



**Pyrenees**  
Shire Council

# Agenda

## Ordinary Meeting of Council

6:00 pm Tuesday 21 May 2024 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](http://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 16 April 2024, and
- Closed Meeting of Council held on 16 April 2024, and
- Special Meeting of Council held on 7 May 2024;

as previously circulated to Councillors, be confirmed.

## **7. BUSINESS ARISING**

There was no business arising (items taken on notice) from the previous meeting 16<sup>th</sup> April 2024.

## **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. ELECTRIC VEHICLE CHARGING STATION USAGE REPORT (OCT 23 - MAR 24)**

**Presenter:** Rachel Blackwell - Manager Planning & 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:** 30/18/06

**PURPOSE**

The purpose of this report is to provide Council with an update on the usage data on the Electric Vehicle (EV) charging stations located in Avoca and Beaufort.

**BACKGROUND**

In December 2023, a report was presented to Council containing the electric vehicle (EV) usage reports from August to October 2023. At this meeting Council resolved for regular EV charging usage reports to be presented as data is collected.

**ISSUE / DISCUSSION**

The usage report provided by Evie Networks includes information such as the number of sessions for each month and the charging time and kilowatts provided, with data broken down for each location. The Evie Networks report contains the Co2 emissions saved due to the replacing of Internal Combustion Engine (ICE) vehicles and the Co2 emissions saved using GreenPower, along with a comparison of the energy usage and Co2 emissions saved.

The report provided at the December Council meeting showed the usage and data for the Council owned/funded unit only. Going forward these reports will now show the amalgamated unit figures for each of the two units at each site location.

The following graphs taken from this report show the sessions per month for the amalgamated EV charging stations from 01 October 2023 to 31 March 2024.

Month	Beaufort Sessions	Avoca Sessions
October	129 (amalgamated figure)	20
November	116	20
December	176	25
January	164	36
February	101	22
March	158	51
<b>Total</b>	<b>844</b>	<b>174</b>

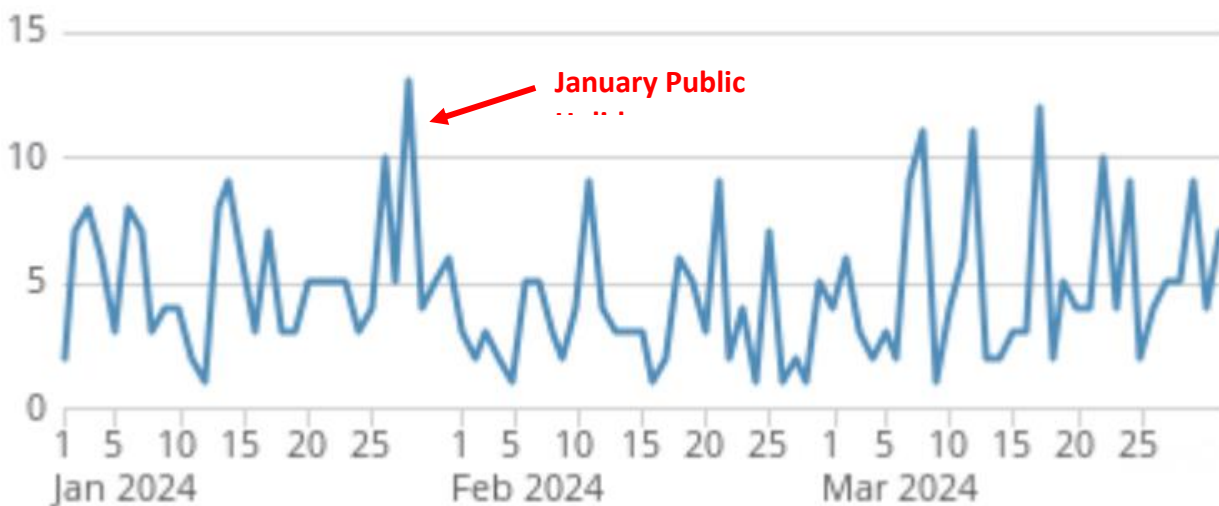
The combined total for Amphitheatre during reporting was 20 sessions which would generally account for the overflow of the Avoca charging stations.

The Beaufort EV Charging Station number of sessions shows a significant increase in the number of sessions per day during the December and January months demonstrating the increase in travel during the holiday season. March also saw an increase in the number of sessions per day in comparison to the October and November figures which may indicate the increased knowledge of the location of these EV charging stations by users.

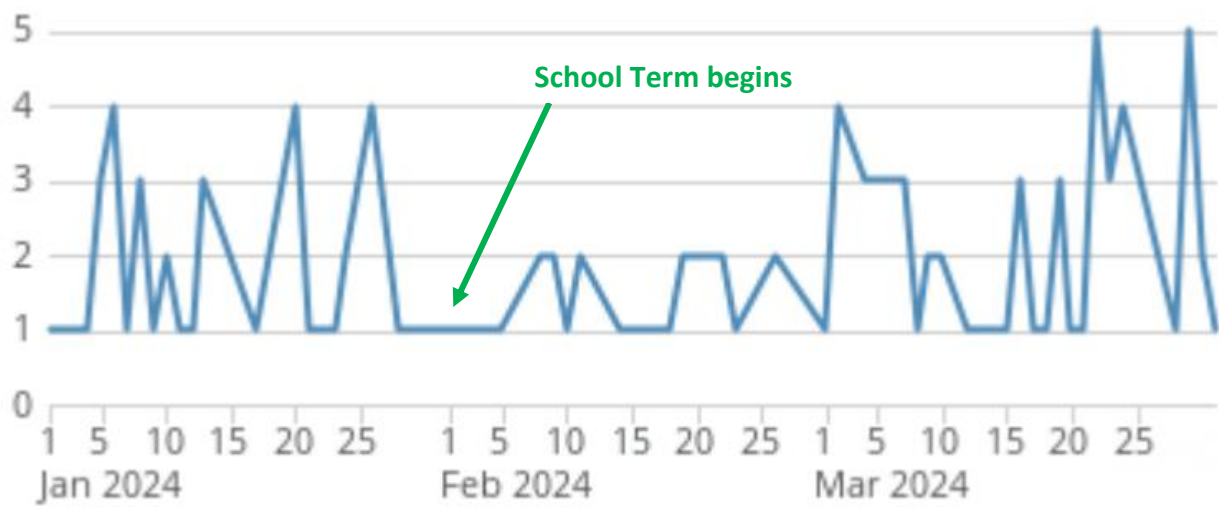
The session figures for the Avoca EV charging station clearly show a slight increase in the number of sessions per month during the holiday season, this figure is expected to rise as the location of this charging station becomes more known.

As further demonstrated in the graph below, the number of sessions per day peaks during public holiday periods and weekends, troughs can be seen during weekdays and when school terms begin. A significant increase in the number of sessions per day can be seen in the month of March this could be attributed to the many local tourism events happening throughout the Shire during this time.

**Beaufort**



**Avoca**



Comprehensive reports for the EV sites can be found in the attachments of this report.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

### Priority 3 - Environment

- 3a. Continue being an environmentally progressive organisation.
- 3b. Foster a climate change resilient community.

### Priority 4 - Economy

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

### Enabling Principles

- c. Use resources efficiently and effectively

## **COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES**

The community engagement that contributed to developing the council plan put a strong emphasis on environmental protection and action on climate change resilience.

## **ATTACHMENTS**

1. Evie Usage Report - Beaufort - Oct - Dec 2023 [9.1.1.1 - 1 page]
2. Evie Usage Report - Beaufort - Jan - Mar 2024 [9.1.1.2 - 1 page]
3. Evie Usage Report - Avoca - Oct - Dec 2023 [9.1.1.3 - 1 page]
4. Evie Usage Report - Avoca - Jan - Mar 2024 [9.1.1.4 - 1 page]
5. Amphitheatre EV station Oct 23- April 24 session count [9.1.1.5 - 1 page]

## **FINANCIAL / RISK IMPLICATIONS**

By installing EV charging stations Council is providing a renewable source of energy to power vehicles. This in turn addresses climate change impacts produced from the use of fossil fuels.

Council has an agreement with Evie (Fast Cities Australia) to manage, operate & maintain both charging stations reducing any potential risks if sites were managed directly. Power bills are from a renewable source and are paid for by Evie. Council receives a small percentage of the revenue collected by Evie which is in lieu of a site fee.

## **CONCLUSION**

Sites have been operating well and continue to exceed expectations in terms of usage. As electric vehicles become more popular the usage at these sites will continue to increase, the availability and locations of these sites will increase patronage to local businesses as charging takes on average around 30 minutes.

## **OFFICER RECOMMENDATION**

That Council notes this report.

## 9.2. CORPORATE AND COMMUNITY SERVICES

### 9.2.1. CUSTOMER REQUESTS - APRIL 2024

**Presenter:** Kathy Bramwell - Director Corporate and Community Services

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

**Report Author:** Kathy Bramwell – Director Corporate and Community Services

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

**File No:** 16/24/06

#### PURPOSE

This report provides updates on contacts made by our community through a range of media, including the Customer Action Request System and emails, for April 2024. This report's purpose is to demonstrate ongoing efforts to improve responsiveness to customers and the community over time.

#### BACKGROUND

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

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

The Council has operated an electronic Customer Action Request System (CARS) for many years enabling residents to lodge service requests. Requests can be lodged in person, via telephone, via Council's website or by using a smart phone "Snap Send Solve" application. Requests input via the "Snap Send Solve" application must be input manually by customer service officers into the CAR (Customer Action Requests) system as this currently does not accept automatic uploads.

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

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

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

#### ISSUE / DISCUSSION - CUSTOMER CONTACT

The following provides data on community contacts with employees, other than that recorded through the customer requests system, providing a more comprehensive view of our customer experience.



Customer contact media	Jul 2023	Aug 2023	Sept 2023	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	Mar 2024	Apr 2024
Legitimate emails received by the organisation*	40,273	37,273	37,439	21,989	24,478	19,055	18,871	30,221#	24,738	23,720
Emails rejected (cyber protection)	10 0.02%	7,743 17%	14,773 40%	12,613 34%	11,483 32%	8,045 30%	9,669 34%	36,630 55%	26,452 52%	6,516 22%
Inbound malware detected	-	-	-	-	-	-	-	-	4	4
Emails sent by organisation (external)	8,349	9,169	9,529	10,138	8,439	7,295	6,485	11,007#	8,825	9,220
External complaints received	3	4	2	2	4	2	3	6	7	5
FOI Requests	1	4	2	10	0	0	0	1	2	2
Requests for review of infringements	1	2	0	2	1	6	15	0	6	2
Website page views	17,970	17,086	17,242	16,133	15,891	12,638	16,047	20,521	17,342	18,311
Website users	5,472	5,570	6,017	5,556	5,893	5,000	6,015	8,081	6,314	7,325
Website contact us page	645	614	473	542	413	354	410	600	540	462
Website customer enquiry form	54	65	57	69	60	40	56	50	57	52
Telephone Calls Received by PSC (total)	-	-	-	-	-	-	-	-	2,276	2,249
Calls answered by Switchboard / Customer Service	-	-	-	-	-	-	-	-	1,997 88% of total	1,988 88% of total

\* Statistics amended to only include those emails not rejected as spam or viruses.

