



**Pyrenees**  
Shire Council

# Minutes

## Ordinary Meeting of Council

6:00 pm Tuesday 21 November 2023

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 Robert Vance welcomed all to the meeting.

## PRESENT

**Mayor:** Cr Robert Vance

**Councillors:** Tanya Kehoe, David Clark, Ron Eason, 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) (virtual)

**Senior Communications Officer:** Noel McKeegan

**Communications Officer:** Rebecca Stewart

## 2. STREAMING PREAMBLE

Mayor Cr Robert Vance read the livestream preamble.

## 3. OPENING PRAYER

The Mayor read the Opening Prayer.

## 4. ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the people past and present of the Wadawurrung, Dja Dja Wurrung, Eastern Maar and Wotjobaluk tribes, whose land forms the Pyrenees Shire. We pay our respect to the customs, traditions and stewardship of the land by the elders and people of these tribes on whose land we meet today.

## 5. APOLOGIES

There were no apologies.

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

Cr Vance declared an in-direct interest in item 13.4.1 - Membership - Rural Councils Victoria (RCV). Cr Vance is a member of the RCV Committee.

## 7. CONFIRMATION OF THE PREVIOUS MINUTES

**Cr David Clark / Cr Damian Ferrari**

That the Minutes of the:

- Ordinary Meeting of Council held on 17 October 2023;
- Closed Meeting of Council held on 17 October 2023 and
- Statutory Meeting of Council held on 31 October 2023.

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 17 October 2023.

Cr Vance presented Cr Kehoe with her MAV 10 Year Council Service Award and congratulated Cr Kehoe on her years of service.

## 9. PUBLIC PARTICIPATION

There were no questions submitted for public participation question time.

## 10. ITEMS FOR NOTING

### 10.1. CORPORATE AND COMMUNITY SERVICES

#### 10.1.1. CUSTOMER ACTION REQUESTS - OCTOBER 2023

**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:** 16/08/04

#### PURPOSE

This report provides updates on contacts made by our community through a range of media, including the Customer Action Request System and emails, for October 2023. This report's purpose is to demonstrate ongoing efforts to improve responsiveness to customers and the community over time.

#### BACKGROUND

Our community contact officers through a range of means, including but not limited to:

- Customer Action Request System (CARS)
- Emails – directly to officers or via the central pyrenees@pyrenees.vic.gov.au email address
- Via telephone or face-to-face with Council's switchboard or front counters
- Complaints
- Requests for information via Freedom of Information (FOI) processes
- Social media

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. Requests input via the "Snap Send Solve" application must be input manually by customer service officers into the CAR (Customer Action Requests) system as this currently does not accept automatic uploads.

Service requests are received for operational issues regarding maintenance, road maintenance, pools, local laws, building maintenance and compliance matters. Complaints are received and managed separately to action requests and monthly checks are made of customer action requests to identify requests that should be managed as complaints.

Requests logged through the customer action requests system form a minority of the contacts received by Council officers monthly, however, remain an important method of identifying where problems exist that need to be addressed.

Council has noted a declining trend in customer satisfaction over the past 10 years and this report will continue to be reformatted in the future to expand information on officer response to community contact to demonstrate efforts made to reverse this trend.

#### ISSUE / DISCUSSION - CUSTOMER CONTACT

Customer contact media	Jun 2023	Jul 2023	Aug 2023	Sept 2023	Oct 2023
Emails received by	42,906	94,409	56,093	51,435	57,315

organisation					
External complaints received	0	3	4	2	2
Requests for information**	2	1	4	2	FOI 5 Non-FOI 5
Requests for review of infringements	1	1	2	0	2
Website page views	25,724	17,970*	17,086	17,242	16,133
Website users	5,190	5,472	5,570	6,017	5,556
Website contact us page	681	645	614	473	542
Website customer enquiry form	n/a	54	65	57	69

\*under-reported due to platform changes

\*\*includes requests supplied through FOI and non-FOI means

#### Comments:

- A substantial increase in the number of requests for access to information has been seen in the last six months. Most of these are being managed outside of the FOI process to allow for a simpler method of information provision, particularly those requests received from one organisation. Since May 2023, 14 requests for information have been received from this single requestor.
- Website user numbers remain steady.
- In October, website views primarily accessed Council agenda/minutes, CARs requests, events and activities, planning permits, transfer stations and waste collection dates, rules around open air burning, and Council's community funding program.
- In October, enquiries received via the online customer enquiry form related to waste and recycling, building and planning, and roads.
- Emails remain a growing source of customer contact, taking considerable time and resources to manage.

#### ISSUE / DISCUSSION - CUSTOMER ACTION REQUESTS

During the month, it was noted that a report sent through Snap Send Solve regarding the Western Highway was automatically referred to the Pyrenees Shire Council instead of Regional Roads Victoria who are the road authority for this highway. Advice on this error was forwarded to Snap Send Solve with a request that their records or system be updated in this regard.

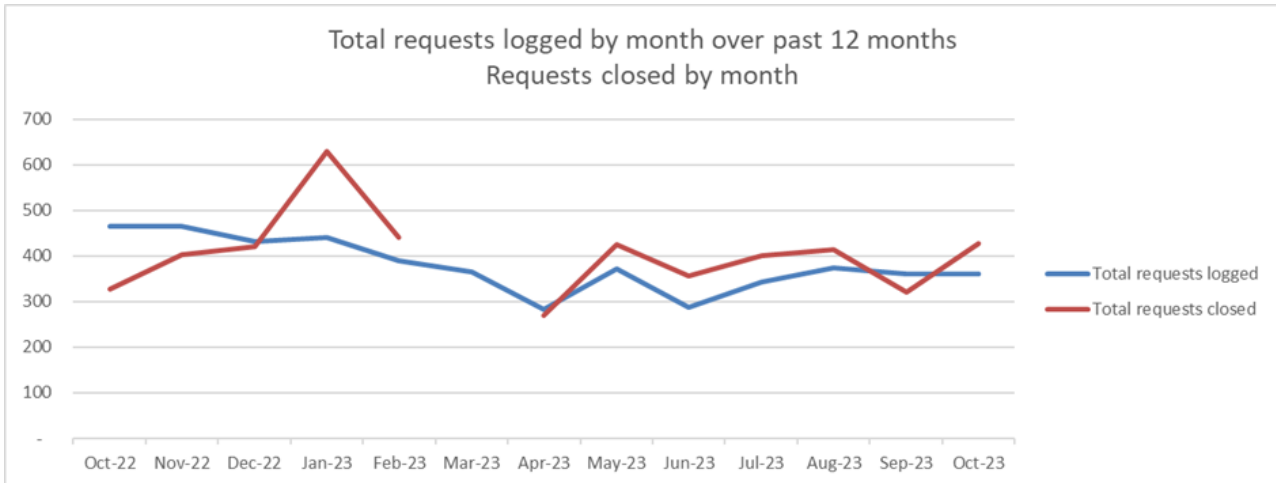
##### 1. Logged and closed requests

361 CARs (Customer Action Requests) were logged during the month, like the previous month. Of these, 151 were related to telephone messages.

427 requests were closed during the month, demonstrating the ongoing effort officers are making to maintain focus on addressing and closing requests.

The following charts detail the numbers of requests received over the last 12 months and the number of requests closed each month.

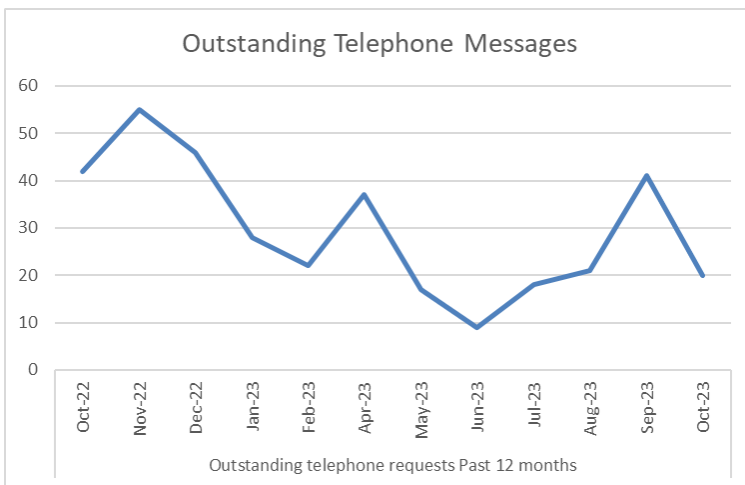
Year	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	% Change
Total requests logged	464	466	431	441	390	364	282	372	288	344	373	361	361	0%
Total requests closed	327	403	421	630	440		269	424	356	401	413	321	427	33%



**2. Telephone requests**

151 telephone calls were transferred into requests during the month, with 20 requests remaining outstanding at the end of the month. The following charts detail the trend in telephone calls remaining outstanding at the end of each month.

Outstanding telephone requests Past 12 months											
Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23
42	55	46	28	22	37	17	9	18	21	41	20



**3. Open Customer Action Requests**

The number of open requests is now reported differently. Some requests that have had initial contact with the customer but are unable to be resolved quickly for some reason, are now being moved to being ‘on-hold’ and some may be referred to budget (e.g., long term drainage issues).

At the end of the reporting month, there was a total of 278 active or open requests. These include:

- 156 which are open and assigned for action
- 109 which are on hold awaiting resolution or action scheduling
- 3 referred to budget
- 9 in progress or being managed – meaning that they are longer term case managed issues

**On hold** – 109 requests were on hold as at the end of the month. In general, these relate to matters that have had initial contact and require additional work or case management, or have been put on a schedule for action - e.g.,

- Complex local law matters, mostly relating to shipping containers or dog complaints.
- Road improvement requests.
- Flood impacts / Natural disaster.
- Long term drainage works.

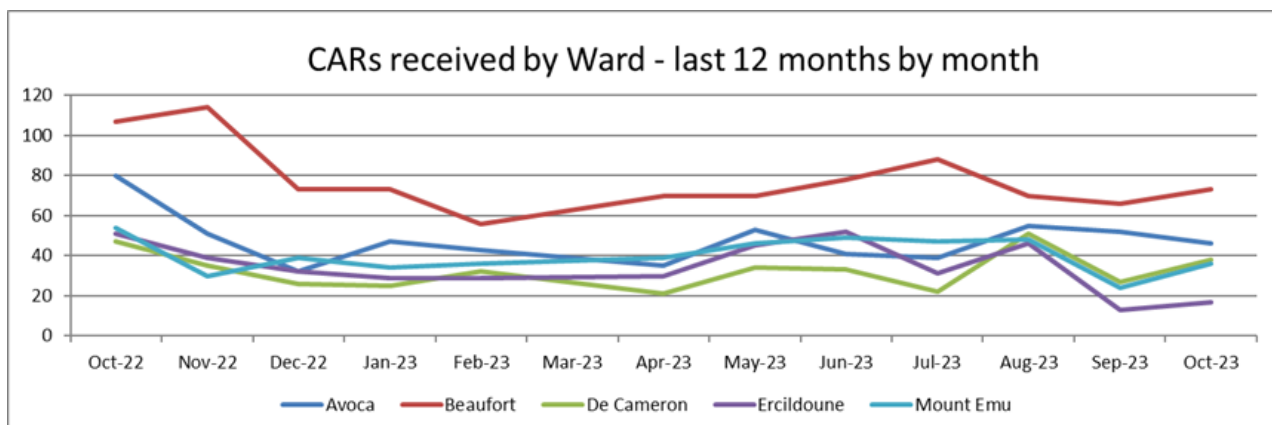
**Open requests** – the balance of this report will focus on the open requests as previously, but statistics relating to requests marked as on-hold or referred-to-budget have been included in the table.

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

Request status	Avoca Ward	Beaufort Ward	DeCameron Ward	Ercildoune Ward	Mt Emu Ward
<b>Number of requests received (previous month)</b>	46 (52)	73 (66)	38 (27)	17 (13)	36 (24)
<b>Requests received and closed in the same month (%)</b>	35(76%)	51(70%)	28(74%)	7(41%)	21(58%)
<b>Requests received remaining open and assigned for action</b>	8	16	10	8	13
<b>Requests received that are on-hold awaiting final works or resolution</b>	3	5	0	1	2
<b>Requests received referred to budget</b>	0	1	0	0	0
<b>Total open (assigned) requests as at the end of the month</b>	16 (24)	28 (29)	17 (19)	19 (11)	25 (16)

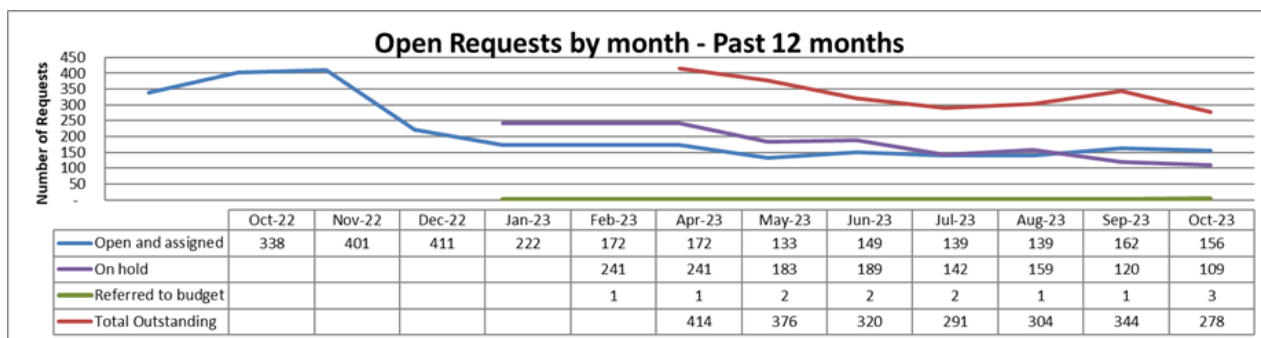
The following charts show the numbers of requests received by Ward per month for the past 12 months.

