



Pyrenees
Shire Council

Agenda

Ordinary Meeting of Council

6:00 pm Monday 28 April 2025
Council Chambers
Beaufort Council Offices
5 Lawrence Street, Beaufort

Wadawurrung Country

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

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1. WELCOME

Welcome to this meeting of the Pyrenees Shire Council. Councillors will today deliberate and decide on a range of matters relevant to the work of Council in its communities for the welfare of the people of the Pyrenees Shire.

2. STREAMING PREAMBLE

- As the meeting Chair, I give my consent for this Ordinary Council Meeting to be streamed live, recorded and published online. Anyone who is invited to read out a question or make a submission will be recorded and their voice, image, and comments will form part of that livestream and recording.
- The Chair and/or the CEO have the discretion and authority at any time to direct the termination or interruption of livestreaming. Such direction will only be given in exceptional circumstances where deemed appropriate, that may include where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.
- The live stream will stop prior to the closed section of the meeting and will recommence for the conclusion of the meeting.
- The public is able to view this livestream via our website at www.pyrenees.vic.gov.au.
- Should technical issues prevent the continuation of the live stream, the meeting will continue as long as a quorum can be maintained and, where possible, a recording of the meeting will be published on Council's website. Where a quorum cannot be maintained, the meeting will be adjourned until the issue is resolved or the meeting postponed to another time and date in accordance with Council's Governance Rules.

3. ACKNOWLEDGEMENT OF COUNTRY

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

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

4. APOLOGIES

5. NOTICE OF DISCLOSURE OF INTEREST BY COUNCILLORS AND OFFICERS

6. CONFIRMATION OF THE PREVIOUS MINUTES RECOMMENDATION

That the Minutes of the:

- Ordinary Meeting of Council held on 17 March 2025; and
- Closed Meeting of Council held 17 March 2025,

as previously circulated to Councillors, be confirmed.

7. BUSINESS ARISING

There was no business arising (items taken on notice) from the previous meeting held 17 March 2025.

8. PUBLIC PARTICIPATION

Public Participation

- Members of the community are encouraged to participate in public Ordinary Council Meetings by asking questions or presenting a submission.
- This can be done by attending in person or by submitting in writing, prior to 12.00 noon on the day of the meeting, online through Council's website, by mail or hand-delivered.
- If a question or submission is submitted in writing, this will be read by the Chair during public participation, stating the person's name and township.
- Question time will be held first, followed by public submissions.
- 30 minutes is allowed for the total period of public participation. Time extensions may be allowed at the discretion of the Chair subject to the provisions of the Governance Rules.
- A person may ask a maximum of two questions at any one meeting.
- The Chair will allocate a maximum of five (5) minutes to each person who wishes to address Council or ask question(s).
- The Chair, Councillor, or Council officer to whom a question is referred may immediately answer the question or take the question on notice for answering at a later date.
- There will be no discussion or debate with public attendees however Councillors may ask questions of the attendee for clarification.

9. ITEMS FOR NOTING

9.1. ASSET AND DEVELOPMENT SERVICES

9.1.1. ROAD MANAGEMENT PLAN REVIEW PROCESS

Presenter: Douglas Gowans - Director Asset and Development Services

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

Report Author: Douglas Gowans – Director Assets and Development

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

File No: 58/02/12

PURPOSE

The purpose of this report is to outline the steps required to have a Road Management Plan (RMP) reviewed and adopted by 31 October 2025.

BACKGROUND

The Road Management Plan, along with its supporting documents, was created to establish a comprehensive management system for the public road functions under Council's responsibility. This system is built on clear policy and operational objectives, while also acknowledging the resource constraints that impact the ability to deliver the service levels and performance standards outlined in the plan.

The Road Management Plan provides Council and the community with assurance that roads will be maintained and repaired to agreed standards.

Council is responsible for managing a broad range of community assets that support the delivery of essential services. Among these, the Shire has oversight of 2,049 kilometres of roads, including sealed roads, access tracks, and fire tracks, as well as 291 bridges and major culverts. In addition, it maintains 45 kilometres of kerb and channel and 19 kilometres of footpaths.

As a road authority, Council has a duty of care to ensure the safety of road users and the community. This responsibility includes maintaining all public roads under its care in a safe condition and meeting specified maintenance standards that align with community expectations, relevant government transport policies, and available funding.

The key elements of the Road Management Plan include:

- The Register of Public Local Roads for which Council is responsible.
- The system and approach that Council uses to manage maintenance and renewals of its public road network.
- Schedules of maintenance standards and processes used by Council.

ISSUE / DISCUSSION

The Road Management Plan is functionally an operational protocol document, describing the systems and rules used to make decisions and meet obligations within the available resources. The RMP forms part of a larger Asset Management Framework related to maintenance and operations.

The RMP must be reviewed and updated within one year of an election, outside of this cycle, changes may be required from time to time.

The following process is used to manage these changes:

- If material changes are made to standards and specifications, a report will be presented to Council, along with a brief explanation as to why such changes are necessary. The review process must

follow the steps as set out in the Road Management (General) Regulations 2016 Part 3 – Road Management Plans.

- When changes do not alter these technical aspects of road management, changes will be approved by the Council delegated Road Manager.

These changes will be made in accordance with the processes prescribed by the Road Management Act 2004.

Due to the industry requirement for consistency, the Municipal Association of Victoria (MAV) have recently provided a Road Management Plan template to all Councils in an aim to address the following factors:

- Ensure all important content/information is included, and wording of key content/information is in line with current best practice and legal advice.
- Enable Councils to adopt a clear and measurable set of standards such that compliance can be clearly monitored and, when necessary, demonstrated through records of respective activities, and
- Ensure Councils remain able to determine their own standards respective of resources, within a range that has been determined to be reasonable through benchmarking analysis and comprehensive legal advice.

Council's Asset and Development team is currently reviewing the existing RMP and transferring it to the new template. This will ensure clarity regarding the intended service standards and make it easier to compare these standards with those of other councils. Although the draft Road Management Plan will be developed in the new format it will generally reflect the current RMP.

Pyrenees Shire Council's current Road Management Plan is attached for Council's information.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 4 - Economy

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

Enabling Principles

c. Use resources efficiently and effectively

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

The draft Road Management Plan is intended to be put on public exhibition once all information has been transferred to seek any submissions and utilize deliberative engagement opportunities where we may already be conducting community engagement, prior to it being presented to Council for adoption.

ATTACHMENTS

1. Pyrenees- Road- Management- Plan- Adopted-2017.06.13 [9.1.1.1 - 31 pages]

FINANCIAL / RISK IMPLICATIONS

In recent years, personal injury insurance claims relating to Council obligations as Road Authorities (as per the Road Management Act 2004) are by far the most frequent and largest insurance cost to local councils across Victoria and Tasmania. An up-to-date Road Management Plan that is consistent with industry practice provides the best mitigation and defence from any adverse claims.

CONCLUSION

As the governing body responsible for road management, Council needs to ensure the safety and condition of all public roads under its care. This involves maintaining roads to established standards that align with community expectations, while considering regulations, and available funding.

To ensure that the Road Maintenance Plan remains effective and relevant, it is essential to review it regularly. By doing so, the RMP will reflect any changes in policies, emerging safety standards, and help to ensure consistency across all local councils. This consistency will lead to more efficient resource allocation.

OFFICER RECOMMENDATION

That Council notes this report.

9.1.2. PLANNING AND DEVELOPMENT UPDATE - APRIL 2025

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 Services

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

File No:

PURPOSE

This report was prepared to give the Council a summary of activities within the Planning and Development Department, for January – March 2025.

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

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

PART A: PLANNING

Planning Permit Data	January	February	March	For the Quarter	Financial year to date
Permit applications received	8	7	6	21	83
Permits granted	6	7	5	18	68
Permits refused	0	0	0	0	1
Time extensions granted	0	2	1	3	8
Secondary consents granted	2	0	0	0	13
Estimated cost of works				\$101M	\$115M
Applications decided within 60 statutory days (%)	83.3%	85.7%	80%	83.3%	82.35%

Planning Enquiries January – March 2025

The Planning team received 300 calls for the January to March quarter. Of these calls 100 related to current planning permit applications or existing planning permit enquiries. 200 calls related to pre-purchase or pre-application enquiries.

Improving the Planning Service

At the February council meeting, it was agreed that to help the planning team understand how to improve its service delivery, a customer feedback survey will be offered to all recent and future permit applicants. The survey has been prepared and will go live on the engagement hub by the end of April. The survey will run for a three-month period with results and feedback reported to the council.

Bushfire Recovery

The work of the Bushfire Planning Support Service slowed towards the end of 2024. The planning team however continues to work with several property owners within the fire affected area for assistance with their rebuild. The planning team also continues to work with the owners of Belmont at Main Lead in relation to their heritage grant through the Disaster Recovery Heritage Grants Program.

The Municipal Bushfire Plan supported by the Regional Planning Hub is near completion. The plan is a key piece of work in determining and managing risk and will assist in the implementation of the strategic work program and preparation of future settlement/township planning. The council was briefed on the plan's findings in March.

Strategic Planning Program

The 2024-25 strategic planning program includes:

- Amendment C47Pyrn, proposes to incorporate the Snake Valley, Waubra, and Lexton framework plans into the Pyrenees Planning Scheme. Officers are currently reviewing the plans based on new flooding and bushfire information and updates will be made shortly for future consultation.
- Amendment C52pyrn - This project has progressed to a formal planning scheme amendment with the support of council at the March meeting. The amendment will seek to incorporate several completed flood studies into the Pyrenees Planning Scheme. Public consultation is planned for May 2025. Letters will be sent to residents in the coming weeks.

The Strategic Planning Team is also involved in EES technical reference and consultation groups relating to State renewables projects such as the Western Renewables Link, and several Wind Farms and Battery projects and continue to advocate for local communities.

PART B – BUILDING

BUILDING ACTIVITY	January	February	March	Financial YTD
Private Building Permits	9	7	11	109
'Property Info Cert' issued	12	26	14	158
Building Notice/Order issued	3	4	3	26
Building Inspections	8	9	7	86

Compliance Achieved –Trawalla

Compliance was achieved following the issuance of a Building Order to property owners in Trawalla. The enforcement action resulted in the removal of a non-compliant second dwelling – an unpermitted expanding portable structure which could not meet the requirements for a building approval.

Compliance Action – Rooming House in Avoca

Compliance actions are being undertaken in relation to a rooming house in Avoca, involving the conversion of a shop and dwelling into accommodation.

Site Clean-Up – Fire-Damaged Property in Beaufort

At the end of last year, a property was damaged by fire in Beaufort. Three departments within the council are working collaboratively to ensure the best possible outcome for both the owner and the wider community in seeking to facilitate site clean-up.

PART C – ENVIRONMENTAL HEALTH

Food Surveillance				
Food premises mandatory assessments	0	1	13	14
Food premises critical or major outcomes	0	0	3	3
Total new food premises	0	3	2	5
Total closed food premises	0	0	0	0
Streitrader mandatory assessments	0	0	0	0
Streitrader new applications	0	0	0	0
SOT processed	0	23	2	25
Statutory food samples sent for analysis Class 1	0	1	0	1
Statutory food samples sent for analysis Class 2 & 3	0	3	0	3
Unsatisfactory food samples	0	0	0	0
Food complaints received	0	0	3	3
Food complaints justified	0	0	2	2
Food recalls actioned	0	0	2	2
PHW Surveillance				
PHWA premises mandatory assessments	0	0	2	2
PHWA premises critical or major outcomes	0	0	0	0
Total new PHWA premises	0	0	0	0
Total transferred PHWA premises	0	0	0	0
Total closed PHWA premises	0	0	0	0
PHWA premises complaints received	0	0	2	
PHWA premises complaints justified	0	0	2	2
Unregistered rooming house complaints received	0	0	1	1
Outbreak investigation referrals	0	0	0	0
Single case incident referrals	0	0	0	0
Anaphylaxis investigation referrals	0	0	0	0
Pool water and chemical testing conducted	0	4	0	4

Unsatisfactory pool water samples	0	0	0	0
Nuisance investigation & general enquiries				
Noise complaints	0	0	0	0
Odour complaints	0	0	0	0
Smoke complaints	0	0	0	0
Bees/wasps complaints	0	0	0	0
Vermin/pests complaints	0	0	0	0
Asbestos complaints	0	0	0	0
Other nuisance complaints	0	1	0	1
Total enquiries/phone call backs received- all types	13	6	15	34
Caravan Park Surveillance				
Caravan park mandatory assessments conducted	0	0	0	0
Tobacco Education & Surveillance				
Tobacco retailer visits conducted	0	0	2	2
Eating establishment visits conducted	0	0	3	3
Outdoor area visits conducted	0	0	0	0
Test purchase days conducted	0	0	0	0
Test purchase visits conducted	0	0	0	0
Test purchase sales made	0	0	0	0
Tobacco complaints	0	0	0	0
Domestic Wastewater Management				
Septic tank applications received	2	4	1	7
Waste water inspections conducted	0	6	3	9
Septic tank permits to install issued	0	4	2	6
Septic tank approvals to use issued	2	1	2	5
Septic tank requests for plans received	0	0	0	0
Waste water complaints	1	0	0	1
DWMP compliance checks conducted	49	1	9	59
DWMP compliance checks serious non-compliances	0	0	0	0
Planning Referrals and Health				

Planning referrals commented on	3	1	2	6
Environmental health planning (hours)	2	2	2	6
Enforcement action taken				
Food Act notices issued incl. S19, S19W	0	0	0	0
PHW notices issued incl. improvement and prohibition	0	0	0	0
Official warnings issued	0	0	0	0
Number of infringements issued	0	0	0	0
Total value of infringements issued (\$)	0	0	0	0
Other				
Emergency callouts	0	0	0	0
Councillor requests	0	0	0	0
Staff Training attended (hours)	0	0	0	0
All other activity (hours)				
must be listed in team leader activity planner or on Council monthly report	0	0	0	0

Food & Health Inspections

Annual mandatory inspections of registered Food, Health and Accommodation premises have commenced for the calendar year.

Onsite Domestic Wastewater Management Plan

Onsite wastewater management plan (OWMP) inspections continued throughout January to March for properties around Lexton and Amphitheatre. Notification to property owners about the new plan, the inspection program, and upcoming inspections continue throughout the special water supply catchment areas around Landsborough and Frenchman's, and the high-risk unsewered township of Redbank.

Pool Sampling

Samples were collected at the Avoca and Landsborough swimming pools in February, both returning satisfactory results. Sampling at Beaufort was delayed due to the pools closure at the end of the season. Testing will be a priority when our pools reopen next summer.

Food Sampling

Environmental Health Officers collected a total of 4 food samples at 2 registered premises, returning satisfactory results for 3 samples and 1 marginal result which has been addressed with the relevant food business.

Complaints

Council received 2 complaints regarding registered food premises and 3 complaints relating to nuisance from noise and dust. All complaints have been dealt with and relevant follow up actions are in process.

PART D – COMMUNITY SAFETY AND AMENITY

ACTIVITY - Animals

	January 2025	February 2025	March 2025	Total FYTD
Cats Registered	N/A	N/A	508	-
Dogs registered	N/A	N/A	2092	-
Cats impounded	0	2	0	26
Cats reclaimed	0	0	0	0
Cats Euthanised	0	1	0	20
Cats Adopted/Rehomed	0	1	0	6
Dogs impounded	1	0	1	22
Dogs Reclaimed	1	0	0	18
Dogs Euthanised	0	0	0	0
Dogs Adopted/Rehomed	0	0	1	3
Stock impounded	2	0	0	3

ACTIVITY - Infringements

Infringement Type	January 2025	February 2025	March 2025	Total FYTD
Domestic Animals Act	2	2	2	39
Local Laws	0	3	0	9
Road Safety Act	4	1	2	50
Environment Protection Act	0	0	0	1
Impounding of Livestock Act	2	0	0	2
CFA Act	6	0	0	26
Planning & Environment Act	1	0	0	8
Road Management Act	0	0	0	5
Other	0	0	0	0
Total Infringements Issued	15	6	0	140
Prosecutions	0	0	0	3

ACTIVITY – Customer Action Requests & Permits

Customer Action Requests	79	51	64	653
Local Law Permits	10	12	8	109

Animal Registration Renewals

Animal registrations were due on the 10th of April. Officers will soon start reaching out to residents via phone, texts, and emails as reminders over the next month or two to follow up on outstanding registrations. After that door knocks will start with officers attending resident's properties to follow up animal's registrations that have not been renewed. During the inspections it is an opportunity educate the community and gather information for new animal registrations.

Dog Attacks

There have been several recent dog attacks throughout the Shire. One dog has been declared as menacing as a result. Another dog that caused a serious attack has been surrendered by the owner. Serious dog attacks are required to be directly referred to the magistrate's court.

Another dog attack was reported late last week, and this is currently being investigated by the team.

Council plan / legislative compliance

Priority 1 - People

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

1c. Improve accessibility and inclusivity.

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

Priority 2 - Place

2a. Sustain and enhance unique character of our communities.

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

2c. Promote responsible development.

Priority 3 - Environment

3a. Continue being an environmentally progressive organisation.

Priority 4 - Economy

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

Enabling Principles

b. Provide transparency and accountability

c. Use resources efficiently and effectively

ATTACHMENTS

Nil

OFFICER RECOMMENDATION

That Council notes this report.

10. COUNCILLOR ACTIVITY REPORTS**10.1. COUNCILLOR ACTIVITY REPORTS - MARCH 2025**

Cr Tanya Kehoe – Mount Emu Ward		
03/03/2025	Council Briefing	Beaufort
06/03/2025	International Women's Day event	Beaufort
06/03/2025	International Women's Day event	Avoca
07/03/2025	VLGGC Information Session	Virtual
12/03/2025	Site Visit	Hillcrest
17/03/2025	Council Briefing	Beaufort
17/03/2025	Council Meeting	Beaufort
24/03/2025	Strategic Council Briefing	Beaufort
25/03/2025	Audit & Risk Committee Meeting	Beaufort
28/03/2025	Beaufort Fire Station Opening	Beaufort
28/03/2025	RCV Committee Meeting	Virtual
31/03/2025	Council Briefing	Beaufort

Cr Simon Tol – Ercildoune Ward		
03/03/2025	Council Briefing	Beaufort
04/03/2025	Sunraysia Highway Improvement Committee Meeting	St Arnaud
12/03/2025	Site Visit	Hillcrest
17/03/2025	Council Briefing	Beaufort
17/03/2025	Council Meeting	Beaufort
23/03/2025	VFBV West Region Rural Championships	Lexton
24/03/2025	Strategic Council Briefing	Beaufort
31/03/2025	Council Briefing	Beaufort

Cr Megan Phelan – De Cameron Ward		
01/03/2025	Landsborough Resource Centre	Landsborough
01/03/2025	Redbank CFA	Redbank
03/03/2025	Council Briefing	Virtual
14/03/2025	Councillor Strategic Planning	Waubra
17/03/2025	Council Briefing	Beaufort
17/03/2025	Council Meeting	Beaufort
22/03/2025	Landsborough Resource Centre	Landsborough
22/03/2025	Constituent Meeting	Moonambel
23/03/2025	VFBV West Region Rural Championships	Lexton
24/03/2025	Strategic Council Briefing	Virtual
29/03/2025	Constituent Meeting	Redbank
31/03/2025	Council Briefing	Virtual

Cr Rebecca Wardlaw – Avoca Ward		
03/03/2025	Council Briefing	Beaufort
12/03/2025	Avoca Recreation Reserve Flood Mitigation Investigation Session	Avoca
17/03/2025	Council Briefing	Beaufort
17/03/2025	Council Meeting	Beaufort
24/03/2025	Budget Discussion	Beaufort
24/03/2025	Strategic Council Briefing	Beaufort
25/03/2025	Audit & Risk Committee Meeting	Beaufort
31/03/2025	Council Briefing	Beaufort

Cr Damian Ferrari – Beaufort Ward		
03/03/2025	Council Briefing	Beaufort
05/03/2025	Old Beaufort PS Masterplan Meeting	Virtual
17/03/2025	Council Briefing	Beaufort
17/03/2025	Council Meeting	Beaufort
24/03/2025	Strategic Council Briefing	Beaufort
28/03/2025	WHAC Committee Meeting	Virtual
31/03/2025	Council Briefing	Beaufort

OFFICER RECOMMENDATION

That Council notes this report.

