



Ararat Rural City

AGENDA

COUNCIL MEETING

Tuesday 27 September 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 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 30 August 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 PERFORMANCE AND FINANCIAL STATEMENTS

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 6572

OFFICER 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.

EXECUTIVE SUMMARY

The Financial Statements and Performance Statement (the statements) have been prepared for the period ended 30 June 2022. The Victorian Auditor-General is required to audit the statements but cannot issue his report unless Council approves the statements.

The Audit and Risk Committee reviewed the statements on 8 September 2022 and recommended that Council authorises Councillor Jo Armstrong, Councillor Henry Burridge and Dr Tim Harrison to certify the Financial Statements and the Performance Statement in their final form.

DISCUSSION

Pursuant to the Local Government Act 2020 (the Act) Council is required to give "in principle approval" to the 2021/22 Financial Statements and Performance Statement and submit the statements to the auditor for reporting on the audit.

The Act recognises that further changes may be made to the statements and therefore Council must authorise two Councillors to certify the Financial Statements and Performance Statement in their final form after any changes recommended by the auditor have been made.

The Auditor-General's agent conducted the offsite audit during August and September 2022.

Key Financial information:

Financial Statements – Income Statement

The Comprehensive Income Statement measures how well Council has performed from an operating nature. It reports revenue 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. Depreciation is included in this statement, as depreciation is the accounting method of allocating the cost of an asset over its useful life.

The draft Comprehensive Income Statement shows total income in 2022 of \$36.620 million compared with \$35.196 million in 2021. Rates & Charges income decreased by \$0.204 million, Government Grants for operations increased by \$1.846 million, and Government Grants for capital works decreased by \$0.518 million.

Total income from rates decreased by 1.15%. The income from general rates and municipal charges reduced by 1.5% in line with the budgeted rates cut, although there was an increase in interest on rates and charges applied through the year.

Council received several grants that were not budgeted including the following:

- New Arrivals Settlement Program - \$0.254 million
- Local Councils Outdoor Eating Entertainment Package - \$0.158 million
- Ararat Linkages Project - \$0.180 million

Total expenses in 2022 were \$29.264 million compared with \$29.128 million in 2021, an increase of \$0.136 million. A breakdown of expenses reveals a decrease in employee costs of \$1.088 million which can be largely attributed to Council employing new employees under the Working for Victoria initiative in 2021.

There has been an increase of \$2.982 million in materials and services to deliver the outcomes for the additional operating grants and to complete projects carried forward from the previous financial year.

Depreciation expenses have decreased by \$1.734 million as a result of a review of remaining useful lives of infrastructure assets, as part of the revaluation completed as at 30 June 2021.

The surplus for 2022 was therefore \$7.356 million compared with a surplus of \$6.068 million in 2021. The revaluation of property and infrastructure assets at 30 June 2022 has resulted in an increase in value of \$29.339 million.

Financial Statements – Balance Sheet

The Balance Sheet is one of the main financial statements and it reports Council's assets, liabilities and equity at a given date, in this case 30 June 2022. Comparative figures have been provided as at 30 June 2021.

Council's current assets have decreased by \$1.892 million, from \$27.406 million as at 30 June 2021 to \$25.514 million as at 30 June 2022. Cash and cash equivalents have decreased by \$1.534 million, whilst current trade and other receivables decreased by \$0.311 million. Rate debtors have decreased by \$0.118 million.

Total liabilities have decreased by \$2.395 million from \$14.390 million in 2021 to \$11.995 million in 2022, mostly due to the repayment of a \$2.000 million interest only loan in 2022.

Financial Statements – Cash Flows

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

The Cash Flow Statement shows a net decrease in cash and cash equivalents of \$1.534 million compared with a net increase of \$3.516 million in 2021.

The Cash Flow Statement shows net cash provided by operating activities was \$15.137 million in 2022 compared with \$19.947 million in 2021, representing a decrease of \$4.810 million. This is largely due to a decrease in grants of \$2.871 million and an increase in payments for materials and services of \$2.921 million.

Net cash used in investing activities (e.g. payments for property, infrastructure, plant and equipment) was \$14.479 million in 2022 compared with \$16.181 million in 2021, representing a decrease of \$1.702 million.

Net cash used in financing activities was \$2.192 million in 2022 compared with \$0.250 million in 2021, representing an increase of \$1.942 million. This is largely due to Council repaying a \$2.000 million interest only loan in 2022.

Financial Statements – Capital works

The Statement of Capital Works details the capital works completed during 2022. It shows \$14.664 million invested in 2022 compared with \$16.564 million in 2021, a decrease of \$1.900 million. Total Infrastructure works decreased by \$1.175 million.

Highlights in the building area included upgrading changerooms at the Willaura Recreation Reserve, public toilets at the Skate Park and commencement of the Gordon Street Recreation Reserve upgrade.

Highlights in the infrastructure area included road works at Dean Street, Back Bolac Road, Yarram Gap Road, Helendoite Road, Chatsworth-Wickliffe Road, Darlington-Nerrin Road and Chatsworth-Lake Bolac Road.

Performance Statement

The Victorian Government has introduced a mandatory system of performance reporting which prescribes performance information to be included on Council's annual reports.

"Councils must describe the prescribed indicators and measures in the performance statement so it is clear to the audience what is being measured. In addition, the performance statement must include the results achieved in relation to the prescribed service performance outcome, financial performance and sustainable capacity for the financial year and three preceding years".

For the financial performance indicators and measures, the performance statement must also include the forecast results for four years based on the financial statements included in Council's budget.

Reporting trend information helps the reader understand changes in Council performance over time and acts as a point of reference for results. The regulations require that Councils must also provide an explanation of any material variations in the results between the current year and other years disclosed, to enable the reader to form an understanding of the reason for the variation".

The performance reporting framework requires Councils to load the indicators included in this performance statement, as well as a number of other indicators that are required to be included in the report of operations, onto the "Know your Council" website - <https://knowyourcouncil.vic.gov.au/>, which will allow the community to compare the performance result of Councils across Victoria.

Part of the performance reporting framework includes the State Government setting expected ranges for each indicator. Based on the draft financial statement and performance statement, Council is within the expected range for most indicators. The reasons for the material variations are included in the performance statement.

Audit and Risk Committee Review

The draft Financial Statements and Performance Statement were considered by the Audit and Risk Committee on 8 September 2022. Ms Cassandra Gravenall from Crowe Australasia presented the draft Auditors Closing Report at that meeting, answering any issues raised by the Audit and Risk Committee members. Further changes may be required after the Victorian Auditor General's Office has reviewed the statements and before the nominated Councillors certify the accounts in their final form.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

6 Strong and Effective Governance

Budget Implications

Approving the Statements does not have any budget implications.

Policy/Relevant Law

Section 99 (2) of the Local Government Act 2020 states that: "the Council, after passing a resolution giving its approval in principle to the performance statement and financial statements, must submit the statements to the auditor for reporting on the audit".

Section 99 (3) of the Local Government Act 2020 states that: "The Council must ensure that the performance statement and financial statements, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by—

- (a) 2 Councillors authorised by the Council for the purposes of this subsection; and
- (b) any other persons prescribed by the regulations for the purposes of this subsection.”

Section 99 (5) of the Local Government Act 2020 states that: “the auditor must not sign a report under subsection (4) or under Part 3 of the Audit Act 1994 unless the performance statement or the financial statements (as applicable) have been certified under subsection (3).”

Sustainability Implications

This report does not raise any sustainability implications.

