



Ararat Rural City

# AGENDA

## COUNCIL MEETING

**Tuesday 25 October 2022**

To be held in the Council Chambers, Shire Offices  
(Livestreamed)

Commencing at 6.00pm

Council:

Cr Jo Armstrong (Mayor)

Cr Gwenda Allgood

Cr Rob Armstrong

Cr Peter Beales

Cr Henry Burridge

Cr Bob Sanders

Cr Bill Waterston



Ararat Rural City

A recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the Council Meeting.

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. You do not require a Facebook account to watch the live broadcast, simply enter [www.facebook.com/aratruralcitycouncil](https://www.facebook.com/aratruralcitycouncil) into your address bar.

Recordings of 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 live streams the formal Council Meetings to make them accessible. The stream is available to view on Council's Facebook page from 6pm and on Council's website following the Council Meeting.

### 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 faithfully and impartially carry out and exercise the functions, powers, authorities and discretions invested in us under the *Local Government Act 2020* and any other Act to the best of our skill and judgement.

### 1.3 APOLOGIES

#### RECOMMENDATION (if required)

That the apology of Cr be accepted.

### 1.4 CONFIRMATION OF MINUTES

#### RECOMMENDATION

That the Minutes of the Council Meetings held on 27 September 2022 be confirmed.

## 1.5 DECLARATION OF CONFLICT OF INTEREST

A Councillor who has a conflict of interest in a matter being considered at a *Council meeting* at which he or she:

- 1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered; or
- 2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:
  - (a) advising of the conflict of interest;
  - (b) explaining the nature of the conflict of interest; and
  - (c) detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:
    - name of the other person;
    - nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
    - nature of that other person's interest in the matter,and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

## SECTION 2 – PUBLIC PARTICIPATION

### 2.1 PETITIONS AND JOINT LETTERS

- 1 Unless *Council* determines to consider it as an item of urgent business, no motion (other than a motion to receive the same) may be made on any petition, joint letter, memorial or other like application until the next *Council meeting* after that at which it has been presented.
- 2 It is incumbent on every Councillor presenting a petition or joint letter to acquaint himself or herself with the contents of that petition or joint letter, and to ascertain that it does not contain language disrespectful to *Council*.
- 3 Every Councillor presenting a petition or joint letter to *Council* must:
  - write or otherwise record his or her name at the beginning of the petition or joint letter; and
  - confine himself or herself to a statement of the persons from whom it comes, the number of signatories to it, the material matters expressed in it and the text of the prayer or request.
- 4 Every petition or joint letter presented to *Council* must be in *writing* (other than pencil), typing or printing, contain the request of the petitioners or signatories and be signed by at least 12 people.
- 5 Every petition or joint letter must be signed by the persons whose names are appended to it by their names or marks, and, except in cases of incapacity or sickness, by no one else and the address of every petitioner or signatory must be clearly stated.
- 6 Any signature appearing on a page which does not bear the text of the whole of the petition or request may not be considered by *Council*.
- 7 Every page of a petition or joint letter must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition or joint letter.
- 8 If a petition, joint letter, memorial or other like application relates to an operational matter, *Council* must refer it to the *Chief Executive Officer* for consideration.

## SECTION 3 – REPORTS REQUIRING COUNCIL DECISION

### 3.1 APPOINTMENT AND AUTHORISATIONS (PLANNING AND ENVIRONMENT ACT 1987) S11A

RESPONSIBLE OFFICER: GOVERNANCE AND RISK LEAD  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 6994

#### OFFICERS DECLARATION OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

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#### EXECUTIVE SUMMARY

This report seeks Council's endorsement of the S11A Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987*.

#### DISCUSSION

The Local Government Act 1989 provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

The Chief Executive Officer, by authority conferred by instrument of delegation from Council makes these appointments. Under the Planning and Environment Act 1987, however, Authorised Officers can only be appointed by Council resolution as the Act prohibits delegation of the power to appoint Authorised Officers under the Act.

This report identifies changes since the S11A Instrument of Appointment and Authorisation was adopted on 30 August 2022

A review of current delegates to this Instrument of Delegation has been carried out.

#### KEY CONSIDERATIONS

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

6 Strong and Effective Governance

*We will work hard to build models of governance that place delivering public value at the centre through effective financial management, well measured risk management; and implementation of effective community engagement practices.*

##### *Budget implications*

There are no budget implications arising from the Appointment of Authorised Officers.

##### *Policy/Relevant Law*

Section 224 of the *Local Government Act 1989* is a provision that remains in force and continues to be the authorising provision for the S11A Instrument of Appointment and Authorisation.

The power to commence proceedings - section 313 of the Local Government Act 2020.

##### *Sustainability Implications*

There are no economic, social or environmental implications in relation to appointment of Authorised Officers.

***Risk Assessment***

The regular updating of the Instrument of Appointment and Authorisation ensures ongoing legislative compliance for Ararat Rural City Council and that staff members are properly empowered to undertake their roles.

***Innovation and Continuous Improvement***

The appointment of Authorised Officers is essential to the effective control and policing of the municipal district.

***Stakeholder Consultation and Communication***

The Instrument of Appointment and Authorisation has been updated by referencing the Maddocks Lawyers Delegations Service.

**RECOMMENDATION**

That;

In the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987 (the Act) and the other legislation referred to in the attached instruments of appointment and authorisation (S11A) (the instrument), Ararat Rural City Council (Council) resolves that -

- 1 The members of Council staff referred to in the instruments be appointed and authorised as set out in the instrument;
- 2 The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it; and
- 3 The instruments be signed under the seal of the Council.

**ATTACHMENTS**

The Instrument of Appointment and Authorisation (Planning and Environment Act 1987) S11A is provided as Attachment 3.1



### 3.2 S18 INSTRUMENT OF SUB-DELEGATION FROM COUNCIL TO MEMBERS OF COUNCIL STAFF

RESPONSIBLE OFFICER: GOVERNANCE AND RISK LEAD  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 6996

#### OFFICERS DECLARATION OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

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#### EXECUTIVE SUMMARY

This report seeks Council's endorsement of the S18 Instrument of Sub-Delegation under the *Environment Protection Act 2017*.

