



Ararat Rural City



AGENDA

SPECIAL MEETING OF COUNCIL

Tuesday 12 June 2018

To be held in the
Alexandra Oval Community Centre,
1 Waratah Avenue, Ararat
Commencing at 6.00pm

Council:

**Cr Gwenda Allgood
Cr Jo Armstrong
Cr Peter Beales
Cr Bill Braithwaite
Cr Frank Deutsch
Cr Fay Hull
Cr David Pettman**

Our Vision

Our communities, our opportunities

Our Mission Statement

We will demonstrate leadership through social responsibility, openness and transparency by actively working with our community to achieve shared goals.

Our Values

Respect - Respect for each other and the wider community.

Excellence - Striving for ongoing professionalism and organisational excellence.

Passion - Passion for our people, community and services.

An audio and video recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the Council Meeting, Special Council Meeting or Assembly of Councillors.

The recording is being streamed live via Facebook, to improve transparency between council and the community and give more people the opportunity to view what decisions are being made.

Recordings of Council Meetings and Special Council Meetings (excluding closed sessions) are made available on Council's website.

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SECTION 1 – PROCEDURAL MATTERS

1.1 LIVE STREAMING

Council is keen to engage with members of the community and now live streams the formal Council Meetings to make them accessible. The stream will be available to view on Ararat Active's Facebook page from 6pm and on Council's website, www.ararat.vic.gov.au from Wednesday morning following the Council Meeting.

You do not require a Facebook account to watch the live broadcast, simply enter www.facebook.com/araratactive into your address bar.

1.2 TRADITIONAL ACKNOWLEDGEMENT/OPENING PRAYER/COUNCILLORS PLEDGE

Traditional acknowledgement

We acknowledge the traditional owners of the land on which we meet today, and pay our respects to their elders, past, present and emerging.

Opening Prayer

Almighty God, we humbly ask you to help us, as elected Councillors of the Ararat Rural City Council. Guide our deliberations. Prosper what is your will for us, to your honour and glory and for the welfare and benefit of the people whom we serve in the Ararat Rural City.

Councillors Pledge

We will undertake the duties of the office of Councillor in the best interests of the people of the municipal district of the Ararat Rural City Council and faithfully and impartially carry out the functions, powers, authorities and discretions vested in us under the local government act 1989 or any other act to the best of our skill and judgment.

1.3 APOLOGIES

RECOMMENDATION (if required)

That the apology of **(Name)** be accepted.

1.4 DECLARATION OF DISCLOSURE OF INTERESTS

Disclosure of Interests are to be made immediately prior to any relevant item being discussed.

Local Government Act 1989 Section 79 (2) A Councillor or member of a special committee who has a conflict of interest and is attending the meeting of the Council or special committee must make a full disclosure of that interest -

- (a) by either -
 - (i) advising the Council or special committee at the meeting of the details required under paragraph (b) and (c) immediately before the matter is considered at the meeting; or
 - (ii) advising the Chief Executive Officer in writing of the details required under paragraphs (b) and (c) before the meeting; and
- (b) classifying the type of interest that has given rise to the conflict as either -
 - (i) a direct interest: or
 - (ii) an indirect interest and specifying the particular kind of indirect interest under section 78, 78A, 78B, 78C, 78D or 78E; and
- (c) describing the nature of the interest; and
- (d) if the Councillor or member advised the Chief Executive Officer of the details under paragraph (a) (ii), the Councillor or member must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

Local Government Act 1989 Section 80C) A person who is providing advice or a report to a meeting of the Council or a special committee, and who has a conflict of interest in a matter to which the advice or report relates, must disclose the constituting the conflict of interest when providing the advice or report and before the advice or report is considered by the Council or the committee.

SECTION 2 – REPORTS REQUIRING COUNCIL DECISION

The Acting Mayor will vacate the chair to enable the Chief Executive Officer as Temporary Chair to preside over the election of the Mayor as required by the Local Government Act 1989 and Council's Governance Local Law.