CARS by Ward received by month Rolling - Past 12 months												
Ward	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23
Avoca	80	51	32	47	43	35	53	41	39	55	52	46
Beaufort	107	114	73	73	56	70	70	78	88	70	66	73
De Cameron	47	35	26	25	32	21	34	33	22	51	27	38
Ercildoune	51	39	32	29	29	30	45	52	31	46	13	17
Mount Emu	54	30	39	34	36	39	46	49	47	48	24	36
<b>Total by month</b>	<b>339</b>	<b>269</b>	<b>202</b>	<b>208</b>	<b>196</b>	<b>195</b>	<b>248</b>	<b>253</b>	<b>227</b>	<b>270</b>	<b>182</b>	<b>210</b>

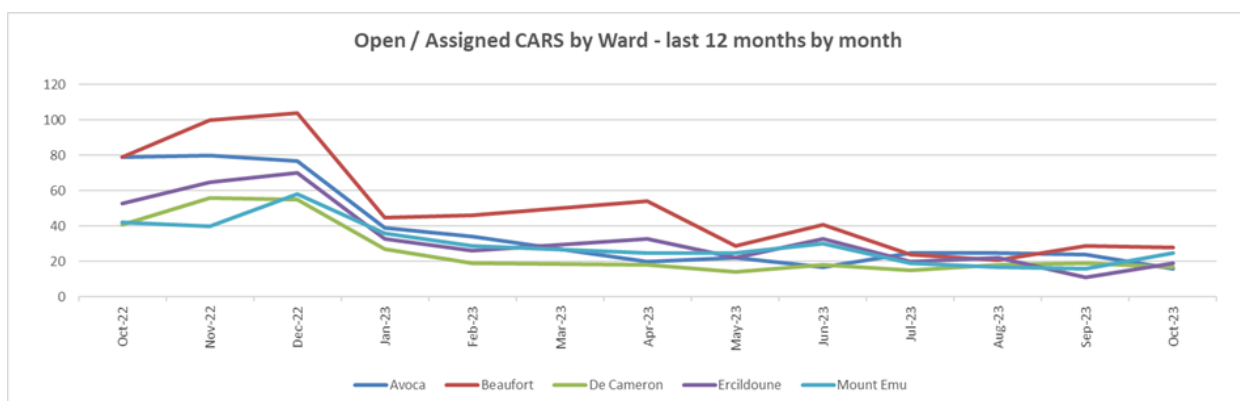


The following charts show the statistics for requests that remained open each month for the past 12 months. These charts now include requests put on hold or referred to budget.

Open requests by age													
Year	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	% Change
2013													
2020	1	-	-	-	-	-	-	-	1	1	-	-	
2021	15	12	12	-	-	2	4	3	-	-	-	-	
2022	322	389	399	131	45	19	115	114	19	19	27	29	7%
2023	-	-	-	91	127	164	201	227	119	119	135	127	-6%
Open and assigned	338	401	411	222	172	185	133	149	139	139	162	156	-4%
Outstanding but on hold					241	190	183	189	142	0	120	109	-9%
In progress - longer term							2	4	4	3	4	9	125%
Other outstanding									4	1	3	1	-67%
Referred to budget					1	1	2	2	2	1	1	3	200%
Total Closed	327	403	421	630	440	269	424	356	401	413	321	427	33%
Total requests logged	464	466	431	441	390	282	372	288	344	373	361	361	0%
Total outstanding requests						414	376	320	291	304	344	278	-19%

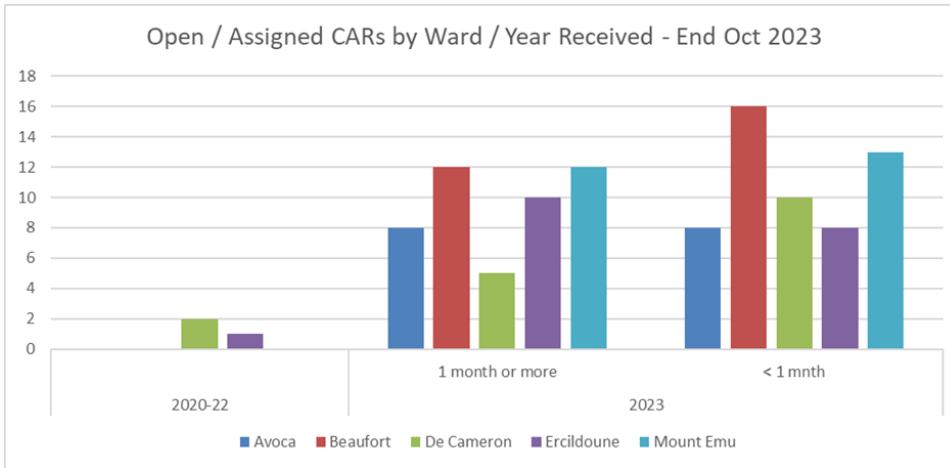


Open Assigned Requests by Ward - Past 12 months												
Ward	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23
Avoca	79	80	77	39	34	20	22	17	25	25	24	16
Beaufort	79	100	104	45	46	54	29	41	24	21	29	28
De Cameron	41	56	55	27	19	18	14	18	15	18	19	17
Ercildoune	53	65	70	33	26	33	22	33	20	22	11	19
Mount Emu	42	40	58	36	29	25	25	30	19	17	16	25
Total by month	294	341	364	180	154	150	112	139	103	103	99	105



The following chart shows the open assigned requests by Ward as at the end of the month, excluding those referred-to-budget or on-hold.





The following table provides greater detail of the areas / type where outstanding requests remain, showing the functional areas and numbers of requests still outstanding as at the end of the last month. This data includes those referred-to-budget or on-hold.

Open requests - Type			
	Sep-23	Oct-23	Change
Roads & Rd Maint.	75	83	8
Streetlights	0	0	0
Drainage	13	14	1
Footpaths / Kerb&Channel	4	4	0
Park & Reserves	5	9	4
Roadside Veg	18	29	11
Environmental Health	4	0	-4
Planning	1	4	3
Bld maint	7	11	4
Local Laws	17	13	-4
Cats	2	0	-2
Dogs	13	7	-6
Livestock	1	1	0
Parking	0	0	0
Fire Hazard	3	4	1
Bld Compliance	2	0	-2
Waste Management	0	0	0
Local Government Act	0	0	0
Rates	3	0	-3
Natural Disasters	80	74	-6
Pools	0	0	0
Council cleaning	1	0	-1
Litter	1	0	-1
Design & Assets	2	2	0
GIS	0	0	0
Community	0	0	0
Rural Addressing	1	2	1
Road Naming	1	1	0
Telephone messages	41	20	-21
<b>Total</b>	<b>295</b>	<b>278</b>	<b>-17</b>

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Enabling Principles

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

**COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES**

This report did not require any community engagement or consultation, other than that provided via this report.

**ATTACHMENTS**

Nil

**FINANCIAL / RISK IMPLICATIONS**

All risks are discussed in the body of the report.

**CONCLUSION**

The customer action request system remains an integral part of Council’s reactive identification of issues that need attention. This report provides an update on customer action requests as at the end of October 2023. Reporting is being expanded over future months to include other media of customer contact received by officers.

**Cr Ron Eason / Cr Tanya Kehoe**

That Council notes this report.

**CARRIED**

**11. COUNCILLOR ACTIVITY REPORTS****11.1. COUNCILLOR ACTIVITY REPORTS - OCTOBER 2023**

<b>Cr Damian Ferrari – Beaufort Ward</b>		
01/10/2023	Beaufort Bowls Club Season Opening	Beaufort
10/10/2023	Council Briefing	Beaufort
10/10/2023	Cuppa & Chat	Amphitheatre
17/10/2023	Council Briefing	Beaufort
17/10/2023	Council Meeting	Beaufort
18/10/2023	Rural Water Pipeline Project Drop-in Session	Natte Yallock Moonambel Amphitheatre
19/10/2023	Rural Water Pipeline Project Drop-in Session	Navarre
23/10/2023	Your Roads Community Forum	Moonambel
24/10/2023	Reporting Back on the Council Plan Community Forum	Lexton
25/10/2023	Your Roads Community Forum	Beaufort
27/10/2023	Western Highway Action Committee Meeting	Stawell
30/10/2023	Your Roads Community Forum	Lexton
31/10/2023	Statutory Meeting	Lexton

<b>Cr David Clark – Ercildoune Ward</b>		
06/10/2023	MAV Board Meeting	Virtual
10/10/2023	Council Briefing	Beaufort
10/10/2023	Cuppa & Chat	Amphitheatre
12/10/2023	MAV Annual Conference & Dinner	Melbourne
13/10/2023	MAV State Council	Melbourne
17/10/2023	Council Briefing	Beaufort
17/10/2023	Council Meeting	Beaufort
23/10/2023	Your Roads Community Forum	Moonambel
24/10/2023	Reporting Back on the Council Plan Community Forum	Lexton
25/10/2023	Your Roads Community Forum	Beaufort
30/10/2023	Your Roads Community Forum	Lexton
31/10/2023	Statutory Meeting	Lexton

<b>Cr Robert Vance – De Cameron Ward</b>		
06/10/2023	RCV AGM	Virtual
10/10/2023	Council Briefing	Beaufort
10/10/2023	Cuppa & Chat	Amphitheatre
12/10/2023	MAV Annual Conference & Dinner	Melbourne
13/10/2023	MAV State Council	Melbourne
17/10/2023	RCV Housing Action Plan Launch	Beaufort
17/10/2023	Council Briefing	Beaufort
17/10/2023	Council Meeting	Beaufort
18/10/2023	Meeting VGCCC – Gambling regulation in Victoria	Virtual

18/10/2023	Rural Water Pipeline Project Drop-in Session	Natte Yallock Moonambel Amphitheatre
19/10/2023	Rural Water Pipeline Project Drop-in Session	Navarre
19/10/2023	Timber Towns Victoria Meeting	Virtual
23/10/2023	Your Roads Community Forum	Moonambel
24/10/2023	Reporting Back on the Council Plan Community Forum	Lexton
25/10/2023	Your Roads Community Forum	Beaufort
27/10/2023	RCV Committee Meeting	Virtual
30/10/2023	Your Roads Community Forum	Lexton
31/10/2023	Statutory Meeting	Lexton

<b>Cr Ron Eason – Avoca Ward</b>		
10/10/2023	Council Briefing	Beaufort
17/10/2023	RCV Housing Action Plan Launch	Beaufort
17/10/2023	Council Briefing	Beaufort
17/10/2023	Council Meeting	Beaufort
18/10/2023	Meeting VGCCC – Gambling regulation in Victoria	Virtual
18/10/2023	Rural Water Pipeline Project Drop-in Session	Natte Yallock Moonambel Amphitheatre
19/10/2023	Rural Water Pipeline Project Drop-in Session	Navarre
23/10/2023	Your Roads Community Forum	Moonambel
24/10/2023	Reporting Back on the Council Plan Community Forum	Lexton
30/10/2023	Your Roads Community Forum	Lexton
31/10/2023	Avoca Community Bank New Branch Opening	Beaufort
31/10/2023	Statutory Meeting	Lexton

<b>Cr Tanya Kehoe – Mount Emu Ward</b>		
08/10/2023	Community Neighbourhood Day	Snake Valley
10/10/2023	Council Briefing	Beaufort
17/10/2023	Council Briefing	Beaufort

**Cr David Clark / Cr Ron Eason**

That Council notes this report.
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**CARRIED**

**12. ASSEMBLY OF COUNCILLORS****12.1. ASSEMBLY OF COUNCILLORS - OCTOBER 2023**

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Briefing Session		
Meeting Date	10 October 2023 commenced at 1.00pm and closed at 4.30pm		
Meeting Location	Council Chamber, Beaufort		
Items Discussed	<ol style="list-style-type: none"> <li>1. Sunraysia Highway Improvement Committee</li> <li>2. Hardcourt Audit &amp; Priority List</li> <li>3. Nyaninyuk Wind Farm Project</li> <li>4. VLGA Update</li> <li>5. Victorian Government Housing Statement</li> <li>6. CEO Update</li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Ron Eason (virtual) Cr Damian Ferrari Cr Tanya Kehoe (virtual)		Cr David Clark Cr Robert Vance
Apologies	Kathy Bramwell (Director Corporate and Community Services)		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Jerry van Delft (Manager, Community Wellbeing & Partnerships) (item 2) Baylie Lang (Recreation Development Co-ordinator) (item 2) Rachel Blackwell (Manager Planning and Development Services) (item 3)		
Visitors	Cairan Dillon, Acciona (item 3) Jacqueline Pertz, Acciona (item 3) Dominic Luddy, Acciona (item 3) Dr Josh Fergeus (item 4) Cr Denise Massoud (item 4) Kathryn Arndt (item 4)		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Briefing Session		
Meeting Date	17 October 2023 commenced at 1.00pm and closed at 5.30pm		
Meeting Location	Council Chamber, Beaufort		
Items Discussed	<ol style="list-style-type: none"> <li>1. RCV Update</li> <li>2. Bridge Load Limits</li> <li>3. Brewster Windfarm Update</li> <li>4. Customer Service Charter</li> <li>5. CEO Update</li> <li>6. Councillor Only Time</li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Ron Eason (virtual) Cr Damian Ferrari Cr Tanya Kehoe (virtual)	Cr David Clark Cr Robert Vance	
Apologies			
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services)		
Visitors	Cr Mary-Anne Brown, RCV (item 1) Severin Staalesen, RE Future (item 3)		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

**Cr Ron Eason / Cr Damian Ferrari**

That Council notes this report.

**CARRIED**

## 13. ITEMS FOR DECISION

### 13.1. ECONOMIC DEVELOPMENT AND TOURISM

#### 13.1.1. EAST GRAMPIANS RURAL PIPELINE PROJECT

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

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

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

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

**File No:** 60/12/02

#### **PURPOSE**

The purpose of this report is to update Council on the current status of the East Grampians Rural Pipeline Project and reaffirm its support for the proposed water supply by advocating for the funding necessary to deliver the entire project.

#### **BACKGROUND**

The East Grampians Rural Pipeline Project (EGRP) emanated from the impacts of the 2015 drought on the farming community in the southern parts of Northern Grampians Shire, across the Rural City of Ararat and the southwest area of Pyrenees Shire.