Risk Assessment

Council is required to approve the statements before the Auditor-General can issue the audit report.

Innovation and Continuous Improvement

The Financial Statements and Performance Statement are primary documents used to report on Council’s achievements in continuous improvements. For example, introducing organisational efficiencies leads to a reduction in operating expenses and investing more in infrastructure spending leads to an improvement in the satisfaction rating for sealed roads.

Stakeholder Consultation and Communication

Various Council officers have been involved with the preparation of the statements. The statements will be included in the Annual Report that will be made available to the public.

RECOMMENDATION

That:

- 1 Pursuant to Section 99 of the Local Government Act 2020, Council gives approval in principle to the Financial Statements and Performance Statements for the year ended 30 June 2022; and
- 2 Pursuant to Section 99 of the Local Government Act 2020, Council authorises the Chief Executive Officer, Councillor Jo Armstrong and Councillor Henry Burrige to certify the 2021/22 Financial Statements and Performance Statement in their final form

ATTACHMENTS

The Financial Statements and Performance Statement are provided Attachment 3.1

3.2 REVIEW OF GOVERNANCE RULES

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 5921

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.

EXECUTIVE SUMMARY

The *Local Government Act 2020 (the Act)* 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.

This report outlines the process for the Governance Rules to be revised in accordance with Council's community engagement policy.

DISCUSSION

Council adopted its Governance Rules on 25 August 2020.

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 will take effect on 2 September 2022. The revised Governance Rules reflects these amendments, such as:

- 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 have been made to:

- (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.

Following endorsement by Council of the revised Governance Rules a community engagement process will be undertaken in accordance with section 60(4) of *the Act*.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

6. Strong and Effective Governance

Budget Implications

There are no budget implications in relation to the development 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 will be 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 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 Chief Executive Officer and Councillors discussed the revised Governance Rules at the briefing held 6 September 2022.

Consultation with Maddocks Lawyers in relation to provision of a standard form template Governance Rules.

RECOMMENDATION

That Council:

- 1 Endorse the revised Governance Rules for public comment;
- 2 Commence a community engagement process for the revised Governance Rules; and
- 3 Consider the revised Governance Rules at the 27 September 2022 Council Meeting.

ATTACHMENT

Revised Governance Rules are provided as Attachment 3.2

3.3 QUARTERLY PERFORMANCE REPORT

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 6573

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.

EXECUTIVE SUMMARY

The financial statements and performance indicators have been prepared for the period ended 30 June 2022. The actual year-to-date figures included in this report have been used to compile Council's "in principle" Financial Statements, which are subject to audit by the Victorian Auditor-General.

The unaudited figures show Council's overall financial performance is less favourable than the Original Budget, finishing with an operating surplus of \$7.356 million rather than an operating surplus of \$8.865 million. However, the financial performance is more favourable than the Current Budget figures for 2021/22 which includes adjustments for the projects carried forward from 2020/21 and grant funds received in advance.

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 \$36.620 million in revenue and \$29.264 million in expenses to 30 June 2022. This has resulted in an operating surplus of \$7.356 million for the year ended 30 June 2022 and a comprehensive result of \$36.695 million after including a revaluation of Council's property and infrastructure assets.

Income

Rates and charges account for 47% of the total budgeted income for 2021/22. Rates and charges are recognised when the rates have been raised, not when the income has been received. An amount of \$17.516 million has been recognised as income for the year ended 30 June 2022.

User fees account for 4% of the total budgeted income for 2021/22 and \$1.122 million has been received to 30 June 2022. The majority of this relates to home care services, transfer station fees and fitness centre income. Income has been lower than budgeted due to several Council facilities being closed at times and decreased service levels due to Covid-19, including the Town Hall, Ararat Fitness Centre and the Alexandra Oval Community Centre.

Recurrent Operating Grants total \$9.670 million to 30 June 2022, including \$5.070 million from the Victorian Local Government Grants Commission for general purpose grants and \$3.116 million for

the local roads grants. Council received \$1.784 million more than budget for financial assistance grants due to approximately 75% of the annual allocation for 2022/23 being received in June 2022, compared to around 50% being received in advance in previous years.

Non-recurrent Operating Grants total \$1.222 million to 30 June 2022. Council has been successful in obtaining several grants that had not been budgeted for, 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.

Non-Recurrent Operating Grants	Budget 2021/22 \$'000	Income 2021/22 \$'000	Unearned Income \$'000
Women Building Surveyors Program	75	69	62
Library Upgrade Grant	-	63	-
Supported Playgroups	59	60	-
Community Events Fund - Bushfire Recovery Vic	-	48	-
City Community Digital Hub and Co-Working Space	-	92	-
New Arrivals Settlement Program	-	254	331
COVID Safe Outdoor Activation Fund	-	92	108
Pilot Coordination Grampians Workforce	-	55	198
Business Concierge & Hospitality Support Program	-	63	57
Local Councils Outdoor Eating Entertainment Package	-	158	-
Community Funding Initiative Digital Literacy	-	60	-
Aradale Solution-Economic & Social Development Strategy	-	-	500
Ararat Housing Transition	-	-	200
Digital Twin Victoria	-	-	1,000
Free Public WiFi Services	-	-	918
Other Minor Grants	13	208	69
	147	1,222	3,443

Non-recurrent Capital Grants total \$4.870 million to 30 June 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.

Non-Recurrent Capital Grants	Budget 2021/22 \$'000	Income 2021/22 \$'000	Unearned Income \$'000
Gordon Street Recreation Reserve Development	2,950	278	2,306
Back Bolac Road	1,620	1,620	-
Delacombe Way	434	370	64
Chatsworth-Wickliffe Road	852	852	-
Darlington-Nerrin Road	738	738	-
Chatsworth-Lake Bolac Road	434	434	-
Wilson Street	489	218	26
Pollands Bridge	267	-	-
Urban Drainage Works	330	-	295
Ararat East Development Zone Trunk Infrastructure Project	-	64	791

Transfer Station Upgrade Fund	-	-	132
Ararat Linkages Project	-	180	-
Yalla Y Poora Road Crossing	-	77	-
Willaura Rec Reserve-Female Friendly Facilities	-	39	-
	8,114	4,870	3,614

Note

It is important to note the following:

1. The Grants Operating (recurrent) figure in the Original Budget was \$7.817 million and in the Current Budget is recorded as \$4.543 million, as \$3.274 million was paid to Council in 2020/21 by the Victorian Local Government Grants Commission (VLGGC) for the 2021/22 financial year. Council has still received the expected VLGGC income, to be spent in 2021/22, 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 \$8.865 million to a surplus of \$5.222 million for 2021/22. The year-end variance is a surplus of \$2.134 million when the actual year to date expenses are compared to the year to date budget.

Expenses

Employee Costs account for approximately 40% of the total budgeted expenditure for 2021/22. For the year ended 30 June 2022 Council has incurred \$10.822 million in employee costs, which was \$0.455 million less than budget. Savings have resulted from organisation restructuring, as well as delays in replacing a number of staff members and other vacancies that have not been filled. Savings in salaries has also resulted from the temporary closures of several Council facilities due to COVID-19.

Materials and Services account for approximately 33% of the total budgeted expenditure for 2021/22. For the year ended 30 June 2022, Council has incurred \$10.149 million in materials and services costs. There are a number of projects, not completed during the year, that will be carried forward from 2021/22 to be completed during 2022/23.