# Email traffic impacted by fire response (increase).

## Facebook snapshot



**Comments:**

- Top website pages viewed: recruitment, fire information, waste management (transfer stations and collection dates), fire recovery information, Anzac Day services, Events and activities.
- Customer enquiries received via the website focused on roads, waste and recycling, and fires / emergencies.
- Complaints related to clearing of roadside trees, abolition of Council Prayer, Local Laws on animal control, drainage matters.
- Infringement appeals related to conducting works without approval.
- FOI requests related to copies of tree assessments and credit card statements.

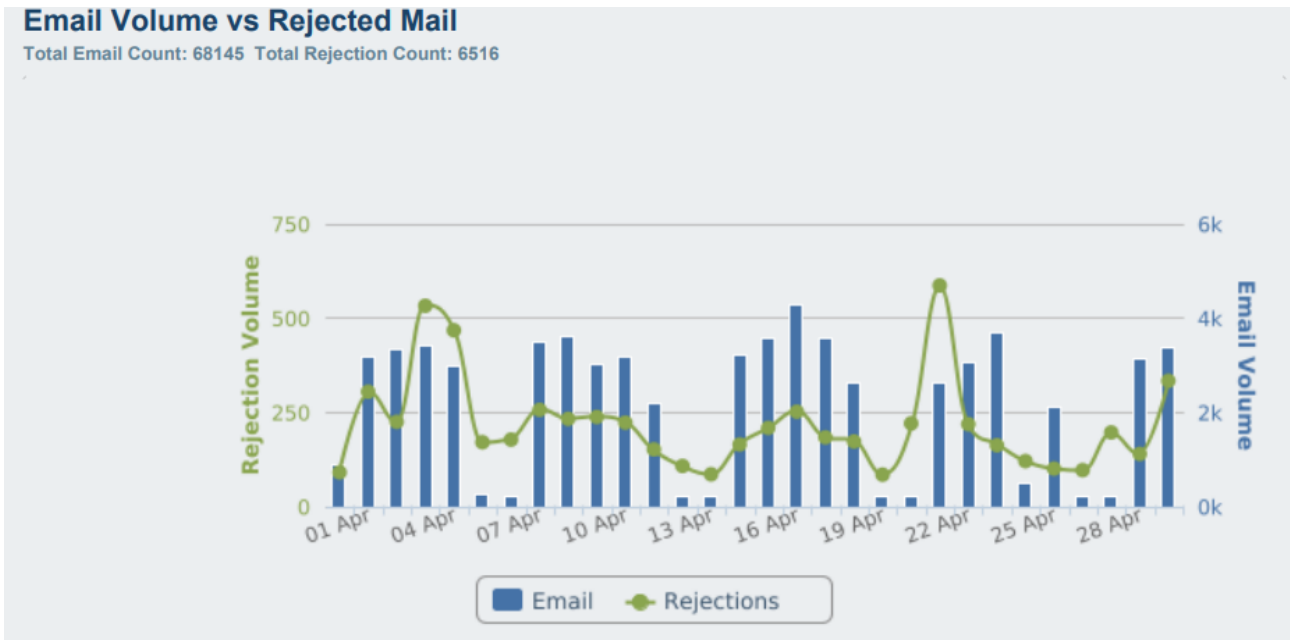
**Cyber security assurance:**

To provide assurance for ongoing cyber protections, the following graph shows total emails received against those rejected by automatic protection services.

- 60% (2,745) of inbound emails rejected were for IP addresses found to be in remote block lists known to be sources of spam or malware infection.
- 174 (4% of all rejections) messages were rejected as spam.
- 4 cases of inbound Malware were detected during the month.
- 20 emails were detected during the month that were attempts to impersonate someone – e.g., attempting to look like emails from another member of staff.

Other means of identifying potential spam or malware includes spam signature detection, virus signature detection, anti-spoofing lockouts, invalid recipient address, and where the sender failed to retry after initial rejection.

The system also holds emails where they may be suspected, but not confirmed spam. These are notified to the email recipient for checking and approval. 251 emails were held for this purpose during the month.



**ISSUE / DISCUSSION - CUSTOMER ACTION REQUESTS**

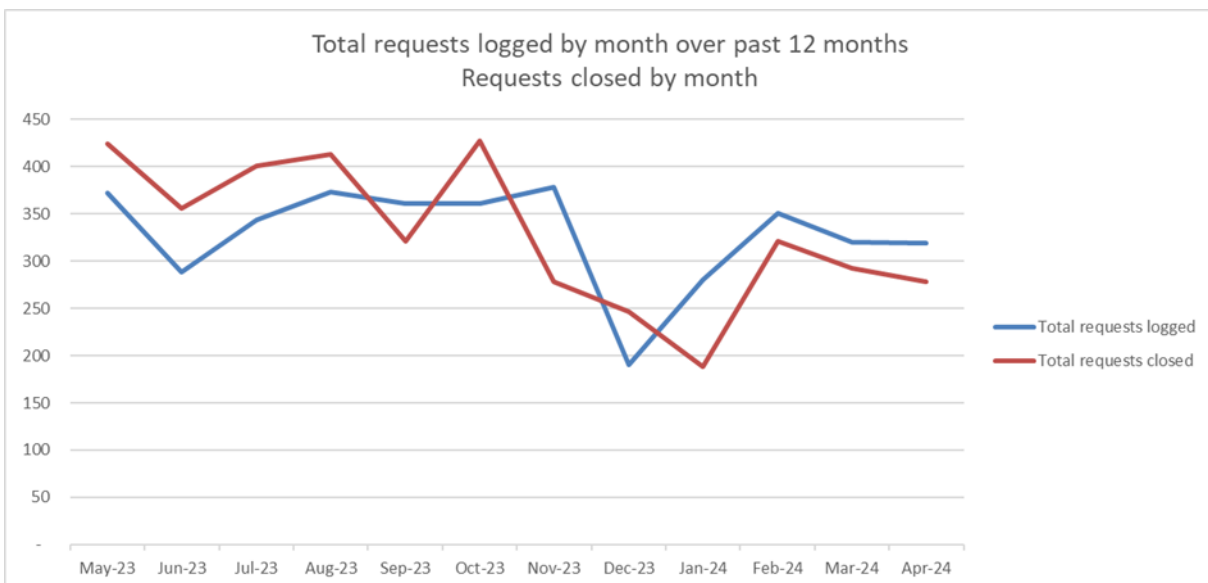
**1. Logged and closed requests**

319 CARs (Customer Action Requests) were logged during the month, 1 less than the previous month. Of these, 94 related to telephone messages.

278 requests were closed during the month.

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

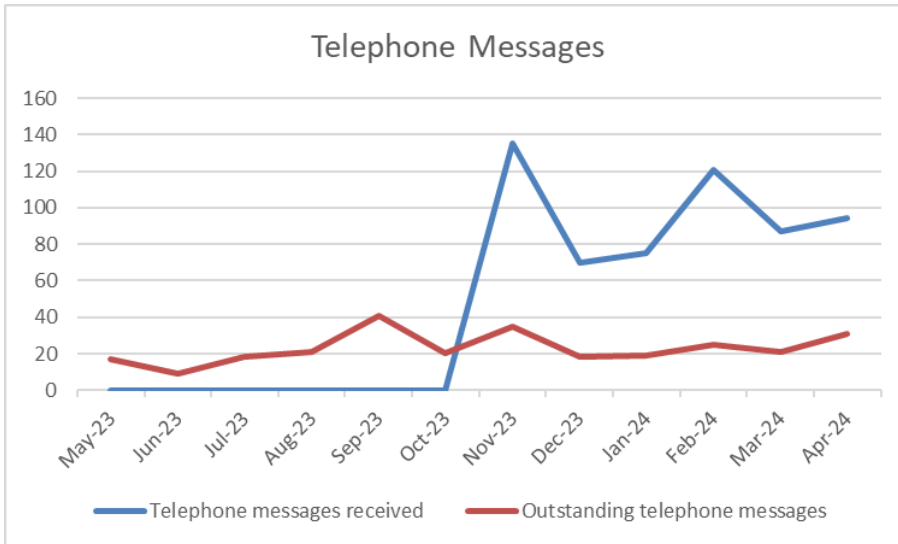
Year	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	% Change
Total requests logged	372	288	344	373	361	361	378	190	280	351	320	319	0%
Total requests closed	424	356	401	413	321	427	278	247	188	321	292	278	-5%



**2. Telephone requests**

94 telephone calls were transferred into requests during the month, with 31 requests remaining outstanding at the end of the month. The following charts detail the trend in telephone calls received and remaining outstanding at the end of each month.

	Telephone messages logged over past 12 months											
	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24
Telephone messages received							135	70	75	121	87	94
Outstanding telephone messages	17	9	18	21	41	20	35	18	19	25	21	31



Of the 31 calls remaining open at the end of April, 7 related to planning / building enquiries, 6 related to roads / bridge matters (3 of which related to the bridge at Raglan), 4 related to non-fire-related tree matters, and 2 related to fire recovery follow-ups. The others were a range of enquiries with no topic ranking higher than others.

**3. Open Customer Action Requests**

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

At the end of the reporting month, there was a total of 305 active or open requests, of which 189 were currently assigned. These include:

- 1589 which are open and assigned for action
- 27 which are on hold awaiting resolution or action scheduling.
- 4 remain referred to budget
- 85 remain in progress or being managed – meaning that they are longer term case managed issues

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

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

Request status	Avoca Ward	Beaufort Ward	DeCameron Ward	Ercildoune Ward	Mt Emu Ward
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<b>Number of requests received (previous month)</b>	44(45)	69(100)	40(30)	26(22)	46(36)
<b>Requests received and closed in the same month (%)</b>	28(64%)	45(65%)	15(38%)	16(62%)	31(67%)
<b>Requests received remaining open and assigned for action</b>	14	22	24	7	12
<b>Requests received that are on hold or in progress</b>	2	2	1	1	3
<b>Requests received referred to budget</b>	0	0	0	0	0
<b>Total open (assigned) requests as at the end of the month</b>	28(25)	59(58)	30(11)	10(7)	28(23)

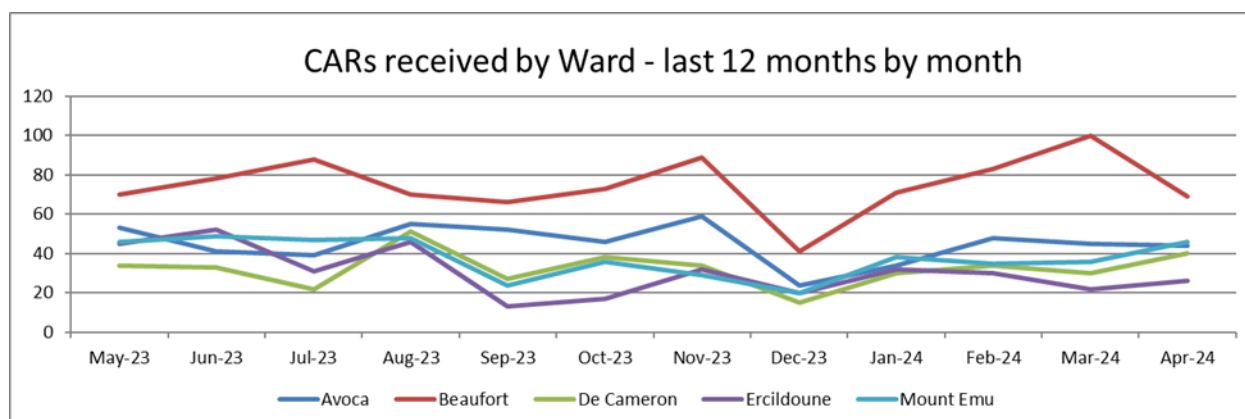
Because of the unusually low percentage of enquiries closed within the same month in the De Cameron Ward in April (38%) resulting in a higher than usual total assigned outstanding at the end of the month (30), the requests received for the Ward in April were analysed to determine if there was any specific cause. The primary subject matter for the outstanding requests were:

- 15 relating to roads: 8 were potholes and 7 were requests for grading. All these requests referred to recent rain damage or impact. These will need to be scheduled.
- 5 related to non-fire-related tree issues.
- The other 4 related to the Redbank school bus stop relocation, theft of a road sign, enquiry about land titles, and a response to a rates-related enquiry.

