?”

Response: “The Service *may* be subject to National Competition Policy and Competitive Neutrality Policy, however more information is required regarding the:

- proportion of the cost of the Service that Council recovers from users, and
- Size of the local taxi market and the Service’s share of it.

In response to the second question above, related to competition issues, in accordance with further legal advice, it is considered that the public policy objectives of the Service can be defined as “Providing a critical

service for public benefit that would be out of reach of vulnerable community members if charged at full cost, leading to poorer health outcomes for rural communities.”

Thus, a public interest test of the Service would conclude that the public policy objectives of the Service are better met by not increasing its fees and Council is not therefore required to implement any further Competitive Neutrality Measures.

It is noted that the nearest taxi service to Avoca operates from Maryborough.

Key findings:

- The availability of an on-demand transport service to access medical care is critical in the Avoca area, to maintain the ability to live locally and address the lack of alternative public transport services.
- A lack of departmental ownership and proper framework results in a lack of operational transparency and poor resolution of issues that may escalate into significant matters.
- Informal appointment and management of volunteer drivers resulting in poor induction processes and inability to identify potential risks.
- Some clients might benefit from registration and obtaining transport services through My Aged Care.
- Use of the service for travel of distances further than Ballarat or Maryborough (i.e., Melbourne) requires a long working day for volunteer drivers which increases the risk to their personal health.

Draft recommendations:

- Consult with clients on potential for transferring services to My Aged Care.
- Obtain and implement community transport framework from Beaufort & Skipton Health Services.
- Formalise ownership and responsibility for managing the Avoca Community Car, volunteer drivers, and clients.
- Appoint volunteer drivers through formal recruitment and induction processes managed by Manager People & Culture.
- Implement a registration process for clients to identify and mitigate risks.
- Enforce maximum working hours for volunteer drivers.
- Enforce a maximum travel distance for medical appointments to Maryborough, Ballarat, Ararat, or Stawell (or similar distances) only.
- Provide information and support to residents on accessing alternate services – e.g., Victorian Patient Transport Assistance Scheme (VPTAS), or hospital/healthcare provided services for longer distances or regular repeat appointments.

Service Review – Corporate Services / Information Management

The service review into how information should be managed is in progress. The focus of this review is to ensure that the management of all types of information is aligned regardless of whether that information is data, documents, digital or physical. The review includes maximising information security, business unit and staff alignment to minimise duplication of effort, and a focus on preparation for transferring information storage and retention into a more contemporary information management system that covers all corporate information collected by the organisation.

Preliminary findings have identified a misalignment with current records and data management / security having similar business focus and priorities yet working under different management reporting lines and models. A proposal to merge the two operations within a joint information management team is under development which will have efficiency benefits and allow for a combined strategic development focus when implementing a new information management system (SharePoint) and information classification processes required through legislative change.

Service Review – Corporate Services / Governance Risk & Compliance

The service review on the wide and disparate range of services within the Governance Risk & Compliance department is well progressed and is closely aligned with the Information Management service review and topical issues relating to Customer Satisfaction.

The proposal to merge information management operations within one team, as reported above, would move the management of records management from the Governance Risk & Compliance team to form part of the Information Management team. This would achieve efficiencies in strategic planning and operational approaches in this regard.

The recent removal of frontline services by creating a separate business unit led by the Manager Customer Experience has achieved a more dedicated focus to be given to improving customer service and customer satisfaction than was formerly achievable. The Customer First project to achieve organisational customer service culture change is now a key focus of the new business unit in collaboration with the Director Corporate & Community Services.

The potential removal of these operational areas from the Governance Risk & Compliance business unit will allow a greater focus on organisational good governance and its supporting operations including risk management, legislative compliance, complaints management, and organisational performance monitoring (including internal audit and service reviews).

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 1 - People

- 1a. Prepare for emergencies and ensure community safety.
- 1c. Improve accessibility and inclusivity.
- 1d. Promote health, wellbeing, engagement, and connection.
- 1e. Improve social outcomes.

Enabling Principles

- c. Use resources efficiently and effectively

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

All risk implications are included in the body of the report or its attachments.

CONCLUSION

A rolling program of two service reviews per year was approved by Council in April 2021. This report provides a progress update on the status of the service review program and reviews completed or currently underway.

Cr Damian Ferrari / Cr Tanya Kehoe

That Council:

1. Receives the progress information relating to service reviews as detailed in this report, and
2. Accepts the proposed changes to the service review program as outlined in this report.

CARRIED

13.2.2. STAND PROJECT - NBN EMERGENCY CONNECTIVITY UPGRADE PROJECT

Presenter: Kathy Bramwell - Director Corporate and Community Services

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: 22/12/06

PURPOSE

This report is to advise the Council and Pyrenees Shire Community on the successful completion of the project to strengthen telecommunications against natural disasters (STAND).

BACKGROUND

Following the events of the 2019 bushfire season, NBNCo worked with the Federal Government to enhance telecommunications resiliency. This resulted in a \$37.1 million federally funded program to Strengthen Telecommunications Against Natural Disasters (STAND).

A key part of the STAND program was the allocation of \$7 million to deliver up to 2,000 NVN satellite services to rural fire service depots and evacuation centres across Australia to provide redundant communications, including 320 “small site” installations in Victoria.

