

PYRENEES
— S H I R E —



AGENDA

Ordinary Meeting of Council

6:00pm Tuesday 19 February 2019

**Council Chambers
BEAUFORT**

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WELCOME MEMBERS OF PUBLIC

OPENING PRAYER

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

Amen

ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the people past and present of the Wadawurrung, Dja Dja Wurrung, and Djab Wurrung 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.

APOLOGIES

NOTICE OF DISCLOSURE OF INTEREST BY COUNCILLORS AND OFFICERS

CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held on 15 January 2019 and the Closed Meeting of Council held on 15 January 2019 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.

BUSINESS ARISING

PUBLIC PARTICIPATION

Questions

- All questions and answers must be as brief as possible, and no debate or discussion will be allowed other than for the purposes of clarification
- The number of questions that any person may ask at each meeting is limited to two.
- A question may include a brief introduction.
- A time limit of five minutes for each question will apply but the time may be extended at the discretion of the Chairperson.
- Questions will only be heard at a meeting if the person who submitted the question or their nominated representative, is present at the meeting.
- The Chairperson or an Officer may:
 - a. Immediately answer the question asked; or
 - b. Require the question to be taken on notice.

Submissions

- Any member of the public wishing to address Council must submit a brief synopsis of the address in writing to the Chief Executive Officer a week prior to the Council meeting.
- A time limit of five minutes for each address will apply but the time may be extended at the discretion of the Chairperson.
- Council may decide to defer an address until a later date.
- The Chairperson may, at their discretion, refuse a request to address Council.
- Addresses will only be heard at a meeting if the person who submitted the synopsis, or their nominated representative, is present at the meeting.

ITEMS FOR NOTING

ASSET AND DEVELOPMENT SERVICES

1. PLANNING AND DEVELOPMENT REPORT

Katie Gleisner – Manager Planning and Development

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

File No: 66/02/02 – 08/02/02 – 50/24/02 – 46/02/02

PURPOSE

The purpose of this report is to provide Council with an update on activities within Planning, Development and Regulatory Services, during January 2019.

This report includes four parts:

- Part A: Planning
- Part B: Building
- Part C: Environmental Health
- Part D: Community Safety and Amenities

PART A: PLANNING

The planning activity statistics for December 2018 and January 2019 are summarised in the table below:-

Month	Applications received	Applications completed	Number of referrals	Requests for further information
December 2018	2	6	5	3
January 2019	18	13	5	5

Key projects

Highway Service Centre

The 'Public Notice' period for the highway service centre expired on the 14th of January however submissions relating to the proposal are still being received and accepted by Council. At the time of writing this report, 28 submissions had been received. The applicant has been provided with copies of the submissions and has confirmed that they will not participate in mediation. Alternatively, the applicant has indicated that they intend to run a community consultation meeting which is independent of the planning process. Progress of the application awaits the applicant's response to the submissions, which will not be provided until after the community consultation meeting.

Rainbow Serpent Festival

Site Specific Plans were endorsed for the four day music festival event which ran over the Australia Day long weekend. Following the event, organisers were issued with a planning infringement notice for exceeding the number of attendees permitted.

Statutory planning

Throughout January, Council received 126 general enquiries which included pre-purchase queries relating to dwelling potential and planning permit requirements. The estimated cost of works for applications received in January was 1.4 million.

Strategic issues

Pyrenees Futures

Public exhibition of the draft framework plans for Snake Valley, Waubra and Lexton concluded at the end of January. Feedback received has been positive, with the community looking forward to implementation. The final plans will be presented to Council in March.

Planning staff are finalising the draft framework plans for Beaufort, Avoca and Raglan and will present these to Council before submitting for public exhibition in April.

Planning summary

1. Council is observing a consistent level of development interest within the shire.
2. Council is finalising framework plans for six towns, and expecting to commence community engagement on a further 3 plans during 2019, as part of the Pyrenees Futures Project.

PART B: BUILDING

Activity

The building activity statistics as at 31/01/2019 are summarised in the table below:

CATEGORY	NUMBER	COMMENT
Permits issued by private Building Surveyor	11	\$923,558
<i>'Report and Consent'</i> applications processed and issued in accordance with the Building Regulations 2018	0	
<i>'Property Information Certificates'</i> prepared and issued	13	

Key projects & compliance

Swimming Pools and Spas

Council continues to establish a record of all pools within the municipality and has commenced assessments to determine safety barrier compliance. Several new pools have recently been identified and added to Councils records.

Place of Public Entertainment Occupancy Permits (POPE)

Council’s Municipal Building Surveyor issued a POPE for the running of the annual Rainbow Serpent Festival which occurred in January.

Unauthorised developments

Council continues to respond to a range of illegal building works within the shire including the construction of dwellings. Building Notices and Orders have been issued where appropriate.

Council plan / legislative requirements

- Council Plan 2013-2017
- *Building Act* 1993
- Building Regulations 2018

Financial / risk implications

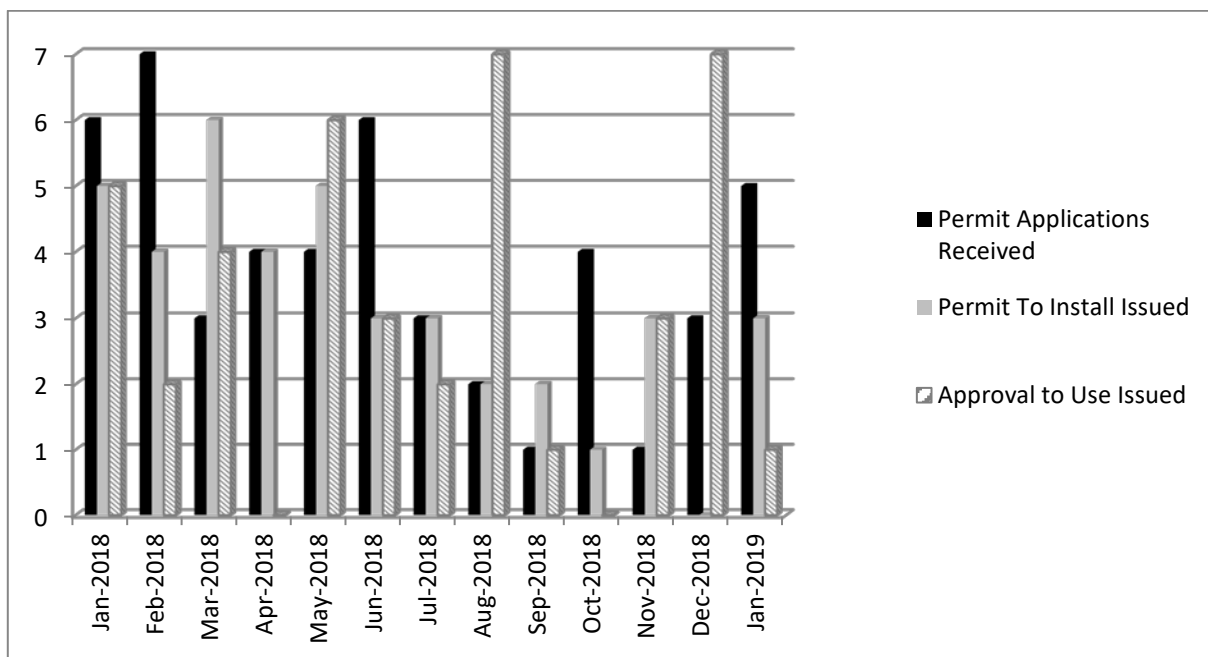
The Municipal Building Surveyor must have regard to any relevant guidelines under the *Building Act* 1993 or subordinate regulations. The building services department must ensure that a responsive service is provided that meets the demand of the building industry within the municipality.

PART C: ENVIRONMENTAL HEALTH

Activity: wastewater

Period	Applications to Install New or Alter Existing Septic Tanks Received	Permits to Install Issued	Approval to Use Issued	Fees Paid
1st – 31 st Jan 2019	5	3	1	\$1,900

Wastewater activity statistics for January 2019



Monthly wastewater activity (January 2018 to January 2019)

Period	Septic Tank Inspections	Domestic Wastewater Management Plan (DWMP) Inspections
1st – 31st Jan 2019	6	1

Wastewater related Inspections January 2019

Period	Service Reports Received
1st – 31 st Jan 2019	8

Domestic Wastewater Service Agent Report January 2019

Activity: food, health & accommodation premises

Food Act 1984 and Public Health and Wellbeing Act 2008 Premises activity statistics for January 2019 are summarised in the table below.

Period	New Premises	Routine Inspections and Assessments	Follow Up Inspections	Complaints Received about Registered Premises	Food Recalls	Fees Paid
1st–31st January 2019	26	11	0	0	0	\$9,003

Mobile and Temporary Food Premises in the Shire (Streatrader)

Period	New Mobile or Temporary Premises	New Class 4 Notifications	Routine Inspections and Assessments	New Statements of Trade (SOT)	Fees Paid
1st -31st January 2019	3	0	45	34	\$2,020

At 31st January 2019, Pyrenees Shire had 30 current registrations with 34 premises registered, 75 low risk notifications and 126 current Statements of Trade (SOT). All food vendors trading at the Rainbow Serpent Festival were inspected and found to be compliant.

Activity: immunisations

Immunisation sessions in January were conducted as normal in Beaufort and Avoca as well as opportunistic services performed by the Shire’s Maternal Child Health Nurses (MCHN) throughout the month.

Session Type	Number of Clients & Vaccines	2 Month - 4+ Yr Old	Secondary School	Adult
MCHN Opportunistic	Clients	17	0	0
	Vaccines	41	0	0
Beaufort Sessions	Clients	5	0	0
	Vaccines	10	0	0
Avoca Session	Clients	8	0	0
	Vaccines	21	0	0

Immunisation activity statistics for January 2019

Key projects

- Food, Health and Accommodation registration renewals were due by 31st of December 2018 with a number of traders failing to renew their registrations. Proof of trade inspections are currently being undertaken on unregistered businesses and infringements will be issued accordingly.

Compliance issues

- ‘Proof of trade inspections’ will be carried out on all food, accommodation and health premises that have not renewed their registration for 2019.
- Officers continue to work with registered premises to ensure compliance.

Council plan / legislative requirements

- Council Plan 2013-2017
- Domestic Wastewater Management Plan 2015-2018
- Food Act 1984
- Public Health & Wellbeing Act 2008
- Tobacco Act 1987
- Environment Protection Act 1970
- Code of Practice for Septic Tanks

Financial / risk implications

The Environmental Health Officer (EHO) must work with regard to various legislative requirements with respect to Food Safety (*Food Act 1984*), Public Health (*Public Health & Wellbeing Act 2008*, *Environment Protection Act 1970*), Tobacco (*Tobacco Act 1987*) and Wastewater (*Environment Protection Act 1970*, *Domestic Wastewater Management Plan*, *Code of Practice for Septic Tanks*).

It is necessary for the EHO to adapt to any changes in regulations whilst still providing a service that meets the demands of residents within the municipality and complies with legislation.

Environmental health summary

- EH received two Public Health and Well Being (PHWB) Act Nuisance noise complaints with related to the Rainbow Serpent Music Festival.
- EH received one complaint regarding a failing wastewater system.

PART D: LOCAL LAWS AND ANIMAL CONTROL

ACTIVITY

	December 2018	January 2019
Cats impounded	1	5
Dogs impounded	1	4
Stock impounded	0	2 sheep, 2 cows
Infringements issued	9	4
Prosecutions	0	0

Impoundment and infringement statistics

- As at 31st January, there were **622 cats** and **2,510 dogs** registered within the municipality.
- Exhibition of the *General Local Law 2019* concluded in January with one submission being received.
- There was a minor dog attack on a person in Landsborough. The owner of the dog was issued an infringement and directed to secure the dog.
- Officers continue to investigate a range of complex animal keeping matters.

Council plan / legislative requirements

- Council Plan 2013-2017
- Domestic Animals Act 1994
- Domestic Animal Management Plan 2012-2016
- Council Local Laws No. 2, No. 3 and No. 4

Local laws and animal control summary

1. New internal processes are being developed to strengthen Council's administration of its Local Laws
2. Council continues to investigate matters of non-compliance across the Shire

2. RAINBOW SERPENT FESTIVAL - TOW AWAY ZONES

Douglas Gowans – Director Assets and Development Services

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

File No: 62/54/13

PURPOSE

The purpose of this report is to inform Council of the effectiveness of the tow away zone areas associated with the Rainbow Serpent Festival and the amount of cars towed away each year.

BACKGROUND

At the December meeting of Council, councillors requested a report be provided to inform Council of the amount of cars towed away each year in the designated tow away zone areas associated with the Rainbow Serpent Festival.

The tow away zones have been placed on VicRoads and Council managed roads nearby the site of the Rainbow Serpent Festival to prevent unsafe parking practices and unauthorised access to the site. Each year over the past three years the extent of the tow away zones has extended in response to concerns of residents and the festival organisers where people have parked in unsafe and unregulated environments.

The tow away zones are in place prior to the festival and during the entire permitted period of the festival.

Each year, permission needs to be granted from VicRoads to enable tow away zones to be put in place. Council officers are authorised to organise cars parked within the tow away zone to be towed to a compound and have infringements issued to recover costs associated with towing. This task has been delegated to traffic management personnel associated with the Rainbow Serpent event.

ISSUE / DISCUSSION

Three years ago it was noted as part of the Rainbow Serpent post event debrief that people were parking their cars just outside of tow away zones and had been observed trying to access the festival site through private property. The unauthorised access and the manner in which vehicles were parked increased the level of risk of fires from exhausts and issues associated with trespass.

