



Pyrenees
Shire Council

Agenda

Ordinary Meeting of Council

6:00 pm Tuesday 16 July 2024
Council Chambers
Beaufort Council Offices
5 Lawrence Street, Beaufort

Wadawurrung Country

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

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1. WELCOME

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

2. STREAMING PREAMBLE

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

3. ACKNOWLEDGEMENT OF COUNTRY

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

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

4. APOLOGIES

5. NOTICE OF DISCLOSURE OF INTEREST BY COUNCILLORS AND OFFICERS

6. CONFIRMATION OF THE PREVIOUS MINUTES RECOMMENDATION

That the Minutes of the:

- Ordinary Meeting of Council held on 25 June 2024 as previously circulated to Councillors, be confirmed.

7. BUSINESS ARISING

There was no business arising (items taken on notice) from the previous meeting held 25 June 2024.

8. PUBLIC PARTICIPATION

Public Participation

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

9. COUNCILLOR ACTIVITY REPORTS

9.1. COUNCILLOR ACTIVITY REPORTS - JUNE 2024

Cr Damian Ferrari – Beaufort Ward		
11 June 2024	Councillor Briefing	Avoca
11 June 2024	Councillor Cuppa & Chat	Avoca
18 June 2024	Audit & Risk Committee Meeting	Beaufort
25 June 2024	Councillor Briefing	Beaufort
25 June 2024	Council Meeting	Beaufort
28 June 2024	Western Highway Action Committee Meeting	Ballarat
Cr David Clark – Ercildoune Ward		
5 June 2024	Lexton Flood Study Drop In Session	Lexton
7 June 2024	MAV Board Meeting	Melbourne
11 June 2024	Councillor Briefing	Avoca
11 June 2024	Councillor Cuppa & Chat	Avoca
13 June 2024	HLEN Committee Meeting	Virtual
20-21 June 2024	MAV Rural & Regional Planning Conference	Creswick
25 June 2024	Councillor Briefing	Beaufort
25 June 2024	Council Meeting	Beaufort
28 June 2024	MAV Board Meeting	Melbourne
Cr Robert Vance – De Cameron Ward		
5 June 2024	GBAC Committee Meeting	Ballarat
7 June 2024	Pyrenees Art Show Opening	Beaufort
11 June 2024	Councillor Briefing	Avoca
11 June 2024	Councillor Cuppa & Chat	Avoca
20 June 2024	Timber Towns Victoria General Meeting	Virtual
25 June 2024	Councillor Briefing	Beaufort
25 June 2024	Council Meeting	Beaufort
27 June 2024	National Timber Councils AGM	Virtual
Cr Ron Eason – Avoca Ward		
4 June 2024	Avoca Chinese Garden Meeting	Avoca
11 June 2024	Councillor Briefing	Avoca
11 June 2024	Councillor Cuppa & Chat	Avoca
18 June 2024	Audit & Risk Committee Meeting	Virtual
25 June 2024	Councillor Briefing	Beaufort
25 June 2024	Council Meeting	Beaufort
Cr Tanya Kehoe – Mount Emu Ward		
11 June 2024	Councillor Briefing	Avoca
25 June 2024	Councillor Briefing	Beaufort
25 June 2024	Council Meeting	Beaufort

OFFICER RECOMMENDATION

That Council notes this report.

10. ASSEMBLY OF COUNCILLORS**10.1. ASSEMBLY OF COUNCILLORS - JUNE 2024**

MEETING INFORMATION			
Meeting Name	Councillor Briefing Session		
Meeting Date	11 June 2024 commenced at 1.00pm and closed at 4.51pm		
Meeting Location	Avoca RTC		
Items Discussed	<ol style="list-style-type: none"> 1. Digital Transformation Project Update 2. Frontline Service Review 3. Economic Development Update 4. Planning Update 5. Central Victorian Greenhouse Alliance 6. Budget Submissions 7. Fire Recovery 8. CEO Update 		
ATTENDEES			
Councillors	Mayor Cr Robert Vance Cr Damian Ferrari Cr Tanya Kehoe (virtual)	Cr David Clark Cr Ron Eason	
Apologies	Nil		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services) Ray Davies (Manager Economic Development & Tourism) - item 3 Rachel Blackwell (Manager Planning and Development Services) - item 4 Noel McKeegan (Environment & Sustainability Coordinator) - item 5		
Visitors	Annika Kearton (CVGA) - item 5		
CONFLICT OF INTEREST DISCLOSURES			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

MEETING INFORMATION			
Meeting Name	Councillor Briefing Session		
Meeting Date	25 June 2024 commenced at 1.00pm and closed at 5.15pm		
Meeting Location	Council Chamber, Beaufort		
Items Discussed	<ol style="list-style-type: none"> 1. Planning Applications 2. Customer Satisfaction Survey 3. Old Beaufort Primary School 4. Housing 5. CEO Update 6. Inspection of sites in Beaufort 		
ATTENDEES			
Councillors	Mayor Cr Robert Vance Cr Damian Ferrari Cr Tanya Kehoe (virtual)	Cr David Clark Cr Ron Eason	
Apologies	Nil		
Staff	Jim Nolan (Chief Executive Officer) Douglas Gowans (Director Assets and Development Services) Kathy Bramwell (Director Corporate and Community Services) Rachel Blackwell (Manager Planning and Development Services) - item 1		
Visitors	John and Marge Caulfield and Jason Nalder - item 1 (1.30pm)		
CONFLICT OF INTEREST DISCLOSURES			
Item No:	Councillor making disclosure	Particulars of disclosure	Councillor left meeting
Nil			

OFFICER RECOMMENDATION

That Council notes this report.

11. ITEMS FOR DECISION

11.1. ECONOMIC DEVELOPMENT AND TOURISM

11.1.1. ECONOMIC DEVELOPMENT UPDATE

Presenter: Jim Nolan - Chief Executive Officer

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

Report Author: Ray Davies – Manager Economic Development and Tourism

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

File No: 22/02/02

PURPOSE

The purpose of this report is to inform councillors on recent activities of the Economic Development and Tourism team over the June quarter 2024.

BACKGROUND

Economic Development Activities for the June quarter

Throughout the past quarter progress has continued on the projects and activities outlined below:

- The business case for the Southern Wimmera and Northeast Pyrenees Water Supply Project.
- Beaufort Linear Masterplan project.
- Beaufort Lake Caravan Park redevelopment.
- The Shop Façade Program follow ups.
- Tourism Midwest Vic Destination Management Plan and Local Area Action Plan.
- The digital connectivity project.
- Fire recovery from the Bayindeen bushfire
- Business support
- Events and tourism campaigns

SWNP Water Supply

The business case has now been drafted and circulated by GWMWater in the first week of July to members of the Project Control Group for review and identifies the level of funding required by State and Commonwealth Governments and key stakeholders.

The project cost is estimated at around \$160M and has a positive Benefit Cost Ratio.

A public meeting is proposed in the near future to update the community on progress to date, the next steps including those of landholders looking to secure water supplies.

A further update on this project will be provided to Council by the end of September.

Beaufort Linear Masterplan

The consultants' hydrological investigations have commenced at the time of drafting this report. This work is being undertaken to establish the impacts (positive or negative) of the proposed changes to the alignment of creek flows, introduction of swales etc. in the masterplan designs along the watercourse. Completion of any revisions to the masterplan can then be made together with completion of the economic assessment which was incorporated into the initial scope of the project.

Beaufort Lake Caravan Park

Council was invited to submit a full application for the \$1M Commonwealth Governments Growing Regions Fund at the beginning of the year and has been advised the application has been unsuccessful. Efforts are

now focused on funding alternatives through the Victorian Government Regional Tourism Infrastructure Fund which is due to close on 19 July.

Planning approval for the parks redevelopment was granted by Council at its' June 2024 meeting and efforts are now turning to procurement of those cabins that are being jointly funded by \$500K from Council and \$500K from the Victorian Government through the Regional Infrastructure Fund.

Shop Façade Program

Council has approved 23 grants under the shop façade program over the previous two financial years.

At the beginning of June 2024 there were nine incomplete projects and follow up contact has been made during June to each of these recipients to either secure a variation to finalise their projects by September 30 this year or forego their funding under the program.