Regarding the requested relocation of the Redbank bus stop, Council officers are in contact with the bus company to discuss the re-routing to allow for the bus to collect students from outside the public hall without them having to cross the road. The physical bus stop does not need to be relocated as the hall already has an existing overhang providing shelter.

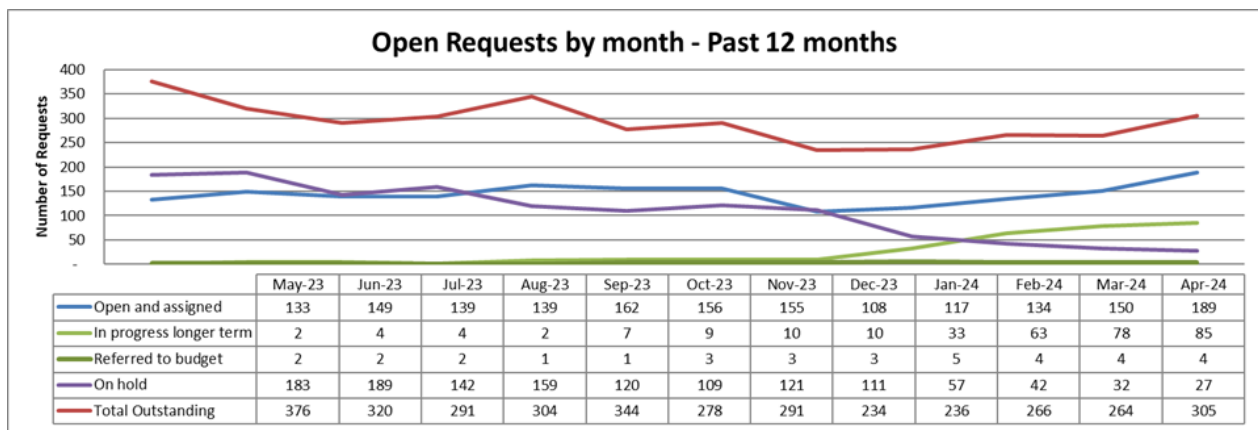
The following charts show the numbers of requests received by Ward per month for the past 12 months.

CARS by Ward received by month Rolling - Past 12 months												
Ward	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24
Avoca	53	41	39	55	52	46	59	24	34	48	45	44
Beaufort	70	78	88	70	66	73	89	41	71	83	100	69
De Cameron	34	33	22	51	27	38	34	15	30	34	30	40
Ercildoune	45	52	31	46	13	17	32	20	32	30	22	26
Mount Emu	46	49	47	48	24	36	29	20	38	35	36	46
Total by month	248	253	227	270	182	210	243	120	205	230	233	225

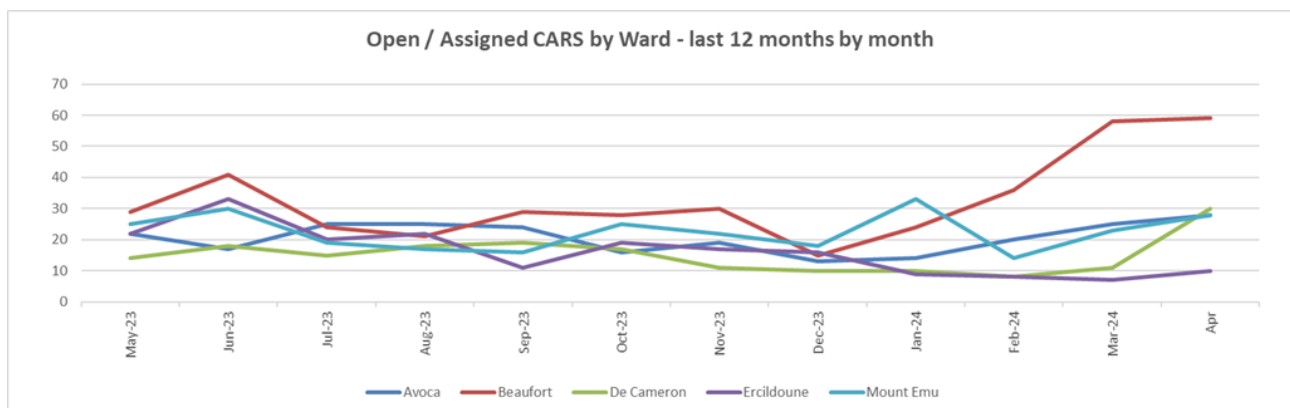


The following charts show the statistics for requests that remained open each month for the past 12 months. These charts now include requests put on hold or referred to budget.

Open requests by age													
Year	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	% Change
2013													
2020	-	-	1	1	-	-	-	-	-	-	-	-	
2021	4	3	-	-	-	-	-	-	-	-	-	-	
2022	115	114	19	19	27	29	20	13	7	7	7	7	0%
2023	201	227	119	119	135	127	135	95	43	24	22	17	-23%
2024									67	103	121	165	36%
<b>Open and assigned</b>	<b>133</b>	<b>149</b>	<b>139</b>	<b>139</b>	<b>162</b>	<b>156</b>	<b>155</b>	<b>108</b>	<b>117</b>	<b>134</b>	<b>150</b>	<b>189</b>	<b>26%</b>
<b>Outstanding but on hold</b>	<b>183</b>	<b>189</b>	<b>142</b>	<b>0</b>	<b>120</b>	<b>109</b>	<b>121</b>	<b>111</b>	<b>57</b>	<b>42</b>	<b>32</b>	<b>27</b>	<b>-16%</b>
<b>In progress - longer term</b>	<b>2</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>9</b>	<b>10</b>	<b>10</b>	<b>33</b>	<b>63</b>	<b>43</b>	<b>59</b>	<b>37%</b>
<b>Other outstanding</b>			<b>4</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>24</b>	<b>23</b>	<b>35</b>	<b>26</b>	<b>-26%</b>
<b>Referred to budget</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>0%</b>
<b>Total Closed</b>	<b>424</b>	<b>356</b>	<b>401</b>	<b>413</b>	<b>321</b>	<b>427</b>	<b>278</b>	<b>247</b>	<b>278</b>	<b>321</b>	<b>292</b>	<b>278</b>	<b>-5%</b>
<b>Total requests logged</b>	<b>372</b>	<b>288</b>	<b>344</b>	<b>373</b>	<b>361</b>	<b>361</b>	<b>378</b>	<b>190</b>	<b>280</b>	<b>351</b>	<b>320</b>	<b>319</b>	<b>0%</b>
<b>Total outstanding requests</b>	<b>376</b>	<b>320</b>	<b>291</b>	<b>304</b>	<b>344</b>	<b>278</b>	<b>291</b>	<b>234</b>	<b>236</b>	<b>266</b>	<b>264</b>	<b>305</b>	<b>16%</b>



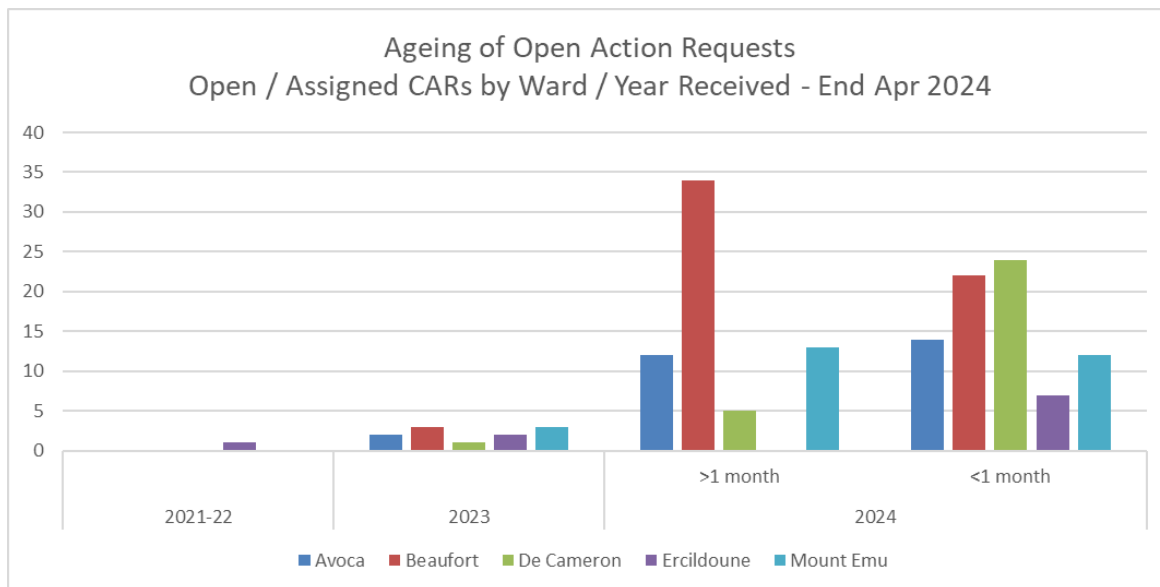
Open Assigned Requests by Ward - Past 12 months												
Ward	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr
Avoca	22	17	25	25	24	16	19	13	14	20	25	28
Beaufort	29	41	24	21	29	28	30	15	24	36	58	59
De Cameron	14	18	15	18	19	17	11	10	10	8	11	30
Ercildoune	22	33	20	22	11	19	17	16	9	8	7	10
Mount Emu	25	30	19	17	16	25	22	18	33	14	23	28
<b>Total by month</b>	<b>112</b>	<b>139</b>	<b>103</b>	<b>103</b>	<b>99</b>	<b>105</b>	<b>99</b>	<b>72</b>	<b>90</b>	<b>86</b>	<b>124</b>	<b>155</b>



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

There is one open and assigned requested on the list that remains from November 2022 for Ercildoune Ward. This relates to a request for repair to Government Road (near Thomsons Road) in Amphitheatre that was inspected and deemed not to be resulting from flood damage. This request is awaiting repairs to be programmed. I have requested a status update on this matter which will be reported to the relevant Councillor when received.

