



Ararat Rural City



AGENDA

ORDINARY MEETING OF COUNCIL

Tuesday 20 November 2018

To be held in the
Council Chamber, Shire Hall,
233-235 Barkly Street, Ararat
Commencing at 7.00pm

Council:

Cr Peter Beales (Mayor)
Cr Gwenda Allgood
Cr Jo Armstrong
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.

A 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.

SECTION 1 – PROCEDURAL MATTERS	3
1.1 LIVE STREAMING.....	3
1.2 TRADITIONAL ACKNOWLEDGEMENT/OPENING PRAYER/COUNCILLORS PLEDGE.....	3
1.3 APOLOGIES.....	3
1.4 CONFIRMATION OF MINUTES.....	3
1.5 DECLARATION OF DISCLOSURE OF INTERESTS	4
1.6 ADMISSION OF URGENT BUSINESS	4
SECTION 2 – PUBLIC PARTICIPATION.....	5
2.1 REQUEST TO ADDRESS COUNCIL.....	5
2.2 DEPUTATIONS / PRESENTATIONS.....	5
2.3 PETITIONS.....	5
SECTION 3 – REPORTS REQUIRING COUNCIL DECISION.....	6
3.1 SECTION 86 COMMITTEES OF MANAGEMENT – REVIEW OF INSTRUMENTS OF DELEGATION.....	6
3.2 COUNCIL POLICY REVIEW.....	8
3.3 MUNICIPAL EMERGENCY MANAGEMENT PLAN 2018 - 2021	10
SECTION 4 – INFORMATION REPORTS	12
4.1 BUILDING APPROVALS.....	12
4.2 PLANNING MATTERS APPROVED UNDER DELEGATION PLANNING PERMITS AND CERTIFICATION OF SUBDIVISION PLANS	14
SECTION 5 – COMMITTEE MINUTES/REPORTS	17
5.1 SECTION 86 COMMITTEES OF MANAGEMENT MINUTES	17
5.2 ADVISORY COMMITTEES MINUTES	20

SECTION 6 – ASSEMBLY OF COUNCILLORS	22
6.1 ASSEMBLY OF COUNCILLORS.....	22
SECTION 7 – COUNCILLORS REPORTS	24
SECTION 8 – NOTICES OF MOTION.....	25
SECTION 9 – URGENT BUSINESS	26
SECTION 10 – CLOSE SESSION (CONFIDENTIAL)	27
CLOSURE OF COUNCIL MEETING TO THE PUBLIC	27
OPEN COUNCIL MEETING RECOMMENCEMENT	27
LIFTING OF CONFIDENTIALITY OF CLOSED SESSION RESOLUTIONS.....	27

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 from Wednesday morning following the Council Meeting.

You do not require a Facebook account to watch the live broadcast, simply enter www.facebook.com/aranactive 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

That the apology of Cr Jo Armstrong (Leave of Absence) be accepted.

1.4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Council Meeting held on:

- 1 Ordinary Council Meeting held on 16 October 2018;
 - 2 Statutory Meeting held on 30 October 2018; and
 - 3 Special Council Meeting held on 30 October 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

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 SECTION 86 COMMITTEES OF MANAGEMENT – REVIEW OF INSTRUMENTS OF DELEGATION

RESPONSIBLE OFFICER: MANAGER GOVERNANCE
DEPARTMENT: EXECUTIVE SERVICES
REFERENCE: 13039110

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

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

EXECUTIVE SUMMARY

Council currently has nineteen (19) section 86 Committees (as listed below).

RECOMMENDATION

That Council sign and seal the Instruments of Delegation for the following Section 86 Committees of Management;

- 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 and Reserve Committee;
- Streatham Memorial Hall Committee;
- Tatyoon 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 Committee;
- Willaura Memorial Hall Committee;
- Willaura Recreation Reserve Committee; and
- Yalla-Y-Poora Community Centre Committee.

DISCUSSION

Previous Instruments of Delegation, for the section 86 Committees outlined in the report, have been in effect since being adopted by Council on 17 May 2016. The schedule for the Instrument of Delegation outlines the powers, duties and functions of the committee and the conditions and limitations.

