



Ararat Rural City

MINUTES

COUNCIL MEETING

Tuesday 25 March 2025

**Held in the Council Chambers, Shire Offices
(Livestreamed)**

Commenced at 6.00pm

Council:

Cr Jo Armstrong (Mayor)

Cr Rob Armstrong

Cr Peter Joyce

Cr Teli Kaur

Cr Luke Preston

Cr Bob Sanders

Cr Bill Waterston

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/araratruralcitycouncil into your address bar.

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

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PRESENT: Cr Jo Armstrong, Cr Rob Armstrong, Cr Peter Joyce, Cr Teli Kaur, Cr Luke Preston, Cr Bob Sanders, Cr Bill Waterston, Dr Tim Harrison - Chief Executive Officer, Chandra Willmott - Governance & Risk Lead, Rebecca Rodger - Major Projects Lead, Thomas Duncan - Theatre Technical Officer

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 - CR KAUR

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 - CR WATERSTON

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 - CR JOYCE

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

There were no apologies

1.4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Council Meeting held on 25 February 2025 be confirmed.

MOVED CR WATERSTON SECONDED CR KAUR

That the Minutes of the Council Meeting held on 25 February 2025 be confirmed.

No Councillors spoke for or against the motion

**CARRIED 7/0
5106/25**

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.

There were no Declaration of Conflicts of Interests received.

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.

There were no Petitions or Joint Letters received.

2.2 REQUEST TO ADDRESS COUNCIL

Questions to address the Council can be made without notice

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

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

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

Mr Mitchell O'Sullivan requested to ask the following question

Respectfully, how does the Council reconcile its pledge to "...exercise its functions, powers, authorities and discretions invested in..." whilst knowingly putting a resident in a life threatening situation"

Due to this question referring to a confidential matter, the CEO will reply to the Councillors and Mr O'Sullivan within 7 days.

SECTION 3 - REPORTS REQUIRING COUNCIL DECISION

3.1 DRAFT ARARAT RURAL CITY COUNCIL COMMUNITY VISION 2035 AND COUNCIL PLAN 2025-29

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 20129

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 draft Community Vision 2035 and draft Council Plan 2025-29 is presented to Council for consideration before the consultation process commences.

DISCUSSION

The draft Community Vision 2035 captures ascertaining the community's aspirations for the future of the municipality over the next 10 years. The previous Community Vision was carefully reviewed and was found to still strongly reflect the best long term outcomes for the local community, and the best future scenario that we can aim to achieve for the next generation.

The key aspirations outlined in the Community Vision 2035 are:

1. Strong population growth trajectories that buck trends in rural Victoria
2. Continuous and sustainable economic development which is focused on job creation through value adding in agriculture, advanced manufacturing, and tourism.
3. Leadership in pragmatic approaches to local environmental management
4. Sustainable and effective local transport networks underpinned by careful technical and financial planning undertaken jointly between asset users and asset owners.
5. Communities that are enhanced by access to artistic, cultural, sporting and recreational opportunities that meet needs and expectations.
6. Strong and robust democratic processes underpinned by transparent governance, good financial management and organisational innovation.

The draft Council Plan 2025-29 is guided by the Community Vision 2035 and sets the strategic direction and objectives of the Council, and strategies to achieve these for the next four years. The Council Plan also includes indicators for monitoring the achievement of these objectives and descriptions of initiatives and priorities for services, infrastructure and amenity.

The Council Plan has six key strategic directions:

- 1 Growing our place
- 2 Building robust local economies
- 3 Preserving the environment
- 4 Developing and maintaining key enabling infrastructure
- 5 Enhancing community life; and
- 6 Strong and effective governance

The next step for the draft Community Vision 2035 and Council Plan 2025-29 is to present these to the community for consultation and feedback. This will occur alongside the community engagement for the 2025/2026 budget and include several mechanisms of engagement, such as:

- use of the Engage Ararat website
- distribution of copies of the draft Community Vision and Council Plan across the municipality
- face to face "town hall" meetings
- social media posts to encourage community engagement
- summaries be placed in local newspapers
- mainstream media engagement

The process will ensure maximum engagement with key geographic locations and communities of interest across the municipality. Residents and ratepayers will be encouraged to engage and to make submission on matters of interest or concern.

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

As this item gives effect to the next four financial years from 2025/2026, and it has no direct or significant budget implications for the 2024/2025 Budget.

Policy/Relevant Law

Sections 88 and 90 of the Local Government Act 2020 requires that Council develop or review and adopt a Community Vision is a period of at least the next 10 financial years, and a Council Plan for a period of at least the next 4 financial years in accordance with its Community Engagement Policy by the 31 October in the year following a general election.

Sustainability Implications

N/A

Risk Assessment

The primary objective of Council is to endeavour to achieve the best outcomes for the local community having regard to the long term and cumulative effects of decisions. Providing the timelines for development and engagement on the key strategic documents of Council helps to ensure the long term aspirations of the community are well considered and reflected in these documents.

Stakeholder Collaboration and Community Engagement

This agenda item relates directly to a process of community engagement around the development of the Community Vision 2035 and Council Plan 2025-29.

RECOMMENDATION

That Council:

1. Endorse the draft Community Vision 2035 and Council Plan 2025-29 for community consultation; and
2. Authorise the Chief Executive Officer to commence the community consultation process

**MOVED CR SANDERS
SECONDED CR JOYCE**

That Council:

- 1. Endorse the draft Community Vision 2035 and Council Plan 2025-29 for community consultation; and**
- 2. Authorise the Chief Executive Officer to commence the community consultation process**

Cr Sanders, Cr Joyce and Cr Waterston spoke for the motion

**CARRIED 7/0
5107/25**

ATTACHMENTS

The Draft Community Vision 2035 and Council Plan 2025-29 are provided as Attachment 3.1



ARARAT RURAL CITY COUNCIL'S COMMUNITY VISION 2035

Over the next ten years Ararat Rural City Council will develop into a community characterised by:

Strong population growth trajectories that buck trends in rural Victoria. This goal is underpinned by a planning scheme that provides certainty to the community while providing capacity for further residential, industrial, and commercial growth. Council is committed to continuous and sustainable economic development which is focused on job creation through value adding in agriculture, advanced manufacturing, and tourism. Ararat Rural City Council has a strategic advantage provided through the Ararat Jobs and Technology Precinct, a world leading example of a research partnership between a university and a rural community.

Leadership in pragmatic approaches to local environmental management. Ararat Rural City Council is a leader in managing a circular economy through a focus on local management of resource recovery. We are home to a number of successful bio-mass and waste-to-energy power generators which contribute significantly to our positioning as a net zero emissions community.

Sustainable and effective local transport networks underpinned by careful technical and financial planning undertaken jointly between asset users and asset owners. Enabling infrastructure in the form of roads, drainage and utilities is in place to support the social and economic growth of the municipality. Renewal of all asset classes is managed to ensure ongoing financial sustainability.

Communities that are enhanced by access to artistic, cultural, sporting and recreational opportunities that meet needs and expectations. Volunteering is a key part of community life and its resurgence has breathed new life into a range of community organisations and activities. Ararat Rural City is a place that is known for its cultural inclusion and connection to Traditional Owners.

Strong and robust democratic processes underpinned by transparent governance, good financial management and organisational innovation. Ararat Rural City Council is seen as an exemplar of what rural local government can be and achieve for its community. It is a place of strength, compassion, self-reliance and new ideas. It is a place that knows how to make things happen!

Acknowledgement of Traditional Owners

Council acknowledges the Traditional Owners of the land on which we live and work, the Eastern Maar, Wotjobaluk, Jaadwa, Jadawadjali, Wergaia, Jupagulk, and Wadawurrung peoples, and recognise their connection to the land and waterways. We pay our respects to their Elders past, present and emerging, and to all Aboriginal and Torres Strait Islander people.



ARARAT RURAL CITY COUNCIL'S COUNCIL PLAN 2025 - 2029



Ararat Rural City

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.

- 1.1 Develop a strategic land use planning framework with annual targets to support sustainable urban growth.
- 1.2 Support innovative housing models that work to overcome market failure and create the capacity to increase the population of Ararat Rural City.
- 1.3 Work with other levels of government, business, educational institutions and not-for-for profits to develop programs to increase in-migration to Ararat Rural City to grow our population.

2. BUILDING ROBUST LOCAL ECONOMIES

We will develop strong relationships to build and strengthen a diverse local economy, focused on creating jobs and wealth through adding value to existing strengths in agriculture, manufacturing, tourism and hospitality.

- 2.1 Partner with Federation University Australia to deliver the Ararat Jobs and Technology Precinct with a focus on engaging with local agribusiness, industry and community.
- 2.2 Work with other levels of government, local business, and private investors to develop a business park within Ararat Rural City, focused on agricultural value adding and advanced manufacturing, potentially leveraging "behind the meter" power.
- 2.3 Engage with Grampians Wimmera Mallee Tourism and local businesses to improve the quality of experience and drive growth in high yield tourist outcomes.



3. PRESERVING OUR ENVIRONMENT

We will take pragmatic approaches to ensuring that Ararat Rural City Council takes a regional lead in responsible environmental management and engagement with the circular economy.

- 3.1 Position Ararat Rural City Council as a prime mover in driving circular economy policy in waste management, including local processing and management of recyclables, and in use of renewable energy for Council purposes.
- 3.2 Develop innovative energy solutions utilising locally produced waste.
- 3.3 Partner with local organisations and scientific experts to implement the Environment Strategy 2024-34, with a focus on circular economy, emissions reduction and sustainable management of Council assets.

4. DEVELOPING AND MAINTAINING KEY ENABLING INFRASTRUCTURE

We will ensure that we plan, fund and develop new infrastructure in ways that deliver strong public value. Existing infrastructure will be managed, renewed, and maintained to ensure that it continues to serve identified public needs.

- 4.1 Ensure that asset development and renewal during the planning period matches that identified in Council's Asset Plan 2025-2035.
- 4.2 Work directly with asset users to manage and develop new and existing assets.
- 4.3 Deliver infrastructure outcomes that support economic growth, are mindful of intergenerational equity and enhance community wellbeing and safety. These approaches will explore strategic use of debt to fund long-term assets and ensure Council's financial sustainability.

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 into a more inclusive, welcoming, tolerant and diverse community.

6. STRONG AND EFFECTIVE GOVERNANCE

We will work hard to build models of governance that place delivering public value at their 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.
- 6.2 Ensure appropriate risk management is applied to Council and organisational decisions. Council's internal function is applied to areas of perceived risk.
- 6.3 Continuously improve Council's community engagement process and practices in line with deliberative engagement practices, while ensuring that Councillors' roles as elected community representatives are understood and reflected in decision-making.



GROWING OUR PLACE

- Achieve strategic land use planning framework targets on an annual basis.
- Increase available residential land to support housing availability by 600 lots by June 2029.
- Increase residential housing stock 300 properties by June 2029.
- Ensure that 25% of all new residential housing is affordable housing.
- Grow the population of the municipality by 1000 by June 2029.

BUILDING ROBUST LOCAL ECONOMIES

- Increase jobs in local economy by 15% by June 2029.
- Achieve Ararat Jobs and Technology Precinct annual engagement and development targets.
- Establish circular economy business park and lead tenants in agricultural value add sector by June 2029.
- Increase tourism visitation and stays in Ararat Rural City by 50% by 30 June 2029.
- Increase 4 star and above accommodation options by 80 by 2029.
- Establish a municipal measure of economic growth for annual reporting.

PRESERVING OUR ENVIRONMENT

- Decrease waste to landfill by 20% by June 2029.
- Decrease total waste and recyclables tonnage collected by 20% by 2029.
- Achieve annual Environment Strategy outcomes.

DEVELOPING AND MAINTAINING KEY ENABLING INFRASTRUCTURE

- Progress the outcomes of the Aradale Development Strategy.
- Achieve quarterly meetings with the Rural Roads Group that will inform the annual capital works program.
- Meet annual targets for Urban Gravel to Seal Program.
- Implement key infrastructure projects from the Asset Plan 2025-2035 during the planning period.

ENHANCING COMMUNITY LIFE

- Increase annual visitation to Ararat Gallery TAMA by 20% p.a.
- Increase community use of Ararat Town Hall by 10% p.a.
- Increase audience sizes at commercial and funded performances at Ararat Town Hall by 20% p.a.
- Increase participation in community organisations in Ararat Rural City by 5% per annum.

STRONG AND EFFECTIVE GOVERNANCE

- Continue to deliver Council budgets which deliver public value and return efficiency dividends where appropriate.
- Continue to deliver effective risk management processes approved by Audit and Risk Committee.
- Continue to deliver community engagement processes which show longitudinal signs of improvement.

3.2 ADVOCACY PROGRAM 2025

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 20130

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

Council has identified a number of major issues and projects that require advocacy to move them forward and achieve outcomes for the community, or that require government funding or support that is beyond the scope of existing grant programs and initiatives.

This advocacy program is also timely due to the upcoming Federal Election that is due by 17 May 2025 for a term of around 3 years, and the State Election that will occur in November 2026 for a term of 4 years.

DISCUSSION

Council has identified a number of key priorities that require advocacy to achieve outcomes for the community. The process of advocating for the priorities below would involve seeking an election commitment from the major parties, with the view that the funding or initiative would be delivered in the next term of government if the relevant party that made the commitment wins the election. Therefore, these priorities are selected based on what we are aiming to accomplish over the next approx. 3-5 years.

Since the State election is not until November 2026, there is also the potential that funding could be secured prior to the election in the State Budget 2026/27, which is announced around April/May 2026.

Advocacy Priorities:

Deliver the Full Extent of the East Grampians Rural Water Pipeline Project

This project has been plagued by delays, and the extent of Construction Zone 4 has been only partially included in the delivery scope due to cost. The recent Grampians bushfires and the continuing dry conditions has created hardships that could have been avoided or alleviated if the full extent of the Pipeline had been delivered on time. These recent challenging events have also highlighted why it is so critical that the full extent of the East Grampians Rural Water Pipeline Project is delivered as soon as possible.

Condemnation of the Emergency Services & Volunteers Fund (ESVF)

While Council acknowledges the importance of adequate funding for emergency services, Council has condemned the Emergency Services & Volunteers Fund due to its disproportionate impact on primary producers, obscenely steep increase imposed onto all ratepayers, and the ongoing expectation that local councils act as the collection agency for a state-imposed tax. Council will advocate against the ESVF on behalf of our community.

Deliver the Western Highway Upgrade from Buangor to Ararat

The Western Highway from Buangor to Ararat continues to experience unacceptable levels of traffic accidents that cause fatalities, injury, disruptive road closures and detours onto rural roads. The upgrade of this key transport route is urgently needed to improve safety and transport efficiency.

North South Heavy Vehicle Route

The North South route of the Pyrenees Highway along Vincent St has a significant number of heavy vehicle movements which raises safety concerns and causes congestion at the Vincent St/Barkly St and Vincent St/High St intersections. A solution to this issue is to develop a heavy vehicle route for the Pyrenees Highway to the East of the Ararat township to remove heavy vehicles from these two intersections. Council will need to advocate for planning and delivery of this project with the Department of Transport.

Improve Mobile Phone and NBN Connectivity in Rural Areas

Many of our rural communities have reported a complete lack of service since 3G was turned off. These mobile black spots negatively impact on preparedness and response in emergencies and in the day-to-day lives of residents. Council hosted a series of Community Emergency Management Planning Workshops in late 2024-early 2025. A very clear message from these workshops was the major concerns around lack of coverage and the inability to stay up to date on the VicEmergency warnings during the recent bushfires. EFTPOS machines also regularly drop out, and the lack of reception discourages revisits by tourists.

Give Greater Confidence and Support to Renewable Gas

Gas will continue to be essential in a net-zero future (Annual Climate Change Statement 2024, DCCEEW). Other renewable fuel alternatives are not yet able to fully replace gas in high temperature applications in some industries, and it cannot be substituted as chemical inputs into some products such as medicines, fertilisers and cleaning products. For these industries, a renewable gas source would reduce the use of fossil fuel gas. While other States have been proactive in supporting renewable gas developments, the Victorian Government have dragged their feet with the development of roadmaps, consultation papers, policy direction papers, and more policy framework development. The Victorian Government needs to provide clear policy directions in support of renewable gas production. This will give greater confidence to accelerate Valorify's \$400 million biogas plant in Ararat and subsequent enterprises that seek to co-locate and access "behind the meter" power.

More Trains to Ararat

The announcement by the Victorian Government on 28 February 2025 on the two new weekend return services on the Ararat Line is a step in the right direction. Council will continue to advocate for more public transport services for Ararat.

Faster and Far More Streamlined Processes for Disaster Recovery Funding Arrangements (DRFA)

Natural disasters such as major bushfires, storms and floods are expected to become more intense and frequent. The current burdensome administrative processes for the DRFA mean that councils are left out of pocket for emergency recovery works for over 12 months per disaster event. This is very financially challenging for small rural councils and where multiple disaster events occur within a short period of time. This has been experienced by Ararat Rural City with two major bushfires in 2024 (AGRN 1108 and 1166) and major floods in 2023 (AGRN 1037).

Aradale Development

Activating the former Aradale site remains a priority for the Ararat Rural City. Council will continue to advocate for and work towards realising the plan laid out in the Aradale Development Strategy the Victorian Government as landowners and other government stakeholders.

Ararat Hills Mountain Bike Trails

This initiative will yield significant economic benefits to the community. In 2020 \$3 million in funding was provided by the Victorian State Government, through RDV, and Council to construct the track. The project was managed by Parks Vic as landowners but it has faced significant delays around planning and consent. Council will continue to advocate for the delivery of a mountain bike track in the Ararat Hills Regional Park and work with Traditional Owners and Regional Development Victoria to resolve the issues that has stalled this project.

Continued Support from State and Federal Government to Deliver More Housing

Driven by years of chronic workforce and housing shortages, Council have undertaken bold new approaches to overcome housing market failure, support local jobs and transform its community and economy. Council's partnerships with State and Federal governments, local philanthropists, reputable and capable property developers and businesses has worked to increase supply of suitable, sustainable, safe and affordable housing. Council will advocate for a continuation of State and Federal programs that have been effective in delivering more housing in the Ararat Rural City.

Major Project Priorities:

Buangor-Ben Nevis Road Upgrade

This road is a vital thoroughfare between the Pyrenees Highway and Western Highway, the main route for accessing the townships of Buangor, Bayindeen, Warrak and Mount Cole Creek, and it is a significant route for freight vehicles as well as local and tourist traffic, but it is currently in poor condition. Council has allocated \$2.143 million for urgent reconstruction works, and has committed a further \$1.25 million as co-contribution towards an application submitted for \$5 million from the Federal Government's Safer Local Roads and Infrastructure Program.

Mt William Road Stage 2

Mount William Road serves as the region's main freight route to the CHS Broadbent - Lakaput Bulk Storage Facility. The road takes heavy agricultural freight carrying wheat, barley, canola and oats from across the entire Wimmera Southern Mallee. As one of the busiest and most vitally important heavy vehicle freight links, the road is vital in supporting Victoria's agricultural economy over the harvest season. Council has invested \$1.25 million and has secured a \$5 million investment from the Federal Government's Safer Local Roads and Infrastructure Program to deliver Stage 1 of this project. Council seeks a further \$3 million to complete Stage 2.

Industrial Trunk Infrastructure for Ararat Renewable Energy Park

The Ararat Renewable Energy Park is the preferred site for Valorify's \$400M biogas plant, PlastOil's \$270M soft plastics recycling refinery, and other new business ventures keen to establish themselves in Ararat. But this site currently lacks trunk infrastructure connections to essential services, including water, sewer, electricity and gas. The dependency on the first business to establish themselves to cover the cost of bringing trunk infrastructure to the precinct dramatically increases startup costs for that first business, and rendering many otherwise commercially viable proposals unviable. This acts as a major barrier to development of the precinct and the resultant economic growth. Council seeks funding to deliver trunk infrastructure to the Ararat Renewable Energy Park to overcome this hurdle and speed up the creation of jobs and economic activity for the Ararat region.

Tatyoon Recreation Reserve New Pavilion

Community sporting clubs are a key part of the social fabric of rural communities. The social element helps to retain players, keeps them engaged in sport and encourages their kids and grandkids to play as well. Council will seek co-funding from the State and Federal governments and community for the development of the new pavilion and a refurbishment of the football change rooms to modernise the amenities and make them female friendly.

New Indoor Sports Complex at Alexandra Oval Precinct

The Council remains committed to delivering recreational facilities that are functional, accessible, inclusive, and that yield significant social, economic and community benefit to residents of the Ararat Rural City. The redevelopment of the existing Ararat Fitness Centre was determined to be no longer a financially sound and responsible option for achieving this outcome. Planning is underway for a new Indoor Sports Complex at Alexandra Oval Precinct. Co-funding will be sought from State and Federal Governments to deliver this project.

Ararat Outdoor Pool Upgrade

Planning is currently underway on an upgrade to the Ararat Outdoor Pool to enable it to be utilised all year round, rather than only in summer as it is currently. Co-funding will be sought from State and Federal Governments to deliver this project.

A & J McDonald Centre Redevelopment

Grampians Community Health (GCH) in partnership with Ararat Rural City Council are seeking to redevelop the A & J McDonald Centre into a community health and social hub. The McDonald Centre is a large 1950s era Art Deco building that has served as a community centre and public hall. Much of the building is not in current use due to its lack of essential infrastructure and disability access. This results in limitations with participating community health programs and support becoming dispersed across the region, and increased limitations in terms of the ability to meet needs associated with future service provision.

The proposed redevelopment, built strongly of the foundation of GCH as the lead tenant, will bring together a range of related service providers to deliver integrated, accessible services to the community from a co-located site. The facility will offer general practice, allied health, Home and Community Care services, community nursing, NDIS, health promotion, alcohol and other drugs support, family violence services, housing, mental health, maternal and child health, Aboriginal support, community care, palliative care, aged and disability services, youth mental health, My Aged Care services, carer connect and carer support services, migrant resettlement, youth services, and adult education and training

Grampians Wine Discovery Centre

The Grampians wine region has over 150 years of history, with some of the world's oldest vines and is one of the longest continually producing wine regions in Victoria. While our wine and food offering is growing, the Grampians struggles at times to compete with other larger wine regions because of a lack of visible presence. To help overcome this, the potential exists to develop a regional wine and produce showcase centre or emporium. A Grampians Wine Discovery Centre will drive private investment in the tourism sector in the Grampians region, as identified in the Grampians Strategic Tourism Investment Plan.

Kindergarten Infrastructure

The Kindergarten Infrastructure and Services Plan (KISP) 2025 modelling shows that in the Ararat SA2 (ie the suburb of Ararat), there will not be enough kindergarten places to meet demand from 2026 onwards. Council and the Department of Education have commenced discussions on planning for expansions or new kindergarten facilities in Ararat. Council will be advocating for new kindergarten facilities to meet the unmet demand as well as renewal and refurbishment of existing facilities to extend their useful life, where possible.

Childcare Access in Rural Areas

The Federal Government's 3-day guarantee that enables all families eligible for Child Care Subsidy to access 3 days of subsidised care for each child will have a positive impact on children and families. This will be particularly positive for women, who are the most common primary carer, and their access to employment and training. However, the availability of childcare in rural areas is limited. Council will advocate for funding models and policy settings that support the establishment of more childcare opens in areas with unmet demand and limited access to childcare, such as Lake Bolac.

Local Roads Funding

There are a number of State and Federal road funding programs that enable Council to maintain and renew its road network. Programs that provide recurring and upfront amounts and criteria such as Roads to Recovery and the Local Roads and Community Infrastructure fund have been valuable for enabling Council to decide which roads meet the funding criteria and local needs. There are also a number of competitive grant programs which generally require more details and a certain level of design work upfront. Smaller rural councils, who often also have the largest road network per capita, often find it challenging to dedicate resources upfront to a grant application that has risks of not being

awarded. Council will advocate to maintain and index recurring funding programs, as well as advocate for new roads funding programs that can provide longer term funding surety and have streamlined application processes.

KEY CONSIDERATIONS

Alignment to Council Plan 2021-25 Strategic Objectives

2. BUILDING ROBUST LOCAL ECONOMIES

We will develop strong relationships to build and strengthen a diverse local economy, focussed on creating jobs and wealth through adding value to existing strengths in agriculture, manufacturing, tourism and hospitality.

2.2 Work with other levels of government, local business, and private investors to develop a business park within Ararat Rural City, focused on agricultural value adding and advanced manufacturing, potentially leveraging “behind the meter” power.

2.3 Engage with Grampians Tourism and local businesses to drive growth in high yield tourist outcomes.

3. PRESERVING OUR ENVIRONMENT

We will take pragmatic approaches to ensuring that Ararat Rural City Council takes a regional lead in responsible environmental management and engagement with the circular economy.

3.1 Position Ararat Rural City Council as a prime mover in driving circular economy policy in waste management, including local processing and management of recyclables, and in use of renewable energy for Council purposes.

3.2 Develop innovative energy solutions utilising locally produced waste.

4. DEVELOPING AND MAINTAINING KEY ENABLING INFRASTRUCTURE

We will ensure that we plan, fund and develop new infrastructure in ways that delivers strong public value. Existing infrastructure will be managed, renewed, and maintained to ensure that it continues to serve identified public needs.

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

Budget Implications

The work to advocate for these priorities will be undertaken by existing resources and has no budget implications.

Policy/Relevant Law

N/A

Sustainability Implications

N/A

Risk Assessment

There is little material risk in implementing the advocacy program. Failure to achieve effective progress on these key issues may impede positive economic, social and environmental outcomes for Ararat Rural City.

Stakeholder Collaboration and Community Engagement

These key advocacy issues have been identified through community, stakeholder and intergovernmental engagement.

RECOMMENDATION

That Council:

1. *Advocate to State and Federal governments to on the key priorities identified in this report to move them forward and achieve outcomes for the community.*

**MOVED CR SANDERS
SECONDED CR WATERSTON**

That Council:

1. **Advocate to State and Federal governments to on the key priorities identified in this report to move them forward and achieve outcomes for the community.**

Cr Sanders, Cr Waterston and Cr J Armstrong spoke for the motion

**CARRIED 7/0
5108/25**

ATTACHMENTS

There are no Attachments relating to this item

3.3 ORCHID GLASSHOUSE

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 20131

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 Orchid Glasshouse at the Alexandra Gardens was donated by the Ararat Rotary Club in 1980 to celebrate the 50th anniversary of Rotary in the area, the original feature of the glasshouse was the display of Cymbidium orchids from July to November annually.

This report discusses the future of the former orchid glasshouse.

DISCUSSION

Recent history of the glasshouse has seen significant vandalism damage and the eventual removal of all glass from the structure due to the ongoing destruction.

The current Rotary Club members have approached Council regarding the removal of the redundant structure and what the possible future use of the location may be.

Council will arrange the removal of the steel frame from the current area after consultation with Ararat Rotary Club.

Discussions related to the future use of the area have been informally had with suggestions such as a sensory garden or performance space with an electronic screen set up that can be used in various capacity throughout the year - for eg: having the cricket or tennis on through the January period where visitors can pull up a space to have a picnic and enjoy the surroundings and watch the sport that is available on free to air television, a space for weddings and receptions, school concerts and other performances. It is recommended that this future project be placed on Engage Ararat with community able to give their opinions on the suggestions above.

Key Considerations

Alignment to Council Plan Strategic Objectives

1 *Growing our Place*

Budget Implications

There are no current budget implications arising, when decisions are made for the area appropriate applications for budget will be made to the property capital line items.

Policy/Relevant Law

- Local Government Act 2020
- Ararat Rural City Council Procurement Policy

Sustainability Implications

There are no economic, social or environmental implications in relation to the item

Risk Assessment

These works are considered low risk

Stakeholder Collaboration and Community Engagement

Community consultation is to occur with relation to the proposed uses of the current orchid glasshouse site which include a sensory garden, performance space, community area with electronic screen.

RECOMMENDATION

That Council:

- 1. Approve the removal of the former Orchid Glasshouse in consultation with Ararat Rotary Club*
- 2. That community engagement be undertaken through Engage Ararat for suggested future use of the area, reported back to Council's May 2025 meeting.*

**MOVED CR KAUR
SECONDED CR PRESTON**

That Council:

- 1. Approve the removal of the former Orchid Glasshouse in consultation with Ararat Rotary Club**
- 2. That community engagement be undertaken through Engage Ararat for suggested future use of the area, reported back to Council's May 2025 meeting.**

Cr Kaur, Cr Preston, Cr R Armstrong and Cr Waterston spoke for the motion

**CARRIED 7/0
5109/25**

ATTACHMENTS

There are no attachments relating to this item

3.4 MONTHLY PERFORMANCE REPORT

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 20133

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 28 February 2025.

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 \$29.628 million in revenue and \$22.173 million in expenses to 28 February 2025. This has resulted in an operating surplus of \$7.455 million for the eight months ended 28 February 2025.

Income

Rates and charges account for 50% of the total budgeted income for 2024/25. Rates and charges are recognised when the rates have been raised, not when the income has been received. An amount of \$17.877 million has been recognised as income for the eight months ended 28 February 2025.

User fees account for 4% of the total budgeted income for 2024/25 and \$1.148 million has been received to 28 February 2025. The majority of this relates to transfer station fees, fitness centre income and commercial waste management charges.

Recurrent Operating Grants total \$8.295 million to 28 February 2025, including \$4.583 million from the Victorian Local Government Grants Commission for general purpose grants and \$2.975 million for the local roads grants.