Ageing CARS by Ward - Open/Assigned					
Ward	2021-22	2023	2024		Total
			>1 month	<1 month	
Avoca	0	2	12	14	28
Beaufort	0	3	34	22	59
De Cameron	0	1	5	24	30
Ercildoune	1	2	0	7	10
Mount Emu	0	3	13	12	28
<b>Total by month</b>	<b>1</b>	<b>11</b>	<b>64</b>	<b>79</b>	<b>155</b>



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

	Mar-24	Apr-24	Change
Roads & Rd Maint.	70	86	16
Streetlights	0	0	0
Drainage	14	18	4
Footpaths / Kerb&Channel	14	11	-3
Park & Reserves	16	12	-4
Roadside Veg	47	67	20
Environmental Health	1	1	0
Planning	1	6	5
Bld maint	12	8	-4
Local Laws	9	8	-1
Cats	5	3	-2
Dogs	10	7	-3
Livestock	2	2	0
Parking	2	3	1
Fire Hazard	2	1	-1
Bld Compliance	0	0	0
Waste Management	0	0	0
Local Government Act	0	0	0
Rates	4	5	1
Natural Disasters	29	31	2
Pools	0	0	0
Council cleaning	0	0	0
Litter	1	1	0
Design & Assets	3	3	0
GIS	0	0	0
Community	0	0	0
Rural Addressing	1	0	-1
Road Naming	0	1	1
Telephone messages	21	31	10
<b>Total</b>	<b>264</b>	<b>305</b>	<b>41</b>

### COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Enabling Principles

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

### COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

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

### ATTACHMENTS

Nil



**FINANCIAL / RISK IMPLICATIONS**

All risks are discussed in the body of the report.

**CONCLUSION**

The customer action request system remains an integral part of Council's reactive identification of issues that need attention. This report provides an update on customer action requests as at the end of April 2024. Reporting continues to be expanded to include other media of customer contact received by officers.

**OFFICER RECOMMENDATION**

That Council notes this report.

**9.2.2. MARCH 2024 QUARTERLY FINANCIAL REPORT**

**Presenter:** Kathy Bramwell - Director Corporate and Community Services

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

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

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

**File No:** 32/08/18

**PURPOSE**

The report's purpose is to update the Council on the financial performance for the period 1 July 2023 to 31 March 2024.

**BACKGROUND**

The provision of regular reports of Council's financial performance ensures that Council's financial management and associated processes are accountable, transparent, and responsible.

The attached financial report for the period 1 July 2023 to 31 March 2024 is a component of ensuring the accountability of the Council's operations. In line with good governance, it forms part of the public accountability process and reporting and includes the following Financial Statements.

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

**ISSUE / DISCUSSION**

Current financial issues are:

1. The expected final cash position will be positive compared to the 10 Year financial strategy.
2. Cash flow position has improved significantly whereby the cash is in line with budgeted results.  
This improvement can be attributed to:
  - a. Receipt of grants relating to flood and roads to recovery
  - b. Improvement in collection rate of debtors
3. Rate debtors have improved significantly since January 2024. There is still some concern regarding the collection rate for the period April to June with no debt collection action occurring.
4. Roads to Recovery program has improved with only a minor variation for the period ending March 2024.

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Enabling Principles

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

**ATTACHMENTS**

1. March Finance Report [9.2.2.1 - 31 pages]

**FINANCIAL / RISK IMPLICATIONS**

All financial implications have been dealt with in the report.

**CONCLUSION**

At this stage it is anticipated that Council's financial performance is within the 2023/24 budget parameters and 10-year financial plan.

**OFFICER RECOMMENDATION**

That Council notes this report.

### **9.2.3. COUNCIL PLAN PROGRESS REPORT**

**Presenter:** Kathy Bramwell - Director Corporate and Community Services

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

**Report Author:** Dean Miller – Manager Governance and Performance

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

**File No:** 16/20/06

#### **PURPOSE**

This report provides the Council with a progress report on delivery of the operational initiatives designed to support delivery of the strategic goals and priorities identified in the Council Plan 2021-2025 as of 30 April 2024.

#### **BACKGROUND**

In accordance with section 90 of the Local Government Act 2020, the Council adopted the Council Plan 2021-2025 at its Ordinary Meeting on 19 October 2021. The Council Plan outlines how the Council will work toward implementing the 10-year Community Vision.

The Council Plan 2021-2025 is framed around four strategic priorities, plus enabling principles:

1. People
2. Place
3. Environment
4. Economy

In February 2022, the Council approved the operational projects and initiatives designed to support the implementation of the Council Plan.

#### **ISSUE / DISCUSSION**

Work continues to progress implementing the multi-year operational initiatives, in this, the last year of the current Council Plan.

The attached report provides a progress update against the Pyrenees Shire Operational Council Plan 2021-2025 as of 30 April 2024.

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

Enabling Principles

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

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

This report serves as part of the Council's regular communications to our community on the implementation of the Council Plan 2021-2025, which is closely aligned with the Community Vision 2021-2031.

#### **ATTACHMENTS**

1. April 2024 Progress Update Operational Council Plan 1 [9.2.3.1 - 38 pages]

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

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

**CONCLUSION**

The Council adopted the Council Plan 2021-2025 in October 2021 and approved the operational activities to support its delivery in February 2022. This report provides a progress update on those activities as of April 2024.

**OFFICER RECOMMENDATION**

That Council notes this report.

### 9.3. CHIEF EXECUTIVE OFFICE

#### 9.3.1. CEO LEAVE

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

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

**Report Author:** Jim Nolan – Chief Executive Officer

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

**File No:** 10NOLJ

#### **PURPOSE**

The purpose of this report is to inform Council and the community about a period of leave to be taken by the Chief Executive Officer.

#### **BACKGROUND**

The Chief Executive Officer proposes to take Leave from Monday 27 May 2024 – Friday 7 June 2024 inclusive (a period of 10 days) returning to work on Tuesday 11 June 2024.

#### **ISSUE / DISCUSSION**

It is intended that Douglas Gowans be appointed as Acting Chief Executive Officer for the period of the leave until Mr. Nolan returns.

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

Enabling Principles

b. Provide transparency and accountability

#### **ATTACHMENTS**

Nil

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

There is no financial risk associated with this matter.

#### **CONCLUSION**

The Chief Executive Officer will be taking leave from 27 May 2024 until 7 June 2024, and Mr. Gowans will be Acting in the role during that period.

#### **OFFICER RECOMMENDATION**

That Council:

1. Notes this report.

**10. COUNCILLOR ACTIVITY REPORTS****10.1. COUNCILLOR ACTIVITY REPORTS - APRIL 2024**

<b>Cr Damian Ferrari – Beaufort Ward</b>		
09/04/2024	Council Briefing	Beaufort
09/04/2024	Councillor Cuppa & Chat	Landsborough
16/04/2024	Council Briefing	Avoca
16/04/2024	Council Meeting	Avoca
19/04/2024	Western Highway Action Committee Meeting	Virtual
25/04/2024	Anzac Day Service	Beaufort

<b>Cr David Clark – Ercildoune Ward</b>		
09/04/2024	Council Briefing	Beaufort
09/04/2024	Councillor Cuppa & Chat	Landsborough
16/04/2024	Council Briefing	Avoca
16/04/2024	Council Meeting	Avoca
18/04/2024	CVGA Meeting	Virtual
18/04/2024	Highlands LLEN AGM	Ballarat
19/04/2024	Lexton Community Hub Official Opening	Lexton
27/04/2024	Back to Waterloo Day	Waterloo
30/04/2024	Council Budget Workshop	Virtual

<b>Cr Robert Vance – De Cameron Ward</b>		
09/04/2024	Council Briefing	Beaufort
09/04/2024	Councillor Cuppa & Chat	Landsborough
12/04/2024	RCV Committee Meeting	Virtual
13/04/2024	Pyrenees Unearthed Wine & Food Festival	Avoca
15/04/2024	Glenpatrick Recreation Reserve CoM Meeting	Glenpatrick
16/04/2024	Council Briefing	Avoca
16/04/2024	Council Meeting	Avoca
18/04/2024	Timber Towns Victoria General Meeting	Virtual
19/04/2024	Lexton Community Hub Official Opening	Lexton
23/04/2024	CHW Board	Beaufort
23/04/2024	Council Budget Workshop	Virtual
25/04/2024	Anzac Day Service	Landsborough
27/04/2024	Back to Waterloo Day	Waterloo
30/04/2024	Council Budget Workshop	Virtual

<b>Cr Ron Eason – Avoca Ward</b>		
09/04/2024	Council Briefing	Beaufort
09/04/2024	Councillor Cuppa & Chat	Landsborough
16/04/2024	Council Briefing	Avoca
16/04/2024	Council Meeting	Avoca
19/04/2024	Lexton Community Hub Official Opening	Lexton
23/04/2024	Council Budget Workshop	Virtual
25/04/2024	Anzac Day Service	Avoca
27/04/2024	Avoca By the River	Avoca
30/04/2024	Council Budget Workshop	Virtual

<b>Cr Tanya Kehoe – Mount Emu Ward</b>		
09/04/2024	Council Briefing	Beaufort
09/04/2024	Councillor Cuppa & Chat	Landsborough
19/04/2024	Lexton Community Hub Office Opening	Lexton
25/04/2024	Anzac Day Service	Stockyard Hill
30/04/2024	Council Budget Workshop	Virtual

**OFFICER RECOMMENDATION**

That Council notes this report.



**11. ASSEMBLY OF COUNCILLORS**

**11.1. ASSEMBLY OF COUNCILLORS - APRIL 2024**

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Briefing Session		
Meeting Date	9 April 2024 commenced at 1.00pm and closed at 4.15pm		
Meeting Location	RTC Room, Avoca		
Items Discussed	<ol style="list-style-type: none"> <li>1. Council Budget Workshop</li> <li>2. Aquatic Update</li> <li>3. Bayindeen Fire Recovery Plan and Dangerous Tree Management</li> <li>4. Environmental Health Services</li> <li>5. Avoca Chinese Garden</li> <li>6. CEO Update</li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Robert Vance Cr Damian Ferrari Cr Tanya Kehoe	Cr David Clark Cr Ron Eason	
Apologies	Nil.		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services) Glenn Kallio (Manager Finance) – item 1. Baylie Lang – (Recreation Development Coordinator) - item 2 Adam Boyle (Team Leader Community Development) – item 2		
Visitors			
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Briefing Session		
Meeting Date	16 April 2024 commenced at 1.00pm and closed at 5.30pm		
Meeting Location	RTC Room, Avoca		
Items Discussed	<ol style="list-style-type: none"> <li>1. Avoca Inspections</li> <li>2. WRL Update (virtual)</li> <li>3. Fire Recovery</li> <li>4. CEO Update</li> </ol>		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Ron Eason Cr Damian Ferrari	Cr David Clark Cr Robert Vance	
Apologies	Cr Tanya Kehoe		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services) Tim Day (Manager Assets) – item 1.		
Visitors	Carly Grant, Ausnet – item 2 Carolyn Balint, Ausnet – item 2 Megan Cusack, Ausnet – item 2 Claudine Foley, Ausnet – item 2 Justin Justin, Ausnet – item 2 Malcolm Tinkler, Ausnet – item 2 Michael Harkin, Ausnet – item 2		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Budget Workshop		
Meeting Date	23 April 2024 commenced at 1.00pm and closed at 2.00pm		
Meeting Location	Virtual		
Items Discussed	1. Draft 2024/25 Budget		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Robert Vance		Cr Ron Eason
Apologies	Cr Tanya Kehoe, Cr Damian Ferrari, Cr David Clark		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services) Glenn Kallio (Manager Finance) – item 1.		
Visitors	Nil.		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