#### DISCUSSION

The Environment Protection Authority (EPA) has given Council the power to appoint officers under the Act and once appointed they can also be delegated some of the EPA's powers.

This report identifies changes since the S18 Instrument of Sub-Delegations was adopted on the 30<sup>th</sup> August 2022.

A review of current delegates to this Instrument of Delegation has been carried out.

#### KEY CONSIDERATIONS

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

6 Strong and effective governance

*We will work hard to build models of governance that place delivering public value at the centre through effective financial management, well measured risk management; and implementation of effective community engagement practices.*

##### *Budget implications*

There are no budget implications arising from the review of the S18 Instrument of Sub-delegation – Council to Members of Council Staff.

##### *Policy/Relevant Law*

Section 11(8) of the *Local Government Act 2020* requires that the Council keep a register of delegations. This delegation will be made available to the public.

Section 437 (1) of the *Environment Protection Act 2017* states that the Governing Board may be instrument delegate all or any of the Authority's powers and functions under this Act to (b) a Council.

##### *Sustainability Implications*

There are no economic, social or environmental implications in relation to the S18 Instrument of Sub-delegation – Council to Members of Council Staff.

##### *Risk Assessment*

It is essential that the Instruments of Delegation are kept up to date to ensure that the CEO is properly empowered to undertake the role.

***Stakeholder Collaboration and Community Engagement***

The *Instrument of Sub-delegation from Council to Members of Council Staff* has been sourced through Council's subscription to the Maddocks Lawyers Delegations Service.

The revocation and consideration of delegations does not require any public consultation; however, Council is required to keep a public register of all delegations.

**RECOMMENDATION**

That:

In the exercise of the powers conferred by the legislation to in the attached Instrument of Sub-delegation, Ararat Rural City Council resolves that -

1. The members of Council staff referred to in the Instrument of sub-delegation under the Environment Protection Act 2017 be appointed and authorised as set out in the instrument. ;
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it and;
3. The instrument be signed under the seal of the Council.

**ATTACHMENTS**

S18 Instrument of Sub-delegation – Council to Members of Council Staff is provided as Attachment 3.2

### 3.3 DELEGATIONS FROM COUNCIL TO MEMBERS OF COUNCIL STAFF S6

RESPONSIBLE OFFICER: GOVERNANCE AND RISK LEAD  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 6997

#### OFFICERS DECLARATION OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

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#### EXECUTIVE SUMMARY

The purpose of this report is for Council to consider adoption of the revised Instrument of Delegation from Council to Members of Council Staff.

#### DISCUSSION

Delegations to Council staff are necessary to enable Council to conduct business efficiently by enabling Council staff to make routine decisions under different Acts.

Various Acts, including the Local Government Act 2020, empower Council to delegate statutory functions, powers and duties. This report recommends that specific functions, powers and duties be delegated to identified staff positions in accordance with the attached *S6 – Instrument of Delegation by Council to Members of Council Staff*.

A review of current delegates to this Instrument of Delegation has been carried out.

#### KEY CONSIDERATIONS

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

6 Strong and Effective Governance

*We will work hard to build models of governance that place delivering public value at the centre through effective financial management, well measured risk management; and implementation of effective community engagement practices.*

##### *Budget implications*

There are no budget implications arising from the review of the S6 Instrument of Delegation – Council to Members of Council Staff.

##### *Policy/Relevant Legislation*

The Council is required to keep a register of delegations and it must be made available for public inspection.

This report is presented to reflect several changes to legislation.

The Council can amend or revoke any delegated power at any time. Council must review all delegations within a period of 12 months after a general election.

##### *Sustainability Implications*

There are no economic, social or environmental implications in relation to S6 Instrument of Delegation – Council to Members of Council Staff.

### ***Risk Assessment***

The amendment of the *Instrument of Delegation from Council to Members of Council Staff* ensures ongoing legislative compliance for Ararat Rural City Council.

It is essential that the Instruments of Delegation are kept up to date to ensure that the members of staff are properly empowered to undertake their roles.

The formal delegation of legislated powers, duties and functions via instruments of delegation, supported by consistent policies allow Council staff to perform day to day duties and make decisions that may otherwise need to be decided upon by Council.

### ***Stakeholder Collaboration and Community Engagement***

The amendment of the *Instrument of Delegation from Council to Members of Council staff* has been updated using the Maddocks Lawyers Delegations Service and RelianSys software.

The delegation service provides two updates per year and mini updates as required when legislation changes.

Chief Executive Officer and relevant officers have reviewed the document.

## **RECOMMENDATION**

That:

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Ararat Rural City Council (Council) resolves that -

- 1 There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation Council to Members of Council Staff (S6)*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;
- 2 The instrument comes into force immediately the common seal of Council is affixed to the instrument;
- 3 On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked;
- 4 The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt; and
- 5 The instrument be signed under the seal of the Council.

## **ATTACHMENTS**

The Instrument of Delegation from Council to Members of Council Staff S6 is provided as Attachment 3.3

### 3.4 REVISED GOVERNANCE RULES

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 6998

#### OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

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#### EXECUTIVE SUMMARY

The Local Government Act 2020 requires all Councils in Victoria to adopt and maintain documents to give effect to good governance and transparency principles. In accordance with *section 60 of the Act*, Council is required to adopt and keep in force Governance Rules.

Council at its 27 September 2022 resolved to

- 1 Endorse the revised Governance Rules for public comment;
- 2 Commence a community engagement process for the revised Governance Rules; and
- 3 Consider the Governance Rules at the 25 October 2022 Council Meeting.

A community engagement process was undertaken in relation to the revised Governance Rules in accordance with section 60(4) of *the Act*.