This meant that the Federal Government funded the installation and running costs of a NBN Satellite internet connection at each facility for three years, providing basic free Wi-Fi access for the public all-year round.

ISSUE / DISCUSSION

In May 2021, the Pyrenees Shire Council was asked to identify potential sites within the shire for consideration and it was pleasing that all 20 buildings nominated were successful, an incredible result.

19 of the 20 installs were completed by the end of 2021, with the final installation delayed due to the complexity of the required design. The final installation was completed at Barkly Hall in August 2022, and this now completes the program in the Pyrenees Shire. The installations were overseen and supported by Council’s ICT (Information and Communications Technology) staff.



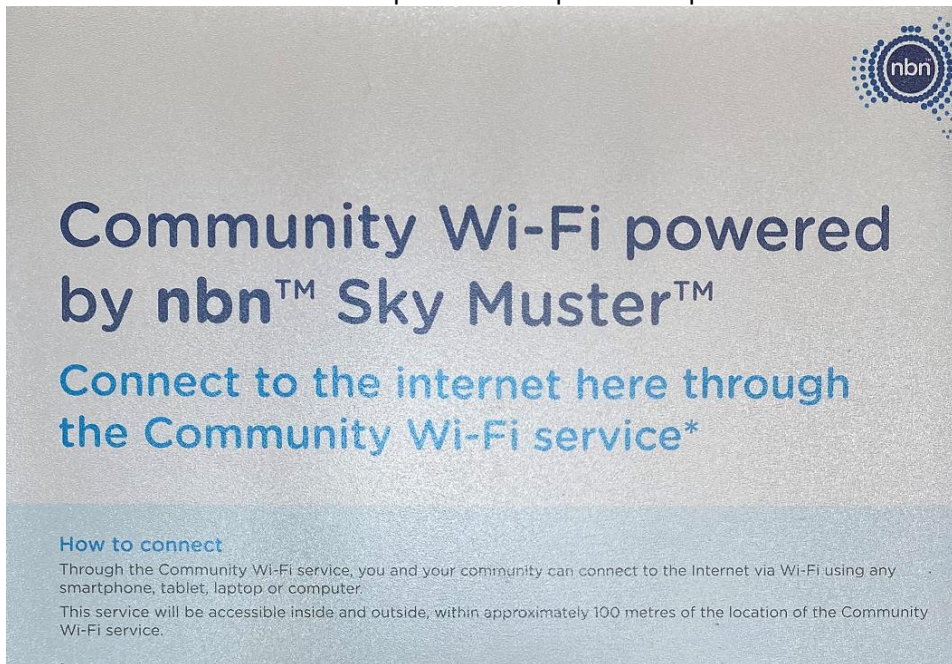
Originally, the project was intended to deliver low quality internet connections at normal times, that could be activated to full speed during an emergency. In a pleasant end to the project, the Federal Government department responsible for the project recently authorised all sites to be full speed all the time, benefiting users local to the facilities to better speeds than Telstra 4G.

This means that the 20 nominated halls and recreation reserves listed below are now offering speeds comparable to the fixed line NBN fibre to the Node (FTTN) but doing so over Satellite. It should be noted that the speeds are only achieved when 1 person is connected and will be shared amongst multiple users. This should be sufficient for general use – apps, web browsing, social media and Wi-Fi calling – generally within a 50m radius of most of the buildings.

Amphitheatre Recreation Reserve	9 School Street, Amphitheatre
Avoca Recreation Reserve	55 Faraday Street, Avoca
Barkly Hall	1314 Redbank-Barkly Road, Barkly
Brewster Hall	349 Kayleys Lane, Brewster
Carngham Recreation Reserve	73 Chepstowe-Snake Valley Road, Snake Valley
Carranballac Hall	6667 Glenelg Highway, Carranballac
Crowlands Hall	49 Wright St, Crowlands
Evansford Community Centre	17 School Road, Evansford
Goldfields Recreation Reserve	39 Park Road, Beaufort
Lake Goldsmith Hall	4 Cushing Road, Lake Goldsmith

Landsborough Recreation Reserve	10 Forestry Road, Landsborough
Lexton Hall	19 Lexton-Ararat Road, Lexton
Lexton Recreation Reserve	1 Prince Street, Lexton
Moonambel Recreation Reserve	6190 Stawell-Avoca Road, Moonambel
Natte Yallock Recreation Reserve	26 Reserve Road, Natte Yallock
Raglan Hall	4 Codrington St, Raglan
Redbank Hall	57 Navarre Street, Redbank
Snake Valley Hall	875 Linton-Carngham Road, Snake Valley
Trawalla Hall	119 Rodgers Drive, Trawalla
Waubra Recreation Reserve	2066 Sunraysia Highway, Waubra

To connect to the free Wi-Fi, local users should join the “Community Wi-Fi” network and accept the Terms and Conditions. Instructions are provided in a prominent place at each site:



To connect:

1. Open the Wi-Fi setting in your device
2. Select the network named "Community Wi-Fi" (No password is required)
3. When the "Welcome page" appears, read and accept the internet service provider's Terms and Conditions, click "Get Online" and then "Continue"
4. You should now be connected to the internet

Need technical support?
Please call the Community Wi-Fi Support Team on **1300 626 267**.