Note

It is important to note the following:

There has been an increase in expenditure on materials and services from \$9.319 million in the Original Budget to \$12.972 million in the Current Budget for 2021/22. This has resulted from a carry forward amount of \$3.653 million from the 2020/21 financial year surplus and unspent grant funds which will be used for additional activity in 2021/22.

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 June 2022. Comparative figures have been provided as at 30 June 2021.

Council's current assets have decreased by \$1.892 million from \$27.406 million as at 30 June 2021 to \$25.514 million as at 30 June 2022. Cash and cash equivalents have decreased by \$1.534 million from \$23.049 million to \$21.515 million. Council has received another advanced payment of the Victorian Local Government Grants Commission of \$4.960 million. Trade and other receivables have decreased by \$0.311 million from \$4.233 million as at 30 June 2021 to \$3.922 million as at 30 June 2022.

Total liabilities have decreased from \$14.390 million in 2020/21 to \$11.995 million in 2021/22, with a decrease of \$1.995 million in current loans and borrowings due to a \$2.000 million interest-only loan being repaid. Trade and other payables have increased by \$0.237 million, while trust funds and deposits have decreased by \$0.201 million. Unearned income has only decreased by \$0.016 million, and includes grants received by

Council, where in accordance with accounting standards they are held as a liability until grant-related performance obligations have been met.

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 \$23.049 million have decreased by \$1.534 million to \$21.515 million as at 30 June 2022.

Net cash of \$15.137 million was provided by operating activities, \$14.479 million was used in investing activities, and \$2.192 million was used in financing activities.

Investing activities includes payments for property, plant and equipment, and infrastructure totalling \$14.664 million. This included capital building works and capital road works. Major capital building works included the Gordon Street Recreation Reserve Development (\$0.278 million) and the Willaura Female Friendly Facilities (\$0.588 million). Infrastructure works included Roads (\$10.757 million), Bridges (\$0.708 million), Footpaths & Cycle ways (\$0.240 million) and Drainage (\$0.534 million).

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	30/6/2021	30/6/2022
<p>Working capital <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>	202%	225%
<p>Loans and borrowings <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>	15.43%	3.41%
<p>Indebtedness <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>	4.29%	3.30%
<p>Rates concentration <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>	55.31%	55.29%

Indicator	30/6/2021	30/6/2022
<p>Expenditure level <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>	\$4,049	\$4,049
<p>Indicator - Revenue level <i>Measure - Average residential rate per residential 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>	\$2,061	\$1,801
<p>Indicator – Percentage of total rates collected 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. The outstanding Rates Debtors is reported in the Annual Financial report. As at 30 June 2022 the outstanding Rates Debtors totalled \$1.742 million compared to \$1.860 million as at 30 June 2021, a decrease of \$0.118 million. In percentage terms 90.1% of the rates raised have been collected at 30 June 2022 compared to 86.9% up to 30 June 2022. Outstanding rates are currently charged 10% interest. Council issues approximately 7,500 rate notices. Last year there were 2,601 assessments paying by instalments compared with 2,606 assessments in 2021/22.</p>	86.9%	90.1%
<p>Indicator – Asset Renewal & Upgrade <i>Measure - Asset renewal & Upgrade compared to depreciation</i> Expected range in accordance with the Local Government Performance Reporting Framework – 40% to 130% 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>	164.30%	174.50%

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”.

Transfers to and from Reserves 2021/22

The following tables represent the amounts proposed to be transferred to and from Reserves for the year ended 30 June 2022. A number of these transfers are in accordance with the budget. The Transfers to the Capital Works Reserves includes funds received in 2021/22 that relate to 2022/23 and a number of specific projects included in the budget for 2021/22 that have not commenced or are in progress and proposed to be carried forward to 2022/23.

The major amounts proposed to be transferred to the Capital Works & Projects Reserve includes:

- Victorian Grants Commission advance payment (\$4.960 million)
- Gordon Street Redevelopment Grant (\$2.307 million)

- Free Public WiFi Services - Ararat (\$0.918 million)
- Ararat East Development Zone Trunk Infrastructure Project (\$0.791 million)
- New Arrivals Settlement Program (\$0.331 million)
- Digital Twin Victoria (\$1.000 million)
- Aradale Solution-Development Strategy (\$0.500 million)

Transfers To Reserves

CAPITAL WORKS & PROJECTS RESERVE	
Asset Management	
Capital Works Strategy	\$120,000
Sealing Urban Roads Strategy	\$25,000
CEO's Office	
CEO Consultancies	\$175,000
Grampians Tourism	\$50,000
Fed Uni Scholarships	\$59,000
CEO's Office-Funded Capital Projects-Recreation	
Town Hall Fountain	\$3,000
LRCI1-Gordon St Redevelopment	\$12,400
Gordon St Redevelopment	\$2,295,000
Ararat Fitness Centre Feasibility Assessment	\$13,530
CEO's Office-Funded Capital Projects-Roads	
Tunnel Track Pomonal	\$148,100
LRCI1-Bellellen Rd Crossing	\$135,000
LRCI1-Urban Drainage & Flood Mitigation	\$160,100
LRCI3-Wilson St	\$70,880
AgriLinks-Delacombe Way	\$216,660
Ararat East Development Zone Trunk Infrastructure Project	\$790,930
CEO's Office-Funded Operating Projects	
Ararat Housing Transition	\$200,000
Pilot Coordination Grampians Workforce	\$198,440
New Arrivals Settlement Program – Grampians Pilot	\$330,500
Free Public WiFi Services - Ararat	\$917,870
Aradale Solution-Development Strategy	\$500,000
Digital Twin Victoria	\$1,000,000
LSIF Ararat Bowls Club Lighting	\$40,920
Rural Roads Support Program	\$21,500
Outdoor Activation Fund-Barkly Link	\$108,100
Library Smart Locker System Grant	\$6,060
Community & Events Support	
Community & Events Support	\$50,000
Community Support Grants	
Community Grants & Sponsorships	\$30,000
Corporate Revenue	

Grants Commission-General	\$3,069,508
Organisational Restructure	\$350,000
ED-Economic Development	
Local Govt Business Concierge	\$60,000
Retail Facade Grants	\$60,000
Business Recovery Package (COVID-19 Support)	\$168,800
Digital Hub & Co-Working Space	\$95,470
Emergency Management	
Municipal Emergency Resource Program	\$60,000
Governance	
Insurance-Update Valuations	\$15,000
Community Engagement	\$15,000
Governance-Councillors	
Councillor Training	\$20,000
Planning	
Planning Panel	\$15,000
Planning Consultancies	\$55,000
Positive Ageing-HACC PYP	
HACC PYP	\$43,626
Roads-Capital	
Grants Commission-Local Roads	\$1,890,695
Sustainability	
Roadside Pest Plant & Animals	\$58,450
Environmental Strategy	\$10,000
Town Hall	
Artistic Program	\$20,000
Waste Management	
Transfer Station Upgrade Fund	\$132,410
Total for Capital Works Reserve	\$13,816,949

WASTE MANAGEMENT RESERVE	
Provision for Waste Management Works	\$275,000
Total for Waste Management Reserve	\$275,000

GRAVEL PIT RESTORATION RESERVE	
Net Operating Surplus to Reserve	\$10,538
Total for Gravel Pit Restoration Reserve	\$10,538

RECREATIONAL LANDS RESERVE	
Open Space Contributions	\$22,000
Total for Recreational Lands Reserve	\$22,000

