



Ararat Rural City



# AGENDA

## ORDINARY MEETING OF COUNCIL

**Tuesday 18 September 2018**

To be held in the  
Ararat Town Hall Auditorium  
Barkly Street, Ararat  
Commencing at 6.00pm

**Council:**

Cr Gwenda Allgood (Mayor)  
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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<b>SECTION 1 – PROCEDURAL MATTERS</b> .....	<b>2</b>
1.1 <b>LIVE STREAMING</b> .....	<b>2</b>
1.2 <b>TRADITIONAL ACKNOWLEDGEMENT/OPENING PRAYER/COUNCILLORS PLEDGE</b> .....	<b>2</b>
1.3 <b>APOLOGIES</b> .....	<b>2</b>
1.4 <b>CONFIRMATION OF MINUTES</b> .....	<b>2</b>
1.5 <b>DECLARATION OF DISCLOSURE OF INTERESTS</b> .....	<b>3</b>
1.6 <b>ADMISSION OF URGENT BUSINESS</b> .....	<b>3</b>
<b>SECTION 2 – PUBLIC PARTICIPATION</b> .....	<b>4</b>
2.1 <b>REQUEST TO ADDRESS COUNCIL</b> .....	<b>4</b>
2.2 <b>DEPUTATIONS / PRESENTATIONS</b> .....	<b>4</b>
2.3 <b>PETITIONS</b> .....	<b>4</b>
<b>SECTION 3 – REPORTS REQUIRING COUNCIL DECISION</b> .....	<b>5</b>
3.1 <b>COUNCIL POLICY REVIEW</b> .....	<b>5</b>
3.2 <b>COUNCIL WORK PLAN/ACTION PLAN – SEPTEMBER 2018</b> .....	<b>7</b>
<b>SECTION 4 – INFORMATION REPORTS</b> .....	<b>9</b>
4.1 <b>BUILDING APPROVALS</b> .....	<b>9</b>
4.2 <b>PLANNING MATTERS APPROVED UNDER DELEGATION</b> .....	<b>11</b>
<b>PLANNING PERMITS AND CERTIFICATION OF SUBDIVISION PLANS</b> .....	<b>11</b>
<b>SECTION 5 – COMMITTEE MINUTES/REPORTS</b> .....	<b>13</b>
5.1 <b>SECTION 86 COMMITTEES OF MANAGEMENT</b> .....	<b>13</b>
5.2 <b>ADVISORY COMMITTEES</b> .....	<b>16</b>
<b>SECTION 6 – ASSEMBLY OF COUNCILLORS</b> .....	<b>18</b>
6.1 <b>ASSEMBLY OF COUNCILLORS</b> .....	<b>18</b>
<b>SECTION 7 – COUNCILLORS REPORTS</b> .....	<b>20</b>
<b>SECTION 8 – NOTICES OF MOTION</b> .....	<b>21</b>
<b>SECTION 9 – URGENT BUSINESS</b> .....	<b>22</b>
<b>SECTION 10 – CLOSE SESSION (CONFIDENTIAL)</b> .....	<b>23</b>
<b>CLOSURE OF COUNCIL MEETING TO THE PUBLIC</b> .....	<b>23</b>
<b>OPEN COUNCIL MEETING RECOMMENCEMENT</b> .....	<b>23</b>
<b>LIFTING OF CONFIDENTIALITY OF CLOSED SESSION RESOLUTIONS</b> .....	<b>23</b>

## 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 Rural City Council's Facebook page from 6pm and on Council's website, [www.ararat.vic.gov.au](http://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](http://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 CONFIRMATION OF MINUTES

#### RECOMMENDATION

That the minutes of the:

- 1 Council Meeting held on 21 August 2018; and
  - 2 Special Council Meeting held on 11 September 2018
- be confirmed.

## 1.5 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.

## 1.6 ADMISSION OF URGENT BUSINESS

Items proposed as urgent business must not be submitted to the meeting other than by resolution of the Council and only if it relates to or arises out of a matter which has arisen since distribution of the Agenda or which cannot be reasonably deferred for inclusion in the agenda of the next meeting.