11. ASSEMBLY OF COUNCILLORS**11.1. ASSEMBLY OF COUNCILLORS - MARCH 2025**

11.11 ASSEMBLY OF COUNCILLORS – MARCH 2025

MEETING INFORMATION			
Meeting Name	Council Briefing		
Meeting Date	3 March 2025 commenced at 4.00pm and closed at 7.30pm		
Meeting Location	Council Chamber, Beaufort		
Items Discussed	1. Land Use Planning (Mandatory Induction) 2. Tourism Midwest Victoria 3. Planning for the future (Plan Victoria) 4. CEO Update		
ATTENDEES			
Councillors	Mayor Cr Tanya Kehoe Cr Damian Ferrari Cr Rebecca Wardlaw		Cr Simon Tol Cr Megan Phelan
Apologies	Nil.		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services)		
Visitors	Maria Marshall – Maddocks (item 1) The Hon. John Pandazopoulos – Tourism Midwest Victoria (item 2) Joel Chadwick – Tourism Midwest Victoria (item 2)		
CONFLICT OF INTEREST DISCLOSURES			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil.			

MEETING INFORMATION			
Meeting Name	Council Briefing		
Meeting Date	17 March 2025 commenced at 4.00pm and closed at 5.50pm		
Meeting Location	Council Chamber, Beaufort		
Items Discussed	1. Municipal Bushfire Plan 2. Amendment C52 3. Telstra Update on Telecommunications		
ATTENDEES			
Councillors	Mayor Cr Tanya Kehoe Cr Damian Ferrari Cr Rebecca Wardlaw Cr Simon Tol Cr Megan Phelan		
Apologies	Nil.		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services)		
Visitors	Rachel Blackwell – Manager Planning & Development (item 1 & 2) Ella Duniam – Planning Officer (item 1) Amy Bell – NCCMA (item 2) Marcus Swinburn – Telstra (item 3) Ray Davies – Manager Economic Development & Tourism (item 3) Melissa Dimond – Business Support and Events Officer (item 3)		
CONFLICT OF INTEREST DISCLOSURES			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil.			

MEETING INFORMATION			
Meeting Name	Council Briefing		
Meeting Date	24 March 2025 commenced at 4.30pm and closed at 7.00pm		
Meeting Location	Council Chamber, Beaufort		
Items Discussed	1. Integrated Strategic Planning Program 2. Strategic Discussion - Continued		
ATTENDEES			
Councillors	Mayor Cr Tanya Kehoe Cr Damian Ferrari Cr Rebecca Wardlaw Cr Simon Tol Cr Megan Phelan		
Apologies	Nil.		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services)		
Visitors	Nil.		
CONFLICT OF INTEREST DISCLOSURES			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil.			

MEETING INFORMATION			
Meeting Name	Council Briefing		
Meeting Date	31 March 2025 commenced at 4.00pm and closed at 7.30pm		
Meeting Location	Council Chamber, Beaufort		
Items Discussed	1. Bridge Load Limits 2. Budget 3. Strategic Discussion		
ATTENDEES			
Councillors	Mayor Cr Tanya Kehoe Cr Damian Ferrari Cr Rebecca Wardlaw Cr Simon Tol Cr Megan Phelan (virtual)		
Apologies	Nil.		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services)		
Visitors	Daniel Potter, Manager Engineering – Item 1 Glenn Kallio, Manager Finance – Item 2		
CONFLICT OF INTEREST DISCLOSURES			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil.			

OFFICER RECOMMENDATION

That Council notes this report.

12. ITEMS FOR DECISION

12.1. ECONOMIC DEVELOPMENT AND TOURISM

12.1.1. ECONOMIC DEVELOPMENT UPDATE

Presenter: Shane Walden - Acting Director Corporate and Community Services

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: 22/02/02

PURPOSE

The purpose of this report is to inform councillors on recent activities of the Economic Development and Tourism team and review progress of actions and activities against the March 2020 Economic Development Strategy and action plan.

BACKGROUND

Strategic Context

Economic Development Strategy

Council endorsed the current Economic Development “Towards 10,000” Strategy in March 2020. The strategy includes three overarching objectives to:

1. Attract new residents, visitors and investment
2. Foster the capability of key economic sectors
3. Develop local business and employee capacity

An action plan was developed from the 2020 strategy and Attachment A to this report summarises progress on the thirty-two actions identified.

Council Plan 2021-25

The Economy pillar within the 2021-25 Council Plan states that Council will:

- Support our local businesses and help strengthen key industries
- Invest in road infrastructure to improve connectivity for commerce and community
- Advocate for and invest in assets and infrastructure to support industry sustainability

Central Highlands Regional Economic Development Strategy (REDS)

The key priorities of the CH REDS are:

- Enhance the regional value add and collaboration across the agri-food supply chain
- Continue to grow and develop the visitor and creative economies
- Strengthen the renewable energy and waste management industries
- Enhance the innovation ecosystem

Summary of population growth and economy

Population Growth

Council set a base line target in its 2020 Towards 10,000 Economic Development Strategy for population of 8,000 people by 2025.

Over the twelve-month period to the end of June 2024 the Shire's population grew by 173 people (2.22%) to 7,958 which is on a trajectory to reach Council's June 2025 base line target.

Since the Economic Development Strategy was adopted by Council in 2020 the Australian Bureau of Statistics figures indicate the Shire's population has grown by 414 people at an average annual rate of 1.33%.

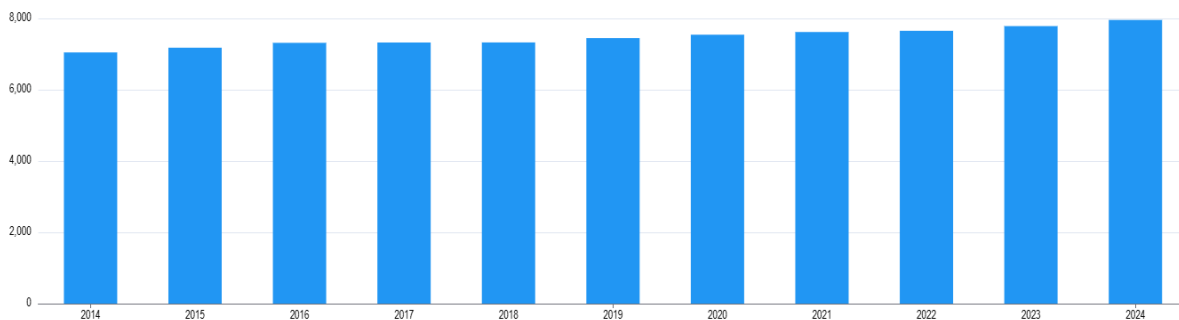
This rate of growth will see the Shire's population reach 10,000 people in 2042.

However, the rates of growth over the past two years suggest this target may be arrived at earlier than 2042 as there was a growth of 1.72% in the year ended June 2023 and, as stated above, 2.22% to June 2024. An average growth rate of 2% would see the population reach 10,092 people in 2036.

Figure 1 Population

Pyrenees

Population



Overview

Pyrenees

Years	Pyrenees
2014	7,047
2015	7,179
2016	7,316
2017	7,325
2018	7,327
2019	7,449
2020	7,544
2021	7,619
2022	7,653
2023	7,785
2024	7,958

Source: <https://app.remplan.com.au/pyrenees/economy/trends/population>

Remplan is a registered trademark of Compelling Economics

Planning approvals

The “Know Your Council Website provides details on performance of the 79 local government areas across Victoria.

The site reveals that in the year ended June 2024, Pyrenees Shire Council approved 91.8% of planning applications within the target timeframe of 60 processing days. Pyrenees Shire Council was one of only three councils to achieve a rating of above 90% in the Grampians region (comprising eleven LGA’s) and compares favourably with other councils of a similar size.

Building approvals

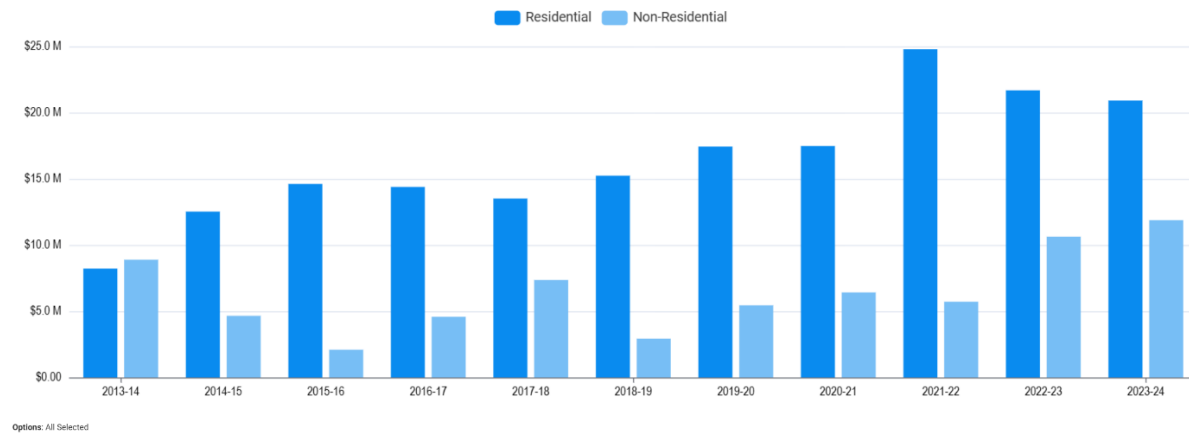
Council continues to play an active role in population growth through residential development and the purchase of land at Avoca and Beaufort for this purpose. Furthermore, an application for funding of \$3.4M has been approved under the Victorian Governments “Regional Worker Accommodation Fund”. A further sum of \$2 million has been secured from the Commonwealth Government to progress the Burke St Beaufort subdivision.

The following graphs indicate a trend of residential building approvals during the respective subdivision stages for the 95 residential blocks at Correa Park Beaufort.

Figure 2 Building approvals by value

Pyrenees

Building Approvals by Value



	2020-21	2021-22	2022-23	2023-24	5 yr Ave
Residential	\$17,478,600	\$24,788,000	\$21,679,300	\$20,915,600	\$20,459,660
Non-Resident	\$6,420,200	\$5,718,100	\$10,629,300	\$11,876,700	\$8,018,880
Total	\$23,898,800	\$30,506,100	\$32,308,600	\$32,792,300	\$28,478,540

Source: <https://app.remplan.com.au/pyrenees/economy/trends/building-approvals-value>**Figure 3 Building approvals by count**

Pyrenees

Building Approvals by Count

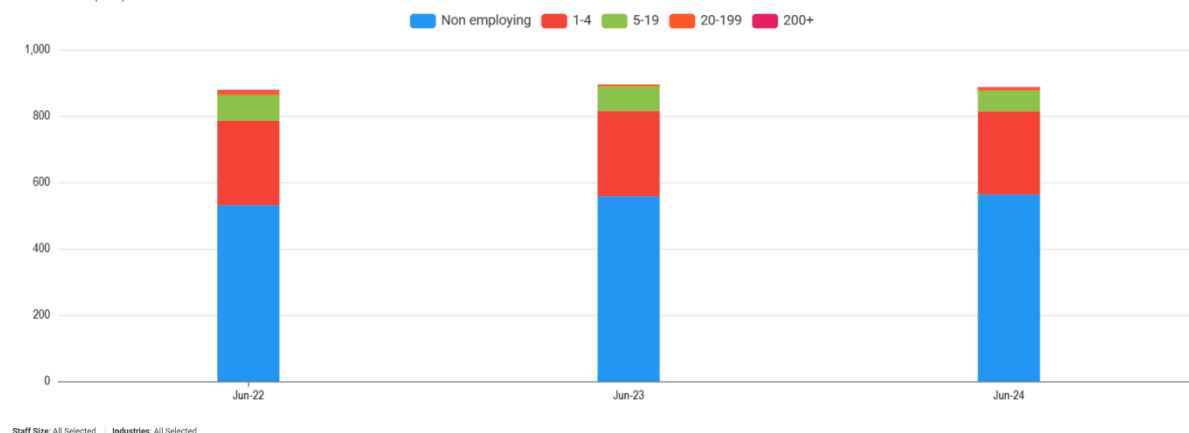
Source: <https://app.remplan.com.au/pyrenees/economy/trends/building-approvals-count>

Figure 4 Business Counts (Staff)

While business counts remain relatively static, the number of jobs in the Pyrenees has increased from 1,667 in 2011 to 2,001 in 2016 and 2,219 in 2021 according to ABS statistics.

Pyrenees

Business Counts (Staff)



A summary of current business counts by staff is represented in the table below

		Pyrenees		
Staff Size	Staff Size	Jun-22	Jun-23	Jun-24
Non employing	Non employing	531	558	563
	1-4	255	257	251
	5-19	77	74	62
	20-199	12	6	9
	200+	3	0	2
Total		878	895	887

Source <https://app.remplan.com.au/pyrenees/economy/trends/business-counts-staff>

Economy

Gross Regional Product

Gross Regional Product increased in both real and nominal terms in the year ending 30 June 2024. Nominal GRP increased by \$28.987M (6.54%) to \$471,900M and in real terms by \$11.647M (2.63%) to \$454.561M.

Nominal GRP is a measurement that shows growth but is also affected by the change in prices (inflation or deflation).

Real GRP only shows growth and prices will be based off a single point in time.

The graph below illustrates a continuing trend of growth with the exception of the pandemic years in 2020-21 and 2021-22 which showed a slight recovery on the previous year.

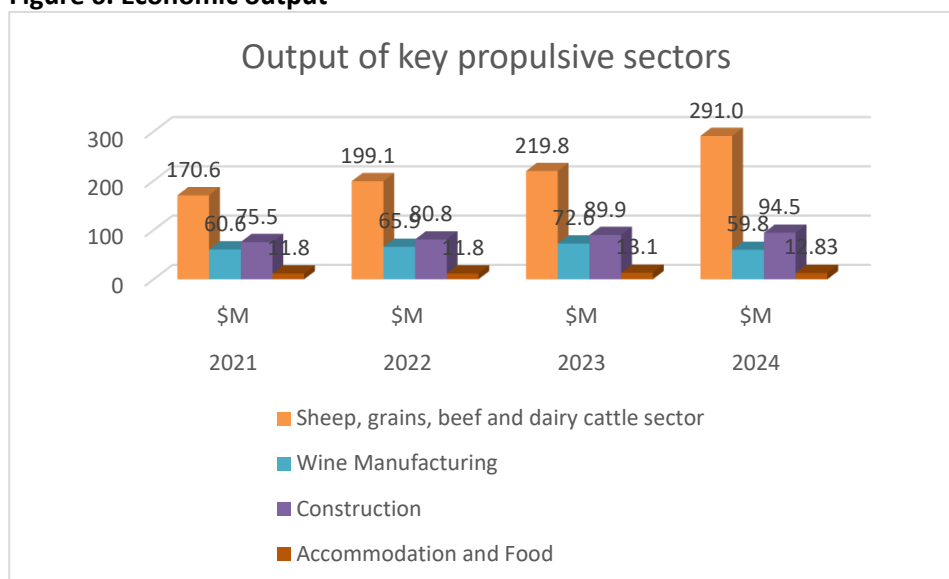
Figure 5: Gross Regional Product

Pyrenees

Pyrenees GRP

Source: <https://app.remplan.com.au/pyrenees/economy/trends/gross-regional-product>**Key Propulsive Sectors**

Councils' "Towards 10,000 Economic Development Strategy" identified Agriculture, Manufacturing, Construction and Tourism as the key private industry sectors contributing to the Shires economy.

Figure 6. Economic output

Source: Remplan

Agriculture

The March forecasts by ABARES for 2025-26 (which precede recent international tariff announcements) include the following key points:

Value of agricultural production to fall by just under 1% to \$91 billion in 2025–26.

A return to neutral seasonal conditions relative to 2024–25 to result in lower crop production volumes.

Global crop prices to rise in 2025–26 reflecting tightening global supply.

Livestock production values to hit new record as strong global demand supports prices.

- Average farm cash income to rise in 2025–26 to \$110,000 supported by rising prices and easing input costs.

Locally, the region has remained in drought to this time and the Economic Development Team continue to promote Agriculture Victoria's Drought Support Program.

Current initiatives under this program include:

- On Farm Infrastructure grants of up to \$5,000-
- Dry season support includes assistance from Rural Financial Counselling Services, Farm Household Allowances and on-line and in person technical advice as well as information on low interest loans through the Regional Investment Corporation
- Farm Business Resilience Program encompassing short courses, workshops, webinars, field days and farm walks
- Managing Resources in a drought, in particular livestock nutrition, health and management
- Drought One on One Advisory Service

Seasonal rainfall forecasts for May – July by the Bureau of Meteorology

The May to July outlook by the BOM indicates rainfall is likely (60% - 80%) to be below average across southeast SA and Victoria.

January – March 2025 Economic Development Activities

Progress continues on Economic Development projects outlined below.

Southern Wimmera and Northeast Pyrenees Rural Water Supply

The draft business case for the Southern Wimmera and Northeast Pyrenees Water Supply Project was endorsed by Council in November 2024.

An extension in funding timelines for the business case will enable important investigations to be completed to strengthen this document. This additional work includes consultation with Traditional Owner groups to incorporate an Aboriginal Water Assessment which will advance the project towards shovel ready status.

Implementing Beaufort Linear Masterplan

Two funding applications have been lodged since Council endorsed the Beaufort Linear Masterplan in November 2024. Funding of \$111,000- to develop an off-leash dog park has recently been approved and the project is being mobilised at the time of writing this report.

A further funding application was submitted through Sport and Recreation Victoria in March for a sum of \$555,000-. If successful, the project will enable council to construct walking paths between Lake Beaufort and the swimming pool at Leichardt St.

Beaufort Lake Caravan Park

Major development works have continued at Beaufort Lake Caravan Park during the March quarter. A block of four studio units have now been installed and are providing accommodation. Associated civil works have included road and drainage works, decommissioning obsolete wastewater systems, and completing electrical and plumbing connections.

Delivery and activation of an all-abilities cabin and duplex facility consisting of two units with two bedrooms in each is due to be finalised in May. Footings for this accommodation were installed at the end of March.

Shop Façade Program

Ongoing follow up is occurring with five applicants under the Shop Façade Program who are due to finalise their project by 30 June to conclude this program.

Digital Connectivity Plan

Following the adoption of the Pyrenees Digital Connectivity Plan the ED&T unit have been working with representatives of Telstra to identify further areas of improvement to mobile phone coverage.

This included a drive of the Shire with Telstra technicians to areas of concern with residents of the Shire. A report is being generated from this exercise which will inform further steps which may be required to improve connectivity.

As a result of Council's liaison with Telstra a feasibility study for a tower at Lexton is currently being undertaken jointly by Telstra and Ausnet.

Council has also been conducting a digital connectivity survey which remains open at the time of developing this report.

Over 100 responses have been received to date with many of these being from the Lexton area. The results of the survey will inform next steps with the Pyrenees Digital Connectivity Plan.

Fire Recovery and Drought

Since the Bayindeen Fires of February last year the Economic Development team continue to support recovery efforts in conjunction with Council's Recovery Team.

Recovery Events

A successful pasture recovery day was held by Council at Raglan in February which was attended by around 20 people.

Keynote speaker Lisa Warn is an experienced pasture consultant who shared her knowledge and experience using practical tools to demonstrate to participants what shape their pasture is in and to determine what the next steps might be to manage their pasture.

Tom Silcock is a respected sheep industry identity who shared his experience of having been impacted by bushfires in 2005 and again in 2006, losing significant numbers of sheep in each event. Tom shared his experiences with the group which included support from close friends who worked with Tom to develop and implement his recovery plan. He expressed the benefits of taking a break to be able to look after your wellbeing.

Rob Shae is the outgoing Project Manager of Perennial Pasture System's and was the final speaker for the day. Rob shared information the PPS group had learned through a case study property at Dadswell's Bridge that was impacted by fire in 2024 and considering pasture options which might be useful to protect assets.