BUILDING CAPITAL RESERVE	
Provision for Building Capital Works	\$940,000
Transfer from Reserves No Longer Required	\$1,987,308
Total for Building Capital Reserve	\$2,927,308

TOTAL TRANSFERS TO RESERVE	\$17,051,795
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Total From Reserves

BUILDING CAPITAL WORKS RESERVE	
Data Projects	\$50,000
Total for Building Capital Reserve	\$50,000

WASTE MANAGEMENT RESERVE	
Waste Management Strategy-Bins	\$647,077
Total for Waste Management Reserve	\$647,077

ESSENTIAL SERVICES RESERVE	
Transfer to Building Capital Reserve-Funds No Longer Required	\$194,840
Total for Essential Services Reserve	\$194,840

ELECTION COSTS RESERVE	
Transfer to Building Capital Reserve-Funds No Longer Required	\$37,303
Total for Election Costs Reserve	\$37,303

ASSET MANAGEMENT RESERVE	
Transfer to Building Capital Reserve-Funds No Longer Required	\$164,943
Total for Asset Management Reserve	\$164,943

AERIAL IMAGING RESERVE	
Transfer to Building Capital Reserve-Funds No Longer Required	\$8,011
Total for Aerial Imaging Reserve	\$8,011

INFORMATION TECHNOLOGY RESERVE	
Transfer to Building Capital Reserve-Funds No Longer Required	\$597,000

Total for Information Technology Reserve	\$597,000
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LOAN REPAYMENT RESERVE	
Alex Oval Loan Repayment	\$2,000,000
Total for Loan Repayment Reserve	\$2,000,000

PLANT REPLACEMENT RESERVE	
Net Operating/Capital/Recoup Surplus to Reserve	\$269,110
Total for Plant Replacement Reserve	\$269,110

VEHICLE REPLACEMENT RESERVE	
Transfer to Building Capital Reserve-Funds No Longer Required	\$343,584
Total for Vehicle Replacement Reserve	\$343,584

LIBRARY	
Transfer to Building Capital Reserve-Funds No Longer Required	\$235,000
Total for Library Reserve	\$235,000

DEFINED BENEFITS RESERVE	
Transfer to Building Capital Reserve-Funds No Longer Required	\$361,000
Total for Gravel Pit Restoration Reserve	\$361,000

AERODROME RESERVE	
Transfer to Building Capital Reserve-Funds No Longer Required	\$45,627
Total for Gravel Pit Restoration Reserve	\$45,627

CAPITAL WORKS & PROJECTS RESERVE	
Transfer from Capital Works Reserve for 21/22 Works/Projects	\$13,768,914
Total for Capital Works Reserve	\$13,768,914

TOTAL TRANSFERS FROM RESERVES	\$18,722,409
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A summary of movements in reserve balances is included in the following table:

	Balance at 30 June 2021	Transfers to Reserve	Transfers from Reserve	Balance at 30 June 2022
Capital works and projects	13,768,914	13,816,949	13,768,914	13,816,949

Plant replacement	774,423	-	269,110	505,313
Vehicle replacement	343,584	-	343,584	-
Election costs	37,303	-	37,303	-
Aerial imaging	8,011	-	8,011	-
Library	235,000	-	235,000	-
Defined benefits	361,000	-	361,000	-
Essential services	194,840	-	194,840	-
Recreational land	78,210	22,000	-	100,210
Gravel pit restoration	-	10,538	-	10,538
Building capital	3,081,094	2,927,308	50,000	5,958,402
Environmental projects	94,709	-	-	94,709
Waste management	1,889,489	275,000	647,077	1,517,412
Asset management	164,943	-	164,943	-
Information technology	597,000	-	597,000	-
Loan repayment	2,000,000	-	2,000,000	-
Aerodrome	45,627	-	45,627	-
Total Reserves	23,674,147	17,051,795	18,722,409	22,003,533

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

- 6.1** Deliver responsible budget outcomes, linked to strategy, that deliver value, innovation, and rating fairness

Budget Implications

Council's financial performance is in line with expectations. There have been savings in materials and services, and employee costs, which mostly relate to grant-funded projects still in progress at 30 June 2022.

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:

- 1 Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators for the period ended 30 June 2022 be received and adopted, and
- 2 Transfers to reserves totalling \$17,051,795 and transfers from reserves totalling \$18,722,409 be adopted, which includes \$1,987,308 transferred to close reserves no longer required (based on the Council resolution adopted on 30/8/2022)

ATTACHMENTS

Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators are provided as Attachment 3.3.

3.4 DOMESTIC ANIMAL MANAGEMENT PLAN (DAMP) 2021-2025 – ANNUAL REVIEW

RESPONSIBLE OFFICER: DEPUTY CEO
DEPARTMENT: CEO OFFICE
REFERENCE: 6574

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.

EXECUTIVE SUMMARY

The purpose of this report is to provide an update to Council on the review of the Ararat Rural City Council (ARCC) Domestic Animal Management Plan 2021 -2025 (DAMP).

Under Section 68A (3) of the Domestic Animals Act 2020 (The Act),

- Council must review its domestic animal management plan annually and,
- if appropriate, amend the plan;
- and provide the Secretary with a copy of the plan and any amendments to the plan;
- and publish an evaluation of its implementation of the plan in its annual report.

The DAMP has a four-year lifespan and is required to be reviewed annually to assess whether any amendments are necessary to ensure the plan is relevant and can be completed within the required timeframes.

DISCUSSION

The Ararat Rural City Council has prepared a Domestic Animal Management Plan (DAMP) to guide decision making in relation to the need of domestic pets, and their owners, and addresses the concerns of the public in a fair and even manner.

The aim of this plan is to facilitate the co-existence of pets, pet owners and the general population whilst addressing the welfare and legislative issues relating to animal management in the city boundaries. This plan also aims to promote responsible pet ownership and enhance the experience of animal ownership within the community, by doing so, making the Ararat Rural City Municipality an even better place to live.

A key aspect of this plan is to manage domestic animal issues in a professional and efficient manner, provide education to the community on the responsibilities of pet ownership, where possible, and at the same time address and minimise the problems generated by irresponsible pet owners

The 2022 annual review of the plan has been conducted by the Deputy CEO along with the Community Safety Officers in working with Animal Welfare Victoria, Department of Jobs, Precincts and Regions. The review has undertaken an evaluation to assess the various programs, services and strategies outlined under the plan, and as such has incorporated the up-to-date data and information required under the legislation of the Domestic Animals Act 2020 (The Act).

The DAMP now also incorporates the newly completed Ararat Off Leash Dog Park to assist in promoting safety and interest within the park. The Ararat off-leash dog park has been designed with reference to guidelines on dog parks to promote safety and interest within the park. The park promotes safe play and bonding for dog owners and allows for healthy social interaction between owners and their dogs, encouraging off leash training.

The park also provides a safe location for residents and visitors to exercise their dogs off leash as well as the playground area to promote trick training and play. A popular stop area, this would also facilitate tourists on extended car trips as a place to safely walk their dog.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

5. *Enhancing Community Life*

We will work with the communities of Ararat Rural City to maintain social cohesion, support community activity and cultural life, and enhance safety.

- 5.1 Open up Council's arts and culture assets to greater community participation, ownership and engagement in decision-making.
- 5.2 Develop models of volunteering that recognise, support and properly utilise the skills that community volunteers bring to community life.
- 5.3 Partner with community groups, not-for-profits, and traditional owner organisations to develop Ararat Rural City as a more inclusive and diverse community.