2.1 ELECTION OF MAYOR

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: EXECUTIVE SERVICES
REFERENCE: 13047340

OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Under Section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

No person involved in the preparation of this report has a direct or indirect interest requiring disclosure.

PURPOSE

Following the recent resignation of former Cr Glenda McLean the following report is presented to elect a Mayor.

At the Statutory Meeting held on 31 October 2017, Council adopted a one year term for the Mayor. Due to the Mayor resigning the Council will need to appoint a Mayor for the remainder of the 2017/2018 Council term.

Recommendation

That Council elect a Mayor for the remainder of the 2017/2018 Council term.

DISCUSSION

The process of election of the Mayor will take place in accordance with Section 9(1)(a)(ii) of Council's Governance Local Law 2012.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

5.1 Good governance through leadership.

Financial

Mayoral and Councillor Allowances are allocated in the Budget.

Policy/Legal/Statutory

Under Section 71 of the Local Government Act, the Councillors must elect a Councillor to be the Mayor of the Council.

Risk Assessment

Compliance with the Local Government Act 1989 and the Council's Governance Local Law 2012.

CONCLUSION

Under Section 71 of the Local Government Act, the Councillors must elect a Councillor to be the Mayor of the Council.

The Temporary Chairperson will call for nominations for the position of Mayor for the remainder of the 2017/2018 Council Term.

Once elected, the Mayor will resume the Chair.

2.2 ELECTION OF DEPUTY MAYOR

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: EXECUTIVE SERVICES
REFERENCE: 13047340

OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Under Section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

No person involved in the preparation of this report has a direct or indirect interest requiring disclosure.

PURPOSE

This report is presented in the event that the current Deputy Mayor, Cr Gwenda Allgood is elected as Mayor for the remainder of the 2017/2018 Council term.

Recommendation

That Council determine if it wishes to elect a Deputy Mayor for the remainder of the 2017/2018 term.

2.3 APPOINTMENT OF COUNCIL DELEGATES TO COMMITTEES/ORGANISATIONS

RESPONSIBLE OFFICER: MANAGER EXECUTIVE SERVICES AND GOVERNANCE
DEPARTMENT: CORPORATE STRATEGY, RISK AND GOVERNANCE
REFERENCE: 13039075

OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Under Section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

No person involved in the preparation of this report has a direct or indirect interest requiring disclosure.

PURPOSE

This report is to provide clarity on Council representation on the various Council Committees and external bodies that Council will be represented for 2017/2018.

RECOMMENDATION

That the appointment of Council delegates to Committees/Organisations for the remainder of the Council term 2017/2018 as listed below be approved:

Committee/Organisation with Council Representation	Basis of Representation	Council Delegate	Support Officer
<i>National/State/Regional Bodies</i>			
Municipal Association of Victoria	One Councillor	Mayor Deputy Mayor (sub)	CEO
MAV Human Services Committee	One Councillor	Cr Beales	-
MAV Emergency Management Committee	One Councillor	Cr Beales	-
Central Highlands Regional Mayors and CEOs Forum	Mayor	Mayor	CEO
Western Highway Action Committee	One Councillor	Cr Armstrong	Executive Manager Operations and Infrastructure
Grampians Central West Waste and Resource Recovery Region Local Government Waste Forum	One Councillor	Cr	Executive Manager Planning and Public Health
Lake Fyans Recreational Area Committee of Management	One Councillor	Cr Braithwaite	-
<i>Council Committees</i>			
Ararat Regional Art Gallery Advisory Committee	One Councillor	Cr Armstrong	Manager Cultural Services
Audit Committee	Two Councillors	Cr Beales and Cr Braithwaite	CEO