In response to this contact:

- Five recipients have requested to extend their timelines for completion to 30 September,
- Three recipients (all from the 2022/23 grant round) have not responded to our offer of extending timelines as yet and,
- One recipient is no longer proceeding with their project and these funds will remain with council.

Tourism Midwest Strategies

The Destination Management Plan and Pyrenees Local Area Action Plan were reported to the June council meeting.

The DMP has now been endorsed by the board of TMV and the Pyrenees LAAP has been placed on public exhibit for a period of four weeks until 31 July, to receive submissions by community members and industry stakeholders. The Pyrenees LAAP indicates there were 223,000 visitors who spent \$37M in 2023.

Direct email contact has been made to local tourism operators in this regard.

A further council report will be issued once submissions close, and these have been given due consideration.

Digital Connectivity Plan

Since February the ED&T unit have been working with representatives of Telstra and NBN to document a Pyrenees Shire Connectivity Plan.

The aim of the plan is to improve both digital connectivity and digital literacy and identify any needs for installations of new telecommunications technology. While telecommunications remain a responsibility of the Commonwealth, council may have an advocacy role for funding of new infrastructure in due course. In the past this has included the Victorian governments "Connecting Victoria" Program which has been aimed at fast tracking mobile and broadband connectivity.

The <https://www.vic.gov.au/find-a-project> website indicates that eight projects across the Shire have been completed and three are in progress.

Of these eight have been mobile and three are broadband projects. The three projects in progress at this time are:

- NBN Broadband project for Lexton forecast for completion 24/25 Q1
- NBN Broadband project for Waterloo forecast for completion 24/25 Q1
- Telstra mobile project at Snake Valley forecast for completion 23/24 Q4

A survey was launched in June to understand the connectivity experiences of residents across the Shire. To date there have been 95 responses with the survey due to close 9 July. The survey is expected to highlight areas requiring improved connectivity and also the need for improved education to increase digital literacy.

A series of digital roadshow drop in events occurred at the end of May at Cross Roads CFA shed (west of Beaufort), Moonambel and Lexton. Members of Telstra, NBN Co, Regional Tech Hub and Agriculture Victoria attended these sessions to respond to enquiries from Shire residents.

A workshop with council staff was also held at this time to help inform the Pyrenees connectivity strategy.

This workshop included information and feedback about considerations for telecommunications infrastructure when land is being subdivided, during emergency events and to support communities in times of natural disasters.

The drop-in sessions, interim survey results and conversations with telecommunications agencies have highlighted there is an ongoing need for:

1. Education about telecommunications technology that is already available and how to access it (Telstra, NBN Co and Regional Tech Hub have been instrumental in this)
2. An improved understanding of the functionality of smart phones. "Get Techy" sessions hosted at Pyrenees libraries include representation by Council and NBN staff. These sessions are being well attended and the demands for them will continue as technology evolves.
3. Supporting the transition from the 3G network which may have implications for 3G based agricultural technology and businesses which may still have 3G EFTPOS machines,
4. A better understanding by residents of the need to upgrade hardware as systems migrate to 5G, improved satellite and wireless aerial systems become available and growing demands for greater download speeds on computers etc.

The Digital Connectivity Plan is due to be finalised towards the end of July and identify actions required of Council. These will encompass advocacy for funding and delivery of educational programs. The plan will be subject to regular revision as new telecommunications infrastructure such as satellites and wireless arials are installed, and digital technology evolves.

Fire Recovery

Tourism

Since the previous ED&T update in April there remain a number of tourism businesses in the vicinity of Mt Cole and the Mt Buangor State Park whose business models benefit from nature-based tourism. These businesses will therefore benefit from reopening of these parks in due course.

There has been ongoing advocacy by Council and Tourism Midwest Vic to support the reopening of these nature-based assets as soon as possible and once it is safe to do so.

Some positive announcements were made during the first week of July about access to campgrounds and some walking tracks at Mt Cole while the Mt Buangor State Park remains closed due to significant damage to campgrounds and walking tracks including the popular the Beeripmo Walk. There is a significant amount of work to be done to restore Mt Buangor State Park before it is operational again and no timeline has been given.

The Parks Vic website was updated at the beginning of Jul 2024 and indicates the Mount Buangor State Park "is closed and will remain so for some time due to extensive damage" while "a recovery program is being developed".

Agriculture

Dry seasonal conditions emerging in recent months are impacting the broader region now, including those farmers whose properties were subject to the fires at the beginning of the year. Most farmers across the region are having to provide supplementary feed to livestock due to the prevailing dry conditions.

Agriculture Victoria's weekly newsletters are running information on dry seasons and drought support and the Department also hosted an animal nutrition day at Elmhurst on 8 May.

The Department of Agriculture Forestry and Fisheries June Crop report estimates that this year's winter crop production in Victoria will be 13% below that of 2023-24 but still 16% above the ten year average to 2023-24. The report goes on to say that the three month rainfall outlook (June to August) issued by the Bureau of Meteorology on 23 May 2024, indicates that below average to average winter rainfall is likely for Victoria (35% to 55% chance of exceeding the winter median).

General Fire Recovery

For the week ending 1 July BlazeAid report that fencing recovery encompassed:

- # Properties Registered: **79**
- # Properties Started: **23**
- # Properties Completed: **50**
- Overall Progress: 63% (Based on the number of property owners completed rather than kilometres yet to do)
- Total Fence Cleared: **109.63km** (*No cleaning work was done in the last 7 days, only rebuilding.*)
- Total Fence Rebuilt: **74.87km**
- Total Unique Volunteers: **192**
- Total Volunteer Days: **2,657**

Recovery outreach sessions at Raglan and Amphitheatre concluded after the first week of April and the Recovery Team are currently making themselves available to the community at the Beaufort Community Resource Centre on Wednesday of each week.

A mental Health Clinician is also attending these sessions having been funded through the Victorian Governments Partners in Wellbeing Program.

Business Support

A range of workshops have been delivered across the Shire and these include:

- Pyrenees Connectivity Roadshow with Telstra, NBNCo, Regional Tech Hub & Agricultural Victoria.
 - Tues 21 May – Crossroads CFA Shed
 - Wed 22 May – Summerfield Winery
 - Wed 22 May – Lexton Hub

Modest turn up at each, however valuable insight to understanding the community's challenges with connectivity. This feedback will help inform the connectivity activity plan.

- Digital Connectivity Survey opened 6 June 2024 – 12 July 2024
 - 95 responses to date
- Social media and content Market Workshop, Beeripmo Centre (Business Victoria) 7 May 2024
 - 17 people registered.
- Agritourism 101 session (Tourism Midwest Vic) Waubra Springs Hotel 19 June 2024
 - 6 people registered.

Staff also attended three networking Events hosted by Business for Beaufort (B4B):

- Community Recovery and Connect 30 April
- Women in Business 28 May

- Men in Business 25 June

Events

Pyrenees Shire events continue to thrive despite economic concerns. Highlights include:

- Pyrenees Unearthed: Strong attendance of 1,000.
- Lake Goldsmith Steam Rally: Successful turnout by around 4,000 patrons with favourable weather.
- Avoca Autumn Races
- Pyrenees Art Show
- Beaufort Market: New seasonal market attracting strong attendance.
- Avoca Market: Consistent monthly draw.
- Music Events at a range of cellar doors and hospitality venues continue to contribute to a vibrant events calendar.

The new Waubra Market closed due to competition from a new Ballarat Market on the same day and has struggled with numbers for the last couple of markets.

The free community event Avoca by the River which was postponed due to the fires was delivered in late April. Those who did attend enjoyed this free community event with perfect Autumn weather.

Tourism

Road to Red Winter Campaign

From May to August we run the Road to Red Campaign inviting visitors to celebrate the chilly days in the Pyrenees. The hero wines of the region are their Red Varieties, particularly the Shiraz and Cabernet. By developing Road to Red we are highlighting these varieties while promoting the Pyrenees as the best place in Victoria to find phenomenal wines and a must destination for red wine drinkers.

More than just a wine region, people can find themselves around a campfire, in cosy accommodation, exploring local art, enjoying wood fired cuisine and other comfort food.