Budget Implications

Council has an allocation within their 2022/23 budget for animal control.

Policy/Relevant Law

Domestic Animals Act 2020 (the Act)

Sustainability Implications

Managing domestic pets enhances the quality of life for flora and fauna as well as the health and wellbeing of pet owners.

Risk Assessment

The DAMP seeks to provide a framework for managing legal responsibilities associated with pet ownership and Council's role in this process

Innovation and Continuous Improvement

Council continues to work with State Government in adhering to guide decisions relating to the need of domestic pets.

Stakeholder Collaboration and Community Engagement

The new DAMP has been provided for public exhibition, with the community and partner agencies being invited to have input. Council continues to engage with government and the community to support responsible pet ownership.

RECOMMENDATION

That Council:

- 1 Receive the Domestic Animal Management Plan review for 2021-2025;
- 2 Endorse the amended Domestic Animal Management Plan as presented;
- 3 Provide the Secretary with a copy of the amended plan; and
- 4 Publish an evaluation of its implementation of the plan in its annual report

ATTACHMENTS

Domestic Animal Management Plan 2021-2025 is provided as Attachment 3.4

3.5 PA3155- ARARAT-HALLS GAP ROAD MOYSTON 3377

RESPONSIBLE OFFICER: MANAGER PLANNING, COMMUNITY & COMPLIANCE
DEPARTMENT: PLANNING
REFERENCE: 6620

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.

EXECUTIVE SUMMARY

The proposal consists of an application for the construction a dwelling and associated outbuildings at Ararat-Halls Gap Road Moyston. The proposed dwelling consists of 3 bedrooms, 1 bathroom + *en suite*, a large open-plan kitchen / dining / living space and studio room measuring 269m² in total, including veranda and pergola areas. Additionally, the proposal seeks to construct a shed and carport, measuring 108² and 36m² respectively.

The dwelling is proposed to be constructed from galvanized corrugated iron, featuring a pitched roof, 'cemental bare stone' sheet cladding and large windows. The siting and design of the dwelling, including the largely rectangular form and large windows facing will provide excellent natural light to all rooms of the proposed dwelling. The applicant has indicated the property will be used as a vineyard and cellar door (pending planning approval) in the future, with the dwelling and outbuildings planned to be located in the centre of the vineyard.

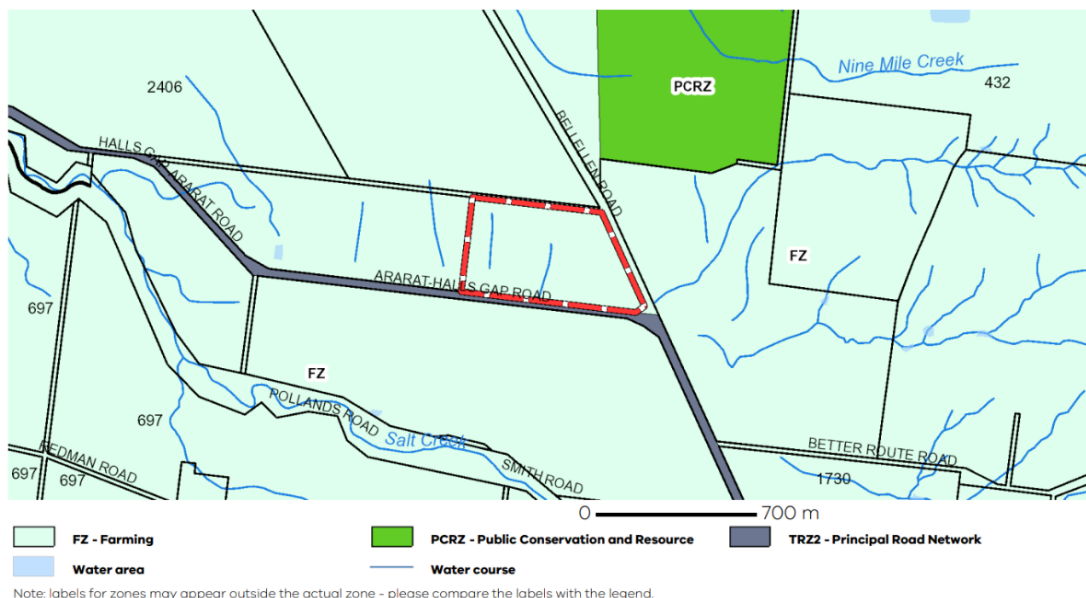
Background and context

The subject site is located at Ararat-Halls Gap Road Moyston – a regular shaped lot measuring a total area of 28.6ha. The lot is oriented east-west, with the frontage (762m) south facing to Ararat-Halls Gap Road. The site is currently a farming lot. The site features some scattered trees, a dam, and two mapped wetlands, with the proposed dwelling coming within 100m of the centrally located mapped wetland. The site is located approximately 6km north of Moyston, and 24km west of Ararat. Adjacent the site are a number of farming lots of similar sizes, with some featuring dwellings. Directly north of the site is dense native bushland.

The subject site and all surrounding land is zoned Farming Zone. Further north of the site is zoned Public Conservation and Resource Zone.

FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE (FZ)



Public notification

The application has been advertised to surrounding occupants and landholders consistent with section 52 of the *Planning and Environment Act 1987*.

1 objection was received. Details are as follows:

Basis of Objection – Reasons:

- The granting of the permit would be prejudicial to proper planning within the Farming Zone.
- The proposed land use is not compatible with the surrounding dominant land use, being traditional broad acre farming.
- The granting of the permit would reflect an ad hoc approach to planning in the area without proper consideration of the longer-term implications on the broad acre farming base in the area.
- No permit of the type sought should be granted without proper strategic analysis and an adopted framework to inform such decisions.
- No Whole Farm Plan was considered in the granting of a permit (02777) for the creation of the subject lot. No whole farm plan has been provided to support the application.
- The granting of the Permit would be inconsistent with Clause 02.03-4 of the Ararat Planning scheme which provides a strategic direction to inter alia, "Minimise the fragmentation of viable agricultural land".
- The granting of the Permit is contrary to the strategies provided in Clause 14.01-S of the Ararat Planning Scheme which provides strategies to protect the state's agricultural base by preserving productive farmland.
- It is evident that Council's decision making has been flawed in relation to previous planning permit applications in the area. This is leading to the incremental conversion of land in the precinct to a create rural living/ lifestyle occupancies without a strategic policy basis and in a manner that is contrary to the provisions of the Ararat Planning Scheme.

Submitted impacts on objector:

- The granting of the permit would continue the erosion of the ability to farm traditional broad acre holdings such as ours in the area.
- The continued granting of such permits poses an existential threat to the surrounding traditional broad acre farming land use, including our own.

Further discussions were undertaken with the objector to ascertain if a satisfactory resolution could be achieved, however, the solution was not considered satisfactory as it did not address the concerns with the fragmentation of farming in the area.

Consideration of response to objection:

While an application for a dwelling on a lot smaller than 40ha would usually not be supported by Council, in this instance the dwelling is supported due to the unique circumstances and character of the proposal. At the heart of this application is the fact that the proposed dwelling will facilitate and support agriculture on site now and in the future, as the applicant intends to construct a vineyard, with the intention of producing organic wine.

In the future, the applicant will consider establishing a cellar door at the property (pending planning approval, which would be a separate application). Thus, in a broad sense the dwelling will support agriculture on the site, and thus is allowed in the zone. More broadly, the contribution and value a vineyard / winery would have to the municipality would be considerable, considering the likes of tourism, jobs and contribution to the local economy (as highlighted in a number of policies, including *Ararat Sustainable Growth Future*, *Grampians Pyrenees Wine Tourism Masterplan*).