The project, which is being led by the Grampians Wimmera Mallee Water Corporation (GMMWater), aims to increase productivity and diversity across agricultural sectors whilst enhancing community wellbeing, safety and resilience. It also seeks to reduce pressures on stressed natural catchments. The pipeline will service up to 1500 rural farming properties over a 530,000 hectare area.

Funding secured for the construction of the project was based on the original concept plan and business case costings of \$85.2M which has been funded through Federal Government (\$32m), State Government (\$32m), GMM Water (\$15.5m), and landowner contributions (\$5.7m).

Council has been supportive of the project since first proposed. Officers have participated on the project's Steering Committee, which includes representation from the Department of Energy, Environment, and Climate Action, Rural City of Ararat, Northern Grampians Shire Council, GMM Water and the Glenelg Hopkins and Wimmera Catchment Management Authorities. The project will service a small but highly productive area within the Pyrenees Shire, east of Streatham.

A report on the project was brought to the January 2021 Council meeting with a motion being passed that Council:

1. Affirms its support for the delivery of the East Grampians Rural Pipeline Project;
2. Supports officers in continuing to attend the East Grampians Rural Pipeline Steering Committee meetings to ensure the project addresses the interests of the Pyrenees community; and
3. Supports a Planning Scheme Amendment to facilitate the project that would exempt the Minister from the requirements of Section 19 of the Planning and Environment Act 1987.

Due to price escalations since the business case was prepared, and in the absence of further funding at this time, GMMWater have found it necessary to revise the project stages that can be delivered within the original budget, details of which are available from their website.

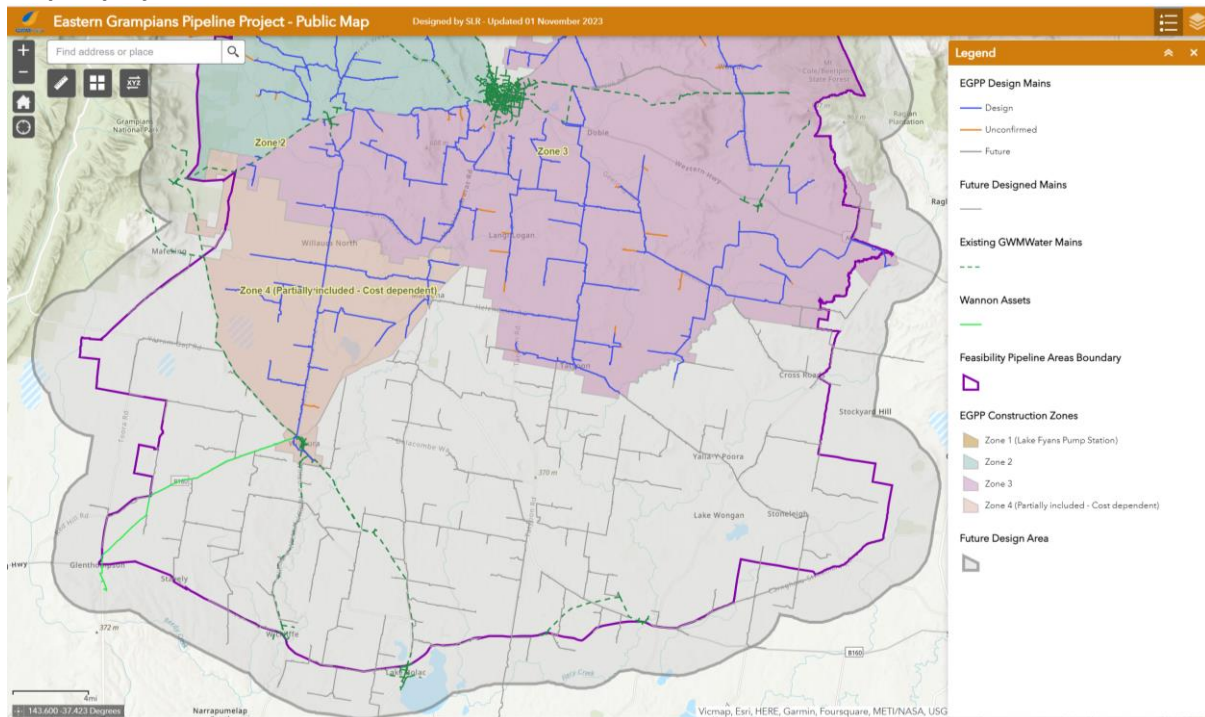
On Thursday 4 May 2023, a Customer Consultative Committee meeting was held in Ararat to discuss funding availability and revised staging of the East Grampians Rural Pipeline Project.

GWMWater advised that on 27 March 2023 DEECA provided formal approval for a revised scope to be built within the \$85.2m funding that is currently available.

The revised scope builds from the water sources – Lake Fyans and Mt Cole – and allows for future connections to the network. The initial stage captures approximately 70% of meter points identified for the project.

GWMWater will continue to apply for funding for the remaining 30% of meter points and future stages of the pipeline will progress as funding becomes available.

### Map of project area



#### Source:

<https://gwmwater.maps.arcgis.com/apps/webappviewer/index.html?id=c40fd61aa1fc49d3b6c773f2b79f2e02> 6/11/2023.

### ISSUE / DISCUSSION

The mapping provided on the GWMWater website indicates that the districts within the Pyrenees Shire of Cross Roads, Stoneleigh and Stockyard Hill remain outside of the pipeline area that can be constructed within the original \$85.2M budget.

GWMWater are continuing to lobby for the additional funding necessary to see the entire project delivered.

It is recommended that, in the interests of farmers within the Shire, Pyrenees Shire Council supports GWMWater by advocating for the funds necessary to complete the remaining 30% of meter points and future stages of the pipeline.

### COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 1 - People

1d. Promote health, wellbeing, engagement and connection.

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

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

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

Enabling Principles

c. Use resources efficiently and effectively

### **COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES**

GMMWater have engaged with landholders across the project footprint throughout the project via drop-in sessions, direct landholder engagement and newsletter updates. The EGRP governance structure incorporates a Community Consultative Committee which is chaired by Ararat Rural City Council with representation by landholders and Pyrenees Shire Council.

### **ATTACHMENTS**

Nil

### **FINANCIAL / RISK IMPLICATIONS**

The project is being led by GMMWater who, as the responsible authority, will be the owner and operator of the water scheme.

Pyrenees Shire Council have not been required to make financial contributions towards the project.

The construction phase of the project is being funded by a combination of Commonwealth and Victorian Government sources and contributions by GMM Water and Landholders.

While there is no financial commitment required of Council nor direct financial risk, the project is aimed at underpinning the productivity and resilience of the agricultural sector in the southwest area of the Shire, with agriculture making a significant contribution to the Shires economy.

### **CONCLUSION**

The construction phases of the EGRP are commencing based on a reduced footprint as outlined in this report, with an estimated 70% of connections able to be accomplished within the original \$85.2M budget. GMMWater are continuing to seek opportunities for funding from higher levels of government to enable the remaining 30% of meter points and future stages of the pipeline progress.

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

That Council:

1. Continues to support GMMWater, its project partners, and Pyrenees farmers within the project footprint, by advocating for the additional level of funds necessary to complete the 30% of connections required to deliver the entire EGRP water supply scheme.

**CARRIED**

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

### **13.2.1. PA23051 - 61-63 HIGH STREET, BEAUFORT - DEVELOPMENT OF LAND WITH FIVE DWELLINGS, SUBDIVISION OF LAND INTO FIVE LOTS**

**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 – Manager Planning and Development

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

**File No:** 514018800P

#### **PURPOSE**

The purpose of this report is to consider planning permit application PA23031 for land at 61-63 High Street Beaufort.

#### **BACKGROUND**

On 20th of February 2023 an application was lodged. The application proposed the development of land with six (6) dwellings, subdivision of land into six (6) lots with common property, subdivision adjacent to a road in a Transport Zone 2 and reduction of car parking requirements.

The application was advertised, and Council has received two (2) objections.

A consultation meeting was held with objectors.

Following the consultation meeting the application was amended to the development of land with five (5) dwellings, subdivision of land into five (5) lots, subdivision adjacent to a road in a Transport Zone 2 and reduction of car parking requirements.

The amended application was circulated to objectors for comment.

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

#### **THE SITE**

The subject site, Land in Plan of Consolidation 378740, known commonly as 61-63 High Street, Beaufort, is a 2024m<sup>2</sup> allotment located approximately 1.2km east of the Beaufort town centre.

The subject land is rectangular in shape and has a fall of approximately 9.5m from the Mitchell Street northern boundary to the Western Highway southern boundary. The site is currently vacant and does not have any notable vegetation. An existing informal accessway currently provides access to the site from Mitchell Street.

All essential infrastructure is available to be connected to the site and there are no natural hazards or heritage/cultural sensitivities that affect the site (other than Bushfire Prone Area).

The surrounding area comprises primarily single dwellings with building typologies and setbacks varying quite significantly.

There are existing dwellings on all abutting allotments, with the Western Highway abutting the site to the rear. The Farming Zone is situated further to the west, separated from the General Residential Zone by a vegetation buffer.

The site located on the periphery of the Beaufort and is well located in relation to services, facilities, recreation and employment amenities.

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**.



## THE PROPOSAL

The applicant proposes the development of land with five (5) dwellings, subdivision of land into five (5) lots, subdivision adjacent to a road in a Transport Zone 2 and reduction of car parking requirements. The development is described in greater detail as follows:

### ***Dwelling Development:***

Dwelling 1 – is to be sited in the north western corner of the site and comprise 3 bedrooms, a double garage and an open plan living / meals / kitchen area. The dwelling will have 28.65sqm of private open space sited with convenient access from the living area along the western boundary of the site. The dwelling will be setback from the western boundary by 1.2 metres and the northern boundary 5.5 metres. The front porch is located along the northern elevation. The external cladding is proposed to be light grey

brick wall cladding, James Hardie weatherboards with a Shale Grey Colorbond clad roof. The dwelling will have a maximum height of 6.5 metres.

Dwelling 2 – is to be sited in the central western portion of the site and comprise 2 bedrooms, a single garage and an open plan living / meals / kitchen area. The dwelling will have 35.05sqm of private open space sited with convenient access from the living area along the western boundary of the site. The dwelling will be setback from the western boundary by 3.2 metres. The front porch is located along the eastern elevation fronting the internal accessway. The external cladding is proposed to be dark grey brick wall cladding, James Hardie weatherboards with a Monument Colorbond clad roof. The dwelling will have a maximum height of 6.7 metres.

Dwelling 3 – is to be sited in the south western corner of the site and comprise 3 bedrooms, a double garage and an open plan living / meals / kitchen area. The dwelling will have 28.65sqm of private open space sited with convenient access from the living area along the western boundary of the site. The dwelling will be setback from the western boundary by 1.4 metres and the southern boundary by 5 metres. The front porch is located along the northern elevation with pedestrian access to the Western Highway. The external cladding is proposed to be light grey brick wall cladding, James Hardie weatherboards with a Shale Grey Colorbond clad roof. The dwelling will have a maximum height of 6.9 metres.

Dwelling 4 – is to be sited in the north eastern corner of the site and comprise 3 bedrooms, a double garage and an open plan living / meals / kitchen area. The dwelling will have 118.65sqm of private open space sited with convenient access from the living area along the eastern boundary of the site. The dwelling will be setback from the eastern boundary by 4.1 metres and the northern boundary by 5.5 metres. The front porch is located along the northern elevation with pedestrian access to Mitchell Street. The external cladding is proposed to be light grey brick wall cladding, James Hardie weatherboards with a Shale Grey Colorbond clad roof. The dwelling will have a maximum height of 6.9 metres.

Dwelling 5 – is to be sited in the south eastern corner of the site and comprise 3 bedrooms, a double garage and an open plan living / meals / kitchen area. The dwelling will have 83sqm of private open space sited with convenient access from the living area along the eastern boundary of the site. The dwelling will be setback from the eastern boundary by 1.4 metres and the southern boundary by 5 metres. The front porch is located along the southern elevation with pedestrian access to the Western Highway. The external cladding is proposed to be light grey brick wall cladding, James Hardie weatherboards with a Shale Grey Colorbond clad roof. The dwelling will have a maximum height of 7.6 metres.

**Access:**

A proposed crossover will link the entrance of the site to an existing crossover from Mitchell Street, with an internal accessway providing access to all five dwellings. No vehicle access is proposed from the Western Highway which abuts the southern boundary of the site. Pedestrian access is proposed to both Mitchell Street and to the south of the site where there is potential for a future footpath connection to Beaufort Township.

**Fencing:**

A 1.2m high picket fence will front the southern boundary of dwellings 3 and 5 which will include a gate and path to the entrance of the dwellings. The low picket style fencing is proposed to allow for passive

surveillance and visual interaction with the Western Highway. It is noted that dwellings 3 and 5 have a number of full size windows and the entrance oriented towards this interface.

The existing western and eastern 1.8 metre metal fences will be replaced. Whilst the Mitchell Street frontage will not be fenced.

***Cut and fill / site functionality:***

The elevations within the development plan set include details of cut and fill required to accommodate the proposed dwellings. The extent of earthworks and retaining walls has been minimised as much as practicable, however, due to the sloping nature of the land, earthworks and retaining walls could not be avoided. Retaining walls have been staggered where possible.

***Services:***

Each dwelling has nominated bin storage areas within their respective yards, as indicated on the site plan. The applicant submits that it will be each individual property owner's responsibility to present the bins to Mitchell Street for collection and then return them back to the yard for storage.

Individual mailboxes have been grouped at the entrance of the site from Mitchell Street, as shown on the Site Plan.

***Parking:***

All dwellings have garages with either one or two spaces which comply with the requirements of Clause 52.06 (car parking), however no shared visitor space has been provided within the development. Therefore, a reduction of car parking requirements for 1 visitor space is proposed with the application.

***Subdivision:***

A subdivision plan has been submitted with the design detailing the proposed lot layout which reflects the built form proposed onsite. Common property is to provide access to all lots and accounts for approximately 300.6sqm within the centre of the site.

***Landscaping:***

An indicative landscaping response has been submitted with the proposal. A mix of lawn, shrubs and trees have been incorporated within the landscaping beds. Landscaping has also been included along the shared driveway to minimise the "gun barrel" appearance.