This report presents the revised Governance Rules to Council following the community engagement process.

#### DISCUSSION

The Governance Rules set out how Council meetings are conducted and how Council decision are made. Council bases its Governance Rules on templates provided by Maddocks Lawyers, which provide a 'standard' form of Governance Rules that are capable of satisfying the requirements of s 60(1) of the Local Government Act 2020.

Amendments to the *Local Government Act 2020* concerning 'attendance' and 'remote' meetings took effect on 2 September 2022. The revised Governance Rules reflects these amendments:

- 1 whether meetings are to be wholly attendance meetings, wholly virtual meetings or partially attendance and partially virtual meetings;
- 2 how, if a meeting is intended to a wholly attendance meeting, a Councillor can request that they attend by electronic means; and
- 3 a decision by Council as to whether it accedes to such a request.

A number of miscellaneous changes were also made:

- (a) make it clear that the Mayor can only be elected with an absolute majority of votes;
- (b) provide for the acceptance of electronic petitions, joint letters and memorials;
- (c) reflect the repeal of certain provisions in the Local Government Act 1989; and
- (d) adopt more gender-neutral language.

A community engagement process was undertaken, no public submissions were received in relation to the revised Governance Rules. Following a briefing with Councillors the Chief Executive Officer has reviewed feedback received from Councillors.

The following addition has now been incorporated into the document:

*42.2 Once debate of a motion has commenced, Councillors are not allowed to ask questions of Council Officers.*

This has been included to ensure that once the report has been presented by Council Officers. Councillors are no longer able to ask questions. Implementing this in the Governance Rules will avoid the potential to engage in debate.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

6. Strong and Effective Governance

*We will work hard to build models of governance that place delivering public value at the centre through effective financial management, well measured risk management; and implementation of effective community engagement practices.*

### *Budget Implications*

There are no budget implications in relation to the development and adoption of the revised Governance Rules.

### *Policy/Relevant Law*

Council must develop, adopt and keep in force Governance Rules in accordance with section 60 of the Act.

In accordance with section 60(2) of *the Act* the Governance Rules must provide for Council to:

- (a) consider and make decisions on any matter being considered by the Council fairly and on the merits; and
- (b) institute decision making processes to ensure that any person whose rights will be directly affected by a decision of the Council is entitled to communicate their views and have their interests considered.

A community engagement process was undertaken in relation to the revised Governance Rules in accordance with section 60(4) of *the Act*.

### *Sustainability Implications*

Environmental, social and economic impacts have been considered in the development of the revised Governance Rules.

### *Risk Assessment*

The development and adoption of the revised Governance Rules will ensure that Council meets its legislative requirements.

### *Innovation and Continuous Improvement*

The revised Governance Rules meet the requirements of *the Act*.

### *Stakeholder Collaboration and Community Engagement*

The revised Governance Rules were endorsed for public comment at the 27 September 2022 Council Meeting.

Articles relating to the revised Governance Rules were published in the two local newspapers, the Ararat Advocate and Ararat Advertiser.

The revised Governance Rules were placed on the *Engage Ararat* page. Submissions were invited for feedback on the revised Governance Rules, with submissions open on 28 September 2022 and closing on 19 October 2022. No submissions were received from the public.

The Chief Executive Officer and Councillors discussed the revised Governance Rules at the briefing held on 6 September and 11 October 2022. Councillors provided feedback on the revised Governance Rules directly to the Chief Executive Officer.

#### RECOMMENDATION

That Council adopt the revised Governance Rules.

#### ATTACHMENTS

A copy of the revised Governance Rules is included as Attachment 3.4.

### 3.5 QUARTERLY PERFORMANCE REPORT

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 7019

#### OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

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#### EXECUTIVE SUMMARY

The financial statements and performance indicators have been prepared for the period ended 30 September 2022.

Based on the information provided by responsible officers and managers Council's overall financial performance is in line with budget.

#### DISCUSSION

Council must establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management.

#### Key Financial information:

##### Income Statement (Attachment 1)

The Income Statement measures how well Council has performed from an operating nature. It reports revenues and expenditure from the activities and functions undertaken, with the net effect being a surplus or deficit. Capital expenditure is excluded from this statement, as it is reflected in the Balance Sheet.

Attachment 1 shows that Council generated \$19.865 million in revenue and \$8.393 million in expenses to 30 September 2022. This has resulted in an operating surplus of \$11.472 million for the three months ended 30 September 2022.

##### *Income*

**Rates and charges** account for 64% of the total budgeted income for 2022/23. Rates and charges are recognised when the rates have been raised, not when the income has been received. An amount of \$17.032 million has been recognised as income for the three months ended 30 September 2022.

**User fees** account for 5% of the total budgeted income for 2022/23 and \$0.295 million has been received to 30 September 2022. The majority of this relates to transfer station fees and fitness centre income.

**Recurrent Operating Grants** total \$0.820 million to 30 September 2022, including \$0.287 million from the Victorian Local Government Grants Commission for general purpose grants and \$0.186 million for the local roads grants.

**Non-recurrent Operating Grants** total \$0.512 million to 30 September 2022, as detailed in the table below. The amounts shown as unearned income will be treated as income in future accounting periods once the performance obligations of the grant have been met.



	Budget 2022/23 \$'000	Income 2022/23 \$'000	Unearned Income \$'000
<b>Non-Recurrent Operating Grants</b>			
Women Building Surveyors Program	-	11	51
Household Recycling Reform	-	-	79
Education and Behaviour Change Grant	-	-	25
New Arrivals Settlement Program	-	140	191
Pilot Coordination Grampians Workforce	-	32	166
Business Concierge & Hospitality Support Program	-	-	57
Aradale Solution-Economic & Social Development Strategy	-	304	196
Ararat Housing Transition	-	-	250
Digital Twin Victoria	-	-	1,000
Free Public WiFi Services	-	-	918
LSIF Ararat Bowls Club Lighting	-	-	41
Rural Roads Support Program	-	-	57
Supported Playgroups	60	17	-
Other Minor Grants	30	8	6
	<b>90</b>	<b>512</b>	<b>3,037</b>

**Non-recurrent Capital Grants** total \$0.841 million to 30 September 2022, as detailed in the table below. The amounts shown as unearned income will be treated as income in future accounting periods once the performance obligations of the grant have been met.