Instruments of Delegations were forwarded to section 86 Committees on 23 October 2018, at the time of writing this report only one response had been received.

Council supports the valuable work of office bearers, members and volunteers of these important Committees.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

- 1.1 Work with communities to develop and prosper
- 5.1 Good governance through leadership

Financial

The Instrument of Delegation improves the financial and resource capacity of both Council and stakeholder Section 86 Committees by providing clear guidance.

Policy/Legal/Statutory

The review of delegations to Special Committees is a requirement of the Local Government Act and not doing so will result in Council being in breach of the Act.

Risk Assessment

Risk is reduced by ensuring all stakeholders including Council are working within the same management framework.

Stakeholder Consultation and Communication

Section 86 Committee were provided with a copy of their Instrument of Delegation, which was sent via post on 23 October 2018.

CONCLUSION

The nineteen (19) Section 86 Committee Instrument of Delegations are presented to Council for consideration.

ATTACHMENTS

Copies of all Instrument of Delegations are included as Attachment 3.1

3.2 COUNCIL POLICY REVIEW

RESPONSIBLE OFFICER: MANAGER GOVERNANCE
DEPARTMENT: EXECUTIVE SERVICES
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 policy has now been reviewed as per the review process, and is now ready to be adopted by Council. A copy of the policy follows this report.

No.	Name of Policy
C.1.25	Video and Audio Recordings of Council Meetings

RECOMMENDATION

That Council adopt Council Policy C.1.25 Video and Audio Recordings of Council Meetings.

DISCUSSION

A review of the Audio Recordings of Council Meetings policy has seen a name change to Video and Audio Recordings of Council Meetings. The document now reflects the use of Livestreaming at Council Meetings.

Along with the inclusion of sub headings, the following points have been included in the policy:

Under "Intent":

Live streaming or viewing a recording of a meeting allows viewers to choose to watch and listen to a meeting in real time or at a later time, giving greater access to Council decision making and debate and encouraging openness and transparency.

This can help reduce geographic and time barriers which may prevent the public from attending meetings in person.

Under "Policy":

- 1.3 *Confidential Council Meetings and confidential items of business in a Council meeting will not be streamed live or made available to the public as a recording.*
- 2.1 *Council officers and members of the public who address Council during an open session will be included in the livestream and recording.*
- 3.1. *Council does not accept liability for any inaccurate or defamatory statements or comments made at a meeting, and will take appropriate steps to ensure that it does not publish that material via its live streaming or recording.*

- 3.2. *Accordingly, at any time during a meeting the Chair (or the Chief Executive Officer) have the discretion and authority to direct the termination or interruption of live streaming if they believe it is advisable to do so. Such direction will only be given in exceptional circumstances, where statements are or are likely to be made that are considered inappropriate to be published (by streaming or recording)*
- 1.1. *Video, images and audio contained in a live stream or recording must not be altered, reproduced or republished without the permission of Council.*

Deleted

The reference to “each recording remain on the website for a period of 12 months following the meeting date” has been deleted from the policy.

The policy also includes administrative changes to update the officer title and updated references to Acts.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

- 5.1 Good governance through leadership

Financial

None identified.

Policy/Legal/Statutory

None identified.

Risk Assessment

Clarity and transparency of Council Policies.

Stakeholder Consultation and Communication

The policy was reviewed in consultation with the Chief Executive Officer and Media and Communication Coordinator for feedback prior to presenting to Council for consideration.

CONCLUSION

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

ATTACHMENTS

C.1.25 Video and Audio Recordings of Council Meetings Policy

3.3 MUNICIPAL EMERGENCY MANAGEMENT PLAN 2018 - 2021

RESPONSIBLE OFFICER: MUNICIPAL FIRE PREVENTION OFFICER
DEPARTMENT: CORPORATE SERVICES
REFERENCE: 18100053

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

To continue to work in partnership with all relevant response and recovery agencies.