***Supporting documents:***

Swept path diagrams have been included demonstrating that vehicles can exit the site in a forward direction from all car parking spaces within the development. A cross section of the driveway is included which complies with Design Standard 3 under Clause 52.06-9 and the CFA (Country Fire Authority) access requirements within Table 5 to Clause 53.02-5 (access greater than 30m but less than 100m in length).

The developer is aware that upgrades to Mitchell Street are required to facilitate this development.

Full details of the proposal 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.

The following forms of advertising were undertaken:

- Notices sent to owners and occupiers of adjoining land (includes opposite).
- Two A2 signs were placed on the land.

Council has received 2 objections in response to advertising. The key issues raised in the objection can be summarised as follows:

- Impacts on Mitchell Street form increased traffic.
- Character and amenity impacts
- Density
- Scale and bulk
- Built form
- Extent of retaining walls
- Vegetation
- Parking
- Drainage

A copy of the objections are provided at **Attachment 3**

A consultation meeting with objectors was undertaken on the 18 October 2023. The meeting was attended by the permit applicant, site owners and the two objectors. At the meeting the proposal was discussed as were the concerns raised. There were no resolutions reached.

As a result of the meeting the permit applicant amended the application on the 10 November 2023 to comprise development of land with five (5) dwellings, subdivision of land into five (5) lots, subdivision adjacent to a road in a Transport Zone 2 and reduction of car parking requirements. The amended application was circulated to objectors on the 13 November 2023. The objectors were given 5 business days to respond to the amended application and were asked to make further submissions on their concerns or withdraw their objection.

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

## REFERRAL OF APPLICATION

Internal Referrals

Referral	Advice/Response/Conditions
Engineering	No objection subject to standard conditions. This includes: Fully sealed pavement with kerb & channel (5.5m minimum between kerb inverts) as per IDM standard drawing SD 605 including a Cul-de-sac turn around area at the end of Mitchell Street and concrete vehicular crossings to the property boundaries for established residents as per IDM standard drawing SD 240;
Street Addressing	Street Address will be 3 Mitchell Street. Units addressed from Mitchell

	Street back in accordance with the standard. Please ensure that individual units display their correct Unit number and that the street number is clearly displayed at the entrance to the property.
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**External Referrals**

Referral	Advice/Response/Conditions
Country Fire Authority	No objection subject to standard conditions relating to access and Hydrants.
Powercor	No objection subject to standard conditions.
Central Highlands Water	No objection subject to standard conditions.
Department Transport & Planning	No objection. No conditions. Following is noted: It is noted that a small pedestrian path is provided between the dwellings within the subject site. It is recommended that the Responsible Authority require construction of a connected footpath as per Section 13.2 of the Infrastructure Design Manual to improve active transport outcomes for residents

**ISSUE / DISCUSSION**

The proposal generally accords with the PPF (Planning Policy Framework) including the Municipal Planning Strategy of the Pyrenees Planning Scheme. The key issues are as follows:

- Strategic Justification.
- Zone considerations
- Parking and access
- Land adjacent to the principal road network
- Public open space contribution
- Clause 55 considerations.

**Strategic Justification**

The site is located within the township of Beaufort and is located on the eastern 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 Beaufort.

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 one 2 bedroom, and four 3-bedroom dwellings on the site will also 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 larger single dwellings on large lots.

The proposal is further supported by the Planning Policy framework at Clause 11 Settlement, Clause 11.01-1R 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 township of Beaufort provides an attractive lifestyle choice in a semi-rural setting. As the population of the township grows, so too will the need to diversify housing choice. The proposal will provide dwellings which are suitable for a range of residents, including those which may choose to stay in Beaufort in their formative years or local employees who require low maintenance living arrangements within close proximity to services and community facilities.

The provision of medium density housing on land, which is residentially zoned and located in proximity 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.

The purpose of the zone, the State and Local Policy sections of the planning scheme all highlight neighbourhood character as key to the assessment of infill housing proposals. This is to ensure that development recognises distinctive urban forms and layout and their relationship to landscape by responding to context and reinforcing the special characteristics of the local environment and place (Clause 15.01-5S).

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

In terms of the development's response to the streetscape the front setback areas will provide sufficient space for landscaping, including the planting of canopy trees, which will soften the appearance of the development to the street and to the southern Western Highway interface. The sloping nature of the site will ensure that the development does not present as a substantial increase in built form to Mitchell Street with additional dwellings hidden from view down slope.

The design detail of the dwellings represents a contemporary built form within the area and features brick/cladding with Colorbond pitched roofing. The built form of the single storey dwellings will ensure that offsite amenity impacts are minimised.

There is also substantial separation between dwellings thereby allowing for greater open space/setback areas and additional landscaping with a focus along the centralised shared accessway. Extensive landscaping will be required by permit conditions with canopy trees to be a feature of the sites landscaping response to soften the appearance of the additional bulk and built form both from Mitchell Street and from the Western Highway to the south of the site. The extensive landscaping is designed to mitigate concerns raised by objectors regarding the scale and intensity of the development which will represent a transitional change in the streetscape character.

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



## **Parking and Access**

Each dwelling is provided with car parking in accordance with Clause 52.06-5 of the Pyrenees Planning Scheme. A visitor car parking space has not been accommodated on site and as such, a reduction of car parking requirements is sought for one visitor space.

The reduction of one visitor car parking space is considered to be acceptable as there is sufficient area within the Mitchell Street road reserve to provide informal visitor car parking if required.

Mitchell Street is a relatively localised street that provides access to four existing dwellings. As such, Mitchell Street is considered to have capacity to provide for informal on street car parking.

The site layout plan shows the necessary information required by Clause 52.06-8 and the proposal suitably meets the design standards for car parking under Clause 52.06-9. Namely:

- The shared accessway is at least 3m wide and allows vehicles to exit the site in a forward direction.
- Car spaces in garages are at least 6 metres long and 5.5 metres wide for a double space.
- The gradient of the accessway does not exceed 1:5 and no grade change is greater than 1:8. This is demonstrated on the driveway section included on the plans submitted as part of this application.
- The garages will not be visible from the public realm.
- The site will be suitably landscaped to soften the appearance of car parking spaces and accessways.
- All car parking spaces are located in a close and convenient position within double garages, attached to the respective dwellings.

The proposal is deemed to show a satisfactory response to the parking provisions based on the above assessment.

In addition, concerns have been raised about the capacity of Mitchell Street to cater for the additional movements which five dwellings will provide on the unmade surface. In order to mitigate these concerns, the applicant will be required to upgrade the surface of the streetscape to a sealed surface which will formalise the accessway.

A tree management plan is required to ensure that the upgrade of the road will minimise the impact upon vegetation within the road reserve to further address the character aspects of the street. This is considered a positive outcome for both existing and future residents of the allotments.

## **Land Adjacent to the Principal Road Network**

Pursuant to Clause 52.29-2 a planning permit is required to subdivide land adjacent to a TR22 (Transport Zone 2) Road.

The application was externally referred to Regional Roads Victoria for comment regarding Clause 52.29 and the presence of the Western Highway to the north of the allotment.

The Authority has responded to the application and has not objected to the proposed subdivision subject to conditions being applied to any permit granted.

## **Public Open Space Contribution**

The proposed five lot subdivision is liable to pay a public open space contribution. Conditions will be added to permit to ensure the provision is met.

### **Amenity, including relevant Clause 55 considerations.**

Both State and Local Policy in relation to built environment seeks to ensure that the scale, bulk and quality of new development positively contributes to the local context, and the character and amenity of the built environment.

The test for assessing amenity is measured by a number of Standards and Objectives contained within Clause 55 of the planning scheme. The test is not based on whether there will be amenity impact, but whether it is at a level acceptable when assessed against the objectives and standards. The following provides a discussion on the development's responsiveness to the relevant Standards. A full assessment of the applicable objectives and standards of Clause 55 is provided at **Attachment 4**.

### **Street Setback (55)**

The objective of Standard B6 is:

- *To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.*

The proposal provides for a front setback to Mitchell Street of 5.5m, which is less than the Standard which requires an 8.55 metre setback (average of abutting dwellings).

In considering whether this is an acceptable design response, regard must be had to the objective of Clause 55.03-1; being to ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Mitchell Street is a localised street which consists of four existing dwellings with varying front setbacks as follows (approx.):

- 57 High Street – Outbuilding on the front boundary.
- 59 High Street – 3.1m.
- 1 Mitchell Street – 14.1m.
- 2 Mitchell Street – 5.5m.

Taking into account the varied front setbacks, it is considered that the proposed front setback will not impact the existing neighbourhood character.

The proposed front setback allows for the development of five dwellings on a site in an existing urban area with all relevant services (where housing intensification is encouraged), while ensuring that all future dwellings are afforded reasonable livability, including good sized habitable rooms and useable Secluded Private Open Space.

### **Side and Rear Setback (55)**

The objective of Standard B17 is:

- *To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.*

The proposed height and setbacks of the dwellings reflect the aspirations of the zone and provides for appropriate setbacks to the residential interface to the west and east in accordance with the requirements of the standard.

The development will have minimal impact to daylight penetration to existing habitable room windows of the dwelling to the east given the setbacks proposed.

#### ***Overshadowing Open Space (55)***

The objective of Standard B21 is:

- *To ensure buildings do not significantly overshadow existing secluded private open space.*

As shown by the shadow diagrams, the dwellings will not impact the secluded private open space of the adjoining lots to an unacceptable standard.

#### ***Overlooking (55)***

The objective of Standard B22 is:

- *To limit views into existing secluded private open space and habitable room windows.*

The proposed development has been designed to avoid views into existing secluded private open spaces of existing dwellings, incorporating generous setbacks, fencing and opportunities for landscaping.

The permit applicant has offered to construct new boundary fencing and provide additional landscaping adjacent to boundaries of the site to further address objector concerns regarding amenity.

#### **Stormwater**

Clause 53.18 Stormwater Management in Urban Development is relevant to consideration of the proposal. The objective of this particular provision is *“to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.”*

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**

- *Charter of Human Rights and Responsibilities Act 2006*
- Pyrenees Shire Council Plan 2021-2025
- Planning and Environment Act 1987
- Pyrenees Planning Scheme.

## Priority 2 - Place

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

2c. Promote responsible development.

## Priority 4 - Economy

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

## Enabling Principles

b. Provide transparency and accountability

**ATTACHMENTS**

1. photos [13.2.1.1 - 7 pages]
2. revised plans [13.2.1.2 - 10 pages]
3. objections [13.2.1.3 - 4 pages]
4. p A 23031 Completed Res Code Assessment Clause 55 [13.2.1.4 - 23 pages]

**FINANCIAL / RISK IMPLICATIONS**

Council's assessment of the application and management of the planning permit process has been partially met by the fees paid pursuant to the Planning and Environment Act 1987. In relation to the construction program, there will be incidental costs to Council in the management of the construction program and the like Risk Management – There are no significant risks associated with the issue of a planning permit for this proposal.

**Cr Damian Ferrari / Cr Ron Eason****That Council:**

1. **Issue a Notice of Decision to Grant a Planning Permit for the Development of land with five (5) dwellings, subdivision of land into five (5) lots, subdivision adjacent to a road in a Transport Zone 2 and reduction of car parking requirements 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. The provision of a landscape plan in accordance with Condition 5.
  - b. The provision of a Tree Management Plan in accordance with Condition 18.
  - c. Demonstration that that CFA requirements (Conditions 28 and 29) can be met.

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.

#### **Public Open Space Contribution**

3. Prior to the issue of the Statement of Compliance, a monetary contribution of an amount equal to 5% of the current value of all the land within the subdivision shall be paid to the Responsible Authority. If the land is subdivided in stages, the contribution may be paid proportionally to the area of the lots being created.

#### **Formal Plan of Subdivision**

4. 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**

5. Before the development starts, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must:
  - a) be prepared to the satisfaction of the responsible authority
  - b) be prepared by a suitably qualified person
  - c) have plans drawn to scale with dimensions
  - d) be submitted to the responsible authority in electronic form
  - e) include the following:
    - i. layout of landscaping and planting within all open areas of the subject land
    - ii. a survey (including botanical names) of all existing vegetation to be retained and/or removed
    - iii. buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
    - iv. details of surface finishes of pathways and driveways
    - v. a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
    - vi. At least one canopy trees (minimum two metres tall when planted) in the private open space areas of dwellings 1-3.
    - vii. At least two canopy trees (minimum two metres tall when planted) in the private open space areas of dwellings 4-5.
    - viii. details of how the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation

The responsible authority may consent in writing to vary any of these requirements.

#### **Completion and Maintenance of Landscaping Works**

6. Before the development is occupied the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority.

#### **Street Tree Provision**

7. Prior to any works commencing on site, the permit holder shall prepare a plan for the provision of street trees within both the Mitchell and High Street road reserves adjacent to and within the proposed development at locations approved by the Responsible Authority.

8. 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.

### **Engineering**

9. Prior to Statement of Compliance crossover access 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 Road Excavation Permit (including vehicle crossings) is required to construct the vehicle crossing prior to the commencement of the works associated within the planning permit.

### **Road Upgrade**

10. Before any of the development is occupied, or Statement of Compliance is issued (whichever occurs first), the developer must either pay an equivalent contribution or upgrade the full length of Mitchell Street from Olinda Street incorporating earthworks, pavement, sealing, drainage, line-marking, kerbing, and environmental treatments. The contribution shall be 36.36% (based on the total number of lots within Mitchell Street including the 5-lot subdivision) of the future upgrade cost of Mitchell Street. This contribution is approximately \$80,000 excl. GST based off an estimate of \$220,000 excl. GST to upgrade Mitchell Street. If the developer completes the upgrades to Mitchell Street, detailed construction plans and specifications detailing the works to Mitchell Street must be submitted and approved by the Pyrenees Shire Council's 'Assets & Development' Department. Details on the upgrade to Mitchell Street will include:

- a. Fully sealed pavement with kerb & channel (5.5m minimum between kerb invert) as per IDM standard drawing SD 605 including a Cul-de-sac turn around area at the end of Mitchell Street.
- b. Concrete vehicular crossings to the property boundaries for established residents as per IDM standard drawing SD 240.
- c. Underground drainage.