	Budget 2022/23 \$'000	Income 2022/23 \$'000	Unearned Income \$'000
<b>Non-Recurrent Capital Grants</b>			
Gordon Street Recreation Reserve Development	-	340	1,966
Delacombe Way	-	64	-
Wilson Street	-	14	12
Urban Drainage Works	-	-	295
Ararat East Development Zone Trunk Infrastructure Project	-	74	717
Transfer Station Upgrade Fund	-	-	132
COVID Safe Outdoor Activation Fund	-	82	26
Pollands Bridge	-	267	-
	-	<b>841</b>	<b>3,148</b>

#### Note

It is important to note the following:

1. The Grants Operating (recurrent) figure in the Original Budget was \$7.489 million and in the Current Budget is recorded as \$2.587 million, as \$4.960 million was paid to Council in 2021/22 by the Victorian Local Government Grants Commission (VLGGC) for the 2022/23 financial year. Council has still received the expected VLGGC income, to be spent in 2022/23, however it will be reported over two financial years.
2. This change in the budget, plus the note reported under expenses, create a change in the reported surplus position from a projected surplus of \$0.612 million to a deficit of \$2.020 million for 2022/23.

The year to date variance is a deficit of \$0.303 million when the actual year to date expenses are compared to the year to date budget.

### *Expenses*

**Employee Costs** account for approximately 41% of the total budgeted expenditure for 2022/23. For the three months ended 30 September 2022 Council has incurred \$2.816 million in employee costs.

**Materials and Services** account for approximately 31% of the total budgeted expenditure for 2022/23. For the three months ended 30 September 2022, Council has incurred \$3.263 million in materials and services costs. There are a number of projects, including those carried forward from 2021/22 that are expected to be completed before the end of the financial year.

### **Note**

It is important to note the following:

There has been an increase in expenditure on materials and services from \$8.421 million in the Original Budget to \$13.208 million in the Current Budget for 2022/23. This has resulted from a carry forward amount of \$4.787 million from the 2021/22 financial year surplus and unspent grant funds which will be used for additional activity in 2022/23.

### **Balance Sheet (Attachment 2)**

The Balance Sheet is one of the main financial statements and reports Council's assets, liabilities and equity at a given date, in this case 30 September 2022. Comparative figures have been provided as at 30 June 2022.

Council's current assets have increased by \$11.248 million from \$25.514 million as at 30 June 2022 to \$36.762 million as at 30 September 2022. Cash and cash equivalents have decreased by \$4.239 million from \$21.515 million to \$17.276 million. Trade and other receivables have increased \$15.457 million from \$3.922 million as at 30 June 2022 to \$19.379 million as at 30 September 2022, which can be attributed to the rates & charges being recognised as income in the quarter ended 30 September 2022.

Total liabilities have decreased from \$11.995 million in 2021/22 to \$10.989 million in 2022/23, with a decrease of \$0.419 million in trade and other payables. The trust funds and deposits have increased by \$0.390 million from \$0.254 million in 2021/22 to \$0.644 million in 2022/23.

### **Statement of Cash Flows (Attachment 3)**

The Statement of Cash Flows shows how changes in the Statement of Financial Position and Income Statement affect Cash and Cash Equivalents, and breaks down the analysis to operating activities, investing activities and financing activities.

The Cash and Cash Equivalents at the beginning of the financial year of \$21.515 million have decreased by \$4.239 million to \$17.276 million as at 30 September 2022.

Net cash used in operating activities was \$2.733 million and \$1.446 million was used in investing activities.

Investing activities includes payments for property, plant and equipment, and infrastructure totalling \$1.500 million. This included capital building works and capital road works.

Based on the information provided by responsible officers and managers the forecast year end result for cash and cash equivalents are in line with budget.

### **Financial Performance Indicators (Attachment 4)**

The Local Government Performance Reporting Framework requires Councils to report various performance indicators at the end of each financial year.

A full list of financial performance indicators is included in attachment 4.

Indicator	30/6/2022	30/9/2022
<p><b>Working capital</b> <i>Measure - Current assets compared to current liabilities.</i> Expected values in accordance with the Local Government Performance Reporting Framework 100% to 400% Indicator of the broad objective that sufficient working capital is available to pay bills as and when they fall due. High or increasing level of working capital suggests an improvement in liquidity</p>	225%	355%
<p><b>Loans and borrowings</b> <i>Measure - Loans and borrowings compared to rates.</i> Expected values in accordance with the Local Government Performance Reporting Framework – 0% to 70% Indicator of the broad objective that the level of interest-bearing loans and borrowings should be appropriate to the size and nature of a council's activities. Low or decreasing level of loans and borrowings suggests an improvement in the capacity to meet long term obligations</p>	3.41%	3.27%
<p><b>Indebtedness</b> <i>Measure - Non-current liabilities compared to own source revenue</i> Expected values in accordance with the Local Government Performance Reporting Framework – 2% to 70% Indicator of the broad objective that the level of long-term liabilities should be appropriate to the size and nature of a Council's activities. Low or decreasing level of long-term liabilities suggests an improvement in the capacity to meet long term obligations</p>	3.30%	3.61%
<p><b>Rates concentration</b> <i>Measure - Rates compared to adjusted underlying revenue</i> Expected values in accordance with the Local Government Performance Reporting Framework – 30% to 80% Indicator of the broad objective that revenue should be generated from a range of sources. High or increasing range of revenue sources suggests an improvement in stability</p>	55.29%	90.28%
<p><b>Expenditure level</b> <i>Measure - Expenses per property assessment</i> Expected values in accordance with the Local Government Performance Reporting Framework \$2,000 to \$10,000 Indicator of the broad objective that resources should be used efficiently in the delivery of services. Low or decreasing level of expenditure suggests an improvement in organisational efficiency</p>	\$4,064	\$1,153
<p><b>Indicator - Revenue level</b> <i>Measure – Average rate per property assessment</i> Expected values in accordance with the Local Government Performance Reporting Framework - \$700 to \$2,000 Indicator of the broad objective that resources should be used efficiently in the delivery of services. Low or decreasing level of rates suggests an improvement in organisational efficiency</p>	\$2,028	\$2,011