The Urgent Business Item/s admitted will be considered as part of Section 9 Urgent Business.

### **RECOMMENDATION (if required)**

**That Council admits as Urgent Business an item titled "XX" and this matter be considered as part of Section 9 Urgent Business.**

## SECTION 2 – PUBLIC PARTICIPATION

### 2.1 REQUEST TO ADDRESS COUNCIL

Questions to address the Council can be made without notice

The presenter will be allocated a maximum of three (3) minutes to present his or her address to the Council. An extension of time may be granted by a resolution of Council. During the presentation, the presenter may not address questions to Councillors or officers.

Two minutes will be allocated for Councillors to ask questions of the presenter, if required. Following the presentation, Council may request a further report on the matter from officers.

Members of the public gallery are not allowed to communicate with Councillors and officers whilst the meeting is in progress.

### 2.2 DEPUTATIONS / PRESENTATIONS

- 1 Ararat Arts Precinct Redevelopment Update – Chief Executive Officer, Mr Allan Bawden
- 2 Advocating for the priorities of the municipality – Chief Executive Officer, Mr Allan Bawden

### 2.3 PETITIONS

Clause 15 of Council's Meeting Procedure states:

- 1 A petition presented to Council must lay on the table until the next Ordinary Meeting of Council and no motion, other than to receive the petition or joint letter may be accepted by the Chair, unless the Council agrees to deal with it earlier.
- 2 Petitions received by Ararat Rural City Council will be tabled under "Petitions" in the Order of Business.
- 3 At the meeting the petition will be formally received by Council and referred to the relevant area of Council for consideration and action which will be reported to the next ordinary meeting of Council for decision if one is required.
- 4 When a petition relates to an item already on the agenda at the meeting at which the petition is tabled, the matter will be dealt with at that meeting.
- 5 Any Councillor presenting a petition will be responsible for ensuring that he or she is familiar with the contents and purpose of the petition and that the petition is not derogatory or defamatory.
- 6 Any person who fraudulently signs a petition or joint letter which is presented to the Council is guilty of an offence.

## SECTION 3 – REPORTS REQUIRING COUNCIL DECISION

### 3.1 COUNCIL POLICY REVIEW

**RESPONSIBLE OFFICER:** MANAGER GOVERNANCE  
GENERAL MANAGER INFRASTRUCTURE  
MANAGER PEOPLE AND CULTURE  
**DEPARTMENT:** CORPORATE STRATEGY, RISK AND GOVERNANCE  
**REFERENCE:** 13040303

#### **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**

Council Policies are being updated as part of an ongoing review process.

#### **EXECUTIVE SUMMARY**

The following Council policies have now been reviewed as per the review process, and are now ready to be adopted by Council. A copy of each policy follows this report.

No.	Name of Policy
C.1.5	Protected Disclosure Policy and Guidelines (formally an administrative policy)
C.1.12	Fraud Prevention Policy

Further to the review, the following Council policy has been recommended for rescission.

No.	Name of Policy
C.1.14	Disability and Inclusion Policy

#### **RECOMMENDATION**

##### **That Council:**

- 1 Adopt Council Policy C.1.5 Protected Disclosure Policy and Guidelines;**
- 2 Adopt Council Policy C.1.12 Fraud Prevention Policy; and**
- 3 Rescind Council Policy C.1.14 Disability and Inclusion Policy.**

#### **DISCUSSION**

##### ***C.12.5 Protected Disclosures Policy and Guidelines:***

In February 2013, the Protected Disclosures Act came into operation, replacing the Whistleblowers Protection Act 2001. Ararat Rural City Council is a public body subject to the Protected Disclosures Act 2012.

The policy was prepared as a guide for making disclosures of improper conduct by public officers and public bodies, including Ararat Rural City Council (ARCC), its employees, officers and Councillors.

This policy has previously been an administrative policy and as part of the review of policies is presented to Council for adoption as a formal Council policy.

**C.1.12 Fraud Prevention Policy**

The Fraud Prevention Policy has been reviewed and the following changes made to the document

- General tidy-up regarding roles, responsibilities and business titles
- IBAC added as a reporting option (refer section 2.3)
- Added examples of fraud controls and fraudulent acts (refer section 2.1)

**C.1.14 Disability and Inclusion Policy**

This policy was superseded in 2013 by the Community Access Strategy, but due to an administrative oversight this policy was not formally rescinded by Council.