The day included attendances by the Ballarat Community Health team and Rural Financial counselling Service.

The Rural Financial Counselling Services have been engaged to deliver two "Talk the Talk" events on 14 May.

The events are being hosted at:

- Raglan commencing at lunch time from midday and
- Moonambel from dinner time at 6.00 p.m.

Talk the Talk is a free, practical workshop designed to help local communities build confidence to support farmers facing mental health challenges. In these three-hour workshops, participants will learn how to recognise signs of distress, use observation and listening skills, and start meaningful conversations. Whether they are a service provider, supplier or neighbour — this workshop gives participants the tools to make a difference.

Agriculture Victoria have conducted two recent drought workshops:

- At Moonambel on 27 March featuring presentations by RFCS on financial management and personal wellbeing and Agriculture Victoria on animal nutrition and pastures.
- At Beaufort on 3 April about animal nutrition

Activities of the Economic Development Team will be ongoing for the time being to support the local community and businesses impacted by the prevailing dry seasonal conditions and directing farmers to the various initiatives and support services of the Victorian Governments Drought Support Program.

Central Highlands Regional Drought Resilience Plan

The Central Highlands RDRP was published earlier this year after being endorsed by the Victorian and Commonwealth Governments.

A copy of the plan can be found at <https://www.agriculture.gov.au/sites/default/files/documents/central-highlands-rdr-plan.pdf>

Funding has been provided through the Commonwealth Governments Future Drought Fund to implement a series of actions which will meet the objectives of the Regions RDRP.

Commerce Ballarat have been appointed by the Victorian Government to deliver this series of actions and there are five project proposals which have now been endorsed by the RDRP Implementation Group of which Council is a member.

Council will be taking the lead role for the delivery of a “Resilient Agriculture Report”, which is one of the five projects.

The objectives of this project project are:

1. Undertake a detailed study on agricultural options for the region giving consideration to the natural and built assets and those issues affecting the agricultural sector including drought, climate change and options for value added agriculture.
2. Summarise the outcomes of prior studies and investigate any gaps and opportunities for diversification of agriculture, value add to regional produce and identify what steps are necessary to facilitate the investment required to capitalise on these opportunities.

The Centre for E- research and Digital Innovation (CERDI) at Federation University who have completed similar studies previously have been engaged to deliver this report. Pyrenees Shire Council is providing project management as the lead agency. Other project partners include representatives of Commerce Ballarat, Agriculture Victoria and Local Government Areas from the Central Highlands Region.

Event & Business Support Jan-Mar 2025

Events Overview

The first quarter of 2025 saw a diverse and vibrant array of events across the Pyrenees Shire. However, the feedback from event organisers is that with the ongoing economic challenges numbers seem to be down on previous years.

- **Snake Valley Dash – Endurance Ride:** Numbers slightly down on last year with 68 registrations and along with the rides support crew this event continues to be an important event in Snake Valley. While the weather was challenging for organisers another successful endurance ride.
- **Beaufort Car & Truck Show:** A successful turnout with a new addition of FMX Motorcross display. 1300 through the gate.
- **Other Notable Events:**
 - Autumn Avoca Cup
 - Snake Valley Dash – Endurance Ride
 - Beaufort Summerfest – Cyril Callister Museum

- Summer Session – Beaufort Lake Caravan Park
- Australia Day Celebrations
- Snake Valley Swap Meet
- Pyrenees Magic Tri Distance Bike Ride
- Avoca Open Doubles Petanque
- VFBV West region rural CFA championships
- Seasonal Beaufort Market (Summer)
- Monthly Avoca Market
- Mrs Bakers paint and sip classes
- **Cellar doors and hospitality venues** remain key contributors to the Shire's vibrant events calendar, showcasing live music by local talent.

Event summary Jan – March 2025

- **23 events** submitted formal event applications.
- **18 events required local law permits** for events/filming and traffic management approvals. 17 of these events have been all processed and appropriate permits issued.
- **18 events did not require formal applications** but received support through our marketing and promotional efforts.

Marketing Channels Used:

- **Visit Pyrenees** Website and Instagram/Facebook pages
- **Pyrenees Shire** Facebook page and website
- **What's On** Newsletter (monthly):
 - 1,392 recipients
 - March 2025 achieved a 50.2% open rate
- **Eventful Newsletter** Monthly, direct email to tourism businesses to display
- **ATDW Event Listings:** These listings were syndicated to Visit Ballarat, Visit Victoria, and Ballarat in the Know platforms.

Business Support Overview

The dry conditions continue to challenge our farmers, and the current economic environment continues to challenge many of our small businesses. We continue to provide support to a range of businesses to assist in upskilling and via connection with appropriate agencies such as RFCS Victoria West and Tourism Midwest Victoria depending on the business's needs and challenges.

Small Business Workshops:

Social Media and Content Marketing Workshop

- Date: 4 March 2025, 2:30 PM
- Venue: Beeripmo Development Centre
- Attendance: 14 (Registered 27)

Upcoming business support opportunities

- Small Business Bus Avoca – 19 May
- Facebook back to basics workshop date 13 May

Tourism

Digital Statistics

Facebook

	Organic Posts Reached	Organic Page Visits	New Followers	Paid Ad Reach
Jan – Mar 2024	41,329	1,100	132	
Jan – Mar 2025	51,200	1,353	98	3082

Instagram Organic Posts

	Posts Reached	Page Visits	New Followers	Paid Ad Reach
Jan – Mar 2024	1,830	304	NA	
Jan – Mar 2025	3,324	221	53	

Visit Pyrenees Website

- 7.7K Users
- 7.4 of those users were new users
- 381 visits have been through social media posts, 7.4K through organic search and 1.5K direct search
- Most visited pages were Wineries 713, Festivals and Events 630, Snake Valley Swap Meet 617, Winery Accommodation 534, Beeripmo Walk 522

Play in the Pyrenees

From December to May the “Play in the Pyrenees Campaign” is the feature of tourism marketing. The Play in the Pyrenees seasonal tourism campaign was initially launched post-COVID to encourage visitors to enjoy a series of outdoor events while reconnecting with nature. Over time, the campaign has evolved due to a reducing number of summer events, shifting its focus towards promoting summer activities. Summer remains a quieter period in the Pyrenees, partly due to the absence of an inviting body of water, with Beaufort Lake appearing very dry currently due to drought conditions, Mount Buangor being closed and Mount Cole only reopening in late January with limited trails accessible following bushfires last year.

Seasonal Campaign Objectives

- Increase visitation and expenditure
- Promote summer activities unique to the region.
- Adapt to seasonal challenges by emphasizing alternative attractions.
- Boost local economies through increased visitor spending.

Marketing Strategy

- Digital Campaigns: Social media engagement and targeted online ads.
- Traditional Advertising: Print media in Ballarat Living and Eat Play Stay publications.
- Partnerships: Collaborations with TMV Brilliantly Unexpected and Commerce Ballarat’s “Forage and Feast” initiative.

ISSUE / DISCUSSION

The 2020 Economic Development Strategy identified thirty-two strategic actions aimed at meeting the three key objectives of the economic development strategy as follows:

1. Attract new residents, visitors and investment
2. Foster the capability of key economic sectors
3. Develop local business and employee capacity

Further to the above three objectives a fourth objective is to improve the living standards for residents in the Pyrenees.

Implementing the various Council strategies and plans including the Economic Development Strategy will have some bearing on improving living standards with indicators such as the SEIFA index of disadvantage and ABS record of median household incomes providing some measure of how residents in the Pyrenees compare with the broader Victorian community.

Progress since 2020

Attachment A to this report provides a summary of actions completed against the Economic Development Action Plan endorsed by council in March 2020.

Of the thirty-two actions listed, eleven have been completed, eight involve ongoing work/recurring activities, eight are in progress, and five that have not yet started.

The next quarter will see the Economic Development and Tourism Department focus on activities including:

- Advocacy for the Southern Wimmera and Northeast Pyrenees Water Supply and progressing the business case and associated works to progress the project towards a shovel ready status
- Finalising Phase one of the \$1-million Beaufort Lake Caravan Park redevelopment and seeking options to fund the next stages of this project as outlined by the parks masterplan
- Commencing the regions RDRP “Resilient Agribusiness Report”
- Commencing the Beaufort Dog Park Project
- Concluding the mobile phone and internet survey and identifying next steps to improve digital literacy in the Pyrenees
- Developing and implementing the winter tourism marketing campaign
- Progressing development of cycle tourism products near Beaufort and Avoca which is a key priority of the Local Area Action Plan (tourism strategy).
- Continuing Council’s support to events organisations, in particular, but not exclusive to the Lake Goldsmith Steam Rally and Beaufort Art Exhibition and Sale in June.
- Hosting a social media workshop
- Supporting the farming and business community during drought times

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 4 - Economy

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

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

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

Enabling Principles

b. Provide transparency and accountability

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

This report is a quarterly update on Economic Development activities and review of actions completed and in progress against the 2020 Economic Development Action Plan.

ATTACHMENTS

1. Attachment A EDandT update April 2025 [**12.1.1.1** - 4 pages]

FINANCIAL / RISK IMPLICATIONS

Indicative quotes obtained from six reputable consultants suggest the cost of updating the Economic Development strategy range between \$40,000 to \$70,000-. It is recommended that a sum of \$55,000- be allocated towards updating the strategy.

CONCLUSION

The 2020 Economic Development “Towards 10,000” Strategy is now due for review and is estimated will cost \$55,000-.

Population growth has remained steady and if current growth rates continue will see the Pyrenees population reach a base line target (from the 20202 strategy) of 8,000 people by June 2025.

Building approvals appear to have been influenced by Council investment in residential land developments over the past decade or so at Correa Park Beaufort. With the current development at Burke St Beaufort and with residential land at High St Avoca available for development in due course these assets will continue to stimulate residential growth and a rising population.

The Pyrenees economy has continued to perform strongly over the year reflected by increases in Gross Regional Product, output and jobs. Notable growth sectors are agriculture and the construction industry. Progress on actions identified in the 2020 Economic Development Strategy that are completed and in progress etc. are included in Attachment A to this report.

OFFICER RECOMMENDATION

That Council:

1. Notes the report
2. Continues to implement projects which meet the objectives outlined in the 2020 strategy and those which improve the living standards of residents in the Pyrenees Shire and
3. Considers allocating a sum of \$55,000- in the 2025-26 budgets to update the 2020 Economic Development Strategy

12.2. ASSET AND DEVELOPMENT SERVICES

12.2.1. PLANNING PERMIT APPLICATION PA23108 13 CANICO LANE HILLCREST

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 Services

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

File No: PA23108

PURPOSE

The purpose of this report is to consider planning permit application PA23108 for the use of land for animal husbandry (retrospective) on land at 13 Canico Lane Hillcrest.

BACKGROUND

The permit applicant has owned the subject land since 2011. The permit applicant purchased the land to reside on the property but to also use it for animal husbandry, as the site contained existing kennels and facilities associated with animal husbandry. The use of the land has been undertaken since 2011 as advised by the permit applicant.

In 2023, the planning and development team became aware of the property due to a complaint from an adjoining owner. The complaint related to the discharge of effluent onto an adjoining property and several amenity concerns associated with how the land was being used, including noise.

Council officers from the community safety and amenity, building, planning and environmental health departments inspected the property on a number of occasions to understand the concerns raised. Officers also met with surrounding neighbours. Following the investigation, it was noted that the use of the land did not accord with the Pyrenees Planning Scheme and therefore planning permit was required to bring the site in compliance and to seek to address the environmental health and amenity concerns raised by surrounding owners. In September 2023, an application for a retrospective planning permit was lodged for the use of land for animal husbandry at 13 Canico Lane, Hillcrest VIC 3351.

A request for further information was issued by the Council. The applicant provided the requested further information in December 2023. The application was advertised early in 2024, and Council received four (4) objections. Consultation has been undertaken with the objectors and applicant both in terms of consultation meeting and several site visits.

Following consultation with the objectors and applicant and appropriate referral of the application, further information was requested from the permit applicant, this included submission of a land capability assessment and rectification of the septic system to comply with EPA requirements. Water sampling of watercourses on the site and surrounding properties was also undertaken given the concerns raised.

The matters to be considered in the application are quite complex and include the involvement of the EPA, other agencies, and multiple departments within the council, which took substantial time. Council officers consider there is now enough information to decide on the application and to be satisfied that the concerns and objections raised can be addressed. It is also noted that the permit applicant recently amended the application to reduce the number of dogs from 20 dogs to 10 dogs.

The application has been assessed against the relevant provisions of the Pyrenees Planning Scheme. It is recommended that the Council issue a Notice of Decision to Grant a Planning Permit subject to Conditions.

THE SITE

The subject land is identified as Lot 2 on Plan of Subdivision 098633 and is commonly known as 13 Canico Lane, Hillcrest. The site is approximately 4.04 hectares, with Canico Lane accessible from the Smythesdale-Snake Valley Road. The site is located 2.7 kilometres East of the Snake Valley township. **See Figure 1 below.** The land is relatively flat, with a gentle slope towards the north of the site.

The subject site is primarily rectangular in shape and has a 98-metre frontage to Canico Lane forming the northern boundary of the site. Much of the site is densely vegetated, with two cleared portions containing an existing dam and dwelling with ancillary buildings, which includes sheds, buildings, and yards for domestic animal husbandry. The dam is located on a dedicated but unnamed waterway in the south of the site and the dwelling and associated building area located in the northern portion of the site approximately 95 metres from the northern boundary.

The entire site is subject to the Rural Living Zone and Bushfire Management Overlay. Adjoining land is also subject to the Rural Living Zone, while land to the North of the Smythesdale-Snake Valley Road is within the Farming Zone **as shown in Figure 2 below.**

Land subject to the Rural Living Zone immediately adjacent to the subject site comprises similar allotment sizes and contain one dwelling and dense vegetation. Land to the south-east of the site features native and planted vegetation, while land to the north and west are larger allotments used for agricultural purposes such as grazing and broadacre cropping. **Photos of the subject land are provided as Attachment 1.**



Figure 1: Aerial image showing subject site and surrounding area

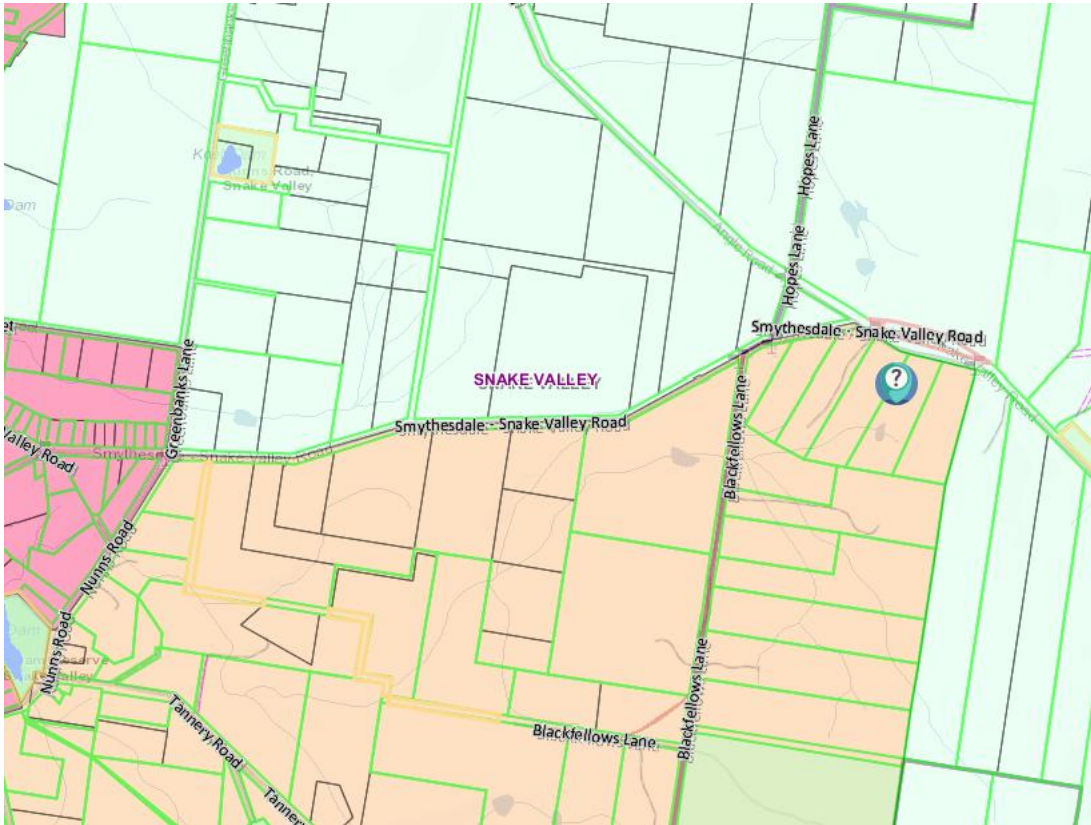


Figure 2: Zoning of the subject land and surrounding properties including proximity to Snake Valley

THE PROPOSAL

It is proposed to use the land at 13 Canico Lane Hillcrest for Animal Husbandry – *Sebasam West Highland White Terriers*. The owner is a member of Dogs Victoria. [Welcome To Dogs Victoria](#) and the Westie Club Victoria [Westie Club of Victoria - Home | Westie Club of Victoria](#) and has been breeding west highland terriers for 30 years.

The application for a Planning Permit states in the kennel management plan that:

- During the day, the dogs are housed in exercise yards with toys and activities. Two –three dogs are kept in each yard. If it is hot/cold dogs are returned to kennels. Dogs are exercised which comprises daily walks on leads around the property.
- At night, the dogs are kept in their individual kennels. There are ten kennels in total within the main kennel building. The kennel area is heated, and air conditioning is provided. The kennels are noise attenuated.
- The kennels are cleaned each day. The beds are hosed and dried. All feeding, watering utensils and toys are also cleaned daily.
- Domestic rubbish which is collected is disposed of in the domestic waste which is collected weekly. (noted that in the original application it was disposed of on the property).
- in the event of an emergency ie bushfire (site is in a bushfire management overlay) the owners can evacuate to dogs to Ballarat. The property is also maintained with defendable space around the dwelling and outbuilding with grass kept low and sprinkler systems throughout the property. The kennel area may form shelter for animals in the case of a fire. The property is not subject to any flooding.
- A daily care routine is adopted for the dogs. This includes monitoring of changes in behaviors, signs of illness or injury to determine health or welfare concerns. The puppies within a litter are continually observed and the mother is integral in the care. If any issues arise veterinary care is sought.

- All puppies are vaccinated when microchipped at 8 weeks of age.
- Given the breed of dog, they are bathed every four weeks and trimmed every 10-12 weeks or more frequently if required
- Puppies are fed five times daily on a mixture of milk, farex and minced steak. Adult dogs are fed daily with a variety of tinned food which is complemented with olive oil, kelp powder, raw eggs, and flaxseed oil.
- The puppies are handled frequently during the day and night including feeding and cleaning. As the puppies mature the puppies socialise together. Music and toys provide activity.
- The adult dogs are subject to a routine which includes feeding, walking, socialising and play.
- A variety of vets are utilised including
 - o Ballarat Pet Farm Vet
 - o Ballarat Country Vets
 - o Smythesdale Animal Hospital
 - o Beaufort Vets and Valley Vet can be called in an emergency.
- The earliest that a puppy can go to a new home is 8 weeks (about 2 months). All puppies are microchipped, immunised and vet checked. Vet records and puppy care notes are provided to all new owners.
- Old dogs and puppies if rehomed will be desexed and health checked before being placed with new owners. Prospective homes are carefully chosen, ie someone who has previously purchased a puppy.
- Archival pedigrees of the west highland terriers go back to 1979 and are registered. A copy of the pedigree is supplied for all puppies and adult dogs.
- The owner is a member of dogs victoria. [Welcome To Dogs Victoria](#) and the Westie Club Victoria [Westie Club of Victoria - Home | Westie Club of Victoria](#) and has been breeding west highland terriers for 30 years.
- All dogs are registered with the council.
- The contact details of all new homes are retained.