In response to the heightened risk issues, the festival organisers with support from agencies, including Council, expanded the tow away zones. It is worth noting that the numbers of vehicles need to be towed has reduced over the three year period as seen in the table below.

Year	Numbers Vehicles Towed
2017	20
2018	14
2019	7

As the tow away zones have been expanded, there has also been a reported drop in the amount of vehicles parking outside of the tow away zones and people trying to access the site via private property.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 5 - Development and Environment. We will undertake forward planning, and facilitate growth in our local economy while protecting key natural and built environmental values.

5.7 - Develop and enforce appropriate Local Laws and policies to protect amenity and environmental values which are reflective of community expectations.

ATTACHMENTS

2.1 Map of 2019 tow away zones

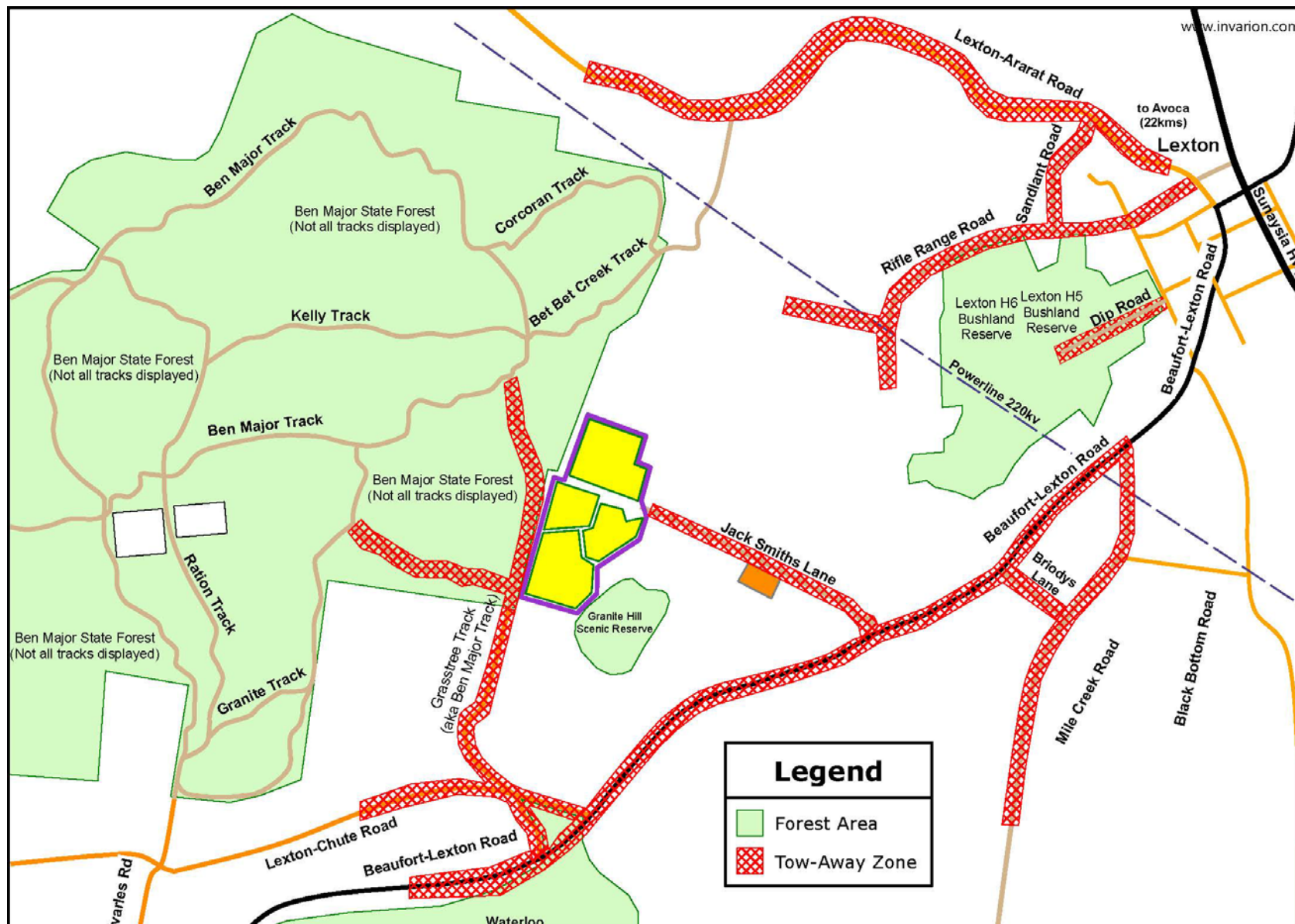
FINANCIAL / RISK IMPLICATIONS

The tow away zone has proven to reduce the risk of vehicles parking in high fire risk environments.

CONCLUSION

Tow away zones have been an effective mechanism in reducing the impact to residents surrounding the Rainbow Serpent site of unwanted vehicles and people.

That Council note this report.



CORPORATE AND COMMUNITY SERVICES

3. CUSTOMER ACTION REQUESTS – JANUARY 2019

Kathy Bramwell – Director Corporate and Community Services

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

File No: 16/08/04

PURPOSE

The purpose of this report is to update Council on our Customer Action Request System (CARS) for the month of January 2019.

BACKGROUND

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

Since December 2012, CARS has been promoted on a regular basis in Council's Public Notices published in the Pyrenees Advocate.

Service requests are received for maintenance issues – potholes, road conditions, drainage, signage, slashing and overhanging branches. Additional services were recently added to the CARS system including – pools, local laws, building maintenance and compliance.

Council receives between 400 and 1000 customer action requests per annum.

ISSUE / DISCUSSION

178 CARS were received in January 2019, a 76% increase on the previous month. 173 requests were closed in January resulting in 172 outstanding. Although work continues on closing outstanding requests, the high level of new requests has resulted in a 3% increase in outstanding requests.

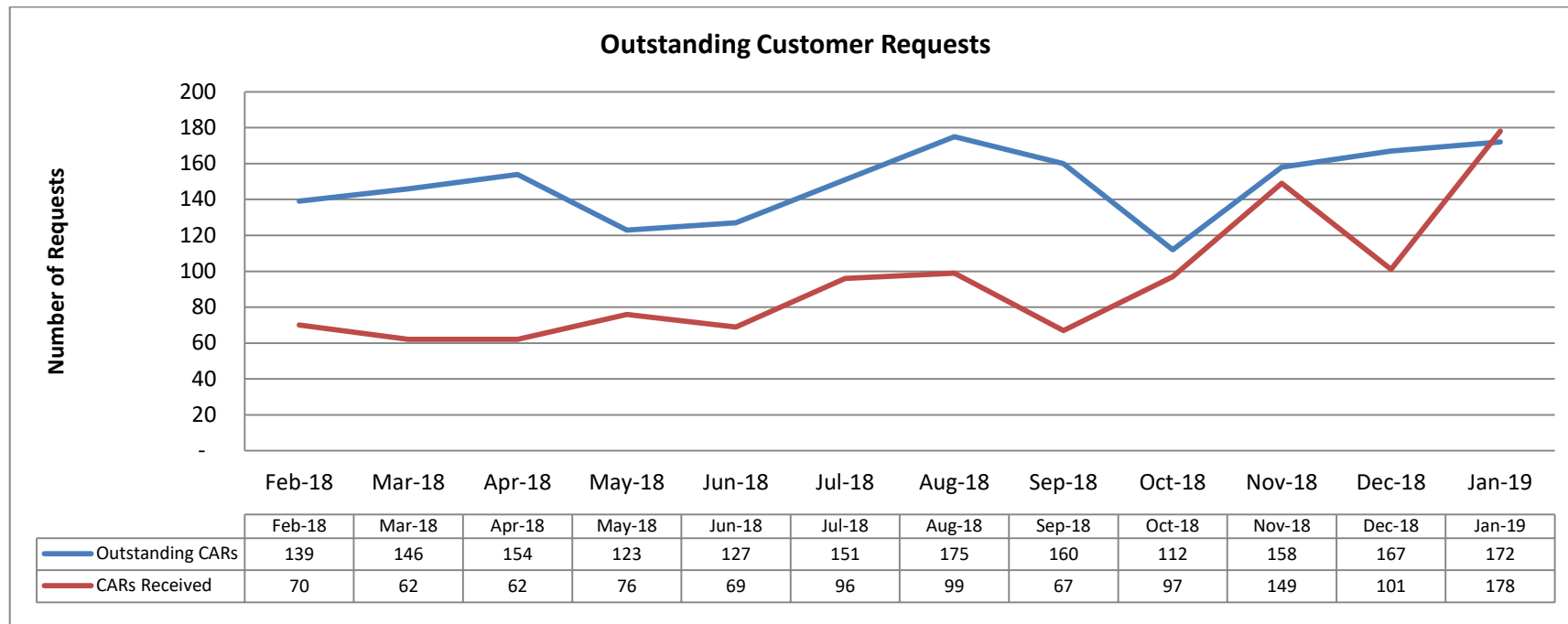
As at the 31st January 2019 the status of CARS was as follows:

- 50% decrease in 2016 outstanding CARS (a reduction from 2 to 1)
- 40% decrease in 2017 outstanding CARS (a reduction from 10 to 6)
- 32% decrease in 2018 outstanding CARS
- 3% decrease on total CARS outstanding
- Of the 172 outstanding CARS, 2 relate to natural disasters, a reduction of 3 from the previous month.
- For the month of January 173 CARS were closed

The largest groupings of open CARS requests relate to: Roadside Vegetation (25), Roads (23); and Road maintenance (23).



Year	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	% Change
2016	31	29	29	29	24	24	23	21	3	3	2	1	-50%
2017	56	49	44	38	32	31	30	29	18	12	10	6	-40%
2018	52	68	81	56	71	96	122	110	91	143	155	105	-32%
2019												60	-
Total	139	146	154	123	127	151	175	160	112	158	167	172	3%
Total Received	70	62	62	76	69	96	99	67	97	149	101	178	76%



31.1.2019 - Open Requests – by type			
	Dec-18	Jan-19	Change
Roads	13	23	10
Streetlights	1	1	0
Drainage	19	17	-2
Footpaths	7	7	0
Roadside Vegetation	20	25	5
Environmental Health	0	0	0
Planning	2	0	-2
Bld maintenance	23	14	-9
Park & Reserves	11	10	-1
Local Laws	22	22	0
Fire Hazard	2	2	0
Bld Compliance	4	2	-2
Road Maintenance	19	23	4
Waste Management	2	0	-2
Roads Unsealed	3	3	0
Road Maintenance Unsealed	2	2	0
Cats	1	4	3
Natural Disasters	5	2	-3
Pools	0	0	0
Design & Assets	0	0	0
GIS	0	0	0
Dogs	7	9	2
Livestock Act	4	5	1
Parking	0	1	1
Total	167	172	5

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 1 - Leadership

1.1 - Communicate the Council's decisions, policies and activities and the reasons behind them, in a form relevant to ratepayer needs and expectations in accordance to Council's communication strategy.

ATTACHMENTS

3.1 - CARS Analysis – January 2019

FINANCIAL / RISK IMPLICATIONS

There are no financial implications associated with this report.