Non-recurrent Operating Grants total \$1.170 million to 28 February 2025. 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 2024/25 \$'000	Income 2024/25 \$'000	Unearned Income \$'000
Ararat Housing Transition	-	-	300
Digital Twin Victoria	-	5	949
Free Public WiFi Services	-	47	1,196
Supported Playgroups	65	45	-
Ararat Rural City Sport, Active Recreation & Open Space Strategy	-	-	36
CALD Outreach Workers Initiative	-	64	-
Tiny Towns Fund - Pomonal Community Hub	-	59	141
Tiny Towns Fund - Buangor Recreation Reserve Pavillion Redevelopment	-	-	25
Natural Disaster Relief	-	128	-
Council Support Fund - Pomonal Fires	-	750	-
Other Minor Grants (under \$30,000)	-	72	-
	65	1170	2647

Non-recurrent Capital Grants total \$0.225 million to 28 February 2025, 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 2024/25 \$'000	Income 2024/25 \$'000	Unearned Income \$'000
Mt William Road reconstruction	5,000	-	-
Buangor-Ben Nevis Road reconstruction	843	-	-
Pedestrian Infrastructure Program	-	-	70
Tatyoan Oval Upgrade Grant	-	225	-
	5,843	225	70

Note

It is important to note the following:

1. Unearned revenue received in prior years has been adjusted between the Original Budget and Current Budget with an additional \$2.936 million for Grants Operating (non-recurrent), \$0.366 million for Grants Capital (recurrent) and \$0.070 million for Grants Capital (non-recurrent) included in the Current Budget on the assumption that each of the grant projects will be completed during the 2024/25 financial year.
2. These changes in the budget, plus the note reported under expenses, create a change in the reported surplus position from a projected surplus of \$8.163 million to a surplus of \$9.205 million for 2024/25. The year-end variance is a deficit of \$1.513 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 2024/25. For the eight months ended 28 February 2025 Council has incurred \$8.028 million in employee costs, which includes additional wages for emergency management relief and recovery and organisation restructure costs. Workcover premiums have increased by \$0.104 million compared to 2023/24.

Materials and Services account for approximately 29% of the total budgeted expenditure for 2024/25. For the eight months ended 28 February 2025, Council has incurred \$7.202 million in materials and services costs. There are a number of projects, including those carried forward from 2023/24 that are expected to be completed before the end of the financial year.

Depreciation totals \$6.486 million to 28 February 2025. The higher than budgeted depreciation has resulted from increased asset valuations being received as at 30 June 2024 after the budget was finalised.

Note

It is important to note the following:

There has been an increase in expenditure on materials and services from \$8.259 million in the Original Budget to \$10.589 million in the Current Budget for 2024/25. This has resulted from a carry forward amount of \$2.330 million from the 2023/24 financial year surplus and unspent grant funds which will be used for additional activity in 2024/25.

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 28 February 2025. Comparative figures have been provided as at 30 June 2024.

Council's current assets have increased by \$6.741 million from \$11.732 million as at 30 June 2024 to \$18.473 million as at 28 February 2025. Cash and cash equivalents have increased by \$7.324 million from \$3.049 million to \$10.373 million. Trade and other receivables have increased by \$2.754 million from \$5.212 million as at 30 June 2024 to \$7.966 million as at 28 February 2025.

Total liabilities have increased from \$8.777 million in 2023/24 to \$8.827 million in 2024/25. Trade and other payables have decreased by \$0.178 million and trust funds and deposits have increased by \$1.162 million. Unearned income/revenue decreased by \$0.655 million, which 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 \$3.049 million have increased by \$7.324 million to \$10.373 million as at 28 February 2025.

Net cash of \$11.900 million was provided by operating activities, \$4.222 million was used in investing activities, and \$0.354 million was used in financing activities.

Investing activities includes payments for property, plant and equipment, and infrastructure.

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	30/6/2024	28/02/2025
<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>	162%	255%

Indicator	30/6/2024	28/02/2025
<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>	1.71%	1.08%
<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>	7.49%	8.09%
<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>	73.82%	60.85%
<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>	\$4,592	\$2,977
<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>	\$1,993	\$2,002

Indicator	30/6/2024	28/02/2025
<p>Indicator - Percentage of total rates collected</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. The outstanding Rates Debtors is reported in the Annual Financial report.</p> <p>As at 28 February 2025 the outstanding Rates Debtors totalled \$6.016 million compared to \$2.320 million as at 30 June 2024, an increase of \$3.696 million. In percentage terms 70.2% of the rates raised have been collected at 28 February 2025 compared to 37.0% up to 31 January 2025.</p> <p>Outstanding rates are currently charged 10% interest. Council issues approximately 7,900 rate notices. In 2024/25 there are 2,158 assessments paying by instalments compared with 2,640 assessments in 2023/24.</p>	88.1%	70.2%
<p>Indicator - Asset Renewal & Upgrade</p> <p><i>Measure - Asset renewal & 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>	124.63%	102.37%

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

- 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. Council's cash position was expected to reduce in the first half of the year, and then increase in the third quarter with many ratepayers electing to pay their rates in full due 15 February 2025 and the third instalment due 28 February 2025.

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 Improvements

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 will now be published monthly.

RECOMMENDATION

That the:

1. *Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators for the period ended 28 February 2025 be received and adopted.*

MOVED CR SANDERS SECONDED CR R ARMSTRONG

That the:

1. **Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators for the period ended 28 February 2025 be received and adopted.**

Cr Sanders and Cr R Armstrong spoke for the motion

**CARRIED 7/0
5110/25**

ATTACHMENTS

Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators are provided as Attachment 3.4

Attachment 1
Comprehensive Income Statement for the eight months ended 28 February 2025

	Original Budget \$'000	Current Budget \$'000	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Variance
Income						
Rates and charges	17,950	17,950	17,779	17,877	98	1%
Statutory fees and fines	272	272	181	163	(18)	-10%
User fees	1,515	1,515	1,080	1,148	68	6%
Contributions - cash capital	-	-	-	22	22	0%
Contributions - cash operating	100	100	60	55	(5)	-8%
Grants - operating (recurrent)	8,258	8,258	8,075	8,295	220	3%
Grants - operating (non-recurrent)	65	3,001	1,051	1,170	119	11%
Grants - capital (recurrent)	1,461	1,827	366	366	-	0%
Grants - capital (non-recurrent)	5,843	5,913	225	225	-	0%
Net gain/(loss) on disposal of property, plant and equipment	-	-	-	(5)	(5)	0%
Other income	722	722	431	312	(119)	-28%
Fair value adjustments for investment property	-	-	-	-	-	0%
Share of net profits/(losses) of associates and joint ventures accounted for by the equity method	-	-	-	-	-	0%
Total income	36,186	39,558	29,248	29,628	380	
Expenses						
Employee costs	11,333	11,333	7,640	8,028	388	5%
Materials and services	8,259	10,589	7,020	7,202	182	3%
Bad and doubtful debts	-	-	-	1	1	0%
Depreciation	7,681	7,681	5,121	6,486	1,365	27%
Amortisation - right of use assets	302	302	201	203	2	1%
Borrowing costs	6	6	4	6	2	50%
Finance costs - leases	74	74	49	52	3	6%
Other expenses	368	368	245	195	(50)	-20%
Total expenses	28,023	30,353	20,280	22,173	1,893	9%
Surplus for the year	8,163	9,205	8,968	7,455	(1,513)	-17%
Other comprehensive income						
Net asset revaluation increment	-	-	-	-	-	
Total comprehensive result	8,163	9,205	8,968	7,455	(1,513)	

Printed 11/03/2025

Attachment 2
Balance Sheet as at 28 February 2025

	28/02/2025 \$'000	30/06/2024 \$'000
Assets		
Current assets		
Cash and cash equivalents	10,373	3,049
Trade and other receivables	7,966	5,212
Financial assets	-	3,040
Inventories	134	71
Prepayments	-	360
Total current assets	<u>18,473</u>	<u>11,732</u>
Non-current assets		
Trade and other receivables	5	5
Investments in joint venture	998	498
Property, plant and equipment, infrastructure	308,533	308,261
Right of use assets	1,188	1,359
Investment property	1,535	1,535
Total non-current assets	<u>312,259</u>	<u>311,658</u>
Total assets	<u>330,732</u>	<u>323,390</u>
Liabilities		
Current liabilities		
Trade and other payables	846	1,024
Trust funds and deposits	1,465	303
Unearned Income	2,717	3,372
Provisions	2,089	2,104
Interest-bearing loans and borrowings	37	150
Lease liabilities	95	275
Total current liabilities	<u>7,249</u>	<u>7,228</u>
Non-current liabilities		
Provisions	293	293
Interest-bearing loans and borrowings	156	156
Lease liabilities	1,129	1,100
Total non-current liabilities	<u>1,578</u>	<u>1,549</u>
Total liabilities	<u>8,827</u>	<u>8,777</u>
Net Assets	<u>321,905</u>	<u>314,613</u>
Equity		
Accumulated surplus	105,581	98,126
Reserves	216,323	216,487
Total Equity	<u>321,904</u>	<u>314,613</u>

Printed 11/03/2025

Attachment 3
Statement of Cash Flows for the eight months ended 28
February 2025

	Eight months to 28/02/2025	Forecast Year End to 30/06/2025
	Inflows/ (Outflows) \$'000	Inflows/ (Outflows) \$'000
Cash flows from operating activities		
Rates and charges	11,572	17,943
Statutory fees and fines	166	272
User fees	1,172	1,515
Grants - operating	9,732	10,270
Grants - capital	196	7,304
Contributions - monetary	63	100
Interest received	216	500
Trust funds and deposits taken	248	-
Other receipts	110	222
Net GST refund/payment	1,496	-
Employee costs	(8,083)	(11,527)
Materials and services	(4,502)	(10,666)
Trust funds and deposits repaid	(281)	-
Other payments	(205)	(368)
Net cash provided by (used in) operating activities	11,900	15,565
Cash flows from investing activities		
Payments for property, plant and equipment, infrastructure	(6,790)	(15,513)
Proceeds from sale of property, plant and equipment, infrastructure	28	28
Proceeds from investments	3,040	3,040
Payments for investments	(500)	(500)
Net cash provided by (used in) investing activities	(4,222)	(12,945)
Cash flows from financing activities		
Finance costs	(6)	(6)
Repayment of borrowings	(113)	(150)
Proceeds from borrowings	-	-
Interest paid - lease liability	(52)	(74)
Repayment of lease liabilities	(183)	(283)
Net cash provided by (used in) financing activities	(354)	(513)
Net increase (decrease) in cash and cash equivalents	7,324	2,107
Cash and cash equivalents at the beginning of the financial year	3,049	3,049
Cash and cash equivalents at the end of the period	10,373	5,156

Printed 11/03/2025

Attachment 4 Financial Performance Indicators for the eight months ended 28 February 2025	Result	Material Variations
LIQUIDITY		
Dimension - Operating position		
Indicator - Adjusted underlying result		
<i>Measure - Adjusted underlying surplus (or deficit)</i> [Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100	24.54%	
	Outside Expected Range	The adjusted underlying result of 24.54% is high because the total amount of rates & charges has been recognised as income and the expenses are only for part of the financial year.
Expected range in accordance with the Local Government Performance Reporting Framework	-20% to 20%	
Indicator of the broad objective that an adjusted underlying surplus should be generated in the ordinary course of business. A surplus or increasing surplus suggests an improvement in the operating position		
Dimension - Liquidity		
Indicator - Working capital		
<i>Measure - Current assets compared to current liabilities</i> [Current assets / Current liabilities] x100	255%	No material variation
Expected range 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		
Indicator - Unrestricted cash		
<i>Measure - Unrestricted cash compared to current liabilities</i> [Unrestricted cash / Current liabilities] x100	84.74%	No material variation
Expected range in accordance with the Local Government Performance Reporting Framework	10% to 300%	
Indicator of the broad objective that sufficient cash which is free of restrictions is available to pay bills as and when they fall due. High or increasing level of unrestricted cash suggests an improvement in liquidity		

Financial Performance Indicators for the eight months ended 28 February 2025	Result	Material Variations
OBLIGATIONS		
Dimension - Obligations		
Indicator - Loans and borrowings		
<i>Measure - Loans and borrowings compared to rates</i> [Interest bearing loans and borrowings / Rate revenue] x100	1.08%	No material variation
Expected range 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		
<i>Loans and borrowings repayments compared to rates</i> [Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100	0.67%	No material variation
Expected range in accordance with the Local Government Performance Reporting Framework	0% to 20%	
Indicator - Indebtedness		
<i>Measure - Non-current liabilities compared to own source revenue</i> [Non-current liabilities / Own source revenue] x100	8.09%	No material variation
Expected range 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		
Indicator - Asset renewal (& Asset Upgrade included now also)		
<i>Measure - Asset renewal & Upgrade compared to depreciation</i> [Asset renewal expenses / Asset depreciation] x100	102.37%	No material variation
Expected range in accordance with the Local Government Performance Reporting Framework	40% to 130%	
Indicator of the broad objective that assets should be renewed as planned. High or increasing level of planned asset renewal being met suggests an improvement in the capacity to meet long term obligations		
STABILITY		
Dimension - Stability		
Indicator - Rates concentration		
<i>Measure - Rates compared to adjusted underlying revenue</i> [Rate revenue / Adjusted underlying revenue] x100	60.85%	No material variation
Expected range 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		
Indicator - Rates effort		
<i>Measure - Rates compared to property values</i> [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.26%	No material variation
Expected range in accordance with the Local Government Performance Reporting Framework	0.15 to 0.75%	
Indicator of the broad objective that the rating level should be set based on the community's capacity to pay. Low or decreasing level of rates suggests an improvement in the rating burden		

Financial Performance Indicators for the eight months ended 28 February 2025	Result	Material Variations
EFFICIENCY		
Dimension - Efficiency		
Indicator - Expenditure level		
<i>Measure - Expenses per property assessment</i> [Total expenses / Number of property assessments]	\$2,976.91	No material variation
Expected range in accordance with the Local Government Performance Reporting Framework	\$2,000 to \$5,000	
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		
Indicator - Revenue level		
<i>Measure - Average rate per property assessment</i> [Total rate revenue (general rates and municipal charges) / Number of property assessments]	\$2,001.75	Outside Expected Range The average rate per property assessment is slightly above the expected range.
Expected range 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		

3.5 COMMUNITY ENGAGEMENT FOR GOVERNANCE RULES

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 20134

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 feedback from the community engagement process and adoption of the governance rules.

DISCUSSION

Council adopted its Governance Rules on 27 September 2022.

The Governance Rules set out how Council meetings are conducted and how Council decisions 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 s60(1) of the Local Government Act 2020.

Amendments made to this version of Governance Rules were around the wording of the rules so they read more clear and concise.

Following endorsement by Council of the revised Governance Rules at the Council Meeting on the 25 February 2025, a community engagement process was undertaken in accordance with section 60(4) of the Act.

A total of two submissions were received via Engage Ararat. No other submissions were received. The contents of the two submissions covered other areas of interest. The two submissions were carefully considered and no further changes were required to be made to the Governance Rules.

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; we measured risk management and implement of effective community engagement practices.

Budget Implications

There are no budget implications arising in relation to 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;
- 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 community their views and have their interest 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 of the revised Governance Rules will ensure that Council meets its legislative requirements

Innovation and Continuous Improvements

The revised Governance Rules meet the requirement of the Act

Stakeholder Collaboration and Community Engagement

The Chief Executive Officer and Councillors discussed the revised Governance Rules at the briefing held on the 19 February 2025 and at the Council meeting held on the 25 February 2025
Community consultation was conducted by Engage Ararat from the 26 February 2025 to 19 March 2025.

RECOMMENDATION

That:

1. *Council adopts the Governance Rules*
2. *On adoption of the Governance Rules, that they are placed on the Council website.*

MOVED CR JOYCE

SECONDED CR WATERSTON

That:

1. **Council adopts the Governance Rules**
2. **On adoption of the Governance Rules, that they are placed on the Council website.**

Cr Joyce and Cr Waterston spoke for the motion

CARRIED 7/0

5111/25

ATTACHMENTS

The Governance Rules and community submissions are provided as Attachment 3.5



Governance Rules

DOCUMENT CONTROL

Category Type: Policy
Type: Council
Responsible Officer: Governance and Risk Lead

Last Review Date: 25 October 2022
Date Approved: XXXXXXXXXXXX
Next Review Date: January 2027

Revision No: 2

Stakeholder Engagement:
Councillors
Chief Executive Officer
Community members

Governance Rules

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Governance Rules

1 Introduction

Ararat Rural City Council is committed to good governance and ensuring its decision-making processes are fair, transparent and merit based

These Governance Rules have been developed to reflect this commitment and in accordance with section 60 of the Local Government Act 2020.

By adopting and adhering to these Governance Rules, Council can ensure that its commitment to good governance and the overarching governance principles consistently guides its decision-making processes, and those of its delegated committees and officers.

These Governance Rules will be reviewed biannually from the date of adoption or after a Council Election.

2 Definitions

In these Governance Rules:

Act means the Local Government Act 2020

Advisory committee means a committee established by the Council, which provides advice to:

- a) the Council; or
- b) a member of Council staff who has been delegated a power, duty or function of the Council.
that is not a Delegated Committee.

Agenda means a document containing the date, time and place of a Meeting and a list of business to be transacted at the Meeting

Attend, attending & in attendance includes attend, attending and attendance in electronic means.

Audit and Risk Committee means the Audit and Risk Committee established by Council under section 53.

Ballot means a draw of ballots from a ballot box for the purposes of eliminating multiple candidates who have an equal number of the lowest votes in the election of the Mayor or Deputy Mayor.

Chairperson means the Chairperson of a Meeting and includes an acting, temporary and substitute Chairperson.

Chief Executive Officer includes an Acting Chief Executive Officer

Committee Meeting means a meeting of a Delegated Committee convened in accordance with these Governance Rules and includes a scheduled or unscheduled meeting (whether held as face-to-face attendance in a set location or via electronic means (virtual) or in a "hybrid" format that mixes in-person and electronic versions.)

Common Seal means the common seal of Council

Community Asset Committee means a Community Asset Committee established under section 65 of the Act.

Council means Ararat Rural City Council

Governance Rules

Council meeting has the same meaning as in the Act

Councillor means a Councillor of Ararat Rural City Council

Delegate means a member of Council staff to whom powers, functions and duties have been delegated by an instrument of delegation.

Delegated Committee means a Delegated Committee established under section 63 of the Act.

Deputy Mayor means any person appointed by Council to act as Deputy Mayor

Disorder means any disorderly conduct of a member of the Gallery or a Councillor and includes:

- a) interjecting when another person is speaking, except, in the case where a Councillor is raising a Point of Order
- b) making comments that are defamatory, malicious, abusive or offensive.
- c) refusing to leave the Meeting when requested, ordered or directed to do so by the Chairperson in accordance with the Act and the Governance Rules; and
- d) engaging in any other conduct which prevents the orderly conduct of the Meeting.

Mayor means Mayor of Council

Minister means the Minister responsible for Local Government.

Minutes means the official record of the proceedings and decisions of a Meeting.

Motion means a proposal framed in a way that will result in the opinion of Council being expressed, and a Council decision being made, if the proposal is adopted.

Notice of Motion means a notice setting out the text of a Motion being conducted and a Council decision being made, if the proposal is adopted.

Point of Order means a procedural point (about how the Meeting is being conducted) not involving the substance of a matter before a Meeting.

Procedural Motion means a Motion that relates to a procedural matter only and which is not designed to produce any substantive decision but used merely as a formal procedural measure.

Urgent Business means a matter that relates to or arising out of a matter which has arisen since distribution of the agenda and cannot safely or conveniently be deferred un the next meeting.

Unscheduled Meeting means a meeting of the Council convened for a particular purpose that cannot be effectively dealt with in the schedule of Council meetings set by Council.

Governance Rules

3 Meetings

3.1 Purpose of Council Meetings

- 3.1.1 Council holds scheduled Meetings and, when required unscheduled Meetings to conduct the business of Council
- 3.1.2 Council is committed to transparency in decision making and, in accordance with the Local Government Act 2020, Council and Delegated Committee Meetings are open to the public and the community are able to attend.
- 3.1.3 Community members may only participate in Council meetings in accordance with these Governance rules that include addressing how the community can participate if the meeting is electronic, or a hybrid style meeting.
- 3.1.4 Meeting will only be closed to members of the public if:
 - a) There are clear reasons for particular matters to remain confidential (specified in the definition of confidential (specified in the definition of confidential information in section 3(10) of the Act) or
 - b) A meeting is required to be closed for security reasons; or
 - c) It is necessary to enable the meeting to proceed in an orderly manner.
- 3.1.5 In a meeting that is closed to the public for the reasons outlined in sub-rule 3.1.4(b) or 3.1.4(c) the meeting can be livestreamed. In the event a livestream is not available the meeting may be adjourned, or a recording of the proceedings may be available on Council website.

3.2 Meeting Roles and Responsibilities

3.2.1 Chairperson and member responsibilities

The Chairperson, Councillors and members of Delegated Committees will ensure good Council decision-making by endeavoring to ensure

- a) Decision making is transparent to members and observers.
- b) Meeting members have sufficient information to make good decisions.
- c) Every member is supported to contribute to decisions.
- d) Any person whose rights are affected has their interest considered.
- e) Debate and discussion are focused on the issue at hand.
- f) Meetings are conducted in an orderly manner; and
- g) Decisions should be made on the merits of the matter

3.2.2 Mayor to take the Chair

3.2.2.1 The Mayor must take the Chair at all Council Meetings at which the Mayor is present.

3.2.2.2 If the Mayor is not in attendance at a Council Meeting, the Deputy Mayor (if one has been elected) must take the Chair.

3.2.2.3 If the Mayor and Deputy Mayor are not in attendance at a Council Meeting, Council must appoint one of the Councillors as Chair.

3.2.2.4 The Chief Executive Officer will invite nominations for a temporary Chairperson for the period the Mayor is to be absent.

Governance Rules

- 3.2.2.5 If there is more than (1) nomination, the Councilors present at the meeting must vote for one (1) of the candidates by a show of hands and the candidate receiving a majority of the votes will be declared to have been duly elected.
- 3.2.3 Delegated Committee Chairperson
- 3.2.3.1 At a Meeting at which Council established a delegated committee it must also appoint Chairperson.
- 3.2.3.2 The Chair of a delegated committee must be a Councillor
- 3.2.3.3 For the avoidance of doubt, rule 3.2.3.2 does not intend to limit the powers of the Mayor provided in the Act
- 3.2.4 The Chairperson's Duties and Discretions
In addition to the specific duties and discretions provided in these Governance Rules, the Chairperson:
- 3.2.4.1 Must not accept any Motion, question or statement which is:
- Vague or ambiguous
 - Defamatory, malicious, abusive or objectionable in language or substance; or
 - Outside the powers of Council
- 3.2.4.2 Must allow the Chief Executive Officer the opportunity to correct factual errors or incorrect assertions that arise during the meeting.
- 3.2.4.3 Must call a person to order if their behaviour is disruptive and interferes with the conduct of the business of Council.
- 3.2.4.4 May direct that a vote be recounted to be satisfied of the result; and
- 3.2.4.5 Must decide on all points of order
- 3.2.4.6 Where these Governance Rules does not provide a procedure for the Meeting, the Chairperson shall decide the procedure to be followed.
- 3.2.5 Chief Executive Officer
- 3.2.5.1 The Chief Executive Officer is responsible for the preparation of the Council meeting agenda in accordance with Schedule 1
- 3.2.5.2 The Chief Executive Officer, or delegate, may participate in the meeting to provide support to the Chairperson
- 3.2.5.3 The Chief Executive Officer should:
- Immediately advise, to the best of their knowledge, if a proposed motion or action is contrary to the law.
 - Advise if there are operational, financial or risk implications arising from a

Governance Rules

- proposed motion.
- c) Help clarify the intent of any unclear motion or resolution to facilitate implementation.
- d) On request, assist with procedural issues that may arise.

3.2.6 Councillors and members of delegated committees

Councillors and members of Delegated Committees contribute to good governance and decision making by:

- 3.2.6.1 Seeking views of community members and reading agenda prior to the meeting.
- 3.2.6.2 Demonstrating due respect and consideration to community views and the professional / expert advice provided in the agenda papers.
- 3.2.6.3 Attending meetings and participating in debate and discussion.
- 3.2.6.4 Demonstrating respect for the role of the Chairperson and the rights of others
Councillors or members of Delegated Committees to contribute to the decision-making.
- 3.2.6.5 Be courteous and orderly.

3.3 Attending Meetings via Electronic Means

- 3.3.1 Councillors and members of Delegated Committees who wish to attend a meeting via electronic means for any reason may notify the Chief Executive Officer
 - a) The notification can be made verbally or in writing
 - b) The notification should be received no later than 1 hour prior to a meeting
- 3.3.2 The Councillor or member attending electronically is responsible for ensuring they have the required equipment, access and environment suitable for electronic communications.
 - a) Equipment must include a functioning video camera / webcam and microphone
 - b) Camera must be switched on for the entire duration of the meeting unless they are excused from the meeting for any reason.
 - c) Camera must be positioned appropriately so the Councillor or member's vote by show of hands is clearly visible
 - d) Microphone must be switched on when the Councillor or member is speaking and muted when not speaking.

3.4 Community

- 3.4.1 Council meetings are decision making forums and it is important that they are open to the community to attend and/or view proceedings
- 3.4.2 Community members may only participate in meetings in accordance with requirements contained in these Governance Rules that include addressing how the community can participate if the meeting is electronic or "hybrid" style meetings.
- 3.4.3 Community members may seek to inform individual Councillors of their views by contacting them directly in advance of meetings.

Governance Rules

3.4.4 Persons registered to speak to an item on the agenda or ask a public question in accordance with rules 3.4.2, 3.19.1, 3.4.3 and 3.21.1 may also attend a meeting via electronic means for any reason by notifying Council Officers upon registration in accordance with those rules.

3.5 Notice of Meetings and Availability of Agenda

3.5.1 Date, Time and Place of Council Meetings

3.5.1.1 Council will fix the dates, times and places of all Meetings for a twelve-month period at the Statutory Meeting which is held in November each year.

3.5.1.2 Council by resolution, or by the Chief Executive Officer, May change the date, time and place of, or cancel, any Meeting which has been fixed and must provide notice of the change to the public.

3.5.1.3 A schedule of Meetings must be prepared and published that ensures it is available to a broad section of the community, including on Council's website and in at least one newspaper generally circulated in the municipality district at least once each year and with greater frequency, if the Chief Executive Officer determined necessary.

3.5.2 Notice of Council Meetings

3.5.2.1 A notice of a Meeting, that is not an unscheduled Meeting, incorporating or accompanied by an Agenda of the business to be dealt with, must be sent electronically to every Councillor for all Council Meetings, at least 48 hours before the Meeting.

3.5.2.2 An agenda for each Council Meeting, that is not an unscheduled Meeting will be made available on Council's website no less than 48 hours before the Council Meeting.

3.5.3 Postponement

3.5.3.1 The Chief Executive Officer may, in the case of an emergency necessitation the cancellation or postponement of a Council Meeting, cancel or postpone a Council Meeting

3.5.3.2 The Chief Executive Officer must present to the immediately following Council Meeting a written report on any exercise of the power conferred by sub-rule 3.5.7

3.5.4 Unscheduled Meetings

3.5.4.1 Council may by resolution call an unscheduled Meeting of the Council

3.5.4.2 Any resolution of Council to call an unscheduled Meeting must specify the date and time of the unscheduled Meeting and the business to be transacted.

3.5.4.3 The date and time of the unscheduled Meeting must not be prior to 6pm on the day following the Council Meeting at which the resolution was made.

Governance Rules

3.5.4.4 The CEO, following consultation with the Mayor, call an unscheduled meeting.

3.5.4.5 The Mayor, or three Councillors, may by written notice call an unscheduled Meeting of the Council. A written notice to call an unscheduled Meeting must:

- Specify the business to be transacted.
- Be delivered to the Chief Executive Officer or Delegate in sufficient time to enable the required period of notice to be given.

3.5.4.6 The Chief Executive Officer must determine the time and date for the meeting, considering:

- The urgency of the business to be transacted
- The availability of Councillors
- A reasonable notice period for person whose rights or interest may be impacted by the business to be transacted.

3.5.4.7 The Chief Executive Officer must call an unscheduled Meeting to elect a Mayor, following a Council election declaration, in accordance with the Act

3.5.4.8 The unscheduled Meeting for the election of a Mayor following an election, may also consider the role of Deputy Mayor and any other matters as determined by the Chief Executive Officer

3.5.4.9 Only the business specified in the Council resolution, or written notice, may be considered at an unscheduled Meeting, unless all Council, by unanimous resolution, determine to admit another matter.

3.5.5 Notice of Unscheduled meetings

3.5.5.1 Notice of an unscheduled meeting must be published on Council's website and social media platforms as soon as practicable after the time and date of the meeting has been determined.

3.5.5.2 An Agenda for an unscheduled Meeting must be made available electronically to every Councillor at least 48 hours before the meeting. A period of less than 48 hours may be justified if exceptional circumstances exist.

3.5.5.3 An Agenda for an unscheduled Council Meeting will be made available on Council's website no less than 24 hours before the Council Meeting.

3.6 Conduct at meetings

3.6.1 Quorum

3.6.1.1 The quorum for a meeting is greater than half the total number of the Councillors, or in the case of a Committee, more than half the total number

Governance Rules

- 3.6.1.2 Section 61(6A) of the Act specifies a member's attendance can only be recorded where the members can confirm that they meet all three of the following:
- He / she can hear proceedings;
 - They can see other members in attendance and can be seen by other members.
 - They can be heard (to speak)
- 3.6.1.3 A quorum or members of council is breached where a member forming a quorum cannot meet the above requirements
- 3.6.1.4 A meeting cannot commence, resume or continue without a quorum
- 3.6.1.5 Should a quorum be unachievable or maintainable due to the disclosure of conflicts of interest by one (1) or more Councilors, the Chairperson may:
- Defer the item of business to a future meeting; or
 - Determine the matter will be considered in separate parts, if a quorum can be maintained for each separate part; or
 - Determined to make decisions on separate parts of the matter at a meeting where quorum can be maintained, before making a decision on the whole matter at the meeting for which quorum can be maintained.
- 3.6.1.6 If a quorum cannot be achieved or maintained due to the declaration of conflicts of interests by the majority of Councilors, and the matter cannot be separated into component parts of prior decisions made, Council will delegate the decision to be made
- By the Chief Executive Officers; or
 - By a Delegated Committee, established for the purpose of determining the matter, comprised of all the Councilors who have not disclosed a conflict of interest and any other person(s) the Council considered suitable
- 3.6.1.7 A decision made under delegation due to Council not being able to achieve or maintain a quorum will be reported to the next Council Meeting.
- 3.6.2 Business Meetings
- 3.6.2.1 No business can be dealt with at a Meeting unless.
- It is included in the agenda, or
 - Councillors who vote by unanimous vote in favour of a matter being dealt with as urgent business
- 3.6.2.2 Unless the Chairperson otherwise determines –
- The order of business at a Meeting must be as it is set out in the agenda; and
 - The meeting shall conclude the business set out on the agenda has been dealt with.
- 3.6.3 Adjourning meetings
- 3.6.3.1 Should a quorum be unachievable 30 minutes after the commencement of the scheduled starting time or cannot be maintained during the meeting, those Councilors present may adjourn the meeting, by resolution to a date/or time to be determined. In the event there are no Councilors present, the CEWO (or Delegate) may adjourn the meeting for a period not exceeding seven (7) days.