*** Service supplied by an internet service provider**

Important things to know

Performance of Community Wi-Fi
This Community Wi-Fi is designed to allow you and your community to access the internet*. The performance and range of the Community Wi-Fi may be impacted by several factors including:

- Total loss of power
- Distance from the installed Wi-Fi equipment
- Environmental factors such as heavy rain, heavy dust or something else blocking the installed satellite and Wi-Fi equipment

Usage
This service may support access to video streaming, however, if multiple users try to use video streaming services, such as Netflix at the same time, the quality of your experience may lessen. The service may be subject to data usage restrictions and other limitations. Your use of this service will be subject to Terms and Conditions (T&Cs) from the phone and internet service provider supplying the service to your community. The available capacity of this Community Wi-Fi service may be shared with other users, please consider others when using this service.
nbn cannot guarantee the security of the Wi-Fi service, and is not responsible for the acts of any third parties that access or attempt to access your device and/or files while using the internet.

Installed equipment
The following equipment is owned or leased by nbn and has been installed to provide the Community Wi-Fi:

- An nbn™ Sky Muster™ satellite terminal
- Wi-Fi equipment
- There may be a back-up power supply.

The installed equipment will require reliable 240V AC power which must be supplied by the community. If a back-up power is supplied, it will only allow the installed equipment to operate for up to approximately 8 hours without main power.

Service provider
This Community Wi-Fi Service is provided over the nbn™ network by a phone and internet provider.

Acknowledgement of Country
We would like to acknowledge the Traditional Custodians of the land and pay our respects to the Elders both past, present and future for they hold the memories, the traditions, the culture and hopes of Indigenous Australia.

This service is funded by the Australian Government through the Strengthening Telecommunications Against Natural

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 1 - People

- 1a. Prepare for emergencies and ensure community safety.
- 1c. Improve accessibility and inclusivity.
- 1e. Improve social outcomes.

Priority 2 - Place

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

Priority 3 - Environment

- 3b. Foster a climate change resilient community.

Priority 4 - Economy

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

Enabling Principles

- c. Use resources efficiently and effectively

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

All risk implications are discussed in the body of the report

CONCLUSION

A Federally funded project to strengthen telecommunications against natural disasters commenced in 2021, installing 20 halls and recreation reserve facilities throughout the Pyrenees Shire with satellite NBN community WiFi connections, with the final installation taking place at Barkly Hall in August 2022. A final improvement was a decision to have the installations working at full capacity continuously rather than the original intention for full speed only to be achieved during emergency events.

Cr Tanya Kehoe / Cr David Clark

That Council:

1. Notes this report;
2. Promotes the STAND project to improve satellite NBN telecommunications in 20 of the shire's halls and facilities.

CARRIED

13.2.3. INSTRUMENT OF APPOINTMENT AND AUTHORISATION

Presenter: Kathy Bramwell - Director Corporate and Community Services

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

Report Author: Michelle Richards– Manager Governance, Risk and Compliance

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 Nick Gooding 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 2023, 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 [**13.2.3.1** - 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:

1. 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

13.3. CHIEF EXECUTIVE OFFICE

13.3.1. FLOOD UPDATE

Presenter: Jim Nolan - Chief Executive Officer

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

Report Author: Jim Nolan – Chief Executive Officer

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

File No: 28/14/50

PURPOSE

The purpose of this report is to provide an update on recovery activities arising from the October 2022 flood events and to seek Council support for the response and recovery actions outlined.

BACKGROUND

Recurring heavy rainfall and resulting flood events were experienced across the Pyrenees Shire starting on 6th October 2022 and repeating on an approximate weekly basis and continued as at the date of this report.

The flood event had a significant impact across the Shire, impacting Lexton, Avoca, Landsborough, Amphitheatre, Natte Yallock, Beaufort, and the Lake Goldsmith areas.

The Council's ability to conduct secondary impact assessments and move into recovery mode was hindered by the initial lack of Rapid Impact Assessments (RIA) carried out by emergency services as they were deployed to other areas of the State.

ISSUE / DISCUSSION

Impact

In the absence of the RIA data, Council in conjunction with various agencies and with the support of appointed contractors has commenced the process of secondary impact assessment. The following is a brief snapshot of known impacts as at 3 November 2022 :

Private residences (60 estimated):

- 46 houses confirmed as impacted
- 3 houses uninhabitable
- 14 houses impacted are to be confirmed

Agriculture (57 assessed to-date):

- 174km of internal fences
- 75km of external fences
- 38.7km of Crown boundary fences
- 231 dead sheep with a further 71 missing
- 6,567 ha impacted of the 27,305 ha assessed (24%)
- 1,241 ha field crops lost
- 3,814 ha left standing

Tourism:

- Lake Goldsmith Steam Rally event cancelled, and the site has multiple buildings and heritage assets impacted
- Avoca Races – October Gold Cup cancelled
- Beaufort Agricultural Show which was scheduled for November 2022 has been postponed

Road closures:

- Widespread closures across the shire for several days with roads being reopened for access when safe to do so. Significant roads being managed at the time of this report include:
- Mortchup-Mt Emu Rd, between Chepstowe-Pittong Rd and Carngham-Streatham Rd
- Carngham-Streatham Rd, between Skipton Rd and Beaufort-Carngham Rd closed for bridge works
- Vite Vite Rd, between Glenelg Hwy and Mt Emu Ck
- Redbank – Stony Crossing Rd, between Sunraysia Hwy and Moyreisk-Redbank Rd
- Waterloo – Back Waterloo Rd, between Beaufort-Lexton Rd and Cemetery Rd
- Bridge 22 Carngham-Streatham Rd

Roads and Bridges:

- Driscoll Engineering has been engaged to undertake assessment of Council bridges, major culverts and floodways. Widespread damage has been identified. Among the significant impacts are:
- Beaufort-Carngham Rd – Beaufort side of the twin bridges significantly impacted
- Landsborough-Elmhurst Rd – approaches to the twin bridges across the Wimmera River

Parks and Recreation Reserves:

- Avoca Recreation Reserve inundation (insurer assessing)
- Natte Yallock Recreation Reserve (insurer assessing)
- Avoca Golf Club – 8 fairways damaged and bridge between 18 hole damaged

Playgrounds:

- Natte Yallock Recreation Reserve
- Avoca Recreation Reserve
- Avoca Lions Park
- Beaufort – Begg Street
- Tollbar Park, Lexton

Public facilities:

- Lions Park Toilet Block, BBQ, Playgrounds and Men's Shed, Avoca
- Beaufort Hospital Community Health Building inundated

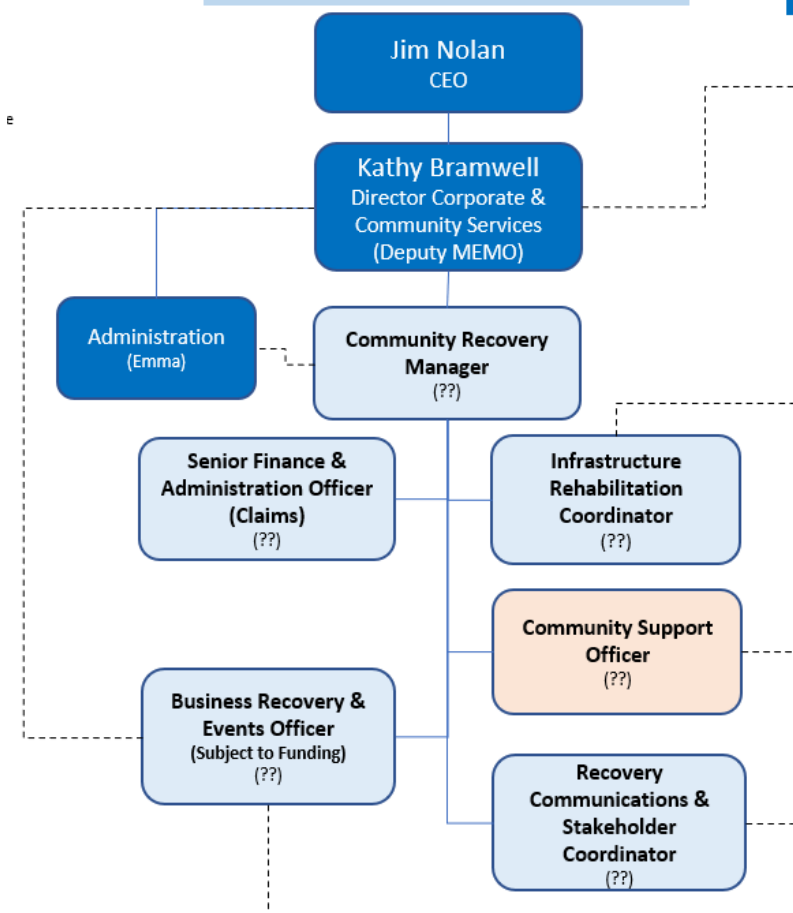
Footpaths and Bike Paths:

- Beaufort Lake – Parkrun cancelled for 22 and 28 October 2022
- Avoca – footpath under bridge on Pyrenees Highway inaccessible

Recovery Planning

Resourcing the recovery effort is a critical component of the planning to ensure the long-term community recovery, and restoration of public assets. A recovery team structure of six positions is proposed and application for funding has been submitted for approval by the relevant funding agency before recruitment can commence. This will allow for the full range of recovery activities to be undertaken and in order to minimise the otherwise substantial impact on Council's Business as Usual (BAU) activity. It is estimated that the team will be in place for 12 to 24 months (about 2 years).

Long term Flood Recovery 22/23



Until funding is confirmed, and recruitment can take place for the long-term recovery team, an interim team will need to be appointed from internal resources (supplemented with contractors and staff from other councils where possible) to manage completion of the impact assessments, community liaison and enquiries, and support any immediate recovery activities needed. This may impact on some service delivery and completion of internal projects or activities.

Planning is also underway for setting up a community-led central Community Recovery Committee, potentially with working groups beneath to focus on the key impacted communities of Lexton, Natte Yallock, Avoca, Amphitheatre, and Beaufort; plus, three sub-committees: A community and social recovery sub-committee, primary producers and economic recovery sub-committee, and a built and natural environment sub-committee.