EXECUTIVE SUMMARY

Municipal Fire Management Plan 2018-2021 is a revised document, to replace the Municipal Fire Management Plan 2014-2017.

The plan is formulated in accordance with the Integrated Fire Management Planning (IFMP) framework and is a collaborative effort involving input from all relevant stakeholders including Victoria Police, CFA; DELWP; Forest Fire Management; local utility providers, Ararat Rural City Council and a number of other interested/community based parties.

Development of this plan satisfies Council's statutory obligation in meeting the requirements of Section 55A of the Country Fire Authority Act (1958).

RECOMMENDATION

That Council adopt the Municipal Emergency Management Plan 2018-2021.

DISCUSSION

Council's current Municipal Fire Management Plan (MFMP) was adopted in 2015 and covered the period 2014-2017.

The Municipal Fire Management Plan (MFMP) is risk based and is a sub-plan of the Municipal Emergency Management Plan. It is a "living" document which is designed to chart the planned and coordinated implementation of measures designed to minimise the occurrence and mitigate the effect of bushfire, grassfire, residential and industrial fires in the community. The plan is based on the Integrated Fire Management Planning (IFMP) framework.

This is an updated version of the previous plan (2014-2017), which includes amendments arising from the most recent review (2017-2018).

The completed plan was presented to the Municipal Fire Management Planning Committee (MFMPC) on 7 November 2018 and adopted.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

- 1.3 Community Safety - Support the community in emergency management planning, response, recovery and in the prevention and mitigation of risks.

Financial

The Municipal Fire Management plan does not commit Council to any additional funding or resources.

Policy/Legal/Statutory

By endorsing the Municipal Fire Management Plan, Council complies with the legislative requirements.

Risk Assessment

By implementing the Municipal Fire Management Plan, we will better utilise the resources that Council has committed to fire prevention works.

Stakeholder Consultation and Communication

The Municipal Fire Management Planning Committee is made up of internal staff, Emergency agency staff and volunteers from each of the fire brigades.

CONCLUSION

This edition of the Municipal Fire Management Plan (2018-2021) was accepted and adopted by the Municipal Fire Management Planning Committee at its meeting held in Ararat on 7 November 2018.

The Municipal Fire Management Plan is presented for adoption by Ararat Rural City Council prior to referral to the Regional Emergency Management Planning Committee for ratification at Regional Level.

ATTACHMENTS

Municipal Emergency Management Plan 2018-2021.

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 October 2018.

Approvals by Ararat Rural City Municipal Building Surveyor – October 2018

Permit No.	Application Date	Approval Date	Building Address	Nature of Works	Use of Building
181580/0	5/07/2018	24/10/2018	20 Lot 2, Green Street, Elmhurst	Wheelchair access & Disabled Toilet	Church
181598/0	9/08/2018	3/10/2018	1 Mulcahy Road, Ararat	New Building	Shed
181611/0	11/09/2018	15/10/2018	24 High Street, Ararat	New Building	Dwelling, Garage and Pergola
181614/0	20/09/2018	15/10/2018	3605 Pyrenees Highway, Eversley	Construction of a swimming pool and safety barrier	Swimming Pool, Swimming Pool Fence
181616/0	12/10/2018	30/10/2018	7 Lot 13, Kims Close, Ararat	Extension	Verandah
181620/0	25/10/2018	30/10/2018	10 Gordon Street, Ararat	New Building	Shed