The Community Access Strategy is available on Docs on Tap for Councillors information and also on Council's website [www.ararat.vic.gov.au](http://www.ararat.vic.gov.au)

**KEY CONSIDERATIONS**

***Alignment to Council Plan Strategic Objectives***

- 5.1 Good governance through leadership
- 5.3 Organisational Risk

***Financial***

None identified.

***Policy/Legal/Statutory***

None identified.

***Risk Assessment***

Clarity and transparency of Council Policies.

***Stakeholder Consultation and Communication***

The Protected Disclosure Policy and Fraud Prevention Policy were circulated to Councillors for feedback prior to presenting to Council for consideration.

**CONCLUSION**

The adoption of these Policies by Council will ensure that Council continues to work in accordance with its established procedures.

**ATTACHMENTS**

- 1 Protected Disclosure Policy (C.1.5); and
- 2 Fraud Prevention Policy (C.1.12).



### 3.2 COUNCIL WORK PLAN/ACTION PLAN – SEPTEMBER 2018

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** EXECUTIVE SERVICES  
**REFERENCE:** 17085885

#### **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**

The Council Work Plan/Action Plan has been updated and is presented to Council for information.

#### **EXECUTIVE SUMMARY**

In August 2017, the Minister for Local Government wrote to the Mayor outlining the findings and recommendations by the Commission. The Minister under section 218 of the *Local Government Act 1989* provided a list of recommendations Council should take to address the issues identified by the Commission in its report. The Council resolved to act on all recommendations. A report on progress with the implementation of recommendations has been prepared and presented to the Council, an updated report is attached.

This month's report indicates that all actions are complete, with the exception of service reviews. These reviews have commenced and will continue throughout the financial year in order to generate information to inform the next Council budget. Regular Service Review updates will be presented to Council. The report also notes the ongoing role of the Municipal Monitor until August 2019.

Any ongoing action or monitoring required in relation to the recommendations can be incorporated into the Chief Executive Officer's Key Performance Indicators (KPIs). Given the current status of all actions and the fact that any ongoing action can be reflected in the Chief Executive Officer's KPIs, it is considered that the Council Work Plan/Action Plan report cease to be reported monthly to the Council until August 2019 when a final report be prepared to coincide with the conclusion of the Municipal Monitor's term and for referencing in the Council's 2018/19 Annual Report.

#### **RECOMMENDATION**

- 1 That the September 2018 Ararat Rural City Council Work Plan/Action Plan be received.**
- 2 That any ongoing actions from the Plan be monitored by the Chief Executive Officer and a status report be tabled at the August 2019 Council meeting and reported in the 2018/19 Annual Report.**

#### **DISCUSSION**

Council has developed a Work Plan/Action Plan in response to the Minister for Local Government's recommendations.

The Work Plan/Action Plan has been presented to Council on a regular basis. It has been a valuable document to identify the action required to be taken to address the recommendations of the Commission of Inquiry and to monitor progress with the implementation of actions. As all actions are now complete or in a monitoring phase, it is considered unnecessary to table monthly reports at Council meetings. The key ongoing action relates to the completion of service reviews. As these will be conducted under the direction of the Chief Executive Officer it is considered sufficient to have progress monitored through the Chief Executive Officer's KPIs.

Correspondence from the Minister for Local Government dated 4 September 2018 has acknowledged the progress being made by Council to act on the recommendations of the Commission of Inquiry. A copy of this letter is attached.

## KEY CONSIDERATIONS

### ***Alignment to Council Plan Strategic Objectives***

- 1.1 Work with communities to develop and prosper
- 2.1 Community and cultural connectedness
- 4.5 Long term asset management
- 5.1 Good governance through leadership
- 5.2 Services and infrastructure that meets the municipality's existing and future needs
- 5.3 Organisational risk
- 5.4 Professional and skilled staff in a safe and supportive environment
- 5.5 Sustainable, long term financial management

### ***Financial***

The cost of the Commission of Inquiry and the implementation of its recommendations has been reported to the Council previously at \$178,301. The only ongoing costs anticipated are those related to the Municipal Monitor. The completion of service reviews is being undertaken by Council staff and improvement opportunities identified through this process should generate efficiencies and productivity savings as well as service improvements.