Claims for reimbursement

The ongoing weather / flood events have been declared by the Commonwealth as a single event – *Victorian Floods October 2022 Event* – and all impacts will be included within the claims process as a single event until the rain ceases for an appreciable period.

The Pyrenees Shire Council has been confirmed as eligible to claim for reimbursements through the Disaster Recovery Funding Arrangements and Council has submitted an estimate of \$15.5 million.

\$500,000 has been allocated in advance, through the Victorian Government’s Council Support Fund, for “Clean-up activities supported through the fund, including the collection and removal of debris deposited on council parks, reserves and community assets, transportation costs, staffing and restoration of community services.”

Community assets that are covered as part of Council's property insurance policy have been inspected by the insurance assessor and we are awaiting their report.

Suspension of the Road Management Plan

Following information received from the MAV (Municipal Association of Victoria), and as a result of the widespread damage to the road network, consideration was given to whether the Council Road Management Plan (RMP) should be suspended. Section 5.3 of our Plan allows for a suspension as follows:

5.3 Suspension of the Road Management Plan

Council will make every endeavour to meet all aspects of its Road Management Plan. However, in the event of natural disasters and other emergency events including but not limited to, fires, drought, floods, and the like, together with human factors, including but not limited to lack of Council staff or suitably qualified contractors, because of Section 83 of the Victorian Wrongs Act, 1958, as amended, Council reserves the right to suspend compliance with its Road Management Plan.

In the event that the Chief Executive Officer of Council, has to, pursuant to Section 83 of the said Act, consider the limited financial resources of Council and its other conflicting priorities, meaning Council's Plan cannot be met, they will write to Council's officer in charge of its Plan and inform them that some, or all of the timeframes and responses in Council's Plan, are to be suspended. Once the events beyond the control of Council have abated, or if the events have partly abated, Council's Chief Executive officer will write to Council's officer responsible for Council's Plan and inform them which parts of Council's Plan are to be reactivated and when.

Accordingly, on 21st October 2022, the Chief Executive Officer formally notified the Director Assets & Development Services of the following:

21/10/2022 - In accordance with section 5.3 of our Road Management Plan, consider this formal notice of suspension of the Pyrenees Shire Council Road Management Plan as a result of the October Flood Event which has been widespread and had significant impact. Council does not have the financial capacity or resources to ensure the minimum service standards can be delivered within the timeframes set out in the Plan as a result of the flood event.

Once the secondary impact assessment is completed and works can be planned, I will receive advice about the status of the road network and give further consideration of lifting the suspension. The suspension will remain in place until such time as it is formally lifted.

Specific areas of road management where response times to rectify hazards cannot be met within the parameters of the RMP include:

- Culverts
- Drains
- Signage
- Guard Rail
- Pavement Failure
- Unsealed Shoulders
- Shoulder Potholes
- Surface Scour on pavement

Recovery Planning

Work is currently underway in preparing a comprehensive Recovery Plan. Once prepared, this plan will be reported to Council for endorsement. The plan will be informed by the Secondary Impact Assessment data and have regard to the funding available to support the recovery activities.

At the time of preparing this report a “Transition to Recovery” with the control agency has not yet been signed off by the parties (primarily due to the lack of RIA data), however this is expected to be completed in the coming days.

Funding and Financial Support Programs

The Victorian Natural Disaster Financial Assistance (NDFA) scheme is available to councils to relieve some of the burden that may be experienced following a disaster and in accordance with the Australian Government’s Disaster Recovery Funding Arrangements (DRFA). The DRFA is a cost sharing arrangement between the commonwealth and state and territory governments.

This is the primary source of funding available to Council for the restoration of essential public assets including the damaged road network. The guidelines for this scheme set out stringent expectations relating to eligibility for reimbursement of costs. The scheme has eight subcategories for eligible relief and recovery expenditure.

The Victorian Government has provided a “Council Flood Support Fund” comprising \$500,000 to Pyrenees Shire Council as one of several eligible councils to undertake clean up and eligible restoration activities which are ineligible under the DRFA.

There have been a range of other Commonwealth and State funding programs announced and in place to support impacted residents, businesses, farmers, and sporting clubs. Many of these funds require individual registration, and part of Council’s recovery effort has been and will continue to be in the support to our residents and businesses in accessing the funding available.

The range of this funding support and relevant links to the detail of the programs can be found on Council’s website.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 1 - People

1a. Prepare for emergencies and ensure community safety.

Priority 2 - Place

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

Priority 4 - Economy

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

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

There has been a significant risk to public safety caused by the October Flood event. In addition, there has been widespread damage to public and private assets, and substantial personal hardship caused to individuals and business.

There is a significant financial risk to Council if the response and recovery effort is not managed carefully. The suspension of the Road Management Plan has been necessary in response to the minimise councils' liability.

CONCLUSION

This report seeks to provide a summary of the widespread impact of the October Flood event, and outlines the response and recovery arrangements in place and planned for the coming months.