Target Audience

- Ballarat has been identified as the key geographic target market for the visitor economy in the Pyrenees Shire Council Marketing Strategy.
- Lifestyle Leader. These people represent 29% of the population nationally or 1.4 Million Victorians AND are characterized as educated, affluent, socially active and influential. Importantly they buy into regional short breaks and like to experience nature and wilderness along with the finer things in life including food and wine.
- Food and Wine Lifestylers. This core target segment represents around 14% of the population nationally or 660,000 Victorians. They are more likely to be in a couple; they're attracted to interesting, authentic and new culinary experiences
- Melbournians living on the North and West side of the city.
- Educated, Higher discretionary spend, Professional/white collar, Socially active and influential

Objectives

Our campaign objectives are aimed at achieving the following:

- Increasing Visitation to the Pyrenees Region during winter.
- Enhance awareness of the Pyrenees Wine Region by promoting it as a producer of premium red wines.
- Emphasise the difference of the Pyrenees wine region to other regions.
- Highlight cellar doors and accommodation venues etc. with wood fires

- Promote nature experiences including cycling, hiking and campfires
- Encourage visitation to venues that encompass the Road to Red theme such as woodfired cuisine at Wayward Winery and Summerfield
- Publicise comfort food from our local hotels, bakeries and cafes
- Highlight the many things to see and do in the Pyrenees to turn a day trip into a weekend long stay

Digital Statistics

Facebook

	Organic Posts Reached	Organic Page Visits	New Followers	Paid Ad Reach
Apr – June 2023	27,360	1,100	78	
Apr – June 2024	41,239	1,800	90	12,884

Instagram Organic Posts

	Posts Reached	Page Visits	New Followers	Paid Ad Reach
Apr – June 2023	1,646	267	32	
Apr – June 2024	2038	285	54	406

The number of Facebook followers for Visit Pyrenees has increased from 2,984 to 3,593 over the past twelve months and Instagram has risen from 1,658 to 1,807 in the same period. These increases have been due to the combined effects of:

- Themed seasonal campaigns, Road to Red during winter, Unplug and Unwind during spring to early summer and Play in the Pyrenees from mid summer to the end of autumn,
- Targeted Facebook boost messages about our campaigns and competitions.

Visit Pyrenees Website

- 8.2K Users
- 8.1K of those users were new users
- 570 visits have been through social media posts, 7.4K through organic search

Most visited pages were Road to Red Wine Region 2K, Winery Accommodation 572, Whats On 564, Mount Cole State Forest 522, Top Things to do in Beaufort 335.

ISSUE / DISCUSSION

This report is for information only.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 1 - People

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

Priority 2 - Place

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

2c. Promote responsible development.

Priority 3 - Environment

3b. Foster a climate change resilient community.

Priority 4 - Economy

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

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

Enabling Principles

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

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

This report is for information only.

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

This report is for information only.

CONCLUSION

This report is for information only.

OFFICER RECOMMENDATION

That Council:

1. Continues to work with Grampians Wimmera Mallee Water and neighbouring councils to advocate to state and federal governments for commitment towards the Southern Wimmera Northeast Pyrenees Pipeline project highlighting the findings of the feasibility study and business case.
2. Acknowledges the input to the digital connectivity survey and incorporates these into the final Connectivity Plan to be used to inform Council's advocacy for ongoing investment in digital communication in the region.
3. In conjunction with Tourism Midwest Victoria, supports the Road to Red winter campaign to attract visitation to the region.

11.2. ASSET AND DEVELOPMENT SERVICES

11.2.1. ADOPTION OF 2024-2028 ONSITE WASTEWATER MANAGEMENT PLAN

Presenter: Douglas Gowans - Director Asset and Development Services

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

Report Author: Rachel Blackwell – Manager Planning and Development Services

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

File No: 50/26/04

PURPOSE

This report seeks a resolution from the Council to adopt the 2024-2028 Onsite Wastewater Management Plan (OWMP).

BACKGROUND

The council has a statutory responsibility to administer the use and installation of onsite wastewater management systems within the shire. It must also assess the risks and identify strategies to manage these systems, via a DWMP (Domestic Wastewater Management Plan).

The council's current Domestic Wastewater Management Plan 2015-18 (DWMP) has been in effect since being adopted in July 2015. There have been significant updates in legislation and guidelines which provide the framework for effective onsite wastewater management in recent years necessitating a review and rewrite of the plan.

In 2023, the Council was successful in obtaining a grant from the Department of Energy, Environment and Climate Action (DEECA) to undertake a project to review our DWMP.

The introduction of the EPA's General Environmental Duty (GED), which requires all Victorian to be responsible for the protection of the environment, gives Council the opportunity to extend the scope of the OWMP to capture all Wastewater Systems in the municipality onto our database.

Pyrenees Shire Officers engaged with the Catchment Management Authorities (CMA), Water Corporations (WC), and EPA inviting feedback and changing the draft prior to public consultation.

ISSUE / DISCUSSION

The new plan has been developed using a combination of the guidelines prepared by the MAV (Municipal Association of Victoria) (Municipal Association of Victoria), new legislation, guidelines, and frameworks prepared by EPA (Environmental Protection Authority) and DEECA, and a review of neighbouring council plans. The scope of the plan has not changed significantly, with the focus SWSCA (Special Water Supply Catchment Areas) on monitoring and compliance in SWSCA and high risk unsewered townships.

The OWMP was presented to the public for a consultation period of 2 weeks in May 2024. The council's engagement hub, website, and public notices were utilised and direct engagement via email invited local plumbers, land capability assessors, neighbouring Councils, and property owners with wastewater systems to provide feedback. The WC, CMA, EPA and DEECA were also invited to make further comments.

Council received extensive feedback from Central Highlands Water prior to public consultation period that allowed us to address areas of particular concern to them from a risk perspective prior to finalising the draft plan. Goulburn-Murray Water also provided feedback supporting the scope and actions of the plan.

During the public consultation period Council received formal submissions from Central Highlands Water, DEECA and Wimmera CMA as well as and two responses via the Engagement Hub.

DEECA provided excellent technical advice around some updates required to references relating to newly released guidance documents which has been incorporated into the final draft.

Central Highlands Water's formal response was supportive of the plan and required no further changes to be made. The extensive engagement with CHW (Central Highlands Water) throughout the development process contributed to this outcome.

Wimmera CMA provided a response that they found no issues with the plan.

Feedback from the Engagement Hub addressed general concerns around EHO's requiring progress inspections of septics and that Council's seem reluctant to follow up un-serviced treatment plants. The other submission suggested it would be helpful to include a document noting the differences between the two plans. Future engagement will look to provide such an Impact Statement.

A summary of all consultation responses is provided as **Attachment 1**.

All the relevant feedback has been incorporated into the final plan as well as an extra Appendix reference which provides further information about the Declared Special Water Supply Catchment areas. The final Onsite Wastewater Management Plan 2024-2028 is provided as **Attachment 2**.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 1 - People

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

Priority 2 - Place

- 2b. Enhance the liveability and resilience of our communities.
- 2c. Promote responsible development.

Priority 3 - Environment

- 3a. Continue being an environmentally progressive organisation.
- 3b. Foster a climate change resilient community.
- 3c. Encourage community care of biodiversity and natural values.
- 3d. Improve waste management to reduce landfill and reduce harm to the environment.

Priority 4 - Economy

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

Enabling Principles

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

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

As detailed in the report, direct consultation was undertaken with key stakeholders including an Engagement Hub presentation, information on Council's website and through Noticeboard promotion.

Details regarding the consultation engagement are contained as an attachment to this report.

ATTACHMENTS

1. 2024 OWMP Consultation summary [**11.2.1.1** - 7 pages]
2. 2024 2028 Pyrenees Shire OWMP Final [**11.2.1.2** - 45 pages]

FINANCIAL / RISK IMPLICATIONS

Council has a statutory responsibility to administer the use and installation of onsite wastewater management systems within the shire under the *Environment Protection Act 2017*.

It must assess the risks and identify strategies to manage these systems, via an onsite wastewater management plan (OWMP) as set out in the *Order for Obligations of managers of land or infrastructure (Urban stormwater management and On-site wastewater management)*.

There is also a requirement set out in the *Planning permit applications in special water supply catchment areas guidelines* for Council's to protect via an OWMP.

CONCLUSION

The 2024-2028 Onsite Wastewater Management Plan (OWMP) has been finalised and is required to be formally adopted by the Council.