### ***Policy/Legal/Statutory***

Under section 218 of the *Local Government Act 1989* the Minister provided a list of recommendations Council should take to address the issues identified by the Commission in its report.

### ***Risk Assessment***

Not addressing the Minister's recommendations would result in negative feedback from the Local Government sector and the possibility that governance issues raised in the Commission report are not rectified.

### ***Stakeholder Consultation and Communication***

Councillors and Executive Leadership Group have reviewed the attached Work Plan/Action Plan. A current version of the Work Plan/Action Plan is available on the Council website.

## CONCLUSION

The updated Work Plan/Action Plan is presented for Council to note and will then be placed on Council's website.

## ATTACHMENTS

- 1 Work Plan/Action Plan – September 2018; and
- 2 Letter from Minister for Local Government.

**SECTION 4 – INFORMATION REPORTS**

**4.1 BUILDING APPROVALS**

**RESPONSIBLE OFFICER:**     **MANAGER PLANNING AND DEVELOPMENT**  
**DEPARTMENT:**             **COMMUNITY SERVICES**  
**REFERENCE:**                **13038442**

**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.

**RECOMMENDATION**

**That the Building Approvals Report be received.**

**DISCUSSION**

This report outlines the monthly building permit approvals issued by Ararat Rural City Council and by private building surveyors for building works within Ararat Rural City for the month of August 2018.

Approvals by Ararat Rural City Municipal Building Surveyor. – August 2018

<b>Permit No.</b>	<b>Application Date</b>	<b>Approval Date</b>	<b>Building Address</b>	<b>Nature of Works</b>	<b>Use of Building</b>
181585/0	11/07/2018	13/08/2018	114 Brewster Road, Ararat	Garage	Garage
181589/0	24/07/2018	15/08/2018	Ca 1 Old Brewery Road, Armstrong	New Building	Farm Shed
181590/0	21/08/2018	28/08/2018	4 Bailey Lane, Ararat	New Building	Dwelling, Attached Garage
181592/0	27/07/2018	15/08/2018	15 Tobin Street, Ararat	Demolition	Dwelling
181595/0	3/08/2018	20/08/2018	59 Lot 2, Graham Road, Lake Bolac	Shed	Shed
181599/0	15/08/2018	28/08/2018	11 Lot 7, Buangor-Ben Nevis Road, Buangor	New Building	Farm Shed

**TOTAL VALUE \$ 328,724.00**

Approvals by private surveyors – August 2018

Private Surveyor Approvals					
Permit No.	Date Received by Council	Date Approved	Building Address	Description of Building Works or Use of Building	Surveyor
45971/20180359/0	02/07/2018	01/08/2018	134 High Street, Ararat	Restump of a dwelling	Julie Harris, Lighthouse Building Permits
24780/20180559/0	11/08/2018	17/08/2018	156 Moyston-Great Western Road, Moyston	Dwelling with attached garage – BAL 12.5	David Kors, Daville Building Surveying
01082018	08/08/2018	07/08/2018	59 McMasters Road, Lake Bolac	Farm machinery - storage shed	Adam McCosh, Coast to Coast Building Approvals
18001571	09/08/2018	09/08/2018	162 Moore Street, Ararat	Construction of shed & carport	Wayne Allen, MBA Building Services
18001950	29/08/2018	29/08/2018	140 Lambert Street, Ararat	Construction of dwelling, garage & verandah	Wayne Allen MBA Building Services Pty Ltd

**TOTAL VALUE \$ 790,856.00**

#### KEY CONSIDERATIONS

##### *Alignment to Council Plan Strategic Objectives*

3.4 Effective and efficient land use planning and building controls.

#### ATTACHMENTS

There are no attachments relating to this item.