CEO Employment and Recruitment Advisory Committee	Mayor and Two Councillors	Cr Allgood, Cr Armstrong and Cr Braithwaite	Director Corporate Strategy, Risk & Governance
Community Engagement Advisory Committee	Two Councillors	Cr Armstrong and Cr Pettman	Executive Manager Community Life
Community Road Safety Steering Committee	One Councillor	Cr Allgood	Design and Project Management Coordinator
Environmental Sustainability Advisory Committee	One Councillor	Cr Pettman	Waste and Sustainability Coordinator
Health Prevention Leadership Advisory Partnership	One Councillor	Cr Pettman	Executive Manager Community Life
Municipal Emergency Management Planning Committee	One Councillor	Cr Beales	Manager Emergency Services, Safety and Local Laws
<i>S86 Special Committees</i>			
Alexandra Hall Committee of Management	One Councillor (non-voting)	Cr Allgood	-
Buangor Community Sports Centre Committee (including Cobb & Co Building)	One Councillor (non-voting)	Cr Braithwaite	
Elmhurst Public Hall Committee	One Councillor (non-voting)	Cr Beales	
Lake Bolac Complex Committee	One Councillor (non-voting)	Cr Beales	
Lake Bolac Memorial Hall Committee	One Councillor (non-voting)	Cr Beales	
Maroona Recreation Reserve Committee	One Councillor (non-voting)	Cr Pettman	
Mininera Recreation Reserve Committee	One Councillor (non-voting)	Cr Beales	
Moyston Public Hall Committee	One Councillor (non-voting)	Cr Pettman	
Pomonal Hall & Reserve Committee	One Councillor (non-voting)	Cr Braithwaite	
Streatham Memorial Hall Committee	One Councillor (non-voting)	Cr Armstrong	
Tatyoan Hall and Recreation Reserve Committee	One Councillor (non-voting)	Cr Beales	

Warrak Public Hall Committee	One Councillor (non-voting)	Cr Allgood
Westmere Progress Association Committee	One Councillor (non-voting)	Cr Armstrong
Wickliffe Action Group Wickliffe Common Committee	One Councillor (non-voting)	Cr
Wickliffe Recreation Reserve Committee	One Councillor (non-voting)	Cr
Willaura Golf Club	One Councillor (non-voting)	Cr Beales
Willaura Memorial Hall	One Councillor (non-voting)	Cr Beales
Willaura Recreation Reserve	One Councillor (non-voting)	Cr Pettman
Yalla-Y-Poora Community Centre	One Councillor (non-voting)	Cr Armstrong

DISCUSSION

Council is represented on a range of committees, which are convened by external bodies and on various internal committees, the 2016/2017 committees and organisations are listed below:

Committee/Organisation with Council Representation
<i>National/State/Regional Bodies</i>
Municipal Association of Victoria
MAV Human Services Committee
MAV Emergency Management Committee
Central Highlands Regional Councils
Western Highway Action Committee
Grampians Central West Waste and Resource Recovery Region Local Government Waste Forum
Lake Pyans Recreational Area Committee of Management
<i>Council Committees</i>
Ararat Regional Art Gallery Advisory Committee
Audit Committee
CEO Employment and Recruitment Advisory Committee
Community Engagement Advisory Committee
Community Road Safety Steering Committee
Environmental Sustainability Advisory Committee
Health Promoting Leadership Advisory Group
Municipal Emergency Management Planning Committee
<i>S86 Special Committees</i>
Alexandra Hall Committee of Management
Buangor Community Sports Centre Committee (including Cobb & Co Building)
Elmhurst Public Hall Committee
Lake Bolac Complex Committee
Lake Bolac Memorial Hall Committee
Maroona Recreation Reserve Committee
Mininera Recreation Reserve Committee

Moyston Public Hall Committee
Pomonal Hall & Reserve Committee
Streatham Memorial Hall Committee
Tatyoan Hall and Recreation Reserve Committee
Warrak Public Hall Committee
Westmere Progress Association Committee
Wickliffe Action Group Wickliffe Common Committee
Wickliffe Recreation Reserve Committee
Willaura Golf Club
Willaura Memorial Hall
Willaura Recreation Reserve
Yalla-Y-Poorra Community Centre

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

- 1.1 Work with communities to develop and prosper.
- 2.3 Promotion of Regional Living
- 3.1 A strong and diverse local economy
- 5.1 Good governance through leadership.