Indicator	30/6/2022	30/9/2022
<p><b>Indicator – Percentage of total rates collected</b></p> <p>The internal audit conducted in 2019 on Rates Revenue and Rate Debtor Management found no routine or regular reporting of large and long outstanding rates debtors.</p> <p>The outstanding Rates Debtors is reported in the Annual Financial report. As at 30 September 2022 the outstanding Rates Debtors totalled \$16.541 million compared to \$1.742 million as at 30 June 2022, an increase of \$14.799 million. In percentage terms 13.6% of the rates raised have been collected at 30 September 2022 compared to 13.1% up to 30 September 2021.</p> <p>Council issues approximately 7,500 rate notices. Last year there were 2,636 assessments paying by instalments compared with 2,606 assessments in 2020/21.</p> <p>Outstanding rates are currently charged 10% interest.</p>	90.1%	13.6%
<p><b>Indicator – Asset Renewal &amp; Upgrade</b></p> <p><i>Measure - Asset renewal &amp; Upgrade compared to depreciation</i></p> <p>Expected range in accordance with the Local Government Performance Reporting Framework – 40% to 130%</p> <p>Assessment of whether council assets are being renewed or upgraded as planned. It compares the rate of spending on existing assets through renewing, restoring, replacing or upgrading existing assets with depreciation. Ratios higher than 1.0 indicate there is a lesser risk of insufficient spending on Council’s asset base.</p>	174.50%	39.98%

The Local Government Performance Reporting Framework provides “Expected ranges” for each indicator. The framework has been developed to consider results at the end of the financial year so some results during the year are outside the expected range due to the timing of receipts and payments.

Explanations are provided in Attachment 4 for those indicators that are outside the “expected ranges”.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

#### **6 Strong and Effective Governance**

*We will work hard to build models of governance that place delivering public value at the centre through effective financial management; well measured risk management; and implementation of effective community engagement practices.*

### **Budget Implications**

Council’s financial performance is in line with expectations. Council’s cash position was expected to reduce in the first quarter to pay for the outstanding accounts at year end.

### **Policy/Relevant Law**

Section 97 – Quarterly Budget Report of the Local Government Act 2020 states:

- 1 As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.
- 2 A quarterly budget report must include—
  - (a) a comparison of the actual and budgeted results to date; and
  - (b) an explanation of any material variations; and
  - (c) any other matters prescribed by the regulations.

- 3 In addition, the second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.

***Sustainability Implications***

This report does not raise any sustainability implications.

***Risk Assessment***

Council is required to establish and maintain a budgeting and reporting framework that is consistent with the principles of sound management and this report assists Council in meeting that requirement.

***Innovation and Continuous Improvement***

The content of the Quarterly report is continually reviewed to ensure meaningful data is provided.

***Stakeholder Collaboration and Community Engagement***

Council's financial performance reports are published quarterly.

**RECOMMENDATION**

That the:

Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators for the period ended 30 September 2022 be received and adopted.

**ATTACHMENTS**

Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators are provided as Attachment 3.5

### 3.6 REQUEST FOR NON-RATEABLE STATUS

RESPONSIBLE OFFICER: RATES & VALUATIONS OFFICER  
DEPARTMENT: CORPORATE SERVICES  
REFERENCE: P/N 1002.54

#### OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

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#### EXECUTIVE SUMMARY

The Brigidine Association have requested a permanent exemption on municipal rates for their property located at 306 Barkly Street Ararat, based upon their religious and charitable status.

#### DISCUSSION

On the 3<sup>rd</sup> March 2022, the Brigidine Association applied in writing for a Non Rateable status, advising they are a registered Australian Charity which is a not-for-profit organisation within the Catholic Church. Their application states that the property is one of their residential properties, to which the dwelling is used for the communal housing of Brigidine Sisters.

Local Government Act 1989 (The Act) states the following:

Section 154 – What land is rateable?:

- (2) The following land is not rateable land—
  - (c) any part of land, if that part is used exclusively for charitable purposes
  
- (4) For the purpose of subsection (2)(c), any part of the land is not used exclusively for charitable purposes if it is in any of the following categories—
  - (a) it is separately occupied and used for a purpose which is not exclusively charitable;
  - (b) a house or flat on the land—
    - (i) is used as a residence; and
    - (ii) is exclusively occupied by persons including a person who must live there to carry out certain duties of employment

A representative from Maddocks lawyers, who specialises in local government rating, recently made a presentation to the Revenue Managers Association about charitable rateability. In his presentation he touched on residential properties and stated that any property used for residential purposes does not qualify as a charitable use.

After review of the application, Council replied to the Brigidine Association advising the request for an exemption was considered to be outside of the intent of The Act.

Council have since received further correspondence from Michael Webster, the lawyer acting on behalf of the Brigidine Association, disagreeing with our implementation of The Act.

#### KEY CONSIDERATIONS

*Alignment to Council Plan Strategic Objectives*

6 Strong and Effective Governance

*We will work hard to build models of governance that place delivering public value at the centre through effective financial management, well measured risk management; and implementation of effective community engagement practices.*

***Budget Implications***

A Non-Rateable status will result in a reduction in income.

***Policy/Relevant Law***

The Local Government Act 1989 provides the definition of rateable land, in section 154.