OFFICER RECOMMENDATION

That Council:

1. Acknowledges the significant and widespread impact of flooding across the shire due to the October event
2. Supports the response and recovery actions outlined in this report.
3. Seeks to appropriately resource the recovery effort in order to achieve the best outcomes for our communities.
4. Continues to advocate to State and Commonwealth Governments where required to ensure Council and our communities are not disadvantaged by the natural disaster.
5. That a report on the Recovery Plan be brought to a future Council meeting.

AN ALTERNATIVE MOTION WAS PUT FORWARD

Cr David Clark / Cr Robert Vance

That Council:

1. Acknowledges the significant and widespread impact of flooding across the shire due to the October event
2. Supports the response and recovery actions outlined in this report.
3. Seeks to appropriately resource the recovery effort in order to achieve the best outcomes for our communities.
4. Continues to advocate to State and Commonwealth Governments where required to ensure Council and our communities are not disadvantaged by the natural disaster.
5. Works with RCV, MAV and through them ALGA, to ensure a more effective and efficient reimbursement arrangement is put in place for repairing damaged assets through the NDFA program.
6. That a report on the Recovery Plan be brought to a future Council meeting.

CARRIED

13.3.2. HOUSING STRATEGY

Presenter: Jim Nolan - Chief Executive Officer

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

Report Author: Jim Nolan – Chief Executive Officer

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

File No: 22/12/02

PURPOSE

The purpose of this report is to seek Councils endorsement of a housing strategy for the Pyrenees Shire.

BACKGROUND

Council has in recent years taken a lead in stimulating housing development through the development of **Correa Park Estate** in Beaufort where Council invested approximately \$6M in purchasing and developing land in the General Residential 1 zone (GRZ1) to create approximately 100 lots for housing. This project has increased the housing stock in Beaufort, attracted new residents, provided accommodation for our local workforce and a place for retirement for our aging residents as well as creating jobs. Due to the demand for new homes, Council's investment was recouped with the final stages being sold within weeks of being placed on the market in 2021.

In response to the need to provide housing for a workforce and a growing population, Pyrenees along with Ararat and Northern Grampians councils created the entity **OPAN** (Opportunities Pyrenees Ararat Northern Grampians) to investigate and plan for a future investment to generate employment and growth. One of the projects undertaken by OPAN was the **Housing Demand Assessment Report** completed in September 2021 by consultants REMPLAN. In respect of the geographical area of the three councils, the assessment report concluded as follows:

“Following a period of population decline to 2008, the OPAN region has undergone a recovery and in 2020 has a population equal to that in 2001. The population is forecast to continue this modest growth, however the composition of the population is anticipated to be increasingly skewed to older cohorts.

*A distinctive characteristic of the OPAN region is that **modest population growth** has been accompanied by **relatively strong demand for new dwellings**. Between 2006 and 2016, the number of dwellings in the OPAN region increased by 4.0%, approximately double the rate of population increase over the same time period. Despite there being identified demand for new housing, the OPAN region has some of the lowest levels of investment in residential development per capita in Victoria.*

Disrupting the apparent aversion by private investment to low growth rural locations will be important. Analysis undertaken through this project suggests that demand for new dwellings exists in the region, largely to service the needs of the existing population that is aging and transitioning to smaller households. Slow growth and an aging population is expected to put pressure on workforce supply, highlight existing issues around housing suitability, and impact investment in the region.

*To address these issues, the OPAN region **requires significant and targeted initiatives** to attract younger workers **and provide additional housing** to meet the needs of a changing population.”*

In 2022, Pyrenees Shire Council purchased vacant land in **Burke Street Beaufort**. The land is zoned GRZ1 and suitable for residential development with the potential for 20-30 housing lots, and a further opportunity for development.

In late 2020, the Victorian Government introduced the **Big Housing Build** and established Homes Victoria to oversee the implementation to build thousands of new homes in Victoria. The \$5 billion program includes a commitment to spend 25% (\$1.25B) in Regional Victoria.

In 2022, the Victorian Government was successful in its bid to host the 2026 **Commonwealth Games** in Regional Victoria, with several key sports including athletics and boxing to be staged in Ballarat. This event's hosting requires new housing to accommodate the expected influx of visitors to the region and meet future social and affordable housing needs of our communities following the games.

ISSUE / DISCUSSION

Considering this background, the following strategic approach by Council is suggested.

Private Investment

One of the disincentives for subdivision development in small towns has been the low profitability of the investment when compared with larger regional cities and the inability of investors to secure finance to invest in small towns. This has created a market failure and was a major reason for Council taking on the development of Correa Park.

As demand for housing has increased, it is now seen as an opportunity for the private sector to invest, and there has been an increase in enquiries from private developers over the last year.

Marketing of our towns is an opportunity to attract investment, and this development of an investment prospectus is considered an appropriate action by Council.

Constraints

There are several factors that constrain development in our towns including contamination, land subject to inundation, topography, fire risk, access to essential services and availability of suitable land.

While the OPAN project undertook a high-level assessment of the constraints to identify possible suitable sites for development, there is a need for Council to invest more in this work to better understand the constraints and to identify investment ready land in order to attract investors to undertake appropriate development.