As the *Ararat Sustainable Growth Future* policy points out, "agriculture remains the biggest employment sector in the municipality; however over the past decade employment within the industry has declined from 23% to 16% as a proportion of overall employment".

Thus, it is crucially important to support agriculture (and agricultural land), while at the same time diversifying and supporting a diverse range of agricultural activities, which adds value to the municipality and will contribute to the economy and workforce now and in the future. Given these specific circumstances, Council intends to support the dwelling, given its support in turn of agriculture on the site. This does not threaten existing farmland, which is protected by planning policy, and Council is committed to retaining, and actually growing agriculture – which as aforementioned requires supporting diversified agricultural economy. Notably, a dwelling is not in itself (necessarily) incompatible with farming, and in this instance considering the siting and design of the development, and the nature of surrounding farming (broad-acre), the two uses will be compatible.

Referrals

The application was forwarded to a range of external and internal agencies for feedback. A summary of the responses from these agencies were as follows:

Agency / Organisation	Response
External State Agencies	
CFA	No objection subject to conditions
Wimmera Catchment Management Authority	Consent with conditions
Internal Council Teams	
Assets	No objection
Rates	No objection

Planning Policy Framework

Planning Policy Framework (PPF)

Clause 12.01-1S Protection of biodiversity

To assist the protection of and conservation of Victoria's biodiversity.

The proposal does not seek to remove any vegetation, and thus does not threaten biodiversity.

Clause 13.02-1S Bushfire planning

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

The proposal is consistent with Clause 13.02-1S, as well as Clause 44.06 and Clause 53.02. In accordance with the Bushfire Management Statement and comments of the CFA, the application will include measures to protect human life, which will be included as conditions of permit ensuring risk of bushfire is mitigated.

Clause 14.01-2S Sustainable agricultural land use

To encourage sustainable agricultural land use

The applicant has indicated their intention to construct a vineyard on the site after their dwelling and outbuildings are constructed. Thus, the proposal will support an agricultural use (viticulture), with the establishing of a vineyard. The current owners of the land are already engaged in this sector and employed by others in the area in wine production.

Clause 15.01-6S Design for rural areas

To ensure development respects valued areas of rural character.

The proposed appearance of the dwelling – clad in galvanised corrugated iron will be acceptable, given the siting and design of the development. The development is to be orientated east-west, so reflective glare will be largely mitigated. The site has no direct neighbours, further mitigating the risk to amenity of the surrounding area from the building materials. Moreover, the galvanised corrugated iron will weather and soften to a blue / grey, which will not adversely affect surrounding sites. Galvanised corrugated iron is also a traditional consistent building on farms throughout the area. Thus, the use of galvanised corrugated iron is appropriate.

Clause 16.01-1S Housing supply

To facilitate well-located, integrated and diverse housing that meets community needs.

The proposal will add an additional dwelling to the site. The proposed 3-bedroom dwelling will provide an excellent additional family home to the area, contributing to achieving a mixed housing typology within Moyston and Ararat, and supporting the growth of the municipality.

Zoning

Clause 35.07 Farming Zone

The subject site is located within the Farming Zone. The Farming Zone aims to achieve the following:

- *To provide for the use of land for agriculture*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Under Clause 35.07-1, a permit is required to use the land for a dwelling (Section 2), as the lot is <40ha.

Under Clause 35.07-4, a permit is required for buildings and/or works of a Section 2 use under the Farming Zone.

Use of the site as a vineyard is as of right. Use of the site as a winery / cellar door is also a Section 2 use, however the applicant intends to prepare a separate application for this proposed use in the future.

Overlays

Clause 44.06 Bushfire Management Overlay

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

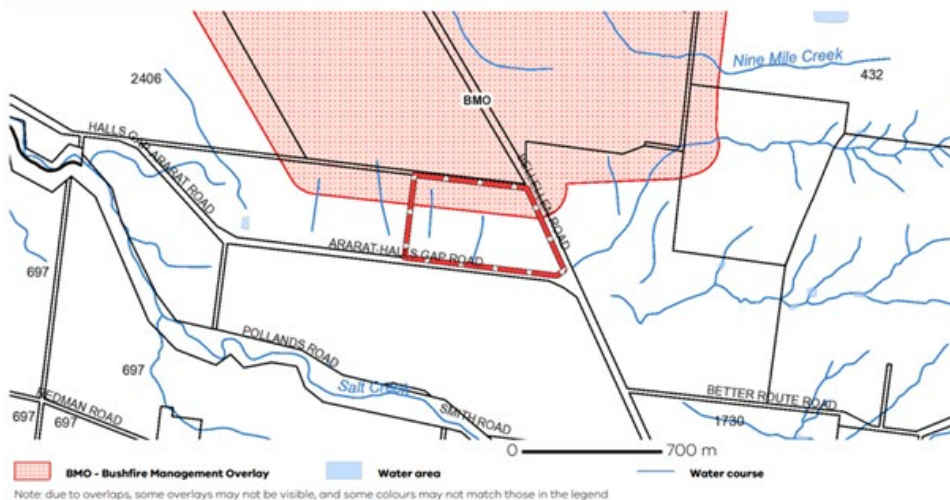
Under Clause 44.06-2, a permit is required to:

- Construct a building or construct or carry out works associated with accommodation

Under Clause 44.06-3, an application must be accompanied by a bushfire hazard site assessment, bushfire hazard landscape assessment and bushfire management statement.

An application must also meet the requirements of Clause 53.02, unless the application meets all of the requirements specified in a schedule to this overlay.

BUSHFIRE MANAGEMENT OVERLAY (BMO)



Clause 42.03 Significant Landscape Overlay

- To implement the Municipal Planning Strategy and the Planning Policy Framework
- To identify significant landscapes
- To conserve and enhance the character of significant landscapes.

Under Clause 42.03-2, a permit is required to construct a building or carry out works, where the dwelling exceeds 200m² and the outbuildings exceed 100m².

Clause 42.02-2 Vegetation Protection Overlay

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To protect areas of significant vegetation.
- To ensure that development minimises loss of vegetation.

- *To preserve existing trees and other vegetation.*
- *To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance. To maintain and enhance habitat and habitat corridors for indigenous fauna.*
- *To encourage the regeneration of native vegetation.*

The application does not seek to remove any native vegetation – thus, there is no trigger under the overlay.

Clause 45.12 Specific Controls Overlay (SCO2)

- *To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances*

While the site is within the SCO2 Overlay there is no trigger under the overlay.

Assessment

Clause 35.07 Farming Zone

The application is for the construction of a dwelling and associated outbuildings. This is consistent with the purpose of the Farming Zone, as the proposal will not adversely effect agricultural use on surrounding sites, and will support agriculture on the site now and in the future, as the applicant constructs a vineyard.