***Sustainability Implications***

The report does not raise any sustainability implications.

***Risk Assessment***

Nil.

***Innovation and Continuous Improvement***

Council seeks to comply with the legislation.

***Stakeholder Consultation and Communication***

Nil.

**RECOMMENDATION**

That Council endorses the rateable status of the property located at 306 Barkly Street, Ararat.

**ATTACHMENTS**

There are no attachments in relation to this item,

### 3.7 CONSIDERATION OF ANNUAL REPORT 2021/2022

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 7032

#### **OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:**

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

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#### **EXECUTIVE SUMMARY**

The Annual Report is prepared in accordance with the Local Government Act 2020, Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014.

The Annual Report 2021/2022 will be forwarded to the Minister for Local Government once complete.

The purpose of this report is to formally present the Annual Report 2021/2022 to Council.

#### **DISCUSSION**

The Annual Report 2021/2022 outlines the activities undertaken during the financial year.

In accordance with section 98, 99 and 100 of the Act, an Annual Report must contain the following in respect of the financial year reported on:

- Report of operations of the Council
- Audited performance statement
- Audited financial statements
- Copy of the auditor's report on the performance statement
- Copy of the auditor's report on the financial statements under Part 3 of the Audit Act 1994, and
- Any other matter required by the regulations

Additional information outlined in the attached Annual Report includes:

- A summary of Council's activities and performance
- Information on Council's service delivery
- Information pertaining to governance activities undertaken by Council
- Information pertaining to the structure of our organisation
- Report on Council's compliance and accountability

The Annual Report is the primary means of advising the community about Council's operations and performance during the year ended 30 June 2022.

Several highlights to note from the Annual Report 2021/2022 are as follows:

- Achieving a net 0% increase in rates over the last 5 years
- Completed recreation reserve upgrades at Willaura and Mininera, enhancing year-round access for the community at our local facilities
- Commenced the fit-out and activation of the Ararat Jobs and Technology Precinct in partnership with Federation University
- Secured \$300,000 from the Victorian Government to help Council support local business to develop transitional worker housing
- Secured \$1.56 million from the Victorian Government to enable Council to partner with Telstra to create a world-class free Public WiFi network in Ararat and Lake Bolac



- Secured \$2.2 million to support the Ararat Spotlight Project, a partnership with Digital Twin Victoria and Council to support data collection and modelling to accelerate innovation in planning and construction.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

6 Strong and Effective Governance

*We will work hard to build models of governance that place delivering public value at the centre through effective financial management, well measured risk management; and implementation of effective community engagement practices.*

The Annual Report 2021/2022 reports on the progress in achieving the strategic objectives as listed in the Council Plan 2021-2025 (Year 1).

### *Budget Implications*

Costs associated with the production of the Annual Report are included in the Budget for 2021/2022.

### *Policy/Relevant Law*

Completion and circulation of the Annual Report is a key legislative requirement for all Councils.

Sections 98 to 100 of the Local Government Act 2020 outlines the requirements that Council must meet in preparing and considering the Annual Report for 2020/2021.

### *Sustainability Implications*

This report does not raise any sustainability implications.

### *Risk Assessment*

Council must meet the legislative requirements of the Act in relation to the preparation and consideration of the Annual Report 2021/2022.

### *Innovation and Continuous Improvement*

None identified.

### *Stakeholder Collaboration and Community Engagement*

Various Council officers have been involved in the preparation of the Annual Report 2021/2022.

Financial statements and performance statements were presented to the 27 September 2022 Council Meeting. These statements have been signed by the Victorian Auditor-General and are incorporated into the Annual Report 2021/2022.

A copy of the Annual Report 2021/2022 will be submitted to the Minister for Local Government before the Ministerial deadline.

## RECOMMENDATION

**That Council receive and note the Annual Report 2021/2022.**

## ATTACHMENTS

A Draft copy of the Annual Report 2021/2022 is provided as Attachment 3.7.

### 3.8 SCHERGER CRESCENT STRATA TITLE ROAD

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 7034

#### OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

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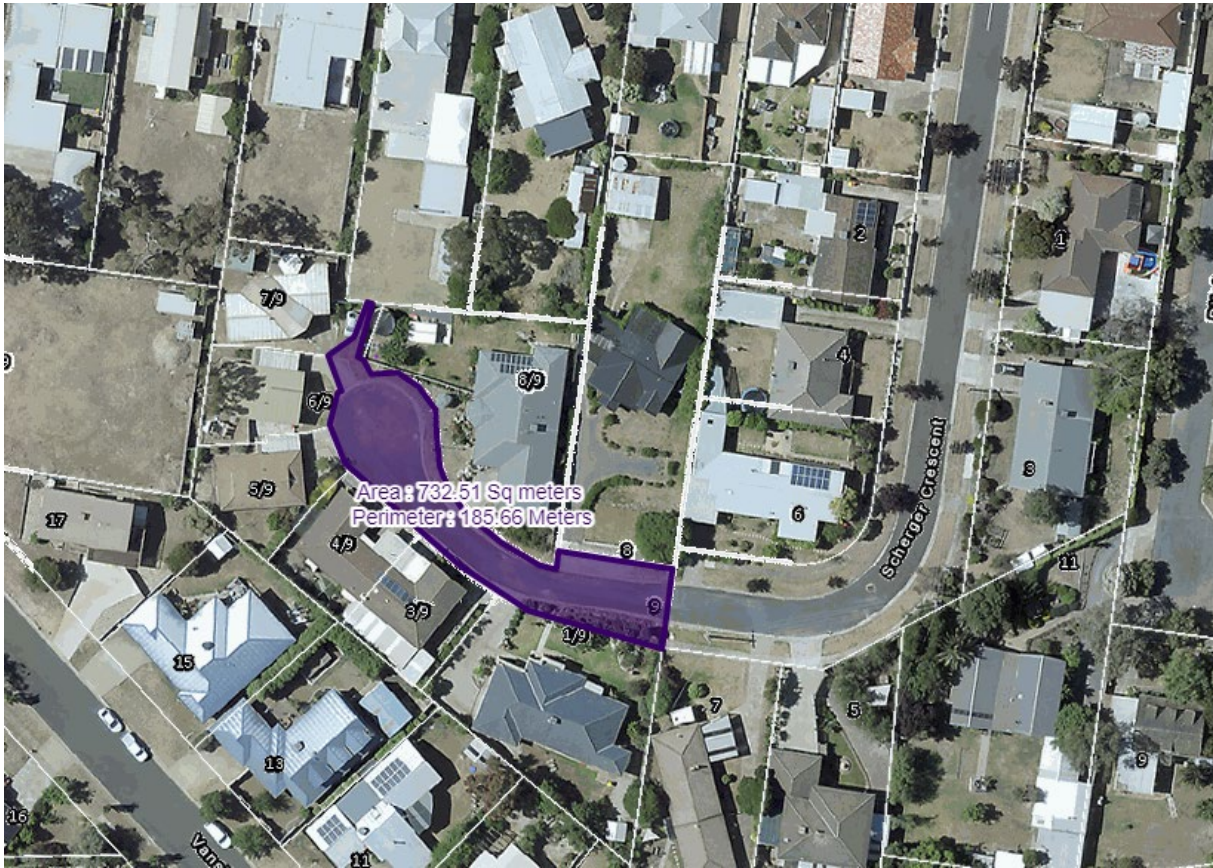
#### EXECUTIVE SUMMARY