Small Town Framework Plans

The Pyrenees Futures project commenced a significant planning exercise to better understand these constraints, land uses and future demands to prepare the framework plans for our small towns. The Framework Plans for Waubra, Snake Valley and Lexton were completed and endorsed by Council, and Planning Scheme Amendments are currently with the Minister's department for assessment. A draft Framework plan has also been prepared for Avoca and was previously placed on exhibition. The continuing development of Framework Plans to guide future land use and development in our towns is also an important activity for council investment. The context for this work can be further understood in the Strategic Planning Program report in this Council Agenda.

Rezoning

Once Framework Plans are completed and approved, this provides an evidence basis for rezoning land where appropriate in settlements to meet future housing demand. This will also need to be complemented by other more detailed strategic planning work including work to determine township servicing needs for services such as power, water, sewer etc.

The cost and time required to successfully have land rezoned is currently an impediment, and Council's advocacy to seek state planning support will be necessary to advance this planning in future.

Servicing residential land

Developing relationships with government agencies to undertake the necessary planning for servicing infrastructure will also be strategically important.

Council advocacy for investment in trunk infrastructure for town water, power and sewer will be important ongoing to ensure land is properly serviced and suitable for housing investment. Internet and mobile phone connectivity are also critical to attracting and retaining population. While Council has always been very active in this advocacy space, there will be a need to be targeted in our approach and ensure there is sufficient work done to provide evidence and a business case for government investment in these public assets.

Using networks such as Central Highlands Councils Victoria and Rural Councils Victoria as a conduit for advocacy has in the past been one successful approach.

Infill Development

There is currently an opportunity for short-term small-scale housing development in our towns, particularly in Beaufort and Avoca by encouraging and supporting infill development. This may consist of landowners subdividing existing blocks in residential zoned land into smaller lots. It could include excising the rear yard of an existing house to provide for an additional housing lot for example. Council has allocated a small amount of budget to assist educate landowners in the process to enable this infill activity, and to link interested landowners with specialists (survey, engineering, legal, trade support).

Partnerships

Council has initiated discussions with various parties to explore opportunities for partnership to share in the investment and risk associated with housing development, with the outcome of increased housing stock in the form of social and affordable housing. Homes Haven Safe is a Housing Association with considerable experience and capability in providing social and affordable housing. They are active in western Victoria and have established partnerships with several councils and other agencies. Given their expertise and expressed interest in working with Pyrenees Shire Council it is suggested that Council continue to explore the opportunities possible in this partnership.

Other agencies and private businesses also bring expertise and capacity to assist in the various stages of development. Taking a positive approach to opportunities as they arise and retaining flexibility and capacity in Council budget to respond to initiatives is recommended.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 2 - Place

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

2c. Promote responsible development.

Priority 4 - Economy

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

ATTACHMENTS

1. OPAN HDAR FINAL V 1 (002) [13.3.2.1 - 26 pages]

FINANCIAL / RISK IMPLICATIONS

There is a risk to Council that opportunities for economic growth and development will be lost if Council does not take an active approach as outlined in this report.

CONCLUSION

Council has a history of active involvement in stimulating housing development, and in light of projected population growth and demand for housing, the strategic approach above to address this demand is recommended.

Cr Robert Vance / Cr Damian Ferrari

That Council:

1. Endorses the housing strategy outlined in this report and
2. Refers the specific initiatives outlined in this report to the 2023/2024 Budget process.

CARRIED

13.3.3. ENGAGEMENT PLAN

Presenter: Jim Nolan - Chief Executive Officer

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

Report Author: Jim Nolan – Chief Executive Officer

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 Council endorsement for the Annual Engagement Plan

BACKGROUND

In July 2022, Council considered and adopted a revised Engagement Policy and Strategy 2022-2025. The Strategy provides for an annual Engagement Plan to be prepared identifying the specific activities for engagement over the next year.

ISSUE / DISCUSSION

An annual plan has been prepared with specific engagement activities listed for the next year and beyond. This is a dynamic document which will need to be amended in response to changing circumstances. In particular the draft has included the October Flood event and the extensive engagement that has been necessary initially and over the coming two years.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Enabling Principles

- a. Motivate and inspire community involvement
- b. Provide transparency and accountability

ATTACHMENTS

1. Engagement Plan draft 2022 23 update 09 11 003 (1) [**13.3.3.1** - 9 pages]

FINANCIAL / RISK IMPLICATIONS

It is important to ensure council undertakes an appropriate level of engagement as outlined in the Council Plan and in order to meet community expectations.

CONCLUSION

A draft annual plan of engagement activities has been prepared for Council Consideration

Cr Tanya Kehoe / Cr David Clark

That Council:

1. Endorses the Community Engagement Plan and its activities as presented.

CARRIED

13.3.4. PETITION - REQUEST FOR ACTION

Presenter: Jim Nolan - Chief Executive Officer

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

Report Author: Jim Nolan – Chief Executive Officer

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

File No: 30/22/08

PURPOSE

The purpose of this report is to provide Council with details of a petition calling upon the North Central Catchment Management Authority to take action to minimise the flooding of Lexton.

BACKGROUND

Council received a copy of a petition dated 20 October 2022 from residents of Lexton as a request for action in relation to the flooding of Lexton township including Burnbank Creek.