<b>MEETING INFORMATION</b>			
Meeting Name	Councillor Budget Workshop		
Meeting Date	30 April 2024 commenced at 1.00pm and closed at 2.05pm		
Meeting Location	Virtual		
Items Discussed	1. Draft 2024/25 Budget 2. CEO Update		
<b>ATTENDEES</b>			
Councillors	Mayor Cr Robert Vance Cr Tanya Kehoe		Cr David Clark Cr Ron Eason
Apologies	Cr Damian Ferrari		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services) Glenn Kallio (Manager Finance) – item 1.		
Visitors	Nil.		
<b>CONFLICT OF INTEREST DISCLOSURES</b>			
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. ASSET AND DEVELOPMENT SERVICES

#### 12.1.1. PLANNING PERMIT APPLICATION DECISION PA23070 BRUMBYS LANE SNAKE VALLEY

**Presenter:** Rachel Blackwell - Manager Planning & Development Services

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

**Report Author:** Ella Duniam – Planning Officer

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

**File No:** 710042950P

#### **PURPOSE**

The purpose of this report is to consider planning permit application PA23070 for a two-lot subdivision for land in Plan of Consolidation PC161299, Brumbys Lane Snake Valley 3351.

#### **BACKGROUND**

On the 15 July 2023, a planning permit application was lodged. The application proposed the subdivision of the land into two lots.

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

The applicant responded to the objections by way of a letter. A consultation meeting was not held with objectors.

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

#### **THE SITE**

The subject site, Land in Plan of Consolidation 161299V, known as Brumbys Lane, Snake Valley, is a 5-hectare allotment about 1.3km south of the Snake Valley township.

The subject land is located on the north eastern intersection of Brumbys Lane and Davies Court. The subject land is irregular in shape and relatively flat and contains a watercourse which runs across the entire property, north to south. The site is currently vacant and does not have any notable vegetation.

Reservoir Road, a Crown Land reserve, crosses the north of the property and continues to the Snake Valley Reservoir which is located approximately 400 meters to the southeast of the site.

There is an existing gate to access the property from Brumbys Lane to the south of the lot, however there is no defined crossover access to the road.

There are several established Cyprus trees located on the Brumbys Lane frontage. There is one small Blackwood tree located on the road reserve.

The site does not currently have access to power, reticulated water, or sewerage.

The subject land is zoned Rural Living and is affected by a Bushfire Management Overlay.

It is noted that the site is partially subject to an area of cultural heritage sensitivity. In this instance as a two-lot subdivision is proposed, this is considered to be a low impact proposal and as such a cultural heritage management plan is not required.

The surrounding area to the east and south comprises primarily single dwellings on larger rural living zoned lots, and land to the north and east is characterised by single dwellings located on township zoned lots located within the Snake Valley township.

Snake Valley is a township in which community facilities and services are accessible to residents, including a general store, public hall, school, and several churches.

An aerial map and images of the site, detailing the site context can be found in **Attachment 1**.

## **THE PROPOSAL**

The applicant proposes the subdivision of land into two (2) lots. The proposal is described in greater detail as follows:

### ***Subdivision:***

This proposal seeks subdivision of the subject land into 2 lots as follows:

- Lot 1 - 2.0 hectares with access from Brumbys Lane.
- Lot 2 - 3.3 hectares with access from Brumbys Lane.

### ***Bushfire Management Plan:***

A Bushfire Management Plan has been prepared and submitted as part of the application which notes an indicative development envelope and defendable space for each proposed lot. The Bushfire Management Plan also notes the location of a 10,000-liter water tank for firefighting purposes for each potential dwelling and a CFA (Country Fire Authority) turning circle to address access requirements.

The Bushfire Management Plan proposes a Bushfire Attack level of 19 for future dwellings and provides 15 meters of defendable space around both indicative development envelopes.

All the approved measures are incorporated into the application.

### ***Access:***

Two, 4.5-meter-wide vehicle crossover access points are proposed to access each lot from Brumbys Lane. The access for lot 2, the northern lot, will require the lopping or removal of one blackwood tree from the road reserve. A planning permit is not required for the lopping or removal of this tree as the lopping or removal is required to allow for vehicle access to a public road. It is also likely that the tree is a result of direct seeding. No vehicle access is proposed from Davies Court to the east.

### ***Land Capability:***

A Land Capability Assessment has been prepared and submitted as part of the application. As a result of investigations, it was concluded that sustainable onsite wastewater management is feasible with appropriate mitigation measures. The Land Capability Assessment includes an indicative effluent area for both dwellings.

**Fencing:**

A post and wire fence exists on the lot's boundary, and no further fencing is required.

**Supporting documents:**

Full details of the proposal are provided as **Attachment 2**. The proposed plan of subdivision with indicative building envelopes is provided below.

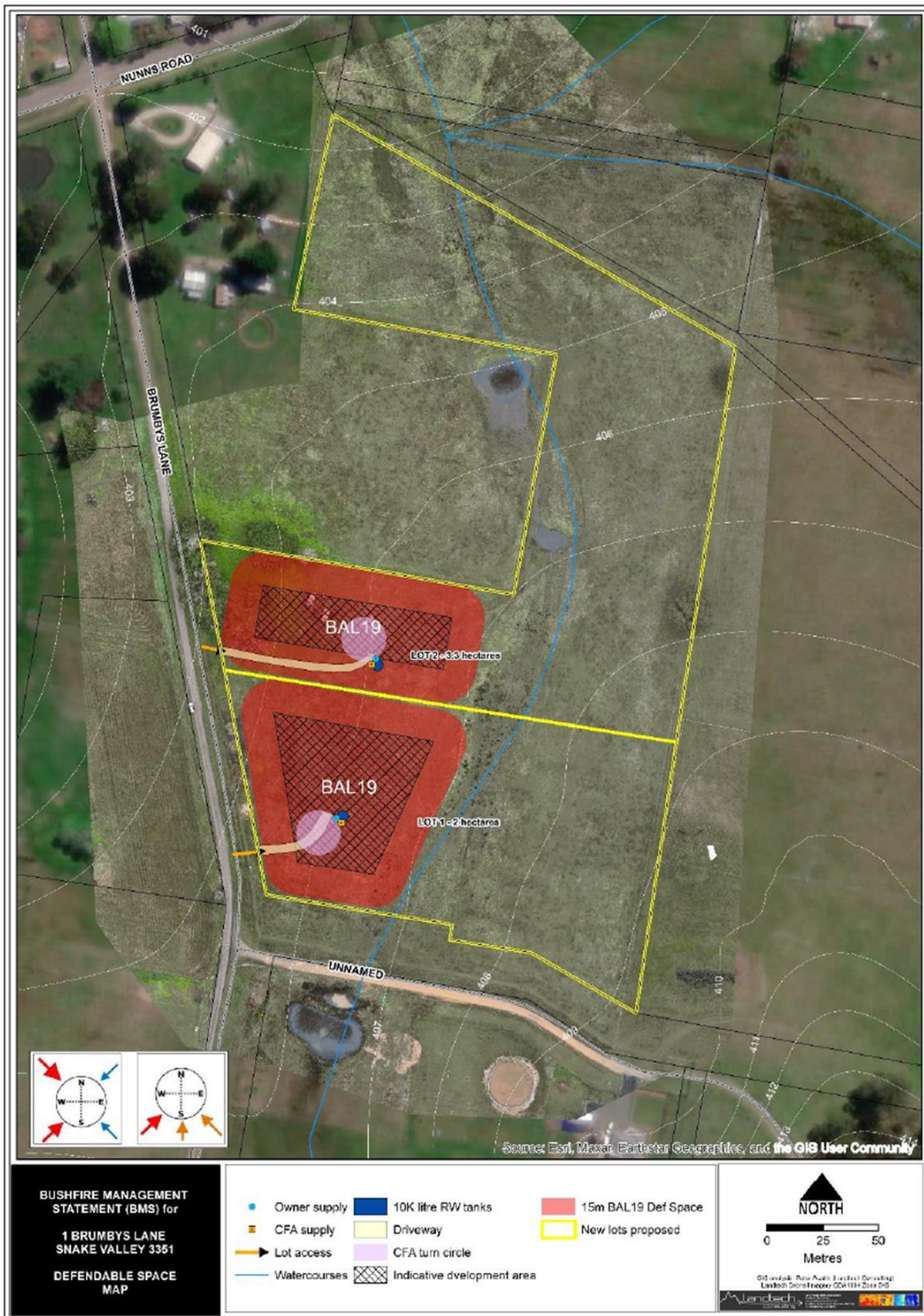


Figure 27 - Defendable Space Map

**RESPONSE TO NOTICE OF APPLICATION**

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

The following forms of advertising were undertaken:

- Notices sent to owners and occupiers of adjoining land (includes opposite).

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

- Potential impacts and damage to the natural watercourse that runs through both allotments.
- The subject site and surrounding land have flooded in the past. Davies Court, where the objectors plan to build a dwelling, was inaccessible due to flooding. The objector did not elaborate on how the development will impact potential flooding.
- Concerns about illegal buildings on the subject land and works which may occur on the proposed lots in the future.
- Concerns wastewater management for the allotments.
- The smaller proposed allotments will impact the view and value of the objector’s property. Noted as not a relevant planning consideration.

A copy of the objection is provided at **Attachment 3**.

A letter in response to the objection was provided by the applicant and this was circulated to the objector. The letter addressed the concerns of flooding of Davis Court and the impact to the natural watercourse running through the land, by stating that the watercourse is dry for majority of the year and in the 13 years of owning the land they have not witnessed it flood to an extent that Davies Court is inaccessible. The objection has not been withdrawn as a result of the letter and no further response was received from the objector.

A copy of the letter is provided at **Attachment 4**.

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

**REFERRAL OF APPLICATION**

**Internal Referrals**

Referral	Advice/Response/Conditions
Engineering	No objection subject to standard conditions.
Environmental Health	No objection subject to conditions.

**External Referrals**

Referral	Advice/Response/Conditions
Country Fire Authority	No objection subject to conditions
Powercor	No objection subject to standard conditions.
Southern Rural Water	SRW (Southern Rural Water) has no environmental responsibility or assets at this location and have no comment in relation to the referral.
Glenelg Hopkins CMA	No objection and no conditions.
Central Highlands Water	No objection subject to standard condition:

## ISSUE / DISCUSSION

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

- Strategic Justification
- Flooding and land capability
- Bushfire
- Access

### Strategic Justification

The site is located to the south of the township of Snake Valley. The site comprises land, which is zoned for rural living.