The permit applicant originally applied to use the land for animal husbandry for a maximum of 20 dogs (inclusive of puppies) at the premises at any one time. This has recently been reduced to ten adult dogs overall as the owner is seeking to reduce the capacity of the operation. The application has been formally amended to reflect this.

While the site has been utilised for animal boarding or keeping in kennels in the past. Existing use rights cannot be established as there was insufficient information to determine this. The application primarily seeks approval to use the site for breeding and keeping.

The application is accompanied by:

- A site plan
- A floor plan of the existing building to be used for breeding and animal keeping
- A copy of the Certificate of Title and Title Plan
- A written description of existing and proposed business operations and management.

The application documentation is included as Attachment 2.

The application proposes to use the land for Animal Husbandry which is defined under Clause 73.03 as:
Animal Husbandry - Land used to keep, breed, board, or train animals, including birds.

The application does not propose the construction of any additional buildings or works on site. There are no changes to existing vehicular access points to or within the site and no vegetation is proposed to be removed.

13639.2m (270°12'00'')

EX. LAKE

EX. GRASS AREA

EX. BUSH/ TREE PLANTATION LOCATION

36334.96m (19°53'00'')

34580.76m (14°37'50'')

10058.40m (94°19'00'')

CINICO LANE

NOTE: ALL ENCLOSED KENNELS ARE CLEANED WITH CLEAN SEPTIC WATER.
ALL ENCLOSED KENNELS ARE HEATED AND AIR CONDITIONED FOR COMFORT.

1. EXISTING SHED 7.5 x 18m x 3.5m High
2. EXISTING SHED 12 x 12.5m x 4.5m High
3. ENCLOSED KENNEL SHED 5.3x 31m x 2.7m High
4. OUTDOOR ENCLOSURES VARIES IN SIZES
5. EXISTING DWELLING AND GARAGE
6. ENCLOSED KENNEL SHED 5 x 10m x 3m High
7. EXISTING 3 SEPTIC TANK LOCATIONS
8. SEPTIC DRAIN FIELD
9. WATER TANKS LOCATION



RESPONSE TO NOTICE OF APPLICATION

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

A copy of the objections is provided in Attachment 3.

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

- Amenity impacts including
 - Number of dogs to be kept on the site.
 - Barking dogs – throughout the day and in the early hours of the morning.
 - Concern for dog welfare.
- The onsite disposal of effluent and faeces including
 - Potential impact upon the natural water course to the rear of the property
 - Implications for surrounding landowners including impact to the water quality.
 - Biosecurity risks for surrounding landowners with grazing operations.
- Fire prevention strategies
 - The above biosecurity risks for grazing landowners impacts their potential to implement fire prevention strategies including the grazing of stock within the surrounding bushland.
- Concerning behaviours
 - Several residents have identified ongoing concerning behaviour from the permit applicant including them walking the property at night shining torches which disturbs surrounding residents and their pets.

REFERRAL OF APPLICATION

Internal Referrals

Referral	Advice/Response/Conditions
Environmental Health	<p>From an Environmental Health perspective, before we can provide any further advice on actions that need to be taken, we need to ascertain what wastewater is being treated where at the property. For this, we would need the property owner to provide the following information:</p> <ul style="list-style-type: none"> - A plumbers report mapping out the wastewater system currently on site, showing the location and size of any tanks, what wastewater is being discharged into these tanks (i.e. domestic wastewater/blackwater/greywater or kennel wash down water, and the location and size of any wastewater disposal areas (length, width and location of any trenches) for each of the tanks <p>If the wash down water from the kennels is being</p>

	<p>discharged into the septic system for the house, this is not permitted and a Permit to Alter the wastewater system for the house may be required and the current septic system will need to be brought into current code requirements. Through this process we may require an LCA or soil test report to be conducted/provided.</p> <p>The public health risk from washing down water only (provided that all solid waste is discarded elsewhere such as Council waste bins) would be minimal as the soil acts to treat any of the water generated this way.</p> <p>If the onsite wastewater management system and the wash down water from the kennels is treated adequately on site, then this would minimise any potential public health risk from the kennels.</p> <p>Further information including LCA information and a plumber's report was requested on the 17 June 2024.</p> <p>This information was submitted by the applicant in December 2024 and found to be satisfactory.</p> <p>No objection subject to conditions relating to noise, general amenity, and disposal of animal waste.</p>
Local Laws	No objection. They will need to comply with the Domestic Animals Act, Regulations, and any relevant codes of practice for Victorian dog breeders.

External Referrals

Referral	Advice/Response/Conditions
Agriculture Victoria (DEECA Pet and Animal Welfare) (S52)	The council's Animal Management team are responsible for providing the Domestic Animal Business permit. This permit should be shared with the Animal Management team for assessment as to whether the permit meets the required Code of Practice standards.
Central Highlands Water (S52)	No objection. No comments.
Glenelg Hopkins CMA (S52)	<p>The CMA does not object to the granting of a permit.</p> <p>The CMA has no flooding information for this property. This does not mean that the property will not flood. The waterway located on the property is</p>

	<p>part of the headwaters to a tributary of Baillie Creek (see Figure 1). Given the development is located on land higher than, and approximately 100m from the waterway, the CMA has no conditions.</p> <p>Please include the following notation on a permit should one be granted. "Note: A Designated Waterway passes through the property. Any work in, on or around a designated waterway requires a license from the Glenelg Hopkins CMA. Please visit their website at www.ghcma.vic.gov.au for more information."</p>
Country Fire Authority (S52)	<p>CFA does not object to the change of use of this site. As there are existing buildings on site and no further development proposed and currently being used to accommodate animals, CFA has no further requirements.</p>
Environmental Protection Agency (S52)	<p>EPA inspected the property in May 2024. A copy of the inspection report is provided as Attachment 4.</p> <p>Compliance advice given by EPA Part 5.7 of the Environment Protection Regulations 2021 creates new ongoing obligations on a person in management or control of an Onsite Water Management System (e.g., septic tank). These include an obligation to operate the system correctly, maintain it in good working order, and ensure it does not overflow. There is also a new duty to keep maintenance records, and a duty to notify the council as soon as practicable if the system poses a risk of harm to human health or the environment or is otherwise not in good working order.</p> <p>Inspection outcome</p> <ul style="list-style-type: none"> • EPA may issue notices and/or directions (including remedial and non-remedial notices). • Follow-up inspection or other actions. <p>○ EPA has forwarded official information to the Pyrenees Shire for review and follow up action.</p> <p>Further information including LCA information and a plumber's report was requested on the 17 June 2024.</p> <p>This information was submitted by the applicant in December 2024.</p> <p>January 2025</p>

	<p>No concerns. Please include a note on the permit. The amended Environment Protection Act 2017 came into effect on 1 July 2021. The general environmental duty (GED) is a centerpiece of the laws. It applies to all Victorians. If your business engages in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take action to minimise them as far as reasonably practicable. This involves a continuous, preventative approach and should be undertaken with the understanding that where an operation presents low-level risks, or already has appropriate risk mitigation measures in place, further mitigation measures may still be necessary at a future point.</p>
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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:

- The Rural Living Zone
- The onsite disposal of effluent and faeces
- Amenity Impacts
- Other matters

The Rural Living Zone

Clause 35.03 Rural Living Zone) provides the following purposes:

- *To provide for residential use in a rural environment.*
- *To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.*
- *To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Pursuant to Clause 35.03 a planning permit is required to use the land for animal husbandry. (Land used to keep, breed, board, or train animals, including birds.)

The use is considered appropriate for the following reasons:

- The proposed use and development of the land for animal husbandry is considered to accord with the Rural Living Zone's purpose and objectives. It is considered that this land use can be appropriately managed as implemented by appropriate conditions of approval and will not adversely impact the amenity of surrounding land uses.
- The dogs are both domestic pets of the property owner and are kept for use for commercial breeding purposes.
- The dogs are registered and will be kept in secure kennels and yards. These comprise internal housing in runs and fenced outdoor areas. The kennels are cleaned daily, and solid waste is disposed of appropriately. A waste management plan will be required as a condition of approval. All concerns relating to effluent and feces disposal have been addressed.

- All dogs will be provided with the required registration, and breeding will only be undertaken as an established breeding business.
- The maximum number of dogs on the site will be limited to no more than 10 adults over the age of thirteen weeks.
- The application was referred to the EPA. EPA considered the proposal to be low risk provided issues such as noise and waste/ wastewater management can be addressed, and that the proposal is subject to a management plan.
- The application was also referred to Agriculture Victoria (DEECA) who provided a letter of advice recommending that the use be managed in accordance with current legislation. This would include the:
 - Domestic Animals Act 1994,
 - Domestic Animals Amendment (Puppy Farms and Pet Shops) Act 2017
 - Domestic Animals Regulations 2015 and.
 - Code of Practice for the Operation of Breeding and Rearing Businesses (2014).

The onsite disposal of effluent and faeces

As noted in the background to this application this matter stemmed from the permit applicant undertaking works to the onsite wastewater treatment system which resulted in effluent from the subject land impacting neighbouring properties. The site was therefore in breach of the Environmental Protection Act, and Regulations including the General Environmental Duty (GED) and the Pyrenees Planning Scheme.

It is understood that the Council became aware of the property following reports from neighbors in 2022. The current planning team and Council officers from the community safety and amenity, building and environmental health departments became involved and inspected the property from March 2023 onwards to understand the concerns raised. Officers also met with several surrounding neighbors.

As the use of the land did not accord with the planning scheme it was determined that a planning permit was required to bring the site in compliance and to seek to address the environmental health and amenity concerns raised by surrounding owners.

During the application's advertising, surrounding owners came to understand from the application documentation that the owner was disposing of animal feces to the property's rear in a pit adjacent to a dam. The dam is connected to an unnamed watercourse which traverses through the rear of properties on Canico Lane and Blackfellows Lane to the west. Residents were overly concerned about the impact of the feces on the water quality of the watercourse and that this could potentially have an impact upon the biosecurity of their properties and grazing stock.

Following the meeting with the residents, council officers contacted the EPA and central highlands water and arranged for water testing of all dams and watercourses in the vicinity. The EPA also inspected the property and reiterated the need for a plumber's report and land capability assessment to ensure that the effluent disposal system was compliant, and any rectification works were completed. The community safety and amenity officer also liaised with Animal Welfare and Dogs Victoria etc. and recommended that animal feces be disposed of in the general waste and that any pits for the disposal of feces be remediated as soon as possible.

We advised the permit applicant of the Environment Protection Regulations 2021 which creates ongoing obligations on a person in management or control of an Onsite Water Management System (e.g., septic tanks). This includes an obligation to operate the system correctly, maintain it in good working order, and ensure it does not overflow. The GED requires owners to keep maintenance records, and a duty to notify a council as soon as practicable if the system poses a risk of harm to human health or the environment or is otherwise not in good working order.

The environmental health team also visited several properties near the subject land and undertook water testing, which was sent to Central Highlands Water for review. The results of this testing concluded that all samples contained no salmonella and exceptionally low levels of E. coli suggesting no public health concern and very unlikely that they have been contaminated by any wastewater issues in adjoining properties.

Based on this information council officers are satisfied that the environmental values of the waterway can be conserved thereby according with Clause 12 Environmental and Landscape Values (Clause 12.03 Waterbodies and Wetlands of the Pyrenees Planning Scheme. In addition, Central Highlands Water and Glenelg Hopkins CMA have no concerns in this context. Permit conditions requiring that animal waste be disposed of in the general domestic waste and details of the location of waste storage will ensure that these requirements are adhered to.

If relation to effluent disposal on the site the permit applicant has complied with the request of the EPA and Council's environmental health department, and we are satisfied that effluent is now contained on site.

Amenity Impacts

The objectors have raised concerns regarding the number of dogs kept on the site and dog welfare. Neighbours are also frequently impacted by the noise of barking dogs particularly throughout the day and in the early hours of the morning. This is an issue that has been ongoing for several years.

Clause 13.07 Amenity Human Health and Safety is of relevance to the consideration of this matter. Clause 13.07-1S Land Use Compatibility states that planning should ensure that use or development of land is compatible with adjoining and nearby land uses and that we should avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial, and other uses.

As noted above the use of the land for animal husbandry is considered to be suitable in the context of the Rural Living Zone. The infrastructure including the kennels facility and yards are established on the site. The onsite effluent disposal and disposal of waste have been addressed through the application process as demonstrated.

The permit applicant has reduced the number of adult dogs on the site down to 10 total and it is considered that there is existing infrastructure in place on the site is suitable for that number.

Concerns raised regarding animal welfare have been investigated by the community safety and amenity team in association with Dogs Victoria and DEECA and they have no concerns. They consider that the use complies with relevant acts and guidance relating to animal husbandry. They consider the site to be a suitable operation and with a planning permit and suitable permit conditions off site impacts such as barking can be addressed.

In relation to noise it is considered reasonable that there is some barking of dogs in a rural living context and that there would be some barking associated with the site, however this should not be unreasonable.

Permit conditions including the requirement for fencing and screening of the western site boundary adjacent to the kennels and yards will seek to screen the use from the adjoining property to the east where the noise would be most apparent. It is understood that the applicant has erected some fencing on this boundary and undertaken some screen planting it is however considered that this could be further enhanced to provide an additional visual barrier and enhanced noise attenuation.

The ongoing management of the use including the confinement of dogs during the evenings in their kennels which are noise attenuated and restrictions on feeding time and general nuisance requirements will ensure that noise is appropriately managed.

Other matters

Other matters raised by the objectors include ongoing concerning behaviour from the occupants of the subject land including, walking the property at night, shining torches which disturbs surrounding residents and their pets.

Clause 65.01 directs that before deciding on an application the responsible authority must consider relevant matters. This includes the effect on the environment, human health, and amenity of the area.

The nature, scale and setting of the use is not considered to result in any unreasonable amenity impacts beyond the property boundary. Amenity impacts to be considered are limited to noise and other minor potential disturbances as addressed above.

The concerning behaviors identified are not considered to be related to the land use being considered and in fact it is highly likely that this would continue if the land use were not supported.

As discussed above officers can seek to address any amenity impacts to be considered by the planning scheme through the appropriate operation of any land use/business which can be managed via appropriate planning permit conditions to ensure that the land use is compatible with surrounding land use and any amenity impacts can be minimized. We, however, cannot control the general behaviors or nature of landowners.

In this case a retrospective permit application is being considered to bring the use of the land into compliance with the Pyrenees Planning Scheme. Planning permit conditions provide the council with an enforcement mechanism to ensure that the site is appropriately used and managed, and that the amenity of the area is maintained to an acceptable level.

The permit applicant has been cooperative in pursuing the planning permit process and has met all requirements requested. Council officers are satisfied that the matters raised have been resolved and recommend support for the proposal.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 1 - People

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

1e. Improve social outcomes.

Priority 2 - Place

2a. Sustain and enhance unique character of our communities.

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

2c. Promote responsible development.

Priority 4 - Economy

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

Enabling Principles

b. Provide transparency and accountability

c. Use resources efficiently and effectively

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

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

ATTACHMENTS

1. Att 1 [12.2.1.1 - 29 pages]
2. Att 2 [12.2.1.2 - 7 pages]
3. Att 3 [12.2.1.3 - 4 pages]

FINANCIAL / RISK IMPLICATIONS

The 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.

REFERENCE DOCUMENTS

- Pyrenees Planning Scheme
- Planning and Environment Act 1987

OFFICER RECOMMENDATION

That Council:

Issue a Notice of Decision to Grant a Planning Permit for the Use of the land for animal husbandry, subject to the following conditions.

Amended Plans Required

1. Before the use 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. The plans must be generally in accordance with the plans submitted but modified to show:
 - a. The distances from the shed and yards to surrounding sensitive uses, including dwellings, and environmental setbacks to waterways, etc.
 - b. Nomination of all visual and noise screening (including the type, height, and materials) of screening and yards to protect surrounding land uses and sensitive land uses, including dwellings.
 - c. The wastewater disposal area shown and located to prevent impacts to waterways, water quality, and is appropriately buffered and fenced.
 - d. The provision of a landscape plan for all vegetation screen planting as per the requirements of Condition 3.
 - e. The provision of a detailed waste management plan as per the requirements of Condition 19.
 - f. The provision of a business management as per the requirements of Condition 9.

Layout not Altered

2. The use as shown on the endorsed plans must not be altered without the further written consent of the Responsible Authority.

Landscape Plan

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

The landscape plan must include:

- a. a survey (including botanical names) of all existing vegetation to be retained and/or removed.
- b. details of surface finishes of pathways and driveways.
- c. a planting schedule of all proposed trees, shrubs, and ground covers, including botanical names, common names, pot sizes, size at planting, sizes at maturity, and quantities of each plant.

Completion and Maintenance of Landscaping Works

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

Lighting

5. External lighting must be designed, baffled, and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.

Noise Control - Noise Limit and Assessment Protocol

6. Noise emissions from the premises must not exceed the limits set out in the Environmental Protection Authority's (EPA) Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues (Noise Protocol), or its successor or equivalent

General Amenity - After Construction

7. The use must be managed to the satisfaction of the Responsible Authority so that the amenity of the area is not detrimentally affected including through the:
 - a. transportation of materials, goods, or commodities to or from the land.
 - b. appearance of any building works or materials.
 - c. emission of noise, artificial light, smell, fumes, smoke, vapour, steam, soot, ash, dust, water, waste products, grit, or oil.
 - d. presence of vermin.

Animal Waste

8. No animal waste is to be discharged into the onsite wastewater management system (septic) located at the property. All animal waste is to be disposed of in the domestic waste.

Business Management Plan

9. Prior to the commencement of the use a plan shall be provided which includes detail of how the business would comply with Code of Practice for the Operation of Breeding and Rearing Businesses (2014). The plan should be to the satisfaction of the Responsible Authority and endorsed to form part of the permit.

General Management

10. The use must be managed and operated at all times in accordance with the requirements of:
 - a. Domestic Animals Act 1994,
 - b. Domestic Animals Amendment (Puppy Farms and Pet Shops) Act 2017
 - c. Domestic Animals Regulations 2015 and.
 - d. Code of Practice for the Operation of Breeding and Rearing Businesses (2014).

Maximum number of dogs

11. No more than ten (10) adult dogs over the age of thirteen weeks may be accommodated or kept on the site at any one time.

General Use Conditions

12. The dog kennels must allow for dogs to be confined in a fully enclosed area at night which shall be insulated with noise abatement material to the satisfaction of the Responsible Authority, so as to reduce the effects of barking noise on the surrounding area.
13. Feeding of adult dogs must only occur between the hours of 7.00am and 8.00pm in Winter and 7.00am and 9.00pm at other times.
14. No dogs shall be kept on the site unless a person is residing on the property on a full-time basis during the time that the use for the purposes of dog keeping occurs.
15. Dogs must not create a nuisance through barking, wandering, waste or any other nuisance which may cause detriment to the surrounding area to the satisfaction of the Responsible Authority.
16. Noise levels emanating from dogs kept on the property must not cause nuisance to adjoining landowners.
17. The kennels, any exercise yard or dog compound must be kept in a clean, tidy, and sanitary condition always to the satisfaction of the Responsible Authority.

Access to dogs

18. Access to all dogs must be restricted solely to:
 - a. the permit holder,

- b. a veterinary surgeon,
- c. a member of the permit holder's family,
- d. a person over the age of 18 years entrusted with the care or effective control of the dogs ("a nominated responsible person"),
- e. a person accompanied by the permit holder or a nominated responsible person, or
- f. a person acting in an emergency.

Details of Waste Storage Areas

19. Details of waste collection and storage areas shall be provided prior to the commencement of use. Storage bins shall be screened from view of the street and adequately covered to the satisfaction of the Responsible Authority to minimise dispersal of material by wind or water and vermin and pest insect access. Appropriate controls shall be implemented to restrict the movement of wind-blown litter and prevent the site appearing unsightly. No litter shall be discharged beyond the boundaries of the site. All storage areas shall be surfaced and capable of being washed down with wastewater being directed to sewer via an appropriate litter trap. No odour shall be emitted from any waste storage areas so as to cause offence to adjoining property occupiers to the satisfaction of the Responsible Authority.