OFFICER RECOMMENDATION

That Council:

1. Adopts the 2024-2028 Onsite Wastewater Management Plan (OWMP).

11.3. CORPORATE AND COMMUNITY SERVICES

11.3.1. RISK MANAGEMENT - INSURANCE PROGRAM RENEWAL 2024-2025

Presenter: Kathy Bramwell - Director Corporate and Community Services

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

Report Author: Dean Miller – Manager Governance and Performance

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

File No: 38/02/04

PURPOSE

This report is presented for Council to endorse the insurance program renewal placed for the 2024/25 financial year.

BACKGROUND

As part of good governance, and mitigation of risk, the Council annually purchases and maintains insurance as part of sharing risk for various lines including public liability, professional indemnity, property, crime, cyber security, travel, and motor vehicles.

In line with previous years, the Pyrenees Shire Council has maintained its relationships with the Municipal Association of Victoria (MAV) for liability and professional indemnity coverage through the Liability Mutual Scheme, and its risk advisor, JLT Public Sector.

ISSUE / DISCUSSION

The annual insurance program was successfully procured for another year, commencing 1 July 2024, at a total increase of 18.7% for the total program.

The largest percentage increase was for property protection, significantly impacted by the widespread flood event in October/November 2022.

Total insurance costs were almost 2.5% of Council's 2024/25 budgeted revenue which is a high percentage for a financially constrained council like ours. Potential strategies to minimise future premiums and reduce this percentage will be discussed and reported back to the Council in late 2024.

Commercial-in-confidence information relating to individual insurance line premiums has been provided to the Council separately. The insurance program renewal was required by 1 July 2024 and, as has been the case in previous years, renewal information was received too late to be provided to Council at its June 2024 meeting for advance approval. Indicative costs are, however, included within Council's budget.

Due to timing constraints and the mandatory nature of needing an insurance program in place, the insurance program has been accepted on behalf of Council and the Council is now requested to provide endorsement of the decision made to procure insurance at a total cost of \$614,127.07 for the 2024/25 financial year.

The insurance lines held by Council for 2024/25 include:

- **Property** – renewal made with the JMAPP Discretionary Trust Program.

Council renewed its membership with the JMAPP Discretionary Trust program for 2024/25. This arrangement is not insurance but is authorised and classified by ASIC (Australian Securities and Investments Commission) as a managed investment scheme and mutual risk product.

The structure of JMAPP is designed to reduce the reliance on the traditional insurance market using the managed Aggregate.

This program covers property located in Australia that is the responsibility of its members including Council's catalogue of artworks.

- **Public Liability and Professional Liability** – renewal made with the MAV's Liability Mutual.

Council renewed its membership with the MAV's Liability Mutual Insurance (LMI) Scheme. This scheme covers liability for personal injury and property loss arising through Council's actions or absence of action, plus professional indemnity against decisions made by council officers.

- **Motor Vehicle Policy** – renewal made with Vero Insurance.

This policy provides fully comprehensive coverage for all registered motor vehicles, including heavy fleet vehicles, owned, and operated by the Council.

- **Personal Accident Policy** – renewal made via Victor Underwriting with Chubb Insurance.

This policy provides coverage for Councillors, officers and volunteers working or engaged on behalf of the Council where that work is officially organised by and under the control of Council, except where such expenses are covered by Medicare.

- **Corporate Travel Policy** – renewal made via Victor Underwriting with Chubb insurance.

This policy provides coverage in respect of Council business provided such travel involves a destination fifty (50) kilometres or more from the covered person's home or normal place of business.

- **Community Liability Pack Policy** – renewal made with QBE Insurance.

This policy provides coverage for:

- Uninsured casual, ad-hoc and regular hirers of Council Owned or Controlled Facilities for activities conducted at and from the hired facility, provided hire occurs no more than 52 times per annum (per hirer).
- Uninsured Council-run or Council-approved events or programs include performers, stallholders, artists, buskers, street stallholders, artists occupying studios, tutors, instructors and similar. Coverage includes the various activities of the insured whilst participating in an event or program organised by Council or an event or program organised by others where Council requires coverage.
- Uninsured permit holders (liability coverage) including:
 - Local trader permit holders for the placement of advertising boards and other merchandise on footpaths or areas deemed to be Council property under a permit issued by Council.
 - Community garden permit holders – residents setting up and maintaining gardens on Council property including nature strips or planter boxes, under a permit issued by Council.

- **Cyber Liability Policy** – renewal made with a panel of insurers, led by Chubb Insurance.

Cyber-security is one of the highest rated risk concerns in 2024 and has potential impacts on other key risks including financial sustainability, business interruption, and statutory / regulatory requirements.

The cyber insurance market has seen the greatest volatility over the past few years and in the last 12 months the market has changed with new entrants and refined risk selection from insurers, including the introduction of co-insurance clauses for ransomware, shared computer system limitations, widespread events definitions along with premium and deductible increases.

- **Councillors' & Officers' Liability Policy** – renewal made with AXA XL.

This policy provides coverage for claims brought against Council or insured persons (Councillors and Council Officers). Changes in legislation reducing the coverage permissible for Councillors under investigation for misconduct may have contributed to premium easing for this policy.

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 4 - Economy

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

Enabling Principles

b. Provide transparency and accountability

c. Use resources efficiently and effectively

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

This report is considered a method of informing our community on Council meeting its mandatory obligation to protect Council people, assets, and operations through an appropriate insurance program.

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

Significant financial and risk implications are inherent in a poorly procured insurance program. Risks include insufficient coverage in the event of a disruptive incident, inability to obtain appropriate insurance, and exposure to an extremely variable cost impost year on year.

Financial risk exists small rural councils with the high cost of insurance when compared to revenue. In 2024 the insurance procurement cost represents approximately 2.5% of Pyrenees Shire Council's budget revenue for the year.

CONCLUSION

Insurance has been procured for the 2024/25 financial year through MAV/JLT Public Sector with premium detail provided to Council separately. The Council is asked to endorse payment of the 2024/25 insurance premiums, which reflect an overall increase of 18.7% over the previous year.

OFFICER RECOMMENDATION

That Council:

1. Notes the information provided in this report, and
2. Endorses payment of \$614,127.07 for the procurement of the 2024/25 insurance program.

11.3.2. CUSTOMER CONTACT - JUNE 2024

Presenter: Kathy Bramwell - Director Corporate and Community Services

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

Report Author: Kathy Bramwell – Director Corporate and Community Services

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

File No: 16/24/06

PURPOSE

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

BACKGROUND

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

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

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

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

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

Although the 2024 Customer Satisfaction Survey Report, received in June 2024, indicates a possible halt to the declining trend in customer satisfaction over the past 10 years, effort to improve in this regard continues and this report will continue to be reformatted in the future to expand information on officer response to community contact to demonstrate efforts to not just halt the trend, but to reverse it.

ISSUE / DISCUSSION - CUSTOMER CONTACT

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

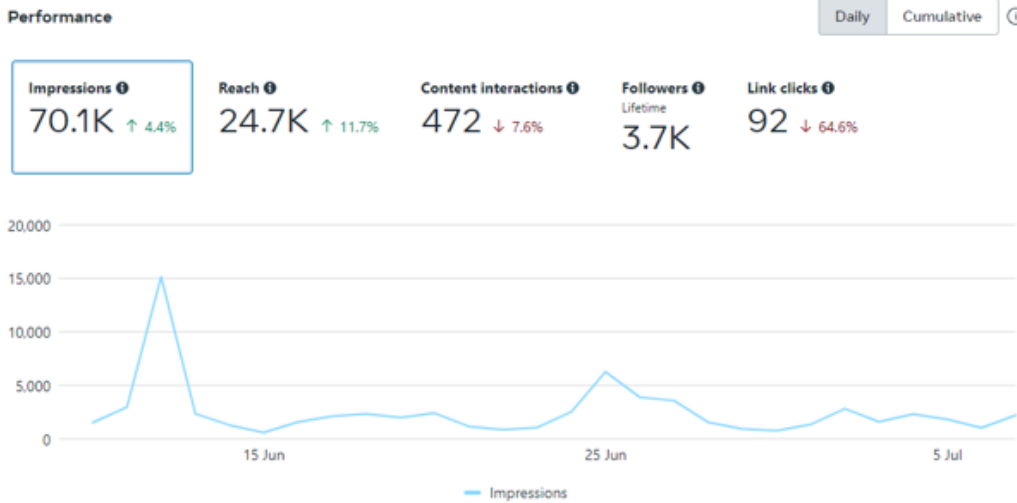
Customer contact media	Jul 2023	Aug 2023	Sept 2023	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	Mar 2024	Apr 2024	May 2024	Jun 2024