It is a strategic direction of Clause 02.03-1 Settlement of the Municipal Planning Strategy which expects that Snake Valley and its environs will continue to experience significant growth due to its proximity to Ballarat and the attractive nature of its rural-residential areas.

Rural living areas are a significant feature of many smaller settlements such as Snake Valley. Rural living areas provide a supply of land that can be utilised for residential purposes while maintaining rural values and connection to townships. This is supported by policy at Clause 16.01-3L, which states that rural residential development in Snake Valley can achieve the intent of the policy strategies to provide larger properties that support increased recreational use while protecting existing amenity and landscape values.

Clause 02.03-5 Housing also seeks to encourage housing in locations in and on the periphery of established townships, with good accessibility to transport, shops, infrastructure, and community facilities. The proposed subdivision will assist in facilitating this.

The township of Snake Valley provides an attractive lifestyle choice in a semi-rural setting and acts as a residential dormitory for Ballarat, only 27 kilometers to the north-east. As the population of the township grows, so too will the need for rural lifestyle lots.

The proposal will provide for two lots of land suitable for a rural lifestyle property and given that the northern most part of the lot contains several waterways, it would be difficult to develop. The proposal will provide parcels of land suitable for a range of residents, including those who wish to experience a semi-rural lifestyle while staying close to the township.

The subdivision occurring throughout the township over time with some recent approvals emphasises that the area is subject to some change. This is occurring now and policy direction, including Councils own Planning Scheme supports this change to permit infill development on well serviced and connected allotments. Under the Rural Living Zone, each lot must be at least 2 hectares, and his proposal complies with this requirement.

The zone's purpose is to provide residential use in a rural environment and encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision. The proposed subdivision of the land into two lots is an appropriate response to the site, adjoining properties, and the surrounding neighborhood character. It is also considered an appropriate transitional response to development within the Snake Valley Township.



## **Flooding and Land Capability**

There is a watercourse and low-lying land that runs through the subject site from Mag Dam and Nunns Road through to Davies Court. As raised by the single objection received, this area is subject to some seasonal inundation. The area, however, has not been identified as being subject to flooding or any recent flood study and is not located within a flood or land subject to inundation overlay.

Due to the larger lot sizes (above 2 hectares in accordance with the provisions of the Rural Living Zone) both lots have a suitable area of land adjoining Brumbys Lane that can accommodate the development of dwellings outside of the watercourse.

When dwellings are constructed, permits for effluent disposal will be required from the Council's Environmental Health department. Proposed planning permit conditions include that before the statement of compliance is issued for the subdivision, where reticulated sewerage is not available, it must be demonstrated wastewater envelopes are contained within the boundaries of each lot as described in the Land Capability Assessment Report submitted.

It is noted that the recent flooding of Davies Court is likely a result of the location of the local road through the natural watercourse. The subdivision will not directly impact the occurrence of overland flows at this location.

## **Bushfire**

The site is located within the Bushfire Management Overlay. A Bushfire Management Plan has been prepared and submitted as part of the application to address the requirements of the Country Fire Authority.

The Bushfire Management Plan shows 15 meters of defensible space provided for each indicative development area on both lots at a Bushfire Attack Level of 19. The Bushfire Management Plan was referred to the Country Fire Authority who asked for changes regarding the water supply where 20,000 liters of effective water supply for firefighting purposes must be provided within both Lots 1 & 2 that meet CFA requirements.

The CFA requires a mandatory condition for subdivisions to be included on the planning permit. The condition is as follows:

*"Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:*

- *State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Pyrenees Planning Scheme.*
- *Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.*
- *State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.*

*The landowner must pay the reasonable costs of the preparation, execution, and registration of the Section 173 Agreement."*

This means that the bushfire requirements have been addressed as part of the subdivision application and future owners of the lots will not be required to obtain a planning permit for the development of a dwelling on the land.

An assessment against Clause 53.02 Bushfire Planning has been undertaken. The purpose of this clause is to ensure that the development of land prioritises the protection of human life and ensures that the location, design, and construction of development appropriately responds to the bushfire hazard. A copy of this assessment is provided at **Attachment 5**.

All the approved measures are incorporated into the application and the application was referred to the CFA who supported the proposal subject to conditions.

### **Access**

Each lot will be provided with a new crossover to create access to both lots from Brumbys Lane. The access for lot 2, the northern lot, will require the lopping or removal of one blackwood tree from the road reserve. A planning permit is not required for the lopping or removal of this tree as the lopping or removal is required to allow for vehicle access to a public road. It is also likely that the tree is a result of direct seeding. The Council's Environment and Sustainability Coordinator has assessed the tree and has no concerns with the removal or lopping of this tree to the minimum extent necessary as required.

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

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

#### Priority 2 - Place

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

3c. Encourage community care of biodiversity and natural values.

#### Priority 4 - Economy

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

#### Enabling Principles

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

**Human Rights/Social/Cultural** - The application has been assessed in accordance with the requirements of the Planning and Environment Act 1987 and the Pyrenees Planning Scheme. The assessment is considered to accord with the Charter of Human Rights and Responsibilities Act 2006. Specifically:

- Freedom of Expression (part 2 section15)

- A fair hearing (part 2 section 24)
- Entitlement to participate to public life (part 2 section 18)

**Environmental/Sustainability** – The subdivision proposed meets the environmental and sustainability standards set out in the Pyrenees Planning Scheme.

**Implementation and Marketing** – The advice of Council’s decision in this regard will be made public through publication of the relevant minutes following the Council meeting.

**Evaluation and Review** – The construction process will be subject to review throughout the course of the programme and the specific build form will further be reviewed upon completion.

#### ATTACHMENTS

1. Attachment 1 - Aerial and Site Photos [12.1.1.1 - 5 pages]
2. Attachment 2 - Supporting Documents [12.1.1.2 - 113 pages]
3. Attachment 3 - Copy of Submission [12.1.1.3 - 5 pages]
4. Attachment 4 - Applicant Letter to Submission [12.1.1.4 - 1 page]
5. Attachment 5 - Clause 53.02 Bushfire Planning Assessment [12.1.1.5 - 3 pages]

#### FINANCIAL / RISK IMPLICATIONS

**Economic** – The proposed subdivision will positively contribute to the prosperity of the Pyrenees Economy both during the construction stage and post development.

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

#### OFFICER RECOMMENDATION

That Council:

Issue a Notice of Decision to Grant a Planning Permit for the Subdivision of Land into Two (2) Lots subject to the following conditions:

##### **Compliance With Documents Approved Under This Permit**

1. 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.

##### **Endorsed Subdivision Plans – Amended Plans Required**

2. Before the plan of subdivision is certified under the Subdivision Act 1988, 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 and submitted in electronic form
  - c) be generally in accordance with the plans forming part of the application, but amended to show the following:
    - i. An amended bushfire management plan which addresses the CFA

- requirements as per Condition 15.
- ii. The total number of lots not to exceed 2
- iii. All bearings, distances, levels, street names, lot numbers, lot sizes, reserves, and easements
- iv. Other information relevant to the development of the land such as dams, wells, filled land, watercourses, etc.

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

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

#### **Work on or to the Land**

4. 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

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

#### **Detailed Construction Plans – Roads and Drains**

5. Before any works associated with the subdivision start, 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 following:
    - i. vehicular crossings to each lot

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.

#### **Environmental Health**

6. Before the statement of compliance is issued, where reticulated sewerage is not available, it must be demonstrated wastewater envelopes are contained within the boundaries of each lot as described in the Land Capability Assessment Report prepared by Peter Austin (Landtech Consulting) Reference number 23351 dated 8/12/2023 to the satisfaction of the Responsible Authority.
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.

#### **Vehicle Access – Subdivision**

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

#### **Drainage Plans and Construction (Subdivision)**

9. Prior to works commencing on site, drainage plans must be submitted to and approved by the Responsible Authority. The drainage plans must accord with the Infrastructure Design Manual. All drainage works must be constructed in accordance with the approved plans and completed to a standard satisfactory to the Responsible Authority prior to the 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.

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

#### **Street Numbering**

10. 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.

#### **Subdivisions That Do Not Require Referral**

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

### **Telecommunications**

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

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

13. 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.

### **Country Fire Authority Mandatory Condition – Subdivision**

14. Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- a) State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Pyrenees Planning Scheme.
- b) Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.
- c) State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The landowner must pay the reasonable costs of the preparation, execution, and registration of the Section 173 Agreement.

**Country Fire Authority**

15. Prior to certification under the Subdivision Act 1988, an amended Bushfire Management Plan must be submitted to and endorsed by the Responsible Authority. Once endorsed the Bushfire Management Plan must be included as an annexure to the section 173 agreement prepared to give effect to clause 44.06-5 of the Planning Scheme and not be altered unless agreed to in writing by CFA and the Responsible Authority.

The plan must be generally in accordance with the Bushfire Management Plan prepared by Peter Austin of Landtech Consulting, Version 1, dated 23/01/2024 but amended to include or replace the conditions for Water Supply with:

- a. Water supply 20,000 litres of effective water supply for firefighting purposes must be provided within both Lots 1 & 2 which meets the following requirements:
  - i. Is stored in an above ground water tank constructed of concrete or metal.
  - ii. All fixed above-ground water pipes and fittings required for firefighting purposes must be made of corrosive resistant metal.
  - iii. Include a separate outlet for occupant use.
  - iv. Incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
  - v. Be located within 60 metres of the outer edge of the approved building.
  - vi. The outlet/s of the water tank must be within 4m of the accessway and be unobstructed.
  - vii. Be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
  - viii. Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).

**Expiry - Subdivision**

16. This permit as it relates to development (subdivision) will expire if one of the following circumstances applies:

- a. The plan of subdivision has not been certified under the *Subdivision Act 1988* within 2 years of the issued date of this permit.
- b. A statement of compliance is not issued within 5 years of the date of certification.

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 periods referred to in this condition.

**Notes**

***Works within Road Reserve***

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

***Cultural Sites***

*Should the discovery of Aboriginal objects be discovered during the course of the development, the discovery must be reported to First Peoples State Relations Victoria. If suspected human remains are discovered, you must contact the Victoria Police and the State Coroner's Office immediately.*



### **12.1.2. BEAUFORT MEMORIAL PARK - MORTAR GUNS REINSTALLATION**

**Presenter:** Rachel Blackwell - Manager Planning & 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:** 04/16/02

#### **PURPOSE**

This report seeks Council endorsement to reinstate the two Mortar Guns back to their original location at the Cenotaph in Beaufort Memorial Park.

#### **BACKGROUND**

In 2018, the mortar guns were removed as part of a Memorial Park cenotaph restoration project for the mortars and the Krupps gun near the cenotaph.

The funds to undertake the restoration work for both the Krupps gun and the mortars were through donations from the Beaufort community with the intention of having the restored items returned to a prominent position in Memorial Park.

Whilst works were being conducted, the mortar guns were relocated to the Beaufort RSL Hall some time ago for safe keeping.

#### **ISSUE / DISCUSSION**

Earlier in the year a letter was received from Beaufort RSL President Donald Carnes requesting the two mortar guns be reinstated to their original location at the entrance of the Cenotaph in Beaufort Memorial Park.