There is a section of the roadway, serving as access to eight houses, in Scherger Crescent held as common property by an owner's corporation. This represents an anomalous situation within the municipality as this is the only section of roadway owned in such a way. This section of road is in poor condition, and it is recommended that Council undertake maintenance work on this to ensure safety of road users. As a longer-term solution, it is recommended that Council negotiate ongoing Council ownership or management of the road with the owner's corporation.

#### DISCUSSION

Council has received a request for assistance from residents of Scherger Crescent who live in the section that shares a road held as common property. The section of road is in very poor condition and possibly beyond the resources of the owners corporation to remediate. The road is not owned by Council and as such Council has no responsibility for renewal or maintenance of the asset. However, an extensive search of Council records has indicated that this is the only suburban road in this form of ownership in the municipality.

The subdivision was completed over fifty years ago and no evidence supporting justification of this form of road ownership has been discovered. The common ownership model of the roadway can be seen as an anomaly in Ararat Rural City and ownership of the subject properties has changed ownership a number of times since their construction. The section of road is identified in the maps below.



As previously mentioned, the road is in poor condition. The photographs below provide some idea about how degraded the road condition is.





It is proposed as an immediate measure that Council negotiate with the owners corporation to undertake maintenance of the section of Scherger Crescent identified, to ensure a safe road is maintained for residents. Following this, it is proposed that Council commence negotiation with the owners corporation to transfer ownership and/or management of the strata title road to Council to ensure that it is maintained as an element of Council's road network.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

The proposal supports several the strategic objectives of the Council Plan 2021-2025 including:

- 4.3 Deliver infrastructure outcomes that support economic growth, promote community wellbeing and safety, and align with Council's financial sustainability.

### *Budget Implications*

The cost of undertaking the initial maintenance work on the identified section of Scherger Crescent has been estimated to be around \$5,000. This can be undertaken from existing maintenance budgets without a significant impact on Council's budget. As the road is less than eighty metres in length ongoing maintenance and renewal does not represent a significant impact on Council's future budget position.

### *Policy/Relevant Law*

Council has no legal responsibility to ensure maintenance of the identified section of Scherger Crescent. it appears that road is owned as common property under the Victorian Owners Corporations Act 2006. Any transfer of ownership or management of the section of road will need to be negotiated through the owners corporation.

### *Sustainability Implications*

There are no significant sustainability implications in the proposal.

***Risk Assessment***

The proposed actions will assist in mitigating road safety risks for residents of Scherger Crescent sharing the road as common property. There may be some legal risk in attempting to negotiate Council ownership or management of the section of road, this is seen as negligible within the current context.

***Innovation and Continuous Improvement***

N/A

***Stakeholder Collaboration and Community Engagement***

There has been consultation with residents of Scherger Crescent who live on the section of road held as common property. They have clearly expressed a desire for Council to assist in maintenance of their section of road. Further consultation will be required to facilitate the ongoing ownership or management arrangements of the road.

**RECOMMENDATION**

That Council:

- 1 Endorse maintenance works being undertaken on the commonly owned roadway in Scherger Crescent following engagement with the members of the owners corporation; and
- 2 Delegate the CEO to engage with the owners corporation to negotiate a suitable model for Council's ownership or management of the road currently held as common property.

**ATTACHMENTS**

There are no attachments in relation to this item.

### 3.9 WORKS ON NATURESTRIPS

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 7035

#### OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

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#### EXECUTIVE SUMMARY

There have been several works undertaken by landowners on nature strips in Ararat without the appropriate approvals. These works may impact on the amenity of neighbours and the community more generally. It is proposed that Council undertake a community education campaign around appropriate mechanisms for undertaking work on nature strips and the kind of work that is deemed acceptable.

Where works have been undertaken already with an appropriate permit it is recommended that Council issue Notices to Comply to landowners to remediate nature strips and failing compliance with these, issue fines or commence prosecutions under the Neighbourhood Amenity Local Law 2022 or other appropriate mechanisms.

#### DISCUSSION

There has been some recent unauthorised work undertaken by property owners on nature strips around Ararat. In some cases, this has been substantial work that has significantly altered the streetscape and impacted on the amenity of neighbours and the broader community. Some works on nature strips also represent a risk to road safety by impeding visibility for road users and pedestrians.