Legitimate emails received by the organisation*	40,273	37,273	37,439	21,989	24,478	19,055	18,871	30,221#	24,738	23,720	24,977	22,664
Emails rejected (cyber protection)	10 0.02%	7,743 17%	14,773 40%	12,613 34%	11,483 32%	8,045 30%	9,669 34%	36,630 55%	26,452 52%	6,516 22%	7,505 23%	6,476 22%
Inbound malware detected	-	-	-	-	-	-	-	-	4	4	2	2
Emails sent by organisation (external)	8,349	9,169	9,529	10,138	8,439	7,295	6,485	11007#	8,825	9,220	10,212	8,843
External complaints received	3	4	2	2	4	2	3	6	7	5	3	2
FOI Requests	1	4	2	10	0	0	0	1	2	2	3	3
Requests for infringement reviews	1	2	0	2	1	6	15	0	6	2	3	3
Website page views	17,970	17,086	17,242	16,133	15,891	12,638	16,047	20,521	17,342	18,311	15,324	14,074
Website users	5,472	5,570	6,017	5,556	5,893	5,000	6,015	8,081	6,314	7,325	5,452	5,373
Website contact us page views	645	614	473	542	413	354	410	600	540	462	420	361
Website customer enquiry form	54	65	57	69	60	40	56	50	57	52	54	40
Telephone Calls Received by PSC (total)	-	-	-	-	-	-	-	-	2,276	2,249	2,264	2,043
Calls answered by Switchboard / Customer Service	-	-	-	-	-	-	-	-	1,997 88% of total	1,988 88% of total	1,959 87% of total	1,785 87% of total

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

Email traffic impacted by fire response (increase).

Facebook snapshot



Comments:

- Top website pages viewed: recruitment/employment, waste management (transfer stations and collection dates), fire recovery information, and events.
- Customer enquiries received via the website focused on roads, rates, and pets.
- Complaints related to the differential rating of a property, and animal registration reminders.
- Infringement appeals all related to parking fines for parking in a disabled zone without a permit.
- FOI requests related to historical information about a motorcycle race held on private land, property records relating to the winding up of an estate, and evidence of professional indemnity insurance cover for building inspectors and environmental health officers.

Compliments

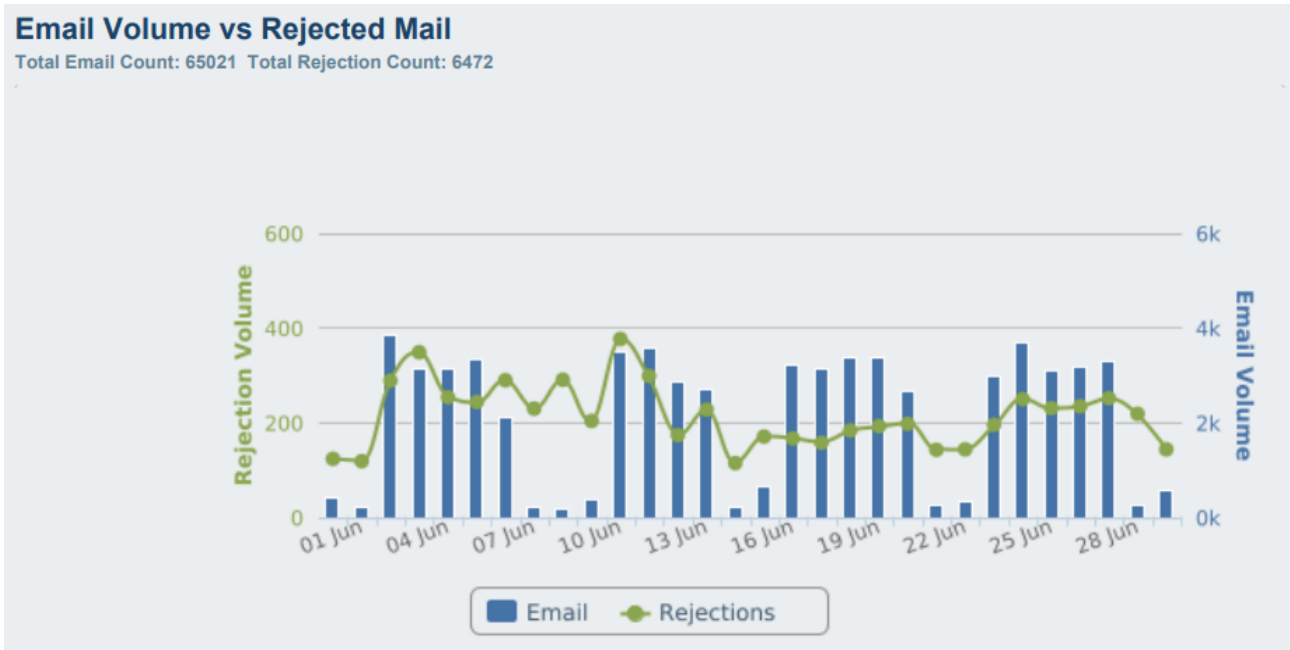
At the June 2024 Ordinary Council Meeting, Councillors highlighted a gap in customer contact reporting in that compliments received were not reported. Over the next months, efforts will be made to improve recording of compliments received which will be reported to Council as part of this report.

In June 2024 we received:

- A letter of appreciation from the State Department of Health, thanking Council for the delivery of Regional Assessment Services (RAS) in Victoria, on behalf of the Department. Council's contract for the delivery of these services ended on 30 June 2024 and will not be renewed thereafter.

Cyber security assurance:

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



- 46% of inbound emails rejected were for IP addresses found to be in remote block lists known to be sources of spam or malware infection.
- 205 (3% of all rejections) messages were rejected as spam.
- 2 cases of inbound Malware were detected during the month.
- Zero emails were detected during the month that were attempts to impersonate someone – e.g., attempting to look like emails from another member of staff.

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

The system also holds emails where they may be suspected, but not confirmed spam. These are notified to the email recipient for checking and approval. 280 emails were held for this purpose during the month.

Library Daily and Weekly Feedback – Smiley Touch

The frontline counters have commenced a trial using a technology – Smiley Touch – that measures customers’ satisfaction as they interact with our staff. It is early days but this will allow a growth in the ability to receive, and respond to, immediate feedback. The system allows for customers to input feedback on their experience at the front counters and for us to respond quickly to issues raised. The following provides statistics for June 2024.

44 responses were received, of which 89% were recorded as happy experiences. An increase was seen in the second half of the month:

Pyrenees Shire Council

10/06/2024 - 16/06/2024

Positive feedback

78%

based on 23 responses

Weekly report
10/06/24 – 16/06/24

Unit report
Smiley Touch

How was your Library experience today ?

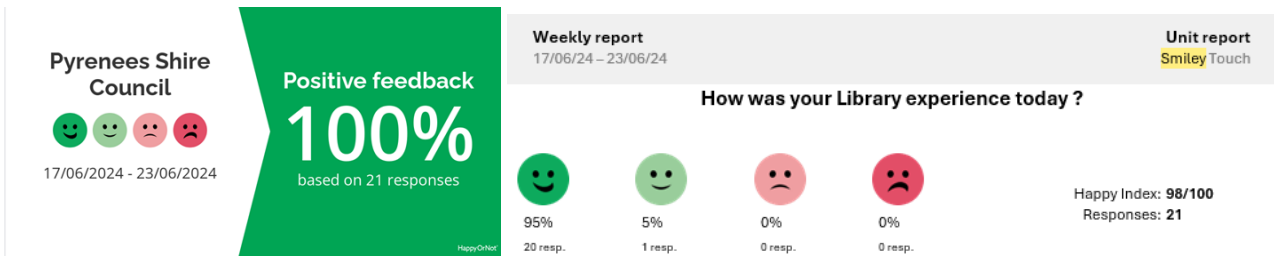
69%
16 resp.

9%
2 resp.

13%
3 resp.

9%
2 resp.

Happy Index: **80/100**
Responses: **23**



In the early part of June, open feedback provided one positive and two negative comments which will be acted upon – one related to staff acknowledgement of customers upon entry and the other regarding the quality of the computers. No feedback was received in the latter part of the month.