Governance Rules

3.6.4 Technical Difficulties

3.6.4.1 Where the council experiences technical difficulties in being able to broadcast a meeting to the public, the meeting may be adjourned until the issue is resolved or postponed to another time and date in accordance with Council's meeting procedures, local laws or governance rules.

3.6.4.2 The Chair may indicate at the commencement of a meeting that if technical problems are encountered by the council then the meeting will be adjourned until resolution or postponed.

3.6.4.3 The Council is not responsible for any data usage charges or technical difficulties a member of the public may have experience in accessing the live stream or recordings of meetings.

3.7 Motions

3.7.1 A "Motion" may be in the form of an Officer's recommendation (as contained in a Council report) or a motion as proposed by a Councillor.

3.7.2 Amendments

3.7.2.1 An "Amendment" is a motion which has been moved and seconded by formally amended to include / exclude words

3.7.2.2 An amendment must not be the negative of or substantially contrary to the motion and must be relevant to the subject of the motion.

3.7.2.3 An amendment may be proposed or seconded by any Councillor, except for the mover or seconder of the original motion.

3.7.2.4 Any Councillor moving an amendment to a motion will be allocated thirty (30) seconds to explain the reasons for the amendment

3.7.2.5 Only one (1) amendment can be before the Meeting at a time and until it is put to the vote, no further amendment can be proposed, but with the leave of the Chairperson, another amendment of a new motion can be foreshadowed by any Councillor stating in brief terms the nature of it.

3.7.2.6 A Councillor cannot move more than two (2) amendments in succession.

3.7.2.7 When any amendment is put to the vote, and is declared carried by the Chairperson it thereupon becomes the substantive motion before the meeting and can be debated and further amended.

Governance Rules

3.7.3 Foreshadowed Motion

- 3.7.3.1 A "Foreshadowed Motion" is a new motion, prefaced by a Councillor with a statement that in the event of a motion before the Chair being lost, a Councillor intends to move an alternative motion.
- 3.7.3.2 At any time during debate a Councillor may foreshadow a motion, but this does not extend any special right to the foreshadowed motion. A foreshadowed motion has no procedural standing and is merely a means of assisting the flow of a Council meeting
- 3.7.3.3 Foreshadowed motions are not recorded in the Minutes until the foreshadowed motion is formally moved.

3.7.4 Notices of Motion

- 3.7.4.1 A "Notice of Motion" is a notice setting out the text of a motion that a Councillor proposed to move at a meeting
- 3.7.4.2 A Notice of Motion must:
- Be received by the Chief Executive Officer at least seven (7) days prior to a Meeting and
 - Be included in order of receipt on the agenda for that Meeting.
- 3.7.4.3 Should a Councillor who has given a Notice of Motion be absent from the meeting, any other Councillor may move the motion.
- 3.7.4.4 A Notice of Motion must call for Council report if the Notice of Motion proposed any action that:
- Impacts levels of Council service.
 - Commits Council to expenditure greater than (insert councils upper limit) that is not included in the adopted Council Budget
 - Proposes to establish, amend or extend Council policy
 - Proposes to impact the rights of any person who has not had the opportunity to contribute their views;
 - Commits Council to any contractual arrangements; or
 - Concerns any litigation in respect of which Council is a party.
- 3.7.4.5 The Chief Executive Officer must reject any Notice of Motion which
- Is too vague.
 - Is defamatory
 - May be prejudicial to any person or Council
 - Is objectionable in language or nature
 - Is outside the powers of Council
 - Relates to a matter that is the subject of a rescission motion within three (3) calendar months of the rescission motion having been dealt with
 - Is submitted during Election Period.
- 3.7.4.6 The Chief Executive Officer may reject a proposed Notice of Motion that
- Relates to a matter that can be addressed through the operational service request process; or

Governance Rules

b) Relates to a matter that has been previously resolved by Council or is acted upon

3.7.4.7 If Notice of Motion is lost or lapse for want of a mover / seconder, it cannot be relisted for three (3) months.

3.7.5 Procedures for Motions

3.7.5.1 A motion which is proposed by a Councillor at a Meeting must be:

- a) Clearly expressed and unambiguous
- b) Not defamatory or objectionable in nature
- c) Related to the powers or functions of Council; and
- d) Relevant to an item on the agenda (unless it relates to an item which has been agreed by the Meeting as urgent business)

3.7.5.2 If a motion is to be moved or debated by the Chairperson, the Chairperson must vacate the Chair and appoint the Deputy Mayor or another Councillor as Temporary Chair of the duration of the motion.

3.7.5.3 Any motion that differs in wording from an Officer's recommendation, be written out by the proposer.

3.7.5.4 The Chairperson may request that a motion be read to the meeting before the vote is taken

3.7.5.5 The Chairperson may reject any motion that does not conform to rule 3.7.4.4 and 3.7.4.5 and 3.7.5.1

3.7.5.6 A Councillor who is proposing a motion must first state briefly the nature of the motion and then move it, without speaking to it

3.7.5.7 The Chairperson must then call for the motion to be seconded and after it is seconded (by any Councillor other than the mover); the mover may then speak to it or may with the consent of the Chairperson defer speaking on it until later in the debate.

3.7.5.8 Any motion that has not been seconded lapses.

3.7.5.9 The Chairperson may ask after a motion is moved and seconded whether it is opposed and if no opposition is indicated, he or she may then put it to the vote, without debate. Similarly, the Chairperson may ask at any time during the debate whether the motion before the Meeting is opposed or is further opposed and if no opposition or no further opposition is indicated, he or she may put it to the vote, without further debate.

3.7.5.10 The mover of a motion has the right of reply with respect to the debate on his or her motion immediately before the vote is taken, but that right is lost if an Amendment to the motion is carried.

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- 3.7.5.11 If an amendment to a motion is carried, the Mover of the Amendment has no right of reply.
- 3.7.5.12 Apart from the mover's right of reply referred to in rule 3.7.5.10, a Councillor may only speak once on the motion and once on any amendment of a motion. A Councilor may request at any time before a vote is taken on a motion that it is in two or more parts, that each part be put to a vote separately. The Chairperson must then put the motion to the vote without making or allowing any further comment on it.
- 3.7.5.13 When the mover of a motion has a right of reply under rule 3.7.5.10 and has exercised that right, the Chairperson must then put the motion to the vote without making or allowing any further comment on it.
- 3.7.5.14 A motion must otherwise be put to the vote when the Chairperson believes that the issues have been reasonably canvassed in the debate.
- 3.7.5.15 A Councillor calling a point of order or foreshadowing a new motion or further amendment is not deemed to be speaking on the motion before a Meeting.
- 3.7.5.16 A motion of amendment cannot be withdrawn without Council consenting to the withdrawal by resolution.
- 3.7.5.17 If the mover or seconder of a motion indicates that he or she wishes to withdraw from moving or seconding the motion, the Chairperson may seek another mover or seconder (as the case requires), but if no Councillor indicates his or her willingness to be the substitute mover or seconder, the motion lapses.
- 3.7.5.18 If a Councillor proposes to alter a motion and the original mover and seconder of the Motion both indicate their agreement with the alteration, the altered Motion becomes the substantive Motion without the need to move an amendment.
- 3.7.5.19 Council may defer an item until another Meeting if further consideration or clarification is required prior to a decision being made. The motion to defer an item is a substantive motion and may be debated.
- 3.7.5.20 The Chairperson may allow like Motions to be moved, or request Councillors to move like items, in a block (en bloc).
- 3.7.6 Procedural Motions
- 3.7.6.1 Unless otherwise prohibited, a procedural motion may be moved at any time and must be dealt with immediately by the Chairperson.
- 3.7.6.2 The mover/seconder of a procedural motion must not have moved, seconded or spoken to the motion or any amendment of it before the Chair.

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3.7.6.3 A procedural motion cannot be moved by the Chairperson

3.7.6.4 Notwithstanding any other provision in the Meeting Procedure, procedural motions must be dealt with in accordance with the procedures set out in Schedule 2 of the Meeting Procedure.

3.8 Debates

3.8.1 Rules for Debate

3.8.1.1 Debate must always be relevant to the question before the Chair, and if not, the Chairperson will request the speaker to confine debate to the subject matter.

3.8.1.2 If after being told to confine debate to the motion before the Chair, the speaker continues to debate irrelevant matters, the Chairperson may disallow the speaker any further comment in respect to the matter before the Chair.

3.8.1.3 A speaker to whom a direction has been given under rules 3.8.1.1 and 3.8.1.2 must comply with that direction.

3.8.1.4 A Councillor must not speak on any one motion or other matter before a Meeting for a time longer than that stated below unless granted an extension by the Chair immediately prior to the speaker speaking.

3.8.2 Order, Time Limit of Debate

3.8.2.1 Once seconded, the Chairperson will call for any Councillor wishing to speak to the motion;

3.8.2.2 If any Councillor indicates they wish to speak to the motion, the Chairperson must:

- a) Invite the mover to address Council (five (5) minutes)
- b) Invite any Councillor opposing the motion to address council (three (3) minutes)
- c) Invite the Seconder to address Council (three (3) Minutes)
- d) Invite any Councillor abstaining from the vote to address Council (two (2) minutes)
- e) Invite speakers for, against and abstaining in alternate sequence until all Councillors wishing to speak to the motion have had an opportunity (two (2) minutes)
- f) Invite the mover to close debate with right of reply (two (2) minutes)

3.8.2.3 In cases where there is competition for the right to speak at a meeting then the Chairperson must decide the order in which Councillors may speak.

3.8.2.4 A Councillor must not be interrupted except by the Chairperson, or upon a point of order being taken

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3.8.2.5 The Chairperson may remain seated when speaking at any meeting and he or she may speak on any matter under discussion.

3.8.2.6 When exercising a right of reply, a Councillor must not introduce fresh matter.

3.8.2.7 No resolution may be discussed after it is dealt with, unless the Chairperson allows it.

3.8.2.8 Except that the mover of an unamended motion has the right of reply and that any Councillor may take a Point of Order or offer a personal explanation; a Councillor must not speak more than once to the same motion or amendment.

3.9 Points of Order

3.9.1 A Councillor who is addressing the meeting must not be interrupted unless a Point of Order is called, at which time he or she must remain silent until the Councillor raising the Point of Order has been heard and the question disposed of.

3.9.2 A Councillor raising a Point of Order must

- State the Point of Order; and
- State any section, clause, paragraph or provision relevant to the point of order before resuming his or her seat

3.9.3 A Point of Order may be raised in relation to

- A motion or a public question which, under this Procedure should not be accepted by the Chairperson.
- A question of procedure; or
- Any act of disorder

3.9.4 The Chairperson shall decide all points of order by stating the provision, rule, practice or precedent which he or she considers applicable to the Point of Order, without entering into any discussion or comment.

3.9.5 The Chairperson may adjourn the Meeting to consider a Point of Order; otherwise, he or she must rule on it as soon as it is raised.

3.9.6 All other matters before Council are suspended until the Point of Order is decided.

3.9.7 A Point of Order cannot be taken for the sole purpose of:

- Expressing a mere difference of opinion; or
- Contradicting a speaker; or
- Disrupting the meeting.

3.10 Right to ask questions

3.10.1 A Councillor may, at any time when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the Chair

3.11 Voting

3.11.1 To determine a motion that is put to a meeting, the Chairperson will first ask for those in favour of the motion, then those opposed to the motion, then those abstaining from the vote and will then declare the results to the meeting

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3.11.2 Unless the Council resolves otherwise, voting on any matter will be by the show of hands

3.11.3 Motion to be read again:

- a) Before any matter is put to the vote, a Councillor may require that the question, motion or amendment be read again
- b) The Chairperson, without being so requested, may direct the Chief Executive Officer (or other person authorized by the Chief Executive Officer to attend the meeting and take the minutes of such meeting) to read the question, motion or amendment to the meeting before the vote is taken.

3.11.4 The Motion is determined in the affirmative by a majority of the Councillors present at a meeting at the time the vote is taken voting in favour of the question.

3.11.5 If a Councillor present at the meeting does not vote (abstains), it must be taken that they have voted against the question.

3.11.6 If the number of votes in favour of the question, motion or amendment is half the number of Councillors present at the meeting at the time the vote is taken, the Chairperson as a second / casting vote.

3.11.7 Any Councillor, before the next item of business is considered, may ask that his or her opposition or abstention regarding a motion adopted by the meeting be recorded in the minutes of the meeting.

3.11.8 A Councillor may call for a division immediately after any motion is put to a meeting and before the next item of business has commenced.

3.11.9 The request must be made to the Chairperson either immediately prior to or immediately after the vote has been taken, but cannot be requested after the next item of business has commenced.

3.12 Procedure for a division

3.12.1 When a division is called for, the vote already taken must be treated as set aside and the division shall decide the question, motion or amendment.

3.12.2 When a division is called for, the Chairperson will;

- a) First ask each Councillor wishing to vote in the affirmative to raise their hand. The Chairperson must then state the names of those Councillors voting in the affirmative; and
- b) Then ask each Councillor wishing to vote in the negative to raise their hand. The Chairperson must then state the names of those Councillors voting in the negative; and
- c) Then ask any Councillor wishing to abstain from the vote to raise their hand. The Chairperson must then state the names of those Councillors abstaining from the vote.
- d) The Chief Executive Officer (or any person authorized by the Chief Executive Officer to attend the meeting and take the minutes of such meeting) must record in the minutes the vote of each Councilor.

3.12.3 No Councillor is prevented from changing his or her original vote when voting on the division.

3.12.4 Councillors must remain seated in silence while a vote is being taken.

3.12.5 The Chairperson may direct that the vote be re-counted as often as may be necessary to be satisfied of the result.

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3.12.6 The Chairperson must declare the result of the vote or division as soon as it is taken.

3.13 Urgent Business

3.13.1 If the Agenda for a Meeting makes provision for urgent business, business cannot be admitted as Urgent Business other than by resolution of Council and only then if:

- a) It related to or arises out of a matter which has arisen since distribution of the Agenda; and
- b) Deferring that item until the next Meeting will mean a decision on the item will not have any effect on the matter; or
- c) The item involves a matter or urgency as determined by the Chief Executive Officer; and
- d) It cannot be addressed through an operational service request process

3.13.2 Provided the matter does not:

- a) Substantially affect the levels of Council service;
- b) Commit Council to significant expenditure not included in the adopted budget
- c) Establish or amend Council Policy; or
- d) Commit Council to any contractual arrangement.

3.14 Dissent from Chairperson ruling

3.14.1 The decision of the Chairperson in respect to a Point of Order raised will not be open for discussion and will be final and conclusive unless the majority of Councillors present at the meeting move a motion of dissent.

3.14.2 A motion of dissent required no seconder, and the Chairperson must immediately stand down.

3.14.3 A Temporary Chairperson takes the chair for discussion on the motion of dissent following the process outlined in rule number 3.2.2, 3.2.3, 3.2.4 and 3.2.5, 3.7.20

3.14.4 The Chairperson is given the opportunity to explain their decision and the mover also puts forward their reason for dissent.

3.14.5 The meeting then votes on the motion; if the motion is upheld, the Chairperson must reverse their decision. If the motion is lost, the meeting continues as before.

3.15 Time Limits for Meetings

3.15.1 Unless Council resolved to the contrary a Council Meeting or Committee Meeting shall not continue beyond four (4) consecutive hours.

3.15.2 Any business not reached or dealt with the time the meeting closes shall be held over until the next Council or Committee Meeting.

3.15.3 Council may resolve to extend the meeting by one (1) forty-five (45) minutes interval only if deemed necessary.

3.15.4 Any business not dealt with that is adjourned until the next Council or Committee Meeting shall be recorded in the minutes of the meeting.

3.16 Minutes of a Meeting

3.16.1 The Chief Executive Officer or delegate is responsible for the keeping of Minutes on behalf of Council, those Minutes must record;

- a) The date, place, time, and nature of the Council Meeting
- b) The names of Councillors and whether they are present, an apology for leave of

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- c) The titles of the members of Council staff present who are not part of the gallery.
- d) The disclosures of a conflict of interest made by a Councillor in accordance with the Act.
- e) The arrivals and departures of Councillors, during the course of the Meeting (including any temporary departures or arrivals).
- f) Every Motion and Amendment moved (including procedural Motions),
- g) The outcome of every Motions moved.
- h) Where a division is called, the names of every Councillor and the way their vote was cast (and if they abstained);
- i) When requested by a Councillor, a record of their support, opposition to, or abstention from voting on any Motion.
- j) Details of any failure to achieve or maintain a quorum;
- k) A summary of any questions asked (including the name and suburb of the person), and the response provided as part of public question time.
- l) Details of any petitions made to Council.
- m) Details of any speakers to an agenda item or deputation.
- n) The time and reason for any adjournment of the Meeting or suspension of standing orders.
- o) Any other matter, which the Chief Executive Officer or Delegate thinks should be recorded to clarify the intention of the Meeting or assist in the reading of the Minutes; and
- p) The time the Council Meeting was opened and closed, including any part of the Council Meeting that was closed to members of the public.

3.17 Confirmation of the Minutes of a Meeting

- 3.17.1 When confirming the minutes of a Meeting, the Chairperson must ask if any times in the minutes is opposed.
- 3.17.2 Opposition can only be expressed regarding items in the minutes on the basis that the record is incomplete or inaccurate.
- 3.17.3 The Chairperson must not allow discussion or motions on any other issues than the alleged omission from or inaccuracy of the minutes.
- 3.17.4 If no Councillor indicates opposition, a resolution of Council must confirm the minutes.
- 3.17.5 If any Councillor indicates opposition, he or she must specify the particular item or items in the minutes concerned and can, after asking any questions, to clarify the matter, only move a motion to rectify the alleged error(s) in the record.

3.18 Rescission Notification

- 3.18.1 A notice of motion to rescind or alter a previous resolution of Council.
 - a) Must be given to the Chief Executive Officer in sufficient time to enable the Chief Executive Officer to give ninety-six (96) hours' notice to all Councillors.
 - b) Is deemed to have been withdrawn if not moved at the next meeting at which such business may be transacted.
 - c) Cannot be considered at a meeting unless the number of Councillors in attendance at the meeting is at least equal to the number of Councillors in attendance when the resolution of Council was adopted.
- 3.18.2 A Councillor may propose a motion to amend or rescind a decision of the Council provided.
 - a) The decision has not been acted upon; and
 - b) A notice is delivered to the Chief Executive Officer by the close of business on the day following the meeting at which the decision of Council was made stating;
 - i. The decision proposed to be amended or rescinded; and

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ii. The meeting and date when the decision was made.

3.18.3 The Chief Executive Officer or an appropriate member of Council staff must defer implementing a resolution which;

- a) Has not been acted on; and
- b) Is the subject of a notice of rescission which has been delivered to the Chief Executive Officer in accordance with rule number 3.18.1.

3.19 Public Question Time

3.19.1 At each meeting there is an opportunity for members of the public to ask questions of the Council. If the meeting is to be held in a single electronic or hybrid format, then the general public will follow the set procedures to submit a question or petition.

3.19.2 Question time will take place during the Council Meeting as provided for in the agenda

3.19.3 Questions in writing in the form prescribed by the Chief Executive Officer will be accepted up to 5pm on the day before the Meeting.

3.19.4 A person must not submit more than two (2) individual questions at a meeting inclusive of all parts and variants as interpreted by the Chairperson or other person authorized for this purpose by the Chairperson.

3.19.5 A question will only be read to the meeting if the Chairperson or other person authorized for this purpose by the Chairperson has determined that the:

- a) Person directing the question is present in the gallery or provided a link to join them meeting virtually;
- b) Question does not relate to a confidential matter;
- c) Question does not relate to a matter of which Council has no power to act.
- d) Question is not defamatory, indecent, abusive or objectionable in language or substance.
- e) Question is not a repetition of a question already asked or answered (whether at the same or an earlier meeting); and
- f) Question is not asked to embarrass a Councillor, member of Council staff or member of the public.

3.19.6 Persons submitting questions should either be available through the virtual meeting platform or be present in the public Gallery. If they are not present in the Gallery or through virtual attendance, the Chairperson shall decide if the question will be read in their absence or held over to the next meeting.

- a) If the Chairperson decides that the question will be held over, it shall be held over to the next meeting only.

3.19.7 The Chairperson shall decide and nominate who will read out each question and who will answer each question.

3.20 Petition & Joint Letters

3.20.1 Petitions and joint letters presented to Council must be in writing and contain the "prayer" or request of the petitioners or signatories.

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- 3.20.2 Unless Council determines to consider it as an item of urgent business, no motion (other than a motion to received the same) may be made on any petition, joint letter, memorial or other like application until the next fixed Council meeting after that at which it has been presented.
- 3.20.3 It is the incumbent on every Councillor presenting a petition or joint letter to acquaint themselves with the contents of that petition or joint letter, and to ascertain that it does not contain language which is disrespectful towards Council.
- 3.20.4 Petitions and joint letters should include the name and contact information of a Head Petitioner or representative of the petition or joint letter.
- 3.20.5 Petitions and joint letters must be signed by the persons whose names are appended to it and include their address.
- 3.20.6 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.
- 3.20.7 Electronic petitions or joint letters must comply with the rules as stated about and include the name and email address of each petition (these functions as the "signature" of a petitioner.)
- 3.20.8 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
- 3.21 Speaker to an item on the agenda**
- 3.21.1 Council has made provision in the conduct of its Meetings for speakers to address Council in relation to matters included on the agenda for consideration.
- 3.21.2 Persons wishing to address Council on a matter included in the agenda shall inform Council prior to 3.00pm on the day of the meeting by contacting Councilor's Customer Service or Governance Officers and registering their name and agenda item being spoken to.
- 3.21.3 At the meeting the Chair will invite the persons wishing to speak to an item to address the Council on the agenda item.
- 3.21.4 The person may elect to sit or stand to address Council and state their name and address before commencing. No debate on the item is permitted between the person addressing Council and the Council.
- 3.21.5 A maximum of three (3) minutes per person will be allocated. An extension of time may be granted at the discretion of the Chair.

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3.21.6 Councillors, through the Chair, may ask the person address Council for clarification of matters presented.

3.21.7 The Chair may direct that a member of the gallery ceases speaking if the above procedure is not followed.

3.22 Deputation

3.22.1 A deputation wishing to be heard by Council may make a request to the Chief Executive Officer who must refer the request to the Mayor.

3.22.2 The Mayor may direct the Chief Executive Officer as to the meeting at which the deputation will be heard or, alternatively, ask the Chief Executive Officer to place a request before Council.

3.22.3 If the Mayor asks for a deputation to be heard, the Chief Executive Officer must notify all Councillors of that direction, and also notify a member of the deputation of the date, time, and place at which the deputation will be heard.

3.22.4 A deputation may lodge with the Chief Executive Officer, a written submission detailing the subject matter of the deputation prior to the deputation addressing Council.

3.22.5 Council will not hear more than two (2) speakers on behalf of any deputation and may set time limits on the length and address of each speaker.

3.22.6 Councillors and members of Council staff may question the deputation on matters raised by it for purpose of clarification, but no discussion will be allowed.

3.22.7 No motion will be allowed on any deputation until the next Ordinary meeting after the deputation has been heard unless Council, by resolution, decides otherwise.

3.23 Livestreaming and recording proceedings

3.23.1 The Chief Executive Officer (or other person authorized by the Chief Executive Officer) may conduct a livestream of the proceedings of the Council Meeting.

3.23.2 The Chief Executive Officer (or other person authorized by the Chief Executive Officer) may also otherwise record all the proceedings of a Council or Delegated Committee Meeting using a suitable electronic recording device.

3.23.3 Media representatives may, with the consent of Council or the Delegated Committee (as the case may be), be permitted to record any part of the proceedings of the Council or Delegated Committee Meeting. The consent of Council or the Delegated Committee must not be unreasonably withheld by may be revoked at any time during the course of the relevant meeting.

3.23.4 Members of the public must not operate recording equipment at any Council or Delegated Committee Meeting without the prior written consent of Council. Such consent may be given only after receipt of a written application and may at any time during the meeting be revoked by Council or the Delegated Committee as the case may be.

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3.24 Other General Conduct and Modes of Address

- 3.24.1 A Councillor or any other person who addresses a Meeting must do so in a courteous manner,
- 3.24.2 Any Councillor or person who addresses the meeting must direct all remarks through the Chairperson
- 3.24.3 A Councillor or any other person must not at a Meeting make any defamatory, indecent, abusive, offensive or disorderly statement or comment.
- 3.24.4 If such a statement or comment is made, the Chairperson may require the Councillor to withdraw it, and the Councillor concerned must immediately and unreservedly do so.
- 3.24.5 If a Councillor continues to engage in improper or disorderly conduct, or acts in a way that otherwise disrupts the Meeting, and prevents the conduct of Council business, Council may, by resolution, suspend that Councillor from a portion of the Meeting or from the balance of the Meeting where the Chairperson has warned the Councillor to cease that behaviour; or
- 3.24.6 Where Council suspends a Councillor or the Mayor directs a Councillor to leave the meeting, the Councillor will take no active part in the portion of the Meeting from which he or she has been suspended.
- 3.24.7 Visitors at a meeting must not interject or take part in the debate.
- 3.24.8 The gallery must always preserve silence during a Meeting
- 3.24.9 In any visitor is called to order by the Chairperson for any improper or disorderly conduct on more than one occasion during the Meeting, the Chairperson may order him or her to leave the Meeting room or building.
- 3.24.10 The Chairperson may adjourn a disorderly Meeting.

3.25 Suspension of Standing Orders

- 3.25.1 Any provision of this Procedure except that relating to a quorum may by resolution be suspended for any part of a Meeting.
- 3.25.2 The suspension of Standing Orders will be used to enable full discussion of any issues without the constraints of formal meeting procedures.
- 3.25.3 An appropriate motion would be "That Standing Orders be suspended to enable discussion on _____".
- 3.25.4 No motion, except one that proposes the resumption of standing orders, may be accepted by the Chairperson during such suspension.

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4 Election of Mayor and Deputy Mayor

4.1 Overview

The role and function of the Mayor and Deputy Mayor are provided in the Local Government Act. For the purpose of process, the following will occur:

- 4.1.1 A Mayor is to be elected no later than one (1) month after the date of a general election at a Council meeting open to the public;
- 4.1.2 Before the election of the Mayor and Deputy Mayor, a Council must determine by resolution whether each of these roles is to be elected for a one (1) year or a two (2) year term respectively.
- 4.1.3 If the Mayor / Deputy Mayor is elected for a one (1) year term, the next election of the Mayor must be held on a day determined by the Council that is as close to the end of the one (1) year term as is reasonably practicable.
- 4.1.4 If the Mayor / Deputy Mayor is to be elected for a two (2) year term, the next election of the Mayor must be held on a day to be determined by the Council that his as close to the end of the two (2) year term as is reasonably practicable.
- 4.1.5 A Mayor is to be elected within one (1) month after any vacancy in the office of Mayor occurs.
- 4.1.6 The election of a Mayor after the period specified in this section does not invalidate the election.
- 4.1.7 A Councillor elected to fill a vacancy in the office of Mayor cause other than by the expiration on a one (1) year or two (2) year term serves the remaining period of the previous Mayor's term.

4.2 Nominations

- 4.2.1 Any Councillor is eligible for election or re-election to the office of Mayor.
- 4.2.2 A Councillor may only nominate one Councillor as a candidate for the role of the Mayor.
- 4.2.3 A Councillor may nominate themselves as a candidate for the role of Mayor.
- 4.2.4 Except where a Councillor has nominated themselves, a nominated Councillor must advise the Chair whether they accept or decline the nomination as a candidate for the role of Mayor.
- 4.2.5 Nominations need not be seconded.
- 4.2.6 If Council resolves to have the office of Deputy Mayor, rules 4.3.3 to 4.3.11 will also apply to the nomination of candidates for the role of Deputy Mayor.

4.3 Determining the Election of Mayor

- 4.3.1 The Chief Executive Officer will chair the election of the Mayor
- 4.3.2 The Chief Executive Officer must invite nominations for the office of Mayor and confirm acceptance of the nomination with the nominee.

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- 4.3.3 The Mayor must be elected by an absolute majority of the Councillors.
- 4.3.4 Where in an election for the Mayor one (1) candidate has been nominated, that candidate must be declared elected.
- 4.3.5 Where two (2) or more candidates have been nominated, a vote must be taken and the candidate who received the number of votes greater than half the Councillors of the Council must be declared elected.
- 4.3.6 Where three (3) or more candidates have been nominated and no candidate received a number of votes greater than half the Councillors of the Council:
- The candidate with the fewest number of votes must be eliminated.
 - The names of the remaining candidates must be put to the vote as outlined in rule 4.3.5
- 4.3.7 Where two (2) or more candidates have an equal number of the fewest number of votes, one (1) candidate is to be declared an eliminated candidate under rule 4.3.6 as required. The Chief Executive Officer or delegatee will conduct a ballot to eliminate one (1) candidate with the lowest number of votes.
- 4.3.8 The ballot is to be conducted subject to the following provisions:
- Each candidate with the equal number of lowest votes will draw one (1) ballot
 - The order of drawing the ballot will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of the lowest votes.
 - As many identical ballots as there are Councillors who received an equal number of votes must be placed in the ballot box.
 - The word "defeated" shall be written on the number of ballots that is required to eliminate the number of candidates whereby there is only one (1) remaining candidate standing with the equal fewest number of votes.
 - The Councillor/s who draws a ballot with the word "defeated" written on it must be declared defeated.
- 4.3.9 A further vote must be taken on the remaining candidates in accordance with rule 4.3.5 and 4.3.6
- 4.3.10 If the further vote taken in accordance with rule 4.3.9 again results in more than one (1) candidate having an equal number of lowest votes, a second ballot may be conducted to eliminate another candidate.
- 4.3.11 If an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date.