The Beaufort & District RSL Sub-Branch are also seeking feedback as to the type of base mortar artillery items required to further extend their life and to create the ability for close community interaction.

Council officers have had initial discussions with RSL representatives and are of the view that a concrete base would be appropriate to display the mortar artillery pieces

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

Priority 1 - People

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

Priority 2 - Place

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

Enabling Principles

a. Motivate and inspire community involvement

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

If Council endorsement is received, Council Officers will collaborate with the Beaufort & District RSL Sub-Branch to determine a suitable time for the reinstatement to occur.

#### **ATTACHMENTS**

1. RSL Letter [12.1.2.1 - 1 page]

**FINANCIAL / RISK IMPLICATIONS**

Although unknown, funds may need to be allocated to help with the reinstatement of the mortar guns, including the base requirements. A slab and associated base works are estimated to be between \$2,000 - \$3,000. It is unknown whether the Beaufort & District RSL may be able to contribute to the reinstatement costs.

**CONCLUSION**

The historic mortars have previously had pride of place at the Memorial Park cenotaph. This project would restore the mortars to this prominent location.

**OFFICER RECOMMENDATION**

That Council endorses the reinstatement of the mortar guns to the entrance of the cenotaph as requested by the Beaufort & District RSL Sub-Branch.

### **12.1.3. PLANNING & DEVELOPMENT UPDATE**

**Presenter:** Rachel Blackwell - Manager Planning & 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:** 66/02/02

#### **PURPOSE**

This report was prepared to give the Council a summary of activities within the Planning and Development department, for January, February, and March 2024.

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**

<b>PLANNING PERMIT DATA</b>	<b>JANUARY</b>	<b>FEBRUARY</b>	<b>MARCH</b>	<b>FINANCIAL YEAR TO DATE</b>
<b>Permit applications received</b>	<b>4</b>	<b>8</b>	<b>5</b>	<b>57</b>
<b>Permits Granted (approx. 75% of applications decided within statutory time frame)</b>	<b>9</b>	<b>2</b>	<b>2</b>	<b>43</b>
<b>Permits refused</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Time extensions granted</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>20</b>
<b>Secondary consents approved</b>	<b>1</b>	<b>4</b>	<b>3</b>	<b>25</b>
<b>Estimated cost of works</b>	<b>\$1.43M</b>	<b>\$728,544.00</b>	<b>\$35,188.00</b>	<b>\$58M</b>

**Planning Enquiries January – March 2024**

The Planning Department received 263 calls for the January to March Quarter. Of these calls 83 related to current planning permit applications or existing planning permit enquiries. 180 calls related to pre-purchase or pre-application enquiries.

**Planning Team Resourcing**

The Planning Department has welcomed new Senior Planner Virginia McLeod to the team in mid-April.

The planning team is using URPS to help deliver statutory planning services. The team recently received funding from the Regional Planning Hub to continue this service until the end of 2024 to allow the team to focus on bushfire recovery and strategic planning.

**Bushfire Planning Support Service**

The Planning department has been actively involved in secondary impact assessments of dwellings and other structures throughout the bushfire affected area.

The Planning Department will be providing a Bushfire Planning Support service to property owners impacted by the bushfires to assist in the rebuilding process. This service will provide specialised advice to help navigate any planning application requirements and the overall rebuild. It is suggested that Council considers the waiving of any planning fees associated with rebuild development estimated around \$5,000.

**VCAT (Victorian Civil and Administrative Tribunal)**

A VCAT objector appeal has been lodged in relation to PA23031, a matter which came to Council for consideration in November. A compulsory conference is scheduled at VCAT for the 6 June 2024, and if that matter cannot be resolved, it will be heard in August 2024.

**Better Approvals**

The Planning Department are currently implementing the Better Approvals Program which provides best practice resources for Councils to streamline local planning processes. This will include implementing several internal processes and incorporating the better approvals program best practice information and other resources on our website to assist customers with the planning process.

**Digital Planning Grants**

The Digital Planning Grants Program, which seeks to improve digital planning services in local Councils, is now complete. The Planning and Building teams have completed the project with EVIS (Greenlight) and our ICT Team to deliver several new modules to our Greenlight permit processing system.

**Creative Community Strategy**

The Creative Community Strategy discussion paper was released to the public in December 2023 and workshops were held in February 2024. We are currently finalising the draft strategy.

**Strategic Planning Program**

The 2023-24 strategic planning program includes:

- Amendment C47Pyrn, which proposes to incorporate the Snake Valley, Waubra, and Lexton framework plans into the Pyrenees Planning Scheme. This amendment has been progressed and is being reviewed by our new senior planning officer. Shortly it will come to council for consideration of progressing a formal exhibition of a planning scheme amendment from the Department of Transport and Planning.
- Council has undertaken a review of the Pyrenees Planning Scheme to ensure it contemporariness and satisfaction against Councils legislative requirement under S12B of the Planning and Environment Act 1987. This amendment has also progressed and is currently being reviewed by our new senior planning officer.
- Council officers are preparing an amendment to incorporate several completed flood studies into the Pyrenees Planning Scheme. A request has been made to the Regional Flood Amendments program to progress this amendment.
- The Strategic Planning Team are also involved in technical reference and consultation groups relating to state renewables projects such as the Western Renewables Link, and several Wind Farms.

**PART B – BUILDING**

<b>BUILDING ACTIVITY</b>	<b>January</b>	<b>February</b>	<b>December</b>	<b>Financial YTD</b>
Private Building Permits	8	13	11	<b>117</b>
'Property Info Cert' issued	11	14	25	<b>149</b>
Building Notice/Order issued	3	1	11	<b>28</b>
Building Inspections	5	8	18	<b>76</b>

**Pool Compliance**

Russell Kennedy Solicitors recently assisted the building team in relation to pool compliance for a property in Snake Valley. The action resulted in extensive repair work being done to the pool barrier, resulting in a safe and compliant outcome.

**Bushfire Planning Support Service**

The building department, with help from building inspectors from the City of Ballarat, provided expertise to Secondary impact assessment teams regarding bushfire-affected properties.

As a result of these inspections, several building enforcement actions were taken to facilitate demolition and make buildings and structures safe. We have received several enquiries in relation to the actions and we are happy to provide advice to the community and assist where we can to facilitate satisfactory outcomes.

**Property Information Certificates**

There has been an increase in 'Property Information Certificates' for March which indicates a greater volume of properties being put up for sale within the shire which is worth noting.

**PART C – ENVIRONMENTAL HEALTH**

	January	February	March
<b>Wastewater</b>			
Application to Install or Alter system	1	3	4
Permit to Install or Alter issued	0	0	0
Approval to Use issued	0	0	0
Wastewater inspections	0	2	9
Domestic Wastewater Management Plan inspections	8	0	0
Domestic Wastewater Service Agent reports	9	7	6
Wastewater related complaints	0	0	0
Fees Paid	\$743.30	\$1486.60	\$2973.20
<b>Public Health</b>			
New Premises or Transfers	3	1	0
Registration Renewals	35	9	4
Premises Closures	4	0	0
Routine and Follow Up Inspections	22	7	0
Complaints about Registered Premises	1	0	0
Food Recalls	3	8	7
Mobile/Temporary Food Applications	3	4	9
Mobile/Temporary Food Inspections	0	0	0
Mobile/Temporary Food Statements of Trade	13	41	40
Fees Paid	\$3205.50	\$2596.30	\$272.00

**ODWM (Onsite Domestic Wastewater Management) plan**

Council's draft new Onsite Domestic Wastewater Management plan is being finalised in consultation with Central Highlands Water in preparation for public engagement.

**Kernow Annual Performance Report**

The Kernow Annual performance report was issued in April 2024. A copy of the report is Attached. The report notes that:

*"The Environmental Health Team at Kernow remained steadfast in its dedication to delivering an exceptional standard of service to Pyrenees Shire Council and its residents in 2023.*

*We worked through understanding changes to the Food Standards Code, specifically Food Safety Standard 3.2.2A and the introduction of new requirements for food handler and food safety supervisor training and requirements for food businesses to show evidence of managing critical food safety controls.*

*We completed an exceptional year in food sampling, incorporating swabbing in Class 1 premises, collecting valuable data around egg allergen compliance and conducting our first ever look into food safety compliance from on-line food delivery services. We also conducted a large investigation into kilojoule labelling compliance in food franchises on behalf of the Department of Health.*

*Our Allergen Intervention Program 2020-2023 was finalised and a report showing all the outcomes of this intensive program was produced. We provided input into the review of draft guidelines for onsite wastewater management. We stayed informed about the new class of labour hire accommodation under the Prescribed Accommodation Regulations.*

*Recognising that a resilient and satisfied workforce is paramount to our success, we have worked hard towards fostering an inclusive and flexible work environment for our people.*

*This annual report outlines our noteworthy accomplishments and innovative initiatives across three core areas in 2023:*

- *Service Delivery*
- *Values and Innovations*
- *Partnerships*



PART D – COMMUNITY SAFETY AND AMENITY**ACTIVITY - Animals**

	Jan 2024	Feb 2024	March 2024	Total FYTD
<b>Cats Registered</b>	552	549	553	-
<b>Dogs registered</b>	2283	2287	2291	-
<b>Cats impounded</b>	2	0	3	<b>159</b>
<b>Cats reclaimed</b>	1	0	2	<b>9</b>
<b>Cats Euthanised</b>	0	0	0	<b>133</b>
<b>Dogs impounded</b>	5	0	0	<b>23</b>
<b>Dogs Reclaimed</b>	5	0	0	<b>21</b>
<b>Dogs Euthanised</b>	0	0	0	<b>0</b>
<b>Stock impounded</b>	1	0	1	<b>26</b>

**ACTIVITY - Infringements**

Infringement Type	Jan 2024	Feb 2024	March 2024	Total FYTD
Domestic Animals Act	7	2	5	<b>50</b>
Local Laws	1	6	0	<b>31</b>
Road Safety Act	0	2	1	<b>14</b>
Environment Protection Act	0	2	0	<b>2</b>
Impounding of Livestock Act	0	0	0	<b>0</b>
CFA Act	10	6	0	<b>56</b>
Other	0	0	2	<b>2</b>
<b>Total Infringements Issued</b>	<b>18</b>	<b>18</b>	<b>8</b>	<b>158</b>
Prosecutions	2	2	2	<b>26</b>

**Fire Prevention**

It has been a busy start to the year in the Community Safety & Amenity Team. The issuing of Fire Prevention Notices, following up these notices and ensuring landowners have completed their required works has finally ended. Approx. 439 properties were issued a fire prevention notice. Of these, approx. 352 were compliant.

As a result of the Bayindeen Fire event, we expect, and hope landowners will better prepare their properties next season.

**Registration Renewals**

Animal registration renewals hit letter boxes in mid-March. Due to the impact of the fires on the shire payment was extended to the end of April.

## **COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

### Priority 1 - People

- 1b. Support a vibrant community arts, culture, and heritage environment.
- 1e. Improve social outcomes.

### Priority 2 - Place

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

### Priority 3 - Environment

- 3a. Continue being an environmentally progressive organisation.
- 3c. Encourage community care of biodiversity and natural values.