**4.2 PLANNING MATTERS APPROVED UNDER DELEGATION**  
**PLANNING PERMITS AND CERTIFICATION OF SUBDIVISION PLANS**

**RESPONSIBLE OFFICER:** MANAGER PLANNING AND DEVELOPMENT  
**DEPARTMENT:** COMMUNITY SERVICES  
**REFERENCE:** 13038445

**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.

**RECOMMENDATION**

**That the Planning Matters Approved under Delegation – Planning Permits and Certification of Subdivision Plans be received.**

**DISCUSSION**

Planning permits, certification of subdivision plans and liquor license applications are approved under delegated authority by relevant Council officers each month, where possible. This report outlines the various approvals for Council's information.

Planning permit approvals under delegated authority – December 2017.

<b>ARARAT PLANNING SCHEME</b>					
<b>Application No.</b>	<b>Date Lodged</b>	<b>Applicant</b>	<b>Location</b>	<b>Proposed Use of Development</b>	<b>Date of Delegated Approval</b>
2721	29/01/2018	Braebrook Pastoral Company	5395 Mortlake-Ararat Road, Lake Bolac Being Lot 6 LP 4625 Parish of Mellier	Alteration to existing access to road zone	10/08/2018 Delegate: Joel Hastings
2727	06/03/2018	James Course, Regional Billboard Co.	139 – 141 High Street, Ararat being Lot 1 TP376372 & Lot 1 TP945915, Parish of Ararat	Major Promotional Signage, including illumination	NOD to Refuse Permit 30/08/2018 Delegate: Andrew Bishop
2746	28/05/2018	Wesley Price	141 Lambert Street, Ararat being Lot 2 PS813923, Parish of Ararat	2 Lot Subdivision	23/08/2018 Delegate: Joel Hastings
2757	07/08/2018	V/Line	Road Reserve – Eversley Road, Eversley	Native vegetation removal	21/08/2018 Delegate: Andrew Bishop
2758	07/08/2018	V/Line	Road Reserve – Warryatkin Road, Ararat	Native vegetation removal	21/08/2018 Delegate: Andrew Bishop

VCAT				
Application No.	Applicant	Location	Proposed Use of Development	Status
Nil				

Certification of subdivision plans under delegated authority.

CERTIFICATION OF SUBDIVISION PLAN					
Application No.	Date Lodged	Applicant	Location	Procedure	Date of Decision
Nil					

**Liquor License Applications**

LIQUOR LICENCING COMMISSION			
Applicant	Location	Application	Consent
Nil			

**KEY CONSIDERATIONS**

***Alignment to Council Plan Strategic Objectives***

3.4 Effective and efficient land use planning and building controls.

**ATTACHMENTS**

There are no attachments relating to this item.

## SECTION 5 – COMMITTEE MINUTES/REPORTS

### 5.1 SECTION 86 COMMITTEES OF MANAGEMENT MINUTES

**AUTHOR'S TITLE:** MANAGER GOVERNANCE  
**DEPARTMENT:** EXECUTIVE SERVICES  
**REFERENCE:** 13039110/18098015 (Alexandra Hall)/18098810(Elmhurst)/18097946  
(Moyston)/18098588(Tatyoan)

#### OFFICER'S DECLARATION 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

Section 86 Special Committees are established to assist Council with executing specific functions or duties. By instrument of delegation,

#### EXECUTIVE SUMMARY

Council has delegated to the Special Committees such functions and powers of the Council that it deems appropriate, utilising provisions of the Local Government Act 1989.

#### RECOMMENDATION

##### That Council:

- 1 Receives the Ordinary Meeting minutes of the Alexandra Hall Committee of Management meeting held on 16 August 2018;
- 2 Receives the Annual General Meeting minutes of the Alexandra Hall Committee of Management meeting held on 16 August 2018;
- 3 Appoint the nominated candidates to the Alexandra Hall Committee of Management as nominated at the Annual General Meeting held on 16 August 2018;
- 4 Receives the Ordinary Meeting minutes of the Elmhurst Public Hall Committee of Management meeting held on 23 August 2018;
- 5 Receives the Ordinary Meeting minutes of the Moyston Public Hall Committee of Management meeting held on 13 August 2018;
- 6 Receives the Annual General Meeting minutes of the Moyston Public Hall Committee of Management meeting held on 13 August 2018;
- 7 Appoint the nominated candidates to the Moyston Public Hall Committee of Management as nominated at the Annual General Meeting held on 13 August 2018; and
- 8 Receives the Ordinary Meeting minutes of the Tatyoan Hall and Recreation Reserve Committee of Management meeting held on 17 April 2018.