Refer to Schedule 4 – Election Scenarios.

4.4 Deputy Mayor

- 4.4.1 If Council resolves to have the office of Deputy Mayor, the provisions as outlined in rules 4.2 – 4.3 will apply.
- 4.4.2 At the Council Meeting at which the Mayor is to be elected, the Council may resolve to establish the position of Deputy Mayor and elect a Councillor to the position of Deputy Mayor.
- 4.4.3 If the Council has not resolved to establish the position of Deputy Mayor, any provisions in these Governance Rules relating to the Deputy Mayor have no effect.

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4.5 Method of Voting

- 4.5.1 The election of the Mayor must be carried out by a show of hands or an electronic method that enables those observing (in attendance and those watching a livestream broadcast) to see who a Councillor has voted for at the time the vote is taken.

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5 Council Committees

5.1 Delegated Committees

- 5.1.1 Council may establish Delegated Committees as part of its Governance Framework. Delegated Committees will comprise Councillors, members of Council staff and others and must be chaired by a Councillor. As Council may delegate specific s, duties and functions to Committees, their meetings procedures need to be formal.
- 5.1.2 If Council establishes a Delegated Committee, these Governance Rules will apply to the Delegated Committee Meetings with any necessary modifications, therefore in such circumstances:
- a) A Council meeting is to be read as a reference to a Delegated Committee Meeting;
 - b) A Councillor is to be read as a reference to a Member of the Delegated Committee; and
 - c) A reference to the Mayor is to be read as a reference to the Chairperson of the Delegated Committee.
- 5.1.3 If Council established a Delegated Committee, Council may resolve that a provision of this governance rules do not apply to that Committee.

5.2 Community Asset Committees

- 5.2.1 The Act provides for Council to establish a Community Asset Committee for the management of a community asset such as a hall. Council may appoint members of the community to the Committee and delegate to its powers, duties of functions. The powers delegated to a community asset committee must be limited in the amount and purpose of any financial delegations.
- 5.2.2 The Governance Rules may apply to any Community Asset Committee established by Council.
- 5.2.3 Council may determine, in establishing a Community Asset Committee which parts of the Governance Rules apply but as a minimum must include rules 3.2.1, 3.3.1, 3.5, 3.6 and 3.16
- 5.2.4 A Community Asset Committee must report the minutes of all Committee meetings to the next practicable Council Meeting.
- 5.2.5 A Community Asset Committee must act in accordance with its adopted Charter, Instrument of Delegation and any Terms of Reference adopted by Council.
- 5.2.6 A Community Asset Committee must adhere to any policy, guideline or protocol introduced by Council, which relates to the operational or governance requirements of the Committee.
- 5.2.7 A Community Asset Committee must provide Council with an Annual Report each year, in a format determined by the Chief Executive Officer.

5.3 Audit and Risk Committee

- 5.3.1 The Act provides for Council to establish an Audit and Risk committee to provide oversight.
- 5.3.2 The Governance Rules will apply to the Audit and Risk Committee established by Council unless otherwise provided in the Audit and Risk Committee Charter.
- 5.3.3 Council may resolve, in establishing an Audit and Risk Committee that the meeting procedure chapter of these Governance Rules does not apply

Governance Rules

5.3.4 An Audit and Risk Committee must report the minutes of all Committee Meetings to the next practicable Council meeting.

5.3.5 An Audit and Risk Committee must act in accordance with its Charter adopted by Council.

5.4 Advisory Committees

5.4.1 The Establishment of non-legislated Advisory Committees is often essential to ensure that the input from subject matter experts, community groups and other stakeholders is considered when Council is developing major strategies, plans, and/or policy that impact the greater Ararat Rural City community.

5.4.2 Advisory Committees cannot make decisions on behalf of Council

5.4.3 Advisory Committees will be established with their own individual Terms of Reference to guide the operations and functionality of those committees are in place to meet Council's expectations.

5.4.4 The Terms of Reference will outline how the Advisory committee is to be structured, what its functions are, how it will operate and report/make recommendations to Council.

Governance Rules

6 Conflict of Interest

The Act defines general and material conflicts of interest and provides exemptions for remoteness and interest in common with a substantial proportion of ratepayers along with other specific circumstances.

The disclosure of Conflicts of interest apply to Council meetings and meetings conducted under the auspices of Council that are not Council meeting. Meetings conducted under the auspices of Council include those meetings arranged or hosted by Council.

These Governance Rules provided the following procedures for disclosures of conflicts of interest.

6.1 Obligations with regard to conflict of interest

6.1.1 Councillors, members of Delegated Committees and Council staff are required to:

- a) Avoid – all situations which may give rise to conflicts of interest.
- b) Identify – any conflicts of interest; and
- c) Disclose – or declare all conflicts of interest

6.2 Councillors and members of delegated committees

6.2.1 May not participate in discussion or decision-making on a matter in which they have a conflict of interest.

6.2.2 When disclosing a conflict of interest, Councillors must clearly state their connection to the matter

6.2.3 All disclosures of conflicts of interest will be recorded in the minutes of a Council or Delegated Committee Meeting.

6.2.4 Council will maintain a Conflict of Interest Register which will be made available on Councils website.

6.3 Procedures at a Council or Delegated Committee Meeting

6.3.1 At the time indicated in the Agneda, a Councillor with a conflict of interest in an item on that agenda must indicate they have a conflict of interest by clearly stating:

- a) The item for which they have a conflict of interest; and
- b) Whether their conflict of interest is general or material; and
- c) The circumstances that give rise to the conflict of interest.

6.3.2 Immediately prior to the consideration of the item in which they have a conflict of interest, a Councillor or Member of a Delegated Committee must indicate to the meeting the existence of the conflict of interest and leave the meeting.

6.3.3 A Councillor or Member of a Delegated Committee who discloses a conflict of interest and leaves a Council meeting must not communicate with any participants in the meeting while the decision is being made.

6.4 Procedure at other meetings organized, hosted or supported by Council

6.4.1 A Councillor who has a conflict of interest must not participate in discussion of matters that will come before Council for a decision, or if a decision will be made by a member of staff acting under delegation.

Governance Rules

- 6.4.2 At the time indicated on the Agenda, a Councillor with a conflict of interest will indicate the existence of the conflict of interest and the matter in which the conflict of interest arises.
- 6.4.3 If there is no Agenda, a Councillor with a conflict of interest will indicate the existence of the conflict of interest as soon the matter arises.
- 6.4.4 At the time of discussion of that item, the Councillor will leave the discussion and not communicate with any member of the meeting for the duration of the discussion.
- 6.4.5 The existence of a conflict of interest will be recorded in the register of Conflicts of Interest.
- 6.4.6 If there are no minutes kept of the meeting, the conflict of interest will be recorded in a meeting record and provide to the governance team for recording in the register of Conflicts of interest.
- 6.4.7 Th meeting minutes or record will also record the duration of the discussion and whether the Councillor left the meeting.
- 6.4.8 Meeting records and reports will be presented to Council for noting and inclusion of the public record.
- 6.5 Council Staff**
- 6.5.1 Must Act in accordance with the Staff Code of Conduct.
- 6.5.2 Must not exercise a delegation or make a decision on any matter where they have conflict of interest.
- 6.5.3 May be permitted to provide advice to a decision maker if a conflict of interest exists, subject to the procedure and discloser provisions at section 6.6 of and the Staff Code of Conduct.
- 6.6 Procedure for Disclosures of Conflicts of Interest by Council Staff**
- 6.6.1 Council staff must disclose the existence of all conflicts on interest in writing and in the form determined by the Chief Executive Officer.
- 6.6.2 All conflicts of interest disclosed by Council staff will be provided to the Governance team for recording in the register of Conflicts of Interest.
- 6.6.3 A Council staff member who has disclosed a conflict of interest may provide advice to Council or another staff member acting under delegation if:
- The number and qualifications of other people providing advice regarding the same matter is equal or greater; or
 - The staff member who has disclosed the conflict of interest is the only staff member with expertise in the area; and
 - The Staff member's Leader determines that the conflict of Interest has not influenced the advice provided; and
 - The existence of the conflict is documented in all advice provided by that staff member, and in the case of verbal advice, it is documented by the decision maker.

Governance Rules

7 Use of Council Seal

Under section 14(1)(b) of the Local Government Act 2020, Council is required to have a common seal which acts like the signature of a Council. Affixing the seal demonstrates approval of the content of a document and shows what Council has done or agreed to do. However, not all documents created to implement decisions of Council require the affixing of a seal.

These rules outline the situation in which a seal is required and how the seal is to be used.

7.1 Custodian of Common Seal

7.1.1 The Chief Executive Officer is responsible for keeping the Common Seal in safe custody.

7.2 Requesting the signing and sealing of a document

7.2.1 Prior to submitting a document to the Chief Executive's Office for signing and sealing, a Document for Sealing Request form must be completed and approved by the relevant department Manager / Leader.

7.2.2 A copy of the Council resolution approving the use of the Council seal must be attached to the form. The form and the Council resolution must accompany the document being submitted to the Officer of the CEO for signing and sealing.

7.2.3 If the form has not been signed by the relevant Manager / Leader or the Council resolution is not attached, the documents must not be accepted for signing and sealing.

7.2.4 A contract or agreement must only be submitted for signing and sealing, once the document has been fully executed by the party / parties (unless the other party to the contract or agreement is either the State Government of Victoria, the Federal Government or another Local Government entity.)

7.3 Affixing the Common Seal

7.3.1 The seal of a Council must not be affixed to any document without the Council's approval granted either generally or specifically by resolution that the seal be so affixed.

Example

That Council affix the Common Seal to the [description of document]

Or

The [document], shall come into force immediately upon the common seal of the Council is affixed to the [document]

7.3.2 The affixing of the Seal to a document must be witnessed by signatures of a Councillor and the Chief Executive, except in the instance where the Seal is to be appended to the contract of employment for the Chief Executive. In this instance, a second Councillor will sign alongside the Mayor.

Governance Rules

7.3.3 Council's preferred sealing clause is as follows:

The COMMON SEAL of the)
ARARAT RURAL CITY COUNCIL)
Was affixed by authority of the)
Council in the presence of:)

.....
Councillor

.....
Chief Executive Officer

.....
Date

7.3.4 The Seal may be affixed to any of the following documents

- a) A contract of employment for the Chief Executive
- b) Council to staff delegations
- c) Agreements or contracts from state or federal government departments.
- d) Planning agreements (s. 173 & 174 of Planning & Environment Act 1987).
- e) Contract for sale or purchase of land.
- f) Contracts and tenders that have been endorsed by Council.
- g) Funding body/agreement.
- h) Any document that changes Council's legal position (e.g. significant contract variations).
- i) Significant financial agreement (e.g. borrowings, changes to overdraft facilities).
- j) Any other legal document Council is requested to affix the Seal to from time to time or where required by legislation or other legislative authorities.

7.4 Sealing Register

7.4.1 The Chief Executive Officer will ensure that a register of all users of the Common Seal is kept by Council. The register will contain a description of the document, the date the Seal was affixed and the date Council resolved to affix the Seal.

Governance Rules

8 Election Period Policy

8.1 Intent

In the lead up to an election, the Local Government sector adopts a caretaker period to avoid actions and decisions that may be interpreted as influencing voters or binding an incoming Council.

Specific provisions have been incorporated into the Local Government Act 2020 (the Act) that prohibit Council making some decisions, or publishing or distributing electoral matter in an "election period".

The relevant provisions of the Act and definitions are detailed in the Attachment to this Policy.

8.2 Policy

Ararat Rural City Council is committed to the principle of fair and democratic elections and therefore adopts and endorses the following practices and legislative requirements.

The Election Period Policy has been developed in order to ensure that general elections for Ararat Rural City Council to be held on Saturday 26 October 2024 are conducted in a manner that is fair and equitable, and is publicly perceived as such.

8.2.1 Election Period

8.2.1.1 The election period (or caretaker period) commences 12 noon (12.00pm) on Tuesday 17th September 2024 and continues until 6pm Saturday 26 October 2024, a period of 39 days.

8.2.1.2 During the election period the Council will be deemed to be in 'election caretaker mode'.

8.2.1.3 The Chief Executive Officer will ensure that all Councillors and employees are informed of the requirements of this policy.

8.2.2 Decision Making

8.2.2.1 It is an established democratic principle that elected bodies should not unnecessarily bind an incoming government during an election period. The Council therefore commits to the principle that it will make every endeavour to avoid making decisions that inappropriately bind the incoming Council.

8.2.2.2 This includes a commitment to comply with the requirements of section 69 of the Act which prohibits specific Council decisions during an election period.

8.2.2.3 Council will not hold a scheduled Council Meetings during the election caretaker period.

8.2.2.4 Scope exists for Council to hold an unscheduled Council Meeting but only in the most urgent or extraordinary circumstances or statutory processes that may arise.

Governance Rules

8.2.3 Prohibited Decisions

8.2.3.1 Council is prohibited from making any Council decision:

- a) During the election period for a general election that:
 - i. relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
 - ii. commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
 - iii. the Council considers could be reasonably deferred until the next Council is in place; or
 - iv. the Council considers should not be made during an election period; or
- b. during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

8.2.4 What is a Council Decision?

8.2.4.1 A Council decision means the following

- a) A resolution made at a Council meeting
- b) Resolution made at a meeting of a delegated committee; or
- c) The exercise of a power or the performance of a duty or function of Council by a member of Council staff (which includes the Chief Executive Officer) or a Community Asset Committee under delegation.

8.2.5 Misuse of Position

8.2.5.1 Councillors cannot use their current position to gain access to information or resources that would otherwise not be available. Councillors and candidates must be given equal access to support and information.

8.2.5.2 The penalty for Misuse of Position under Section 76D of the Local Government Act 1989 is 600 penalty units or imprisonment for 5 years or both.

8.3 Public Consultation

8.3.1 Public consultation means a process that involves inviting individuals, groups or organisations or the community generally to comment on an issue or proposed action or proposed policy, and which includes discussion of that matter with the public.

8.3.2 Public consultations are best to be avoided during the election period unless they are required under the *Planning and Environment Act 1987*, or section 223 of the *Local Government Act 1989*.

8.3.3 Consultations may be undertaken during the election period to facilitate the day-to-day business of Council, to ensure matters continue to be proactively managed.

8.3.4 Consultations will avoid any express or implied links to the election.

8.3.5 Consultations under statutory provisions should only proceed after express agreement by the Chief Executive Officer and then if it relates solely to the normal day-to-day business of Council.

Governance Rules

8.4 Council Resources

- 8.4.1 It is an established democratic principle that public resources must not be used in a manner that would influence the way people vote in elections. Council therefore commits to the principle that it will ensure that Council resources are not used inappropriately during a Council election.
- 8.4.2 Council will ensure that due propriety is observed in the use of all Council resources, and Council employees are required to exercise appropriate discretion in that regard. In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice is to be sought from the Chief Executive Officer.
- 8.4.3 Council resources, including offices, support staff, hospitality services, equipment and stationery will be used exclusively for normal Council business during the election caretaker period, and shall not be used in connection with any electioneering activity.
- 8.4.4 Reimbursements of Councillors' out-of-pocket expenses during the election caretaker period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.
- 8.4.5 No Council events, logos, letterheads, or other Ararat Rural City Council branding should be used for, or linked in any way to, a candidate's election campaign.
- 8.4.6 The Chief Executive Officer or any employee should not be asked to undertake any tasks connected directly or indirectly with electioneering.
- 8.4.7 Photos or images taken by or provided by Council are not to be used by Councillors for the purposes of electioneering or in support of their election campaign. This applies equally to images on Council websites that may be able to be copied.
- 8.4.8 No election material or active campaigning is to be conducted at any Council sponsored events or be displayed in any Council building.
- 8.4.9 Allocations on budget for Councillors seminars/training and attendance at conferences are to be **allocated on a pro rata basis** between the commencement of the financial year and the election date, i.e. pro rata basis of 4 months out of 12-month period.
- 8.4.10 The Council will also ensure other Ararat Rural City resources are not used inappropriately in ways that may influence voting in an election or provide an undue advantage for a candidate. This includes financial, human and material resources. Council employees must adhere to the following:
- 8.4.10.1 Council employees will not undertake an activity that may affect voting in the election;
- 8.4.10.2 Council employees will not authorise, use or allocate a Council resource for any purpose that may influence voting in the election; and
- 8.4.10.3 Council employees who believe they are being placed in a compromising situation by a request from a Councillor should politely refer the Councillor to the Chief Executive Officer for clarification on their request.
- 8.4.11 Prior to the election period the Chief Executive Officer will ensure that all Council employees are advised regarding the application of the caretaker procedures.

Governance Rules

8.4.12 Any employee who considers that a particular use of Council resources may influence voting in an election or provide an undue advantage for a candidate should advise Chief Executive Officer before authorising, using or allocating the resource. The Chief Executive Officer will decide if the use of Council resources is appropriate or not.

8.4.13 In applying these principles, the Council understands that the following will be normal practice during election periods:

8.4.13.1 Public events will only be organised and run if it is totally unavoidable to conduct such events during the caretaker period and then only with the express permission of the Chief Executive Officer;

8.4.13.2 Speeches for Councillors will only be prepared by Council officers in relation to events that are part of the normal services or operation of the Council and such speeches will not be circulated or available for publication;

8.4.13.3 Media services, including media releases, will not be provided for Councillors during the election period;

8.4.13.4 Media releases will not mention or quote any Councillor(s) during the caretaker period;

8.4.13.5 Councillor Newsletters will not be printed by Council during the election period; and

8.4.13.6 Neither the Council logo nor Council stationery will be used by Councillors in any way that relates to the election.

8.4.14 Equipment and facilities provided to Councillors for the purpose of conducting normal Council business will not be used for campaigning purposes.

8.4.15 Where Councillors have Council funded services, such as mobile phones, land lines and internet connections, and where it is impractical for Councillors to discontinue their use of these during the election, Councillors will reimburse the Council for usage of those services during the caretaker period that exceeds normal usage levels.

8.4.16 Councillors may wish to consider the specific ways to administer this procedure. For instance, Councillors may decide to use a private mobile phone for all election enquiries and publicise such on election literature.

8.5 Information

8.5.1 The Council recognises that all election candidates have rights to information from the Council administration. However, it is important that sitting Councillors continue to receive information that is necessary to fulfil their elected roles. Neither Councillors nor candidates will receive information or advice from Council officers that might be perceived to support election campaigns, and there shall be complete transparency in the provision of all information and advice during the election caretaker period.

Governance Rules

- 8.5.2 Information and briefing material prepared by employees for Councillors during the election caretaker period will relate only to factual matters or to existing Council services to assist Councillors in conducting normal day to day activities.
- 8.5.3 An Information Request Register will be maintained by the Governance Unit commencing on the opening of nominations. This Register will be a public document (available for inspection) that records all requests for information of a non-election nature by all candidates, and the responses given to those requests.
- 8.5.4 Responses to candidates' requests will be provided by the Chief Executive Officer. Only information that can be reasonably accessed will be released.
- 8.5.5 Section 76D of the *Local Government Act 1989* prescribes serious penalties for any Councillor who inappropriately makes use of their position or information obtained in the role of Councillor, to gain an advantage.
- 8.5.6 Any Freedom of Information (Fol) applications lodged during the election period on matters such as expenses, costs etc. regarding current Councillors will be dealt with where possible outside of the election period (The Fol Act specifies a 30-day period in providing a response to a Fol application).
- 8.6 Communication**
- 8.6.1 Council communication will not be used in any way that might influence the outcome of a Council election.
- 8.6.2 During the election caretaker period, no employee will initiate any public statement that relates to an election issue. Public statements are not only formal press releases but also verbal comments at meetings, functions and events where attending as part of their Council role.
- 8.6.3 Any requests for media advice or assistance from Councillors during the election period will be channeled through the Chief Executive Officer.
- 8.6.4 In response to media inquiries the Chief Executive Officer will only provide information that relates to current services and operations.
- 8.6.5 In the election period no media releases will be issued quoting or featuring the Mayor or Councillor(s).
- 8.6.6 During the election caretaker period, Council initiated communications shall be restricted to the communication of normal Council activities.
- 8.6.7 No media advice or assistance will be provided to Councillors in relation to election campaign matters.
- 8.6.8 No publicity will be provided that involves specific Councillors.
- 8.6.9 Councillors should not use their position as an elected representative or their access to Council employees and other Council resources or information in support of an election campaign. This includes photos or images provided by Council for past Council activities.
- 8.6.10 Sessions with the local media will be restricted to the communication of normal Council activities and responding to questions not involving the election or possible election outcomes.

Governance Rules

8.6.11 Publicity of Council events (if any during the election period) will be restricted to the communication of normal Council activities.

8.6.12 Councillor participation at Council sponsored events (if any during the election period) should not be used to gain attention in support of an election campaign. Council sponsored events includes launches, events, and any other public forum outside of the normal Council meeting cycle – the easiest way to deal with these is to simply not have them during this time period.

8.7 Council Publication

8.7.1 Council will limit printing, publishing and distributing publications during an election period. This is to ensure that Council does not utilise public funds that may influence or be seen to influence people's voting intentions.

8.7.2 Council must not print, publish or distribute a publication during the election period unless it has been authorised in writing by the Chief Executive Officer.

8.7.3 The Chief Executive Officer must not authorise a publication that contains electoral matter.

8.7.4 Electoral matter is any matter that is intended or likely to affect voting in an election.

8.7.5 The authorisation by the Chief Executive Officer must be in writing and cannot be delegated. Authorisation wording – over the Chief Executive Officers signature - should be as follows *"Authorised by the Chief Executive Officer in accordance with the Election Period Policy"*

8.7.6 The following documents are Council publications:

- Council newsletters
- Advertisements and notices e.g. job advertisements, public notices of contracts etc.
- Media releases
- Leaflets and brochures
- Mail-outs to multiple addresses

All these publications will require authorisation by the Chief Executive Officer provided that the CEO is certain they do not contain electoral matter.

8.7.7 This Policy also applies to the publication of material specified in this Policy published on Council's website.

8.7.8 The recommended practice – in line with State and Federal Governments – is where possible to avoid all publication activity during the election period except where it is essential for the conduct of Council operations.

8.7.9 A number of Council publications with references to either current Councillors or candidates, both on website and public display will be withdrawn from such display during an election period.

8.7.10 During the election period Council's website will not contain material which is precluded by this Policy or the statutory requirements relating to publications. Any references to the election will only relate to the election process.

Governance Rules

8.7.11 Profiles of the current Mayor and Councillors will be removed from Council's website during the election period but retain their contact details for their day-to-day role as Councillor i.e. names, photos and mobile numbers.

8.7.12 Any new material published on Council's web site during the election period that may be considered to be an advertisement, handbill, pamphlet or notice must also be subject to the certification process. Council agendas, minutes and the annual report are considered exempt from certification.

8.7.13 Council is required by the Act to produce an annual report, and the *Annual Report 2023/24* may be published during the election period. The *Annual Report* will not contain any material that could be regarded as overt electioneering or that inappropriately promotes individual Councillors but will fulfil its statutory obligations on reporting matters. It may also be required for the Annual Report to be the subject of a Council Meeting in October to confirm the completion of the Annual Report.

8.7.14 Social Media – any publication on social media sites such as Facebook or twitter which are auspice by Council will also require authorisation by the Chief Executive Officer. Similar requirements apply to Council blog sites.

8.7.15 Any matter that exists on Social Media pages that could be viewed as electoral matter will be removed including YouTube videos or photos of Councillors at publicity events, as is done with Councillor profiles on Council websites.

Social media activity during the caretaker period is to conform with the following:

- On all Facebook pages the "post comments' from all" facility to be disabled.
- Facebook posts to be kept to minimum, normal day-to-day activities only.
- No launches or announcements of any new projects, policy initiatives, or programs.
- You Tube videos to be removed and suspended during the period.
- No matter is permitted that may be construed as electoral matter – sites should be reviewed to ensure there is none.
- No hosting or responding to political content at all is permitted.
- During this time ensure moderation of Twitter and Facebook sites.
- Keep Twitter updates to a minimum – normal day-to-day business only.

8.8 Assistance to Candidates

8.8.1 The Council affirms that all candidates for the Council election will be treated equally.

8.8.2 Any assistance and advice to be provided to candidates as part of the conduct of the Council election will be provided equally to all candidates.

8.8.3 All election related enquiries from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer (for instance CEO Lists), to the Chief Executive Officer or a designated Council officer.

8.9 Caretaker Statement – Special Council Meeting Reports

8.9.1 As Council will not hold an ordinary Council Meeting this section only applies to reports for a Special Council Meeting, if such a meeting is called.

Governance Rules

8.9.2 In order to facilitate compliance with its commitment to ensuring appropriate decision-making during elections, Council endorses the following procedure:

During the election period, the Chief Executive Officer will ensure that a "Caretaker Statement" is included in every report submitted to a Council meeting (if required) for a decision.

The "Caretaker Statement" will specify the following:

"The recommended decision is not a "Prohibited Decision", as defined in section 69 of the Local Government Act 2020."

During the caretaker period, the Council will not make a decision on any matter or report that does not include the Caretaker Statement

8.10 Disclaimer

This Policy has been written to provide a guide only for Council employees, Councillors and candidates and is not a substitute for legal advice. Individuals should seek their own independent advice if they are unsure about any aspect of the Act and associated regulations in relation to the election period.

8.11 Administration Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

8.12 Terms / Definitions

Term	Definition
Act	Local Government Act 2020
Fol	Freedom of Information

8.13 References

In accordance with the Local Government Act 2020 and the Local Government Act 1989 transitional arrangements, the following sections of the Local Government Act 1989 are currently still in force.

Section 76D	Misuse of Position
<i>Provision to be repealed on 24 October 2020</i>	<ol style="list-style-type: none"> 1. A person who is, or has been, a Councillor or member of a special committee must not misuse his or her position: <ol style="list-style-type: none"> a. to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or b. to cause, or attempt to cause, detriment to the Council or another person. <p>Penalty: 600 penalty units or imprisonment for 5 years or both</p> <ol style="list-style-type: none"> 2. For the purposes of this section, circumstances involving the misuse of a position by a person who is, or has been, a Councillor or member of a special committee include: <ol style="list-style-type: none"> a. making improper use of information acquired as a result of the position he or she held or holds; or b. disclosing information that is confidential information within the meaning of section 77(2); or

Governance Rules

	<p>c. directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff in contravention of section 76E; or</p> <p>d. exercising or performing, or purporting to exercise or perform, a power, duty or function that he or she is not authorised to exercise or perform; or</p> <p>e. using public funds or resources in a manner that is improper or unauthorised; or</p> <p>f. failing to disclose a conflict of interest as required under this Division.</p> <p>3. This section:</p> <p>a. has effect in addition to, and not in derogation from, any Act or law relating to the criminal or civil liability of Councillors or members of special committees; and</p> <p>b. does not prevent the institution of any criminal or civil proceedings in respect of that liability.</p>
<p>Section 95 <i>Provision to be repealed 1 July 2021</i></p>	<p>Conduct Principles Council staff must in the course of their employment:</p> <p>a. act impartially.</p> <p>b. act with integrity including avoiding real or apparent conflicts of interest.</p> <p>c. accept accountability for results; and</p> <p>d. provide responsive service.</p>
<p>Section 223</p>	<p>Right to make Submission Section 223 is not being repealed and has limited ongoing application.</p>

Governance Rules

Schedule 1: Content, Format and Order of Items

The content, format and order of items on:

Council Meeting agendas will include:

1. Live Streaming
2. Acknowledgement of Country
3. Opening of Meeting and Prayer
4. Present
5. Apologies
6. Confirmation of Minutes
7. Disclosure of Conflict of Interest
8. Public Question Time
9. Petitions
10. Deputations
11. Officers Reports
12. Notices of Motion
13. Urgent Business
14. Confidential Reports
15. Meeting Closure

Unscheduled Meeting agendas will include:

1. Opening
2. Prayer
3. Acknowledge of Country
4. Present
5. Apologies
6. Declaration of Conflict of Interest
7. Council Report (as advertised)
8. Closure

Delegated Committee Meeting agenda

Will include matter that are in accordance with and directly relevant to the Committees Instrument of Delegation.