The responsible authority may consent in writing to vary any of the details of these requirements.

Any modifications to the detailed construction plans agreed to by the responsible authority must be shown on an amended plan that is endorsed by the responsible authority.

All work is to be carried out in accordance with the Infrastructure Design Manual.

### **Guarantee of Works**

11. Prior to the issue of Statement of Compliance, or unless otherwise agreed in writing by the Responsible Authority, the permit holder must provide a Guarantee of Work (bond) with the Responsible Authority in accordance with the Infrastructure Design Manual. The guarantee should be based on the same priced Bill of Quantities used to calculate the plan checking and supervision fees and must be approved in writing by the Responsible Authority prior to lodgement.

The guarantee shall be released at the termination of the Defects Liability Period, subject to the completion of all defect rectification works to the satisfaction of the Responsible Authority.

### **Stormwater Management Plans**

12. Prior to works commencing on site, drainage and/or stormwater detention and/or stormwater treatment plans must be submitted to and approved by Pyrenees Shire Council. The drainage and/or

stormwater detention plans must be in accordance with IDM standards. All drainage works must be constructed in accordance with the approved plans and completed to a standard satisfactory to the Responsible Authority prior to the occupation or the development issue of Statement of Compliance (whichever occurs first).

13. Stormwater drainage from each lot 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.

Any proposed discharge of stormwater requiring a direct and/or modifying and existing connection to a designated waterway (as defined by the Water Act 1989) will require approval by the relevant Catchment Management Authority.

1. Stormwater detention for the site shall be in accordance with the Clauses 19 & 20 of the IDM and:
  - a. Allow for the retention of a 1 in 10-year storm event whilst allowing a rate of discharge equivalent to that presently experienced (undeveloped) from the site.
  - b. The applicant must clearly identify how stormwater runoff from the entire development will be treated prior to discharge from site using best practice.

Computations and plans shall be certified by a suitably qualified/experienced registered engineer and provided to Council.

#### **Stormwater Management System – implementation and management**

14. The stormwater management system approved by the responsible authority and included in the endorsed stormwater management plan must be constructed, managed, and maintained to the satisfaction of the responsible authority. The details of the stormwater management system must not be altered from the details in the endorsed stormwater management plan without the written consent of the responsible authority.

#### **Naturestrips**

15. Prior to the occupation of the development or the issue of Statement of Compliance (whichever occurs first) the naturestrip fronting the development (Both High and Mitchell Streets) shall be constructed in accordance with levels and specifications submitted to and approved by the Responsible Authority.

The works shall include:

- a. The reshaping of the naturestrip.
- b. Topdressing the area with a 75 millimetre rolled depth of good quality loamy topsoil free of any weed or seed.
- c. Seeding the area with an appropriate seed mix.

All works shall be completed to the satisfaction of the Responsible Authority prior to the issue of Statement of Compliance

#### **Vehicle Access – Subdivision**

16. Prior to the issue of a Statement of Compliance, vehicle access to the site must be constructed in accordance with plans and specifications set under an approved Vehicle Crossing Permit to the satisfaction of the Responsible Authority.

#### **Street Numbering**

17. Prior to any works commencing on site, the permit holder must contact Place Names Officer to arrange street numbering requirements. All costs associated with the numbering of properties must be borne by the permit holder. All works must be completed prior to the issue of Statement of Compliance or Certificate of Occupancy (whichever occurs first) to the satisfaction of the Responsible Authority.

### **Tree Management Plan**

18. Prior to the commencement of works on site, a tree management plan prepared by a suitably qualified arborist must be submitted to and approved by the Responsible Authority. When approved, the tree management plan will form part of the permit and all works must be carried out in accordance with the tree management plan.

The tree management plan must detail an assessment and measures to protect and ensure the viability of all vegetation to be retained within the Mitchell Street road reserve.

Without limiting the generality of the tree management plan it must have at least three sections as follows:

- a. Pre-construction – details to include a tree protection zone, height barrier around the tree protection zone, amount and type of mulch to be placed above the tree protection zone and method of cutting any roots or branches which extend beyond the tree protection zone.
- b. During-construction – details to include watering regime during construction and method of protection of exposed roots.
- c. Post-construction – details to include watering regime and time of final inspection when barrier can be removed and protection works and regime can cease.

### **Tree Protection During Construction**

19. Prior to the commencement of any works on site (including demolition):

- a. A tree protection fence to the satisfaction of the Responsible Authority must be erected around the base of all trees to be retained as defined in the Tree Management Plan to define 'Tree Protection Zone'; and
- b. The ground surface of the Tree Protection Zone within the fence must be covered by a 100mm deep layer of mulch, or any other treatment as specified by the recommendations of the Tree Management Plan to the satisfaction of the Responsible Authority.
- c. The Tree Protection Zone is to be established and maintained in accordance with Australian Standard AS4970 Protection of Trees on development sites.

### **Regulation of Activities in Tree Protection Zone**

20. No vehicle or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Zone without the further written consent of the Responsible Authority. No storage of tools, equipment or waste is to occur within the Tree Protection Zone.

### **Pruning of Trees to be Retained**

21. Any pruning that is required to be done to the canopy of any tree to be retained is to be undertaken by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained is to be undertaken by hand by a qualified arborist.

### **Construction Management Plan**

22. Prior to the commencement of works, a Construction Management Plan must be prepared to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must detail:

- a. Hours of demolition and construction to accord with Local Laws
- b. Management of Mitchell Street to ensure that they are kept free of parked or standing vehicles or any other obstruction, including building materials, equipment, etc. to maintain free vehicle passage to abutting benefitting properties at all times, unless with the written consent of the



Responsible Authority

- c. Methods to contain dust, dirt and mud within the site and the method and frequency of clean up procedures, including the management of on-site storage waste construction bins and vehicle washing
- d. Management of parking of construction machinery and workers vehicles to prevent adverse impact on nearby properties
- e. Management of staging of heavy vehicles, site deliveries and unloading and lifting points with expected frequency, and traffic management in the vicinity, ensure routes to and from the site minimise disruption to residential properties
- f. Minimising disruption to pedestrian access along footpaths
- g. Measures to minimise noise and other amenity impacts from mechanical equipment, including idling trucks, and demolition/construction activities, especially outside of daytime hours
- h. The provision of adequate environmental awareness training for all on-site contractors and sub-contractors
- i. A liaison officer for contact by the public and the Responsible Authority in the event of relevant queries or problems experienced.

All works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

**Easements**

23. All existing and proposed easements and sites for existing and required utility services and roads on the land must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the Subdivision Act 1988.

**Certification**

24. 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.

**Reticulated Services**

25. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, and electricity to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time

**Telecommunications**

26. The owner of the land must enter into an agreement with:

- a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network (NBN) will not be provided by optical fibre.

27. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and

b) a suitably qualified person that fibre ready telecommunications facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

### **Country Fire Authority**

28. Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* the following requirements must be met to the satisfaction of the CFA:

- a. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured as a hose would be laid on the ground. Not over obstructions and obstacles, such as fences, or over side and rear boundaries.
- b. The hydrants must be identified with marker posts, blue road reflectors and white road triangles (as applicable).

29. Vehicle access must be constructed to the following requirements:

- a. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
- b. Curves must have a minimum inner radius of 10 metres.
- c. The trafficable width must be a minimum of 3.5 metres, be of all-weather construction and have a load limit of at least 15 tonnes.
- d. Encroachments must be clear for at least 0.5 metres on each side and 4 metres vertically.
- e. Where the distance to the nearest intersection exceeds 60 metres then a turning area for firefighting vehicles must be provided by one of the following:
  - i) A turning circle with a minimum radius of 8 metres.
  - ii) The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroads Design for an 8.8 metre service vehicle.
    - f. Where the distance to the nearest intersection exceeds 200 metres then passing bays must be provided. Passing bays must be at least 20 metres long and be at least 6 metres wide.

### **Powercor**

30. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.

31. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.

32. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).

### **Central Highlands Water**

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

34. Reticulated sewerage facilities must be provided to each lot by the owner of the land (or applicant, in

anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.

35. A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.

36. The owner will provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.

37. If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.

#### **Section 173 Agreement**

38. 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 PA23031 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 PA23031 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**

39. The permit for development of the land will expire if one of the following circumstances applies:

- a. The development is not started within two years of the date of this permit.
- b. The development is not completed within four years of the date of this permit.

The responsible authority may extend the 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**

#### **Works within Road Reserve**

The construction or altering of a vehicle crossing, footpath and/or any other works or alterations within a road reserve or any other Council asset may require either a Crossover Permit (which includes a driveway and new crossover), a Road Opening Permit (ie. opening up a road for installation of infrastructure), Asset Protection Permit (Temporary Crossing Permit i.e. providing for temporary site access) or other approval to be obtained from Pyrenees Shire Council.

#### **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.

#### **Country Fire Authority**

CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under 'About us' then 'Publications' on the CFA website ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au)).

#### **Powercor**

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

Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

**CARRIED**

### **13.2.2. BURKE STREET BEAUFORT LAND DEVELOPMENT PLANNING**

**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:** Emma Poyser – Executive Assistant to the Directors

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

**File No:** 0835

#### **PURPOSE**

The purpose of this report is for Council to consider a budget allocation to allow planning for the land development at 26 Burke Street, Beaufort.

#### **BACKGROUND**

Council has recently purchased vacant land at 26 Burke Street, Beaufort with the intent of developing this land for sub-division with appropriate supporting infrastructure to promote residential development and growth within Beaufort.

#### **ISSUE / DISCUSSION**

To progress the development and sub-division of 26 Burke Street, Beaufort requires planning that addresses:

- Feature and cadastral survey
- Soil testing
- Assessment of planning requirements
- Resolution of road alignments and deviations
- Flooding and flood plain management
- Utilities and site services
- Cultural heritage and native vegetation
- Sub-division form and township connectivity

It is intended to undertake planning in two stages. Firstly, to engage a multi-disciplinary consulting firm to address the items above and report back including providing cost estimates for final design and construction.

It is anticipated that resolving the realignment of the roads may take considerable time and consequently it is important to move forward with this planning.

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

Priority 2 - Place

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

Priority 4 - Economy

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

#### **COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES**

Community information will be provided as the project is developed. The planning permit process would be the normal opportunity for the community to provide feedback. Council may have the opportunity to exercise a permit exemption, however it would be prudent to seek community feedback prior to any on-ground development.

#### **ATTACHMENTS**

Nil

**FINANCIAL / RISK IMPLICATIONS**

It is estimated that the cost for the initial planning work will be approximately \$100,000. Any expenditure will become a development cost that will ultimately be returned as the land is sold to market. There currently is no specific allocation in Council's budget, however this allocation could be cash flowed through the use of Council borrowings and repaid when the properties are sold.

**CONCLUSION**

Land development in Beaufort can enhance the livability of the township by providing housing opportunities and increasing the critical mass of the town.

**Cr Damian Ferrari / Cr David Clark**

That Council:

1. Endorses the recommended \$100,000 budget allocation for Stage One pre-planning for the Burke Street Development on Council owned land.
2. Progress road realignment as part of the pre-planning works.

**CARRIED**

### **13.3. CORPORATE AND COMMUNITY SERVICES**

#### **13.3.1. CHRISTMAS CLOSURE PERIOD**

**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:** 16/20/06

#### **PURPOSE**

The purpose of this report is for the Council to endorse the closure of the Pyrenees Shire Council offices and other arrangements during the 2023 Christmas / New Year holiday period.

#### **BACKGROUND**

It has been the practice of Pyrenees Shire Council to close during the Christmas / New Year holiday period. The holiday period closure enables staff to take a break with little impact on service delivery and at the same time provides the opportunity for staff to reduce outstanding annual leave and rostered day off balances.

There is limited demand placed on municipal services over this period and the closure is generally accepted by the community.

#### **ISSUE / DISCUSSION**

The following closures or service amendments are planned -

##### **End of year staff break-up function**

Each year the Pyrenees Shire Council holds an end-of-year break-up function to thank all staff for their contribution to the organisation over the past 12 months. In 2023, it is proposed that the event be held on Thursday 21 December 2023.

To facilitate this celebration, all areas will close early on that date – around 12.30pm.

##### **Council offices, Lawrence Street, Beaufort**

The Beaufort Council offices will be closed from 5.00pm on Friday, 22 December 2023 and will re-open on Tuesday, 2 January 2024. The Council offices will close early on Thursday 21 December to allow for attendance at the staff end-of-year break-up event – closing at 12.30pm.

The closure period comprises 3 workdays and 3 public holidays. Public holidays are assigned to Monday and Tuesday, 24 and 25 December (Christmas Day and Boxing Day) and New Year's Day is on Monday 1 January 2024.

It is proposed that the three working days outside of the public holidays (Wednesday 27 December, Thursday 28 December, and Friday 29 December) will be taken by staff as leave, unless other arrangements have been made.

##### **Municipal Depots**

The Council depots will close on public holidays only. A skeleton staff will be maintained at each depot for all working days over the holiday period, to ensure that essential services are maintained.

##### **Resource / Information Centres**

The Beaufort Resource Centre and Avoca Information Centre will close at 12.30 pm on Thursday 21 December to allow for staff attendance at the end-of-year break-up function.

The centres will operate as follows over the holiday period:

Thursday	21 December 2023	10.00am to 12.30pm
Friday	22 December 2023	Normal weekday hours – 10am-5pm
Saturday	23 December 2023	Weekend hours - 10am-1pm
Sunday	24 December 2023 (Christmas Eve)	Closed
Monday	25 December 2023 (Christmas Day)	Closed
Tuesday	26 December 2023 (Boxing Day)	Closed
Wednesday	27 December 2023	Normal weekday hours – 10am-5pm
Thursday	28 December 2023	Normal weekday hours – 10am-5pm
Friday	29 December 2023	Normal weekday hours – 10am-5pm
Saturday	30 December 2023	Weekend hours – 10am-1pm
Sunday	31 December 2023 (New Years Eve)	Closed
Monday	1 January 2024 (New Years Day)	Closed
Tuesday	2 January 2024	Normal weekday hours – 10am-5pm

#### **Emergency management capability**

Staff involved in emergency management will undertake their roles and responsibilities in accordance with the municipal emergency management procedures. The Council will have a roster for emergency response over the holiday period closure.