Nature strips are not owned by landowners, they are managed by Council and form part of the road reserve. Works undertaken on nature strips require a permit from Council on the prescribed form, Works on Municipal Road Reserves. There are a number of works on nature strips that have not sought the appropriate approvals and potentially contravene one or more of Sections 21, 56, 58 and 65 of the Neighbourhood Amenity Local Law 2022.

It is proposed that Council will undertake the following actions in order to educate residents and enforce compliance with local laws:

- Undertake a community education campaign in relation to the process required to be undertaken to conduct works on nature strips and the types of works that are seen as acceptable
- Where works have been undertaken without a relevant permit a Notice to Comply is issued by Council for the landowner to remediate the works undertaken on the nature strip
- If the landowner does not respond to the Notice to Comply, fines will be issued or action undertaken to enforce the relevant section of the Neighbourhood Amenity Local Law 2022.

#### KEY CONSIDERATIONS

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

The proposal supports several the strategic objectives of the Council Plan 2021-2025 including:

- 4.3 Deliver infrastructure outcomes that support economic growth, promote community wellbeing and safety, and align with Council's financial sustainability.

***Budget Implications***

The education campaign will require budget to plan develop and implement. This can be met from existing budget lines in the CEO's Office Budget. There may be legal expenses if action need to be taken beyond issuing Notices to Comply and fines. These will be managed from existing budgets.

***Policy/Relevant Law***

The issue of non-approved works on nature strips potentially contravenes Sections 21, 56,58 and 65 of the Neighbourhood Amenity Local Law 2022. It may also have implications under the Road Management Act 2004 and other associated Regulations.

***Sustainability Implications***

Removal of street trees and vegetation can lead to creation of hotspots in urban areas and impact on urban amenity for neighbours and the broader community.

***Risk Assessment***

Works on nature strips can result in a range of risks including increased risk to road users and pedestrians through reduced lines of sight and less accessible footpaths.

***Innovation and Continuous Improvement***

N/A

***Stakeholder Collaboration and Community Engagement***

The Neighbourhood Amenity Local Law 2022 was developed following significant community consultation. The issue has been brought to Council's attention through representations to Councillors and Council staff by members of the community.

**RECOMMENDATION**

That Council:

- 1 Endorse development and implementation of a suitable community education campaign to raise awareness of the need for landowners to seek appropriate permissions to undertake works on nature strips; and
- 2 Endorse issuing of Notices to Comply to landowners undertaking works on nature strips without an appropriate permit, and where individuals fail to comply, Council will issue fines or commence prosecutions.

**ATTACHMENTS**

There are no attachments in relation to this item.

SECTION 4 – INFORMATION REPORTS

Nil.



## SECTION 5– INFORMAL MEETINGS

### 5.1 INFORMAL MEETINGS

**AUTHOR'S TITLE:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 13039074

#### OFFICER'S DECLARATION OF INTEREST

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

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#### EXECUTIVE SUMMARY

The Governance Rules state that if there is a meeting of Councillors that:

- 1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors;
- 2 is attended by at least one member of Council staff; and
- 3 is not a *Council meeting*, *Delegated Committee* meeting or *Community Asset Committee* meeting, the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting

are:

- a) tabled at the next convenient *Council meeting*; and
- b) recorded in the minutes of that *Council meeting*.

#### DISCUSSION

As a requirement of the Governance Rules, a summary of matters discussed at the Council Briefings held since the last Council Meeting are presented to Council and will be recorded in the minutes.

INFORMAL MEETINGS
Council Briefing held on 11 October 2022
Council Briefing held on 19 October 2022

#### Issues discussed at the briefing:

- Regulatory Services Department operation and structure
- Scherger Crescent- Council assuming responsibility for road maintenance
- Rate exemption for Brigidine house
- Policy on waste collection service to unoccupied dwellings
- Circular economy service standards discussion paper
- Non-approved works on nature strips
- Ararat Housing discussion
- Storm and flood recovery and funding
- October Council Meeting

#### KEY CONSIDERATIONS

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

The report supports the strategic objective of the Council Plan 2021-2025:

- 6.3** Continuously improve Council's community engagement process and practices in line with deliberative engagement practices, while acknowledging the need for a range of different techniques to ensure effective engagement.

***Financial***

There are no financial impacts for the receiving of Informal Meetings of Councillors.

***Policy/Relevant Law***

Reporting of Informal Meetings is in line with the requirements of the Governance Rules.

***Risk Assessment***

Following the requirements of the Governance Rules will ensure that Council meets its legislative requirements.

***Stakeholder Collaboration and Community Engagement***

A summary of matters discussed at the Council Briefings are presented for community information.

**RECOMMENDATION**

**That the Informal Meetings of Councillors Report be received.**

**ATTACHMENTS**

The Summary of Council Briefings are provided as Attachment 5.1.

**SECTION 6 – NOTICES OF MOTION**

**(114) NOTICE OF MOTION: CR PETER BEALES**

It is my intention, at the ordinary meeting of the Ararat Rural City Council to be held on 25 of October 2022, to move the following motion: "That Council cease its membership of Rural Councils Victoria and the decision be transmitted to Rural Councils Victoria prior to their Annual General Meeting of 28 October 2022".

**CR PETER BEALES**

## SECTION 7– URGENT BUSINESS

Items cannot be admitted as urgent business other than by resolution of *Council* and only then if it:

- 1 relates to or arises out of a matter which has arisen since distribution of the *agenda*; and
- 2 cannot safely or conveniently be deferred until the next *Council meeting*.

## SECTION 8 – CLOSE SESSION (CONFIDENTIAL)

In accordance with section 66(2)(a), 3(1) *Confidential Information* (a) of the Local Government Act 2020, the following agenda items are listed for consideration in the confidential section:

- Item 8.1- Ararat Housing Project

## 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 pursuant to section 66(2)(a) of the Local Government Act 2020 to consider confidential reports.

## 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 8.1 not be lifted on adoption of the motion.