Governance Rules

Schedule 2: Procedural Motions

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
1. Adjournment of debate to later hour/or date	That this matter be adjourned to *am / pm	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	a) During the election of a Chairperson b) When another Councillor is speaking	Motion and amendment if postponed to the started time and/or date	Debate continues unaffected	Yes
2. Adjournment of debate indefinitely	That this matter be adjourned until further notice	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	a) During the election of a Chairperson b) When another Councillor is speaking c) When the matter is one in respect of which a call of the Council has been made for that section 85 of the Act; or d) When motion would have the effect of causing Council to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda.	Debate continues unaffected	Yes
3. The Closure	That the motion be now put	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	a) During nominations for Chairperson	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising his or her right to ask any question concerning or airing out of the motion	Debate continues unaffected	No



Governance Rules

Ararat Rural City

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
4. Laying question on the table	That the question lie on the table	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	a) During the election of a Chairperson b) During a meeting which is a call of the Council has been made for that meeting in accordance with section 85 of the Act; or c) When the motion would have the effect of causing Council to be in breach of a legislative requirement	Motion and amendment is not further discussed or voted on until a) Council resolves to take the question from the table at the same meeting; or b) The matter is placed on a subsequent agenda and Council resolves to take the question from the table.	Debate continues unaffected	No
5. Previous question	That the question be not now put	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	a) During the election of a Chairperson b) When another Councillor is speaking c) When the matter is one in respect of which a call of the Council has been made for the meeting in accordance with section 85 of the Act d) When an amendment is before Council; or e) When a motion would have the effect of causing Council to be in breach of a legislative requirement	a) No vote or further discussion on the motion until it is placed on a subsequent agenda for a later meeting; and b) Proceed to next business	Motion (as amended up to that time) put immediately without further amendment or debate	Yes



Governance Rules

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
6. Proceeding to next business	That the meeting proceed to the next business Note: This motion: a) may not be amended; b) may not be debated; and c) must be put to the vote as soon as seconded	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	a) During the election of a Chairperson; b) When another Councillor is speaking c) When the matter is one in respect of which a call of the Council has been made in accordance with section 88 of the Act; or d) When a motion would have the effect of causing Council to be in breach of a legislative requirement	If carried in respect of: a) An amendment Council considers the motion without reference to the amendment; b) A motion – no vote or further discussion on the motion until it is placed on an agenda for a later meeting	Debate continue unaffected	No

Governance Rules



Schedule 3 – Appendix to Mayor and Deputy Mayor Election Procedure

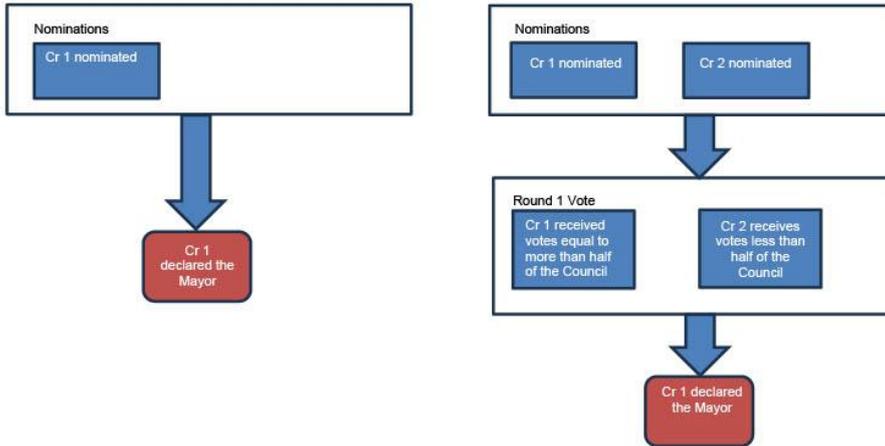
If 1 Nomination received	If 2 Nominations received	If 3 Nominations received	If 4 Nominations received:
Cr # nominates Cr # Cr # do you accept the nomination With an absolute majority and no other candidates, I declare Cr # as elected Mayor for the XXXX year.	Cr # nominates Cr # Cr # do you accept the nomination Cr # nominates Cr # Cr # do you accept the nomination Councillors, I will put each nomination to the vote Cr 1; Cr 2; With an absolute majority, I declare Cr # as elected Mayor for the XXXX year	Cr # nominates Cr # Cr # do you accept the nomination Cr # nominates Cr # Cr # do you accept the nomination Cr # nominates Cr # Cr # do you accept the nomination Councillors, I will put each nomination to the vote Cr 1; Cr 2; Cr 3; With an absolute majority, I declare Cr # as elected Mayor for the XXXX year If no Clear Majority exists <ul style="list-style-type: none"> The Councillor with the fewest number of Votes will be eliminated for the next Vote. Or <ul style="list-style-type: none"> We have a 2 candidates each with 2 votes, a defeated candidate will be decided via a ballot conducted by the CEO Now only 2 candidates: Cr 1 & Cr 2 Councillors, I will put each nomination to the vote Cr 1; Cr 2; With an absolute majority, I declare Cr # as elected Mayor for the XXXX year. In no Clear Majority exists We have 2 candidates with 3 votes. Councillors as an absolute majority cannot be obtained, I will seek the meeting to resolve to conduct a new election at a meeting to be held at 6pm with the date resolved at the Statutory meeting.	Cr # nominates Cr # Cr # do you accept the nomination Cr # nominates Cr # Cr # do you accept the nomination Cr # nominates Cr # Cr # do you accept the nomination Cr # nominates Cr # Cr # do you accept the nomination Councillors, I will put each nomination to the vote Cr 1; Cr 2; Cr 3; Cr 4; With an absolute majority, I declare Cr # as elected Mayor for the XXXX year. If no Clear Majority exist <ul style="list-style-type: none"> The Councillor with the fewest number of Votes will be eliminated from the next Vote. We have 2 candidates each with 1 votes, a defeated candidate will be decided via a lot conducted by the CEO Then back to 3 nominations. With an absolute majority, I declare Cr # as elected Mayor for the XXXX year. In no Clear Majority exists We have 2 candidates with 3 votes. Councillors as an absolute majority cannot be obtained, I will seek the meeting to resolve to conduct a new election at a meeting to be held at 6pm with the date resolved at the Statutory meeting.

Governance Rules



Scenario 1 – Single Candidate

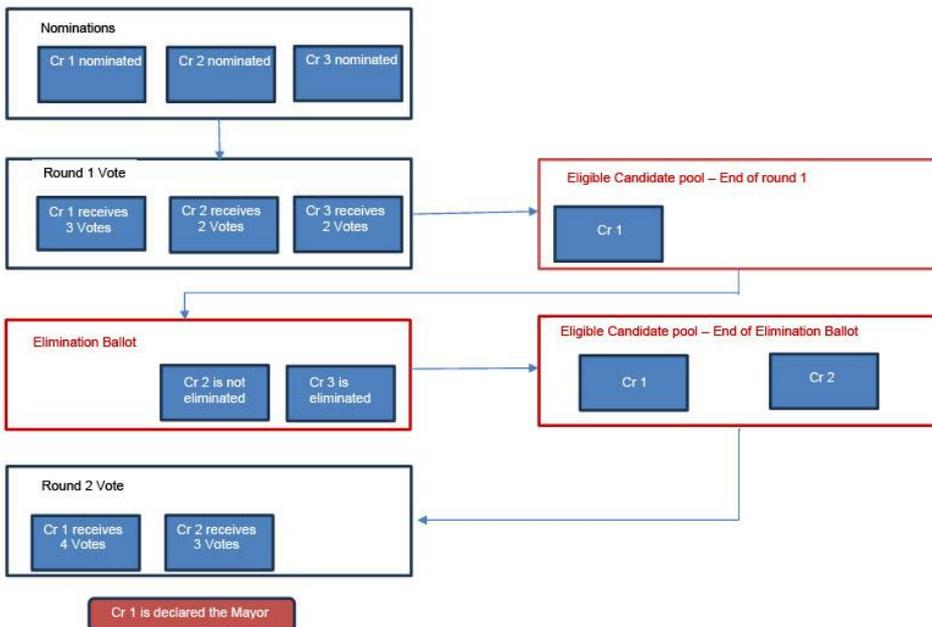
Scenario 2 – Two Candidates



Governance Rules



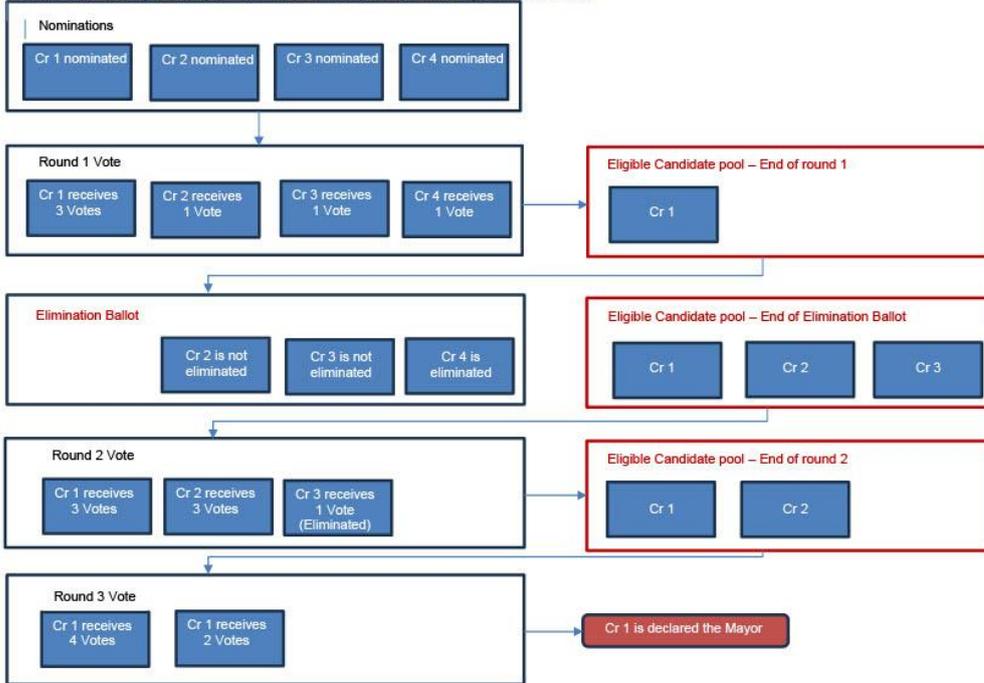
Scenario 3 – Three (or more) Candidates – Two with equal lowest Votes





Governance Rules

Scenario 4 – Four (or more) Candidates – More than two with equal lowest votes



Engage Ararat Feedback Report

Governance Rules

2 entries as of the 20/3/2025

Date Submitted	Feedback
27 February 2025	The meeting agenda is no longer easily accessible before meeting on the website.
13 March 2025	<p data-bbox="576 555 1244 633">I didn't see a process for deciding on what constitutes a dereliction of duty or causing detriment by council staff and how to implement an investigation</p> <p data-bbox="576 667 1244 884">The council staff have caused harm by not having a current Disability Access and Inclusion plan. People with a disability have been discriminated against by this council. The plan is mandatory under the state Disability Act. It has not been revised for over 10 years. The council have demonstrated interest in economic matters and abandoned their responsibility to members of the community. People with disabilities pay rates and are as entitled to services as football teams !</p> <p data-bbox="576 918 1077 947">I have been raising this issue since October last year.</p>

3.6 COMPLIANCE POLICY AND FRAMEWORK

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO OFFICE
REFERENCE: 20135

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 Policy provides a rational and framework for an equitable, transparent and consistent approach to compliance activities undertaken by Ararat Rural City Council so the community can be assured that standards are met.

DISCUSSION

Council is committed to developing and maintaining a culture of effectively managing its compliance obligations. It will do this by:

- Displaying its commitment to effective compliance management through the adoption of this policy
- Implementing a compliance management program that assists staff in meeting compliance obligations and achieving desired behaviours.

Ararat Rural City Council has a responsibility to identify and comply with a range of legislative and regulatory requirements. This policy has been prepared with reference to the Australian Standard guidelines and Section 9 of the Local Government Act 2020 require Council to , in the performance of its role, give effect to the overarching governance principles.

These principles required Councillors and Council staff to avoid conflicts on interest, act honestly, lawfully, impartially, with integrity and accountability; respect other peoples beliefs and opinions; exercise reasonable care and diligence; to use public resources and manage financial risks prudently; consider the effect of decisions on future generations and ensure accurate and timely disclosure of financial information.

The framework outlines managers and leaders duty to maintain and monitor compliance within their area of responsibility, and to ensure that their staff have the necessary training to be aware of relevant legislative requirements.

Key Considerations

Alignment to Council Plan Strategic Objectives

6. Strong and effective Governance

6.2 Ensure appropriate risk management is applied to Council and organisational decisions. Council's internal function is applied to areas or perceived risk.

Budget implications

There are no budget implications arising

Policy / Relevant Law

Local Government Act 2020

Sustainability Implications

There are no economic, social or environmental implications in relation to the item

Innovation and Continuous Improvements

The Compliance Policy can be a driver of innovation and continuous improvement by fostering a proactive and adaptable approach to effectively manage our compliance obligations.

Stakeholder Collaboration and Community Engagement

This policy was presented to the Audit and Risk Committee on the 4 March 2025

RECOMMENDATION

That Council:

1. *Adopt the Compliance Policy*
2. *Adopt the Compliance Framework*

**MOVED CR SANDERS
SECONDED CR WATERSTON**

That Council:

3. **Adopt the Compliance Policy**
4. **Adopt the Compliance Framework**

Cr Sanders and Cr Waterston spoke for the motion

**CARRIED 7/0
5112/25**

ATTACHMENTS

The Compliance Policy and Framework are provided as Attachment 3.6



Compliance Policy

DOCUMENT CONTROL

Category Type: Procedure
Type: Council
Responsible Officer: Governance and Risk Lead

Last Review Date: New
Date Approved (CEO):
Next Review Date: January 2026

Revision No: #

Stakeholder Engagement:
Audit and Risk Committee
Chief Executive Officer

Compliance Policy



INTENT:

This policy provides a rational and framework for an equitable, transparent and consistent approach to compliance activities undertaken by Ararat Rural City Council (Council) so the community can be assured that standards are met.

SCOPE:

This policy applies to all employees undertaking compliance activities on behalf of Ararat Rural City Council. The policy is part of the Compliance Framework and its principles in accordance with the ISO 37301:2023 Compliance Management Systems (the Standard)

POLICY:

Council is committed to developing and maintaining a culture of effectively managing its compliance obligations. It will do this by:

- Displaying its commitment to effective compliance management through the adoption of this policy
- Implementing a compliance management program that assists staff in meeting compliance obligations and achieving desired behaviours.

This policy has been prepared with reference to the Australia Standard for Compliance Management Systems – Guidelines AS/ISO 37301:2023, which outlines the principles for management compliance. In an ethical culture, employees and leaders understand why doing the right thing is important to the organisation’s long-term viability. An ethical culture supports independent thinking employees and leaders who make decisions consistent with the principles of good governance and Council’s values.

Section 9 of the Local Government Act 2020 (the Act) requires Council to, in the performance of its role, give effect to the overarching governance principles listed below. The principles require Council staff and Councillors to avoid conflicts of interest, act honestly, lawfully, impartially, with integrity and accountability; respect other peoples’ beliefs and opinions; exercise reasonable care and diligence; to use public resources and manage financial risks prudently; consider the effect of decisions on future generations and ensure accurate and timely disclosure of financial information.

Compliance Management Program

The objective of the compliance management program is to establish an ongoing set of activities within the principles for managing compliance obligations that supports the implementation of this policy. The scope of the Council’s compliance management program covers the elements in the ISO 37301:2023 and includes:

- Understanding the organization and its context
- Understanding the needs and expectations of interested parties
- Identifying compliance obligations
- Identifying, analysing and evaluating compliance risks
- Promoting roles, responsibilities and authorities

Compliance Policy



Ararat Rural City

- Developing actions to address compliance risks
- Establishing controls and procedures
- Monitoring, measuring, analysing and evaluating the program
- Providing stakeholders with assurance that Council is meeting its compliance obligations
- Working with responsible officers to prevent nonconformity and noncompliance and put in place corrective action where required.
- Continually improving the compliance management program.

ROLES & RESPONSIBILITIES

Role	Responsibilities
Council	Council is responsible for approving this policy and will actively demonstrate a commitment to a compliance culture, with the aim of promoting good governance, accountability and transparency of decision making
Chief Executive Officer	The Chief Executive Officer is responsible to Council for the management of compliance and integrity obligations
Managers, Leaders, Supervisor, and Team Leaders	Managers, Leaders, Supervisors and Team Leaders are responsible to leading by example and demonstrating an active commitment to and support of the compliance management system.
Responsible Officers	Obligations are assigned to responsible officers who are required to: <ul style="list-style-type: none"> • Confirm that they are seeking, in the course of their operational activities, to ensure compliance with each obligation for which they are designated to responsible officer • Report on any incidents of non-compliance and many remedial actions taken to address them, including any ongoing non-compliance issues. • Maintaining a sound knowledge of their designated obligations; • Ensure new obligations arising from, for example, common law, legislative changes, policies, procedures, investigations or audits, are added to Council's compliance management system and • Arrange for the removal / archiving of any obsolete obligations form Council's compliance management system.
Employees	In accordance with the Code of Conduct and the principle of respect for the rule of law, all Council employees should be conscientious in seeking to comply with relevant obligations in the course of their duties.
Governance and Risk Lead	The Governance and Risk lead is responsible for maintaining this policy. Governance is responsible for establishing and demonstrating a good governance culture that ensures compliance across Council. Governance is responsible for giving advice, education and support across the organisation.

Compliance Policy



Audit and Risk Committee	The Audit and Risk Committee is responsible for endorsing this policy and recommending approval to the Council. It is also responsible for monitoring, reviewing and advising the Council on the standard of its compliance management system.
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NON-COMPLIANCE

Violations of this policy may lead to disciplinary action and / or action by the relevant regulatory authorities.

RELATED LEGISLATION AND COUNCIL DOCUMENTATION

Local Government Act (Victoria) 2020

Local Government Act (Victoria) 1989

Councillor Code of Conduct

Staff Code of Conduct

Fraud and Corruption Control Policy

Fraud and Corruption Control Framework

Risk Management Policy

Risk Management Framework

Public Interest Disclosure Procedure

Public Transparency Policy

Instrument of Delegation and Authorisation

DEFINITIONS

Council	Ararat Rural City Council
Councillors	The individuals holding the office of a member of Ararat Rural City Council
Councillor Officer	The Chief Executive Officer and staff of Council appointed by the Chief Executive Officer
Compliance	Adhering to the requirements of laws, industry and organisational standards and codes, principles of good governance and accepted community and ethical standards.
Compliance Framework	Structure set of guidelines that detail an organisation's processes for maintaining accordance with established regulations, specifications or legislation.
Integrity	the quality of being honest and having strong moral principles and operating within the rule of law.



Compliance Framework

DOCUMENT CONTROL

Category Type: Policy / Framework
Type: Council
Responsible Officer: Governance and Risk Lead

Last Review Date: New
Date Approved (CEO):
Next Review Date: January 2027

Revision No: 0

Stakeholder Engagement:
Audit and Risk Committee
Councillors
CEO

Compliance Framework



INTENT:

The intent of this Compliance Framework is to provide a coordinated, organisation-wide compliance approach to ensure that Council's activities are conducted in accordance with legislative requirements and obligations, in keeping with the objectives of Council's Compliance Policy.

SCOPE:

This framework must be observed by all Ararat Rural City Council staff. All Managers and Leaders have a duty to maintain and monitor compliance within their area of responsibility, and to ensure that their staff have the necessary training to be aware of relevant legislative requirements.

Ararat Rural City Council has a responsibility to identify and comply with a range of legislative and regulatory requirements.

BACKGROUND:

The standard ISO 37301:2023 (Compliance Management Systems) states that:

"An effective, organisation-wide compliance management system enables an organisation to demonstrate its commitment to compliance with relevant laws, including legislative requirements, industry codes and organisational standards, as well as standards of good corporate governance, best practices, ethics and community expectations."

Council is committed to conducting its business and activities lawfully and in a manner that will enhance

the core values defined by its ICARE (Integrity, Customer-first, Accountability, Respect and Excellence) principles.

Council's ICARE principles outline how staff interact with the community. These principles embody

Council's commitment to be seen as an organisation of integrity, fairness and excellence. All members of staff are expected to adhere to high ethical standards when acting on behalf of Council and to comply with all relevant legislation. Compliance is underpinned by the legislative and governance processes implemented by Council, demonstrating to the community ongoing commitment to the ICARE principles.

Council's legislative compliance framework consists of:

- this Framework.
- Compliance Policy which outlines the legislative requirements and objectives of:
 - compliance management
 - accountabilities
 - responsibilities and
 - the management process of reviewing and updating Council's Instruments of Delegation and Authorisation.

Compliance Framework



Ararat Rural City

- supporting procedures, forms and registers that are a legislative requirement for Council and complement management and administrative governance functions.
- responsibilities for ongoing compliance with internal audit recommendations to ensure best practice and continuous improvement.

DEFINITIONS

Unless otherwise specified within this framework, the following words and phrases are defined to mean the following in terms of this framework.

Term	Definition
Authorisation	A member of staff is appointed to a particular statutory position which holds has virtue powers by virtue of that position. They are an "authorised" officer for the purpose of carrying out certain powers under a particular instrument of legislation.
Council	Elected councillors representing Ararat Rural City Council
Delegation	A member of Council staff is empowered to take action on Council's behalf. The decision of the delegate is "deemed" to be a decision of Council.
Compliance Register	Used to monitor Council's compliance with relevant instrument of legislation monitor compliance with internal audit obligations, track updated require delegations and authorisation
Obligation	AN action within the Compliance Register that is allocated to a Responsible Officer for action and sign off attestation about how it has been completed (if an actual obligation) or understood (if an awareness obligation).
Responsible Officer	A member of Council staff who has been allocated an obligation from the Compliance Register.
Staff	All individuals employed by Ararat Rural City Council, including volunteers, contractors, service providers and agents engaged to conduct authorised Council business.

COMPLIANCE FRAMEWORK

In an organisation with a strong ethical culture, employees and managers / leaders understand why doing the right thing is important for the organisation's long-term viability, and they have the determination, courage and freedom to see that the right thing gets done. An ethical culture supports independent thinking employees and managers / leaders who make decisions consistent with the principles of Good Governance and the organisation's values.

Benefits of a positive ethical culture include:

Compliance Framework



Ararat Rural City

- Employees feel a sense of responsibility and accountability for their actions and for the actions of others.
- Employees freely raise issues and concerns without fear of retaliation.
- Managers / Leaders model the behaviours they demand of others.
- Managers / Leaders communicate the importance of integrity when making difficult decisions.
- Leadership understands the pressure points that drive unethical behaviour.
- Leadership develops processes to identify and reduce identified pressure points.

Approach

The Australian Standard AS ISO 37301:2023 Compliance Management Systems Guidelines, has adopted a “high-level structure” to assist in the implementation of specific compliance and integrity related requirements in any management system. Elements of the Compliance Management System are made up of the following building blocks.

Context of the organisation	•including understanding the organisation, expectation of stakeholders, strategy, system and risk assessment
Leadership	•Including governing body, compliance policy, compliance functions, roles and responsibilities.
Planning	•Including actions to address risks and opportunities, compliance activities and planning of activities
Support	•Including resources, competences, awareness and training, communication and documentation.
Operation	•Including due diligence, controls, gifts, hospitality, donations, reporting and investigations.
Performance Evaluation	•Monitoring, measurements, internal audit and management review etc.
Improvement	•Non-conformity, corrective actions and program improvements

Encompassing these elements, Ararat Rural City uses the “Plan-Do-Check-Act” continuous improvement principle consistent with other management systems.

Compliance Framework



Identification of compliance and integrity obligations

Council is committed to meeting its compliance and integrity obligations. Compliance and integrity risks are reviewed and analysed annually to ensure appropriate controls are in place. These are reviewed by Internal Audit.

Management of compliance obligations

In accordance with the Code of Conduct for Employees, all Council employees should be conscientious in seeking to comply with relevant obligations in the course of their duties.

Obligations are designated to responsible officers. There may be multiple responsible officers designated obligations. Responsible officers are required to:

- Confirm they are seeking, during their operational activities, to ensure compliance with each obligation for which they are a designated responsible officer.
- Report incidents of non-compliance and remedial action to address such incidents, including any ongoing or repeated non-compliance.
- Maintain a sound knowledge of their designated obligations and should advise of new obligations or changes to existing ones to the Governance team.

Compliance Framework



Ararat Rural City

Principal systems, policies and documents in place to manage compliance

Council has a number of systems, policies and documents in place to manage compliance, including, but not limited to:

- Code of Conduct for Employees
- Code of Conduct for Councillors
- Performance Management Employee Discipline Policy
- Governance Rules
- Fraud and Corruption Control Policy
- Procurement Policy
- Risk Management Framework
- All relevant compliance and integrity policies

Section 9 of the Local Government Act 2020 (the Act) requires Council to, in the performance of its role, give effect to the overarching governance principles listed below. The principles require Council staff and Councillors to avoid conflicts of interest, act honestly, lawfully, impartially, with integrity and accountability; respect other peoples' beliefs and opinions; exercise reasonable care and diligence; to use public resources and manage financial risks prudently; consider the effect of decisions on future generations and ensure accurate and timely disclosure of financial information.

Specifically, it includes:

Local Government Act Section 9 Overarching governance principles and supporting principles

(1) A Council must in the performance of its role give effect to the overarching governance principles.

(2) The following are the overarching governance principles—

- (a) Council decisions are to be made, and actions taken in accordance with the relevant law
- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations
- (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted
- (d) the municipal community is to be engaged in strategic planning and strategic decision making
- (e) innovation and continuous improvement are to be pursued
- (f) collaboration with other Councils and Governments and statutory bodies is to be sought
- (g) the ongoing financial viability of the Council is to be ensured
- (h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making

Compliance Framework



Ararat Rural City

(i) the transparency of Council decisions, actions and information is to be ensured

(3) In giving effect to the overarching governance principles, a Council must take into account the following supporting principles—

- (a) the community engagement principles
- (b) the public transparency principles
- (c) the strategic planning principles
- (d) the financial management principles
- (e) the service performance principles

This Framework ensures Council;

- comply with the relevant law (section 9(a) of the Act);
- gives priority to achieving the best outcomes for the municipality, including future generations (section 9b of the Act). This policy ensures that in relation to the Local Government Act 1989 and Local Government Act 2020 and other instruments of legislation, Councillors and Council officers are continually made aware of their legislative obligations and Council's internal audit program ensures an organisation-wide mechanism for the continued improvement of Council's programs and services;
- pursue innovation and continuous improvement (section 9(e) of the Act). This policy incorporates monitoring and tracking of Council's internal audit program which specifically looks to review and improve Council services, processes and programs.
- collaboration with other Councils and Governments and statutory bodies has been sought (section 9(f) of the Act); and
- transparency of Council decisions, actions and information is ensured by the enactment of this policy (section 9(i) of the Act). The policy is available to the public on Council's website.

ROLES AND RESPONSIBILITIES

Outlined below are the processes and structures to support the management of compliance.

Role	Responsibilities
Councillors	As elected representatives, Councillors are required to act in accordance with the Councillor Code of Conduct and the Local Government Acts 1989 and 2020. The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community and must, in the performance of its role, give effect to the overarching governance principles outlined in the Local Government Act 2020. This framework provides Council with the expectation to meet its legislative requirements.
CEO	The Chief Executive Officer (CEO) has the ultimate delegated responsibility for legislative compliance across and within the organisation. The CEO is responsible for leading a compliance culture

Compliance Framework



Ararat Rural City

	across the organisation through promoting and supporting the Legislative Compliance Policy.
CEO, Managers, Leaders	To efficiently discharge responsibilities, the CEO delegates some of the powers, duties and functions required for the effective operation of Council to other staff within the organisation. The CEO, Managers and Leaders will annually review compliance activities for the coming year and identify any key risk management issues.
Manager / Leaders	<p>Managers / Leaders are responsible for ensuring that appropriate resources, systems and processes are in place to implement this policy across the organisation, comply with legislative and regulatory requirements within their specific areas of operational responsibility and ensure that any potential or actual legislative non-compliance has been identified and is being managed appropriately.</p> <p>Specifically, they are responsible for:</p> <ul style="list-style-type: none"> • promoting an ethical and positive compliance culture in relation to the organisation's legislative responsibilities and encouraging behaviours that create and support Council's Legislative Compliance Policy. • ensuring those in their department and/or unit are made aware that they are expected to comply with this policy, are aware of its existence and understand what is required of them. • remaining aware of the compliance obligations (including monitoring for changes in legislation and regulation) within their areas of control. • ensuring that compliance continues to be maintained, including providing advice to other staff within their units as required; • ensuring appropriate education and training for those required to implement, oversee, and comply with legislation. • reporting non-compliance or potential non-compliance to the Governance and Risk Lead. • developing specific controls, strategies and corrective actions to manage significant risks of non-compliance or breaches in their unit in a timely manner. • certifying compliance for their area of control if and when required. • identifying and reviewing legislative obligations and nomination of Responsible Officers when requested to do so by the CEO or Governance and Risk Lead • monitoring legislative compliance responsibilities in position descriptions and in relevant discussions at performance reviews; and • monitoring compliance with the relevant legislation and related Council policies.

Compliance Framework



Ararat Rural City

	<p>Commitment must be demonstrated by all senior officers by making themselves fully aware of the organisation's legislative obligations within their area of accountability or span of control.</p>
Governance and Risk Lead	<p>The Risk and Governance Lead, on behalf of the CEO, has overall responsibility for the control and coordination of the Compliance Register and coordinating the broad and general legislative compliance framework across the organisation.</p> <p>Specifically, the Governance and Risk Lead is responsible for:</p> <ul style="list-style-type: none"> • managing and maintaining Council's Compliance Register and Instruments of Delegation and Authorisation. • managing and maintaining Council's statutory registers • developing and implementing Council's Compliance Framework. • identifying, in conjunction with Responsible Officers, compliance requirements and training needs and promoting awareness of compliance obligations. • providing advice to relevant staff and Responsible Officers about new or changed legislation, its content and application to Council where appropriate. • identifying and reviewing legislative obligations and the nomination of Responsible Officers. • reporting compliance breaches to the Chief Executive Officer and ensuring that appropriate and timely corrective actions are undertaken. • reviewing the currency and effectiveness of this framework and the associated policy. • reviewing the current status of compliance actions, potential or actual breaches of legislation or of this framework, the associated policy and other relevant issues of high risk. • ensure staff are aware of Council's Legislative Compliance Policy and their obligations under this policy. • conducting regular compliance audits as required by the CEO; and • reporting to the Chief Executive Officer and Audit & Risk Committee in the manner outlined within this framework, associated policy or in any manner requested.
Human Resource Business Partner	<p>The Human Resource Business Partner has responsibility for ensuring that Council's position descriptions refer to a role's legislative requirements, compliance obligations and any delegated powers, duties or functions relevant to a particular role.</p>
Responsible Officers	<p>In addition to the above responsibilities, Responsible Officers will work closely with the Governance and Risk Lead and have direct</p>

Compliance Framework



Ararat Rural City

	<p>responsibility for responding to legislative obligations within the Compliance Register. Specifically, they will:</p> <ul style="list-style-type: none"> • monitor identified legislation and regulations for change and ensure that compliance continues to be maintained, including providing advice to other staff within their units as required. • signing-off on all obligations (both legislative and internal audit) allocated to them in a timely manner and seeking assistance and guidance from their direct manager when needed to ensure they understand the requirements and legislation they must comply with to undertake their duties. • remaining aware of the compliance obligations (including monitoring for changes in legislation and regulation) within their areas of control. • assisting the Governance and Risk Lead to allocate any obligations and advise on appropriate timeline and frequency of those obligations; and • assisting to promote an ethical and positive compliance culture in relation to the organisation's legislative responsibilities and encourage behaviours that support Council's Legislative Compliance Policy.
Employees	<p>All staff are responsible for ensuring that their activities on behalf of Council comply with all applicable laws. All staff are responsible for:</p> <ul style="list-style-type: none"> • compliance with all relevant legislation. • adherence to the compliance obligations relevant to their position. • performing their duties in a lawful and safe manner. • undertaking training as required on compliance activities and initiatives. • undertaking corrective actions to compliance breaches in a timely manner. • reporting and escalating compliance concerns, issues, complaints, and failures. • referring to relevant Council policies or having a discussion with their manager before acting if they are uncertain as to what is legally compliant behaviour; and • familiarising themselves with Council policies concerning compliance within specific areas of legislation that affect their workplace and activities.
Audit and Risk Committee	<p>Under the Local Government Act 2020, the Audit and Risk Committee must monitor the compliance of Council policies, monitor Council financial and performance reporting, monitor and provide advice on risk management and fraud prevention systems and controls, oversee</p>

Compliance Framework



Ararat Rural City

	internal and external audit functions and prepare a formal report to Council on a biannual basis.
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LEGISLATIVE OBLIGATION MANAGEMENT

As a large and complex statutory authority, Council has a significant number of compliance obligations. Council must comply with over 100 statutory acts and their associated regulations. The Local Government Act 1989 and the Local Government Act 2020 and associated regulations are the principal governing instruments of legislation relevant to Council.