#### BACKGROUND

Section 86 Special Committees are required to report to Council at intervals determined by the Council. A review of the process of receiving and presenting Section 86 Committees minutes is currently being carried out.

#### DISCUSSION

##### Summary of Committee Meetings

The following table updates Council on the meetings held by Council's Section 86 Committees since the last Council Meeting.

Please note that due to the timing of meetings some minutes may not have been confirmed at the time they have been presented to Council.

Special Committee	Councillor representative	Councillor Attendance Record	Current meeting (as presented)	Next proposed meeting/s	Minutes last presented to Council
Alexandra Hall Committee of Management	Cr Allgood	Cr Allgood – Attended AGM, Apology for Ordinary	16 August 2018 Ordinary and AGM	11 October 2018	10 May 2018
Buangor Community Sports Centre Committee (including Cobb & Co Building)	Cr Braithwaite	-	-	Meeting dates not provided	21 November 2017 AGM
Elmhurst Public Hall Committee	Cr Beales	Cr Beales - Apology	23 August 2018	27 September 2018	14 June 2018
Lake Bolac Complex Committee	Cr Beales	-	-	11 July 2018 AGM	9 May 2018
Lake Bolac Memorial Hall Committee	Cr Beales	-	-	Meeting dates not provided	30 September 2014
Maroona Recreation Reserve Committee	Cr Pettman	-	-	Meeting dates not provided	30 July 2018 AGM and Ordinary
Mininera Recreation Reserve Committee	Cr Beales	-	-	26 October 2017 Ordinary and AGM	14 September 2017
Moyston Public Hall Committee	Cr Pettman	Cr Pettman - Apology	13 August 2018 Ordinary and AGM	8 October 2018 14 January 2019 13 May 2019 12 August 2019 Ordinary and AGM	14 May 2018
Pomonal Hall & Reserve Committee	Cr Braithwaite	-	-	Meeting dates not provided	2 May 2018
Streatham Memorial Hall Committee	Cr Armstrong	-	-	Meeting dates not provided	30 October 2017
<i>SMW Community Development Committee (former Streatham Primary School)</i>	-	-	-	-	-
Tatyoan Hall and Recreation Reserve Committee	Cr Beales	Cr Beales - Apology	17 April 2018	17 September 2018 AGM	14 March 2018
Warrak Public Hall Committee	Cr Allgood	-	-	Meeting dates not provided	13 February 2018
Westmere Progress Association Committee (Westmere Hall and Recreation Reserve)	Cr Armstrong	-	-	Meeting dates not provided	17 October 2015
Wickliffe Action Group Wickliffe Common Committee	Cr Allgood	-	-	Advised no formal meetings held	-
Wickliffe Recreation Reserve Committee	Cr Allgood	-	-	Meeting dates not provided	26 June 2012
Willaura Golf Club	Cr Beales	-	-	Meeting dates not provided	9 November 2016
Willaura Memorial Hall	Cr Beales	-	-	4 October 2018 AGM 6 December 2018	2 August 2018
Willaura Recreation Reserve	Cr Pettman	-	-	Meeting dates not provided	21 October 2015
Yalla-Y-Poora Community Centre	Cr Armstrong	-	-	Meeting dates not provided	8 September 2014



## KEY CONSIDERATIONS

### ***Alignment to Council Plan Strategic Objectives***

5.1 Good governance through leadership

### ***Financial***

No financial impact for the receiving of minutes.

### ***Policy/Legal/Statutory***

Council's Section 86 Committee Instrument of Delegation states that Committees must "Adhere to the *Section 86 Committee Governance Manual (Governance)* in relation to all reporting requirements." Section 86 Committee Minutes must be forwarded to Council within 14 days after the meeting.