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

Priority 1 - People

1d. Promote health, wellbeing, engagement and connection.

Enabling Principles

b. Provide transparency and accountability

#### **ATTACHMENTS**

Nil

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

There are no financial impacts associated with this report.

#### **CONCLUSION**

It is standard practice and well accepted by our community that the Pyrenees Shire Council offices close during the Christmas / New holiday period as detailed in the above report. Essential service delivery and appropriate resourcing for emergency response will be maintained during this period.



**Cr Tanya Kehoe / Cr Ron Eason**

That Council endorses the closure of the Pyrenees Shire Council offices and other arrangements during the 2023 Christmas / New Year holiday period as detailed in this report.

**CARRIED**

### 13.3.2. EMERGENCY MANAGEMENT

**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:** 28/06/04

#### PURPOSE

The purpose of this report is to provide a progress report on the review of the Municipal Emergency Management Plan and seek endorsement of the appointment of mandated emergency management roles.

#### BACKGROUND

Section 59 of the Emergency Management Act 2013 provides for the emergency-related functions of a municipal council including:

- Nominating one of the following people to be the chairperson of the MEMPC – CEO or a nominated council officer.
- Appointing one or more Municipal Emergency Management Officers (MEMO).
- Appointing one or more Municipal Recovery Managers (MRM).

Section 60 of the Act provides for the preparation, consultation, and review of Municipal Emergency Management Plans (MEMPs).

#### ISSUE / DISCUSSION

##### ***Municipal Emergency Management Officer (MEMO)***

The Emergency Management Act 2013 requires councils to appoint a Municipal Emergency Management Officer (MEMO). At its meeting of 15 September 2020, the Council appointed the Manager Governance Risk & Compliance as the MEMO.

With the resignation of the appointed officer, Council is required to nominate another officer to take this position.

The key responsibilities of the MEMO are:

- Liaising with agencies in relation to emergency management activities for the municipal district, and
- Assisting in the coordination of the emergency management activities for the Council.

This role is the primary lead in municipal emergency management planning and preparation, supported by the Emergency Management Coordinator and deputy MEMOs.

It is now recommended that the Council resolves to appoint, with immediate effect, the:

- Director Corporate & Community Services as the Municipal Emergency Management Officer (MEMO).
- Director Assets & Development Services as a Deputy Municipal Emergency Management Officer.
- Manager Governance & Performance as a Deputy Municipal Emergency Management Officer.

### ***Municipal Recovery Manager***

The Emergency Management Act 2013 requires councils to appoint a Municipal Recovery Manager (MRM). At its meeting of 15 September 2020, the Council appointed the Manager Community Wellbeing & Development as the MRM.

With the resignation of the appointed officer, Council is required to nominate another officer to take this position.

The key responsibilities of the MRM are:

- Coordinating, in consultation with agencies, the resources of the Council and the community for the purposes of recovery,
- Liaising with any MEMO in relation to the use of the Council's resources for the purposes of recovery, and
- Assisting any MEMO with planning and preparing for recovery.

This role works closely with the MEMO and is supported by the Emergency Management Coordinator and a range of deputies and relief / recovery coordinators.

It is now recommended that the Council resolves to appoint, with immediate effect, the:

- Manager Community Wellbeing & Partnerships as the Municipal Recovery Manager (MRM).
- Manager Economic Development & Tourism as a Deputy Municipal Recovery Manager.
- Emergency Management Coordinator as a Deputy Municipal Recovery Manager.

### ***Chairperson – Municipal Emergency Management Planning Committee (MEMPC)***

The Council re-established the Municipal Emergency Management Planning Committee (MEMPC) in its current form at its meeting of 15 September 2020. The Act requires the Chair of this Committee to be the Chief Executive Officer of the municipal council, or a council officer nominated by Council.

At its meeting on 15 September 2020, the Council appointed the Municipal Emergency Management Officer (MEMO) to act as Chairperson for the MEMPC. Council is now requested to confirm the continuation of this appointment until the appointment is rescinded by Council decision in the future.

### ***Municipal Emergency Management Plan (MEMP)***

Council's MEMPC has recently concluded a review of the Pyrenees Shire Municipal Emergency Plan (MEMP) and supporting Pyrenees Shire Emergency Animal Welfare Sub-Plan. As part of this review, the MEMPC conducted self-assessment of the plans and have submitted the final plans for evaluation and endorsement by the Grampians Regional Emergency Management Planning Committee. The outcome of this is expected in late November 2023.

Copies of the 2023 Plans are provided for Council information.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Priority 1 - People

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

Enabling Principles

- c. Use resources efficiently and effectively

### **COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES**

The positions of MEMO and MRM are publicly disclosed to the community, but no external engagement was required before submitting for Council appointment.

The draft Municipal Emergency Management Plan was put on exhibition for community feedback during October 2023, with no submissions being received.

### **ATTACHMENTS**

1. PSC Municipal Emergency Management Plan Final [13.3.2.1 - 40 pages]
2. Emergency Animal Welfare SubPlan FINAL 2023 [13.3.2.2 - 30 pages]

### **FINANCIAL / RISK IMPLICATIONS**

All financial and risk implications are included within the body of this report, where existing.

### **CONCLUSION**

With a change in officers, the Council is requested to re-appoint the mandated positions of MEMO and MRM as detailed in the body of the report.

Following the scheduled review of the Municipal Emergency Management Plan by the MEMP Committee, this plan has been submitted to the Regional Emergency Management Committee for endorsement and the Council is now requested to note the receipt of this Plan.

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

That Council:

1. Notes the completed review of the Municipal Emergency Management Plan (MEMP) and supporting Emergency Animal Welfare Sub-Plan.
2. Appoints the following officers as Municipal Emergency Management Officers (MEMO) and Deputy MEMOs with immediate effect:
  - a. MEMO – Director Corporate & Community Services
  - b. Deputy MEMO – Director Assets & Development Services
  - c. Deputy MEMO – Manager Governance & Performance
3. Appoints the following officers as Municipal Recovery Managers (MEM) and Deputy MRMs with immediate effect:
  - a. MRM – Manager Community Wellbeing & Partnerships
  - b. Deputy MRM – Manager Economic Development & Tourism
  - c. Deputy MRM – Emergency Management Coordinator
4. Confirms the ongoing appointment of the Municipal Emergency Management Officer (MEMO) to act as Chairperson for the Municipal Emergency Management Planning Committee (MEMPC).

**CARRIED**

**13.3.3. 2023 / 24 COMMUNITY FUNDING PROGRAM - ANNUAL GRANT CATEGORY**

**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:** Adam Boyle – Community Wellbeing and Grants Coordinator

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

**File No:** 36/28/06

**PURPOSE**

Following review of applications received against 2023 / 24 Annual Grant category, this report provides recommendations for the Council to award funding.

**BACKGROUND**

Pyrenees Shire Council's Community Funding Program aims to build stronger communities that deliver improved outcomes for our residents and visitors.

Council provides a Grants category in recognition of the valuable contribution that community organisations and local business make to the social, cultural, economic, and environmental wellbeing of Pyrenees Shire.

Funding is eligible for programs held within the geographical boundaries of Pyrenees Shire, or those that benefit a substantial number of Pyrenees residents.

**ISSUE / DISCUSSION**

Applications opened Friday, 8 September 2023, and closed Monday, 23 October 2023. Following a communication and engagement program, 42 applications were received, collectively requesting \$141,766.60.

After the application period closed, a review panel of Council officers assessed applications. All applications were reviewed against advertised eligibility guidelines and selection criteria.

Attachment 1 summarises the outcome of this process, with applications progressing to Council recommendation. Recommendation is to fund 39 out of 42 applications. Of the three (3) applications not recommended for funding, 2 are applicants that are recommended for funding for alternate or second applications and one applicant was ineligible due to non-completion and acquittal of a grant funded in Council's 2022/23.

5 event applications requested sponsorship over a three-year term as opposed to an annual one-off request. Officers have assessed these applications as requiring funding stability to appropriately achieve a sustainable outcome. Each of these events were able to demonstrate an ability to increase visitation through celebrating unique tourism attributes and had a strong investment/ economic return into the visitor economy.

Where appropriate, those projects not recommended for funding will be encouraged to resubmit to a future round of a Council funding program. Officers will also work with the applicants to source other external grant sources where available to realise project ambitions.

Funding of applicants will be conditional upon securing all relevant Permits (i.e., Building, Planning and Local Law / Event) and entering into a Funding Agreement with Council.

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Priority 1 - People

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

Priority 2 - Place

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

Priority 3 - Environment

- 3b. Foster a climate change resilient community.

Priority 4 - Economy

- 4a. Support our local businesses and help to strengthen key industries.
- 4c. Encourage and invest in assets and infrastructure for commerce and community.

Enabling Principles

- a. Motivate and inspire community involvement

**COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES**

The availability of the Program was advertised in local media, via available social media channels and through direct advice to groups registered on Council's community, event, and business databases.

Council officers have delivered 7 applicant support sessions to help community groups and businesses complete their application. These sessions were held in various community settings including the Ampitheatre Recreation Reserve, the Avoca Library and Resource Centre, the Natte Yallock Recreation Reserve and the Beaufort Library and Resource Centre.

In addition, council officers made themselves available to support application development through individual applicant support sessions (phone, face to face or online).

**ATTACHMENTS**

- 1. Annual Grant Category 2023 24 Community Funding Program Panel Recommendation (3) [**13.3.3.1** - 8 pages]

**FINANCIAL / RISK IMPLICATIONS**

Funding requested from the Council totaled \$141,766.60. Officer assessment and subsequent recommendations result in delivery of the program within the available budget with recommended grants totaling \$116,457.70.

There is a total of \$16,850.90 remaining in the budget, \$4,752.60 for shop façade projects and \$11,400 for events.

Some projects are conditional on receipt of matching funding. Pending these outcomes, a limited second round of funding may be run in early 2024 for event applications.

Risks regarding the implementation of the program have been controlled through the requirement of all applicants to provide budgets, financial statements, evidence of other contributing funding, insurance documents and appropriate acquittal of any previous grants.

A scored assessment process of applications, utilising promoted eligibility criteria, mitigates risk through a fair, consistent, and transparent process.

## CONCLUSION

The Community Funding Program is an important way that the Council provides financial support to strengthen our community, increases participation and strengthens economic growth across our Shire. The first round for the 2023/24 financial year has successfully concluded with recommendations made for the Council's consideration and approval provided in the officer's recommendation.

### Cr Ron Eason / Cr Tanya Kehoe

That Council award the following grants at a total expense of \$116,457.70:

1. Capital Works:
  - a. Avoca Community Arts & Gardens Inc. for a Hard Stand project - \$7,000;
  - b. Amphitheatre Recreation Reserve Committee of Management for a fencing project - \$4,097;
  - c. Beaufort Agricultural Society for secure roller doors on Cattle Pavilion - \$7,000;
  - d. Beaufort Community Playgroup for a play space upgrade - \$1,500;
  - e. Cyril Callister Foundation Inc for a vegemite inspired art project - \$3,500;
  - f. Casablanca Movie Club Inc for projection box 3-phase power upgrade - \$1,898.24;
  - g. Landsborough & District Historical Group Inc. for upgrade to all an abilities ramp - \$3,100;
  - h. Lexton Public Hall Committee of Management for upgrade to the hall floor - \$6,545;
  - i. Pyrenees Arts Council for safety lighting at Art Trax - \$1,089;
  - j. Waterloo Community Group for event and gathering space development - \$6,000;
  - k. Raglan Hall & Recreation Reserve Committee of Management for lighting upgrade to an amenities block - \$2,794;
  - l. Natte Yallock Recreation Reserve for spectator safety netting - \$7,000;
  - m. Lexton Community Club to establish a Lexton Local and Family History collection program - \$4,200; and
  - n. Beaufort RSL for building power and kitchen upgrade - \$7,000.
2. Equipment:
  - a. Business for Beaufort for Radio FM-88 software upgrade - \$800;
  - b. Carranballac Cricket Club for portable shade - \$689.96;
  - c. Business for Beaufort for a promotional banner - \$335;
  - d. Natte Bealiba Football Netball Club - for a netball score board - \$2,000
  - e. Landsborough Primary School - for equipment for community meals program - \$700;
  - f. Lexton Rural Fire Brigade for a fire tanker equipment - \$553.50;
  - g. Snake Valley and District Historical Society for a digitisation project - \$3,500; and
  - h. Pyrenees Historic Vehicle Club Inc. For a mobile defibrillator - \$2,000.
3. Programs and Activities:
  - a. Beaufort and District Historical Society for a Better Practise Program - \$6,000; and
  - b. Pyrenees Beaufort Food Pantry Inc. For a Healthy Eating Education Program - \$2,000.
4. Event Sponsorship:
  - a. Avoca Friends of the Pool for a Celebrating Community Together event - \$600;
  - b. Avoca Community Arts & Gardens Inc. For an Art Makers Market - \$2,000;
  - c. Avoca Riverside Market Incorporated for a Carols and Community Connection program - \$600;
  - d. Landsborough Events Group Incorporated the Landsborough Community Christmas event - \$2,000;
5. Multi Year Event Sponsorship:
  - a. Beaufort Community House & Learning Centre to re-establish the Beaufort Town Market -

- \$2,500 per annum (3 years from 2023 to 2025);
  - b. Avoca Shire Turf Club for the Avoca Races program - \$2,000 per annum (3 years from 2024 to 2026);
  - c. Pyrenees Arts Council for the annual Pyrenees Art Exhibition - \$1,000 sponsorship per annum (3 years from 2024 to 2026) and Art Exhibition fee waiver of the Beaufort Community Hall and the Beeripmo Centre per annum (from 2024 to 2026);
  - d. Statewide Endurance for the Snake Valley Dash - \$2,000 in 2024, \$750 in 20225 and \$500 in 20226; and
  - e. Tour de Trails for the Wild Mount Trail Run event - \$2,000 per annum (3 years from 2023 to 2025).
6. Shop Façade:
- a. Beaufort Family Practice for paint refresh - \$4,000;
  - b. Gollops Garage Avoca Pty Ltd for painting and signage- \$4,000;
  - c. Pyrenees Hotel for heritage signage reinstatement - \$2,956;
  - d. Bloomin Fresh for shop front awnings - \$1,500;
  - e. Iprune Pty Ltd for timber work renewal and painting - \$4,000; and
  - f. Flywheel Bar and Café for heritage doors restoration and exterior lighting - \$4,000.