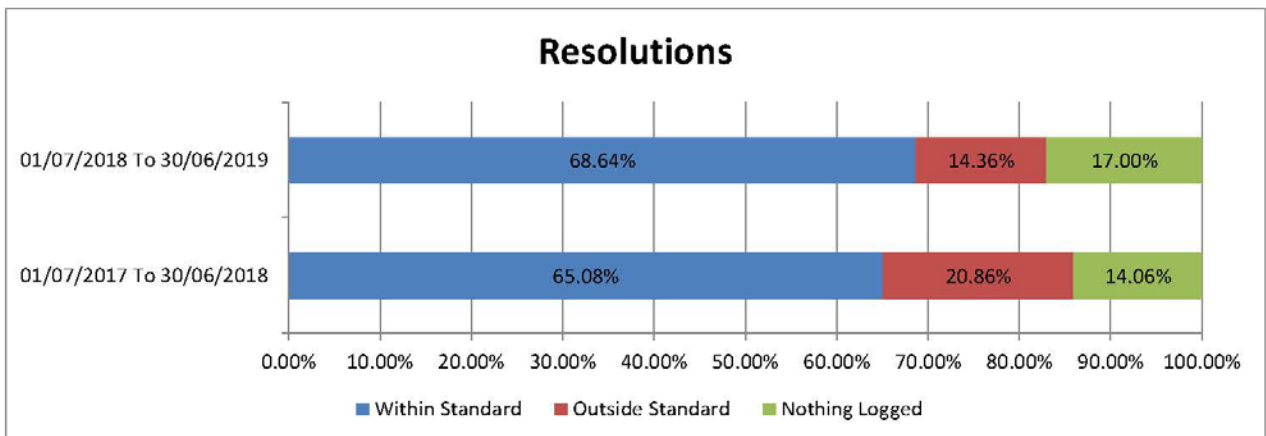
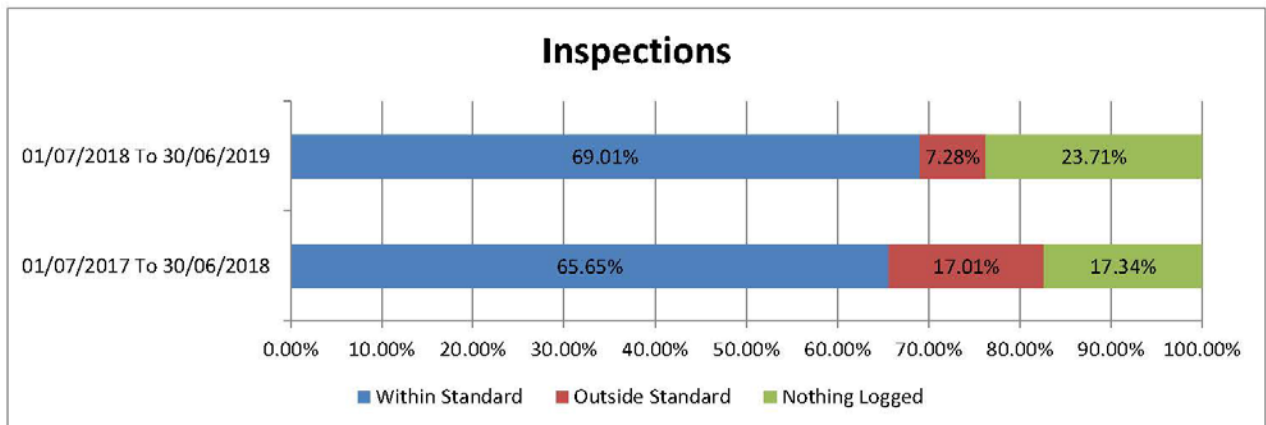
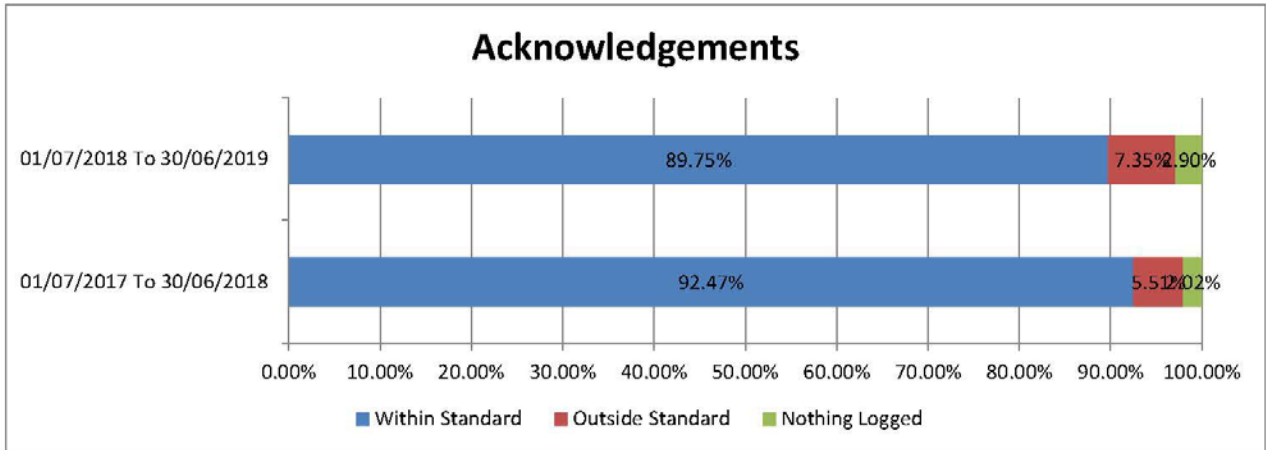
CONCLUSION

Ongoing focus and effort continues with regard to resolution of customer requests. Action is underway to improve status and follow-up notes to create more transparency on actions undertaken prior to final closure.

OFFICERS RECOMMENDATION

That Council notes the Customer Action Request update for January 2019.

	Within Standard	Outside Standard	Nothing Logged
Acknowledgement:			
01/07/2017 To 30/06/2018	92.47%	5.51%	2.02%
01/07/2018 To 30/06/2019	89.75%	7.35%	2.90%
Inspection:			
01/07/2017 To 30/06/2018	65.65%	17.01%	17.34%
01/07/2018 To 30/06/2019	69.01%	7.28%	23.71%
Resolution:			
01/07/2017 To 30/06/2018	65.08%	20.86%	14.06%
01/07/2018 To 30/06/2019	68.64%	14.36%	17.00%



4. COUNCILLOR ACTIVITY REPORTS

Cr David Clark – Ercildoune Ward		
January		
Tue 15	Councillor Briefing Session	Beaufort
Tue 15	Council Meeting	Beaufort
Wed 23	Langi Kal Kal Prison Community Advisory Group Meeting	Langi Kal Kal
Thu 24	MAV CEO Six Monthly Review	Teleconference
	MAV Audit committee member shortlisting	Teleconference
Sat 26	Australia Day Event	Moonambel

Cr Robert Vance – De Cameron Ward		
January		
Tue 15	Councillor Briefing Session	Beaufort
Tue 15	Council Meeting	Beaufort
Wed 16	Moonambel Recreation Reserve COM Meeting	Moonambel
Thu 17	Australia Day Luncheon	Melbourne
Sat 26	Australia Day Event	Moonambel
February		
Tue 5	Community Consultation Meeting	Snake Valley
Tue 12	Councillor Cuppa and Community Meeting	Redbank and Moonambel
Tue 12	Councillor Briefing Session	Avoca
Wed 13	Meeting with Minister Local Government	Beaufort
Tue 19	Councillor Briefing	Beaufort
Tue 19	Council Meeting	Beaufort

Cr Ron Eason – Avoca Ward		
January		
Tue 15	Councillor Briefing Session	Beaufort
Tue 15	Council Meeting	Beaufort
Mon 21	NBN Photo Opportunity	Avoca
Fri 25	Australia Day Ambassador Dinner	Warrenmang
Sat 26	Australia Day Event	Avoca

Cr Tanya Kehoe - Mount Emu Ward		
January		
Thu 10	Meeting with residents	Snake Valley
Tue 15	Councillor Briefing Session	Beaufort
Tue 15	Council Meeting	Beaufort
Sat 26	Australia Day Event	Moonambel
February		

Tue 5	Community Consultation Meeting	Snake Valley
Tue 12	Councillor Cuppa and Community Meeting	Redbank and Moonambel
Tue 12	Councillor Briefing Session	Avoca
Wed 13	Meeting with Minister Local Government	Beaufort
Tue 19	Councillor Briefing	Beaufort
Tue 19	Council Meeting	Beaufort

Cr Damian Ferrari - Beaufort Ward		
January		
Tue 15	Councillor Briefing Session	Beaufort
Tue 15	Council Meeting	Beaufort
Sat 26	Australia Day Event	Moonambel

5. ASSEMBLY OF COUNCILLORS

MEETING INFORMATION			
Meeting Name	Councillor Briefing Session		
Meeting Date	15 January 2019 commenced at 1.00pm and closed at 5.52pm		
Meeting Location	Beaufort Council Chambers - 5 Lawrence Street, Beaufort		
Matters Discussed	<ol style="list-style-type: none"> 1. CEO Performance review (Jim Nolan) 2. Beaufort Bypass 3. Rating Strategy Update 4. PA2685/17 (56A Wilcar Drive Waubra) and PA2660/17 (Pittong – Snake Valley Road, Snake Valley) 5. Cultivate Agriculture Activities 6. Snake Valley Reserve 		
ATTENDEES			
Councillors	Mayor Cr Robert Vance Cr David Clark Cr Ron Eason Cr Tanya Kehoe Cr Damian Ferrari (from 3.30pm)		
Apologies	Nil		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Asset and Development Services) -Items 2,3,4,5,6 Kathy Bramwell (Director Corporate and Community Services) -Items 2,3,4,5,6 Shana Johnny (Manager Finance) – Item 3 Katie Gleisner (Manager Planning and Development) – Item 4 Helen Swadling (Planning Officer) – Item 4 Claire Pepin (Planning Officer) – Item 4 Ray Davies (Manager Economic Development & Tourism) – Item 5		
Visitors	Jonathon Harris, Mal Kersting, Marinko Vojvodic, VicRoads - Item 2 Sue Mudford, Chris Prestwick, Maureen Hart, Margaret Hopkins and Rev Robert White - Item 6		
CONFLICT OF INTEREST DISCLOSURES			
Matter No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Briefing Agenda Item 4.6 - Council Agenda Review	Cr David Clark	Council Agenda Item 14 – NAIDOC Week 2019 School Initiatives Program as daughter is a recipient of previous NAIDOC award.	Cr Clark did not leave the room as Item 4.6 Council Agenda Review was not discussed.

RECOMMENDATION

That the items for noting be received.

ITEMS FOR DECISION

ECONOMIC DEVELOPMENT AND TOURISM

6. CULTIVATE AGRIBUSINESS

Ray Davies – Manager Economic Development and Tourism

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

File No: 22/16/30

PURPOSE

The purpose of this report is to inform council on the current project focus of Cultivate Agribusiness Central Highlands (Cultivate Agribusiness).

BACKGROUND

The agriculture industry is a key propulsive sector of the Pyrenees Shire which contributes to 29% of employment and 30% (\$159-M) of output.

Action 3.2 in Councils Growth Strategy states that council will *“Collaborate with Cultivate Agribusiness Central Highlands and the VFF, State Government agencies and other agribusiness networks to investigate and promote relevant opportunities and practices including the potential use of ground water and new crop/food varieties”*.

Cultivate Agribusiness has been in existence in various forms since 1995 and includes membership by the municipalities of Hepburn, Moorabool, Ballarat, Ararat and Pyrenees with interest also being shown more recently by Golden Plains Shire Council.

Council has had a longstanding relationship with Cultivate during which the organisation has delivered a number of projects for the benefit of agribusiness in the region.

Examples include but are not exclusive to the operation of a demonstration farm in partnership with Ballarat Grammar, hosting the activities of the Victorian Bioenergy Network, the Future Landscapes Project which mapped the likely impacts of climate change on livestock systems, cropping varieties, viticultural production and biodiversity to 2070, holding various workshops in the “Ag’ Conversations” series to inform stakeholders in the agribusiness sector about resilient, new and innovative farm management practices, and more specifically partnering council in the straw pellet project over the past two years.

ISSUE / DISCUSSION

The focus of Cultivate going forward includes:-

- Adaptation to climate change. This includes examining the scope and potential benefits of undertaking a phase two of the Future Landscapes Project
- Innovation in agribusiness
- Ongoing support for Council’s straw to energy project
- Continuing to host and promote the activities of the Victorian Bioenergy Network (VBN). The VBN has hosted an annual bioenergy conference in regional Victoria, circulated newsletters providing updates on bioenergy projects, facilitated breakfast events and provided technical support and assistance with submission development for appropriate bioenergy projects in regional Victoria and undertaken other activities as deemed by Cultivate and VBN members.

- Farm Forestry as a means of farm income diversification, mitigation of the risks of climate change, carbon sequestration, environmental benefits, biodiversity, and as a source of energy.
- Peri-urban land management issues and
- Undertaking programs that improve business capacity and enhance sustainability and profitability

More immediately Cultivate has agreed to partner with Ararat Rural City Council, Corangamite Catchment Management Authority and Pyrenees Shire Council to hold a farmer health night. This night is in response to the frost damage to crops and adverse seasonal conditions that have prevailed over the past eighteen months. The event is currently being planned for the first half of 2019. A commitment of \$2,000- has been sought from Council which is within the capacity of the 2018/19 budget forecasts.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 5 - Development and Environment. We will undertake forward planning, and facilitate growth in our local economy while protecting key natural and built environmental values.

5.3 - Grow the economy by implementing the Pyrenees Shire Council Growth Strategy.

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

Council has allowed a revised budget of \$14,000- to support the activities of Cultivate Agribusiness in the 2018/19 financial year, with \$2,000- being called upon for the farmer health event.

CONCLUSION

Maintaining an affiliation with Cultivate Agribusiness continues to provide benefits to council as a means of collaboratively supporting the Agribusiness sectors ability to be informed about innovative and sustainable farm management practices, methods of adapting to a changing climate, and as a body that can facilitate regional projects that benefit local businesses and rural communities.

OFFICER RECOMMENDATION

1. That Council continues its affiliation with Cultivate Agribusiness
2. Endorses a commitment of \$2,000- from the 2018/19 Cultivate budget to hold a farmer health night and
3. Makes an allowance of \$10,000 in the 2019/20 budget for joint project activities that may arise during this period.

ASSET AND DEVELOPMENT SERVICES - PLANNING

7. INFRASTRUCTURE DESIGN MANAGEMENT

Helen Swadling – Planning Officer

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

File No: 06/04/06

PURPOSE

The purpose of this report is to confirm Council's intent to participate in a ministerial amendment of the Pyrenees Planning Scheme, coordinated by the Department of Environment Land Water and Planning, which seeks to introduce the 'Infrastructure Design Manual' (IDM) provisions into the Scheme in accordance with section 20(4) of the *Planning and Environment Act 1987*.

BACKGROUND

The IDM has been in operation for over ten years and is increasingly used and relied upon by local government (and the Tribunal) in specifying infrastructure requirements. The IDM has the support of a Planning Panel and a specific Ministerial Advisory Committee.

At Council's August 2013 meeting, it was resolved that Council would become a participating municipality in the Victorian Infrastructure Design Manual and agreed to pay the once off joining fee and annual maintenance fees. Council has continued to participate in the use of the manual.

In 2004, Campaspe Shire Council, Greater Shepparton City Council and Greater Bendigo City Council agreed to work together to develop a common engineering manual to augment Clause 56 documenting common infrastructure standards across the three municipalities. The idea was to minimize disruptions to the development community where standards could be uniform across the borders of the three municipalities

In December 2006, a draft IDM was launched across the three municipalities and a seven-week consultation period commenced.

Around the end of 2007, six Gippsland councils received funding through (then) DPCD to investigate a common guideline for developers. As a result, these councils also joined the IDM membership group and adopted the IDM in early 2010.