### ***Risk Assessment***

Council need to be aware of issues raised in the minutes and take action were required. Not receiving the minutes in a timely manner can lead to delays in implementation of the requests.

### ***Stakeholder Consultation and Communication***

Councillor representation on Section 86 Committee of Management.

## CONCLUSION

It is a legislative requirement of the *Local Government Act 1989, section 86* for minutes of these committees to be presented to the Council.

## ATTACHMENTS

The four Section 86 Committees minutes as listed above are provided as Attachment 5.1.

**5.2 ADVISORY COMMITTEES MINUTES**

**AUTHOR'S TITLE:** MANAGER GOVERNANCE  
**DEPARTMENT:** EXECUTIVE SERVICES  
**REFERENCE:** 13039075

**OFFICER'S DECLARATION 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**

Council reviews its Committees at the Statutory Meeting each year and the Minutes of these minutes are presented to Council.

**EXECUTIVE SUMMARY**

This report contains the records of Council Committee meetings minutes received since the last Council Meeting.

**RECOMMENDATION**

**That the Council Committees Report be received.**

**DISCUSSION**

The following table outlines the Advisory Committees held since the last Council Meeting.

Committees	Councillor representative	Councillor Attendance Record	Current meeting (as presented)	Next scheduled meeting/s
<b>Council Committees</b>				
Ararat Regional Art Gallery Advisory Committee	Cr Armstrong	Cr Armstrong	22 August 2018	2 October 2018
Audit Committee	Cr Beales and Cr Braithwaite	Cr Beales and Cr Braithwaite	6 September 2018	4 September 2018 27 November 2018 5 March 2019 4 June 2019
CEO Employment and Recruitment Advisory Committee (Confidential)	Mayor, Cr Armstrong and Cr Braithwaite	-	-	18 September 2018
Community Engagement Advisory Committee	Cr Armstrong and Cr Pettman	-	-	To be confirmed
Community Road Safety Steering Committee	Cr Allgood	-	-	Yearly in August/September
Environmental Sustainability Advisory Group	Cr Pettman	-	-	12 September 2018 (Minutes to be presented to October 2018 Council Meeting)
Health Promoting Leadership Advisory Group (also known as Ararat Prevention Leadership Group)	Cr Pettman	-	-	14 November 2018
Municipal Emergency Management Planning Committee	Cr Beales	-	-	7 November 2018

## KEY CONSIDERATIONS

### ***Alignment to Council Plan Strategic Objectives***

5.1 Good governance through leadership

### ***Financial***

No financial impact for the receiving of minutes.

### ***Policy/Legal/Statutory***

Section 3(1) of the Act defines an Advisory Committee to be any committee established by the council that provides advice to: Council, a Special Committee or a member of staff with a delegated duty, function or power of the Council under Section 98.

### ***Risk Assessment***

Council need to be aware of issues raised in the minutes and take action were required.

### ***Stakeholder Consultation and Communication***

Councillor representation on Council Committees.

## CONCLUSION

The minutes of Council Committees are presented to Council for information.

## ATTACHMENTS

The Advisory Committee minutes listed above is provided as Attachment 5.2.

## SECTION 6 – ASSEMBLY OF COUNCILLORS

### 6.1 ASSEMBLY OF COUNCILLORS

**AUTHOR'S TITLE:** MANAGER GOVERNANCE  
**DEPARTMENT:** EXECUTIVE SERVICES  
**REFERENCE:** 13039074

#### **OFFICER'S DECLARATION 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**

The *Local Government Act 1989* (Act) (Section 80A) requires that the record of an assembly of Councillors is to be reported to the next practicable Council meeting and be included in the minutes of that meeting.

#### **EXECUTIVE SUMMARY**

As a requirement of the Act, all Assemblies of Councillors held since the last Council Meeting are presented to Council and recorded in the minutes of the Council Meeting.

#### **RECOMMENDATION**

**That the Assembly of Councillors Reports be received.**

#### **BACKGROUND**

Certain types of meetings involving Councillors are defined to be Assemblies of Councillors. Councillors must disclose conflicts of interests at Assemblies of Councillors. Records of Assemblies of Councillors must be reported to Council meetings and recorded in the Council minutes

Section 76AA of the Act defines the following meetings to be Assemblies of Councillors: An Advisory Committee of the Council that includes at least one Councillor; or A planned or scheduled meeting of at least half the Councillors and one staff member.