TOTAL VALUE \$435,686

Approvals by private surveyors – October 2018

Private Surveyor Approvals					
Permit No.	Date Received by Council	Date Approved	Building Address	Description of Building Works or Use of Building	Surveyor
42207/20180252/0	02/10/2018	02/10/2018	140 Lambert Street, Ararat	Construction of a Storage Shed	Adrian Sharman, Vic Central Building Surveying
30656 20180454/0	02/10/2018	02/10/2018	1349 Ararat – Halls Gap Road, Moyston	Construction of Outdoor Shelter	Jahan Trevena, Lighthouse Building Permits
30656 20180469/0	05/09/2018	12/10/2018	104 Moore Street, Ararat	Restump of Detached Dwelling	Jahan Trevena, Lighthouse Building Permits
30656 20180488/0	05/09/2018	21/10/2018	47 George Road, Ararat	Restump of dwelling	Jahan Trevena, Lighthouse Building Permits
57205/20180357/0	16/07/2018	25/10/2018	5 Caledonian Court, Ararat	Industrial Warehouse	Adam McCosh, Coast to Country Building Approvals
57205/20180352/0	17/10/2018	24/10/2018	1331 Helendoite Road, Tatyoon	Farm Shed	Adam McCosh, Coast to Country Building Approvals
57205/20180370/0	26/10/2018	31/10/2018	281 Muirhead Road, Willaura	Farm Shed	Adam McCosh, Coast to Country Building Approvals
44833/20180419/0	08/10/2018	05/10/2018	10 Port Fairy Road, Ararat	Construction of a freestanding carport	Michael Harvey, Axedale Building Consulting
37965/20182192/0	18/10/2018	12/10/2018	9 Brooke Street, Moyston	Complete Restump of existing dwelling	Wayne Allen, MBA Building Services Pty Ltd
36971/20180102/0	16/10/2018	13/10/2018	3369 Ararat-Halls Gap Road, Pomonal	Construction of Storage Shed	Kenton Robinson, Provic Building Approvals
30656/20180479/0	18/10/2018	18/10/2018	4 Queen Street, Ararat	Construction of a dwelling and attached carport	Jahan Trevena, Lighthouse Building Permits
24780/20180337/4	31/10/2018	30/10/2018	41 Warrak Road, Ararat	SESG Building and Kennels	David Kors, Daville Building Surveying
24780/20180737/0	30/10/2018	30/10/2018	103 Chalambar Road, Ararat	Detached Shed	David Kors, Daville Building Surveying
57205/20180368/0	31/10/2018	31/10/2018	Mortlake – Ararat Road, Denicull Creek	Farm Shed	Adam McCosh, Coast to Coast Building Approvals

TOTAL VALUE \$ 1,210,536

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 – October 2018

ARARAT PLANNING SCHEME					
Application No.	Date Lodged	Applicant	Location	Proposed Use of Development	Date of Delegated Approval
01477/1	21/05/2018	VODA Building Services	79 High Street, Ararat being Lots 1 & 2 TP 535844X, Township & Parish of Ararat	Alterations and Additions to Existing Restaurant (KFC)	Amended Permit 11/10/2018 Delegate: Ed Riley
02699	09/10/2017	North Central Land Surveying Pty Ltd	Iron Pot Creek Road, Mount Cole Creek being Lot 2 PS540119 Parish of Warrak	Two Lot Subdivision	23/10/2018 Delegate: Ed Riley
02703	03/11/2017	Highlight Homes/Hotondo Homes	28 Ford Street, Ararat being Lot 2 LP68702, Parish of Ararat	Construction of a Second Dwelling	02/10/2018 Delegate: Ed Riley
02713	05/01/2018	Leap Consulting	5615 Mortlake-Ararat Road, Lake Bolac being Lot 1 TP319615 Parish of Mellier	Increased use and development of intensive animal husbandry (piggery)	16/10/2018 Delegate: Andrew Bishop
02742	08/05/2018	Andrew Oddie	2990 Geelong Road, Ballyrogan being Lot 1	Use and development of	22/10/2018 Delegate: Andrew Bishop