### Priority 4 - Economy

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

### Enabling Principles

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

## **ATTACHMENTS**

- 1. 2023-pyrenees-shire-council-environmental-health-annual-performance-report- [12.1.3.1 - 73 pages]

## **OFFICER RECOMMENDATION**

That Council:

- 1. Notes this report
- 2. Agrees to the waiving of planning fees associated with Bayindeen bushfire rebuild development.

**12.1.4. STATUTORY PLANNING VCAT DELEGATION**

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

**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:** -

**PURPOSE**

This report is to inform the Council of the delegation of a Council Officer attending the Compulsory Conference at the Victorian Civil and Administrative Tribunal for Planning Permit Application P23031 relating to land at 61-63 High Street Beaufort.

**BACKGROUND**

Notice of Decision for Planning Permit Application P23031 was issued after decision of Council on 21 November 2023.

An objector to the planning permit application has sought review of this decision at the Victorian Civil and Administrative Tribunal (VCAT) in accordance with s82(1) of the Planning and Environment Act 1987.

The matter is proceeding to a Compulsory Conference at VCAT on 6 June 2024.

A Compulsory Conference is a mandatory part of proceedings for planning matters at VCAT. The VCAT Member will work with the parties during the Compulsory Conference to promote settlement of the matter without proceeding to a full hearing. This may include agreeing to changes to the application as considered by Council on 21 November 2023.

**ISSUE / DISCUSSION**

In accordance with s84 of the *Planning and Environment Act 1987*, the VCAT Member may require the Council Officer in attendance at the Compulsory Conference to have authority to settle the proceedings.

The Schedule of Delegations (February 2023) delegates this function to the Chief Executive Officer. A delegation will be provided to the Senior Planner attending the Compulsory Conference.

The scope of changes that can be agreed upon by the delegated Officer in a Compulsory Conference are limited to those that do not transform the application. More significant changes will need to be reconsidered by the Council.

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Priority 1 - People

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

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

Enabling Principles

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

**ATTACHMENTS**

Nil

**FINANCIAL / RISK IMPLICATIONS**

No identified financial or risk implications.

**CONCLUSION**

Delegation will be provided for the Council Officer to attend the Compulsory Conference at VCAT on 6 June 2024, and a subsequent Hearing (if required) with authority to settle the proceedings.

**OFFICER RECOMMENDATION**

That Council:

1. Agrees that delegation be provided to the Senior Planning Officer to represent Council at the VCAT Compulsory Conference and Hearing (if required) in relation to Planning Permit Application P23031 with authority to settle on any matter.

## **12.2. CORPORATE AND COMMUNITY SERVICES**

### **12.2.1. 2023 / 24 COMMUNITY FUNDING PROGRAM - COMMUNITY RESILIENCE CATEGORY**

**Presenter:** Kathy Bramwell - Director Corporate and Community Services

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

**Report Author:** Adam Boyle – Team Leader - Community Development

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

**File No:** -

#### **PURPOSE**

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

#### **BACKGROUND**

Pyrenees Shire Council's Community Funding Program aims to build stronger communities that deliver improved outcomes for our residents and visitors. Council provides several grant categories in recognition of the valuable contribution that community organisations and local business make to the social, cultural, economic, and environmental wellbeing of Pyrenees Shire. Funding is eligible for programs held within the geographical boundaries of Pyrenees Shire, or those that benefit many Pyrenees residents.

Pyrenees Shire Council in conjunction with the Australian and Victorian Governments recognised the significant impact the October/November 2022 flood event has had on individuals, families and the organisations and groups that provide services across the Pyrenees community.

In response, with generous support and funding via the Community Recovery Hubs Grants Program, a one-off round has been created in the 2023/24 Program under the title Community Resilience Grant – A Flood Recovery Initiative. This program utilises state government funding, awarded through Emergency Recovery Victoria, to support new programs/projects that assist and empower communities to recover and build resilience to potential future flood impacts on our community.

Following assessment and resolution of Council in November 2023, the Annual Grant program had a minor amount of funding remaining to support community and tourism events. This report details applications and recommendations for events to exhaust these funds.

#### **ISSUE / DISCUSSION**

Applications opened Thursday, 1 February 2024, and closed Monday, 22 April 2024. This deadline was initially set at 13 April 2024 but was extended by 35 days due to impacts of Bayindeen Fires. Following a communication and engagement program, 16 applications were received, collectively requesting \$32,058.

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

Attachment 1 summarises the outcome of this process, with applications progressing to Council recommendation. Recommendation is to fund all applications.

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

**COUNCIL PLAN / LEGISLATIVE COMPLIANCE**

Priority 1 - People

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

Enabling Principles

a. Motivate and inspire community involvement

**COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES**

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

Council officers have delivered 11 applicant support sessions to help community groups complete their application. These sessions were held in various community settings including the Redbank Hall, the Avoca Library and Resource Centre, Snake Valley Hall, the Lexton Community Hub, the Landsborough Community Resource Centre, and the Beaufort Library and Resource Centre.

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

**ATTACHMENTS**

1. Appendix 1 - 2023-24 Community Funding Program - Community Resilience Category [12.2.1.1 - 4 pages]

**FINANCIAL / RISK IMPLICATIONS**

Funding requested from the Council totaled \$32,558.00. Officer assessment and subsequent recommendations result in delivery of the program within the available budget with recommended grants totaling \$31,858.00.

Raglan Hall submitted a request for \$2,700.00, as this exceeds the maximum request amount, council is only able to award \$2,000.00. This accounts for the variation in requested and recommended figures.

Lake Goldsmith Steam Preservation Association are recommended for a three-year event sponsorship agreement to assist with increasing traffic management costs in delivering the bi-annual Lake Goldsmith Steam Rally. The multi-year sponsorship reduces the administrative burden on the volunteer committee who invest considerable resources to accommodate large crowds at two events per year. This event's importance to the local visitor economy has prompted consideration of funding greater than the amount specified in Community Funding Program guidelines.

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

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

**CONCLUSION**

The Council's Community Funding Program provides financial support to strengthen our community, increases participation and strengthens economic growth across our Shire. Both the Annual Grants category and Community Resilience Category have successfully concluded with recommendations made for the Council's consideration.

**OFFICER RECOMMENDATION**

That Council:

1. Awards grant funding with the Community Resilience Program at a total value of \$24,358:
  - a. Raglan Hall & Recreation Reserve Committee for 'Acquisition of First Aid Kits' - \$2,000;
  - b. Pyrenees Community House for 'Pyrenees Community House 40th Anniversary' - \$2,000;
  - c. Pyrenees Community House for 'Community Bus Trips 2024' - \$2,000;
  - d. Pyrenees Community House, for 'Beaufort Town Market Activations' - \$2,000;
  - e. Pyrenees Arts Council for 'Art Trax High Tea' - \$2,000;
  - f. Mt Cole - Pyrenees Nature Group for 'Guided Forest Walk and Picnic' - \$958;
  - g. Avoca Friends of the Pool for 'Let the Season Begin event' - \$2,000;
  - h. Avoca Friends of the Pool for 'Swimming to Reconnect Community' - \$2,000;
  - i. Avoca Riverside Market Inc for 'Connecting Community and First Nations Art Space to Avoca Riverside Market' - \$2,000;
  - j. Beaufort Men's Shed for 'Membership Increase' - \$2,000;
  - k. Barkly Hall and Recreation Reserve for 'Barkly Outdoors' - \$1,400;
  - l. Advance Avoca for 'Let's Dance Avoca' - \$2,000; and
  - m. Advance Avoca for 'Christmas Carols Connection' - \$2,000.
2. Awards funding with the Annual Grant Program, event category to the value of \$7,500:
  - a. Lake Goldsmith Steam Preservation Association for 'Traffic Control' - \$3,000;
  - b. The Flywheel Bar & Cafe for 'Beaufort Tattoo Exhibition' - \$2,000; and
  - c. Avoca Riverside Market Inc for 'Market Activities to Inspire and Connect' - \$2,500.

**12.2.2. LOAN BORROWINGS 2023-24**

**Presenter:** Kathy Bramwell - Director Corporate and Community Services

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

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

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

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

**PURPOSE**

The purpose of this report is to seek approval from Council to borrow \$650,000 that was included in the 2023-24 Budget.

**BACKGROUND**

In the preparation of the 2023-24 Budget an amount of \$1,000,000 was included to offset capital expenditure to ensure Council continued to have sufficient liquidity to operate the business going forward.

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

**ISSUE / DISCUSSION**

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 consultation occurred through the advertising process of the 2023-24 Budget. The budget, including the proposal to borrow funds totaling \$1,000,000, was put out for public submission for 28 days.

**ATTACHMENTS**

Nil

**FINANCIAL / RISK IMPLICATIONS**

The financial risks of borrowing \$1,000,000 have been set out in the 2023-24 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 2023-24 budget be sought.



**OFFICER RECOMMENDATION**

That Council:

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

### **12.3. CHIEF EXECUTIVE OFFICE**

#### **12.3.1. AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - NATIONAL GENERAL ASSEMBLY**

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

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

**Report Author:** Jim Nolan – Chief Executive Officer

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

**File No:** 44/04/02

#### **PURPOSE**

The purpose of this report is to seek approval for the Mayor and Chief Executive Officer to attend the National General Assembly (NGA) in Canberra on 2 - 5 July 2024.

#### **BACKGROUND**

The 2024 National General Assembly and Conference will be held in Canberra 2 - 5 July 2024.

The theme for the 2024 Conference is 'Building Community Trust' centring on the critical importance of trust in governments, between governments, institutions and citizens. The NGA is an important opportunity to address national issues at the local level, and new ways the Australia Government could partner to strengthen the local government sector to advance community well-being, local economic development, create jobs, address environmental challenge, climate change and complex social issues such as housing affordability.

The Assembly also provides an avenue for the sector to consider motions from member councils to provide input into ALGAs activity and strategic direction.

#### **ISSUE / DISCUSSION**

With the exception of 2017 and 2020, it has been the practice for the Mayor and CEO to attend the NGA. In the past, Council has also used the opportunity to undertake a range of advocacy work in conjunction with councils that form Central Highlands Councils Victoria, now known as Greater Ballarat Alliance of Councils (GBAC).

Regional Councils have in the past advocated to state and federal governments on matters including funding, policy change and support around key regional issues such as road and rail transport funding, employment, telecommunications, health and wellbeing, waste, sport and recreation, township development and the arts.

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

Enabling Principles

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

#### **ATTACHMENTS**

Nil

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

The delegation to Canberra will require Councils to meet their own participant costs associated with attendance at the NGA, flights, accommodation, cab fares and meals. These costs have been provided for within Council's budget.

## **CONCLUSION**

This event provides an opportunity for the Mayor and CEO to participate at a national level in matters impacting on councils and the sustainability of local communities.

It also provides an opportunity for advocacy and to engage directly with the Federal Government.

## **OFFICER RECOMMENDATION**

That Council:

1. Supports the participation of the Mayor and Chief Executive Officer to attend the ALGA National General Assembly and conference from 2-5 July 2024.

## **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 – CEO Employment Contract
- 15.2 – Council to Chief Executive Officer Delegation – Emergency Powers
- 15.3 – Avoca Chinese Garden

## **15. CLOSE OF MEETING**