Expiry - Use

20. This permit as it relates to use will expire if the use does not start within 2 years after the issued date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.

21. This permit allows the use of the land only by (Sebasam West Highland White Terriers 13 Canico Lane Hillcrest). If (Sebasam West Highland White Terriers) ceases to use the land, this permit will expire.

Notes

Bushfire Prone Area

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

EPA

The amended Environment Protection Act 2017 came into effect on 1 July 2021. The general environmental duty (GED) is a centrepiece of the laws. It applies to all Victorians. If your business engages in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take action to minimise them as far as reasonably practicable. This involves a continuous, preventative approach and should be undertaken with the understanding that where an operation presents low-level risks, or already has appropriate risk mitigation measures in place, further mitigation measures may still be necessary at a future point.

GHCMA

A Designated Waterway passes through the property. Any works in, on or around a designated waterway require a licence from the Glenelg Hopkins CMA. Please visit their website at www.ghcma.vic.gov.au for more information.

12.2.2. 26 BURKE STREET BEAUFORT - STAGED SUBDIVISION AND CONSTRUCTION OF TWO OR MORE DWELLINGS ON A LOT (EIGHT DWELLINGS) UNDER CLAUSE 32.08-7 (GRZ1)

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: Virginia Mcleod – Senior Planner

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

File No: PA25001

PURPOSE

The purpose of this report is to consider planning application PA25001 for subdivision of land and construction of two or more dwellings on a lot (eight dwellings) on land at 26 Burke Street, Beaufort.

BACKGROUND

The planning permit application was lodged on 18 December 2024.

The Pyrenees Shire Council (landowner) has received a grant from Regional Development Victoria for the construction of the 8 dwellings proposed by this application as part of the Regional Worker Accommodation Fund. This grant funds the construction of the 8 dwellings and mandates the use to accommodate workers in key industries for a set period.

The application was advertised, via notices onsite and letters to surrounding owners and occupiers from 6 February 2025 to 27 February 2025. One objection was received. The objection concerned drainage, traffic, street lighting, footpaths, and maintenance of properties.

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

SUBJECT SITE

The subject site is identified as the following 16 parcels (refer Figure 1) and has the rated address 26 Burke Street, Beaufort.

	Lot/Plan or Crown Description	SPI		Lot/Plan or Crown Description	SPI
A	Lot1 TP162309	1\TP162309		TOWNSHIP OF BEAUFORT	
B	Lot2 TP162309	2\TP162309	J	Allot 9 Sec. 19	9-19\PP5058
C	Lot3 TP162309	3\TP162309	K	Allot 16 Sec. 19	16-19\PP5058
D	Lot4 TP162309	4\TP162309	L	Allot 13 Sec. 20	13-20\PP5058
E	Lot5 TP162309	5\TP162309	M	Allot 2 Sec. 21	2-21\PP5058
F	Lot1 TP402759	1\TP402759	N	Allot 3 Sec. 21	3-21\PP5058
G	Lot1 TP558981	1\TP558981	O	Allot 4 Sec. 21	4-21\PP5058
H	Lot2 TP558981	2\TP558981	P	Allot 5 Sec. 21	5-21\PP5058
I	Lot1 TP858977	1\TP858977			

Figure 1 – parcels comprising subject site

The site subject of this application is located on two blocks, approximately 100 metres, north of Neill Street (Western Highway) and approximately 650 metres west of the central business district of Beaufort (refer Figure 2).

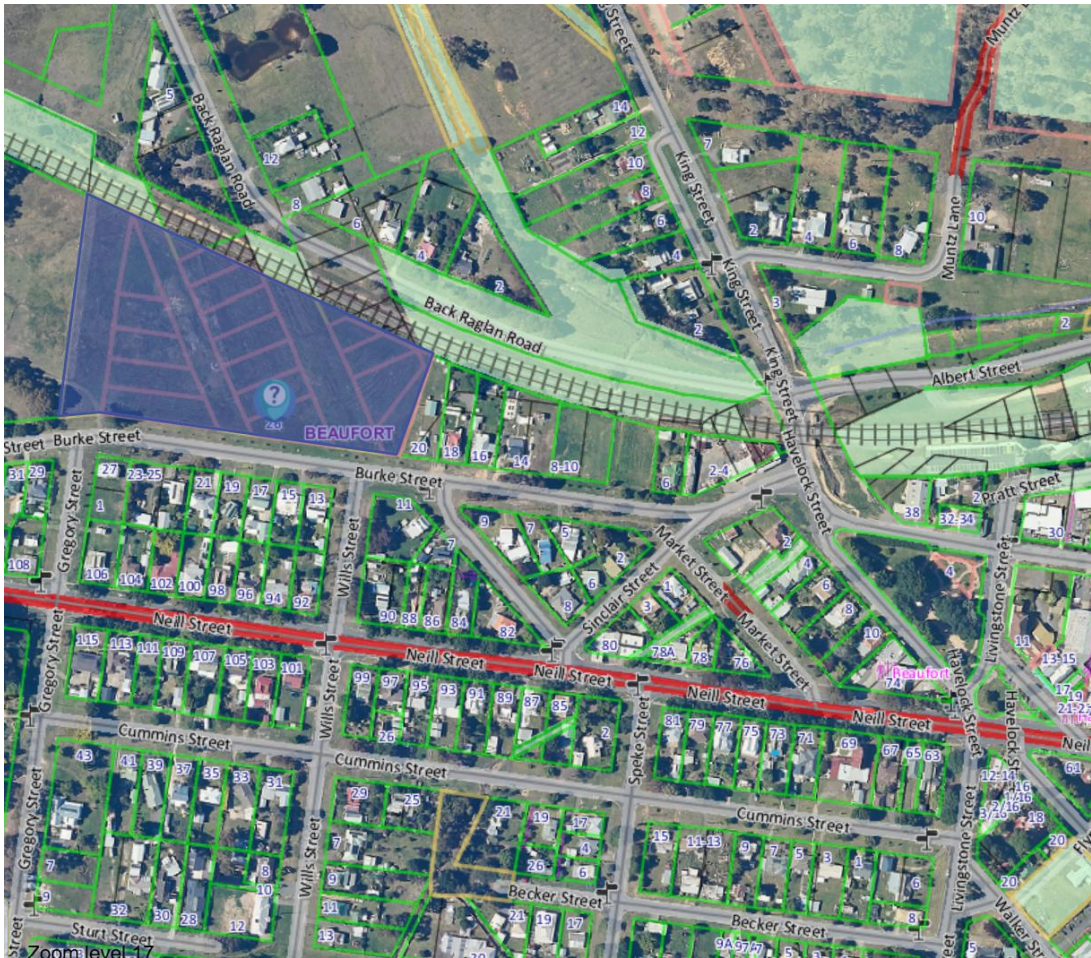


Figure 2 – locality plan, subject site in blue

The site is 1.648 hectares in size. The southern boundary of the site borders Burke Street for a length of 240 metres, and the northern site boundary adjoins the Ararat Railway corridor.

The site is zoned General Residential Zone. A Land Subject to Inundation Overlay (LSIO) affects the north eastern portion of the land at 26 Burke Street. The LSIO is not present on land subject to this application. Attachment 1 – Planning Property Report.

The site includes three unused roads running north-south, historical artifacts of the original subdivision of Beaufort. The three roads are all Crown land. At meeting of 10 December 2024, Council resolved to realign these roads to support the future subdivision of the site in its entirety.

The site is vacant and has a gentle slope towards the north east corner. An old mine shaft is present on the site and the boundaries are fenced with post and wire. There is no native vegetation present on the site.

Land to the north, east and south is developed for residential use and is zoned General Residential Zone. Land immediately to the west is vacant and zoned Farming Zone.

THE PROPOSAL

The application for a planning permit has two components:

- Subdivision into 8 lots and two super lots (A & B) (Attachment 2 – Application form and Attachment 3 - Subdivision plan)
- Construction of 8 dwellings (Attachment 4 – Plans)

Proposed subdivision

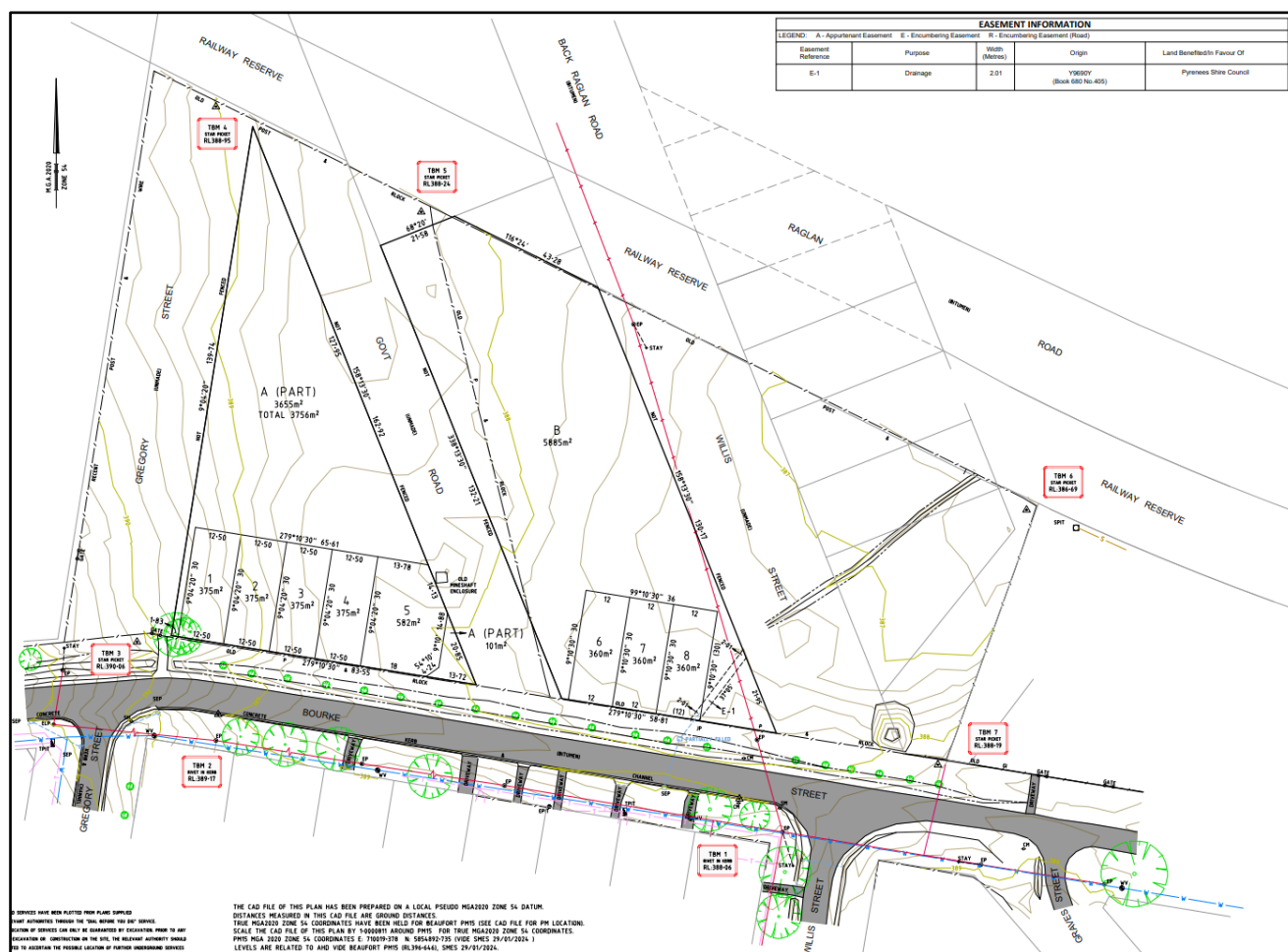


Figure 3 – Proposed plan of subdivision

Lots 1 – 4 are 375 square metres in size, Lots 6 – 8 are 360 square metres in size, and Lot 5 is 582 square metres in size.

All Lots are orientated north south and have frontage to Burke Street, ranging from 12 metres to 18 metres for the largest lot (Lot 5). A drainage and sewerage easement are proposed to run along the northern (rear) boundary of each lot.

The proposed plan of subdivision maintains the current alignment of the three Crown land unused roads.

Lot 1 – 8 are proposed to be developed with dwellings. The remaining land will be placed in super lots (or large lots). Further subdivision of the super lots will require planning permit/s and does not form part of this application.

Works that form part of the subdivision includes earthworks, construction of curb and channel, provision of footpath and street lighting and planting of street trees.

Proposed dwellings

Attachment 4 – Plans

A planning permit is not usually required to construct a dwelling on a lot greater than 300 square metres in the General Residential Zone. However, a planning permit for the construction of 8 dwellings forms part of the application as this will allow dwellings to be constructed prior to the completion of the subdivision process.

All dwellings are detached and single-storey. The dwellings are setback between 5 and 7 metres from the Burke Street frontage, and each will have a separate crossover access leading to a single garage integrated with the dwelling.

All dwellings display similar floor plans; living areas at the rear of dwellings orientated to the north, two bathrooms and 3 bedrooms with areas of garden. Figure 4 shows a typical floor plan.

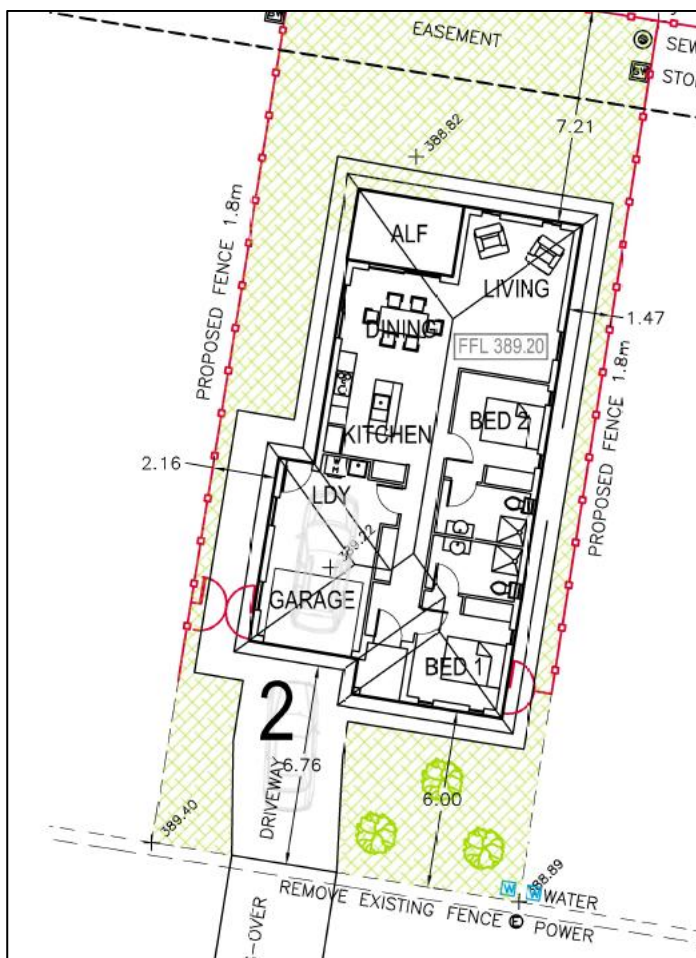


Figure 4 – proposed dwelling Lot 2

The dwellings have a 30-degree Colorbond pitched roof, are constructed of brick and feature a unique front door colour for each dwelling. A typical front elevation is shown in Figure 5.



Figure 5 – Typical dwelling front elevation

RESPONSE TO NOTICE OF APPLICATION

The application was notified in accordance with Section 52 of the *Planning and Environment Act 1987*.

Two large signs were placed on the south boundary of the site, facing onto Burke Street, and letters were sent to adjoining and surrounding owners and occupiers.

One objection was received in response to notification (Attachment 5 – Objection). The issues raised in this objection were:

- Drainage and the current flooding experienced in the street
- Heavy vehicles using Burke Street and other vehicles speeding. Need for signage and traffic calming measures.
- Lack of streetlights and footpaths and associated safety risks.
- How Council will maintain the properties [in reference to Regional Worker Accommodation]

The issues raised in this objection will be discussed in the Assessment section of this report.

REFERRALS

The application was referred internally and in accordance with the requirements of Section 66 of the Pyrenees Planning Scheme.

Internal Referrals

Referral	Response
Engineering	<p>No objection subject to standard conditions.</p> <ul style="list-style-type: none"> - Reviewed traffic impacts. No major impacts proposed. - Reviewed stormwater management plans – updated plans required, both detention and quality need to be considered. Addressed in conditions. - Pedestrian impact reviewed – footpath

	<p>strategy required to connect to existing footpath network. Addressed in conditions.</p> <ul style="list-style-type: none"> - Street light design required. Addressed in conditions. - Concrete driveways and kerb and channel in line with the IDM required. Addressed in conditions. - Earthworks and fills on lots required testing as per Australian Standards. Addressed in conditions. - Concerns with construction plans or activities such as dust, noise etc – Environment Management Plan required. - Street tree locations to be determined. addressed by conditions. - Parking reviewed – no concerns as per Pyrenees Planning Scheme Clause 52.06 provisions eg: 1 parking space for two bedroom and 2 parking spaces for more than two bedroom dwellings.
Street Addressing	Addresses provided

External referrals (Attachment 6)

Referral	Response
Central Highlands Water (section 55)	No objection subject to conditions including for reticulated sewerage and water supply. Noted that significant works to provide reticulated sewerage will be required that require planning with Central Highlands Water.
Powercor (section 55)	No objection subject to standard conditions related to subdivision and electricity supply to proposed dwellings.
Country Fire Authority (section 55)	No objection subject to standard conditions relating to hydrants and road construction.
Department of Energy, Environment and Climate Change (section 52)	No response received.
Department of Transport and Planning (section 52)	No objection, no conditions recommended.
Glenelg Hopkins Catchment Management Authority (section 52)	No objection subject to conditions including specified finished floor levels.
Vic Track	No objection subject to conditions including fencing and protection of the railway corridor.

ASSESSMENT

Planning Policy Framework (PPF) and Municipal Planning Strategy (MPF)

The following Clauses of the PPF and MPF are relevant to the consideration of this application:

Clause 02 Municipal Planning Strategy

Clause 02.02 Vision

Clause 02.03-1 Settlement:

- Direct development to areas within township boundaries
- Develop consolidated townships and settlements to provide improved access to services and community facilities.
- Enhance Beaufort and Avoca as the municipality's major towns through the provision of a wide range of services and facilities, and a diversity of housing types and lifestyle opportunities.

Particular strategies for Beaufort include:

- Retaining Beaufort's character and sense of place
- Managing and mitigating the impacts of flooding and drainage problems in low-lying sections of the town.

Clause 02.03 -5 Housing:

- Encourage a diverse range of housing to attract and maintain a socially diverse population base.
- Encourage medium-density housing in central locations in established townships, with good accessibility to transport, shops, infrastructure, and community facilities.

Clause 11 Settlement

Clause 11.01-1R Settlement – Central Highlands

- Direct growth to well serviced settlements with good access to Melbourne or Ballarat, particularly Bacchus Marsh, Ballan, Creswick, Clunes, *Beaufort*, and Smythesdale.

Clause 11.03-6S Regional and local places

- Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns.
- Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.

Clause 13 Environmental risks and amenity

Clause 13.02 Bushfire

Give priority to the protection of human life by:

- Prioritising the protection of human life over all other policy considerations.
- Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
- Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

Clause 15 Built Environment and Heritage

Clause 15.01-1S Urban Design

- To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity

Clause 15.01-2S Building design

- To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development.

Clause 15.01-3 Subdivision design

- To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Clause 15.01-4S Healthy neighbourhoods

- Design neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity

Clause 16 Housing

Clause 16.01-1S Housing supply

Clause 16.01-1L Location of residential development in Pyrenees Shire

- Direct residential development to areas within townships that have the potential to accommodate infill development and where water and sewerage services are provided.
- Discourage the expansion of the low-lying area of Beaufort north of the railway due to drainage issues and the isolation of the area from community facilities.