To ensure that Council can comply with its obligations, it is important to identify all the legislative instruments which impose a legislative obligation. Compliance obligations may require, but are not limited to, reporting, accreditation, registration, licensing, compliance with deadlines, provision of services, restrictions, limitations and financial obligations. Council's obligations are maintained in an online Compliance Register with each obligation allocated to the responsible officer. The Compliance Register maps Council's obligations to Responsible Officers, maps changes or amendments in the legislation, provides a sign-off attestation process for Responsible Officers and also provides a complete audit trail for each obligation.

The register is reviewed quarterly to:

- monitor substantive changes in legislative requirements;
- assess time frames for signing off obligations;
- allocate new obligations; and
- follow-up overdue obligations, particularly those in areas of potential risk.

Internal Audit Obligation Management

Council has a structured internal audit program undertaken by an independent auditor which regularly reviews and audits Council's services, programs and processes in line with a strategic continuous improvement plan set by the Chief Executive Officer in conjunction with the Audit and Risk Committee.

For each audit, Council's internal auditor makes a number of recommendations that are added to the Compliance Register as internal audit recommendations. The Compliance Register maps these internal audit actions to each Responsible Officer, provides a quarterly sign off attestation for Responsible Officers and provides a complete audit trail for each obligation until it is completed (complies).

Management of the Compliance Register

The Compliance Register is managed, administered and maintained by the Governance and Risk Lead on behalf of the Chief Executive Officer.

Management of Other Registers

In compliance with the Local Government Act 2020, the Governance and Risk Lead managers, administers and maintains statutory registers or summaries, including, but not limited to, the

Compliance Framework



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following:

- Authorisations Register
- Conflicts of Interest Register
- Councillor Gift Register
- Delegations Register
- Inspection of Documents Register
- Staff Gift Register
- Summary of Personal Interest Returns and Related Party Disclosures
- Travel Register

Public access to these documents is prescribed under the Local Government Act 2020 and Council's Public Transparency Policy.

Delegations and Authorisations

Council is responsible for carrying out various duties, functions and powers under a range of State legislation and Council's Local Laws. The practice of delegation originates in the necessity for decisions and actions under the responsibility of the Council to be delegated to professionally qualified officers to undertake as the administrative burden for all decisions to be directly made by Council would be too onerous for the efficient and effective function of the organisation.

Instrument	Description
S5 – Instrument of Delegation from Council to the CEO	This delegates all of Council's powers, duties and functions which are capable of delegation, subject to some exceptions and limitations, to the CEO
S6 – Instrument of Delegation from Council to Members of Council Staff	This delegates Council powers, duties and functions within various acts and regulations (or specific parts of those acts or regulations), which contain a specific power of delegation. This delegates certain powers directly from Council-to-Council staff due to the legislation referred to containing specific powers of delegation.
S7 – Instrument of Sub-Delegation from CEO to Council Staff	This sub-delegates Council powers, duties or functions contained in acts or regulations which do not include a specific power of delegation.
S11 – Instrument of Appointment and Authorisation	This appoints officers to be authorised officers for the administration and enforcement of specific acts which are included within the document.

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S13 – Instrument of Delegation from CEO to Staff	This instrument allows the CEO to delegate their powers, duties and functions existing under all Victorian legislation. This differs to the S7 Instrument in that it does not relate to Council powers, duties and functions, but those vested in the CEO personally.
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Council engages an external subscription service to provide updated advice on legislation affecting Council's various Instruments of Delegation and Authorisation. The advice ensures that all acts that are relevant to Council's operations are covered regularly. Council maintains and updates its instruments through the RelianSys delegation management software platform, which provides a management tool and templates for the Instruments to be generated in different formats and as required.

Council keeps updated Instruments of Delegation (Delegations Register) and makes them available to all staff on its council webpage. The Governance and Risk Lead, through the subscription and management software, monitors legislation for any changes to ensure all areas of Council are not exposed to any risk.

IDENTIFICATION OF NEW AND AMENDED LEGISLATION

Ararat Rural City Council uses a variety of mechanisms to be aware of new and amended legislation. The following is a high-level summary of the most regularly used mechanisms.

Legislations across Council

All Managers / Leaders are responsible for identifying and understanding the legislative/statutory obligations required to facilitate their role acting on behalf of Council. This includes identifying those obligations which require a delegation/authorisation to be exercised (refer to Delegations and Authorisations).

RelianSys

RelianSys Compliance Registers and Compliance Management software subscription.

Council subscribes to the RelianSys Compliance Registers and Compliance Management Software modules. The software provides a register of legislation for which Council must comply, provides updates on legislation changes impacting on local government in Victoria, allows allocation to responsible officers, and informs and reports non-compliance with legislation. The external subscription service for legislation changes automatically feeds into RelianSys.

RelianSys is the single source of truth for Council's Compliance Registers and the recording of ongoing compliance.

State and Federal Government

Local Government Victoria, and State and Federal Government departments will sometimes initiate new or changes to legislation. Where Local Government Victoria and the other levels of government conduct workshops relating to significant new and amended legislation, Council staff will be recommended to attend the workshops and report back to their respective Manager / Leaders who

Compliance Framework



will assess whether amendment of processes is required and inform the Governance and Risk Lead if necessary.

Sector Representatives

Local government sector representatives such as the Municipal Association of Victoria and the Victorian Local Governance Association issue bulletins/circulars and conduct workshops when there are important developments of, and amendments to, relevant legislation. Council staff are recommended to attend the workshops and report back to their respective Manager who will assess whether amendment of processes is required and inform the Governance and Risk Lead if necessary.

Special Interest Groups and Networking

Council staff who attend networking groups, including planning, building, health, governance, risk management, etc., will report back to the organisation after attending workshops relating to significant legislative changes

Accounting Standards

Australian Accounting Standards are the equivalent of the International Financial Reporting Standards (IFRS) and updates to the standards are provided through Pronouncements from the Australian Government: Australian Accounting Standards Board (AASB). The aim of the AASB is to ensure consistency, comparability, and transparency through entity conformance with the financial reporting standards.

Auditing and Assurance Standards

Australian Auditing Standards establish requirements and provide application and other explanatory material on:

- the responsibilities of an auditor when engaged to undertake an audit of a financial report, or complete set of financial statements, or other historical financial information; and
- the form and content of the auditor's report

IMPLEMENTATION OF LEGISLATION

Legislation is required to be reviewed by each Directorate to ensure they understand their obligations which need to be discharged and meet the requirements of the legislation applicable to their area. Managers / Leaders must identify those obligations which require delegations to be put in place within Council to ensure ongoing compliance.

MONITORING AND AUDITING OF COMPLIANCE

Regular reporting to both the Chief Executive Officer and Audit and Risk Committee will provide regular indicators of the effectiveness of this policy in raising awareness levels and developing a functional compliance culture across the organisation. The framework will be reviewed every two years to ensure it remains current with any legislative requirements and a survey will be undertaken of key staff prior to review so that any improvements or adaptations can be incorporated.

REPORTING AND MANAGING NON-COMPLIANCE

Compliance Framework



The Compliance Register monitors all major legislative obligations as outlined in this framework and a compliance report will be submitted to the Audit and Risk Committee quarterly.

REFERENCES AND RELATED DOCUMENTS

Related Council and other Policies, Procedures, Strategies, Protocols, Guidelines

- ISO 37301:2023 Compliance Management Systems Guidelines
- Local Government Act (Victoria) 2020
- Local Government Act (Victoria) 1989
- Staff Code of Conduct
- Instruments of Delegation and Authorisations
- Public Transparency Policy
- Enterprise Bargaining Agreement
- Fraud and Corruption Control Policy
- Fraud and Corruption Control Framework
- Public Interest Disclosures Procedure
- Risk management Policy
- Risk Management Framework

Compliance Framework



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Appendix 1 – Major Instruments of Federal, State Legislation Relevant to Council

The major instruments of Federal and State legislation that Council operates under are listed, but are not limited to, the below. Instruments of legislation are updated sometimes, names may change, and requirements may be altered. New legislation may also be developed that becomes relevant to Council.

- Australian Citizenship Act (Cth) 2007
- Aboriginal Heritage Act 2006
- Aboriginal Heritage Regulations 2016
- Aboriginal Heritage Amendment Act 2016
- Accident Compensation Act 1985
- Accident Compensation (OHS) Act 1996
- Associations Incorporation Reform Act 2012
- Audit Act 1994
- Australian Consumer Law
- Building Regulations 2018
- Building Act 1993
- Catchment and Land Protection Act 1994
- Charter of Human Rights and Responsibilities Act 2006 (AR)
- Child Wellbeing and Safety Act 2005
- Children, Youth and Families Act 2005
- Children's Services Act 1996
- Children's Services Regulations 2009
- Climate Change Act 2017
- Climate Change Regulations 2017
- Commission for Children and Young People Act 2021
- Conservation, Forests and Land Act 1987
- Constitution Act 1975
- Country Fire Authority Act 1958
- Country Fire Authority Regulations 2014
- Crown Land (Reserves) Act 1978
- Cultural and Recreational Lands Act 1963
- Dangerous Goods Act 1985
- Dangerous Goods (Explosives) Regulations 2021
- Dangerous Goods (HCDG) Regulations 2016
- Dangerous Goods (Storage and Handling) Regulations 2012
- Development Victoria Act 2003
- Drugs, Poisons and Controlled Substances Regulations 2017
- Domestic Animals Act 1994
- Domestic Building Contracts Act 1985
- Disability Act 2006
- Disability Discrimination Act 1992
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- Education and Training Reform Act 2006

Compliance Framework



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- Electrical Safety Act 1998
 - Electrical Safety (Bushfire Mitigation) Regulations 2020
 - Electrical Safety (Electrical Line Clearance) Regulations 2020
 - Emergency Management Act 2013
 - Environment Protection Act 2017
 - Environment Protection Regulations 2021
 - Equal Opportunity Act 2010
 - Equity and Inclusion Duties Act 2000
 - Equipment (Public Safety) Act 1994
 - Equipment (Public Safety) Regulations 2017
 - Estate Agents Act 1980
 - Fair Work 2009 (Cth)
 - Fences Act 1968
 - Family Violence Protection Act 2008
 - Family Violence Protection (Information Sharing and Risk Management) Regulations 2018
 - Filming Approval Act 2014
 - Financial Management Act 1994 (VIC)
 - Financial Management Regulations 2014 (VIC)
 - Fines Reform Act 2014
 - Fire Rescue Victoria Act 1958
 - Fire Services Property Levy Act 2012
 - Flora and Fauna Guarantee Act 1988
 - Flora and Fauna Guarantee Regulations 2020
 - Food Act 1984
 - Freedom of Information Act 1982
 - Gambling Regulation Act 2003
 - Gender Equality Act 2020
 - Geographic Place Names Act
 - Graffiti Prevention Act 2007
 - Health (Immunisation) Regulations 1999
 - Health (Prescribed Accommodation) Regulations 2020
 - Health Act 1958
 - Health Records Act 2001
 - Health Services Act 1988
 - Heritage Act 2017
 - Heavy Vehicle National Law 2012
 - Heavy Vehicle National Law Application Act 2013
 - Housing Act 1983
 - Impounding of Livestock Act 1994
 - Independent Broad-Based Anti-Corruption Commission Act 2011
 - Infringements Act 2006
 - Infringements (General) Regulations 2016
 - Land Acquisition and Compensation Act 1986
 - Land Acquisition and Compensation Regulations 2021
 - Land Act 1958
 - Liquor Control Reform Act 1998
 - Local Government (Electoral) Regulations 2020
 - Local Government (Planning and Reporting) Regulations 2020
 - Local Government (General) Regulations 2015

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- Local Government (Long Service Leave) Regulations 2021
 - Local Government Act 2020
 - Local Government Act 1989
 - Mineral Resources (Sustainable Development) Act 1990
 - Occupational Health and Safety Act 2004
 - Occupational Health and Safety Regulations 2017
 - Payroll Tax Act 2007 (VIC)
 - Penalty Interest Rates Act 1983 (VIC)
 - Pipelines Act 2005
 - Planning and Environment (Fees) Regulations 2016
 - Planning and Environment Act 1987
 - Planning and Environment (Planning Schemes) Act 1996
 - Planning and Environment Regulations 2015
 - Prevention of Cruelty to Animals Act 1986
 - Property Law Act 1958
 - Privacy and Data Protection Act 2014
 - Protected Disclosure Act 2012
 - Public Administration Act 2004 (VIC)
 - Public Health and Wellbeing Act 2008
 - Public Health and Wellbeing Regulations 2019
 - Public Records Act 1973
 - Racial and Religious Tolerance Act 2001
 - Rail Safety (Local Operations) Act 2006
 - Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020
 - Residential Tenancies Act 1997
 - Road Management (General) Regulations 2016
 - Road Management Act 2004
 - Road Safety Road Rules 2017
 - Road Management (Works and Infrastructure) Regulations 2015
 - Road Safety (Vehicles) Regulations 2021
 - Road Safety (Traffic Management) Regulations 2019
 - Road Safety Act 1986
 - Sale of Land Act 1962
 - Second Hand Dealers and Pawnbrokers Act 1989
 - Sex Work Act 1994
 - Sex Work Decriminalisation Act 2022
 - Sherriff Act 2009
 - Shop Trading Reform Act 1996
 - Sport and Recreation Act 1972
 - Subdivision (Fees) Regulations 2016
 - Subdivision (Procedures) Regulations 2021
 - Subdivisions Act 1988
 - Summary Offences Act 1966
 - Taxation Administration Act 1997
 - Tobacco Act 1987
 - Transfer of Land Act 1958
 - Transport Integration Act 2010

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- Transport (Safety Schemes Compliance and Enforcement) Act 2014
 - Valuation of Land Act 1960
 - Valuation of Land Regulations 2014 (VIC)
 - Victorian Civil and Administrative Tribunal Act 1998
 - Victorian Local Government Grants Commission Act 1976
 - Victorian Environmental Assessment Commission Act 1976
 - Victorian Data Sharing Act 2017
 - Victorian Inspectorate Act 2011
 - Victorian Planning Authority Act 2017
 - Victorian State Emergency Act 2005
 - Water Act 1989
 - Working with Children Act 2005
 - Workers Compensation Act 1958
 - Workplace Injury Rehabilitation and Compensation (WIRC) Act 2013
 - Workplace Injury Rehabilitation and Compensation Regulations 2014

SECTION 4 - INFORMATION REPORTS

4.1 PROGRESS REPORT - CHILD FRIENDLY CITIES AND COMMUNITIES WORKING GROUP

RESPONSIBLE OFFICER: SUPPORTED PLAYGROUP FACILITATOR/PRE-PREP PROJECT
COORDINATOR & STRATEGIC PROJECT LEAD

DEPARTMENT: CEO'S OFFICE

REFERENCE: 20137

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

At the July 2024 Council Meeting, ARCC adopted the motion to become a signatory to the Victorian Child Friendly Cities and Communities (CFCC) Charter. The motion also moved to establish a new CFCC Working Group and that a report be provided to Council at the March 2025 Council Meeting on the progress of the establishment of the Working Group and its terms of reference.

This report outlines the formation and objectives of a newly established Child Friendly Cities and Communities (CFCC) Working Group. The CFCC Working Group has been formed to focus on enhancing the principles of the Victorian CFCC Charter (The Charter). The goal is to transform our townships and communities into more child-friendly spaces. The CFCC Working Group seek to accomplish this by sharing ideas, best practices, and successful examples from other communities that have created meaningful opportunities for young citizens to engage and thrive.

Through this collaborative effort with Council, the CFCC Working Group hope to foster environments where children can fully participate in the civic life of their communities, ensuring that they have a voice in the public policies and initiatives that directly impact them. To support Council's status as a signatory to The Charter, this report includes the Meeting Minutes and the Terms of Reference of Ararat Rural City Council's first CFCC Working Group.

DISCUSSION

The establishment of the involved an open Expressions of Interest (EOI) process which opened in August 2024 and closed in October 2024. The EOI was promoted on the Council's Engage Ararat website and social media channels. Invitations were also sent via email to community organisations, health services and early years services.

Friday 14th February 2025 marked the inaugural meeting of the CFCC Working Group, a significant step forward in Council's ongoing commitment to strengthening child participation within local communities and ensuring that children's voices, needs, priorities, and rights are embedded within public policies, as well as child- and youth-focused events and programs.

During its inaugural meeting, the group examined the Charter's purpose as well as Terms of Reference. The CFCC Working Group will work in an advisory capacity to the CEO and to provide advice and guidance to Council, ensuring that the principles outlined in The Charter are consistently upheld and advanced. This advisory role is crucial in embedding a child-centered approach in local governance and in shaping policies and initiatives that directly affect children and youth.

Through these meetings, the CFCC Working Group aim to foster a deeper understanding of how communities can better meet the needs of their youngest residents and ensure that their voices are not only heard but integrated into decision-making processes.

As the CFCC Working Group progresses, the outcomes and recommendations of these discussions will be formalised and presented to Council. These recommendations will inform and guide actions that support The Charter's principles, with a specific focus on creating environments that are safe, accessible, and empowering for every child.

The CFCC Working Group will serve as a driving force in ensuring that our townships and communities continue to evolve into spaces where children thrive, and their contributions are recognised.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

The recommendations of this report will contribute towards achieving the following 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.

4. DEVELOPING AND MAINTAINING KEY ENABLING INFRASTRUCTURE

We will ensure that we plan, fund, and develop new infrastructure in ways that delivers strong public value. Existing infrastructure will be managed, renewed, and maintained to ensure that it continues to serve identified public needs.

4.2 Work directly with asset users to manage and develop new and existing assets.

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

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.

6.3 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

Budget Implications

The administration of the CFCC Working Group will be undertaken by existing staff resources. Any future budget implications will be considered as part of the Council's annual budget development and business-as-usual processes.

Policy/Relevant Law

Child Safety Policy & Procedure, Community Engagement Policy, Child Wellbeing and Safety Act 2005 (Vic), Children, Youth and Families Act 2005 (Vic), Commission for Children and Young People - Victorian Child Safe Standards, United Nations Convention on the Rights of the Child

Sustainability Implications

It is expected that increased attention to the best interest of children will result in improved sustainability outcomes for the Ararat Rural City.

Risk Assessment

Risks associated with the operational requirements of the CFCC Working Group will be managed in accordance with the Council's Risk Management Framework. All staff who are engaged in child-related work are required to hold a Working with Children Check. All staff have a responsibility to report an allegation of abuse if they have a reasonable belief that an incident has occurred. The Child Safety Procedure contained in the Child Safety Policy and Procedure provides the reporting procedure.

Stakeholder Collaboration and Community Engagement

Effective stakeholder collaboration and community engagement are integral to the success of the CFCC Working Group. To create environments that are truly child-friendly, it is essential to build strong partnerships with a broad range of stakeholders, including Councillors, community organisations, schools, service providers, and, most importantly, the children and youth within our communities. The CFCC Working Group aims to establish collaborative relationships that foster open dialogue, sharing of ideas, and a shared commitment to the values outlined in The Charter. Through ongoing collaboration with key stakeholders, we ensure that the voices of children, families, and local community members are central to our discussions and decisions.

Our approach to community engagement will focus on the following:

1. **Inclusive Participation:** We will ensure that children, young people, and their families are not only consulted but actively involved in the decision-making process. This may involve organising forums, workshops, and surveys to gather input from young residents, ensuring that their ideas and concerns are given attention in the development of public policies and programs.
2. **Strengthening Partnerships:** Collaboration with a variety of organisations, such as schools, advocacy groups, and community service providers, will be key to maximising the impact of our efforts.
3. **Strengthening Communication:** Transparent, ongoing communication will be encouraged with all stakeholders to ensure everyone remains informed and aligned with the goals of the CFCC initiative. This will include regular updates through quarterly CFCC Working Group meetings with joint action plan sessions to identify areas where progress can be made.
4. **Sustaining Engagement:** Ongoing community engagement with an aim to create long-term, sustainable engagement with community members and stakeholders to ensure that the child-friendly initiatives continue to evolve and adapt to changing community needs.

RECOMMENDATION

That:

- 1. the Progress Report for the Child Friendly Cities and Communities Working Group be received.*

**MOVED CR WATERSTON
SECONDED CR R ARMSTRONG**

That:

- 1. the Progress Report for the Child Friendly Cities and Communities Working Group be received.**

Cr Waterston, Cr R Armstrong and Cr Sanders spoke for the motion

**CARRIED 7/0
5113/25**

ATTACHMENTS

The Minutes from the Child Friendly Cities and Communities (CFCC) Working Group Meeting (14/02/2025) and the Child Friendly Cities & Communities Working Group: Terms of Reference are provided as Attachment 4.1



Ararat Rural City

MINUTES

CHILD FRIENDLY CITIES AND COMMUNITIES (CFC&C) WORKING GROUP

Friday 14 February 2025

To be held in **Mayor's Room**
Ararat Rural City Council Offices, 49 Vincent St, Ararat/Microsoft Teams
Link

Commencing at 9.45am
Concluded at 11:10am

14 FEBRUARY 2025 CFC&C WORKING GROUP MEETING MINUTES



Acknowledgement of Country

Ararat Rural City Council acknowledges the Traditional Owners of the land on which we live and work and recognise their connection to the land and waterways. We pay our respects to their elders' past, present and emerging, and to all Aboriginal and Torres Strait Islander people.

CFC&C Working Group Purpose:

We've formed this working group to strengthen child participation in local communities and ensure that children's voices, needs, priorities, and rights are central to public policies, as well as child- and youth-focused events and programs. Our goal is to make our townships and communities more child-friendly by sharing ideas and examples that create more opportunities for our youngest citizens. Some key ground rules for our CFC&C Working Group are:

One person speaks at a time

All opinions are valid

Stay on topic

Everyone has an opportunity to contribute.

14 FEBRUARY 2025 CFC&C WORKING GROUP MEETING MINUTES



CFC&C WORKING GROUP CHAIR: Nerissa Gee (Ararat Rural City Council)

ATTENDEES: Nerissa Gee, Jane Moriarty, Blake Cox-Davis, Karen Armstrong, Dr Linda Henderson and Anita San Ba

APOLOGIES: Dr Tim Harrison, Erin Brown, Andrew Parsons, Melissa Fithall, Keryn Leggett, Therese Arnott and Tracy Costigan

1. Introductions – Nerissa Gee has been nominated as the CFC&C Chair and welcomed

CFC&C Working Group Members. Each person Introduced themselves and stated their professional role and how it relates to interest in being a CFC&C Working Group member:

Nerissa Gee, Pre-Prep Project Coordinator/Supported Playgroup Facilitator

Blake Cox-Davis, Early Childhood Educator and student of Occupational Therapies

Karen Armstrong, Physiotherapist

Dr Linda Henderson, Senior Lecturer of Early Years Education

Anita San Ba, CALD Outreach Officer/New Settlement Program Officer and student of Early Childhood Education and Care and Primary Education.

Jane Moriarty, Executive Officer of Youth Services

2. ARCC CFC&C Working Group Terms of Reference for discussion

Nerissa Gee has developed the CFC&C Working Group Terms of Reference and in those, it is stated, the CFC&C Working group will meet 4 times per year and half of the current CFC&C Working Group members plus one is required to operate and make any decisions. Due to an apology from member made less than an hour before the meeting, Nerissa Gee, as the Chair, made the decision to keep the meeting. Nerissa stated that any advisory members would be welcomed and may be involved in a consultative role but not form part of the CFC&C working group.

3. Adopting and becoming a signatory of the CFC&C Charter (The Charter)

14 FEBRUARY 2025 CFC&C WORKING GROUP MEETING MINUTES



Members who joined today's meeting looked at the VGLA CFCC Resources and an example of work done at other organisations for their CFC&C Working Group Action Plans online. Ideas on how best to advocate for children were shared and how to best capture children's voice and/or needs for their communities was discussed. Nerissa shared YouTube clips on the operation of a Voice Lab for surveying children in a child friendly manner and with the help of the Polyglot Theatre company. This unique model for collecting children's thoughts and ideas could be used to determine what our youngest citizens would like to see happen in their communities and/or what their needs are to be able to thrive in society [Voice Lab - Polyglot Theatre | Polyglot Theatre](#). Dr Linda Henderson raised the fact that there are other means for collecting children's' voices and suggested that an Art's Based Methodology could be used in consulting with children. Dr Linda also suggested that there needs to be proper analysis of the data retrieved from any form of survey or consultation.

Karen Armstrong suggested that school could be involved in collecting children's ideas and surveys/questionnaires could form part of the school programs.

Jane Moriarty stated that there is consideration to be made with seeking parent/caregiver permissions for children to consult with anyone outside of school and Department of Education have protocols for surveying children in schools. Dr Linda stated that there are Human Research Ethic Committee that can be used to ensure consent, privacy and confidentiality protocols are adhered to.

Dr Linda asked the question of who is going to oversee consent and does ARCC have ethically correct research standards or protocols. **Nerissa to action and seek answers.**

Jane asked what the focus for ARCC was in establishing the Working Group and Dr Linda asked why ARCC wanted to be a signatory on The Charter. Phuong Au, Strategic Project Lead gave ARCC's reasoning, stating that the work that was being done in the Pre-Prep implementation and Community Vision 2030, Council Plan, Municipal Public Health and Wellbeing Plan, and various other plans and policies, aligned with The Charter, Councillors had no issues with ARCC adopting The Charter's principles. Becoming a signatory has affirmed ARCC's commitment to the principles of the Charter and conveys the continuing resolve to strive towards communities where children

14 FEBRUARY 2025 CFC&C WORKING GROUP MEETING MINUTES



can thrive. The CFC&C working group has been formed to act as an advisory to ARCC's CEO and Councillors and to ensure the Victorian Child Friendly Cities & Communities Charter's principles are upheld and advanced by ARCC. In short, The CFC&C Working Group members are here to advocate for children and give them a voice through what we know from our professions and as community members.

4. CFC&C Working Group Action Plan –

An action plan has been developed by Nerissa Gee as a start for members to compile ideas to advance the principles of the Child Friendly Cities and Communities Charter.



ARCC Child Friendly Cities and Communities Working Group Action Plan					
Action	Description	Responsible Party	Timeline	Resources Needed	Status
Principle 1: Act in the best interests of the child.					
Principle 2: Freedom for children to express their individual opinions and right to have these considered in decisions that affect them.					
Principle 3: Create equity for all children based on their needs.					
Mandate: Uplift Child Safety and Child Friendly organisational culture.	*Work with local authorities to improve safety measures for children in public spaces	*Policy Lead	*April 2025	*Research, data on incidents	*In progress
Mandate: Improve the effectiveness and responsiveness of initiatives that support children to participate in civic life.	*Conduct child-focused consultations to gather feedback on public space design	*Coordinator	*March 2025	*Venue, survey materials	*Pending
Mandate: Amplify the voice of the child in decision making forums.					

* Indicates an example only

Feedback on this format is welcomed and changes to be discussed at the next meeting before implementation.

5. Any Other Business

Jane asked what budget if any had been allocated for the ideas that are created by the working group. Nerissa to action and seek answers.

There is no budget for the actual running of the working group. This is a volunteer-based working group.

14 FEBRUARY 2025 CFC&C WORKING GROUP MEETING MINUTES



Karen asked for information about the next Municipal Public Health and Wellbeing Plan. Nerissa has sought answers from Phuong Au- The next term of the MPHWP will be completed by the end of October. Community consultation will be in phase one and notification of this date will be publicized.

6. Next Working Group – Wednesday 21st May 2025



Child Friendly Cities & Communities Working Group: Terms of Reference

DOCUMENT CONTROL

Category Type: Terms of Reference

Type: Administrative

Responsible Officer: Chief Executive Officer

Last Review Date: N/A

Date Approved:

Next Review Date:

Revision No.: New

Stakeholder Engagement:

Chief Executive Officer

Councillors

Child Friendly Cities & Communities Working Group

Child Friendly Cities & Communities Working Group: Terms of Reference



Introduction

The Child Friendly Cities & Communities (CFCC) Working Group has been established to advise the Chief Executive Officer and Council on the actions of the Victorian Child Friendly Cities & Communities Charter ("The Charter") and other advocacies of children aged birth to 17 years old, as requested by the CEO.

The CFCC Working Group will not be an established Committee of Council, and as such will not provide advice directly to Council. Rather, it will work in an advisory capacity to the CEO on matters that ensure the Victorian Child Friendly Cities & Communities Charter's principles are upheld and advanced. The results of these analyses will then form advice to Council on matters of The Charter and its statement of principles.

Purpose/Scope

The Victorian CFCC Charter is a statement of principles, underpinning actions which support communities to be child friendly. It embraces the universal rights of children from birth to 17 years of age, and encompasses three tenets: to act in the best interests of the child, to allow children the freedom to express their individual opinions and the right to have those opinions considered in decisions that affect them, and to create equity for all children based on their needs.

Ararat Rural City Council has become a signatory to the Victorian CFCC Charter and in doing so, has made a commitment to increasing the attention on the best interests of children and further develop strategies to ensure every child has opportunities to thrive in their community.