The proposal also meets the decision guidelines of the Farming Zone, as follows:

Farming Zone Decision Guidelines

Accommodation Issues	
Whether the dwelling will result in the loss of fragmentation of productive agricultural land.	The dwelling will not result in the loss of farmland, but instead work to retain productive agricultural land, supporting the applicant's vineyard on the site.
Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.	The dwelling will not be adversely affected by surrounding agricultural uses, with surrounding uses (including grazing and cropping land) posing no major adverse effects to residential or similarly agricultural use.
Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.	The dwelling will not adversely affect the operation and expansion of adjoining and nearby agricultural uses, with the proposal of a dwelling and (as of right) vineyard being compatible with adjoining farmland.
The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.	The proposal does not support a concentration or proliferation of dwellings in the area, nor any adverse impact on the use of land for agriculture. The dwelling in this case is well supported by planning policy, and will support agriculture in the community by facilitating and supporting the (proposed) vineyard on site.
The potential for an accommodation use to be adversely affected by noise and shadow flicker	N/A

<p>impacts if it is located within one kilometre from the nearest title boundary of land subject to:</p> <ul style="list-style-type: none"> • A permit for a wind energy facility; or • An application for a permit for a wind energy facility; or • An incorporated document approving a wind energy facility; or <p>A proposed wind energy facility for which an action has been under taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>.</p>	
<p>Agricultural issues and the impacts from non-agricultural uses</p>	
<p>Whether the use or development will support and enhance agricultural production.</p>	<p>The dwelling will support agriculture in the community by facilitating and supporting the (proposed) vineyard on site. This will add diversity to the farming landscape within Ararat and works towards economic and tourism goals of Council to promote diverse agriculture and business, and specifically to support wineries, recognising their contribution to the municipality as a tourism and economic benefit.</p>
<p>Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.</p>	<p>The proposal will secure the land for agriculture for years to come, as the dwelling will facilitate and support the planting and maintenance of a vineyard on site. The vineyard is intended to be organic, meaning there will be no chance for chemicals to harm soil quality.</p>
<p>The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.</p>	<p>The use of the site for a dwelling, sheds and vineyard will not limit surrounding agricultural uses.</p>
<p>The capacity of the site to sustain the agricultural use.</p>	<p>The site will accommodate the vineyard.</p>
<p>The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.</p>	<p>The site will accommodate the vineyard, with a large existing dam present on site which will support irrigation of the vineyard.</p>
<p>Any integrated land management plan prepared for the site.</p>	<p>The proposal was accompanied by an appropriate farm plan, including details regarding the vineyard which will be created in conjunction with the proposed dwelling and sheds.</p>
<p>Whether Rural Worker accommodation is necessary having regard to: The nature and scale of the agricultural use; the accessibility to residential areas and existing accommodation, and the remoteness of the location; the duration of the use of the land for Rural Worker Accommodation.</p>	<p>N/A</p>
<p>Environmental Issues</p>	
<p>The impacted of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.</p>	<p>The vineyard is intended to be organic, meaning there will be no chance for chemicals to harm soil quality. No native vegetation will be removed as part of this proposal, or the creation of the (as of right) vineyard on site.</p>

The impact of the use or development on the flora and fauna on the site and its surrounds.	As above.
The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.	As above.
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	On-site effluent disposal areas will be accommodated to minimise the impact of nutrient loads on waterways and native vegetation on site. The proposal was referred to the Assets Department, which approved the application with conditions (among others) relating to on-site effluent disposal.
Design and Siting Issues	
The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive land.	Buildings will be located in one area only on site.
The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.	The siting and design is appropriate, as discussed in the <i>Planning Policy Framework</i> section (see Clause 15.01-6S Design for rural areas) of this report.
The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.	The site lacks historic or scientific significance. With regards to natural importance, no native vegetation will be removed as part of the proposal, and the proposal more broadly will not adversely effect the natural features of the property. Regarding the siting and design of the proposal and how it relates to the surrounding area, see the <i>Planning Policy Framework</i> section of this report.
The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.	Existing infrastructure includes an accessway via Ararat-Halls Gap Road, and a dam. As part of the proposal, a driveway will be constructed. Water and sewerage will be accommodated by the site. The proposal was referred to the Assets Department, which approved the application with conditions (among others) relating to on-site effluent disposal and water.
Whether the use and development will require traffic management measures.	The use and development will not require traffic management measures.
The need to locate and design buildings use for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one kilometre from the nearest title of land subject to: <ul style="list-style-type: none"> • A permit for a wind energy facility; or • An application for a permit for a wind energy facility; or • An incorporated document approving a wind energy facility; or 	N/A

A proposed wind energy facility for which an action has been undertaken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i> .	
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Clause 44.06 Bushfire Management Overlay (BMO)

The proposal is consistent with the purpose and requirements of the overlay, reducing the long-term risks of bushfire to the surrounding area and vegetation consistent with the BMO.

In accordance with the relevant referral authorities, the bushfire hazard site assessment, bushfire hazard landscape assessment and bushfire management statement, the proposal will be granted a permit for the use and development of a dwelling and associated outbuildings with conditions, based on advice from relevant authorities.

Clause 53.02 Bushfire Planning

The purpose of Clause 53.02 is (among others):

- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire*
- *To ensure that the location, design and construction of development appropriately responds to the bushfire hazard*
- *To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.*

The proposal is consistent with the purpose and requirements of Clause 53.02. In accordance with the relevant referral authority and recommendations made in the Bushfire Management Statement, a permit will be granted with conditions.

Decision Guidelines - Clause 65

<i>Any significant effects the environment, including the contamination of land, may have on the use or development.</i>	The proposal will not be adversely effected by the environment, including land contamination.
<i>The municipal planning strategy and the planning policy framework.</i>	The proposal meets the Planning Policy Framework, as found in the <i>Planning Policy Framework (PPF)</i> section of this report.
<i>The purpose of the zone, overlay or other provision. Any matter required to be considered in the zone, overlay or other provision.</i>	While a permit is required for the use and construction of a dwelling in the Farming Zone on a lot <40ha, Council has determined the site is appropriate for the development given the size of the site, and the long-term proposal for the site being a vineyard. The site has a number of overlays which apply to the land, including the BMO, SLO, and VPO. In accordance with Section 55 of the <i>Planning and Environment Act 1987</i> , the CFA were referred the application, which approved it with conditions.
<i>The orderly planning of the area.</i>	Given the area of the site and the nature of the proposed development, the site will accommodate the proposal and is compatible with surrounding uses.
<i>The effect on the environment, human health and amenity of the area.</i>	The proposal will not adversely effect the environment, human health nor amenity of the area. The proposal will not harm the environment, as the site is cleared, and there is no proposal to remove vegetation. The proposed use of the site as a dwelling poses little-to-no risk of adverse amenity or health effects to surrounding sites given the design and siting of the proposed dwelling. Similarly, no surrounding uses (including agricultural uses) present significant risk the proposal, given the siting and design, as well as the nature of the agricultural use of surrounding sites.

<i>The proximity of the land to any public land.</i>	Approximately 500m north-east is Jallukar Nature Conservation Reserve, visited by the likes of tourists and campers.
<i>Factors likely to cause or contribute to land degradation, salinity or reduce water quality Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.</i>	Regarding land degradation and soil quality, the use of the site for a dwelling and sheds, and for an organic vineyard poses no adverse effect, with the exception of sewerage considerations which have been conditioned. The site does feature a slope towards the dam / mapped waterways however, and so interceptors are proposed to prevent any unwanted runoff.
<i>The extent and character of native vegetation and the likelihood of its destruction. Whether native vegetation is to be or can be protected, planted or allowed to regenerate.</i>	No native vegetation to be removed.
<i>The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.</i>	The use and development has a high fire risk, however the application meets the requirements of the planning scheme regarding bushfire planning. The application was submitted with a BMS, and the application was referred to CFA which approved the application with conditions.
<i>The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.</i>	N/A
<i>The impact the use or development will have on the current and future development and operation of the transport system.</i>	The proposed development will not adversely impact the operation of the transport system, adding additional personal vehicle/s which will be accommodated by existing infrastructure.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

1. Growing Our Place

We will create the settings to support growth across our municipality through an improved planning scheme, actively pursuing new housing options and exploring models for in-migration.