Clause 18 – Transport

Clause 18.02 Movement Networks

Clause 18.02-1S Walking

- To facilitate an efficient and safe walking network and increase the proportion of trips made by walking

Clause 18.02-4S Roads

- To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

Clause 19 Development Infrastructure

Clause 19.03-2S Infrastructure design and provision

- Provide an integrated approach to the planning and engineering design of new subdivision and development.
- Integrate developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns

Clause 19.03-3S Integrated water management

- To sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.

The application demonstrates a high degree of consistency with the policy outcomes sought by the Planning Policy Framework and Municipal Planning Strategy:

- The subject site is located south of the railway corridor in the area of Beaufort which is zoned General Residential Zone.
- The proximity of the site (approximately 650 metres) to the central area of Beaufort will allow future residents access to the range of services in Beaufort including shops, schools, and healthcare.
- Developing a site within walking distance of the center of Beaufort represents the desired infill outcome sought by the Settlement policy at the state and local level.

The density of the subdivision, determined by the lot size, is also supported by the Planning Policy Framework:

- The proposed lot sizes are smaller than the historical pattern of subdivision in Beaufort, increasing the number of dwellings that are proposed to be constructed.
- The three-bedroom dwellings add diversity to the existing housing stock in Beaufort.
- The dwellings, while at a greater density, maintain the dominant housing style of detached single-storey dwellings.
- The proposed pattern of subdivision allows for the design of dwellings that respect the existing character of Beaufort with front setbacks that allow for gardens and separation between dwellings (refer to Attachment 7 – Clause 55 assessment).

The risk of bushfire to future residents has been assessed. The subdivision and development of the site can be undertaken in a manner that prioritises human life and reduces bushfire risk. The views of the Country Fire Authority have been considered.

A small part within the eastern corner of the subject site is subject to the Land Subject to Inundation Overlay, requiring a finished floor level above the relevant flood level. Generally, the site is not identified as being subject to flooding.

The site can be serviced with reticulated water and sewerage, and electricity is available.

General Residential Zone

The subject land is in the General Residential Zone.

The purpose of the General Residential Zone is to:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that is responsive to the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations

A planning permit is required to subdivide land in the General Residential Zone. No minimum lot size is specified. A subdivision must meet the requirements of Clause 56.

A planning permit is required to construct two or more dwellings on a lot. A development must meet the requirements of Clause 55

The decision to grant a permit, or not, requires consideration of the relevant policies of the Municipal Planning Strategy, Planning Policy Framework and the purpose and decision guidelines of the General Residential Zone.

The proposal demonstrates a high level of compliance with the Decision Guidelines of the General Residential Zone. The following comments are provided:

- The application is consistent with the purposes of the Zone, particularly to provide a diversity of housing types in locations offering good access to services and transport.
- The development is responsive to the neighbourhood character of the area.
- There is no overshadowing impact from the proposed dwellings.
- The pattern of subdivision allows for development of detached single dwelling with appropriate setbacks.
- Refer to Attachment 7 - Clause 55 Assessment, and Attachment 8 - Clause 56 assessment.

Clause 52.06 - Car Parking

Clause 52.06 requires car parking to be provided at the rate specified in the Planning Scheme, including for new dwellings.

The rate of car parking required in accordance with Clause 52.06-5 is 2 spaces per 3-bedroom dwelling. At least one of these spaces must be under cover.

The proposed dwellings are consistent with this requirement. Each dwelling is provided with a single garage and parking space to the front of the garage.

Clause 53.01 - Public Open Space contribution

Clause 53.01 requires “A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause.”

The subdivision is not exempt from the requirements of Clause 53.01. It is recommended that a planning permit condition be included that requires the payment of public open space contribution for the proposed 8 lots. Further contributions will be required at future subdivision of the super lots.

Clause 55 and 56 – Two or more dwelling on a lot and residential buildings, Residential Subdivision

Attachment 7 – Clause 55 assessment

Attachment 8 – Clause 56 assessment

The application has been assessed against the objectives and standards at Clause 55 and 56. The application demonstrates consistency with the outcomes desired for the range of matters including, character, amenity, infrastructure, and provision of services.

Planning Scheme Amendment VC276, gazetted on 25 March 2025, made significant changes to the Clause 55 standards. As this application was lodged prior to 25 March 2025, the application is assessed against the previous version of Clause 55.

Clause 65 Decision Guidelines

Clause 65.01 - approval of an application or plan

The council must decide whether the proposal will provide an acceptable outcome in terms of the purpose and decision guidelines of the zone and overlay, and the direction outlined in the MPS and PPF.

Clause 65.02 - approval of an application to subdivide land

The council must consider a range of matters pertaining to subdivision when making decisions on applications.

The proposal is considered to represent an orderly planning outcome that achieves a high level of compliance with the matters required to be considered in the Planning Scheme and the *Planning and Environment Act 1987*.

Aboriginal Heritage Act 2006

Under section 46 of the Aboriginal Heritage Act 2006, a mandatory cultural heritage management plan is required for a proposed activity if the regulations require the preparation of the plan for that activity.

If required, an approved cultural heritage management plan (CHMP) must be submitted to the Council before deciding on a planning permit application.

The Aboriginal Heritage Regulations 2018 stipulate that unless an activity is specified as being an exempt activity, a cultural heritage management plan is required if:

- a) all or part of the activity area for the activity is an area of cultural heritage sensitivity; and
- b) all or part of the activity is a high impact activity.

The subject land (activity area) is not in an area of cultural heritage sensitivity. Therefore, a CHMP is not required for the proposed subdivision or development.

Response to matters raised in Objection

The following matters were raised in objection to the issue of a planning permit:

- Drainage and the current flooding experienced in the street
- Heavy vehicles using Burke Street and other vehicles speeding. Need for signage and traffic calming measures.
- Lack of streetlights and footpaths and associated safety risks.
- How Council will maintain the properties [in reference to Regional Worker Accommodation]

The matters raised in the objection have been considered throughout the assessment required by the Planning Scheme. The following comments are provided:

- Council is aware that properties on Burke Street currently experience flooding during heavy rain events. The subdivision and construction of 8 dwellings on the subject site will require the preparation of a drainage plan to demonstrate how stormwater from the proposal will be managed in accordance with the requirements of the Planning Scheme. Council's Engineering department has assessed the initial drainage information provided and has formed the view that existing flooding or drainage will not be impacted by this proposal.
- The use of Burke Street by heavy vehicles and general driver behaviour (such as speeding) are matters beyond the scope of the Planning Scheme to assess and control and are the responsibility of Victoria Police for enforcement. It is understood that Council has been advocating on behalf of the community regarding these and other road safety issues and has secured funding for traffic calming measures for Burke Street.
- The applicant has submitted a revised plan, provided to the objector, showing the provision of public lighting and footpath (on the south side of Burke Street).
- The dwellings have been suitably designed to be able to be maintained, for example via side gates that allow access to the rear yard. Maintenance will be responsibility of the owners and occupiers as per all dwellings in the Shire of Pyrenees.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 2 - Place

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

2c. Promote responsible development.

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

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

ATTACHMENTS

1. Attachment 1- Planning Property Report [12.2.2.1 - 4 pages]
2. Attachment 2 - Application Form [12.2.2.2 - 4 pages]
3. Attachment 3 - Subdivision Plan [12.2.2.3 - 1 page]
4. Attachment 4 - Plans [12.2.2.4 - 36 pages]
5. Attachment 5 - Objection [12.2.2.5 - 2 pages]
6. Attachment 6 - External Referrals [12.2.2.6 - 12 pages]
7. Attachment 7 - Clause 55 assessment [12.2.2.7 - 14 pages]
8. Attachment 8 - Clause 56 attachment [12.2.2.8 - 1 page]

FINANCIAL / RISK IMPLICATIONS

The fees for planning permits prescribed by the State Government and paid by the applicant ensure that the costs associated with the application are at least partially met.

OFFICER RECOMMENDATION

That Council:

Issue a Notice of Decision to Grant Planning Permit for subdivision of land and construction of two or more dwellings on a lot (eight dwellings), subject to the following conditions:

Commencement of Permit

1. This permit will operate from the issued date of this permit.

Approved and Endorsed Plans – changes Required

2. Before the development or subdivision starts, plans must be approved and endorsed by the responsible authority. The plans must:
 - a) be prepared to the satisfaction of the responsible authority
 - b) be drawn to scale with dimensions
 - c) submitted in electronic form
 - d) be generally in accordance with the plans forming part of the application but amended to show the following details:
 - Subdivision plan (prepared by Beverage Williams, ref 2302078) amended to show
 - a. the drainage and sewerage easement at the rear of lots 1-8
 - b. inclusion of land to the east of Willis Street in a lot/part of a lot
 - Site plans and/or elevations amended to show
 - c. External storage in accordance with Standard B30
 - d. Mailboxes and any other structures required to be sited within front setbacks of dwellings
 - e. Fencing materials
 - f. Location of stormwater detention systems
 - g. Alteration to the finished floor levels of dwelling 7 to comply with condition 28
 - The provision of a landscape plan in accordance with condition 7
 - The provision of detailed construction plans in accordance with condition 20

Layout not Altered

3. The layout of the development and subdivision must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.
4. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Plan of Subdivision

5. 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.

Payment of open space contribution under the planning scheme

6. Before a Statement of Compliance for the plan of subdivision is issued under the Subdivision Act 1988, the applicant or owner must pay a monetary contribution for public open space in accordance with the schedule to Clause 53.01 of the planning scheme.

Landscape Plan

7. 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 10 canopy trees (minimum two metres tall when planted) in the following areas: [front setback, common areas and private open space area of each dwelling]
- vii. 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 of Landscaping

8. 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. The responsible authority may consent in writing to vary this requirement.

Landscaping maintenance

9. At all times, the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.

Street Tree Provision

10. Prior to any works commencing on site, the permit holder shall prepare a plan for the provision of street trees within the road reserve adjacent to and within the proposed development at locations approved by the Responsible Authority.
11. Prior to the occupation of the development or issue of Statement of Compliance, 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.

Works on or to the land

12. Before a Statement of Compliance is issued for any stage of the subdivision under the Subdivision Act 1988, the following works must be provided on or to the land to the satisfaction of the responsible authority:
- a) all road and drainage works shown on approved detailed construction plans

- b) stormwater management system in accordance with approved stormwater management plan
- c) landscaping in accordance with the landscape plan approved under this permit
- d) street trees

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

Street Numbering

13. 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.

Reticulated Services

14. 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.

Easements

15. All 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*.

Engineering Conditions

Vehicle Access:

16. Prior to the issue of a Statement of Compliance/occupation of the development, vehicle access to each lot must be constructed in accordance with the Infrastructure Design Manual standard drawings, plans and specifications set under an approved Road Excavation Permit (to the satisfaction of the Responsible Authority).

Any redundant vehicle crossings must be removed, and the nature strip reinstated to the satisfaction of the Responsible Authority.

Stormwater Management

17. Before the development starts, a stormwater management plan must be approved and endorsed by the responsible authority. The stormwater management plan must:
- a. Be prepared to the satisfaction of the responsible authority
 - b. Be submitted in electronic form
 - c. Include details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system
 - d. Set out how the stormwater management system will be managed on an ongoing basis
 - e. Demonstrate how all relevant standards set out in the planning scheme relating to stormwater management will meet the objectives in the planning scheme, including modelling and calculations

- f. Be generally in accordance with the plans forming part of the application but amended to show the following:
 - i. The retention of a 20% AEP storm event whilst allowing a rate of discharge equivalent to that presently experienced (undeveloped) from the site
 - ii. How the stormwater runoff from the entire development will be treated prior to discharge from the site using best practice.

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

Supervision/Inspections of construction works shall be completed by Pyrenees Shire Councils Engineering Department in accordance with the Infrastructure Design Manual.

All drainage works must be constructed in accordance with the approved plans and completed to a satisfaction of the Responsible Authority prior to the issue of Statement of Compliance.

At the completion of the works one set of 'as constructed' civil plans shall be submitted to the Responsible Authority.

- 18. Stormwater must not drain or discharge from the Subdivision to adjoining properties without the prior approval of the adjoining property owner and the Responsible Authority.

Infrastructure works required

- 19. Before a Statement of Compliance is issued for any stage of the subdivision under the *Subdivision Act 1988*, the following works must be provided on or to the land to the satisfaction of the responsible authority:
 - a. Install kerb & channel on Burke Street incorporating earthworks, pavement, sealing, drainage, kerbing, and environmental treatments across the frontage of the development. The kerb & channel shall be installed at a minimum of 3.65m from the centre of the existing road to the invert of the kerb & channel,
 - b. Connect the existing table drains on Burke Street to the east and west directions of the development to the kerb & channel or underground drainage as per an approved storm water management plan,
 - c. Install underground drainage and stormwater detention as per an approved Storm Water Management Plan
 - d. Construct a footpath on one side of Burke Street in the vicinity of the development as per an approved footpath strategy which considers connection to the existing footpath network
 - e. Install/upgrade street lighting in Burke Street in the vicinity of the development as per an approved lighting design

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

All works are to be carried out in accordance with the Infrastructure Design Manual to the satisfaction of the Responsible Authority including construction inspections and hold point releases completed by Pyrenees Shire Council's Engineering Department.

Detailed Construction Plans – Road and Drainage

20. Before any works associated with the subdivision commence, detailed construction plans must be approved and endorsed by the responsible authority. The construction plans must:
- a) be prepared to the satisfaction of the responsible authority,
 - b) be drawn to scale with dimensions and submitted electronically,
 - c) Include the conditions stated in infrastructure works,
 - d) Include the following:
 - i. vehicular crossings to each lot,
 - ii. street tree locations,
 - iii. street light locations
 - iv. footpath location.

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.

Earthworks and Lot Filling

21. Before a Statement of Compliance is issued all land to be filled and to be used for a dwelling must be filled and compacted in accordance with Australian Standard AS3798. The results of the tests must be produced and be to the satisfaction of the responsible authority.

All filling over 300mm in depth on the site must be supervised, carried out, completed and recorded in accordance with:

- The provisions of any Construction Management Plan; and
- Australian Standard AS 3798 2007 (Guidelines on earthworks for commercial and residential developments) to the satisfaction of the responsible authority.

Before the issue of a Statement of Compliance unless otherwise agreed in writing by the responsible authority, compaction test results and a report certifying that the filling has been properly carried out shall be provided to the satisfaction of the responsible authority. The land must be filled in a manner that does not:

- Cause a nuisance on nearby land through the emission of dust; or
- Adversely affect the drainage of adjacent land through sediment and the like.
- Affect overland flow paths.

All topsoil removed during the earthworks must be stockpiled, maintained in a weed-free condition, respread on disturbed ground after completion of the earthworks and revegetated to prevent erosion, all to the satisfaction of the responsible authority.

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 Burke Street to ensure it is 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.

Vic Track (reference 870411)

- 23. No entry to railway land is permitted without the written consent of Vic Track.
- 24. At all times, the common boundary with the railway land must be fenced with a 1.8m paling or black chain mesh fence and must be repaired and maintained, all at no cost to Vic Track to prohibit unauthorised access to the rail corridor.
- 25. Any replacement, repair, or reconstruction of any fence on the boundary to railway land must be in accordance with Vic Track's requirements.
- 26. No drainage, effluent, waste, soil, or other materials must enter, be stored or be directed to the railway land.
- 27. The development's landscaping and planting must be setback to ensure tree canopy does not extend over railway land.

Glenelg Hopkins Catchment Management Authority (GHCMA-F-2025-00056)

- 28. Finished floor levels of all dwellings are at or above the nominal flood protections level of 387.68 m AHD.

Country Fire Authority (reference 16000-83034-142389)

- 29. Hydrants - 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).

30. Roads - Roads 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 (309548267)

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

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

- 33. 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).

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

- 34. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.

Notes: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements: RESERVES established by the applicant in favour of the Distributor. SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way

of a caveat prior to the registration of the plan of subdivision

35. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new power lines to service the lots or adjust the positioning existing easements.

Notes: Existing easements may need to be amended to meet the Distributor's requirements •
Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		This Plan (Section 88 - Electricity Industry Act 2000)	Powercor Australia Ltd

Central Highlands Water (reference 25/1065 Sect 55 2025-02-20)

36. 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.
37. 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.
38. 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.
39. 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.
40. If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.

Telecommunications

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

42. 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 item; 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.

Referral of Plan of Subdivision

43. 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.

Permit Expiry – Development and Subdivision

44. The permit for development of the land will expire if one of the following circumstances applies:
- i. The development is not started within two years of the date of this permit;
 - ii. 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

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.

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.

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).

12.2.3. DRAINAGE MAINTENANCE AND RENEWAL SCHEDULE

Presenter: Douglas Gowans - Director Asset and Development Services

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

Report Author: Douglas Gowans – Director Assets and Development

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

File No: 20/04/02

PURPOSE

The purpose of this report is to provide information to Council on the current maintenance and renewal schedule for roadside drainage and culverts.

BACKGROUND

Council has responsibility for roadside drainage assets across its 2000kms of road network with 150 major culverts. A major culvert is described as a drainage asset with a combined cross-sectional area of at least 0.7m². It is estimated that Council has approximately 6000 minor culverts across its network.

Roadside drainage also includes the table drains and drainage assets that take water off the road to ensure that the road is trafficable even in wet conditions. Council has limitations on the extent of maintenance that can occur within a table drain and has specific requirements regarding protection of native roadside vegetation. Most table drains are maintained through Council's annual road grading program and table drains are generally reformed when gravel roads are resheeted or sealed roads are reconstructed.

Council has a regular condition inspection program of its major culverts but only inspects minor culverts when issues arise such as culverts being blocked or silted up. Culverts are often impacted in natural disasters in either heavy rainfall or flooded creeks which transport rock, gravel, silt and vegetation debris and often require a high-level response following a natural disaster.

ISSUE / DISCUSSION

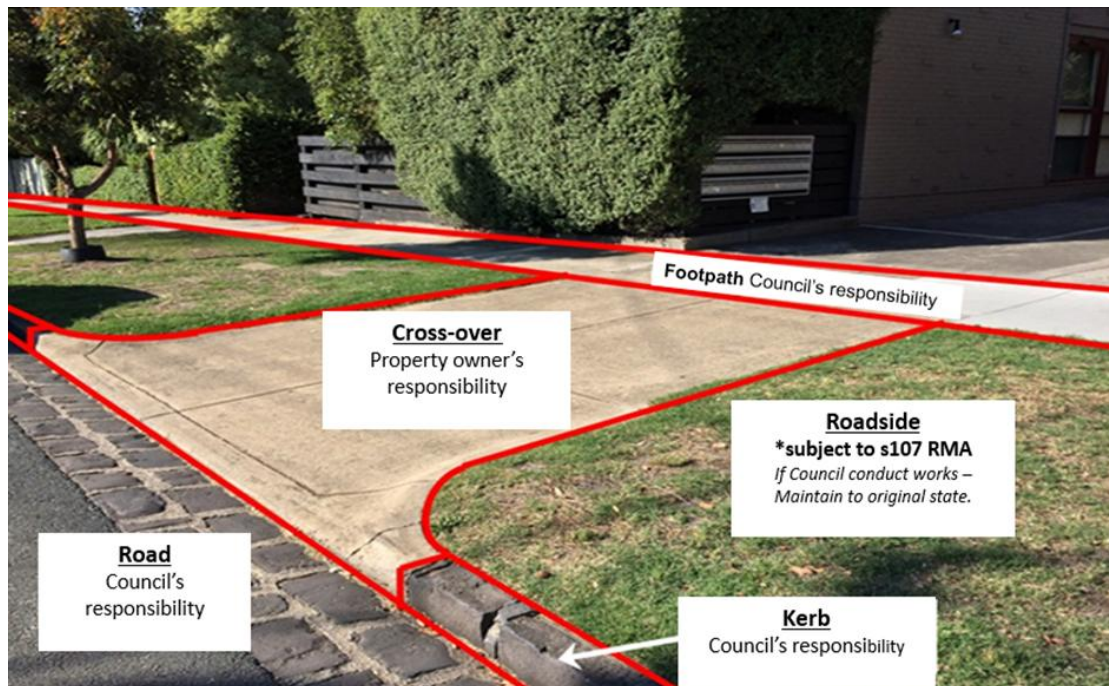
Limited to available budgets, Council has utilized contractors to assist with culvert maintenance over the past 5 years. This addresses damage repair, stormwater pit cleaning, drain clearing and table drain maintenance. On average in any given year this would generally equate to approximately 1000 culverts. This figure is dependent on the climatic conditions experienced in any given year and resource restrictions.