Membership

The composition of the CFCC Working Group will be as follows:

- Chair (Chief Executive Officer or Nominee)
- A minimum of four community representatives selected through an Expression of Interest (EOI) process; and
- A minimum of four skills-based representatives, with academic/practical/administrative skills and experience in child related health, recreation and/or in education.
- Up to fifteen members are appointed each calendar year that represent the diversity of the communities they serve.

CFCC Working Group Role

The role of the CFCC Working Group is to:

- Share responsibility in planning and convening CFCC Working Group meetings, including planning the agenda, chairing meetings, and taking minutes.
- Hold an annual meeting to develop a work plan, as conveyed by the Chair.
- Provide community comments on child friendly cities and communities strategy development.
- Based on evidence, best practice, and feedback from CFCC Working Group meetings, contribute to the schedule review of Council's policies, standards, and legislative requirements to ensure CFCC Charter alignment.
- Participate in Network meetings each quarter to share how Ararat Rural City Council is embedding the CFCC Charter.

Child Friendly Cities & Communities Working Group: Terms of Reference



The role of the Chief Executive Officer or Nominee is to:

- Chair the CFCC Working Group
- Arrange meeting documents
- Report to Council on the outcomes of the CFCC Working Group
- Provide advice to Council on the development of policies, standards, and legislative requirements in alignment with The Charter.

Meetings

The CFCC Working Group will meet 4 times per year, with extra meetings as required at the discretion of the CEO. Half of the current CFCC Working Group members plus one is required to operate the Working Group and make any decisions. In the Chair's absence, a Deputy Chief Executive Officer will chair the meeting.

Changes to the CFCC Working Group can only be made following a formal Expression of Interest process, and at the approval of the majority.

The CFCC Working Group may invite suitably skilled persons to join the CFCC Working Group as a co-opted member for a specified purpose and period. A co-opted member joins the CFCC Working Group in an advisory capacity and does not form part of the quorum.

All CFCC Working Group members are expected to attend each meeting in person or via video conferencing. A meeting agenda will be forwarded to each member prior to the meeting.

Voting

Voting is generally not a requirement for Working Groups, however if a vote is required, the matter will be decided by majority of votes from members who are present at the meeting. In the event of a tied vote, the Chair holds the casting vote.

Review

A review of the CFCC Working Group will be conducted biannually. The review will be conducted by the Chief Executive Officer.

Retiring Members

In the event of a community member resigning from the CFCC Working Group, an EOI for a new community member will be advertised. In the event of a skills-based representative resignation, the Chief Executive Officer will arrange for a replacement representative.

4.2 2024/2025 CAPITAL WORKS PROGRAM - FEBRUARY 2025

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 20138

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

Council's 2024/2025 Capital Works Program marks a significant shift from previous years, reintroducing larger road and bridge construction projects post-pandemic. The program's budget has increased by \$6 million, with substantial state and federal funding, alongside smaller targeted works.

The focus for 2024/2025 remains on renewing and updating Council assets, leveraging in-house capabilities, and supporting local employment and contractors.

Key areas include:

- Enhanced roads reseal program.
- Urban drainage improvements
- Footpath network upgrades
- Major urban road gravel to seal program
- Stage two of Mt William Road Reconstruction
- Roads to Recovery funded projects (Webb Street & McCrows Road Bridge)

Budget Status:

As of 28 February 2025, 40% of the budget is expended.

Buangor Ben Nevis Road plans are complete, and commencement of stage two of Mt William Road are ready to commence, pending cultural heritage and flora and fauna reports.

With the Yarram Gap Road fires it is likely that our capital works budget will again be affected with emergency works being a priority in early 2025. Construction on Churchill Avenue is continuing with utilities and service provision being undertaken and footpath works ongoing.

	Budget	Committed/ Contracted	Expended	%	Notes
PROPERTY CAPITAL					
Property Capital	\$270,000		\$235,730	88%	Works have been completed for the resurfacing of the Pomonal Tennis Courts, replacement of windows at the Town Hall in the Arts & Crafts Room, painting of the Maroona Rec Reserve and new touch screen kiosks. Upgrade of the circulating pumps at the indoor pool was completed in January 2025.
Ararat Library Upgrade	\$200,000	\$82,875	\$117,957	59%	Works have been completed with final invoicing to be received.
Tatyoan Oval, Drainage, Irrigation & Resurfacing	\$83,500 Council \$250,000 CFNP		\$315,744	96%	Aqualines Irrigation Pty Ltd have completed the works with the new pump connections to the reservoir to be completed before commencement of the football season.
TOTAL PROPERTY		\$82,875	\$669,431	84%	
PLANT & EQUIPMENT					
Book stock - Library Book Replacement	\$40,000		\$41,261	103%	Fully expended for 2024/2025
TOTAL PLANT & EQUIPMENT			\$41,261	103%	
ROADS			-	-	
Gravel Road Sheeting, Widening & Alternative Sealing	\$1,800,000	-	\$1,496,040	83%	Resheeting, widening and alternative seal works have been completed on a number of roads including: Tatyoan North Road Mt William Road Webbs Road Rockies Hill Road Coopers Road Astons Road (Shoulders) Tunnel Road Tobacco Road Cherrytree Road Moyston Township
Reseal Program	\$1,000,000	-	\$892,546	89%	Reseal works are 89% complete for the current financial year, with line marking the only outstanding works.
Mt William Road (24/25 - HSVPP Funding)	\$6,250,000	-	\$2,329	-	These works will commence on receipt of final cultural heritage management plan. Final

					meetings with Traditional Owners are imminent. The EMAC CHMP has been received for works over Fieri Creek.
Buangor Ben Nevis Road	\$2,143,000	\$68,522	\$111,935	5%	Plans and technical reporting have been completed. Council is working with Australian Cultural Heritage Services to complete CHMP. Finalisation of the native vegetation offsets is underway.
Weighbridge Place, Lake Bolac		\$74,900	\$825		Asphalting works at Weighbridge Place have been completed with final invoicing to be received. The intersection with Mortlake Ararat Road was in poor condition and required the upgrade to withstand the heavy vehicle use in the industrial area.
Churchill Avenue, Ararat	\$800,000		\$75,447	9%	Works have commenced on site with footpath works and service/utility proofing. Works are to be completed by 30 June 2025 in line with LRCI funding.
Webb Street, Ararat	\$700,000	\$3,700	\$11,803	2%	Works will be undertaken in conjunction with works on Churchill Avenue.
Urban Road Gravel to Seal	\$700,00		\$975,006	139%	Works for this year's program have been completed at Bailey Lane Currajong Ave/McLellan Street ROW Dawson/High Streets Mulcahy Road Young Street. Multiple design works are being finished for the coming years programs which will be prioritised by a matrix to be presented to Council soon.
Major Patching	\$100,000	\$	\$68,858	69%	Priority works have been completed in November 24. Other works are currently being prioritised.
Bridges	\$80,000	\$10,727	\$95,287	119%	Investigations into the works required for the Buangor Ben Nevis Road Bridge 1 project are underway. These works include McCrows Road Bridge which will be undertaken with Roads to

					Recovery funding as approved in January 2025. Other bridge strengthening works are being investigated and estimated for upcoming programs.
Footpath Renewal Program	\$400,000		\$397,160	99%	Council's footpath program has been completed with Barkly/Queen Street Asphalt Path, and Maude Street finished in January 2025. Other costs within this budget include works on Tunnel Track, Pomonal which was a funded project.
Urban Drainage Works	\$750,000		\$368,195	49%	Drainage works are progressing with works currently completed at Ararat Cemetery and Thompson and Kneale Street and Queen Street Stormwater. Works on the main drain are being compiled for completion.
Kerb and Channel	\$239,000		\$159,494	67%	Works on the Walkerville and Wileman Street project in Willaura have been completed.
Miscellaneous			\$133,162		These works include finalisation of works at Gordon Street Reserve and small projects carried over from previous years.
TOTAL INFRASTRUCTURE	\$157,850	\$5,553,126		37%	
TOTAL CAPITAL WORKS	\$240,725	\$6,263,817		40%	

There are also projects that were funded in the 2023/2024 budget that have extended beyond the single financial year. The committed expenditure includes contracts entered for construction of various elements of the projects. The table below provides a summary of these projects:

	Budget	Previously Expended Funds	Committed/Contracted	Total Expended	%	Notes
Mt William Road	\$1,000,000	\$313,911		\$531,135	85%	Work commenced in late May 2024. The works have been set out, tree and stabilising works have been completed. There were significant soft spots found within the area and these have been remedied. Final works include class A stone and sealing works.
Buangor Recreation Reserve Kitchen Extension		\$53,849		\$303		The project has been out to the market and came in with a significant price difference between the cost plan and the

						<p>pricing received from the tenderers. Funding has been received as part of the Tiny Towns Funding Program which will help progress Stage 1 of this project. Council is currently undertaking quotation works with a local commercial builder to try to progress these works with alternative design options to provide better value to the community.</p>
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Key Considerations

Alignment to Council Plan Strategic Objectives

The key financial drivers align strongly with the thrust of the Council Plan 2021-2025, particularly the following:

- 4.1** Ensure that asset development and renewal during the planning period matches that identified in Council’s Asset Plan 2021-2031.
- 4.2** Work directly with asset users to manage and develop new and existing assets.
- 4.3** Deliver infrastructure outcomes that support economic growth, promote community wellbeing and safety and align with Council’s financial sustainability.
- 6.1** Deliver responsible budget outcomes, linked to strategy, that deliver value, innovation, and rating fairness.

RECOMMENDATION

That

- 1. *Council receive the Capital Works Program - February 2025 report.*

**MOVED CR SANDERS
SECONDED CR PRESTON**

That

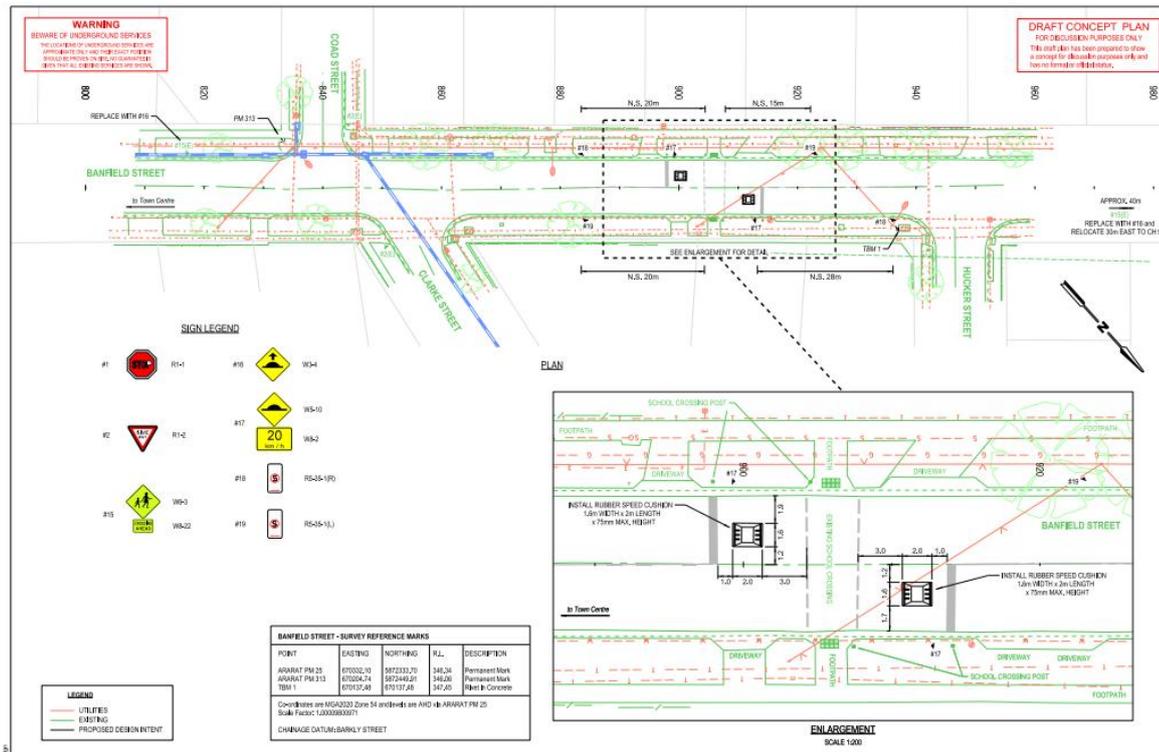
- 1. Council receive the Capital Works Program - February 2025 report.**

Cr Sanders and Cr Preston spoke for the motion

**CARRIED 7/0
5114/25**

ATTACHMENTS

There are no attachments relating to this item



Road Safety Program (School Safety Improvement) Campbell Street, Ararat (Ararat North Primary School)

Funding for the Campbell Street crossing that connects to Ararat North Primary School is in the second stage of evaluation, with the work being on an arterial road (owned by VicRoads) being a pre-requisite for this funding.

Transport Accident Commission - 2026-2030 Community Road Safety Strategy and Action Plan

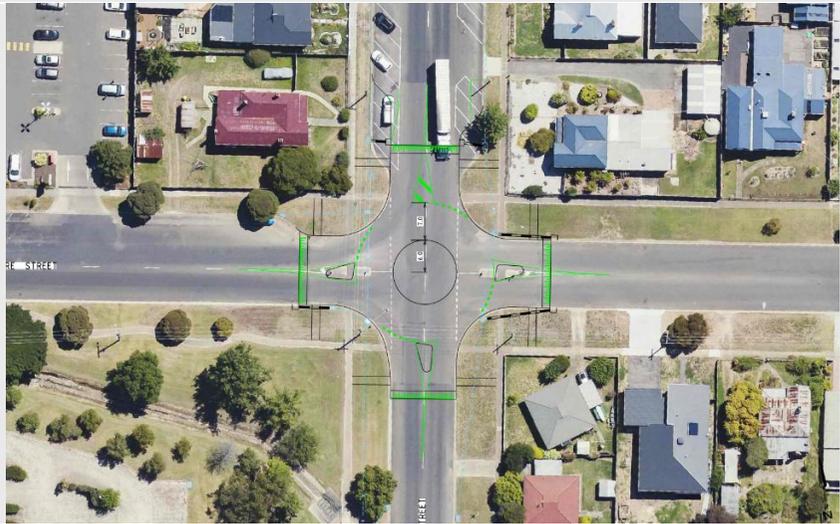
In late 2024, Council received approval for funding of a new Community Road Safety Strategy and Action Plan, this work is being undertaken by DWB Engineering in Geelong. Stakeholder engagement will make up an important part of this strategy and help direct council in making future infrastructure works decisions.

Active Transport Fund Program

Council received \$266,000 (1:3) as a part of the Active Transport Funding Program for the design and upgrade of approx. 9.85km of key bicycle routes as identified in the Ararat on the Move - Active Transport and Lifestyle Strategy. The project aims to connect local residents and visitors to key places of employment, schools, community organisations, public transport and the Ararat CBD.

Safe Local Roads and Streets Program

The Safe Local Roads and Streets Program (SLRSP) is a collaborative effort between Victoria's Department of Transport and Planning (DTP) and the Transport Accident Commission (TAC). The program aims to support Victorian Councils in planning and implementing safe system infrastructure improvements across their local networks. Under this program, each council can apply for an initial funding amount of \$2 million from a total pool of \$200 million. There is also the possibility of securing additional funding for high-value or innovative projects. Notably, there is no co-contribution requirement from the Council. Councils are encouraged to propose projects slightly exceeding the preliminary funding amount, as well-conceived projects are likely to receive approval. The program helps in project scoping and design, with pre-assigned consulting partners for each council. For Ararat Rural City Council, SMEC has been designated as the consulting partner. The costs for SMEC's consultation services are partially covered by the allocated \$2 million and partially funded through other TAC streams. There is a possible second round of this funding for projects that do not make the first cut through Road Safety Audits. Projects in the round one proposal for Ararat Rural City Council are:

	Status	Location	Description	Diagram
Project 1	Supported (In-principle)	Queen St/Moore St, Ararat	<ul style="list-style-type: none"> • Raised intersection with mountable roundabout • Addresses severe side impact crash risk (3 recorded in last 5 years) • Maintains truck accessibility • Potential for pedestrian priority crossings 	
Project 2	Supported	View Point St/High St, Ararat	<ul style="list-style-type: none"> • Re-align kerb and install splitter islands • Speed cushions on View Point • Removes see-through effect of intersection 	

<p>Project 3</p>	<p>Supported (in principle)</p>	<p>Vincent St/Alexandra Ave, Ararat</p>	<ul style="list-style-type: none"> • Raised Intersection • Pedestrian priority crossing between Alexandra Avenue & Gardens 	
<p>Project 4</p>	<p>Supported</p>	<p>Buangor-Ben Rd/Mount Rd/Warrak Warrak</p>	<ul style="list-style-type: none"> • Re-alignment of intersections in Warrak • Re-prioritisation of Buangor-Ben Nevis Road • 60km/h speed zone introduction in Warrak township (community request) 	

Project 5	Supported	Moore St & Princes St, Ararat	<ul style="list-style-type: none">• Wombat Crossings to provide pedestrian priority between schools and on Moore St	
Project 6	Supported (in principle)	Ingor St, Ararat	<ul style="list-style-type: none">• Wombat Crossing to provide pedestrian priority between post office and CBD	

Key Considerations

Alignment to Council Plan Strategic Objectives

4. **DEVELOPING AND MAINTAINING KEY ENABLING INFRASTRUCTURE**

We will ensure that we plan, fund and develop new infrastructure in ways that delivers strong public value. Existing infrastructure will be managed, renewed and maintained to ensure that it continues to serve identified public needs.

RECOMMENDATION

That

1. *Council receive the Road Safety Funding and Works Report*

MOVED CR PRESTON SECONDED CR JOYCE

That

1. **Council receive the Road Safety Funding and Works Report**

Cr Preston, Cr Joyce and Cr Sanders spoke for the motion

**CARRIED 7/0
5115/25**

ATTACHMENTS

There are no attachments relating to this item

4.4 COMMUNITY SUPPORT GRANTS - JANUARY 2025

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 20140

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

Council received 8 applications for the January 2025 round of Community Support Grants. An assessment panel comprising of two community members and the Chief Executive Officer assessed the applications and agreed to fund 6 of the applications, all to the full requested amount. The rejected applications were due to the following reasons:

1. Provided in kind Sponsorship instead for the use of Council Facilities
2. The organisation has received a grant in a recent round of Council's Community Grants

DISCUSSION

Community organisations are required to provide matching funding based on cash or in-kind contributions to support their project or event. Infrastructure projects are not included in the new funding guidelines.

Council received 8 applications for the January 2025 round of Community Support Grants. An assessment panel comprising of two community members and the Chief Executive Officer assessed the applications and agreed to fund 6 of the applications, all to the full requested amount.

The successful grants were as follows:

COMMUNITY ORGANISATION	PURPOSE	AMOUNT
Ararat & District Historical Society	School's Engagement Project - "Linking our Future and our Past"	\$2000.00
Ararat Railway Heritage Association	To purchase a display showcase for the museum to house donated memorabilia	\$2240.00
Ararat Rifle Club	Installation of Stage 2 of Target Marking System	\$5000.00
Elmhurst Fire Brigade	To purchase Expandable temporary safety barriers for members to undertake training on the service road	\$540.00
Pomonal Primary School	2025 Pomonal Art Show	\$3000.00
Ace Panel Worx	Western Highway Shootout Show & Shine free Community Event to provide relief to the community post the regions bushfires	\$5000.00
TOTAL		\$17,780.00

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

Budget implications

The grants were all made within existing budgetary allocations

Policy / Relevant Law

Community & Event Support Guidelines

Sustainability Implications

There are no economic, social or environmental implications in relation to the item

Risk Assessment

Risks have been assessed and understood by the grants committee. No unmanaged risks identified at this time.

Stakeholder Collaboration and Community Engagement

The outcome of each grant was made in conjunction between the two external panel members and the Chief Executive Officer.

RECOMMENDATION

That

1. *Council receive the Community Support Grants - January 2025 Report*

MOVED CR JOYCE

SECONDED CR R ARMSTRONG

That

1. **Council receive the Community Support Grants - January 2025 Report**

Cr Preston declared a Conflict of Interest in relation to Item 4.4

Cr Preston left the chamber at 6:37pm and returned at 6:39pm

Cr Joyce and Cr R Armstrong spoke for the motion

**CARRIED 6/0
5116/25**

ATTACHMENTS

There are no attachments relating to this item

SECTION 5 - INFORMAL MEETINGS

5.1 COUNCIL BRIEFINGS

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 11 March 2025
Council Briefing held on 18 March 2025

Matters discussed at the briefing:

- New budget initiatives
- Active Transport and Road Safety
- Orchid Glasshouse
- Economic Development Update
- Child Friendly Cities Progress Report
- Advocacy Projects
- Prestige Site Update
- Grants update
- Customer Request Management System Update
- Library Façade Upgrade
- Compliance Policy and Plan
- Revenue and Rating Strategy
- Community Support Grants - January 2025
- Capital Works - February 2025
- Building Approvals
- Planning approvals under delegation

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

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.

- 6.3 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

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

MOVED CR PRESTON

SECONDED CR R ARMSTRONG

That

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

AMENDMENT - That the meeting record for the Councillor Briefing held on the 18th March 2025 be amended to reflect that Cr R Armstrong was an apology

No Councillors spoke for or against the motion

CARRIED 7/0

5117/25

ATTACHMENTS

The Summary of Council Briefings are provided as Attachment 5.1.

Councillor Briefing



Date: Tuesday 11 March 2025

Commencement: 5.00 pm

Location: Council Chamber, Shire Offices

Councillors: Cr Jo Armstrong
Cr Rob Armstrong
Cr Peter Joyce
Cr Teli Kaur
Cr Luke Preston
Cr Bob Sanders
Cr Bill Waterston

Officers: CEO, Dr Tim Harrison

Apologies

Disclosure of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed (**Local Government Act 2020 - Section 131 and Chapter 5, Section 6 of the Governance Rules**).

Matters Considered

1	Mayor's roundup
2	New Budget Initiatives
3	Active Transport and Road Safety
4	Orchid Glasshouse
5	Economic Development update
6	Child Friendly Cities Progress Report
7	Advocacy Projects
8	Prestige Site update
9	Grants update
10	Customer Request Management System Update
11	Library Façade Upgrade
12	Compliance Policy and Plan
13	Revenue and Rating Strategy
14	Community Support Grants – January 2025
15	Capital Works – February 2025
16	Building approvals
17	Planning approvals under delegation

Dr Tim Harrison

Councillor Briefing



Date: Tuesday 18 March 2025

Commencement: 5.00 pm

Location: Council Chamber, Shire Offices

Councillors:	Cr Jo Armstrong Cr Peter Joyce Cr Teli Kaur Cr Luke Preston Cr Bob Sanders Cr Bill Waterston
Officers:	CEO, Dr Tim Harrison Governance & Risk Lead, Chandra Willmott Strategic Project Lead, Phuong Au Major Projects Lead, Rebecca Rodger
Apologies	Cr Rob Armstrong

Disclosure of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed (**Local Government Act 2020 - Section 131 and Chapter 5, Section 6 of the Governance Rules**).

Matters Considered

- 1 Ararat Rural City Council Draft Budget 2025/2026

Dr Tim Harrison

6.1 AUDIT & RISK COMMITTEE MINUTES

AUTHOR'S TITLE: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 20141

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

This report contains the minutes of the Audit and Risk Committee meeting held on the 4 March 2025.

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 4 March 2025.

Council Committees	Councillor representative	Current meeting (as presented)	Next scheduled meeting/s
Audit and Risk Committee	Cr Jo Armstrong	04 March 2025	03 June 2025
Audit and Risk Committee	Cr Bob Sanders	04 March 2025	03 June 2025

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

- 1. the Minutes from the March 2025 Audit and Risk Committee meeting be received*

**MOVED CR SANDERS
SECONDED CR WATERSTON**

That

- 1. the Minutes from the March 2025 Audit and Risk Committee meeting be received**

Cr Sanders spoke for the motion

**CARRIED 7/0
5118/25**

ATTACHMENTS

The Audit and Risk Committee Minutes are provided as Attachment 6.1



MINUTES

Audit and Risk Committee

Tuesday 4 March 2024

Location: CEO's Office,
59 Vincent St, Ararat

Commencing at 1:00 pm

Audit and Risk Committee:

Cr Jo Armstrong (Mayor)
Cr Bob Sanders
Ms Jessica Adler
Mr Greg Jakob
Ms Zoe Allen

In attendance:

Dr Tim Harrison
Mr Bradley Ead
Mr Ryan Schischka
Ms Karissa Hogan
Mrs Chandra Willmott

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AUDIT AND RISK COMMITTEE MINUTES
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SECTION 1 – PROCEDURAL MATTERS

1.1 APOLOGIES
Dr Tim Harrison was an apology

1.2 DECLARATION OF DISCLOSURE OF INTERESTS
No disclosure of Interests

1.3 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Internal Audit and Risk Committee Meeting held on 03 September 2024 be received.

MOVED Jessica Adler
SECONDED Greg Jakob

That the Minutes of the Internal Audit and Risk Committee Meeting held on 03 September 2024 be received.

CARRIED

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SECTION 2- CEO UPDATE

2.1 CEO UPDATE – **CONFIDENTIAL**

The CEOs report will be circulated prior to the meeting

RECOMMENDATION

That the CEO's report be received.

RECEIVED

ATTACHMENTS

CEO Confidential Report provided as Attachment 2.1

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SECTION 3- FINANCE AND PERFORMANCE REPORTING

3.1 QUARTERLY PERFORMANCE REPORT – ENDING 30 SEPT 2024

Aligns with Audit and Risk Committee Charter 5.6: Review the appropriateness of the format and content of periodic management financial reports and performance statements.

EXECUTIVE SUMMARY

The financial statements and performance indicators have been prepared for the period ended 30 September 2024.

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 \$26.097 million in revenue and \$9.198 million in expenses to 30 September 2024. This has resulted in an operating surplus of \$16.899 million for the three months ended 30 September 2024.

Income

Rates and charges account for 50% of the total budgeted income for 2024/25. Rates and charges are recognised when the rates have been raised, not when the income has been received. An amount of \$17.482 million has been recognised as income for the three months ended 30 September 2024.

User fees account for 4% of the total budgeted income for 2024/25 and \$0.539 million has been received to 30 September 2024. The majority of this relates to transfer station fees, fitness centre income and commercial waste management charges.

Recurrent Operating Grants total \$7.425 million to 30 September 2024, including \$4.221 million from the Victorian Local Government Grants Commission for general purpose grants and \$2.736 million for the local road's grants.

Non-recurrent Operating Grants total \$0.024 million to 30 September 2024. 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.

	Budget 2024/25 \$'000	Income 2024/25 \$'000	Unearned Income \$'000
Non-Recurrent Operating Grants			
Ararat Housing Transition	-	-	300

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Digital Twin Victoria	-	-	954
Free Public Wi-Fi Services	-	-	1,196
Supported Playgroups	65	16	-
Ararat Rural City Sport, Active Recreation & Open Space Strategy	-	-	36
Tiny Towns Fund - Pomonal Community Hub	-	-	200
Tiny Towns Fund - Buangor Recreation Reserve Pavillion Redevelopment	-	-	25
Other Minor Grants (under \$30,000)	-	8	-
	65	24	2,711

Non-recurrent Capital Grants have not been received in the three months to 30 September 2024, 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 2024/25 \$'000	Income 2024/25 \$'000	Unearned Income \$'000
Non-Recurrent Capital Grants			
Mt William Road reconstruction	5,000	-	-
Buangor-Ben Nevis Road reconstruction	843	-	-
Pedestrian Infrastructure Program	-	-	70
Tatyoon Oval Upgrade Grant	-	-	225
	5,843	-	295

Note

It is important to note the following:

1. Unearned revenue received in prior years has been adjusted between the Original Budget and Current Budget with an additional \$2.936 million for Grants Operating (non-recurrent), \$0.366 million for Grants Capital (recurrent) and \$0.070 million for Grants Capital (non-recurrent) included in the Current Budget on the assumption that each of the grant projects will be completed during the 2024/25 financial year.
2. These changes in the budget, plus the note reported under expenses, create a change in the reported surplus position from a projected surplus of \$8.163 million to a surplus of \$9.205 million for 2024/25. The year-end variance is a deficit of \$0.612 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 2024/25. For the three months ended 30 September 2024 Council has incurred \$2.778 million in employee costs.

Materials and Services account for approximately 29% of the total budgeted expenditure for 2024/25. For the three months ended 30 September 2024, Council has incurred \$3.815 million in materials and services costs. There are a number of projects, including those carried forward from 2023/24 that are expected to be completed before the end of the financial year.

Note

It is important to note the following:

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There has been an increase in expenditure on materials and services from \$8.259 million in the Original Budget to \$10.589 million in the Current Budget for 2024/25. This has resulted from a carry forward amount of \$2.330 million from the 2023/24 financial year surplus and unspent grant funds which will be used for additional activity in 2024/25.

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 2024. Comparative figures have been provided as at 30 June 2024.

Council's current assets have increased by \$16.455 million from \$11.732 million as at 30 June 2024 to \$28.187 million as at 30 September 2024. Cash and cash equivalents have increased by \$5.377 million from \$3.049 million to \$8.426 million. Trade and other receivables have increased by \$14.468 million from \$5.212 million as at 30 June 2024 to \$19.680 million as at 30 September 2024.

Total liabilities have decreased from \$8.777 million in 2023/24 to \$8.730 million in 2024/25. Trade and other payables have increased by \$0.256 million and trust funds and deposits have increased by \$0.170 million. Unearned income/revenue decreased by \$0.366 million, which 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 \$3.049 million have increased by \$5.377 million to \$8.426 million as at 30 September 2024.

Net cash of \$5.213 million was provided by operating activities, \$0.291 million was provided by investing activities, and \$0.127 million was used in financing activities.

Investing activities includes payments for property, plant and equipment, and infrastructure.