Financial

Costs for Councillors attending (travel expenses) are included in the current budget allocations.

Policy/Legal/Statutory

Council representation required on the Municipal Association of Victoria, Rural Councils Victoria, Central Highlands Regional Councils, Western Highway Action Committee, Grampians Central West Waste and Resource Recovery Region Local Government Waste Forum, Grampians Tourism Inc and all Section 86 Committees.

Risk Assessment

A definitive list will clarify who is the Council appointed delegate/s to any particular body or Committee.

Stakeholder Consultation and Communication

Appointments of Council Delegates to Committee/Organisations discussed at Assembly of Councillors on 22 May 2018.

CONCLUSION

Council determines representation on the various Council committees and external bodies with which Council is associated for 2017/2018.

ATTACHMENTS

There are no attachments relating to this item.

2.4 SUBMISSIONS TO DRAFT BUDGET 2018-2022/DRAFT RATING STRATEGY 2018

RESPONSIBLE OFFICER: MANAGER CORPORATE SUPPORT
DEPARTMENT: ASSETS, FINANCE AND CORPORATE SERVICES
REFERENCE: 18094681

OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Under Section 80C of the *Local Government Act 1989* (The Act) officers providing advice to Council must disclose any interests, including the type of interest.

No person involved in the preparation of this report has a direct or indirect interest requiring disclosure.

PURPOSE

To receive all submissions on the Draft Rating Strategy/Draft Budget 2018-2022, and to hear from any person who indicated in his or her submission that he or she wanted to be heard in support of his or her submission.

EXECUTIVE SUMMARY

The Draft Rating Strategy 2018 and Draft Budget 2018-22 have been advertised, calling for public submissions. Written submissions close at 5.15pm on Friday 8 June 2018. Council has provided the opportunity for any person to present his or her submission. All submissions will be considered at the Ordinary Council meeting to be held on Tuesday 27 June 2018.

RECOMMENDATION

That Council:

- 1 Receive all submissions in relation to the Draft Rating Strategy 2018 and the Draft Budget 2018-22;
- 2 Consider the Draft Rating Strategy 2018, the Draft Budget 2018-22, and all submissions at the Ordinary Council Meeting to be held on Tuesday 26 June 2018.

BACKGROUND

At its Special Council meeting held on 8 May 2018, Council considered a Draft Rating Strategy 2018 and the Draft Budget 2018-22, resolved to adopt in principle the 2018 Rating Strategy and the Draft budget 2018-22, place the proposed strategy and proposed budget on public exhibition, and consider submissions as part of the 2018/2019 budget process.

DISCUSSION

The Draft Rating Strategy was advertised in the Ararat Advertiser on Friday 11 May 2018, calling for written submissions. Submissions closed on 8 June 2018 at 5.15pm.

The Draft Rating Strategy has been prepared over a considerable period of time, with significant input from the Rating Strategy Advisory Group, the Citizens' Jury, Councillors and Council officers.

At the time of writing this report Council had received twelve written submissions relating to the Draft Rating Strategy 2018/Draft Budget 2018/22, with six people choosing to speak to their written submission at the Special Council meeting.

If any further written submissions are received before Friday 8 June 2018 they will be presented to Councillors at the Special Council meeting on 12 June 2018. Any ratepayers who wished to be heard in support of their submission on the Rating Strategy 2018 will be advised to attend the Special Council meeting.

Council will consider the proposed Rating Strategy, the proposed Budget and the submissions received at the Ordinary Council Meeting to be held Tuesday 26 June 2018.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

5.1 Good governance through leadership

Financial

None identified.

Policy/Legal/Statutory

Section 223 of the Act provides a person the right to make a submission to the Council on the Draft Budget.