**CARRIED**



### **13.3.4. 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:** Kathy Bramwell – Director Corporate and Community Services

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

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

#### **PURPOSE**

The purpose of this report is for the Council to adopt updated Instruments of Appointment and Authorisation appointing Council's Authorised Officers under the Local Government Acts 1989 and 2020, and various other Acts and regulations.

#### **BACKGROUND**

The Local Government Act 2020 requires the Council to review its delegations, appointments and authorisations as required. Council is advised by Maddocks Lawyers in the preparation of appropriate Instruments as and when updates are required.

Instruments of Appointment and Authorisation are updated either when changes occur within the organisation or when officers appointed change roles or leave the organisation.

Regardless of individual changes, Council officers review Instruments annually to maintain currency and the ability of officers to fulfil all legislated functions.

#### **ISSUE / DISCUSSION**

A review of the Council's overarching Instruments of Appointment and Authorisation was conducted in September 2023, with Council subsequently adopting updated Instruments.

Some positions within the Council Administration benefit from having individual Instruments approved for individual officers as they may be regularly challenged by members of the public when undertaking their official duties. Such positions include those of the Community Safety & Amenity Officers, Environmental Health Officers, and the Fire Prevention Officer.

Instruments of Appointment and Authorisation for the following individual officers have been reviewed in November 2023 and are now provided for the Council's consideration and adoption:

- Team Leader Community Safety & Amenity / Municipal Fire Prevention Officer (MFPO)
- Community Safety & Amenity Officer
- Deputy Municipal Fire Prevention Officer

The following Instrument of Appointment and Authorisation has been created in November 2023 following the appointment of two new contracted Environmental Health Officers:

- Environmental Health Officer (EHO)

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

Enabling Principles

b. Provide transparency and accountability

## COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

External community consultation is not required for this purpose. Consultation with internal stakeholders was conducted to confirm appropriate appointments were included within the relevant Instruments. Copies of all Instruments of Appointment and Authorisation are publicly available upon request.

## ATTACHMENTS

1. Instrument of Appointment Authorisation Dennis Nikoltsis November 2023 (1) [**13.3.4.1** - 3 pages]
2. Instrument of Appointment Authorisation Jacinda Perry November 2023 (1) [**13.3.4.2** - 3 pages]
3. Instrument of Appointment Authorisation Peter Wright EHO November 2023 [**13.3.4.3** - 3 pages]
4. Instrument of Appointment Authorisation Roy Russell EHO November 2023 [**13.3.4.4** - 3 pages]
5. Instrument of Appointment Authorisation Andrew Nicolson November 2023 [**13.3.4.5** - 2 pages]

## FINANCIAL / RISK IMPLICATIONS

Council officers would be unable to fulfil statutory duties and powers without appropriate delegation or authorisation from the Council.

## CONCLUSION

To legally allow officers to enforce provisions of legislation and regulation, the Council must regularly review its Instruments of Appointment and Authorisation as and when required to maintain currency. Instruments of Appointment and Authorisation have been reviewed for individual officers as identified in this report and are provided for the Council's consideration and adoption.

## Cr David Clark / Cr Damian Ferrari

That Council, in the exercise of the powers conferred by the Local Government Act 2020 and other legislation referred to in the attached Instruments:

1. Considers and adopts the following Instruments of Appointment and Authorisation:
  - a. S11/S11A/S11B - Instrument of Appointment and Authorisation for the Team Leader Community Safety & Amenity and Municipal Fire Prevention Officer,
  - b. S11/S11A/S11B - Instrument of Appointment and Authorisation for the Community Safety & Amenity Officer,
  - c. S11/S11A/S11B - Instrument of Appointment and Authorisation for the contracted Deputy Municipal Fire Prevention Officer, and
  - d. S11/S11A/S11B - Instruments of Appointment and Authorisation for the Environmental Health Officers.
2. Resolves that the Instruments be sealed.

**CARRIED**

### 13.3.5. ROAD NAMING - DJINYUP LANE, BARKLY

**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:** 2855

#### PURPOSE

The purpose of this report is to adopt a unique name for a road which is currently unnamed and services five rural properties.

#### BACKGROUND

Creating unique road names and addresses is important for public safety and the delivery of goods and services to all properties. Additionally, unique road names are required for the Municipal Public Road Register as each road needs a unique name to clearly identify which road requires maintenance or improvement, to reduce the risk of Council or contractors working on the wrong road and to provide a high standard of customer service by being able to clearly identify which road customers have concerns with.



The road designated in red on the plan above is an unnamed road currently used as primary access to five properties. As this road was added to the Public Road Register and none of the five properties using it have the correct road name in their address, it requires formal naming. This section of road is of a very rural nature therefore the road type will be 'Lane'.

Current access for the five properties is identified as Frenchmans-St Arnaud Road (CA 18B, 18D, 18E, 18F and 18G Sec E Parish of Barkly). All are rural properties.

Initial consultation letters were sent to all landowners in proximity, with a suggested name of 'Humphrey Lane' taken from the historic Parish Plan. Council received one general enquiry and a single submission was

received. This detailed submission suggested naming the lane after a particular bird species that frequents the area being 'Sulphur Crested Cockatoo' and the suggestion was an Aboriginal word 'Kellalac'.

As required by Geographic Names, Council referred the naming proposal to the language team of the Dja Dja Wurrung organisation and immediately received advice and a further request to ask if the word for Sulphur Crested Cockatoo was the intent, as Kellalac refers to the Black Cockatoo in the local language. This was confirmed and the language request was considered at the monthly board meeting of the group.

It was subsequently advised that the work for Sulphur Crested Cockatoo in Dja Dja Wurrung is Djinyup (sounds like Gin-up).

Second consultation letters were sent to all the original landholders advising that of an alternate naming proposal - 'Djinyup Lane' - and seeking responses within a 30-day timeframe. Landholders were also advised that if their property entrance was along the currently unnamed road, their address would change once a road name was allocated.

Council received no formal objections or responses.

### **ISSUE / DISCUSSION**

The above unnamed road is being used as primary access to five properties. For reasons detailed above, the road requires a formal name.

Following preliminary consultation with local landowners and the Dja Dja Wurrung, the name 'Djinyup Lane' was proposed, and further consultation conducted with local landowners. No objections or responses were received.

Council approval is now sought to proceed with this road naming by lodging the name with Geographic Names for approval and adoption.

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

Priority 1 - People

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

Priority 2 - Place

- 2c. Promote responsible development.

Council Policy: Principles on Road Naming

Geographic Place Names Act 1998

Road Management Act 2004

Standards Australia AS/NZS 4819:2011 Rural and urban addressing

### **ATTACHMENTS**

Nil

### **FINANCIAL / RISK IMPLICATIONS**

Risks identified in not naming roads according to the principles include:

- Increased possibility of emergency service vehicles not locating a property.
- Increased difficulty clearly identifying a road asset.

Costs to Council after adoption by Geographic Names:

- Administration to change property addresses, requiring letters to landholders, editing Council systems, editing VicMap addresses.
- Purchase and installation one street blade on poles at T-intersections of currently unnamed road and existing named road – Frenchmans-St Arnaud Road.

### **CONCLUSION**

A current unnamed road has been included within Council’s Road Register and requires a formal name for public safety and identification purposes. The proposed name is Djinyup Lane, Barkly. Seven properties were consulted by letter resulting in no objections.

As there were no objections, it is recommended that Council proceeds with supporting this road name so it can be lodged with Geographic Names for approval and adoption.

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

That Council:

1. Adopts ‘Djinyup Lane’ (Dja Dja Wurrung for Sulphur Crested Cockatoo) as the road name for the road accessing properties consisting of CA 18B, 18D, 18E, 18F and 18G Sec 3 Parish of Barkly.

**CARRIED**

### 13.3.6. SEPTEMBER 2023 QUARTERLY FINANCIAL 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 2023 to 30 September 2023.

#### 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 2023 to 30 September 2023 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. Current variations for the period are principally due to differences in the expected receipt of income and payment of expenditure budgeted compared to the actual t. There are two exceptions to this:
  - Rates and charges – The raising of revenue for waste was split evenly over the year whilst the revenue was raised in July. This error in the timing of waste revenue has been rectified due to the significant nature of this income.
  - Employee costs for the period are significantly over expenditure due to the following reasons:
    - i. Council has paid out Long Service Leave to a number of staff relating to redundancies.
    - ii. Several staff have taken long service leave in the early part of the financial year.

These two issues will be rectified at year end when the long service leave is re-calculated, and funds subsequently transferred from the reserve to fund these amounts.

2. Capital works is expected to exceed the budget due to the following projects:
  - Avoca Depot Upgrade – amended forecast \$400,000 (subject to Council resolution on build contract)
  - Beaufort New Practice Nets & Storage Shed – amended forecast \$230,000

At this stage it is not necessary to make any changes to the budget to accommodate this, it is thought that Council could utilise borrowings that had been earmarked for new initiatives which is thought not to be required due to funds received for LRCIP phase 4 projects.

3. It is expected that the collection of rate funds for this financial year will experience a significant increase in outstanding levels. It is thought that the current economic climate is impacting on ratepayers' priority for payment of expenses, combined with new legislation governing the collection of rates, which is not fully known at this stage, will also have a significant impact on Councils ability to collect rates.

An allocation of \$250,000 has been made for the increased level of rate debt for this financial year as a direct consequence of these factors.

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. This review will be completed and reported in the December quarterly financial report.

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

Enabling Principles

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

#### **ATTACHMENTS**

1. Council Financial statements [13.3.6.1 - 28 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 2023/24 budget parameters and 10-year financial plan.

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

That Council receives and notes the information contained in this report.

**CARRIED**

### **13.3.7. FLOOD RECOVERY UPDATE**

**Jane Bowker – Flood Recovery Coordinator**

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

**File No:** 28/14/50

#### **PURPOSE**

This report is an update to the Council and Community on recovery activities arising from the October / November 2022 flood events. This report is on activities between October 2022 and October 2023.

#### **BACKGROUND**

The Council approved the Pyrenees Flood Recovery Plan at its meeting on 21 February 2023.

The Plan was developed to coordinate the flood recovery operation and provide an implementation framework and reporting mechanism. It was designed to evolve over time and has the community at its core.

Oversight of the implementation of the actions and tasks in the plan is the responsibility of the Flood Recovery Team with support from Council staff and other recovery agencies.

#### **ISSUE / DISCUSSION**

Recovery is continuing with a strong focus on supporting community recovery and building resilience. It is important recovery is community-led and incorporate the needs and desires of the broad and diverse communities. Whilst there is still individual support being provided to residents, community-led initiatives are being planned and held.

The attached Flood Recovery Plan Summary of Review details the status of recovery actions and some of the key outcomes since the last report are:

- Works are progressing well to repair Council responsible infrastructure such as roads, floodways, bridges, and culverts. \$2million (29%) of the \$8million worth of work, has been completed. Regular updates on the works appear on the Council's website, in the Noticeboard and in the Flood Recovery Newsletter.
- The Flood Recovery Newsletter continues to be distributed every second month.
- Repair work on the Beaufort Scout/Guide Hall is nearly complete.
- The repair works on the Avoca Men's Shed and the Avoca Recreation Reserve complex are complete.
- A resilience improvement measure to lift air-conditioning units has been undertaken on the Avoca Rec Res Complex and Beaufort Scout/Guide Hall.
- Recovery/resilience events have started to be held across the municipality such as the comedy night in Natte Yallock and the RUOK day in Beaufort.
- A submission and presentation were made by Council officers to the Parliament of Victoria Legislative Council Environment and Planning Committee into the 2022 Flood Event Inquiry.

#### **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.



**COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES**

Residents, farmers, sporting/recreation groups, community organisations and business owners have been contacted either by Council or Windermere Services (on behalf of Council) as part of providing recovery support.

There has been ongoing engagement with government agencies and organisations in planning and coordinating the response, relief, recovery, and resilience efforts. Consultation and engagement will continue for how long it requires ensuring the community is fully supported in their recovery.

**ATTACHMENTS**

1. 21.11.2023 - PSC 2022 Flood Recovery Plan Status Report [13.3.7.1 - 16 pages]

**FINANCIAL / RISK IMPLICATIONS**

There has been a significant risk to public safety caused by the October and November flood events. In addition, there was widespread damage to public and private assets, and substantial personal hardship caused to individuals, community organisations and businesses. The Council faces significant financial risk if the recovery effort is not managed carefully and within mandated time constraints.

**CONCLUSION**

Substantial progress has been made in key recovery areas as detailed in the report. Council officers are actively continuing with recovery and resilience-building initiatives.

Council officers would like to thank all the community members, businesses, and organisations that have helped with the recovery efforts so far. Flood recovery is a big task and takes time – efforts have been appreciated.

**Cr Ron Eason / Cr Tanya Kehoe**

That the Council notes the progress made against required flood recovery works and activities to build community / infrastructure resilience.

**CARRIED**

### 13.4. CHIEF EXECUTIVE OFFICE

#### 13.4.1. MEMBERSHIP - RURAL COUNCILS VICTORIA (RCV)

**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:** 44/06/22

*Cr Vance declared a conflict of interest as member on Rural Councils Victoria and left the room at 6.56pm.*

*Cr Clark took the position of chair.*

#### **PURPOSE**

The purpose of this report is for Council to consider whether to continue membership with Rural Councils Victoria (RCV).

#### **BACKGROUND**

RCV was established in 2005 to coordinate the network of rural councils across Victoria in their efforts to better understand, articulate and address the issues affecting them.

In 2016, RCV became an Incorporated Association operating independently, with a three year funding commitment of \$3.5 million from Regional Development Victoria (RDV).

*Rural Councils Victoria represents Victoria's rural councils, supporting and promoting strong, liveable, prosperous rural communities.*

Representing the one in nine Victorians who live in rural communities, RCV has 34 member councils right across the state.