In late 2010, an extensive rollout of presentations to Councils in the west and north of state was undertaken. As a result of this "road trip" a number of other councils joined the growing list of regional councils making use of the IDM.

In October 2011, a further presentation was held in the north east of the state to discuss the IDM with the four remaining councils in this area who then joined the Group.

Councils advised that they mainly joined so as to provide a consistency of approach to development across the region in order to construct infrastructure to a standard that the council required and that was not reflected within the existing Clause 56 (eg road widths, footpaths etc). It was also used to reduce the number of standard drawings used by councils allowing contractors to be confident with the machinery they needed to perform the works (eg kerb and channel profiles).

The IDM is currently utilised by 44 Councils across Victoria, despite not being included in the planning scheme of many of these Councils.

ISSUE / DISCUSSION

The IDM is designed to clearly document and standardise Councils' requirements for the design and development of municipal infrastructure. It also aims to expedite Councils' engineering approvals and ensure that minimum design criteria are met in regard to the design and construction of municipal infrastructure regardless of whether it is constructed by a Council or a developer.

Incorporating the IDM into the state structure of all planning schemes will enable a more consistent approach to the provision of infrastructure throughout all rural and regional areas of the state.

The inclusion of the IDM in the planning system will also provide certainty around the requirements for the provision of infrastructure. This will improve efficiency in planning processes and lead to a reduction in financial obligations and a greater surety at development stage.

The IDM is a 'guideline' document (as opposed to a 'control' document) that is already widely used by Council planners and engineers and by developers and consultants for subdivision and development applications in regional Victoria. Unlike Clause 56, which only relates to residential subdivision, the IDM has a much wider coverage.

All subdivision and many development approvals are done via the planning permit and therefore it is the planning system that provides the most common conduit for linking the IDM to the approval process.

The proposal to include the IDM in the new PPF is consistent with all recently introduced *Regional Growth Plans*. Other existing State Planning Policies that are relevant to the IDM include:

Clause 15.01-03S (*Subdivision design*) contains the following objective:

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

The IDM provides a consistent approach to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Clause 16 (*Housing*) states that:

- *Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.*
- *Planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.*
- *Planning for housing should include providing land for affordable housing.*

This clause includes objectives and strategies relating to the provision of infrastructure to support future housing. The IDM provides a useful policy for the provision of consistent infrastructure including access, walkability public transport and roads to support future housing.

Clause 18 (*Transport*) states that:

- *Planning should ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability, coordinates reliable movements of people and goods, and is safe.*

The proposed inclusion of the IDM gives effect to long-term strategic direction to require a consistent approach to the provision and development of new transport and access related infrastructure. The recent inclusion of the Sustainable Infrastructure Guidelines also provides additional guidance for long term environmental sustainability.

Clause 19 (Infrastructure) states that:

- *Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.*
- *Planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.*
- *Planning should ensure that the growth and redevelopment of settlements is planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes.*
- *Planning should facilitate efficient use of existing infrastructure and human services. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.*
- *Planning authorities should consider the use of development and infrastructure contributions in the funding of infrastructure.*

The proposal will give effect to these policies by providing a framework for future investigations into the consistent provision of infrastructure.

Amendment C112 in 2015 to the Greater Shepparton Planning Scheme was the first amendment to a planning scheme.

The C112 Panel found that there was a high level of support for the amendment in submissions, although a number of detailed issues were raised about the proposed Municipal Strategic Statement (MSS) content and some elements of the current IDM.

The Panel was satisfied that the IDM was a useful resource that warranted recognition in the Greater Shepparton Planning Scheme and potentially in other rural and regional planning schemes. The Panel recommended that the IDM should be a 'guideline' document and that compliance with its standards should be discretionary and not mandatory.

In June 2015 the Minister for Planning also appointed an **Advisory Committee** to investigate various issues associated with the broader implementation of the IDM across Victoria.

The **Infrastructure Design Manual Advisory Committee** considered issues associated with the potential implementation of the Infrastructure Design Manual into planning schemes across regional Victoria.

The Terms of Reference for the Advisory Committee required:

- *An assessment of the scope of the Infrastructure Design Manual and whether it is appropriate given that it addresses residential, commercial, industrial and rural subdivision and development.*

- *Identification of the extent and scope of any change to the exhibited Infrastructure Design Manual and any recommendations in relation to the Infrastructure Design Manual content.*
- *Assess the merits of adopting a state-wide model for infrastructure standards to reflect the different standards that have evolved in areas of the state since the introduction of Clause 56.*
- *Identification and assessment of other planning scheme implementation options including, but not limited to, Municipal Strategic Statement, Local Planning Policy, Reference Document, Incorporated Document, Schedule to Clause 56, new stand-alone Clause 57.*
- *Advice on the suitability of, and most effective manner for the Infrastructure Design Manual to be included within other regional planning schemes.*

The Committee invited submissions from all non-metropolitan Councils; regional service authorities and referral authorities; and over 530 regional consultants, developers, practitioners and peak industry groups; and all of the submissions made in relation to the Greater Shepparton C112.

The Committee noted that **all but one** submission provided general support for the IDM, including support for its broader implementation. Submissions commented on the IDM's relationship to Clause 56 and some submissions supported a review of Clause 56.

The Committee concluded that the introduction of the IDM into regional planning schemes **should not be delayed** (emphasis added) pending a review of Clause 56. The Committee concluded that the IDM was a technically sound and useful document, the scope of the IDM was appropriate and there were appropriate processes in place to manage, review and update the IDM.

The Committee concluded that the IDM should be implemented in relevant regional planning schemes through the Municipal Strategic Statement, and should be included as a 'Reference Document'. The Committee believed it was appropriate to implement the IDM on a staged basis utilising the Minister's powers under section 20(4) of the Planning and Environment Act 1987.

The Committee recommended the following:

- *The Infrastructure Design Manual be introduced in the Municipal Strategic Statement of regional council planning schemes.*
- *The Minister consider the implementation of the Infrastructure Design Manual into regional council planning schemes utilising powers under Section 20(4) of the Planning and Environment Act 1987.*
- *The Department of Environment, Land, Water and Planning review Clause 56 of the Victoria Planning Provisions, particularly with respect to the currency and completeness of standards.*

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 1 - Roads and Townships. We will plan, manage, maintain and renew infrastructure in a sustainable way that responds to the needs of the community.

5.1 - Provide efficient and effective land use planning, ensuring local policies within the Pyrenees Planning Scheme remain relevant and forward looking.

ATTACHMENTS

7.1 Council Meeting Minutes dated 20 August 2013

FINANCIAL / RISK IMPLICATIONS

There are no risks associated with this amendment. The amendment does not conflict with any Council policy.

CONCLUSION

The report will lead to an amendment to The Pyrenees Planning Scheme. The amendment must be consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Planning and Environment Act 1987. The amendment is to be prepared in accordance with the Practice Note “Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments – August 2018” which outlines the key strategic considerations that must be evaluated by planning authorities to comply with the requirement of Minister’s Direction No. 11.

The timing of a decision is uncertain, as this will be determined by the Minister.

OFFICER RECOMMENDATION

That Council requests and supports the Minister to intervene in the Pyrenees Planning Scheme under Section 20(4) of the Planning & Environment Act to prepare, adopt and approve an amendment to implement the Infrastructure Design Manual.

**Council Meeting Minutes
Reports**

**20th August 2013
Asset and Development Services**

8. ADOPTION OF VICTORIAN INFRASTRUCTURE DESIGN MANUAL

File No:

Author: Robert Ladd, Manager Engineering Waste Operations and Contracts

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

SUMMARY

This report provides Council information on the Victorian Infrastructure Design Manual and a recommendation in regards to Council involvement.

DETAILS

The Victorian Infrastructure Design Manual (IDM) was developed as a joint initiative originally by the Greater Bendigo City Council, Greater Shepparton City Council and Campaspe Shire Council. The objective of the manual is to provide current and consistent design standards across Victorian non-metro municipalities.

Since the manual's adoption in 2007 the standard has now been adopted by all of the Councils detailed in the table below.

Alpine Shire Council	East Gippsland Shire Council	Mitchell Shire Council
Ararat Rural City Council	Gannawarra Shire Council	Moira Shire Council
Ballarat City Council	Glenelg Shire Council	Moorabool City Council
Bass Coast Shire Council	Golden Plains Shire Council	Mount Alexander Shire Council
Baw Baw Shire Council	Greater Geelong City Council	Murrindindi Shire Council
Benalla Rural City Council	Greater Shepparton City Council	South Gippsland Shire Council
Buloke Shire Council	Hepburn Shire Council	Southern Grampians Shire Council
Campaspe Shire Council	Indigo Shire Council	Strathbogie Shire Council
Central Goldfields Shire Council	Latrobe City Council	Surf Coast Shire Council
City of Greater Bendigo	Loddon Shire Council	Towong Shire Council
City of Wodonga	Macedon Ranges Shire Council	Wangaratta Rural City Council
Colac Otway Shire Council	Mansfield Shire Council	Warmambool City Council
Corangamite Shire Council		Wellington Shire Council
		Yarriambiack Shire Council

To date the only Victorian Councils not participating in the IDM standards scheme are the Pyrenees Shire Council, Hindmarsh Shire Council and West Wimmera Shire Council

Council Officers were previously approached to be part of the IDM, however due to the annual costs and the content of the manual did not believe it was suitable to be adopted. The manual has now undergone substantial changes and has been adopted by many small regional municipalities including Yarriambiack, Hepburn and Gannawarra Shires.

**Council Meeting Minutes
Reports**

**20th August 2013
Asset and Development Services**

**8. ADOPTION OF VICTORIAN INFRASTRUCTURE DESIGN MANUAL -
*continued***

The benefits of adopting the IDM are

Accountability

Provides a better defence at the Victorian Civil Appeals Tribunal (VCAT) when the design requirements have been developed and adopted by a number of municipalities.

Collaboration

Sharing financial and human resources to produce an Infrastructure Design Manual which will satisfy the requirements of each of the participating municipalities.

Quality

Sharing of ideas and practices helps the municipalities to adopt the best practice of each.

Consistency

Developing more consistency amongst design requirements for Consultants and Developers working in the participating municipalities.

Documentation

Clearly document participating Council's requirements for the design and development of infrastructure.

Statutory reliance

DPCD are working with Greater Bendigo City Council, Greater Shepparton City Council and Campaspe Shire Council to have the IDM reference in the Victorian Planning Provisions.

The costs associated with the manual has been advised to be a once off joining fee of \$4,000 and then an annual maintenance fee of \$500 paid each July.

To join the IDM group, the managing Councils of Greater Bendigo City Council, Greater Shepparton City Council and Campaspe Shire Council require a resolution of adoption from the municipality wishing to join the scheme.

It is of the opinion of Council officers that Council should adopt the IDM manual.

CRS CLARK / VANCE

1. Council agree to become a participating municipality in the Victorian Infrastructure Design Manual.
2. Council agrees to pay the once off joining fee and annual maintenance fees.
3. Timing of adoption of the IDM manual to be at the discretion of the CEO.

CARRIED

8. PA2660/17 RESERVE NO.1 PITTONG-SNAKE VALLEY ROAD, SNAKE VALLEY

Katie Gleisner – Manager Planning and Development

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

File No: 710010974P

PURPOSE

The purpose of this report is to provide Council with additional information relating to Reserve No.1 following the receipt of a submission from the *Friends of Reserve No.1* group.

BACKGROUND

At Council's January 2019 meeting, Council considered a report on the Snake Valley Reserve which sought Council to provide direction in respect of the a planning permit application to remove a restrictive covenant and allow the use and development of land for a dwelling, at Reserve No.1, Pittong-Snake Valley Road, Snake Valley.

Prior to this meeting, a verbal submission was made by members of the community, 'Friends of Reserve No.1', seeking to have the reserve retained in Council's ownership. The Friends group expressed an interest in assuming management functionality over the reserve and committed to providing a draft management plan for Council's consideration.

The following is an excerpt from the presentation:

"We value the Reserve and request that it remain as public open space as originally intended because:-

- 1. **It provides emergency exit for 17 families** that live in Cochrane Drive. Twice in the past few years Coates Road fires have blocked exit from Cochrane Drive, forcing residents to use the Reserve to access Pittong Road and safety.*
- 2. **It provides access to community, family, social, economic and recreational opportunities.** Some Cochrane Drive residents walk or cycle into Snake Valley to catch the community bus to Ballarat. Some residents are not mobile or young enough to attempt the uphill climb out of the Drive to Pittong Rd. Without this access, public safety is compromised and access to normal activities ie: visiting family and friends and shopping etc is lost.*
- 3. **It has important and irreplaceable vegetation** covering approximately 80% of the area. This vegetation is different to that found in Linton State Forest. It provides a variety of habitat and links across the landscape; especially for endangered woodland birds. [1:5 woodland birds are now categorised as threatened due to habitat loss]. We have compiled species lists during our wildflower walks, documenting some of the orchids, grasses, rushes and lilies which occur there. The site is likely to have rare and endangered species which will be lost should the planning application be approved, earthworks occur and infrastructure erected. The consultant's report 2018 stated that "there would be no impact on native vegetation". This is not correct*
- 4. **There are multiple opportunities to use the Reserve as a point of destination and education by a range of age groups.** Projects such as the Snake Valley "walkability" project and education opportunities involving schools, mens' shed and other groups in collaborative programs could occur. eg nestboxes for wildlife.*

5. **Indigenous values** we know little about the Reserve's former use and history
6. **With reference to the Council Plan Legislative Compliance: Strategic Objective 5- Development and Environment** progressing this planning application will not "protect key natural environmental values."