ISSUE / DISCUSSION - CUSTOMER ACTION REQUESTS

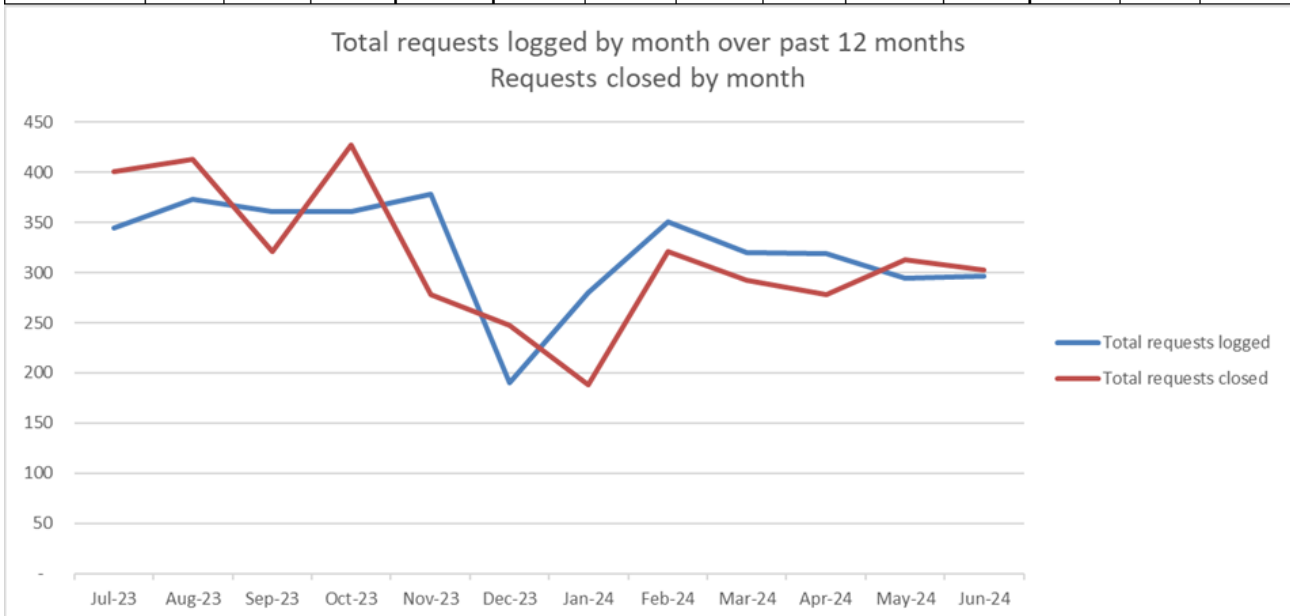
1. Logged and closed requests

296 CARs (Customer Action Requests) were logged during the month, 2 more than the previous month. Of these, 67 related to telephone messages.

303 requests were closed during the month.

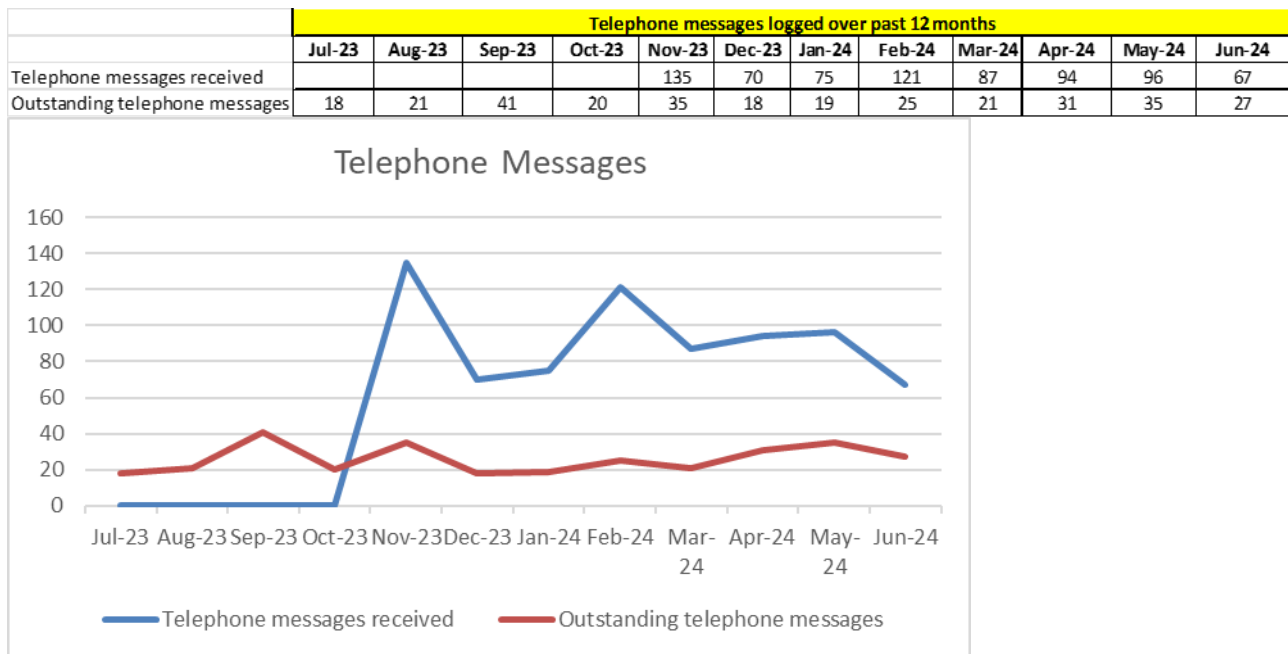
The following charts detail the numbers of requests received over the last 12 months and the number of requests closed each month.

Year	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	% Change
Total requests logged	344	373	361	361	378	190	280	351	320	319	294	296	1%
Total requests closed	401	413	321	427	278	247	188	321	292	278	313	303	-3%



2. Telephone requests

67 telephone calls were transferred into requests during the month, with 27 requests remaining outstanding at the end of the month. The following charts detail the trend in telephone calls received and remaining outstanding at the end of each month.



3. Open Customer Action Requests

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

At the end of the reporting month, there was a total of 279 active or open requests, of which 132 were assigned for action. These include:

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

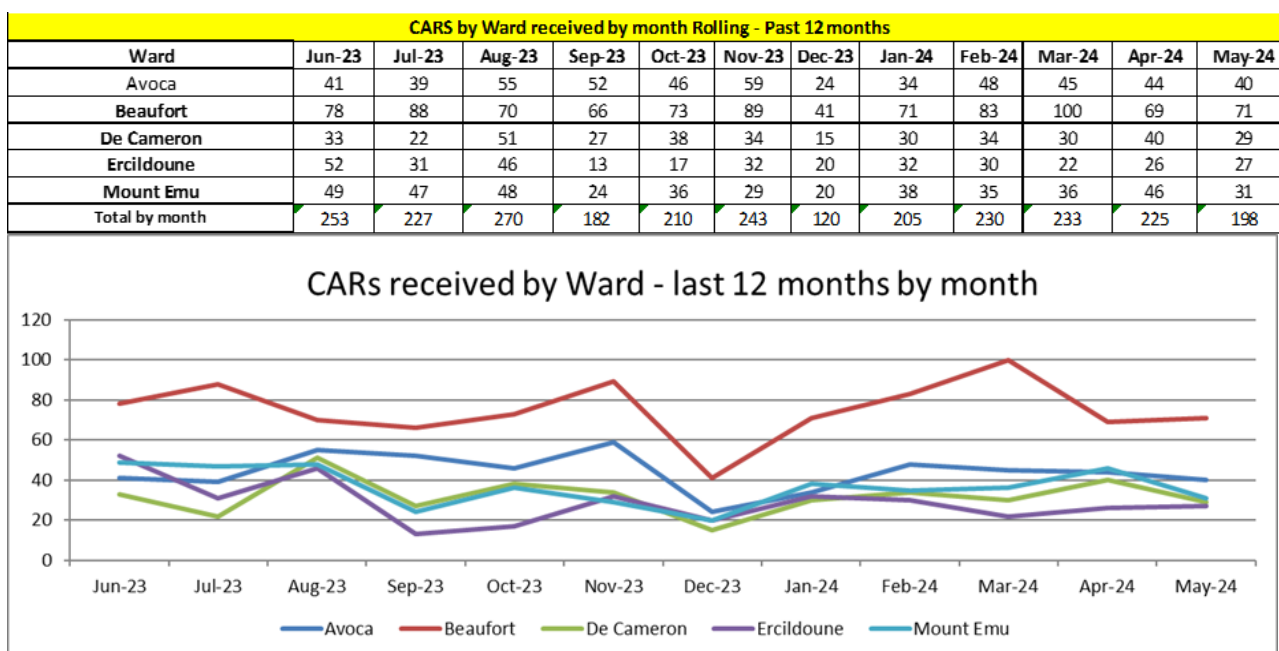
Open requests – the balance of this report will focus on the open requests, but statistics relating to requests marked as on-hold or referred-to-budget have been included in the table.