ARARAT PLANNING SCHEME					
Application No.	Date Lodged	Applicant	Location	Proposed Use of Development	Date of Delegated Approval
			TP368816 Parish of Moallaack	a dog breeding business	
02749	26/06/2018	NR Links Pty Ltd	67 Montgomery Street, Lake Bolac being Lot 6 LP215602	2 Lot Subdivision	02/10/2018 Delegate: Andrew Bishop
02753	30/07/2018	Hopkins Creek Events Pty Ltd	1939 Delacombe Way, Tatyoon being Lots 1 & 2 PS638986 Parish of Mininera	Use and development of a Place of Assembly (music and art festival – annual event for 5 years)	30/10/2018 Delegate: Ed Riley
02756	27/07/2018	Russell Pearse, Hotondo Homes for Prior	Lot 3 Sawpit Flat Road, Ararat being Lot 3 PS640145, Parish of Ararat	Use and development of a dwelling and associated works	24/10/2018 Delegate: Ed Riley
02760	06/09/2018	Mark Wolfe	109 & 111 Barkly Street, Ararat being Lt 1 TP227437 Parish of Ararat	Building and works (external painting of the building and replacement of the canopy)	24/10/2018 Delegate: Ed Riley
02762	28/08/2018	Michael Dowd	1 Mulcahy Road, Ararat being Crown Allotment 8, Section 99, Parish of Ararat	Use and construction of a domestic storage building	02/10/2018 Delegate: Ed Riley
02763	31/08/2018	Rebecca McDougall	125 Barkly Street, Ararat being L2 PS403932 Parish of Ararat	Buildings and works (external painting of the building and provision of signage)	23/10/2018 Delegate: Ed Riley
02765	25/10/2018	Gary Hamilton	24 Packard Drive, Ararat being L4 PS302105 Parish of Ararat	Development of a domestic storage building	30/10/2018 Delegate: Ed Riley
02767	11/09/2018	Greg Wright for Sergeant	9 Princes Street, Ararat being Lot 2 LP212213, Township & Parish of Ararat	Use and Construction of a Domestic storage building	03/10/2018 Delegate: Ed Riley
02768	17/09/2018	Action Steel Industries	1331 Helendoite Road, Tatyoon being Lot 1 TP125864D Parish of Ballyrogan	Construction of an agricultural shed	11/10/2018 Delegate: Ed Riley

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
S01174	24/07/2018	Darren Ford, Ararat Survey Pty Ltd for Cincotta	2053 Pomonal Road, Pomonal	Certification and Statement of Compliance in relation to PS808366C, Version 02	02/10/2018
S01155	16/07/2018	Darren Ford, Ararat Survey Pty Ltd for Harrison	69 Picnic Road, Ararat being Lot 2 LP97889 & Lot 2 PS519073, Parish of Ararat	Certification in relation to PS808358B, Version 02	23/10/2018
S01172	18/06/2018	VicRoads	Lot 4 Western Highway, Buangor	Certification in relation to PS822760S (Section 35 – Acquisition by acquiring authority)	23/10/2018

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 /18099399 (Alexandra Hall) /18100028 (Elmhurst) /18100008 (Mininera)/
18100010 (Pomonal) /18100111 (Tatyoan) /18099310 (Willaura)