We request that Council not progress this planning application due to the values and use identified over the last year."

Council resolved to defer a decision and lay the matter on the table until February's meeting.

ISSUE / DISCUSSION

A draft management plan has subsequently been provided to officers by Sue Mudford, on behalf of the *Friends of Reserve No.1* group. The plan highlights a level of interest and regard for the reserve amongst a portion of the community who wish to see it retained in Council's ownership for passive public use and enjoyment.

Whilst the management plan references the local value of native vegetation upon the reserve, it is important to note that the ecological vegetation class applicable to this site (Heathy Dry Forest) is defined as 'common' and of 'least concern'. While Ms Mudford states that "*the site is likely to have rare and endangered species,*" there are no known recordings of threatened or vulnerable flora or fauna species at the reserve.

The plan proposes a model where the 'Friends group' will support Council in the ongoing management of the site; however the responsibilities and accountabilities have not been defined. It is unclear whether the Friends group intend to physically undertake management actions or whether Council would be expected to continue to manage the reserve in accordance with the draft management plan objectives.

Further consideration needs to be given to the model of management that would be required to facilitate and formalise a relationship between the Friends group and Council. Possible models include:

- Council formally delegates functions and responsibilities to a **Special Committee** under Section 86 of the *Local Government Act 1989*. While Council has a number of these Special Committees in place, there are a number of legal obligations on Council and members of the committee if Council was to pursue this model. The Act requires such arrangements to be reviewed within twelve months after a general Council election.
- Council could enter into an agreement with the group in a similar way to which **Friends of the Avoca Swimming Pool** and **Friends of the Beaufort Swimming Pool** exist. This would require the group to become incorporated and to comply with the requirements of the *Associations Incorporation Act 1981*. Council may select to indemnify the group under their Public Liability policy.
- Council could enter into a **lease** with the group, and Council currently has a number of leases in place over land and property that Council has management responsibility for. A lease would be a formal contractual arrangement binding the parties.

This report does not provide a comprehensive assessment of the merits of each model, but rather suggests a number of models that may be investigated, should Council chooses not to proceed with the planning application.

In respect of the maintenance of the reserve, Council undertakes two (2) slashings of the site annually costing approximately \$1,080, and undertakes weed spraying as required. Council also has joint responsibility as land owner for party fencing.

Council's *Asset Management Policy*, contains the following statement expressing Council's commitment to:

Delivering financial sustainability by making decisions that lead to a cost effective asset base, by focussing on asset renewal, rationalising under-utilised assets and limiting asset expansion unless justified;

Under-utilisation and Council's long term financial sustainability were considerations which led to the site being considered for more beneficial uses such as for disposal and for residential development through the current planning permit.

Following extensive community engagement and consultation throughout the *Pyrenees Futures* township planning project, it has been identified that Snake Valley's settlement pattern has become disjointed and as such, undermines the centre of town. The Draft Township Framework Plan seeks to "kickstart the heart" by investing in recreation, connectivity and walkability infrastructure within the centre of Snake Valley. While some funding has been allocated towards the development of the Linear Park in the main street of Snake Valley, significant further investment will be required for Council to deliver on the draft Snake Valley Framework plan.

Should Council determine to proceed with the planning permit, all revenue generated from a subsequent sale of the reserve would be required to be spent on public open space and would support the objectives of *Pyrenees Futures* being met within Snake Valley.

To consider the above, Council must first resolve in accordance with clause 8.3.9 of the Meeting Procedure Local Law to take from the table item 8 from the 15 January 2019 Council Meeting which it resolved to lay on the table. That report is included as an attachment to this report.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 5 - Development and Environment. We will undertake forward planning, and facilitate growth in our local economy while protecting key natural and built environmental values.

1.4 - Maintain, develop and renew the public amenity of our townships in consultation with our communities.

ATTACHMENTS

- 8.1 Friends of Reserve No 1 Group: Presentation to Pyrenees Shire Council - 15th January 2019 – *circulated separately*
- 8.2 Reserve No.1 Pittong Road, Snake Valley Draft Management Plan - – *circulated separately*
- 8.3 Item 8 on Agenda of Ordinary Council Meeting 15 January 2019 – PA2660/17 Reserve No 1 Pittong-Snake Valley Road, Snake Valley – *circulated separately*

FINANCIAL / RISK IMPLICATIONS

Council currently undertake land management activities upon the reserve including \$1,080 worth of slashing and weed treatment as required.

In the instance that the planning permit application is approved, Council would be required to invest any proceeds of any sale from the site in public space or public facilities as required by Section 24A of the *Subdivision Act 1988*.

CONCLUSION

Council has previously sought to remove the reservation on the No.1 Reserve, Pittong-Snake Valley Road, Snake Valley, and to seek a planning application for the use and development of the site for a dwelling. Submissions have been received in respect of the planning application and representations have been made by the Friends of the Reserve No 1 Group seeking Council to not proceed with the planning application, and the land be retained and used as public open space for a community purpose.

The Group has prepared a management plan for management of the reserve. The management plan does not however commit to transfer management responsibility from Council, a management model has not been identified, and it does not demonstrate an ability to generate revenue or attract funding to support the management of the reserve. Pyrenees Futures strives to bring the community into the centre of town and revenue from the proceeds of sale of the reserve could support some implementation elements of the Snake Valley Framework Plan.

Council will need to consider if there is sufficient reason demonstrated by the community to retain the land as a reserve for community use within the limits of the existing planning controls. If not, Council may consider proceeding with the Planning Application as detailed in the officer's report to the January Council Meeting. If there is sufficient demonstration, Council should seek to enter into further discussions with the Group about the management plan and seek further information about appropriate models for the management as outlined in this report.

OFFICER RECOMMENDATION

That Council:

1. Enters into further discussions with the Friends of the Reserve No 1 Group in respect of the future management of Reserve No 1;
2. Investigates possible management models for future consideration by Council; and
3. Considers a further report on the matter at a future meeting of Council.

9. GENERAL LOCAL LAW 2019

Katie Gleisner – Manager Planning and Development

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

File No: 46/02/06

PURPOSE

The purpose of this report is to seek Council's resolution to adopt the new General Local Law 2019.

BACKGROUND

Pyrenees Shire Council completed an extensive review of *Local Law No. 2 Environment* and *Local Law No. 3 Streets and Roads* in order to identify their functionality, effectiveness, inconsistencies, contradictions and general appropriateness to the shire's needs. This has resulted in the development of the new *General Local Law 2019* which will replace *Local Law No. 2* and *Local Law No.3*.

ISSUE / DISCUSSION

At November's Council meeting a resolution was made to commence formal notification of the Draft General Local Law 2019 pursuant to Section 82A, Section 119 and Section 223 of the Local Government Act 1989.

The draft General Local Law was available for the community to view and comment on, for a period of not less than 28 days after formal Public Notice was given in the Victoria Government Gazette. The closing date for submissions was 5pm on Friday 4th January 2019.

A detailed draft Community Impact Statement was also made available to the community as part of the statutory notice process.

During the statutory notice period Council received one (1) submission. Matters raised in the submission were taken into consideration before finalising General Local Law 2019 and the submitter has been provided with a written response.

Pursuant to Section 119(3) and 119(4) of the Local Government Act once Council has resolved to adopt the Local Law, a notice will be published in the Government Gazette and Public Notice, specifying the title, purpose and general purport of the law, and advise that a copy of the local law may be inspected at Council's office. Council must also send a copy of the new law to the Minister for Local Government.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 5 - Development and Environment. We will undertake forward planning, and facilitate growth in our local economy while protecting key natural and built environmental values.

5.7 - Develop and enforce appropriate Local Laws and policies to protect amenity and environmental values which are reflective of community expectations.

Under Section 119 of the Local Government Act 1989, before Council makes a local law it must comply with the procedure set out under this section.

Under Section 82A of the Local Government Act 1989, Council must maintain an internet website and ensure that any public notice required to be given by the Council is published on the Internet Website.

ATTACHMENTS

9.1 General Local Law

- 9.2 Community Impact Statement
- 9.3 Public Notice

FINANCIAL / RISK IMPLICATIONS

Having up to date Local Laws ensures that Council is not exposed amenity risks in the community and provides a mechanism to meet community expectation.

CONCLUSION

The new General Local Law 2019 has been finalised and is now required to be formally adopted by Council.

OFFICER RECOMMENDATION

That Council:

1. Adopts General Local Law 2019; and
2. Gives Public Notice of the adopted General Local Law 2019 in the Government Gazette and newspaper in accordance with Section 119(3) and 119(4) of the Local Government Act 1989.

ASSET AND DEVELOPMENT SERVICES

10. MAJOR ROAD LIGHTING PROJECT

Terry McAlicie – Environment and Sustainability Officer

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

File No: 60/04/08

PURPOSE

The purpose of this report is to seek Council support to implement street light replacements with more efficient Light Emitting Diode (LED) type globes. This program seeks to support the recommendations from a consortium of 18 Councils who are developing a business case to replace 150W and 250W mercury vapour lights with LED's.

BACKGROUND

Two years ago, Council replaced all 80W mercury vapour street lights with LED's. At the time the technology was not in place to replace the higher wattage street lights. This was also complicated by the sharing of some lights with VicRoads who were not in a position to contribute to their component of the replacement.

Currently Ironbark, an environment consultant firm, are undertaking a study in preparation for the changeover program.

The project scope includes:

- Preparing bulk changeover process with distribution network service providers and relevant stakeholders including VicRoads.
- Identifying the detailed requirements for the major road lighting changeover program including existing and future technology options.
- Developing public lighting plans for the purpose of the changeover program for each partner council area.
- Assessing the current major road lighting options to meet relevant requirements.
- Compiling a final design and specification in readiness for the procurement process.
- Developing installation maps for each municipality.
- Developing community education and promotional material.
- Confirming project requirements for both public and project focused communications.

ISSUE / DISCUSSION

The report being undertaken will set out the details and the budget requirements for the changeover program.

The early budget estimate for Pyrenees Shire Council is likely to be \$45,000 and occur in the 2019/20 financial year. This may be offset by a potential grant which is being pursued by CVGA of behalf of the consortium of 18 Councils.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 5 - Development and Environment. We will undertake forward planning, and facilitate growth in our local economy while protecting key natural and built environmental values.

5.8 - Provide leadership by encouraging sustainability initiatives in partnership with others which reduce Council's environmental footprint, or which enable businesses and the community to increase resilience and adapt to a low carbon economy.

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

The previous Lighting the Region Project was very successful and was implemented with minimal concerns. As a result Council is realising the benefits in terms of the LED lights being 75% more efficient, require less maintenance and lower Councils carbon footprint.

This program is likely to be just as effective and therefore the risks associated with achieving a successful outcome are low.

CONCLUSION

It is in Council's interests to support this program as it will provide a much greater efficient and effective major road lighting system. LED's are 75% more efficient, require less maintenance, have a longer life and will reduce greenhouse gas emissions.

OFFICER RECOMMENDATION

That Council supports this program by committing funding of up to \$45,000 in the 2019/20 financial year.

11. LOCAL GOVERNMENT ENERGY SAVERS PROGRAM – BUILDING ENERGY AUDITS

Terry McAlicee – Environment and Sustainability Officer

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

File No: 06/06/02

PURPOSE

The purpose of this report is to inform Council of the opportunity that exists through the Local Government Energy Savers Program and seeks Council support to commit to additional funds to maximise the grant opportunity.

BACKGROUND

The Local Government Energy Saver Program aims to work with 22 regional councils across Victoria to improve the energy efficiency of its buildings and hence lower running costs and greenhouse gas emissions. The program will run until June 2020, and will help councils to understand, prioritise and implement energy efficiency and renewable energy upgrades on their buildings.

The program includes three stages listed below:

- Stream 1 - Establishing current baseline corporate emissions and developing an energy use reduction plan;
- Stream 2 - Undertaking facility audits on highest energy using sites; and
- Stream 3 - Implementing projects that cut energy costs and reduce emissions.

The costs for Streams 1 and 2 were covered by Sustainability Victoria (SV) and the implementation stage (Stream 3) is based on a 1:1 funding ratio between Council and SV. SV has allocated a maximum grant of \$100,000 for Pyrenees upgrades and Council has previously quarantined \$50,000 this financial year.

ISSUE / DISCUSSION

Buildings nominated for assessment included:

- Avoca Resource Centre
- Avoca Senior Citizens
- Avoca Preschool
- Beaufort Resource Centre
- Beaufort Office
- Beaufort Senior Citizens
- Beaufort Bendigo Bank Complex
- Beaufort Early Childcare Centre

The audit report recommended a number of standard improvements for most of the buildings.

The elements to be replaced or improved included the following:

- Install photovoltaic panels
- High Voltage Air Conditioning, undertake checks on time schedule and temp settings and restrict access
- Replace fluorescent and halogen lights with LEDs
- Replace electric hot water with air to air heat pumps
- Install timer on instant hot water boiler
- Replace fridges with efficient models

The best value for money is the installation of solar panels, even though the cost of this is significant, it gives the greatest return on investment. The cost to install solar on all buildings is approximately \$110,000 with a saving of \$32,000/year.