In Victoria, 38 of the 79 councils are classified as 'rural'. Victoria's rural councils are responsible for 79 per cent of Victoria's land area and have a combined population of approximately 822,000 people (Census 2021). Our rural areas and communities are critical to the livability of Victoria. They are also key to a thriving state economy.

RCV Mission is *“to play a leadership role in delivering a sustainable, liveable and prosperous rural Victoria”* and its Vision is to be *“recognised as the voice for rural Victoria, to achieve liveable rural communities and strong rural councils.”*

#### **ISSUE / DISCUSSION**

The 2022/23 Annual report for RCV states that:

*RCV works to:*

- *Heighten awareness and understanding of issues that impact rural communities*
- *Use policy, strategy, advocacy and evidence-based research to secure better outcomes for rural councils, rural communities and in turn, for the whole of Victoria*
- *Promote a collective voice and act as an avenue of communication and liaison About RCV between our member councils and state and federal governments*
- *Enable local solutions and facilitate networking, learning and external communication*
- *Contribute to the development of evidence-based policy and strategy*

- *Build the resilience and capacity of councils to support economic development and increase the sustainability of rural communities*
- *Develop strategies and initiatives to improve the attraction and retention of residents and businesses to rural areas*
- *Assist with building the capacity of rural councils to meet the challenges they face.*
- *RCV's activities fall into two main categories:*
  - *supporting the growth and development of member councils and their communities, and*
  - *advocating for the needs of member councils.*
- *Together, these activities help us work towards a sustainable, liveable future for rural Victorians.*

RCV Chair, Cr Mary-Ann provided an update to Councillors on RCV at the October Briefing on the benefits of membership, and presented a compelling case for Council to remain as a member of RCV including to ensure a strong voice to government on key issues including:

- Financial sustainability
- Roads and road funding
- Housing
- Planning
- Managing growth in a rural setting
- Small town development and enabling infrastructure
- Telecommunications
- Emergency Management
- Economic development in rural communities

RCV makes submissions on behalf of its members on key matters such as flood and roads inquiries, housing and regionalisation. Its website has a number of tools that RCV has prepared over recent years to assist councils and conducts a member forum annually to enable member councils to gather and network.

Cr Robert Vance is a current member of the RCV board.

The 2022-23 Rural Councils Victoria Annual Report is attached to this report.

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

Priority 1 - People

1d. Promote health, wellbeing, engagement and connection.

Enabling Principles

b. Provide transparency and accountability

c. Use resources efficiently and effectively

#### **COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES**

The Pyrenees Councillor Delegate for RCV is Cr Robert Vance.

#### **ATTACHMENTS**

1. RCV- Annual- Report-2022-2023 [13.4.1.1 - 32 pages]

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

The annual membership fee with RCV for Pyrenees is approximately \$5,500.

#### **CONCLUSION**

Having considered the relative benefits of membership with RCV, the following recommendation is made.

**Cr Ron Eason / Cr Damian Ferrari**

That Council endorses continuation of membership with Rural Councils Victoria.

**CARRIED**

*Cr Vance returned to the room at 6.59pm*

*Cr Vance resumed the position of chair.*

### 13.4.2. AVOCA PRIMARY SCHOOL - RECYCLE BIN REQUEST

**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:** 24/06/02

#### **PURPOSE**

The purpose of this report is to provide Council with details of a request for a dedicated recycling bin to be installed in Avoca as a fundraiser for the Avoca Primary School.

#### **BACKGROUND**

In late October 2023, a letter from the Avoca Primary School Student Voice was hand delivered to Cr Ron Eason.

Following the commencement of the Container Deposit Scheme (CDS) on 1 November 2023, the letter has requested a recycling bin to be set up in the main street of the Avoca (preferably near the playground) with the Avoca Primary Schools name on it. The students would then empty the bin and claim the 10 cents for each container to fundraise for the school.

The letter has been signed by 17 Avoca Primary School Students.

#### **ISSUE / DISCUSSION**

The Victorian Government initiated a CDS for Victoria as part of the government's implementation of the Circular Economy Act. The CDS provides for Reverse Vending Machines (RVM)s to be installed in various locations in townships across Victoria by the appointed State contractor; in this case Tomra. While the system commenced on 1 November, at the time of preparing this report an RVM had not yet been installed in Avoca, however the Council understands that one is committed to be installed at some time in the near future.

Apart from benefiting the Primary School, it is possible that the initiative may generate further interest in container recycling and thereby have positive environmental benefits to Avoca.

In accordance with Councils Governance Rules the request from the students must be treated as a joint letter.

Clause 4.8.3 of Council's Governance Rules states that:

*(a) Unless Council determines to consider it as an item of urgent business, 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 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*

A letter is considered to be a joint letter in accordance with the Governance Rules if it contains more than 12 signatures.

Council should not look to make any decision based on the on the merit of the request at this meeting, but rather seek a report to be prepared for a subsequent Council Meeting with relevant information to assist Council to make an informed decision about the matter.

Alternatively, should there be unanimous support, Council may consider the matter as Urgent Business and decide on the request should it be satisfied that the matter is straight forward and that there are few risks or implications associated with the decision. Should Council choose to support the request subject to an RVM being installed in Avoca, it is recommended that it be done so on a trial basis initially subject to any conditions and reviewed at the end of the trial period.

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

Priority 3 - Environment

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

Enabling Principles

a. Motivate and inspire community involvement

### **COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES**

There has been no community engagement on the request by the students. It is possible that other groups or clubs may also seek to make similar requests in future.

### **ATTACHMENTS**

1. 2023.10.26 - Letter from Avoca Primary School [**13.4.2.1** - 1 page]

### **CONCLUSION**

Council has received the attached joint letter from students at the Avoca Primary School, and the following recommendation is made.

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

That Council:

1. Receives the joint letter by the Avoca Primary School Students
2. Refers the matter to the Director Assets and Development Services and seeks a further report to be prepared on the matter contained in the joint letter for consideration at the December 2023 Council Meeting.

**CARRIED**

## 14. COUNCILLOR REPORTS AND GENERAL BUSINESS

### Cr Ferrari

- I had the pleasure of opening the Beaufort Bowls Club season opening. There was a really good turn up on the day. I presented an award to a gentleman who is 85 and is still bowling so that is a really fantastic effort.
- I attended the Cuppas and Chat, the last one was at Evansford.
- Attended the Briefing and Statutory Meeting where we elected the new Mayor.
- I had the pleasure of attending Remembrance Day with the Mayor. Dan Tehan was also in attendance, and we thank him for that. Not only did we celebrate Remembrance Day, we officially opened the return of the Krupps Gun that has been restored into the Memorial Park. It is fantastic, it looks really great and is a fine effort by all concerned but particularly the RSL and the Council who worked closely together to achieve a really fantastic result. I would also like to mention the ladies of the Op Shop who work tirelessly throughout the year, providing funds to many committees and projects and I think it was around \$50,000 that they raised through their hard work and volunteering that went towards the restoration of the gun and I am aware of many other organisations that have benefited from their contributions throughout the year so fantastic job to those ladies, keep up the great work and if you happen to be around, call in and support them by purchasing something as it goes to a great cause throughout our community.

### Cr Clark

- Attended the Annual MAV Conference and Dinner and saw the presentation from the Grattan Institute about the roads underfunding across the nation and there has been a really welcomed announcement on the weekend in response to that piece of work by the Grattan Institute.
- Council had its three roads forums, they went very well. I think it is fair to say that the need for council to be working on the sides of the roads around drainage and vegetation came through at all three of the forums. The work to maintain our sealed road network and the challenge we have with bridges were some of the other things that came from those meetings.
- We had the Council Plan Report back evening which was quite well attended and a good group of people from across the shire. It was a really valuable exercise to do that two years after the finalisation of the plan.
- Attended the Cuppa at Amphi which was really nice. I received a call from a resident there a couple of weeks later to say that council were fixing the road, it's good to know that we go to the community and hear them and we respond.
- The Evansford community cuppa last week was really well attended and there was some good discussion around some big issues. The discussions were around non-council projects, the Western Renewables Link and Nyaninyuk windfarm however we were able to help people out by giving them guidance and I believe they left feeling reassured about things that they could do.
- Thank you for the flood recovery money, we had a concert at Waubra with Boots and All on Saturday night. There were about 250 people there and it was a really good night out.
- The road funding announcement on the weekend in terms of doubling the roads to recovery money for small councils like us is a real game changer, there will be over \$1m provided to us when that money flows through. I will be attending a local government forum tomorrow where we will be talking further about that and what those next steps are.
- Today with my MAV hat on I had the chance to meet with Minister Kilkenny who is our Planning Minister to talk about Plan Victoria and how we are going to roll that out next year in terms of the consultation.

Cr Eason

- I was very happy to attend the RCV Housing Action Plan launch in Beaufort, the more we tell people about Correa Park the better. We hope that other municipalities look at it, realise they can do it, and get involved.
- There were drop-in sessions with the rural water pipeline to get the interest of some people that may not have looked at it previously and get them involved, see if they want the water on their property and the availability of it.
- Attended the Reporting Back on the Council Plan forum, it was a pleasant evening, discussing what we have done, how we have done it and what we continue to do.
- Our community roads forums were an interesting exercise, we cannot do everything because we are not in control of everything. Where some people feel that Council should be doing things, we have certain restrictions placed on us by other organisations or the State and we can't do everything, we are trying to do the best we can and it was amazing to see people change their opinions when they got the facts placed on the table for them. They now understand a bit better where we are coming from and what we are trying to get done and what we are fighting against to try and get it done quicker. That was the advantage we had of getting out into our community and sitting down and talking to people. I think it was well worthwhile.

Cr Kehoe

- Attended the Snake Valley Neighbours day early in October and that was an amazing opportunity to bring residents in contact with emergency services and other services that can support them in creating a safer and more connected community. Huge thanks to the Pyrenees Shire staff members, led by Fiona Williamson and all the organisations and volunteers who attended. It was an incredible effort to provide this opportunity and I look forward to that happening again and also happening across the shire.
- I was privileged to meet with the participants of our 2023 Western Bulldogs Leadership Program and to attend their graduation last week. What an amazing bunch of young people we had across the shire who together, had been developing their own personal leadership attributes as well as investigating what opportunities there could be for projects and possibilities for young people across the Shire. It was fantastic and beautiful evening held at the Beaufort Bowls Club, it was really fabulous and there was a really beautiful group of volunteers there headed up by Rohan to teach the students a thing or two about bowls and many of them thoroughly enjoyed that.
- This Sunday I was treated to a fantastic day at the Beaufort Show. What a brilliant event, I can see two beautiful sponsors of events sitting in our gallery tonight and thank you to you but thank you to the whole committee, the event revealed the huge effort the committee put in, showcasing our local talent and talent beyond the local area, it truly was a great day for young and old and if you didn't get there this Sunday make sure you put it in your calendar for next year. It is such a great event and is getting bigger and better all the time.
- Another exceptional event that was held recently was the Lake Goldsmith Steam Rally November event. This had terrific attendance and incredible displays. Huge congratulations to the rally committee. Again and again, the time and commitment that they put in shows in the attendance and such an incredible event.
- Fire restrictions are in place as of yesterday. If you haven't already got your property ready, please do that and be really vigilant in preparing for this upcoming fire season.
- I would like to thank Cr Vance for the presentation of my MAV service award and I thank the MAV President who we are privileged to have as part of our Council here, its my privilege and honour to be able to serve the residents of this area and to have done so for the past 11 years.



- Thanks so much, we, the Kehoe family have been incredibly overwhelmed by the welcome to our newest addition to the family, Sadie Mae, she truly is blessed to be born into such an amazing community and we just can't thank everyone enough.

#### Cr Vance

- Like other councillors, I attended the cuppa at Evansford, quite an eventful evening.
- I attended the road show at Lexton and Moonambel. We get conflicting ideas about how we should be maintaining our roads, and we get very differing opinions on how we should go about it but at the end of the day we do our best and are damned if we do and damned if we don't in a lot of situations but I am sure our staff do the best that they can.
- I attended the Remembrance Day service at Beaufort and unveiling of the Krupps Gun, I would like to thank the ladies who presented the grant money for the restoration of the gun and the RSL club, Don Carnes and his cohort who work tirelessly.
- I attended the Legacy changeover dinner in Ararat where the Pyrenees Shire community are involved, and I had a great night.
- I had the privilege of opening the Art Show last Friday night prior to the Beaufort Show and then I attended the show as well on Sunday and I agree with Tanya, they had a great day. It was a terrific roll up, great weather and plenty to keep you happy.
- I was involved with the opening of the Men's Shed in Avoca and had my eyes opened considerably, they have four different rooms in the Men's Shed now, it's not just a shed it has a wood working area, a steel working area and a great deal of people who get there on Monday's, Wednesday's and Friday's.
- The MAV Plan Victoria Forum was run in Bendigo and I was privy to be part of that via Zoom. It was quite interesting but it seemed to me that we still have to work hard to get the message out about small rural councils, we get left behind a little bit.
- Pyrenees Shire with Correa Park and our new proposal is certainly at the forefront of Rural Councils Victoria and we will be chiseling away at the funding that may well be made available failing the Commonwealth Games being held in Victoria to get some money into the smaller rurals so that we can work on infrastructure.

## 15. CONFIDENTIAL ITEMS

### CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

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

#### Cr Tanya Kehoe / Cr Ron Eason

That the meeting be closed to members of the public in accordance with Section 4.1.1(c) of Council's Governance Rules, and Section 66 of the Local Government Act 2020, in order to discuss the confidential reports listed below:

15.1 - Avoca Depot - Construction Contract Award Approval

### CARRIED

*The live streaming of Ordinary Meeting of Council 21 November 2023 stopped at 7.19pm to consider confidential items.*

*The live stream re-commenced at 7.27pm and the Mayor chose to report on confidential items discussed in closed Council which are noted below:*

- *The construction Contract for the Avoca Depot facilities was awarded.*

## 16. CLOSE OF MEETING

Ordinary Meeting of Council 21 November 2023 closed at 7.29pm.

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

2023 Mayor Cr Robert Vance