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 11 October 2018;
- 2 Receives the Annual General Meeting minutes of the Elmhurst Public Hall Committee of Management meeting held on 27 September 2018;
- 3 Appoint the nominated candidates to the Elmhurst Public Hall Committee of Management as nominated at the Annual General Meeting held on 27 September 2018;
- 4 Receives the Annual General Meeting minutes of the Mininera Recreation Reserve Committee of Management meeting held on 25 October 2018;
- 5 Appoint the nominated candidates to the Mininera Recreation Reserve Committee of Management as nominated at the Annual General Meeting held on 25 October 2018;
- 6 Receives the Ordinary Meeting minutes of the Mininera Recreation Reserve Committee of Management meeting held on 25 October 2018;
- 7 Receives the Ordinary Meeting minutes of the Pomonal Hall and Reserve Committee of Management meeting held on 1 August 2018;
- 8 Receives the Annual General Meeting minutes of the Tatyoan Hall and Recreation Reserve Committee of Management meeting held on 17 September 2018;
- 9 Appoint the nominated candidates to the Tatyoan Hall and Recreation Reserve Committee of Management as nominated at the Annual General Meeting held on 17 September 2018; and
- 10 Receives the Ordinary Meeting minutes of the Tatyoan Hall and Recreation Reserve Committee of Management meeting held on 17 September 2018.
- 11 Receives the Annual General Meeting minutes of the Willaura Memorial Hall Committee of Management meeting held on 4 October 2018;
- 12 Appoint the nominated candidates to the Willaura Memorial Hall Committee of Management as nominated at the Annual General Meeting held on 4 October 2018; and
- 13 Receives the Ordinary Meeting minutes of the Willaura Memorial Hall Committee of Management meeting held on 4 October 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 - Apology	11 October 2018	7 February 2019	16 August 2018 Ordinary and AGM
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 – not advised of meeting	27 September 2018 AGM	14 February 2019 11 April 2019 13 June 2019 8 August 2019 September AGM to be advised 10 October 2019 12 December 2019	23 August 2018
Lake Bolac Complex Committee	Cr Deutsch	-	-	11 July 2018 AGM	9 May 2018
Lake Bolac Memorial Hall Committee	Cr Deutsch	-	-	Meeting dates not provided	31 January 2017 AGM 18 April 2018
Maroona Recreation Reserve Committee	Cr Pettman	-	-	Meeting dates not provided	30 July 2018 AGM and Ordinary
Mininera Recreation Reserve Committee	Cr Beales	Cr Beales - attended	25 October 2018 AGM and Ordinary	Meeting dates not provided	14 September 2017
Moyston Public Hall Committee	Cr Pettman	-	-	8 October 2018 14 January 2019 13 May 2019 12 August 2019 Ordinary and AGM	13 August 2018 Ordinary and AGM
Pomonal Hall & Reserve Committee	Cr Braithwaite	Cr Braithwaite – did not attend	1 August 2018	Meeting dates not provided	2 May 2018
Streatham Memorial Hall Committee	Cr Armstrong	-	-	Meeting dates not provided	30 October 2017
Tatyoan Hall and Recreation Reserve Committee	Cr Beales	Cr Beales - attended	17 September 2018 AGM and Ordinary	Meeting dates not provided	20 August 2018
Warrak Public Hall Committee	Cr Allgood	-	-	Meeting dates not provided	13 February 2018

Special Committee	Councillor representative	Councillor Attendance Record	Current meeting (as presented)	Next proposed meeting/s	Minutes last presented to Council
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	Cr Beales - Attended	4 October 2018 AGM and Ordinary	6 December 2018	2 August 2018
Willaura Recreation Reserve	Cr Pettman	-	-	7 February 2019 4 April 2019 6 June 2019 1 August 2019 3 October 2019 5 December 2019	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 six 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.

Council Committees	Councillor representative	Councillor Attendance Record	Current meeting (as presented)	Next scheduled meeting/s
Ararat Regional Art Gallery Advisory Committee	Cr Armstrong	Cr Armstrong - attended	2 October 2018	4 December 2018
Audit Committee	Cr Beales and Cr Braithwaite	-	-	27 November 2018 5 March 2019 4 June 2019
CEO Employment and Recruitment Advisory Committee (Confidential)	Mayor, Cr Armstrong and Cr Braithwaite	-	-	11 December 2018
Community Road Safety Steering Committee	Cr Allgood	Cr Allgood - attended	1 November 2018	Yearly in August/September
Environmental Sustainability Advisory Group	Cr Pettman	-	-	12 December 2018
Municipal Emergency Management Planning Committee	Cr Beales	Cr Beales - attended	7 November 2018	6 March 2019

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 three Advisory Committee minutes as listed above are 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.

Assembly of Councillors
Assembly of Councillors held on 2 October 2018 – Ararat Regional Art Gallery Advisory Committee
Assembly of Councillors held on 1 November 2018 – Community Road Safety Steering Committee
Assembly of Councillors held on 7 November 2018
Assembly of Councillors held on 7 November 2018 – Municipal Emergency Management Planning Committee
Assembly of Councillors held on 13 November 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 five 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.

No Notices of Motions were received by 5pm on 14 November 2018

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—

(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 report and decision in relation to Items 10.1 and 10.2 of the Confidential Agenda not be lifted.