#### **DISCUSSION**

The following records of meetings of the Assembly of Councillors since the last Council Meeting are attached.  
**Note: Any disclosures of interest, relevant to these items, are recorded in the Assembly of Councillors record.**

<b>Assembly of Councillors</b>
Assembly of Councillors held on 22 August 2018 – Ararat Regional Art Gallery Advisory Committee
Assembly of Councillors held on 4 September 2018
Assembly of Councillors held on 11 September 2018

#### **KEY CONSIDERATIONS**

##### ***Alignment to Council Plan Strategic Objectives***

5.1 Good governance through leadership

##### ***Financial***

No financial impact for the receiving of Assembly of Councillors records.

***Policy/Legal/Statutory***

As a requirement of the *Act*, a record of Assembly of Councillors must be kept and presented to the next available Council Meeting. Conflict of interest disclosures are noted in the record of Assembly of Councillors.

***Risk Assessment***

Records of Assembly of Councillors are reported regularly and related documentation retained as required by legislation.

***Stakeholder Consultation and Communication***

Council receives delegations from various organisations and individuals throughout the year.

**CONCLUSION**

This is a legislative requirement of the *Local Government Act 1989, section 80*. The records of Assemblies of Councillors since the last Council Meeting are presented for information.

**ATTACHMENTS**

The three Assembly of Councillor records listed above are provided as Attachment 6.1.

## **SECTION 7 – COUNCILLORS REPORTS**

At each Council Meeting, all Councillors will have the opportunity to provide an overview of any meetings attended.

If a Councillor chooses to provide details, the name of the conference/event and the Councillor attending will be noted in the Minutes of the meeting. If a Councillor requires additional information on the conference/event to be included in the Minutes, the Councillor must submit in writing to the Chief Executive Officer by no later than 12pm (noon) the day following the meeting.

### **RECOMMENDATION**

**That the Councillors Reports be received.**

**SECTION 8 – NOTICES OF MOTION**

Notices of Motion must be in writing and lodged with the Chief Executive Officer no later than 5pm on the Wednesday which is at least four (4) business days before the meeting at which it is intended to be considered, unless a public holiday falls within that four days, as per Clause 18(4) of the Ararat Rural City Council Meeting Procedure.

**SECTION 9 – URGENT BUSINESS**

Ararat Rural City Council Meeting Procedure, Clause 17 Urgent Business states:

- (1) Items proposed as urgent business must not be submitted to the meeting other than by resolution of the Council and only if it relates to or arises out of a matter which has arisen since distribution of the Agenda or which cannot be reasonably deferred for inclusion in the agenda of the next meeting
- (2) The nature of the urgency must be stated by the Councillor and outlined in the minute of the meeting.

Discussion on Urgent Business Items admitted and accepted by resolution of Council at the commencement of the meeting:



**SECTION 10 – CLOSE SESSION (CONFIDENTIAL)**

**CLOSURE OF COUNCIL MEETING TO THE PUBLIC**

The Open Council Meeting will now be closed, but members of the public are welcome to rejoin the Council Meeting following the recommencement of the meeting.

**RECOMMENDATION**

That the meeting be closed to members of the public to discuss the items listed in the confidential agenda, in accordance with the following provision:

*“89 Meetings to be open to the public*

*(2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—*

*(a) personnel matters; and*

*(d) contractual matters.*

**OPEN COUNCIL MEETING RECOMMENCEMENT**

**RECOMMENDATION**

That the Open Council Meeting recommence.

Gallery invited to return to Council Chamber.

**LIFTING OF CONFIDENTIALITY OF CLOSED SESSION RESOLUTIONS**

**RECOMMENDATION**

That the Confidentiality of the:

1 Report and decision in relation to Items 10.1 and 10.2 of the Confidential Agenda not be lifted; and

2 Decision in relation to Item 10.3 of the Confidential Agenda be lifted.