To maintain vegetation and enable water flow, weed management works are conducted throughout the year on Council's urban table drains. Drainage maintenance works are undertaken based on asset condition assessments, road management plan inspections, staff maintenance inspections and from customer action requests. Council's specific stormwater drainage renewal budgets, listed below, are recurrently funded through the annual budget process.

Year	Amount (\$)
2022/23	150,000
2023/24	153,000
2024/25	156,060
2025/26	159,181
2026/27	162,365
2027/28	165,612
2028/29	168,924
2029/30	172,303
2030/31	175,749
2031/32	179,264

Renewal works are programmed based on asset condition assessments and at end of asset life, with expansion and new works undertaken with road reconstruction.

There are several types of drainage assets within the road reserve that Council does not have direct responsibility to inspect or maintain, including property stormwater drains. These are drains constructed within the road reserve that carry water from the property to an outlet in the kerb, or other roadside drain and are often referred to as the legal point of property discharge. The property driveway or crossover and associated culverts and end wall structures are also the responsibility of the property owner.



The below photo demonstrates a typical rural, non-urbanized driveway crossover where responsibility for the assets is generally the property owner's responsibility.



Of the 1044 sites where flood related work or damage was identified following the 2022 floods, 92 sites required either culvert repairs due to flood damage or culvert clearing and maintenance. Additionally, at several major gravel road damage sites, culvert cleanout was included as part of the repair work.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 4 - Economy

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

Enabling Principles

c. Use resources efficiently and effectively

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

There was a gravel road strategy developed in 2017 which recommended that Council increase its expenditure on roadside drainage as well as expenditure on other elements of gravel road maintenance. However, Council is limited by the funds it can raise and therefore constrains any increase in expenditure.

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

Council currently has a roadside rural drainage budget of \$281K and an urban drainage budget of \$48K.

If Council were to increase its funding for roadside drainage, every percentage increase would correlate to a higher amount of drainage maintenance that could be achieved on an annual basis. Generally, the majority of roadside drainage is associated with Councils gravel resheeting program which currently provides a high level of drainage reconstruction and currently addresses approximately between 20 –30km of road network annually.

CONCLUSION

The management and maintenance of Council's roadside drainage and culvert network are critical to ensuring the functionality and longevity of the road infrastructure. Whilst Council has a structured approach to inspecting and maintaining major culverts, current resource and budget limitations pose challenges in addressing the needs of minor culverts and other drainage assets effectively.

Consideration of increasing Council's drainage budgets would allow for more comprehensive maintenance and facilitate a more effective approach, ensuring that drainage assets are better equipped to handle further demands and adverse weather conditions.

OFFICER RECOMMENDATION

That Council:

1. Notes this report.
2. Consider increasing its roadside drainage maintenance in future budgets as part of its budget deliberation.

12.3. CORPORATE AND COMMUNITY SERVICES

12.3.1. EMERGENCY RECOVERY / RESILIENCE ACTIVITY

Jane Bowker – Manager Community Wellbeing and Partnerships

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 and the February 2024 fire event. This report relates to activities up until April 2025.

BACKGROUND

The Council approved the Pyrenees Flood Recovery Plan at its meeting on 21 February 2023. The recovery plan for the Bayindeen Rock Road bushfire was also approved by Council at its meeting on 16 April 2024. Quarterly updates are provided to Council on both events at the same time. It is noted that the key recovery environments (social, built, economic, natural and coordination/administration) and many actions are the same in both plans.

Both recovery plans provide a full summary (current at the time of the plan being written) of its respective event and are designed to evolve over time as information changes. With the community at its core, the plans include actions to coordinate recovery and resilience initiatives to ensure individuals, communities and businesses recover well. Oversight of completing the actions in the plans is the responsibility of the Recovery Team with support from other Council staff and recovery agencies.

ISSUE / DISCUSSION

Council staff, who work in recovery, are continuing to provide support for both the Oct/Nov 2022 floods and the 2024 fire. Council is responsible for relief and recovery support in partnership with other recovery agencies such as Emergency Recovery Victoria, Ballarat Community Health, Red Cross, Disaster Relief Australia and local service groups. Residents have received support for wellbeing, clean-up, insurance matters, legal matters, rebuilding, fencing, financial, fodder etc.

The attached Recovery Plans Summary of Review details the status of recovery actions. Most of the actions in the plans are ongoing (orange) and will be for quite some time. Some of the key outcomes since the last report are:

- The newly formed Emergency Recovery/Resilience Network, consisting of agencies and community members, is meeting monthly to collaborate on longer-term recovery and resilience building initiatives.
- The Community Resilience and Recovery Program Team through Ballarat Community Health (BCH) is available to provide more in-depth support particularly psychosocial support. The case load for this team has increased considerably and advocacy is underway to the State to provide further funding to enable the team to continue to June 2026.
- The BCH Team is visiting residents with Council's Community Recovery Officer to provide outreach support.
- The investigation into flood mitigation options at the Avoca Recreation Reserve is progressing well. This project will be completed next year with a plan developed identifying several options to consider for protection of the reserve and surrounding properties.
- Community groups are holding events and gatherings to support social inclusion which is really important following natural disasters.
- The Mt Cole–Pyrenees Nature Group is leading the way to help native plants and animals recover with the Haven as a Home and Citizen Science programs.

- The Safer Together Project has commenced. This project aims to build bushfire resilience through developing a firewise planting guide, firewise display gardens and landscape workshops.
- The claim to repair guardrail, guideposts and signage that were damaged by fire has been submitted and is being assessed.

Other notable matters include:

- Council staff have submitted the final packages of work to the State Government for approval to finish the repairs to flood damaged infrastructure. These packages, known as certified estimates, have all been assessed and approved. On the ground works have recommenced. An up-to-date list of works is available on Council's website.
- Council is working with community and contractors on the hazardous tree removal.
- Ongoing support, in partnership with recovery organisations, is provided to primary producers with grants, fencing, stockfeed, education on farming business etc.
- Drought is now a real issue for many primary producers, landholders and residents in the Pyrenees. Some of the flow on effects are: water is being carted for stock and domestic, hay prices are increasing, primary producers having to destock, and mental health concerns due to managing the dry. Support under AgVic's Drought Support Package is available to Pyrenees primary producers.

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 continue to be contacted by recovery support organisations such as Council, Ballarat Health Service, Recovery Hotline Team, DEECA and AgVic as part of providing ongoing support. Support is ongoing for anyone affected by the floods, fire, dry conditions, in any way, when they are ready.

There has been continued engagement with government agencies and organisations in planning and coordinating the relief, recovery, and resilience efforts. Consultation and engagement will continue for however long it takes to ensure the community is fully supported in their recovery.

ATTACHMENTS

1. 2025.04.28 - PSC Recovery Plans Status Report [**12.3.1.1** - 23 pages]

FINANCIAL / RISK IMPLICATIONS

Progress on Disaster Recovery Funding Arrangements (DRFA) claim assessment for recovery activities by the State Government is progressing really well now and there is only one package to be assessed by the State. Council staff continue to work closely with the assessors to maximise Council's reimbursement and to deliver the works.

- Flood – 40 claims submitted to the value of \$13,241,393
- Fire – 9 claims submitted to the value of \$2,480,567

Council has received just under \$7m in advances for \$13m worth of flood-related expenses, \$1.5m for \$2.9m worth of 2024 fire-related expenses, and \$100K for expenses related to the 2023 storm event. Expenses include infrastructure repairs, hazardous tree removal, recovery staff, recovery activities, and repairs claimable under insurance, through several funding streams. Council has submitted requests for a further funding advancement against the DRFA packages.

Financial reporting for recovery activities is complex due to the many funding streams involved. For example, some costs ineligible for reimbursement through the DRFA scheme, can be claimed under the State Government Council Support Fund; and some expenses can be covered by the Community Recovery Officer funding and the Recovery Hub funding. Council must contribute the first \$35,000 of reimbursements under the DRFA scheme, and can claim this back from Local Government Victoria. In relation to DRFA, not all claim elements will be approved for payment and Council is expected to share some of the costs. There are costs that Council will have to absorb, such as DRFA betterment contribution, insurance excess, smaller infrastructure repairs, and small repair work on community buildings to work in with insurance. At this stage we do not know what the final amounts will be until the State has completed the assessments related to these emergencies.

Council has welcomed the announcement that it will be receiving \$500K funding under the Council Support Fund for fire related expenses. Council received \$500K for flood related expenses.

Below is a snapshot (as at March 2025) of the entire funding summary. It should be noted that some of the 'Actual Out-of-Pocket' costs and 'Claims Ineligible' may be claimed under other funding sources.

	ACTUAL INCOME	ACTUAL EXPENDITURE	ACTUAL OUT-OF-POCKET	TOTAL ESTIMATE	CLAIMS APPROVED	CLAIMS INELIGIBLE	AWAITING ASSESSMENT	NOT YET CLAIMED
	\$	\$	\$	\$	\$	\$	\$	\$
Flood October 2022	6,988,374	5,251,180	1,450,646	11,528,397	9,797,240	1,271,779	1,556	457,822
Bayindeen Fire 2024	1,500,000	2,000,567	(500,567)	2,482,123	1,987,449	13,890	480,000	784
Storm 2023	100,000	69,971		100,000	69,971			30,029
TOTAL	8,588,374	7,321,718	950,079	14,110,520	11,854,660	1,285,669	481,556	488,635

There has been a significant risk to public safety caused by the consecutive, concurrent and compounding emergency events in the Pyrenees over the last 12 years (floods 2011, 2016, 2022, fires in 2019 and 2024, COVID 2020-2023). There has been widespread damage to public and private assets, the environment and substantial personal hardship caused to individuals, community organisations and businesses.

Council faces significant financial risk if the recovery effort is not managed well and requires ongoing support from the Commonwealth and State Governments. Council staff continue to advocate to state and federal government for ongoing funding to support community recovery activities, infrastructure repairs and recovery staff.

CONCLUSION

Progress has been made in key recovery areas as detailed in the summary report. Council officers are active with recovery and resilience-building initiatives for community and managing the repair of infrastructure. Recovery is a big task and takes time, and efforts have been appreciated. Council officers would like to thank all the community members, businesses, and organisations that have helped with the recovery efforts so far.

OFFICER RECOMMENDATION

That Council

1. notes the progress made against required recovery actions in the Flood Recovery Plan and Bushfire Recovery Plan; and
2. continues to advocate to government in respect of the Disaster Recovery Funding Arrangements, and for further funding to provide long-term support for individuals, communities and businesses to recover well and build resilience.

12.3.2. RISK MANAGEMENT

Presenter: Shane Walden - Acting Director Corporate and Community Services

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

Report Author: Dean Miller – Manager Governance and Performance

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

File No: 16/24/06

PURPOSE

This report is provided to the Council as part of its bi-annual reporting obligations on risk management. The Council is requested to adopt the following updated documents:

- Strategic Risk Register;
- Risk Management Framework and Plan; and
- Risk Management Policy.

BACKGROUND

Effective risk identification and management is an integral part of business management and good governance. Risk management comprises of several elements, including enterprise risk management, OHS (Occupational Health and Safety), business continuity, prevention of fraud and corruption, and the maintenance of an effective annual insurance program.

Risk Registers identify the strategic and operational risks that Council faces. The Council maintains two risk registers:

- The *Strategic Risk Register*: comprising of risks that encompass the whole of the organisation and over which the Council may have limited ability to control, and
- The *Operational Risk Register*: detailing operational risks across the organisation and its individual functions.

The *Risk Management Framework and Plan* articulates how risk is identified, assessed and mitigated in the organisation.

The *Risk Management Policy* provides information and guidance regarding the management of risk to support the achievement of Council's strategic and operational objectives, protect staff and assets and ensure financial sustainability. It has been endorsed by the Executive Leadership Team.

Under the *Local Government Performance Reporting Framework*, risk management reports must be provided to the Council at least every six months including the monitoring and update of the organisation's Strategic Risks.

ISSUE / DISCUSSION

Strategic Risk Register - Review

In February 2025, the senior leadership team reviewed the *Strategic Risk Register* and prepared a new draft as attached and endorsed by the Executive Leadership Team. As part of this review, global trends and external pressures on the Council were considered.

Risk ratings are based on a realistic combination of likelihood and consequence, not on a worst-case scenario. The register was provided to the Audit and Risk Committee for feedback in March 2025.

The last significant revision of the register was in 2022 and the new register has seen some significant changes in priority over those two years:

- Financial sustainability, although still a risk of significant focus for the organisation, has reduced in priority from no.1 to no.12, as appropriate long-term financial planning and management aims to overcome temporary financial uncertainties.
- Technological change and insecurity risk has risen in priority for the next 12 months, due to the imminent implementation of three systems with organisation-wide impact: a system to manage finance, property and rates, electronic records management system, and a new customer relationship management system. This has been rated as Extreme for 2025 but is likely to reduce considerably in rating for future years.
- Health, safety and wellbeing risks have risen in priority due to a combination of rising incidents of public aggression and the need to manage psychosocial wellbeing, which is a growing focus for government.
- Social change / safety and cost of living risks have both risen in prominence for 2025, due to many factors including climate change associated food security, geo-global political pressures on supply chains and social polarisation, and ongoing global economic uncertainty.
- Political risks have risen slightly in prominence in 2025, acknowledging a potential for change with Federal Government elections and policy changes at State level.

A new risk was included in the register relating to Single Interest Employer Agreements (multi-council enterprise agreements). This relates to a push by the ASU (Australian Services Union) to seek to have councils enter into enterprise agreement negotiations with other councils on a similar negotiation timeframe, to create joint agreements. As councils operate in similar ways and deliver similar services this may seem like a logical move, however there is a significant risk that pay scales may rise higher, or greater benefits need to be included for the council is included in negotiations with councils who have higher pay or different benefits. Negotiated separately ensures that considerations specific to the Pyrenees area are considered in negotiations.

At the request of the Audit and Risk Committee, a new risk was included in the register relating to the current housing development projects.

Council adoption of the register was recommended by the Audit and Risk Committee and is the officer recommendation provided in this report.

Risk Management Framework and Plan - Review

A scheduled Review of Council's *Risk Management Framework and Plan* was completed in 2024. The document has been reviewed and updated to align with the requirements of *AS ISO 31000:2018 Risk Management Guidelines*.

The purpose of the *Risk Management Framework and Plan* is to establish the broad parameters of the risk management program within Council and describe its approach to risk management. It highlights the organisation's commitment to improving its capability to manage risk as part of its everyday thinking, behaviours, processes, and business practices.

The Framework and Plan has been endorsed by Council's Risk Management Committee and Audit and Risk Committee. Both committees suggested several improvements which were incorporated into the revised document.

Once the revised *Risk Management Framework and Plan* is approved by Council, the next step is for Council to determine the Risk Appetite, prior to implementation.

The main amendments to the document are as follows:

1. Purpose

- a) Includes a more detailed purpose and includes the benefits a risk management framework has for the organisation.

2. Application

- a) The framework identifies which Council activities it applies to.

3. Terms and Definitions

- a) The most important terms and definitions have been included to provide accurate and consistent information for anyone who reads this document. They include an expanded definition of risk and risk management.

4. Risk Management-why is it important?

- a) This section has been added to expand on the definition of risk management at Council and why it is so important to manage risk effectively.

5. Terminology – Getting it Right in the Register

This section has been added to provide clearer information and what we need to capture in our risk registers, and why recording and naming the risk appropriately is important.

6. Responsibility, Accountability and Authority

- a) Redefines who has responsibility, accountability and authority, as well as defining who the risk, control and treatment owners are. This section includes a graphic showing the interconnectivity and elements that make up an effective risk management framework.

7. Risk Governance

Defines the risk governance structure at Council.

8. Risk Management Process

- a) This section includes the standard graphic representation of the risk management process but includes the approach Council takes to managing risk i.e. using a centralised risk register to capture risks (easier to monitor and manage).

9. Risk Management goals and objectives.

- a) Sets out the goal for the Council risk management plan and is an important segue way into detailing why strategic and operational risks need to be managed differently.

10. Risk Appetite and Evaluation Criteria

- a) This section defines the risk appetite tolerance and rating levels at Council.

11. Controls

- b) This is a detailed section that includes control categories, the control framework, control ownership, assurance and consequence and **control criticality**.
- b) Control criticality (NEW) – control criticality helps prioritise Councils audit program by assigning criticality to each of the high consequence risk controls i.e. those controls that have been identified to be the **most important** in preventing risks materialising.

12. Control Effectiveness

- a) Once the most critical controls for a high consequence risk have been determined (see previous point), then we need to assign performance measures to these critical controls to rate the effectiveness of these controls. Then we can determine if they need further treatment, or if there are any other strategies needed for that control and/or risk.

13. Measuring risk management performance

- a) Defines the activities undertaken to measure risk management performance at Council. A new inclusion is the addition of four categories of control monitoring with associated timeline frequencies. The purpose is to monitor the effectiveness of mitigation actions to ensure changes in circumstances do not alter priorities or expected outcomes of objectives.

14. Review

- b) This process includes reviews of the risk management program (a maturity assessment) as well as comprehensive reviews on selected risks. The selected risks need to be the severe consequence risks and must be done annually by the Risk Management Committee.
- b) The revised Framework and Plan has been reviewed and endorsed by the Executive Leadership Team, the Audit and Risk Committee (18th June 2024) and the Risk Management Committee (18th July 2024).

Risk Management Policy - Review

The *Risk Management Policy* was endorsed by the Risk Management Committee and the Executive Leadership Team in 2024. The main changes include:

- Centralising the management of strategic and operational risks to ensure that there are minimal control gaps and duplication;
- Provision of administrative support for the implementation of the framework and plan;
- Identification of industry trends and research for the benefit of the Risk Management Committee and ELT;
- Identification of training opportunities for staff; and
- Improving processes for reporting and investigating risks, hazards, and incidents; and
- More frequent monitoring of registers.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 1 - People

- 1a. Prepare for emergencies and ensure community safety.
- 1d. Promote health, wellbeing, engagement and connection.

Priority 2 - Place

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

Enabling Principles

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

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

No community engagement was required for this report. Internal collaboration and consultation were obtained to deliver the outcomes presented in the report.

ATTACHMENTS

- 1. PSC Council Strategic Risk Register Overview Apr2025 [**12.3.2.1** - 3 pages]
- 2. Draft Risk Management Policy 2025 [**12.3.2.2** - 6 pages]
- 3. Risk Management Framework and Plan 2025 2028 V2 [**12.3.2.3** - 35 pages]

FINANCIAL / RISK IMPLICATIONS

All risk implications are discussed in the body of the report.

CONCLUSION

This report provides an updated *Strategic Risk Register*, *Risk Management Framework and Plan*, and *Risk Management Policy* for Council consideration and adoption. A considerable amount of work has gone into the reviews of these important documents to ensure that they reflect the constantly changing environment that Council operates in.

OFFICER RECOMMENDATION

That Council adopts the updated:

- Strategic Risk Register;
- Risk Management Framework and Plan; and
- Risk Management Policy.

12.3.3. AUDIT & RISK COMMITTEE - MARCH 2025

Presenter: Shane Walden - Acting 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: 32/04/04

PURPOSE

The purpose of this report is to provide the Council with an update of the Audit & Risk Committee meeting M014 held on 25 March 2025.

BACKGROUND

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

ISSUE / DISCUSSION

A copy of the Draft Minutes from the Meeting of the Audit & Risk Committee held on 25 March 2025 is attached for Council information.

The annual election of Committee Chair was conducted at the start of the meeting and XXX was elected.