Building Energy Audit Summary								
Energy Data	Beaufort Office	Beaufort R C	Beaufort Sen Citz	Beaufort Kinder	Beaufort Goldfields	Avoca Sen Citz	Avoca R C	Avoca Kinder
Baseline energy use (MJ/year)	409,769	188,661	37,662	142,852	118,334	18,545	77,530	177,833
Projected energy use (MJ/year)	245,712	88,534	1,935	92,262	-28	-4,436	10,532	107,751
Projected reduction in energy use	40%	53%	95%	35%	100%	124%	86%	39%
Baseline Energy Cost (\$)	\$ 32,707	\$ 16,246	\$ 3,243	\$ 12,301	\$ 12,491	\$ 1,597	\$ 6,676	\$ 15,313
Projected Energy Cost (\$)	\$ 18,994	\$ 7,624	\$ 166.62	\$ 7,944.74	-\$ 2.91	-\$ 382.01	\$ 906.89	\$ 9,278.57
Cost Saving (\$)	\$ 13,713	\$ 8,622	\$ 3,077	\$ 4,356	\$ 12,494	\$ 1,979	\$ 5,769	\$ 6,035
Est cost of recommended actions (\$)	45,571	34,759	23,530	12,520	26,360	22,860	28,424	15,240
Est cost savings from actions (\$)	13,713	8,622	3,077	4,356	12,494	1,979	5,769	6,035
Payback period (yrs)	4.0	4.0	7.6	2.9	2.1	11.6	4.9	2.5

The consideration for council is whether a further \$50,000 should be allocated from the 2019/20 budget to maximize the grant opportunity.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 5 - Development and Environment. We will undertake forward planning, and facilitate growth in our local economy while protecting key natural and built environmental values.

5.8 - Provide leadership by encouraging sustainability initiatives in partnership with others which reduce Council's environmental footprint, or which enable businesses and the community to increase resilience and adapt to a low carbon economy.

ATTACHMENTS

11.1 Energy Audit Graphs

(Energy Audit reports for individual buildings can be provided if required)

FINANCIAL / RISK IMPLICATIONS

Sustainability Victoria has supplied funds for both Stream 1 and Stream 2 amounting to \$35,000 and is prepared to co-fund the implementation stage on a 1:1 basis. This significantly reduces the financial risk to Council as well as reducing ongoing operating costs with the energy upgrades. To fully implement the recommendations would require Council to commit a further \$50,000 from the 2019/20 budget. According to Ironbark's report for an estimated outlay of just over \$200,000, the projected cost savings will be \$56,000 annually across the 8 buildings nominated for assessment.

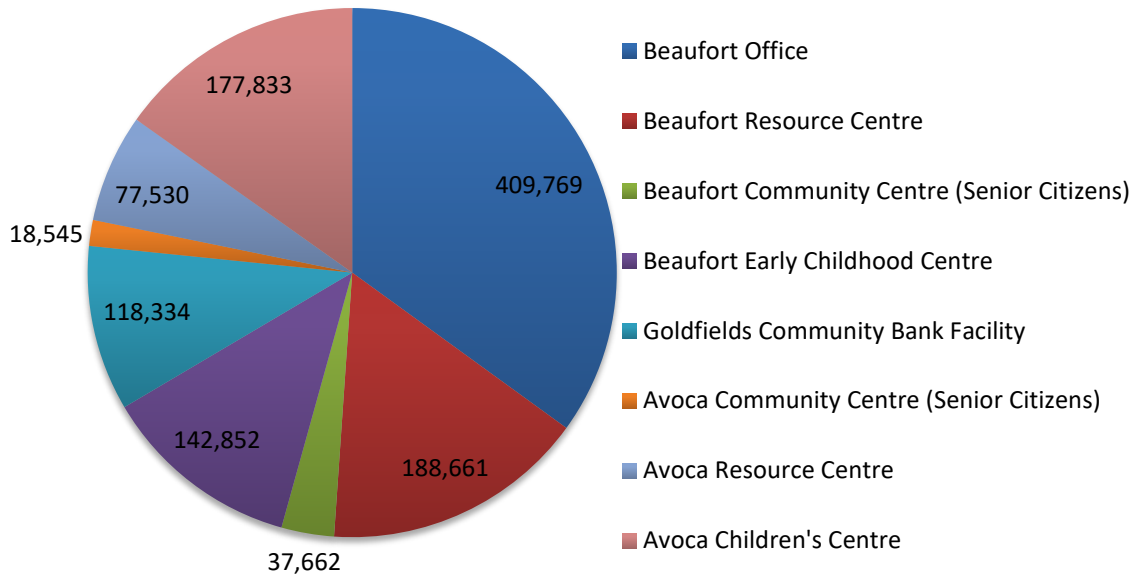
CONCLUSION

It is in Council's interests to support this implementation program as it will provide significant reductions in energy costs and also reduce greenhouse gas emissions. Sustainability Victoria has committed a grant of up to \$102,340 on the basis that Council match this offer.

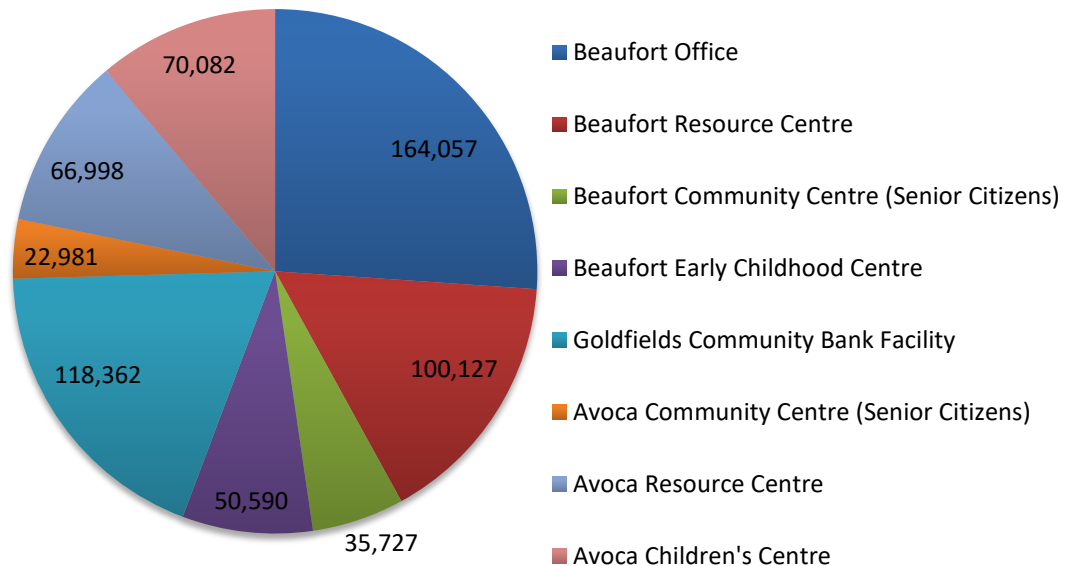
OFFICER RECOMMENDATION

That Council implement energy savings across eight Council sites by committing a further \$55,340 in the 2019/20 financial year to maximise the grant available from Sustainability Victoria.

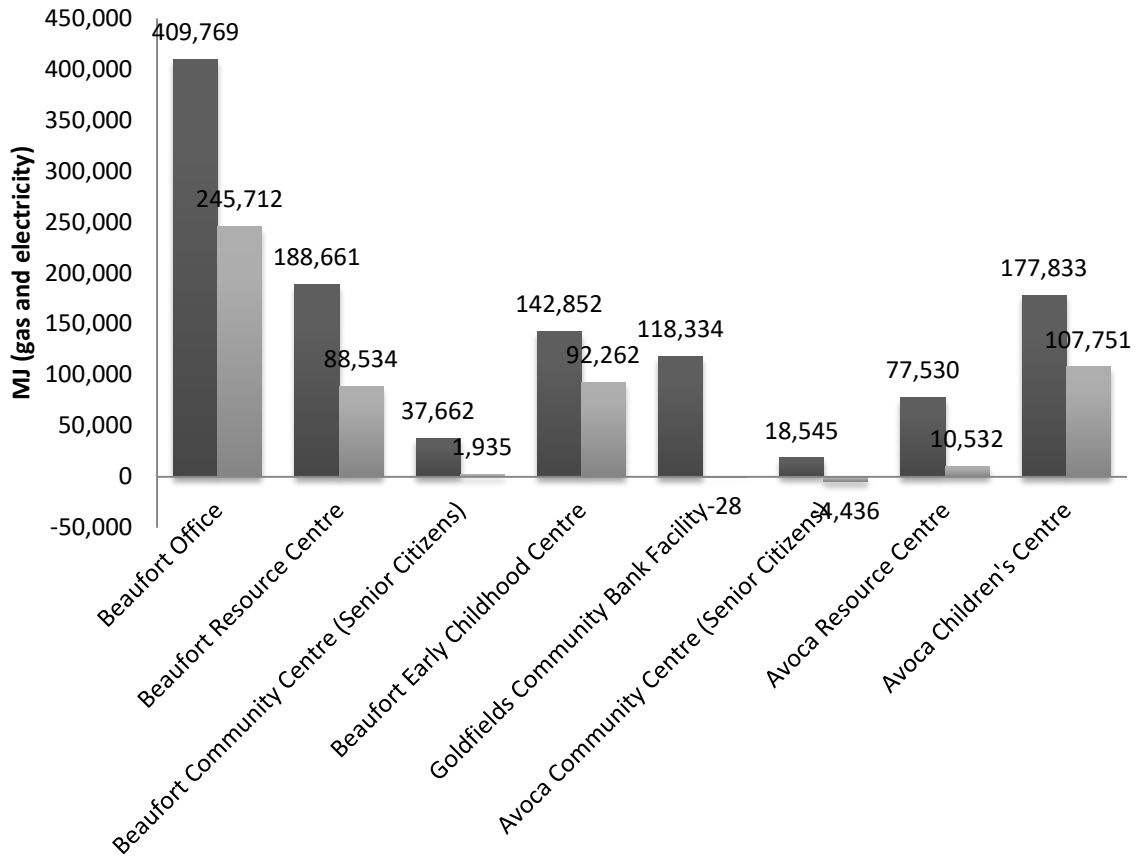
Annual energy use (MJ)



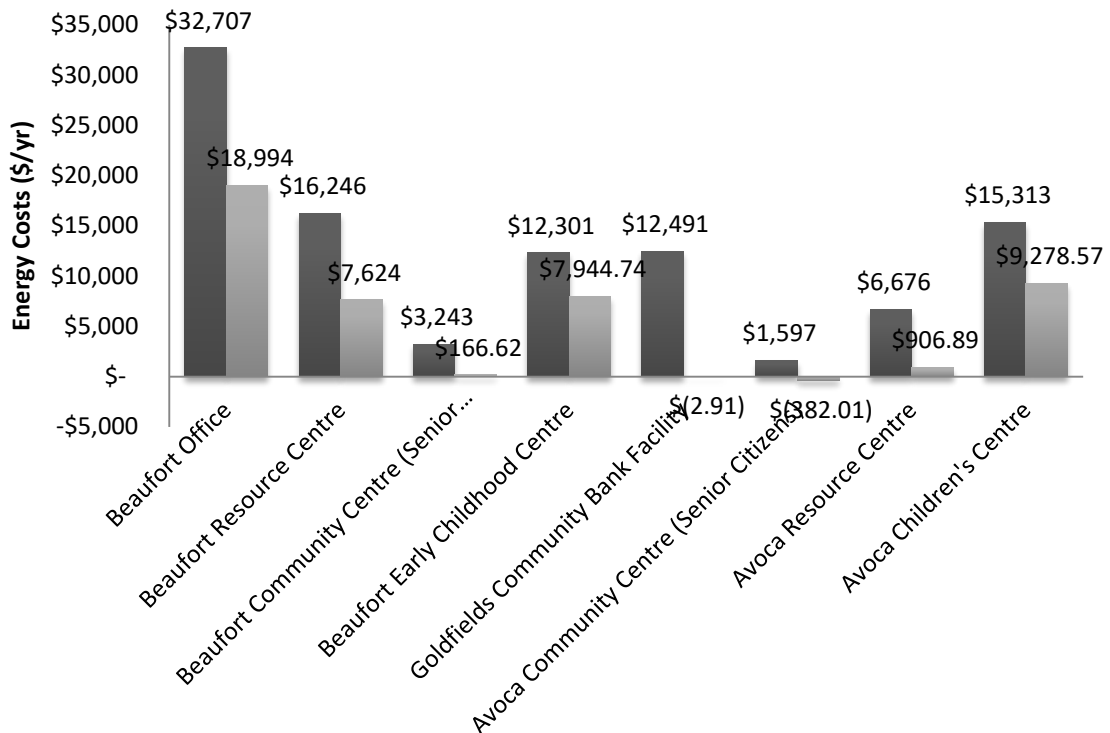
Annual energy reduction (MJ)