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

Request status	Avoca Ward	Beaufort Ward	DeCameron Ward	Ercildoune Ward	Mt Emu Ward
Number of requests received (previous month)	50(40)	87(71)	32(29)	30(27)	24(31)
Requests received and closed in the same month (%)	35(70%)	66(76%)	23(72%)	20(67%)	16(76%)

Requests received remaining open and assigned for action	10	13	8	8	4
Requests received that are on hold or in progress	5	3	1	2	4
Requests received referred to budget	0	0	0	0	0
Total open (assigned) requests as at the end of the month	24(25)	37(38)	16(11)	13(8)	18(20)

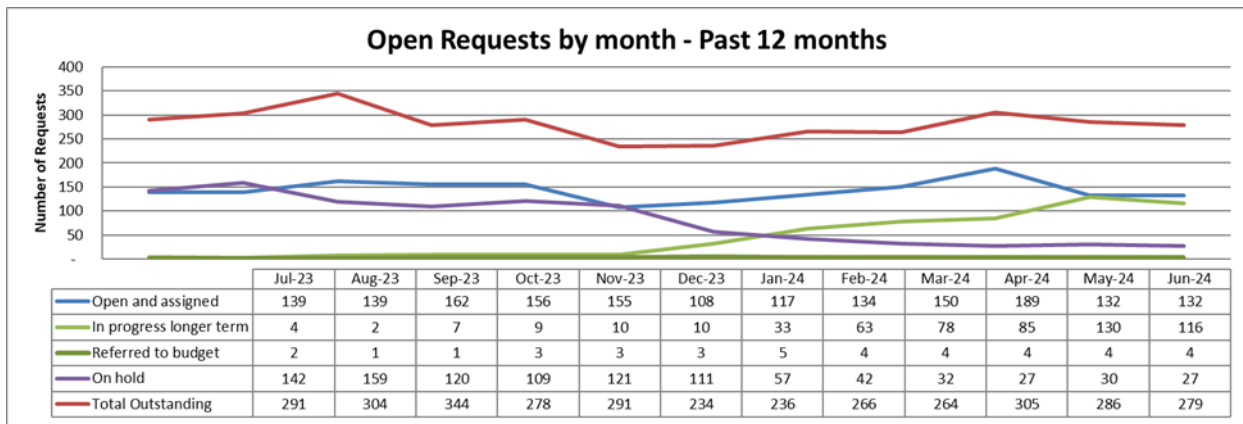
The following charts show the numbers of requests received by Ward per month for the past 12 months.



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

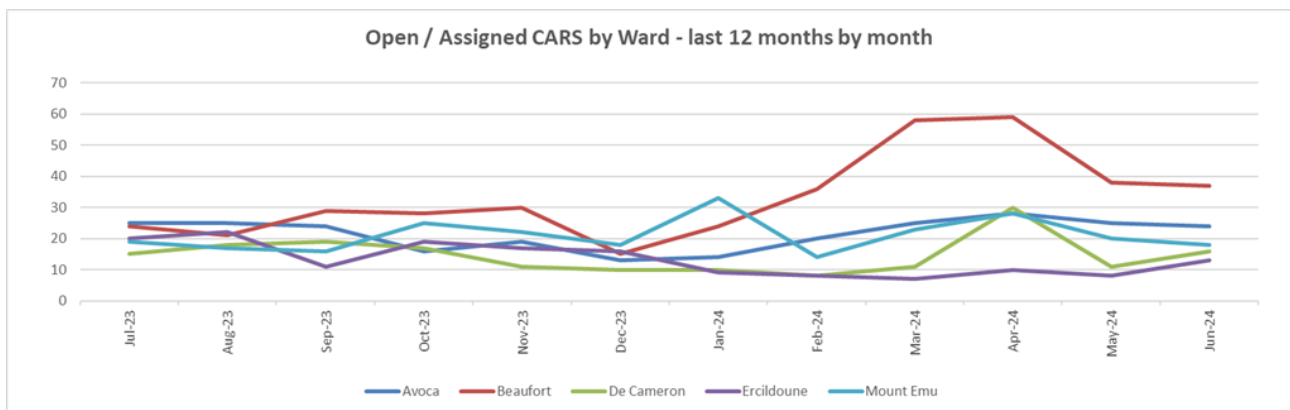
Open requests by age

Year	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	% Change
2013													
2020	1	1	-	-	-	-	-	-	-	-	-	-	
2021	-	-	-	-	-	-	-	-	-	-	-	-	
2022	19	19	27	29	20	13	7	7	7	7	2	2	0%
2023	119	119	135	127	135	95	43	24	22	17	13	13	0%
2024							67	103	121	165	117	117	0%
Open and assigned	139	139	162	156	155	108	117	134	150	189	132	132	0%
Outstanding but on hold	142	-	120	109	121	111	57	42	32	27	30	27	-10%
In Progress / Scheduled	8	6	7	10	12	12	57	86	78	85	120	116	-3%
Referred to budget	2	1	1	3	3	3	5	4	4	4	4	4	0%
Total Closed	401	413	321	427	278	247	278	321	292	278	313	303	-3%
Total requests logged	344	373	361	361	378	190	280	351	320	319	294	296	1%
Total outstanding requests	291	304	344	278	291	234	236	266	264	305	286	279	-2%

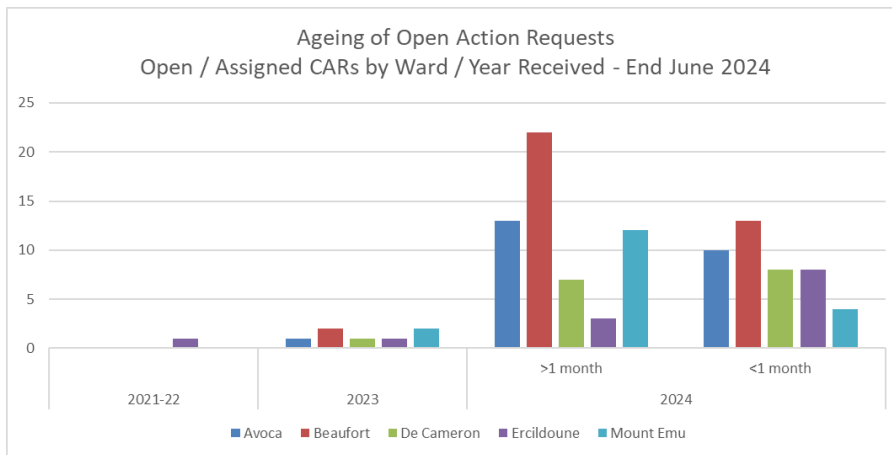


The following charts show the ageing of open assigned requests by Ward as at the end of the month, excluding those referred-to-budget or on-hold.