Risk Assessment

No risk implications identified

Stakeholder Consultation and Communication

The Draft Rating Strategy has been prepared over a considerable period of time, with significant input from the Rating Strategy Advisory Group, the Citizens' Jury, Councillors and Council officers.

CONCLUSION

The Draft Budget and Draft Rating Strategy have been placed on public display, calling for submissions on any issues raised in the draft budget and the draft rating strategy.

Written submissions close at 5.15pm on Friday 8 June 2018. At the time of writing this report there has been twelve submissions made, with six indicating they wish to be heard by Council.

ATTACHMENTS

1 Submissions are provided for information in Attachment 2.4.

2.5 DRAFT COUNCIL PLAN INCORPORATING THE STRATEGIC RESOURCE PLAN 2017 – 2021

RESPONSIBLE OFFICER: MANAGER EXECUTIVE SERVICES AND GOVERNANCE
DEPARTMENT: CORPORATE STRATEGY, RISK AND GOVERNANCE
REFERENCE: 18095849

OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Under Section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

No person involved in the preparation of this report has a direct or indirect interest requiring disclosure.

PURPOSE

At its Ordinary meeting held on 8 May 2018, Council considered the revised Council Plan 2017-2021 and resolved:

That Council:

- 1 *Having revised the draft Council Plan 2017-2021, incorporating the Strategic Resource Plan, in accordance with Section 125 and 126 of the Local Government Act 1989 adopt the draft document;***
- 2 *Under Section 223 of the Local Government Act 1989 make the draft Council Plan 2017-2021 incorporating the Strategic Resource Plan available for public exhibition;***
- 3 *Invite interested persons to make a written submission relating to the revised Council Plan 2017-2021 with written submissions to be received at the Municipal Offices, Ararat Rural City Council, 59 Vincent Street, Ararat not later than 5.15pm on Friday 8 June 2018;***
- 4 *Authorise the Chief Executive Officer to administer the Section 223 process; and***
- 5 *Should any person wish to be heard in support of their written submission, that they be heard by Council at a Special Council Meeting to be held at 6.00pm on Tuesday 12 June 2018.***

EXECUTIVE SUMMARY

The development and adoption of the Council Plan 2017-2021 and the Strategic Resource Plan provides clear strategic direction for Council and Community for the next twelve months.

RECOMMENDATION

That Council:

- 1 Acknowledge that there were no submissions received in relation to the revised Council Plan 2017-2021; and**
- 2 Consider the revised Council Plan 2017-2021 at the Ordinary Council Meeting to be held on Tuesday 26 June 2018.**

DISCUSSION

Advertising of the Draft Council Plan 2017-2021 was undertaken in the Ararat Advertiser on Friday 11 May 2018. The public notice invited submissions on the revised Council Plan 2017-2021.

There were no submissions received in relation to the revised Council Plan 2017-2021.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

- 5.1 Good governance through leadership

Financial

None identified.

Policy/Legal/Statutory

Potential breach of Sections 125 and 126 of the Local Government Act 1989 if the revised Council Plan 2017-2021 and Strategic Resource Plan are not adopted by 30 June 2018.

Risk Assessment

The primary objective of Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions. The proposed Council Plan and Strategic Resource Plan manages the financial risks faced by Council, ensuring that decisions are made and actions taken having regard to their financial effects on future generations.

Stakeholder Consultation and Communication

External Consultation with residents and ratepayers through the community engagement process. Internal consultation with the Management and Executive group.

CONCLUSION

The pillars, key strategies, activities and initiatives in the Council Plan aim to meet these needs and continue to deliver on Council's vision, mission and values.

The Council Plan, incorporating the Strategic Resource Plan, was put on public display for a period of 28 days in accordance with section 223 of the Local Government Act 1989.

Written submissions closed at 5.15pm on Friday 8 June 2018 and no submissions have been received.

ATTACHMENTS

There are no attachments relating to this item.