The petition is addressed to North Central Catchment Management with copies to Pyrenees Shire Council, Dan Tehan MP, Louise Staley MP, State Ministers & DELWP.

The petition received contained 68 signatures and was accompanied with a request for appropriate action be taken to minimise the flooding of Lexton.

ISSUE / DISCUSSION

Before making any decision in respect of the matter, Council should have regard to the Pyrenees Shire Council Governance Rules 2022, Section 4.8.3 which states that:

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

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

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 1 - People

1a. Prepare for emergencies and ensure community safety.

Enabling Principles

b. Provide transparency and accountability

ATTACHMENTS

1. Petition - Request for Action- Redacted [13.3.4.1 - 5 pages]

FINANCIAL / RISK IMPLICATIONS

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

Cr Robert Vance / Cr David Clark

That Council:

1. Receives the petition;
2. Engages with the North Central Catchment Management Authority on the petition and
3. Requests a report to be presented to a future meeting of Council on the matter contained in the petition.

CARRIED

14. COUNCILLOR REPORTS AND GENERAL BUSINESS

Cr Kehoe

- It is hard to talk about anything other than flooding.
- The Lake Goldsmith Steam Rally has been cancelled and the Snake Valley Car show has also been cancelled, looking forward to getting through these events and getting back to normality and restoration works.
- Met with the lovely Lexton community last week and spoke about the flooding that affected them and about their book launch. A book about the Lexton Ben Major Fire that occurred in Lexton is being launched on Sunday 27 November 2022 in Lexton and all are encouraged to attend.
- Attended the Carranballac Progress Association AGM, they are a fantastic group of dynamic people. They will be having their big BnS in a couple of months and the Harvfest committee will be holding an event early next year to celebrate the end of harvest.
- Urge all residents to take care on the roads as recovery works continue. Thoughts go out to all of the residents impacted and urge people to reach out for support through grants and other ways to receive support, also reach out for emotional support, please look out for each other.
- Applications for the Community Grants program close on Friday 25 November and are available for event funding and minor capital works, visit Council's website or contact council for more information.
- Looking forward to moving through this flood event and moving onto great events again.

Cr Clark

- Attended Council's Planning Day.
- Very pleased to attend Murray Walkers latest exhibition opening in Ballarat.
- Have been to Natte Yallock and Lexton to speak with our communities.
- Attended the Waterloo Hall AGM on Sunday, the CFA shed was impacted by flooding however it has already been cleaned up.
- All residents are encouraged to attend the Lexton Book Launch being held at the Recreation Reserve on Sunday 27 November 2022.

Cr Vance

- Attended the Amphitheatre Hall AGM, there were 12 people in attendance.
- Attended the Natte Yallock and Lexton cuppa.
- Attended a Timber Towns zoom meeting on 20 October. The TIRES report is in its final draft however it is yet to be released.
- Attended an RCV zoom meeting on 28 October, the main discussion at the meeting was around flooding. In the northeast and all around the Murray the flooding has been astronomical, we are lucky here that flooding comes and goes but it is much slower and more damaging around the Murray.
- Attended the National Local Roads and Transport Congress in Hobart.
- It was advised at the Rural Councils meeting that a council ward review will be undertaken.
- At the Rural Councils meeting it was also requested that any photographic evidence of infrastructure that has been replaced in previous floods and now requires replacing again be

provided to show the government that infrastructure being replaced should be replaced with improved infrastructure.

- Attended the Landsborough Hall Time Capsule Opening, Cr Vance presented the items that were placed in the time capsule by Pyrenees Shire 25 years ago to Mayor, Cr Eason.

Cr Ferrari

- The Councillor Cuppas seem to be more successful being held later in the day with more people and attending and more engagement occurring, it is working well.
- Attended the Old BPS60 funding announcement made by Martha Haylett for funding. This was welcomed and the announcement was attended by a significant amount of people. Thanks to that committee for being persistent, their persistence, hard work and dedication has paid off.
- Attended the Cricket Club's 80's-night event which was a fantastic night and congratulations to all involved.
- In relation to floods, asking people to stay safe and not enter flood waters, do not put yourself and others at risk, be very careful around the water. SES are the control agencies and should be contacted if required, if an emergency contact 000. Continue to report damage to Council and let us know of any issues. Please have patience as the floods look like they may continue, resources are stretched and we will get to you.
- Congratulations to all of the communities across the municipality for their resilience displayed during this event. It is a widespread event, do not hesitate to reach out and ask for help if needed and help others.

Cr Eason

- Had a meeting with senior advisor to the Hon Catherine King in relation to infrastructure matters
- A Citizenship Ceremony was conducted during the month with a number of people becoming Australian Citizens, this was very special for them, as it was for me as Mayor.
- Had a meeting with Martha Haylett and Anne Webster where an inspection of the flood areas was undertaken, and some very interesting comments received.
- Thank you to all for joining this evening, floods have been the topic of discussion for most of the night and as Cr Ferrari said, please stay away from them.

15. CLOSE OF MEETING

Ordinary Meeting of Council 15 November 2022 closed at 7:39 pm.

Minutes of the Meeting confirmed _____

2022

Mayor Cr Ron Eason