A brief overview of the issues considered by the Committee is provided below:

- The CEO provided an overview of topical issues faced by the Council.
- Financial reports for mid-year December 2024 and for February 2025
- An update on the government response to the IBAC Operation Sandon report
- The VAGO appointed external auditor presented the audit strategy for 2024-2025
- The draft Strategic Risk Register was provided for feedback prior to presenting to the Council

The Committee Chair presented his bi-annual report on committee performance, a copy of which is attached for Council information.

Independent Membership

Recruitment for an Independent Member of the Committee, to replace Mr Brian Keane whose tenure ended on 29 November 2024, was conducted in late 2024 / early 2025. Ms Melissa Field was appointed and attended the March meeting.

Audit & Risk Committee Charter

The Committee has adopted a Charter to govern its operations, roles and responsibilities which is required to be reviewed every two years. The Charter was reviewed in February 2025 with no recommended changes apart from detailing the new independent member, and the Committee recommended adoption by the Council.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Enabling Principles

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

ATTACHMENTS

1. 2024 25 Draft Audit Strategy Memorandum [**12.3.3.1** - 21 pages]
2. PSC Audit and Risk Committee Charter 2025 26 [**12.3.3.2** - 10 pages]
3. 2025 03 25 Draft Minutes Audit Risk Committee Meeting 25 March 2025 [**12.3.3.3** - 25 pages]
4. Chair Rept Mar 25 [**12.3.3.4** - 7 pages]

FINANCIAL / RISK IMPLICATIONS

All financial and risk matters are addressed in the body of the report.

CONCLUSION

A meeting of the Council's Audit & Risk Committee was held on 27 November 2024. This report provides an overview of discussions at that meeting and requests adoption of the Audit & Risk Committee Charter 2025 as recommended by the Committee.

OFFICER RECOMMENDATION

That Council:

1. notes the information contained in this report and its attachments,
2. receives the February 2025 report from the Committee Chair, and
3. approves the reviewed Audit & Risk Committee Charter 2025.

12.3.4. TERRY FLOYD MEMORIAL

Presenter: Shane Walden - Acting Director Corporate and Community Services

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

Report Author: {author-name} – {position}

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

File No: 16/04/04

PURPOSE

This report provides options for Council consideration to allow for a memorial to local schoolboy Terry Floyd who went missing in Avoca on 28 June 1975.

BACKGROUND

This year on June 28th, it will be the 50th anniversary since his disappearance. As there is no place of rest for Terry, nor a formal memorial, it has been requested that a formal memorial garden be established in Avoca and unveiled on the anniversary date.

Terry Floyd was last seen at 4.45pm on 28 June 1975 when he left the Avoca Post Office, after visiting a friend, and walked to the corner of the Sunraysia and Pyrenees highways to wait for a lift to Maryborough. It is believed that he disappeared whilst hitch-hiking for a lift on the Pyrenees Highway. Terry was never seen again and a coroner determined in 2001 that Terry had been abducted and murdered, however his body has ever been found. Terry was just 12 years old.

Since that time, efforts to find Terry have continued and in March 2019, his brother and local volunteers set up the Terry Floyd Foundation focusing on turning this tragedy into a positive by making children's lives better and to continue awareness of Terry's story. Despite the tragic circumstances, Terry lives on as a part of Avoca and its history.

ISSUE / DISCUSSION

A request was received from an Avoca resident with the permission of Terry's family, seeking Council permission to establish a formal place where Terry can be remembered. The proposal is that the memorial be installed at no cost to Council with the cost of the installation to be borne by the Terry Floyd Foundation.

Council's involvement would include officer time, liaison with relevant public authorities and overseeing the construction activities in a public space.

The resident proposal seeks the installation of a plaque, and the planting of a forget-me-not rose within the high street central median, outside the post office; as shown in the figure below.

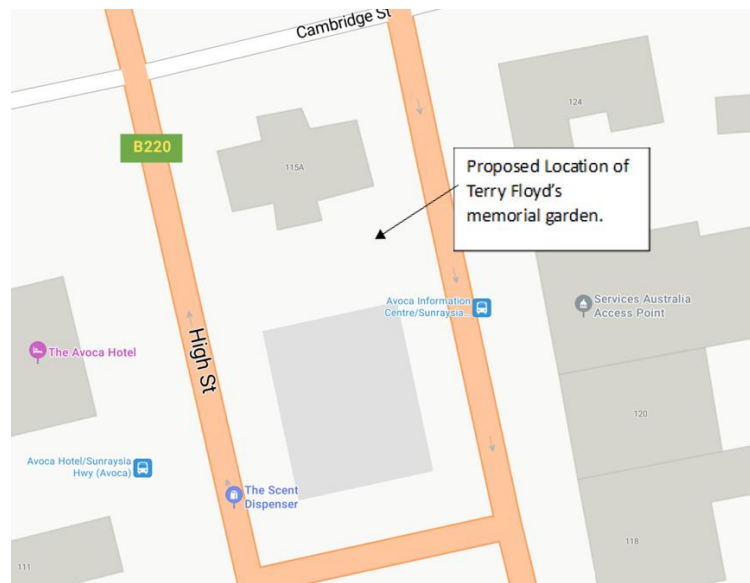


Figure 1 – Location of the resident memorial proposal

Officers contacted the resident to discuss potential alternate locations, but the original location remained preferable as this is a place where Terry was seen playing with friends on the day he went missing.

Officers apologise for any distress caused to the applicant and/or family by the discussions on potential locations – this was not intended.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 1 - People

1e. Improve social outcomes.

Priority 2 - Place

2a. Sustain and enhance unique character of our communities.

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

The request for a memorial was received from a resident, with the approval of the Floyd family. Officers liaised with the resident on suitable locations, with the median strip location remaining as the preferred location.

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

As proposed, there is no immediate financial risk for Council as it is proposed the memorial be installed at no cost to Council. There is a risk that in the future there may be maintenance and or replacement costs of elements in the public domain. A letter of agreement will be required determining future responsibilities.

CONCLUSION

Officers have reviewed the request received by the Council to approve the installation of a memorial garden in Avoca to commemorate the disappearance of Terry Floyd, a 12-year-old that went missing 50 years ago from the area and was never found. Several factors and sites were considered, with the original proposed site remaining as the preferred site.

OFFICER RECOMMENDATION

That Council approves the location on the median strip outside the Avoca post office, as identified in the body of the report, as an appropriate site for the installation of a plaque and memorial rose in memory of Terry Floyd.

12.3.5. SPECIAL (UNSCHEDULED) COUNCIL MEETING

Presenter: Shane Walden – Acting Director Corporate & Community Services

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

Report Author: Kathy Bramwell – Acting Chief Executive Officer

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

File No: 16/17/02

PURPOSE

This report is to schedule Special / Unscheduled Meetings of the Council in May and June to consider matters relating to the draft Budget, financial documents, and Council Plan.

BACKGROUND

As part of the Integrated Strategic Planning and Reporting Framework, and following a general election, the Council must develop the following documents:

- An Annual Budget – must be adopted by 30 June 2025
- A Revenue and Rating Plan – must be adopted by 30 June 2025
- A 10-year Financial Plan – must be adopted by 30 October 2025
- A 4-year Council Plan – must be adopted by 30 October 2025
- A review of the 10-year Community Vision 2021-2031 – must be re-adopted by 30 October 2025.
- A review of the Municipal Health and Wellbeing Plan – must be adopted by 30 October 2025.

The Budget and Revenue & Rating Plan must be adopted by 30 June 2025 and, although the Council Plan, Municipal Health and Wellbeing Plan, and 10-year Financial Plan may be adopted by a later date - by October 2025 - it is thought beneficial that all documents be developed in a similar timeframe to the Budget.

ISSUE / DISCUSSION

In accordance with the Local Government Act 2020 and supporting Regulations, the documents listed above must be developed using deliberative community engagement to inform the content.

To this end, the draft documents must be placed on public exhibition for a period of time (generally three to four weeks) to provide sufficient time for the community to provide informed feedback. The timeframe for Ordinary Council Meetings, adopted for 2025, does not allow for sufficient time between meetings in May and June to facilitate engagement and feedback, and the hearing of submissions, before the adoption deadline of 30 June 2025.

The Council is, therefore, requested to approve an additional two Special Council Meetings on the dates, and for the purposes, detailed below:

1. **Proposed Special / Unscheduled Council Meeting 12 May 2025:** This meeting will consider draft documents as listed above and approve them for public exhibition during the period from 13 May to 13 June 2025.
2. **Proposed Special / Unscheduled Council Meeting (virtual) 23 June 2025:** This meeting is to consider adoption of the following draft documents:
 - a. Annual Budget 2025/26
 - b. 4-year Revenue and Rating Plan 2025-2029
 - c. 10-year Financial Plan 2025-2035
 - d. 4-year Council Plan 2025-2029
 - e. Municipal Health and Wellbeing Plan
 - f. Revised (if required) Community Vision 2025-2031

An opportunity will be provided for any submitters wanting to provide an in-person submission to present at the Ordinary Council Meeting on 16 June 2025.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Enabling Principles

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

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

This report is to approve Special Council Meetings in order to facilitate community engagement relating to the annual budget and supporting documents, and the draft Council Plan and Community Vision.

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

The annual budget and revenue & rating plan must be adopted by 30 June 2025 and, if this deadline is not met, will represent a breach of the Local Government Act 2020.

CONCLUSION

The current schedule for Ordinary Council Meetings does not allow sufficient time between the May and June meetings to facilitate appropriate deliberative community engagement on the annual budget before the legislated adoption deadline of 30 June 2025. Although a later adoption deadline is allowed for in the Local Government Act 2020 for the supporting budget documents and the Council Plan 2025-2029, it is considered preferable for the other documents listed in this report to be adopted in the same time period as the budget and these will also need to be accommodated within the Special Council Meetings.

Council is requested to schedule two Special Council Meetings, one in May and one in June 2025 to accommodate making of the appropriate resolutions.

OFFICER RECOMMENDATION

That Council:

1. Holds a Special / Unscheduled Meeting of Council at 6.00pm on Monday 12 May 2025 to authorise the placing on public exhibition the following documents:
2. The draft Annual Budget 2025/26
3. The draft Revenue and Rating Plan 2025-2029
4. The draft 10-year Financial Plan 2025-2035
5. The draft Council Plan 2025-2029
6. The draft Municipal Health and Wellbeing Plan
7. The Community Vision 2021-2031
8. Holds a Special / Unscheduled Virtual Meeting of Council at 6.00pm on Monday 23 June 2025 to adopt the following documents:
9. The draft Annual Budget 2025/26
10. The draft Revenue and Rating Plan 2025-2029
11. The draft 10-year Financial Plan 2025-2035
12. The draft Council Plan 2025-2029
13. The draft Municipal Health and Wellbeing Plan
14. The revised draft Community Vision 2021-2031 (if public engagement requires)

12.3.6. 2024-25 LOAN BORROWINGS

Presenter: Shane Walden - Acting 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: 32/16/02

PURPOSE

The purpose of this report is to seek approval from Council to borrow \$1,300,000 that was included in the 2024-25 Budget.

BACKGROUND

In the preparation of the 2024-25 Budget an amount of \$1,300,000 was included to recover funds used for the strategic purchase of land in Avoca and Beaufort and to provide Council contribution to the Workers Accommodation project

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

ISSUE / DISCUSSION

Council has progressed to borrow future funds from Treasury Corporation of Victoria (TCV). This will provide Council with cheaper funds than through the traditional sources of borrowings. Borrowing from TCV meets Council's procurement requirements without the need to seek expressions of interest from other institutions.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Enabling Principles

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

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

Community engagement occurred during the 2024-25 budget process. As part of the budget process, then budget was put on public display seeking submissions on items included in the budget which included details regarding the proposed borrowings.

Following the community engagement no submissions were received in regard to the borrowings, and Council subsequently adopted the budget.

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

The financial risks of borrowing \$1,300,000 have been set out in the 2024-25 budget. Should Council resolve not to seek the borrowings it is anticipated that the Council will experience a tightening of cashflows over the next few years.

CONCLUSION

To remain within the financial parameters of Council's 10-year financial strategy it is imperative that the borrowings as set out in the 2024-25 budget be sought.

OFFICER RECOMMENDATION

That Council:

1. Authorises the Chief Executive Officer to seek borrowings from TCV for loan funds totalling \$1,300,000.
2. Authorises the Chief Executive Officer to accept the terms and conditions of the loan totalling \$1,300,000, sign and seal the documentation on behalf of Council.

12.3.7. EMERGENCY SERVICES AND VOLUNTEERS FUND (ESVF)

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: 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: 52/06/06

PURPOSE

This report seeks Council endorsement of actions proposed in opposition to the introduction of the Emergency Services and Volunteers Fund (ESVF) scheduled for implementation from 1 July 2025.

BACKGROUND

The existing Fire Services Property Levy (FSPL) is an annual levy⁰ collected by councils via rates notices, on behalf of the State Government. The levy ensures that Victorian property owners make an annual contribution to the State's fire services. Revenue raised by the FSPL funds 87.5 per cent of Fire Rescue Victoria (FRV) and 77.5 per cent of the Country Fire Authority's (CFA) annual budget.

The *Fire Services Property Amendment (Emergency Services and Volunteers Fund) Bill 2025* was introduced into the Victorian Legislative Assembly on 5 March 2025. The Bill passed two readings by 20 March and was subsequently introduced into the Legislative Council on that day. Upper House debate on the Bill was halted following Opposition amendments being tabled with debate scheduled to resume on 13 May 2025. The Bill can be read here: [601228bi1.DOCX](#) Although minor amendments were put forward, it is likely that the Bill, if passed, will be similar to this in content.

The change is stated to help fund a broader range of emergency services including VicSES, Triple Zero Victoria, the State Control Centre, Forest Fire Management Victoria, and Emergency Recovery Victoria, as well as the Country Fire Authority and Fire Rescue Victoria who are covered under the existing levy.

The levy applied under the ESVF will be adjusted to account for the ESVF's larger remit. Councils will be notified of the new 2025-26 rates through the usual rate-setting process in May 2025.

A former report provided to the Council provided information on the financial impacts of the new ESVRF levy and these are reproduced below for information:

Table 1: Comparison of 2024-25 FSPL and 2025-26 ESVF variable rates (cents per \$1,000 CIV)						
Sector	Current rates (2024-25)			Proposed rates (2025-26)		
	Variable rate (cents per \$1,000 CIV)	Fixed charge (\$)	Median liability (\$)	Variable rate (cents per \$1,000 CIV)	Fixed charge (\$)	Median liability (\$)
Residential PPR	8.7	132	191	17.3	136	254
Residential non-PPR	8.7	132	191	17.3	136	254
Commercial	66.4	267	748	133	276	1,240
Industrial	81.1	267	859	133	276	1,247
Primary Production	28.7	267	621	83	276	1,299
Public Benefit	5.7	267	320	5.7	276	329
Vacant	29	267	503	N/A	N/A	N/A

The variable rate increases for the key sectors as follows:

- Residential PPR (Primary Place of Residence) and non-PPR for the first year - 100%
- Commercial – 100%
- Industrial – 64%
- Primary Production – 189%

Estimated amount to be collected:

Differential	Avg FSPL	Avg ESVF	Avg Diff\$	Avg Diff%
Farms	\$ 678.40	\$ 1,671.60	\$ 993.20	146%
Industrial	\$ 865.97	\$ 1,271.20	\$ 405.23	47%
Commercial	\$ 582.52	\$ 910.53	\$ 328.01	56%
Vacant	\$ 169.17	\$ 210.11	\$ 40.94	24%
Residential	\$ 173.39	\$ 218.70	\$ 45.31	26%
Estimated collection	\$ 2,166,403.93	\$ 4,008,061.87	\$1,841,657.94	85%

Implementation of the ESVF levy will require several changes to the Council's property database before the 2025/26 rates notices can be issued. It is likely that officers will be notified of the new 2025/26 rates through the usual rate-setting process in May 2025.

ISSUE / DISCUSSION

There has been a great deal of anger and dissatisfaction with the proposed change across communities and within the local government sector due to the impact the change will have, particularly on farming communities already impacted financially by the cost of living.

Advocacy on the matter has been taken up across the sector on behalf of councils by the Municipal Association of Victoria (MAV), Rural Councils Victoria (RCV), and the Greater Ballarat Alliance of Councils (GBAC).

Convened by Mr David George, a local farmer and resident of the Pyrenees Shire, a community-led meeting was held at the Shire Hall in Beaufort on the evening of 23 April 2025, attended by the Mayor, Cr Tanya Kehoe, Cr Simon Tol, Cr Rebecca Wardlaw, and Cr Damian Ferrari. The Leader of the Victorian Nationals and Shadow Minister for Emergency Services, Danny O'Brien MP, travelled from Gippsland to participate in the meeting; joined by Bev McArthur MP – Member for Western Victoria, and Joe McCracken MP – Member for Western Victoria, together with Ms Katrina Lee who is a member of the Victorian CFA State Council and a local CFA volunteer. Councillors from neighbouring councils attended including Cr Jo Armstrong (Mayor Ararat Rural City Council), Cr Rob Armstrong (Ararat Rural City Council), and Cr Samantha McIntosh (Ballarat City Council). The meeting was attended by approximately 170 community members, together with several volunteer members of local emergency services and Triple Zero Victoria.

Many comments were voiced at the meeting with just a few summarised below:

- 'a lack of transparency on exactly where the money will go ... much of the money will go to Forest Fire Management and Triple Zero Victoria...'
- 'key beneficiaries of Triple Zero Victoria live in metropolitan areas...'
- 'it is a tax grab by the State Government...'
- 'need \$55 million per year to stop the CFA fleet deteriorating and they have offered \$10 million...'
- 'what about the mental health of our farmers...'

Criticism was levelled at the Members of Parliament present, asking why opposition was not voiced earlier, and calls were made for action to continue showing opposition to the proposed levy, although time before a likely decision was limited. Opinion was expressed that there is a high likelihood that the Bill will pass the second reading on 13 May.

Several forms of action were discussed including protest rallies, template letters to be prepared for residents to send individually to the State Government, and for a letter to be sent from all of Victoria's 79 councils opposing the proposed change and asking for the status quo to be maintained. Many attendees provided their email addresses for the purpose of receiving a template letter that they could onforward to government.

A letter was sent recently by the mayors of the councils involved in the Greater Ballarat Alliance of Councils which could be used as a template for seeking support from other Victorian Councils.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Enabling Principles

b. Provide transparency and accountability

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

n/a

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

Under existing legislation, there are no financial risks associated with the collection of these funds as the Council acts as a collection agency for the State Government, only those funds collected are passed onto the Government.

Some negative publicity is expected as ratepayers may not understand that increases seen on their rates notices are not all due to Council's increase in municipal rates. Some ratepayers may also perceive that the Council is responsible for the increase to the ESVF levy and direct their displeasure accordingly.

CONCLUSION

In 2025, the Fire Services Properly Levy (FSPL) will change to a new Emergency Services and Volunteers Fund (ESVF) which will support more of the Victorian emergency response services and accordingly is likely to increase substantially. A community meeting was held on Wednesday 23 April 2025, convened by a local farmer, to discuss the matter and Pyrenees Shire Councillors and from other councils considered what further action could be taken to express opposition – particularly to the increase of 189% on the variable rate for primary producers.

OFFICER RECOMMENDATION

That Council

1. notes the information provided in this report and the continued community opposition to the introduction of the Emergency Services and Volunteers Fund (ESVF) in replacement of the existing Emergency Services Property Levy (ESPL), and
2. approves action to be taken by Council in the form of:
 - officers to draft a template letter that can be used by residents in opposition to the Emergency Services and Volunteers Fund (ESVF) implementation and that this template be circulated to those attendees who provided their email addresses for this purpose, and
 - the Mayor to work with fellow GBAC mayors to contact mayors of the other 73 councils, who are not members of Greater Ballarat Alliance of Councils (GBAC), seeking their support in sending letters of opposition similar in format to that previously sent by GBAC members.

13. COUNCILLOR REPORTS AND GENERAL BUSINESS

14. 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.

RECOMMENDATION

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 – Revised Banking Services

15.2 – Burke Street Worker Accommodation Construction Tender

15.3 – Rural Councils Transformation Project

15. CLOSE OF MEETING

The Ordinary Meeting of Council closed at ____