- 1.2 Support innovative housing models that work to overcome market failure and create the capacity to increase the population of Ararat Rural City.

Budget Implications

The Council may have a financial obligation to put its case at VCAT in the event that the decision on the application is appealed by either the applicant or objectors.

Policy/Relevant Law

The policy, legal and statutory considerations defined by the planning scheme and overarching legislation and practice have been outlined in the assessment of the application and throughout this report.

Sustainability

The *Ararat Sustainable Growth Future* policy provides a focus on "agriculture remains the biggest employment sector in the municipality; however, over the past decade employment within the industry has declined from 23% to 16% as a proportion of overall employment"

Risk Assessment

The assessment of this application has utilised a number of techniques to minimise known risks. The assessment process follows the provisions of the legislation, the planning scheme and related documents to ensure that the outcomes meet community standards. Council assessing the officers report ensures that there is an additional level of review of the proposal. The assessment process follows the provisions of the legislation and the planning scheme clauses and related documents to ensure that the outcomes meet broad community standards.

Conclusion

The proposal represents an opportunity to diversify and expand housing options that will support the continued agricultural use of the land within Ararat and supporting growth of the population and economy. Throughout the assessment process, the proposal has been assessed against the Planning Policy Framework, the purpose of the zone, and the relevant Particular Provisions and the contribution and value a vineyard / winery would have to the municipality would be considerable, considering the likes of tourism, jobs and contribution to the local economy (as highlighted in a number of policies, including *Ararat Sustainable Growth Future*, *Grampians Pyrenees Wine Tourism Masterplan*). The proposal demonstrates a significant alignment with Council's strategic intent for the **area**. It is therefore considered that the proposal demonstrates an acceptable outcome with regard to the provisions of the Ararat Planning Scheme. It is recommended that the application be supported.

RECOMMENDATION

That Council issue a Notice of Decision to grant this planning permit application PA3155 for the development of the land for a house, carport, shed, water tanks and sewerage on Ararat-Halls Gap Rd Moyston 3377 subject to the following conditions:

The Permit allows: Develop property with house, carport, shed, water tanks and sewerage.

No. of Conditions: 6

1 Layout not altered

The use and/or development shown on the endorsed plans must not be altered without the written consent of the Council.

2 Outbuilding (Shed)

The layout of the site must and the size and internal layout of the buildings and works shown on the endorsed plan must not be altered or modified without the written consent of the Council. This permit is granted for an outbuilding for storage purposes only. The outbuilding must not be used for human habitation and must not contain facilities that could be used for cooking, eating or sleeping. The shed must not be constructed over or within 3m of the septic tank or effluent disposal field.

3 Control erosion and sedimentation of construction site

Prior to commencing the construction, the applicant is to install a row of hay bales to intercept run off from the work site between the boundary of the building envelope and the easement for the waterway



on the land. This row is to be maintained for 3 months after the completion of construction of the project, or until such time as the ground cover re-establishes around the works area, whichever is the later.

4 Connection to services

The owner of the land must make arrangement for the provision of water, waste water, electricity and telecommunication services to the dwelling in accordance with the authorities' requirements and relevant legislation at the time.

5 General amenity

During the construction phase the project is to be managed at all times to the satisfaction of Council, that the amenity of the area is not detrimentally affected, through the:

- a- transport of materials, goods or commodities to or from the land
- b- appearance of any building, works or materials
- c- emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil presence of vermin

6 Mandatory Bushfire Condition

The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

7 CFA Condition (Ref:16000-77171-121714)

Before the development starts, the Bushfire Management Plan prepared by Regional Planning and Design Pty Ltd (Version B, dated 30/05/22) must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.

8 Permit Expiry

This permit will expire if one of the following circumstances applies:

- a) The use and/or development is not started within 3 years of the date of this permit.
- b) The use and/or development is not completed within 5 years of the date of this permit

The Council may extend the periods referred to if a request is made in writing before the permit expires, or as specified under Section 69 of the *Planning and Environment Act 1987*.

ATTACHMENTS

There are no attachments in relation to this item.

SECTION 4 – INFORMATION REPORTS

Nil.

SECTION 5 – COMMITTEE MINUTES/REPORTS

5.1 AUDIT AND RISK COMMITTEE MEETING

AUTHOR'S TITLE: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 6575

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.

EXECUTIVE SUMMARY

This report contains the minutes of the Audit and Risk Committee meeting held on 08 September 2022.

DISCUSSION

Minutes of Audit and Risk Committee meetings are provided to Council at the first available opportunity after clearance by the Audit and Risk Committee Chairperson. The report contains the Audit and Risk Committee Meeting held on 08 September 2022.

Council Committees	Councillor representative	Current meeting (as presented)	Next scheduled meeting/s
Audit and Risk Committee	Cr Jo Armstrong	08 September 2022	08 December 2022
Audit and Risk Committee	Cr Henry Burridge	08 September 2022	08 December 2022

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

The report supports the strategic objective of the Council Plan 2021-2025:
6 Strong and Effective Governance

Budget Implications

No budget impact for the receiving of minutes.

Policy/Legal/Statutory

Section 53 of the *Local Government Act 2020* states that Council must establish an Audit and Risk Committee.

Section 6.1 of the *Audit and Risk Committee Charter* states that minutes of Committee meetings will be provided to Council at the first available opportunity after clearance by the Committee Chairperson following each Committee meeting.

Risk Assessment

Council needs to be aware of issues raised in the minutes.

Stakeholder Consultation and Communication

Audit and Risk Committee members.
Councillor representation on Council Committees.
Chief Executive Officer and relevant Council officers.

RECOMMENDATION

That the Audit and Risk Committee Meetings minutes of 08 September 2022 be received.

ATTACHMENTS

The Audit and Risk Committee minutes as listed above are provided as Attachment 5.1.

SECTION 6 – INFORMAL MEETINGS

6.1 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.

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 6 September 2022
Council Briefing held on 13 September 2022
Council Briefing held on 20 September 2022
CEO Employment & Remuneration Committee Meeting on 8 September 2022 (Mayor, Jo Armstrong, Deputy Mayor Bob Sanders and Councillor Peter Beales)

Issues discussed at the briefing:

- Ararat Landcare Group presentation
- Economic Development Strategy
- Governance rules update
- ARC population data
- Asset Plan 2022/2023 update
- Annual Plan 2022/2023 update
- Ararat Digital Twin update
- Ararat Pistol Club presentation
- Domestic Animal Management Plan
- Annual accounts
- External auditors' letter
- Circular economy update
- Planning matter
- AU China research grant

- Circular economy FAQs
- CEO Employment and Remuneration Committee

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 6.1.

SECTION 7 – NOTICES OF MOTION

A *notice of motion* must be in writing signed by a Councillor and be lodged with or sent to the *Chief Executive Officer* no later than 12.00pm (noon) and at least six (6) days prior to the Council Meeting to allow sufficient time for the *Chief Executive Officer* to include the *notice of motion* in agenda papers for a *Council meeting*.

SECTION 8– 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 9 – 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 9.1- CEO Employment & Remuneration Committee

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 9.1 not be lifted on adoption of the motion.