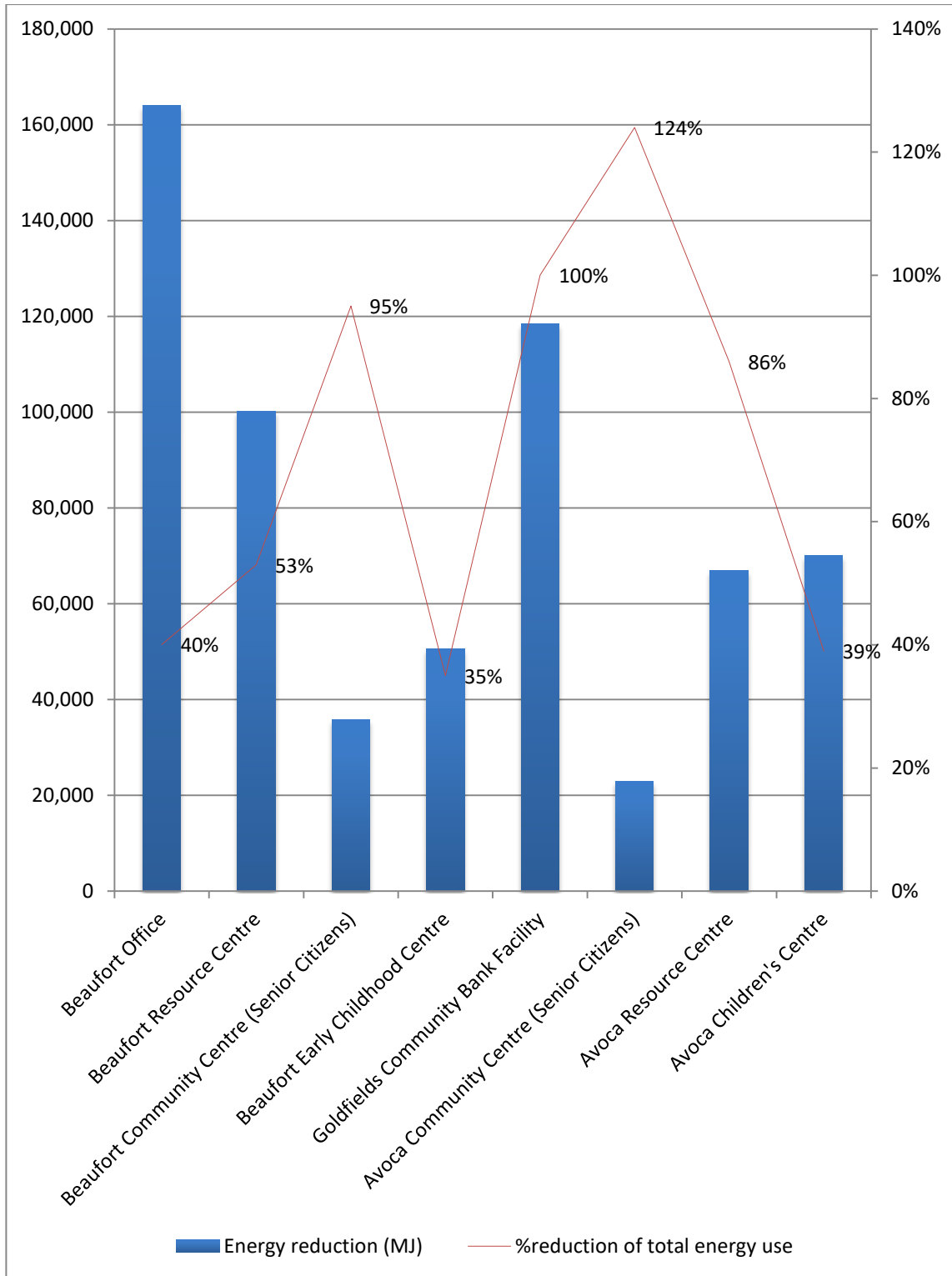


Energy Consumption - current and potential



Energy Costs - current and potential





CORPORATE AND COMMUNITY SERVICES

12. COMMUNITY GRANTS – ROUND 2 2018/2019

Martin Walmsley – Manager Community Wellbeing

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

File No: 32/14/35

PURPOSE

The purpose of this report is for Council to further consider the allocation of Round 2 funding of the 2018/19 Community Grants Program for the Landsborough and District Historical Group Inc. and consider a further round of Community Grants and Community Capital Grants for 2018/19.

BACKGROUND

Community and Community Capital Grants:

Council provides Community Grants to recognise the importance of providing financial assistance to community groups, services and organisations located or operating within the Pyrenees Shire. These grants are designed to enable the provision of activities and events which promote community activity, achievement, participation and wellbeing. Grants are allocated under the following streams:

- Community Grants
Grants of up to \$1,500 for programs and equipment
Grants of up to \$750 for events
- Community Capital Grants
Grants of up to \$5,000 for projects identified as a priority in the Community Action Plan.

ISSUE / DISCUSSION

At the January 2019 Council Meeting, Council resolved:

“That the application by Landsborough and District Historical Group Inc. under Round 2 - 2018/19 Community Capital Grant be placed on hold and further considered at the February 2019 meeting of Council”.

Landsborough and District Historical Group Inc. applied for a Community Capital Grant (\$4,358.00) to undertake a \$5,698.00 project – the printing of a book – *“Lost Railway Stations – Memories of the Pyrenees”*.

Officers have reviewed the Landsborough and District Historical Group Inc. application and consider it ineligible for the Community Capital Grant Program as capital items relate to building works or equipment.

The application would be eligible for up to \$1,500 under Council’s Community Grants Program. This is considered appropriate as reportedly the book does include information relating to areas within the Pyrenees Shire. Council approval is therefore requested to allocate \$1,500 to the Landsborough and District Historical Group Inc towards the printing of the book.

Community and Community Capital Grants:

Council allocated \$40,000 in the 2018/19 Budget to fund the Community Grants Program and \$50,000 to fund the Community Capital Grants program. Community Grants are provided across two streams, through two funding rounds annually.

Community Grant applications are prioritised using the Priority Criteria provided in the Pyrenees Shire Council Community Grants Program Policy and the Community Capital Grants Program Policy.

Community Grants

\$40,000 was allocated to the Community Grants Program for the 2018/19 financial year.

In Round 1 of the 2018/19 Community Grants Program, Grants were awarded to the value of \$12,341. In Round 2 of the 2018/19 Community Grants Program, Council approved eight applications seeking \$8,356 proposing to deliver a total of \$21,252 in projects across the municipality.

Community Capital Grants

\$50,000 was allocated to the Community Capital Grants Program for the 2018/19 financial year.

In Round 1 of the 2018/19 Community Capital Grants Program, Grants were awarded to the value of \$21,311. In Round 2 of the 2018/19 Community Capital Grants Program Council approved two applications valued at \$5,000 each (\$10,000).

Current unallocated funds for Community Grants for 2018/19 are:

- Community Grants Program - \$19,303
- Community Capital Grants Program - \$18,689

If Council approves a Community Grant (\$1,500) to the Landsborough and District Historical Group Inc., this would reduce the funds available in the Community Grants Program to \$17,803.

Given the unallocated funds for both 2018/2019 Community and Community Capital Grants Programs, it is recommended that Council advertise a 3rd funding round for both programs.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 2 - Community

2.3 - Use community action plans to inform Council's priorities for determining the use, and future needs for, community facilities.

ATTACHMENTS

12.1 Landsborough and District Historical Group Inc. Community Grant Application
– *circulated separately*

FINANCIAL / RISK IMPLICATIONS

The 2018/19 budget provides for \$90,000 to be allocated to approved Community Grants in two rounds, across two streams, conducted during the financial year. Grants are allocated to Community Grant applications that meet the criteria specified in Council's Community Grants Policy and Council's Community Capital Grants Policy.

CONCLUSION

Council allocated \$90,000 in its 2018/19 Budget to fund the Community Grants Program. After two rounds in the current financial year a surplus of \$37,992 remains unallocated. (\$36,492 if the Landsborough and District Historical Group Inc request is approved.) As the purpose of these funds is to provide support to the Community it is recommended that a further round be opened for community application and active promotion of the funding availability be undertaken to maximise uptake.

OFFICER RECOMMENDATION

1. That Council approves the following allocation of Round 2 - 2018/19 Community Grants:

Group Name and request summary	Amount Requested
Landsborough and District Historical Group Inc. To support the publication of historical book on rural railways, including railways within the Pyrenees Shire.	\$1,500

2. That Council advertises a 3rd round of Community Grants and Community Capital Grants in the current 2018/19 financial year.

13. QUARTERLY FINANCE REPORT

Shana Johnny – Manager Finance

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

File No: 32/26/04

PURPOSE

The purpose of this report is to provide Council with an update of the operating and capital financial performance for the period 1 July 2018 to 31 December 2018. The report compares the current budget against year-to-date actuals for each operating program and for all capital works.

BACKGROUND

Council at its meeting of 12 June 2018 adopted the budget for the 2018/19 financial year. The budget was adopted based on projected completion of projects and capital works at 30 June 2018 and information available at that time.

Council, at the 18th September 2018 Council meeting, considered a report on the 2017/18 year-end financial position. At this meeting Council approved the carryover of certain projects that remained incomplete as at 30 June 2018. These projects have been added to the original budget amounts to form the current budget. It is the current budget amounts that this report, and future reports, will be using for comparison purposes.

ISSUE / DISCUSSION

The financial reports are prepared in consultation with the senior leadership team.

The attached financial report comprises of the following sections:

- Operating summary by area
- Working capital report
- Detailed operating results by area
- Capital works report
- Income Statement
- Balance Sheet
- Cash Flow Statement

The operating results show variations against the current budget.

Working capital result

At this stage of the financial year Council's overall financial result is showing a projected working capital surplus of \$997,000 as at 30 June 2019.

From this surplus, it is usual practice to reserve \$600,000 in case of a call from the defined benefits superannuation scheme, or other unforeseen matters.

This surplus does not yet take into account budget overspend to-date as detailed below:

• Insurance program over-spend	\$30,000
• By-election expenditure ¹	\$32,000
• Water bore replacement insurance claim ²	\$30,000
• Asbestos condition audit in Council facilities ³	\$18,000
TOTAL	\$110,000

Also, loss of windfarm income through changes made to the *Payment in Lieu of Rates (PiLoR) framework* under section 94 of the *Electricity Industry Act 2000* which reduced rates applied to commercial solar or wind generators of up to 25 MW capacity. This impacted the income received from the Chepstow Windfarm by \$25,000 which may need to be repaid. This has reduced expected income by \$25,000.

Council is currently in the process of finalising forecasts to 30 June 2019.

Income Statement

Total YTD income is \$1,148,000 higher than YTD budget. This variance is primarily due to the following:

***** Unbudgeted or New Grant funding -**

- Unbudgeted sector support grants from the Federal Government under the Commonwealth Health Support Program (YTD Actuals \$37,000).
- Additional grants received under the new Maternal and Child Health Funding Agreement (YTD \$21,000). This will be offset by additional expenditure in this area.
- Outstanding grant reimbursements for flood restoration works done in 2017/18 received (\$1,474,000).
- Post adoption of the Budget 2019/20, Council has been successful in the following grant applications –
 - Avoca Oval – Playing Surface - \$40,000 of which the first milestone payment of \$36,000 has been received.
 - Avoca war memorial - \$30,000 of which the first milestone payment of \$20,000 has been received.
 - Snake Valley – Safer Together Project - \$80,000 which has been fully received.
 - E-waste Projects for the Transfer Stations at Snake Valley (\$25,000), Avoca (\$100,000) and Beaufort (\$99,000). Council is expecting \$67,000 as first milestone payment towards these projects.
 - Eurambeen Streatham Road under the Fixing Country Roads program - \$600,000 of which the first milestone payment of \$240,000 has been received

¹ Not budgeted for.

² Works were undertaken and insurer reimbursement not yet received at the time of reporting. Since this report was compiled, this money has since been received.

³ The requirement to update the Asbestos Condition Report for Council facilities is a legislated requirement. This was scheduled to take place in the 2017/18 financial year but was delayed and the budget not carried forward.

***** Deferral in the receipt of Budgeted Grants –**

- At the end of 2017/18, \$1,800,000 of Roads to Recovery (R2R) funding was carried forward into 2018/19 to complete outstanding projects. Delays caused due to redesign in order to meet current standards have resulted in deferral of R2R quarterly claims which is based on estimates of forward works. 2018/19 is the final year of the current 5 year program and the balance under the program (\$979,000) is expected to be claimed in the April 2019 Quarterly Return.

Total YTD expenditure is \$1,178,000 higher than YTD budget. This variance is primarily due to non-budgeted flood works. Council is currently awaiting reimbursements for these works.

Major projects

Net capital expenditure is 39% of the full year budget. This variance is driven by:

- Seasonal spend patterns
- Projects pending government grants

For status on individual projects, please refer to the attached report.

Balance Sheet

Assets:

- Cash and investments at 31st December 2018 total \$3.177 million which include \$2 million for the Long Service Leave and Annual Leave provisions.
- Trade debtors (receivables) are \$8.37 million which includes outstanding rates from prior years, current year rates and other miscellaneous debtors. Council receives a large percentage of its rates in February.

Liabilities:

- Creditors balance is \$328,000
- Loan Liability at 31st December 2018 is nil
- Employee provisions are \$2 million

Cash Flow

- Cash and investments at 31st December 2018 total \$3.177 million which include \$2 million for the Long Service Leave and Annual Leave provisions.
- Cash has decreased from the start of the financial year by \$5.5 million. This is primarily due to Council awaiting reimbursement for flood recovery works.

Outstanding Flood Claims summary

Total claims made (payable)	(\$11,556,653)
Amount received (advances + claims paid)	\$7,771,321
Balance outstanding	(\$3,785,332)

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

In accordance with the Section 125 of the *Local Government Act (1989)*, Council adopted its 2017-2021 Council Plan at its June 2017 Council Meeting.

ATTACHMENTS

13.1 Jul to Dec 2019 Finance Report – *circulated separately*

FINANCIAL/RISK IMPLICATIONS

All financial implications have been dealt with in the report.

CONCLUSION

The finance report for the period 1 July to 31 December 2018 was developed in consultation with the Senior Leadership Team. At this stage of the financial year Council's overall financial result is projected to be a working capital surplus of \$887,000 at 30th June 2019.

OFFICERS RECOMMENDATION

That Council receives the Finance Report for the period 1st July to 31st December 2018.

14. DRAFT POLICY – COUNCILLOR RESOURCES & EXPENSES

Kathy Bramwell - Director Corporate & Community Services

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

File No: 16/24/17

PURPOSE

The purpose of this report is to seek Council adoption of a revised Councillor Resources and Expenses Policy.