Open Assigned Requests by Ward - Past 12 months												
Ward	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24
Avoca	25	25	24	16	19	13	14	20	25	28	25	24
Beaufort	24	21	29	28	30	15	24	36	58	59	38	37
De Cameron	15	18	19	17	11	10	10	8	11	30	11	16
Ercildoune	20	22	11	19	17	16	9	8	7	10	8	13
Mount Emu	19	17	16	25	22	18	33	14	23	28	20	18
Total by month	103	103	99	105	99	72	90	86	124	155	102	108



Ageing CARS by Ward - Open/Assigned					
Ward	2021-22	2023	2024		Total
			>1 month	<1 month	
Avoca	0	1	13	10	24
Beaufort	0	2	22	13	37
De Cameron	0	1	7	8	16
Ercildoune	1	1	3	8	13
Mount Emu	0	2	12	4	18
Total by month	1	7	57	43	108



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

	May-24	Jun-24	Change
Roads & Rd Maint.	76	79	3
Streetlights	0	0	0
Drainage	12	13	1
Footpaths / Kerb&Channel	7	8	1
Park & Reserves	10	12	2
Roadside Veg	67	62	-5
Environmental Health	0	0	0
Planning	4	6	2
Bld maint	11	4	-7
Local Laws	7	12	5
Cats	7	6	-1
Dogs	11	10	-1
Livestock	3	3	0
Parking	2	4	2
Fire Hazard	1	1	0
Bld Compliance	0	0	0
Waste Management	0	0	0
Local Government Act	0	0	0
Rates	0	4	4
Natural Disasters	29	24	-5
Pools	0	0	0
Council cleaning	0	0	0
Litter	0	0	0
Design & Assets	4	4	0
GIS	0	0	0
Community	0	0	0
Rural Addressing	0	0	0
Road Naming	0	0	0
Telephone messages	35	27	-8
Total	286	279	-7

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Enabling Principles

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

COMMUNITY ENGAGEMENT / CONSULTATION OUTCOMES

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

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

All risks are discussed in the body of the report.

CONCLUSION

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

OFFICER RECOMMENDATION

That Council

1. notes this report
2. Acknowledges the need to continue to invest in measures to combat the increasing cyber security risk to council highlighted in this report.

11.4. CHIEF EXECUTIVE OFFICE

11.4.1. SEPTEMBER 2024 COUNCIL MEETING

Presenter: Jim Nolan - Chief Executive Officer

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

Report Author: Jim Nolan – Chief Executive Officer

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

File No: 16/02/02

PURPOSE

The purpose of this report is to seek Council endorsement to change the date of the scheduled September 2024 Council Meeting, Briefings and Community Cuppa.

BACKGROUND

Council at its meeting held 12th December 2023 adopted the meeting schedule for 2024. The schedule includes dates for Council meetings held monthly, as well as Assemblies of Councillors (Briefing Sessions), Special Meetings, Community Cuppas and the annual Statutory meeting.

ISSUE / DISCUSSION

The schedule adopted in December 2023 considered the election period dates for the 2024 Council Elections. At the time of the report, the election period was from 24th September 2024 to Election Day on 26th October 2024.

Amendments to the Local Government (Electoral) Regulations 2020 have resulted in key changes in the dates pertaining to the 2024 Election Period. The Election Period will now commence on 17th September 2024, 7 days earlier than formerly required.

At its June 2024 Council Meeting, Council adopted the updated Policy – Governance Rules Appendix B PSC Election Period Policy 2024.

As a result of the change in dates for the Election Period, it is proposed that the meetings scheduled for September 2024 be amended as follows:

Current	Proposed
Tuesday 10 th September, Briefing (Beaufort)	Tuesday 3 rd September – Briefing (Avoca)
Tuesday 10 th September – Community Cuppa (Natte Yallock)	Tuesday 3 rd September – Community Cuppa (Natte Yallock)
Tuesday 17 th September – Briefing (Beaufort)	Tuesday 10 th September – Briefing (Beaufort)
Tuesday 17 th September – Council Meeting (Beaufort)	Tuesday 10 th September – Council Meeting (Beaufort)

COUNCIL PLAN / LEGISLATIVE COMPLIANCE

Priority 1 - People

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

Enabling Principles

b. Provide transparency and accountability

ATTACHMENTS

Nil

FINANCIAL / RISK IMPLICATIONS

Council has made provisions in its 2024-2025 budget to meet the costs associated with the meetings.

CONCLUSION

Subject to Council's agreement to the meeting date amendments, it is proposed that public notice be given in accordance with Council Policy – Governance Rules 2022.

OFFICER RECOMMENDATION

That Council:

1. Amend the September meeting dates as follows:
 - Tuesday 3rd September 2024 – Council Briefing – Avoca
 - Tuesday 3rd September 2024 – Community Cuppa – Natte Yallock
 - Tuesday 10th September 2024 – Council Briefing – Beaufort
 - Tuesday 10th September 2024 – Council Meeting – Beaufort
2. Gives public notice, in accordance with Council Policy – Governance Rules 2022, of the amended meeting dates.

11.5.1. 2024/001 - NOTICE OF MOTION (CR EASON) - PRAYER AT COUNCIL MEETINGS

Cr Ron Eason has given notice of his intention to move the following motion at the meeting:

That Council examine the loss of the Prayer at Council Meetings and find a suitable replacement for future meetings.

Received:	Via email, 10 July 2024
Authorised by:	Jim Nolan, Chief Executive Officer
Officer comment prepared by:	Jim Nolan, Chief Executive Officer

OFFICER COMMENT

Part 4 of Council's Governance Rules - Meeting Procedure for Council Meetings provides that Councillors may ensure that an issue is listed on an agenda by lodging a Notice of Motion. (Rule 4.5.1)

Cr Eason's notice of motion has been received and, in accordance with the Governance Rules is provided for Council's consideration.

The Notice of Motion (NOM) follows a decision of Council made at the February 2024 Ordinary Council Meeting at which Council considered a report containing legal advice stating that the prayer previously used at the start of Council Meetings may be in breach of the Charter of Human Rights and Responsibilities (the Charter). After considering the report, and the legal advice, Council resolved

That Council:

- 1. Resolves to discontinue including or reading an Opening Prayer as part of council meeting agendas, noting that continuing to do so would unlawfully infringe on the rights contained within the Victorian Charter of Human Rights and Responsibilities (the Charter)*

Following the Council decision, the below statement has been included in the meeting agenda and read by the Mayor at the start of Council Meetings:

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

The Governance Rules further provide that:

4.5.1 (b) The Chief Executive Officer must inform Councillors about any legal and cost implications of any proposed notice of motion. The Chief Executive Officer may suggest revised wording to the draft notice of motion to facilitate compliance with the requirements for notices of motion under these Governance Rules.

In respect of Cr Eason's NOM,

- There are no cost implications for Council should Council support the NOM, other than in officer time.
- The legal advice previously considered at the Ordinary Council Meeting on 20 February 2024 applies, however there is no risk for Council should Council support the NOM. A subsequent report on the matter would ensure any suitable replacement does not breach provisions of the Charter.

4.5.1 (c) A notice of motion must relate to the objectives, role and functions of Council as outlined in the Act

The NOM is considered to comply with this provision.

4.5.1 (d) A notice of motion must call for a Council report if the notice of motion proposed any action that:

- impacts the levels of Council service,
- commits Council to expenditure greater than thresholds in accordance with Council's Procurement Policy that is not included in the adopted Council Budget,
- proposes to establish, amend, or extend Council policy,
- proposes to impact the rights of any person who has not had the opportunity to contribute their views,
- commits Council to any contractual arrangement, or
- concerns any litigation in respect of which Council is a party.

Should Council support the NOM as it reads, then a further report would be brought to a Council Meeting to consider suitable replacement wording.

4.5.1 (e) The Chief Executive Officer may reject any notice of motion which:

- is vague or unclear in intention,
- relates to a matter that can be addressed through the operational service request process,
- relates to a matter that has been previously resolved by Council or is acted upon,
- is beyond Council's power to pass, or
- if passed would result in Council otherwise acting invalidly. but must:
- give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so, and
- notify in writing the Councillor who lodged it of the rejection and reasons for the rejection.

In respect of the second dot point, while the motion follows a previous decision, it does not seek to amend the decision nor to rescind the previous decision, but rather to take a new action.

Furthermore, it is considered that there is no impediment under the rules to the motion being debated because the original motion has not been acted on. No one's material interests have been affected by the passing of the original motion, and no statutory process have been commenced to vest enforceable rights in or obligations on Council or any other person.

If Council were to change the NOM and seek to amend or rescind the decision of February relating to the prayer, it would need to consider the provisions of Rule 4.6.3 Amend *Something Previously Adopted*, and Rule 4.6.2 *Rescission Motions*.

12. COUNCILLOR REPORTS AND GENERAL BUSINESS

13. CONFIDENTIAL ITEMS

CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

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

RECOMMENDATION

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

15.1 - CEO Performance Progress Report

15.2 - Extension for Management of Municipal Swimming Pools C2021-020

14. CLOSE OF MEETING