BACKGROUND

Section 75B of the *Local Government Act 1989* requires councils to “adopt and maintain a policy in relation to the reimbursement of expenses for Councillors and members of Council committees.”

Council policies, procedures and other process documents are regularly reviewed in accordance with the *Policy and procedure development and implementation procedure*. In accordance with this procedure, this policy is now due for review.

ISSUE / DISCUSSION

A review has been conducted of the Council Policy *Councillor Resources and Expenses Policy*.

The majority of changes from the existing document are for clarification including:

- Inclusion of members of delegated committees to reflect what is existing practice;
- Changes in terminology to reflect current practice and provide a more contemporary wording;
- Inclusion of additional considerations where disability of carer’s responsibilities require support;
- Documenting the provision of indemnity and insurance coverage to Councillors and members of delegated committees;
- Clarification of when expenses are claimable;
- Expansion of what is included within reasonable expenses; and
- A requirement to provide receipts to support claims for reimbursement, where appropriate.

A copy of the draft revised policy is attached for Council consideration. Changes made have been highlighted in yellow to aid in that consideration.

It is now requested that Council adopt the revised policy.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Section 75B of the *Local Government Act 1989* requires councils to adopt and maintain a policy in relation to the reimbursement of expenses for Councillors and members of Council committees.

ATTACHMENTS

14.1 Draft Policy-Council – Councillor Resources and Expenses – *circulated separately*

FINANCIAL / RISK IMPLICATIONS

There are no financial implications with this report.

CONCLUSION

The Local Government Act requires Council to adopt and maintain a policy on Councillor resources and expenses. A review has been conducted of this policy and the revised document is now provided for Council adoption.

OFFICER RECOMMENDATION

That Council adopts the draft Policy-Council – Councillor Resources and Expenses.

15. DRAFT POLICY & PROCEDURE – SPECIAL COMMITTEES OF COUNCIL

Kathy Bramwell - Director Corporate & Community Services

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

File No: 16/24/17

PURPOSE

The purpose of this report is to seek Council adoption of a revised Council Policy / Procedure relating to Special Committees of Council.

BACKGROUND

A Council Policy currently exists providing guidance around Special Committees of Council. This Policy is now due for review.

ISSUE / DISCUSSION

A review has been conducted of the Council Policy *Special Committees of Council*.

The review has resulted in a proposed change from 'Policy' to a combined Policy & Procedure for the following reasons:

- The length and focus of the majority of the document doesn't fit within the parameters of a 'Policy' as it provides guidance of a more procedural nature; and
- It is difficult to remove the policy wording into a separate document without reducing the effectiveness of the document as a whole.

The wording of the document hasn't materially changed from the existing policy except for minor amendments to increase clarity or alignment with Local Law No.1 and the Instrument of Delegation to Special Committees. Some wording has been re-phrased to allow for prospective changes in the particular sections within the Local Government Act – i.e. if the Act removes the "S86" clause relating to Special Committees of Council.

Consultation was undertaken with the Executive Management Team in 2018 and a copy of the draft revised policy and procedure is now attached for Council consideration. It is requested that Council adopt the revised document.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Council's policy and procedure development and review procedures allow for the regular review of process documentation. Under the review schedule, the Policy for Special Committees of Council is due for review.

ATTACHMENTS

15.1 Draft Policy & Procedure – Council – Special Committees of Council – *circulated separately*

FINANCIAL / RISK IMPLICATIONS

There are no financial implications with this report.

CONCLUSION

A review of the Council Policy – Special Committees of Council is due. This review was conducted in 2018 and a revised combined Policy & Procedure – Special Committees of Council has replaced the original document and Council adoption of this document is now requested.

OFFICER RECOMMENDATION

That Council adopts the draft Policy & Procedure -Council – Special Committees of Council.

CHIEF EXECUTIVE OFFICER

16. CITIZENSHIP CODE

Jane Bowker – EA to CEO and Councillors

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

File No: 04/04/02

PURPOSE

The purpose of this report is to provide opportunity for Council to consider the revised Australian Citizen Ceremonies Code.

BACKGROUND

A Citizenship Ceremony is the final step in the journey to become an Australian citizen, for most people, is to make the Australian Citizenship Pledge at an Australian Citizenship Ceremony. Citizenship ceremonies are public, ceremonial occasions, which fulfil legal requirements prescribed by the *Australian Citizenship Act 2007* and the Australian Citizenship Regulation 2016. They are conducted under the authority of the Australian Government minister responsible for citizenship matters.

Citizenship ceremonies also provide an important opportunity to formally welcome new citizens as full members of the Australian community. At the citizenship ceremony, conferees pledge that they share Australia's democratic beliefs and respect the rights and liberties of the people of Australia.

Since the early 1950s, local government councils have conducted the majority of citizenship ceremonies on behalf of the Department responsible for citizenship. Since 2001, Pyrenees Shire Council has hosted 29 citizenship ceremonies of which 71 people have become Australian Citizens.

ISSUE / DISCUSSION

The Australian Government produced an Australian Citizenship Ceremonies Code (the Code) which provides guidance to help plan and conduct citizenship ceremonies. The Code outlines all of the legal requirements and best practice guidelines for hosting a citizenship ceremony.

The Department of Home Affairs has undertaken a review of the Code and sought feedback up until 15 February 2019 on the revised Code. The following changes are proposed in the Code:

- Local Government Councils will be required to hold a citizenship ceremony on Australia Day (26 January) and Australian Citizenship Day (17 September).
- Federal members of Parliament, if attending a ceremony, should read the Minister's message at citizenship ceremonies.
- There will be a recommended standard of dress for ceremonies, which will be set by Councils. The attire of attendees at citizenship ceremonies should reflect the significance of the occasion. Conferees may wear national or cultural dress if they wish.
- Ceremonies must be scheduled to avoid parliamentary sitting days.

It is noted that Councils that conferred citizenship on less than 20 people in the previous year are exempt from having to hold ceremonies on 26 January and 17 September. Pyrenees Shire Council confers less than 20 people each year.



It has been Council's practice to hold ceremonies on the same day as Council Meetings. Council meetings are generally held at the same time as Parliamentary Sitting Days. The reason provided in the revised Code for not holding ceremonies on sitting days is to give elected representatives the opportunity to welcome new citizens as formal members of the Australian community. It is noted in the revised Code that where a citizenship ceremony is scheduled on the same day as a local government council meeting, the citizenship ceremony may proceed but must be conducted with due ceremony and importance.

As feedback on the draft code was due by 15 February 2019, officers have submitted a request that the Code be amended to reflect that ceremonies "should" be scheduled to avoid Parliamentary sitting days, rather than "must" in order to retain some administrative flexibility in the timing of the ceremonies.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 3 - Community Connection and Wellbeing. We will engage with communities to provide responsive, efficient services that enhance the quality of life of residents and promote connected, active and resilient communities.

3.3 - Community Development - Supporting communities to build connections, capacity and resilience.

ATTACHMENTS

16.1 Letter – Australian Citizenship Ceremonies Code 2019 – *circulated separately*

16.2 Australia Citizenship Ceremonies Code – *circulated separately*

FINANCIAL / RISK IMPLICATIONS

There are minimal financial implications with holding a ceremony. Costs incurred are generally for catering and gifts. Provision for such costs is budgeted for each year.

CONCLUSION

The proposed changes to the revised Code do not greatly affect the way Council currently hosts ceremonies. The proposed change that ceremonies 'must' be scheduled to avoid parliamentary sitting days has some impact in that ceremonies are held on Council meeting days which are generally held on parliamentary sitting days. As Council hosts only 1 or 2 ceremonies each year alternative days such as Briefing Sessions could be considered. Another alternative is to host ceremonies in the months when Council meetings are not held on parliamentary sitting days.

OFFICER RECOMMENDATION

That Council:

1. Notes the revised 2019 Australian Citizenship Ceremonies Code.
2. Endorses the feedback provided to the Department of Home Affairs on the revised Australian Citizenship Ceremonies Code which sought the Code be amended to state that ceremonies 'should be scheduled to avoid parliamentary sitting days' rather than 'must be scheduled to avoid parliamentary sitting days' .

17. RECONCILIATION ACTION PLAN

Jim Nolan – Chief Executive Officer

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

File No: 16/20/06

PURPOSE

The purpose of this report is to seek Council's endorsement of the draft Reconciliation Action Plan.

BACKGROUND

In October 2018, Council considered a report on the status of development of the Reconciliation Action Plan (RAP) and resolved that Council:

1. *Provide continuing support to the development of the RAP;*
2. *Allow the opportunity for the public to provide feedback on the RAP; and*
3. *Provide in principle support of the adoption of the RAP in the future.*

Following the Council meeting the draft RAP was placed on public exhibition and an opportunity provided for feedback. The document was promoted on the Council's website, social media and at the Council Offices, and the Beaufort and Avoca Resource Centres.

The relevant Traditional Owner Groups who were invited to participate in the earlier development were also contacted and invited to comment further.

At the time of preparing this report no submissions have been received.

Reconciliation Australia has also provided comment on the draft and the requested changes incorporated into the revised document attached to this report. It has also been necessary for dates to be changed to reflect the appropriate implementation period.

The Recognition and Settlement Agreement between the Dja Dja Wurrung People and the State of Victoria (RSA) includes a commitment for the state to work with relevant councils including Pyrenees Shire Council to develop a Reconciliation Action Plan (RAP) to be officially endorsed by Reconciliation Australia.

Whilst there is a directive from the abovementioned RSA for Council to develop a RAP, the impetus for Council is multifaceted.

The region of Pyrenees falls within the boundaries of four Aboriginal Traditional Custodians including the Wadawurrung (towards the South and East of the Shire), Dja Dja Wurrung (towards the Northeast of the Shire), Djab Wurrung (towards the Northwest of the Shire) and Wotjobaluk (in a Northwest corner). A further Native Title Claim by the Eastern Maar is currently being reviewed.

According to the 2016 census, 1.9% (135 individuals) of people living in the Pyrenees were Aboriginal and/or Torres Strait Islanders, more than double the state average of 0.8%. The Council already has strong connections to local partners on which it can build, including Langi Kal Kal prison (with which we collaborated to install the Beaufort Lake Koori Art Trail) and offers programs for residents that promote reconciliation (such as Aboriginal Storytime at the Beaufort Community Resource Centre). Furthermore, according to community members, there are many undocumented culturally significant sites throughout the Shire.



ISSUE / DISCUSSION

In order to meet the requirements of the Recognition and Settlement Agreement, the Reconciliation Action Plan has to: 1) adhere to the template and process outlined by Reconciliation Australia; and 2) be endorsed by Reconciliation Australia.

The initial RAP (Reflect) is a 12 month action plan that requires the formation of a working group (consisting of Traditional Owners, community members and other relevant parties) to implement a number of specific actions that focuses on the three pillars of 'Relationships', 'Respect' and 'Opportunities.' The action plan will commence from when the RAP is endorsed by Reconciliation Australia.

After the Reflect RAP is completed, the Council will be required to progress to a three year 'Innovate' RAP, which will deepen Council's commitment to reconciliation. In the longer term, Council will hopefully progress onto three year 'Stretch' RAPs which will result in reconciliation initiatives being incorporated into business as usual.

At the time of preparing this report, while the changes required by Reconciliation Australia have been incorporated into the revised RAP, formal endorsement had not yet been received from Reconciliation Australia.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Strategic Objective 2 - Relationships and Advocacy. We will build and maintain effective relationships with community, government and strategic partners, and advocate on key issues.

2.3 - Maintain strategic partnerships, and participate with peak bodies for support and to enhance advocacy.

ATTACHMENTS

17.1 Attachment – Pyrenees Shire Council Reflect Reconciliation Action plan February 2019-February 2020
– *circulated separately*

FINANCIAL / RISK IMPLICATIONS

While most of the actions contained in the RAP do not require additional funding to be provided, provision of \$5,000 is suggested to be provided over the period of the RAP for implementation.

CONCLUSION

Council has sought to develop and foster strategic partnerships by actively engaging with Traditional owner groups to increase awareness of cultural heritage matters. An outcome from that initiative has been the development of this RAP. The RAP is evidence of Council's commitment to build internal and external relationships with Aboriginal and Torres Strait Islander peoples, communities and organisations in connection with our reconciliation journey by raising awareness and undertaking actions detailed in the RAP.

The draft Reflect RAP has been in preparation for over a year. This work has involved consultation with a range of relevant parties including Reconciliation Australia. The changes sought by Reconciliation Australia have been incorporated into the revised document attached to this report and Council's endorsement is now sought.

OFFICER RECOMMENDATION

That Council:

1. continues to work with Reconciliation Australia and seek their formal endorsement of the Reflect Reconciliation Action plan and
2. endorses the Reflect Reconciliation Action Plan (February 2019-February 2020) with or without amendment



COUNCILLOR REPORTS AND GENERAL BUSINESS

CONFIDENTIAL ITEMS

18. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

That pursuant to the provisions of Section 89(2) of the Local Government Act 1989, the meeting be closed to the public in order to consider contractual and personnel matters that may prejudice the Council.

RECOMMENDATION

That the meeting be closed to members of the public under Section 89(2) of the Local Government Act 1989, to consider reports on the:-

- 19. Internet & Telecommunications Provider
- 20. CEO Performance Review



21. RE-OPENING OF MEETING TO MEMBERS OF THE PUBLIC

RECOMMENDATION

That Council, having considered the confidential item, re-opens the meeting to members of the public.

CLOSE OF MEETING

Meeting closed at

Minutes of the meeting confirmed

2019

Mayor