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	30/6/2024	30/9/2024
Working capital	162%	392%
<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		

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Indicator	30/6/2024	30/9/2024
<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>	1.71%	1.53%
<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>	7.49%	8.48%
<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>	73.82%	66.99%
<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>	\$4,592	\$1,238
<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>	\$1,993	\$2,001
<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 September 2024 the outstanding Rates Debtors totalled \$16.480 million compared to \$2.320 million as at 30 June 2024, an increase of \$14.160 million. In percentage terms 18.1% of the rates raised have been collected at 30 September 2024 compared to 14.9% up to 30 September 2023. Outstanding rates are currently charged 10% interest. Council issues approximately 7,900 rate notices. In 2024/25 there are 2,158 assessments paying by instalments compared with 2,640 assessments in 2023/24.</p>	88.1%	18.1%

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Indicator	30/6/2024	30/9/2024
Indicator – Asset Renewal & Upgrade	124.63%	108.83%
Measure - Asset renewal & Upgrade compared to depreciation		
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.		

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
- 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. 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.

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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 2024 be received.

Committee held off on recommendation until they receive all financial reports at the end of item 3.3

ATTACHMENTS

Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators for the period ended 30 September 2024 are provided as Attachment 3.1

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3.2 QUARTERLY PERFORMANCE REPORT – ENDING 31 DEC 2024

Aligns with Audit and Risk Committee Charter 5.6: Review the appropriateness of the format and content of periodic management financial reports and performance statements.

INTRODUCTION

The financial statements and performance indicators have been prepared for the period ended 31 December 2024.

Based on the information provided by responsible officers and managers Council's overall financial performance is in line with budget. It has been determined that a revised budget is not required at this stage.

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 \$27.841 million in revenue and \$17.647 million in expenses to 31 December 2024. This has resulted in an operating surplus of \$10.194 million for the six months ended 31 December 2024.

Income

Rates and charges account for 50% of the total budgeted income for 2024/25. Rates and charges are recognised when the rates have been raised, not when the income has been received. An amount of \$17.670 million has been recognised as income for the six months ended 31 December 2024.

User fees account for 4% of the total budgeted income for 2024/25 and \$0.963 million has been received to 31 December 2024. The majority of this relates to transfer station fees, fitness centre income and commercial waste management charges.

Recurrent Operating Grants total \$7.936 million to 31 December 2024, including \$4.402 million from the Victorian Local Government Grants Commission for general purpose grants and \$2.856 million for the local roads grants.

Non-recurrent Operating Grants total \$0.246 million to 31 December 2024. 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 2024/25 \$'000	Income 2024/25 \$'000	Unearned Income \$'000
Ararat Housing Transition	-	-	300
Digital Twin Victoria	-	-	954
Free Public WiFi Services	-	-	1,196
Supported Playgroups	65	16	-

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Ararat Rural City Sport, Active Recreation & Open Space Strategy	-	-	36
Tiny Towns Fund - Pomonal Community Hub	-	-	200
Tiny Towns Fund - Buangor Recreation Reserve Pavillion Redevelopment	-	-	25
Natural Disaster Relief	-	98	-
Other Minor Grants (under \$30,000)	-	67	-
	65	246	2711

Non-recurrent Capital Grants have not been received in the six months to 31 December 2024, 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 2024/25 \$'000	Income 2024/25 \$'000	Unearned Income \$'000
Mt William Road reconstruction	5,000	-	-
Buangor-Ben Nevis Road reconstruction	843	-	-
Pedestrian Infrastructure Program	-	-	70
Tatyoan Oval Upgrade Grant	-	225	-
	5,843	225	70

Note

It is important to note the following:

1. Unearned revenue received in prior years has been adjusted between the Original Budget and Current Budget with an additional \$2.936 million for Grants Operating (non-recurrent), \$0.366 million for Grants Capital (recurrent) and \$0.070 million for Grants Capital (non-recurrent) included in the Current Budget on the assumption that each of the grant projects will be completed during the 2024/25 financial year.
2. These changes in the budget, plus the note reported under expenses, create a change in the reported surplus position from a projected surplus of \$8.163 million to a surplus of \$9.205 million for 2024/25. The year-end variance is a deficit of \$1.320 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 2024/25. For the six months ended 31 December 2024 Council has incurred \$6.071 million in employee costs, which includes additional wages of \$0.090 million for emergency management relief and recovery. Workcover premiums have increased by \$0.104 million compared to 2023/24.

Materials and Services account for approximately 29% of the total budgeted expenditure for 2024/25. For the six months ended 31 December 2024, Council has incurred \$6.371 million in materials and services costs. There are a number of projects, including those carried forward from 2023/24 that are expected to be completed before the end of the financial year.

Depreciation totals \$4.873 million to 31 December 2024. The higher than budgeted depreciation has resulted from increased asset valuations being received as at 30 June 2024 after the budget was finalised.

Note

It is important to note the following:

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There has been an increase in expenditure on materials and services from \$8.259 million in the Original Budget to \$10.589 million in the Current Budget for 2024/25. This has resulted from a carry forward amount of \$2.330 million from the 2023/24 financial year surplus and unspent grant funds which will be used for additional activity in 2024/25.

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 31 December 2024. Comparative figures have been provided as at 30 June 2024.

Council's current assets have increased by \$8.145 million from \$11.732 million as at 30 June 2024 to \$19.877 million as at 31 December 2024. Cash and cash equivalents have increased by \$0.629 million from \$3.049 million to \$3.678 million. Trade and other receivables have increased by \$10.895 million from \$5.212 million as at 30 June 2024 to \$16.107 million as at 31 December 2024.

Total liabilities have decreased from \$8.777 million in 2023/24 to \$7.226 million in 2024/25. Trade and other payables have decreased by \$0.525 million and trust funds and deposits have decreased by \$0.215 million. Unearned income/revenue decreased by \$0.591 million, which 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 \$3.049 million have increased by \$0.629 million to \$3.678 million as at 31 December 2024.

Net cash of \$3.209 million was provided by operating activities, \$2.326 million was used in investing activities, and \$0.253 million was used in financing activities.

Investing activities includes payments for property, plant and equipment, and infrastructure.

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	30/6/2024	30/9/2024	31/12/2024
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	162%	392%	350%
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%	1.71%	1.53%	1.30%

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Indicator	30/6/2024	30/9/2024	31/12/2024
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			
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	7.49%	8.48%	8.14%
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	73.82%	66.99%	64.04%
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	\$4,592	\$1,238	\$2,374
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	\$1,993	\$2,001	\$2,001
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 31 December 2024 the outstanding Rates Debtors totalled \$13.704 million compared to \$2.320 million as at 30 June 2024, an increase of \$11.384 million. In percentage terms 31.9% of the rates raised have been collected at 31 December 2024 compared to 31.5% up to 31 December 2023. Outstanding rates are currently charged 10% interest.	88.1%	18.1%	31.9%

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Indicator	30/6/2024	30/9/2024	31/12/2024
Council issues approximately 7,900 rate notices. In 2024/25 there are 2,158 assessments paying by instalments compared with 2,640 assessments in 2023/24.			
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.	124.63%	108.83%	108.50%

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”.

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. Council’s cash position was expected to reduce in the first quarter to pay for the outstanding accounts at year end. Lump sum payment of rates are due on 15 February 2025.

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

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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 Improvements

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 will now be published monthly.

RECOMMENDATION

That the Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators for the period ended 31 December 2024 be received.

Committee held off on recommendation until they receive all financial reports at the end of item 3.3

Attachments

Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators for the period ended 31 December 2024 are provided as Attachment 3.2

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3.3 QUARTERLY PERFORMANCE REPORT – ENDING 31 JAN 2025

Aligns with Audit and Risk Committee Charter 5.6: Review the appropriateness of the format and content of periodic management financial reports and performance statements.

INTRODUCTION

The financial statements and performance indicators have been prepared for the period ended 31 January 2025.

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 \$28.193 million in revenue and \$19.879 million in expenses to 31 January 2025. This has resulted in an operating surplus of \$8.314 million for the seven months ended 31 January 2025.

Income

Rates and charges account for 50% of the total budgeted income for 2024/25. Rates and charges are recognised when the rates have been raised, not when the income has been received. An amount of \$17.847 million has been recognised as income for the seven months ended 31 January 2025.

User fees account for 4% of the total budgeted income for 2024/25 and \$1.049 million has been received to 31 January 2025. The majority of this relates to transfer station fees, fitness centre income and commercial waste management charges.

Recurrent Operating Grants total \$7.967 million to 31 January 2025, including \$4.402 million from the Victorian Local Government Grants Commission for general purpose grants and \$2.856 million for the local roads grants.

Non-recurrent Operating Grants total \$0.282 million to 31 January 2025. 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 2024/25 \$'000	Income 2024/25 \$'000	Unearned Income \$'000
Ararat Housing Transition	-	-	300
Digital Twin Victoria	-	-	954
Free Public WiFi Services	-	47	1,196
Supported Playgroups	65	40	-

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Ararat Rural City Sport, Active Recreation & Open Space Strategy	-	-	36
Tiny Towns Fund - Pomonal Community Hub	-	-	200
Tiny Towns Fund - Buangor Recreation Reserve Pavillion Redevelopment	-	-	25
Natural Disaster Relief	-	128	-
Other Minor Grants (under \$30,000)	-	67	-
	65	282	2711

Non-recurrent Capital Grants total \$0.212 million to 31 January 2025, 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 2024/25 \$'000	Income 2024/25 \$'000	Unearned Income \$'000
Mt William Road reconstruction	5,000	-	-
Buangor-Ben Nevis Road reconstruction	843	-	-
Pedestrian Infrastructure Program	-	-	70
Tatyoan Oval Upgrade Grant	-	212	13
	5,843	212	83

Note

It is important to note the following:

1. Unearned revenue received in prior years has been adjusted between the Original Budget and Current Budget with an additional \$2.936 million for Grants Operating (non-recurrent), \$0.366 million for Grants Capital (recurrent) and \$0.070 million for Grants Capital (non-recurrent) included in the Current Budget on the assumption that each of the grant projects will be completed during the 2024/25 financial year.
2. These changes in the budget, plus the note reported under expenses, create a change in the reported surplus position from a projected surplus of \$8.163 million to a surplus of \$9.205 million for 2024/25. The year-end variance is a deficit of \$1.322 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 2024/25. For the seven months ended 31 January 2025 Council has incurred \$7.116 million in employee costs, which includes additional wages for emergency management relief and recovery and organisation restructure costs. Workcover premiums have increased by \$0.104 million compared to 2023/24.

Materials and Services account for approximately 29% of the total budgeted expenditure for 2024/25. For the seven months ended 31 January 2025, Council has incurred \$6.691 million in materials and services costs. There are a number of projects, including those carried forward from 2023/24 that are expected to be completed before the end of the financial year.

Depreciation totals \$5.683 million to 31 January 2025. The higher than budgeted depreciation has resulted from increased asset valuations being received as at 30 June 2024 after the budget was finalised.

Note

It is important to note the following:

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There has been an increase in expenditure on materials and services from \$8.259 million in the Original Budget to \$10.589 million in the Current Budget for 2024/25. This has resulted from a carry forward amount of \$2.330 million from the 2023/24 financial year surplus and unspent grant funds which will be used for additional activity in 2024/25.

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 31 January 2025. Comparative figures have been provided as at 30 June 2024.

Council's current assets have increased by \$6.821 million from \$11.732 million as at 30 June 2024 to \$18.553 million as at 31 January 2025. Cash and cash equivalents have increased by \$0.653 million from \$3.049 million to \$3.702 million. Trade and other receivables have increased by \$9.540 million from \$5.212 million as at 30 June 2024 to \$14.752 million as at 31 January 2025.

Total liabilities have decreased from \$8.777 million in 2023/24 to \$7.145 million in 2024/25. Trade and other payables have decreased by \$0.810 million and trust funds and deposits have decreased by \$0.029 million. Unearned income/revenue decreased by \$0.537 million, which 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 \$3.049 million have increased by \$0.653 million to \$3.702 million as at 31 January 2025.

Net cash of \$3.463 million was provided by operating activities, \$2.486 million was used in investing activities, and \$0.324 million was used in financing activities.

Investing activities includes payments for property, plant and equipment, and infrastructure.

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	30/6/2024	31/01/2025
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	162%	333%
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%	1.71%	1.08%

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Indicator	30/6/2024	31/01/2025
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>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%</p> <p>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>	7.49%	8.17%
<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%</p> <p>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>	73.82%	63.84%
<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</p> <p>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>	\$4,592	\$2,669
<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</p> <p>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>	\$1,993	\$1,999
<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 31 January 2025 the outstanding Rates Debtors totalled \$12.692 million compared to \$2.320 million as at 30 June 2024, an increase of \$10.372 million. In percentage terms 37.0% of the rates raised have been collected at 31 January 2025 compared to 31.9% up to 31 December 2024. Outstanding rates are currently charged 10% interest. Council issues approximately 7,900 rate notices. In 2024/25 there are 2,158 assessments paying by instalments compared with 2,640 assessments in 2023/24.</p>	88.1%	37.0%
<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%</p>	124.63%	95.86%

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Indicator	30/6/2024	31/01/2025
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.		

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

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. Council's cash position was expected to reduce in the first quarter to pay for the outstanding accounts at year end. Lump sum payment of rates are due on 15 February 2025.

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 Improvements

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 will now be published monthly.

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RECOMMENDATION

That the Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators for the period ended 31 January 2025 be received and which includes the recommendations from item 3.1 and 3.2

RECEIVED

Attachments

Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators for the period ended 31 January 2025 are provided as Attachment 3.3

ACTIONS:

Include an additional column on the Balance Sheet in future monthly reports with the comparative year-to-date figures from the previous financial year
Provide further breakdown of the profit and loss figures to show separate details of carry forward transfers, grant funded projects and operations

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SECTION 4 – INTERNAL CONTROLS

4.1 COUNCIL POLICY REVIEW UPDATE

Aligns with Audit and Risk Committee Charter 5.7: Review the adequacy and effectiveness of key policies, systems and controls for providing a sound internal control environment.

BACKGROUND

Council has committed to reviewing policies on an ongoing and procedure review process. This report outlines two Administrative and Council Policies which are currently being reviewed.

DISCUSSION

Council has committed to reviewing policies through review process to ensure that all Council policies meet legislative requirements and established internal processes.

All Council policies are accessible to Councillors, Audit and Risk Committee and staff through Microsoft Teams, hard copies in tearooms at the Depot and Municipal Offices and on Council website.

The below table outlines all policies that will be presented to the Audit and Risk Committees as they come up for review.

Council Policy	Due	Audit and Risk Committee
Asset Management Policy	Jan-15	Sep-24
Audit and Risk Committee Charter	Apr-24	Apr-24
Community Engagement Policy	Feb-25	Mar-25
Complaints Handling Policy	Mar-25	Mar-25
Compliance Framework and Policy	New	Dec-24
Council Expenses and Support Policy	Jul-22	Jun-24
Councillor Code of Conduct	Dec-24	Dec-24
Councillor Gifts Policy	Feb-25	Mar-25
Election Period 2020 Policy	Apr-24	Apr-24
Fraud and Corruption Policy	Apr-24	Apr-24
International and Interstate Travel Policy	Mar-24	Jun-24
Investment Policy	Feb-25	Mar-25
Prevention of Sexual Harassment Policy	Sep-24	Sep-24
Privacy Policy (<i>prev Privacy & Data Protection & Health Records Policy</i>)	Jan-25	Dec-24
Procurement Policy	Jun-24	Sep-24
Public Transparency Policy	Jul-24	Jun-24
Risk Management Policy	Apr-24	Apr-24
Social Media Policy	Mar-24	Sep-24
Valuation Policy - Major Asset Classes	May-26	Mar-26
Administration Policy		

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Conflict of Interest Policy	Aug-24	Sep-24
Corporate Purchase Card Policy	Nov-23	Sep-24
Disposal and Sale of Items at Transfer Station Policy	Mar-26	Mar-26
Disposal and sale of minor assets policy	Sep-25	Sep-25
Equal Employment Opportunity Policy	Mar-26	Mar-26
Equity, Diversity and Inclusion Policy	Dec-24	Dec-24
Essential Safety Measures Policy	Mar-24	Sep-24
Health and Wellbeing Policy	Mar-24	Sep-24
Injury Management Policy	Sep-25	Sep-25
Municipal Emergency Policy	May-25	Mar-25
Occupational Health and Safety Policy	Nov-22	Sep-24
OHS Workplace Emergency Evacuation Policy	Nov-25	Dec-25
Prevention of Sexual Harassment in the Workplace	Aug-24	Sep-24
Public Interest Disclosures Procedure	Jan-24	Jun-24
Risk Management Framework	Apr-24	Apr-24
Staff Code of Conduct	Aug-25	Sep-25
Staff Gift Policy	Sep-25	Sep-25
Staff Grievances Policy	Mar-23	Sep-24
Vehicle Policy	Sep-22	Sep-24
Workplace Anti Discrimination & Harassment Policy	Feb-23	Sep-24

There are five policies / frameworks being presented for review at this meeting which are:

- Corporate credit card policy
- Equity, diversity and inclusion policy
- Councillor Code of Conduct
- Governance Rules
- Social Media Policy

The table below provides a list of the reviewed policies noting the main changes and a copy of the policies with track changes are attached.

Administrative / Council	Policy Title	Last review and adopted	Current Review Date ready for Adoption	Next Review
Administrative	Corporate credit card	31 January 2023	November 2024	October 2027
Administrative	Equity, diversity and inclusion	December 2020	December 2024	December 2028
Council	Councillor Code of Conduct	15 December 2020	28 th January 2024	January 2028
Council	Governance Rules	25 October 2022	25 March 2025	January 2027
Council	Social Media Policy	16 March 2021	25 February 2025	February 2028

The review of the corporate credit card policy is timely as Council are changing of service providers from ANZ to Commonwealth bank. The policy outlines the responsibility of the card holders, compliance responsibilities, and as the

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distribution of new corporate credit cards occurs, each card holder will complete the corporate purchase card application and acknowledgement.

In relation to the Equity, diversity and inclusion policy ,the differences between the original and this policy is that the reviewed policy is more structures, incorporating detailed responsibilities, monitoring protocols, and a clear set of commitments on respectful behaviour and workplace safety, while the original policy is broader, focusing on a general cultural respect, inclusion, and diversity without extensive procedural details.

In October 2024, the Department of Government Services updated the Model Councillor Code of Conduct. A review of the model against the current Councillor Code of Conduct has occurred with on minor administrative changes being made. Councillors will undertake the review at the Council briefing prior to adoption at the January 2025 Council Meeting.

In accordance with Section 60 of the Local Government Act 2020, Council is required to adopt and keep in force Governance Rules. The last Governance Rules were adopted on 27 September 2022 and these rules have been changed mainly for a better flow and use more concise language. If in future, Model Rules for Governance are developed we will then implement them.

The Social Media Policy was last adopted on the 16 march 2021. A review of this policy has been conducted with the Media Team. The changes made to this policy are on page 2 to include some additional wording on some new platforms, and on page 8 with some additional wording with 2.4.23 Be responsive. Other than that there is some minor administrative and editorial corrections.

RECOMMENDATION

That the Council Policy Review Update be noted.

NOTED

ATTACHMENTS

- Draft review of Corporate Credit Card Policy is attached as Attachment 4.1.1
- Draft review of Equity, diversity and inclusion policy is attached as Attachment 4.1.2
- Draft review of Councillor Code of Conduct is attached as Attachment 4.1.3
- Draft review of Social Media Policy is attached as Attachment 4.1.4
- Draft review of Governance Rules is attached as Attachment 4.1.5

ACTION:

- To update the list of when each policy is being tabled at the Audit and Risk Committee and to review if the Asset Management Policy is required moving forward
- The Corporate Credit Card Policy to be distributed to members once the updates discussed are embedded.

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SECTION 5- RISK MANAGEMENT

5.1 STRATEGIC RISK REGISTER REVIEW AND RISK REGISTER PROGRAM UPDATE

Aligns with Audit and Risk Committee Charter 5.14: Review Council’s risk profile and the changes occurring in the profile from meeting to meeting.

BACKGROUND

Council’s Strategic Risk Register is reviewed by the Chief Executive Officer on a regular basis and is presented to the Audit and Risk Committee.

DISCUSSION

The Chief Executive Officer ensures that strategic risks are identified and assessed, treatment options are prioritized and implemented, actions are assigned, and performance is monitored and reviewed.

A review plan of the Strategic Risk Register was presented to the Audit and Risk Committee on the 2 April 2024. The suggested program has been revised as suggested at the previous ARC to focus on the higher risk areas first. Since then, the following strategic risks have been reviewed and updated: Governance, Legislative compliance and business continuity. The below table outlines the review periods for each of the strategic risks:

February 2024	Fraud and Corruption; Cyber Attack	July 2024	Legislative Compliance
March 2024	Asset Management	August 2024	Business Continuity
April 2024	Business Continuity	September 2024	Procurement; and Emergency Management
May 2024	Financial Sustainability	October 2024	Waste Management; and Occupational Health and Safety
June 2024	IT Infrastructure	November 2024	Strategic Leadership and Advocacy
July 2024	Governance	December 2024	Climate Change; and Records Management

The Risk Program is now operational. The Governance and Risk Lead will work with Service owners to review the operational risks and set ongoing review dates. The below table outlines the timeframe for each of these reviews to take place over the next 6 months and training for key service providers in using the system.

Month	Service Area
June	Local Laws, Municipal Building Services, Planning, Environmental Health, Environmental Management and Sustainability
July	Risk Management, Governance, Emergency Management, Insurance Management
August	Design and Project Management, Information Technology, Asset Management, Records Management, Graphic Information Systems,
September	Maternal & Child Health, Occupational Health and Safety, Library Service, Events, Human Resource, Customer Services
October	Art Gallery / TAMA, Sport and recreation, Tourism, Town Hall, Media and Communications, Economic Development

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November	Depot, Waste management, Contracts and Procurement, Finance, Property Rates and Valuation,
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RECOMMENDATION

That the Strategic Risk Review and Update Report be received.

RECEIVED

ATTACHMENTS

The Strategic Risk Register is provided as Attachment 5.1

ACTION:

Strategic Risks schedule to be updated to reflect the new year.
Plan training sessions to help engage Leads of the responsibilities of risk management at all levels

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SECTION 6- FRAUD PREVENTION

6.1 REVIEW COUNCIL'S FRAUD PREVENTION POLICY AND CONTROLS

Aligns with Audit and Risk Committee Charter 5.18 Review Council's Fraud Prevention policies and controls, including the Fraud Control Plan and fraud awareness programs.

BACKGROUND

Council policies are reviewed on an ongoing and procedure review process.

The Audit and Risk Charter states that the committee will review the Fraud and Corruption Policy annually.

DISCUSSION

An internal audit was completed in 2024 in relation to Fraud and Corruption and the findings will be discussed in agenda item 7.4.

These findings have identified some gaps in the Fraud and Corruption Policy and Plan which could compromise the effectiveness of the fraud and corruption risk framework and key areas were identified to strengthen the Policy

These changes will be incorporated into the Policy and Plan and presented at the next Audit and Risk Committee

Council also uses an eLearning package that includes Fraud and Corruption which is rolled out every 2 years and is a generic product for Local Government which is not customized to the ARCC specific fraud and corruption policies and procedures.

Council is committed to adapting this eLearning to provide a more tailored approach to the ARCC policy and plan and this will become an onboarding training tool as well as a becoming a yearly review for all employees.

RECOMMENDATION

That the Fraud and Corruption Policy and Plan as well as the updated training be presented at the June Audit and Risk Committee meeting

NOTED

ATTACHMENTS

There are no attachments

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SECTION 7- INTERNAL AUDIT

7.1 REVIEW AND APPROVED THE STRATEGIC INTERNAL AUDIT PLAN, THE ANNUAL INTERNAL AUDIT PLAN

Aligns with Audit and Risk Committee Charter 5.21 Quarterly review and approve proposed scopes in the annual internal audit plan. 5.23 Review progress on delivery of annual internal audit plan and 5.24 Review and approve proposed scopes for each review in the annual internal audit plan.

BACKGROUND

AFS & Associates (AFS) are Council's Internal Auditors. This report outlines the audit program that AFS has undertaken over the past three years.

DISCUSSION

AFS & Associates have provided the Internal Audit Program Status Update.

At the request of management, The Risk Assessment and preparation of a new five-year Strategic Internal Audit Program has been deferred from November 2024 to January 2025 due to the Council elections occurring in late October 2024

AFS has now completed the Risk Assessment and developments a new five year rolling Strategic Internal Audit Program (SIAP) and is attached for your consideration.

The purpose of this review is to :

- Current status of topics
- The new 5 year Strategic Internal Audit Program

RECOMMENDATION

The Strategic Internal Audit Program Status Update report be noted.
The new 5 year Strategic Internal Audit Program be adopted.

MOVED Jess Adler
SECONDED Greg Jakob

The Strategic Internal Audit Program Status Update report be noted.
The new 5 year Strategic Internal Audit Program be adopted. (Subject to clarification of records management audit)

CARRIED

ATTACHMENTS

The strategic Internal Audit Program Update report is provided as Attachment 7.1.1
The Risk Assessment and Strategic Internal Audit Program is provided as Attachment 7.1.2

ACTIONS:

AFS to meet with ARCC to discuss the Records Management internal audit timing and look at pushing this out further.
Suggestion to put internal audits on hold to give time for ARCC to catch up on outstanding of recommendations.

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7.2 INTERNAL AUDIT – AUDIT REVIEW OUTCOMES UPDATE

Aligns with Audit and Risk Committee Charter 5.27 Monitor action by management on internal audit findings and recommendations.

BACKGROUND

Council appointed AFS & Associates from Bendigo as Council's Internal Auditors. Council has reviewed the recommendations made by the Internal Auditor in relation to the internal audit reviews and these are presented as an attachment to this report.

DISCUSSION

An Audit Review Recommendation Action Plan was developed to capture the recommendations highlighted in the various internal audits conducted by AFS.

AFS, as the internal auditors, conduct reviews of the audits to confirm that the actions taken by management have addressed the risks raised by internal audits. The review focuses on the internal audit agreed management actions where a risk rating was assigned to the issue raised and management has actioned the agreed management action.

AFS has found 5 moderate findings and 6 minor findings to now be completed and attached is the full past issues review which will outline each on these findings.

The Audit Recommendation Outcomes Action Plan, list the recommendations and subsequent outcomes and projected completion dates.

RECOMMENDATION

The Audit Recommendation Outcome Updates report be received

RECEIVED

ATTACHMENTS

The Audit Recommendation Outcomes Update Action Plan is included as Attachment 7.2.1

The Internal Audit Report Past issues review is included as Attachment 7.2.2

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7.3 INTERNAL AUDIT – OVERHEAD ALLOCATION REVIEW

Aligns with Audit and Risk Committee Charter 5.25 Review reports of internal audit reviews, including recommendations for improvement arising from those reviews.

BACKGROUND

AFS & Associates are Council's Internal Auditors and have recently conducted an audit on reviewing the Overhead Allocations.

DISCUSSION

The objectives of the review were to determine the accuracy and appropriateness of ARCC's cost and overhead allocation for capitalisation and grant acquittal purposes.

The audit concluded there were 8 areas of strength with 4 moderate finding and 1 minor finding.

All recommendations suggested to management have been agreed to. An update on the progress of the agreed to action items will be provided at the March 2025 Audit & Risk Committee meeting.

RECOMMENDATION

That the Overhead Allocation Review report be received.

RECEIVED

ATTACHMENTS

The AFS & Associate Audit of the Overhead Allocation Review report is provided as Attachment 7.3

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7.4 INTERNAL AUDIT – FRAUD AND CORRUPTION FRAMEWORK

Aligns with Audit and Risk Committee Charter 5.25 Review reports of internal audit reviews, including recommendations for improvement arising from those reviews.

BACKGROUND

AFS & Associates are Council's Internal Auditors and have recently conducted an audit on Ararat Rural City Council Fraud and Corruption Framework

DISCUSSION

The objective was to ensure a suitable framework for fraud and corruption detection and prevention is in place.

The audit concluded there were 11 areas of strength and 1 moderate and 4 minor findings. There is also 1 opportunity. All recommendations suggested to management have been agreed to. An update on the progress of the agreed to action items will be provided at the March 2025 Audit & Risk Committee meeting.

RECOMMENDATION

That the findings from the Fraud and Corruption Framework audit be received.

RECEIVED

ATTACHMENTS

The AFS & Associate Audit of the Fraud and Corruption Audit report is provided as Attachment 7.4

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SECTION 8- EXTERNAL AUDIT

8.1 EXTERNAL AUDIT - AUDIT STRATEGY FOR THE FINANCIAL YEAR ENDING 30 JUNE 2025

Aligns with Audit and Risk Committee Charter 5.31 Annually review and approve the external audit scope and plan proposed by the external auditor.

BACKGROUND

The Victoria Auditor General appoints a service provider to undertake the annual financial audit. Mr Ryan Schischka of Johnsons MME has been appointed by the Victoria Auditor-General's office to undertake the annual financial audit for the year ending 30 June 2025.

DISCUSSION

An audit strategy has been prepared to communicate to Council the proposed approach to the audit of its Financial Report and Performance Statement for the year ending 30 June 2025.

The Audit Act 1994 requires the Auditor-General to form an opinion on Council's Financial Report and Performance Statement.

When undertaking the financial audit, Section 3A of the Audit Act 1994 requires the Auditor-General to also consider the issues of waste, probity, and the prudent use of public resources.

The Performance Statement contains financial and non-financial data. Financial systems are predominantly established to capture financial data. Part of the audit is to review the systems that Council has in place to capture the financial data and non-financial data to ensure compliance with legislative requirements.

Mr Ryan Schischka of Johnsons MME will attend the meeting remotely to present the draft Audit Strategy

RECOMMENDATION

That the audit strategy memorandum for the financial year ending 30 June 2025 be received.

RECEIVED

ATTACHMENTS

The draft Audit Strategy Memorandum is provided as Attachment 8.1

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SECTION 9- COMPLIANCE

9.1 COMPLIANCE FRAMEWORK & POLICY

Aligns with Audit and Risk Committee Charter 5.10 Ensure that a program is in place to test compliance with systems and controls and 5.11 Assess whether the control environment is consistent with Council's Governance Principles and 5.37 Review the systems and processes implemented by Council for monitoring compliance relevant legislation and regulation.

BACKGROUND

AFS & Associates (AFS) are Council's Internal Auditors and in March 2023 conducted an internal audit which focused on Governance. One recommendation from this audit was that Council developed a Compliance Management Framework.

DISCUSSION

During the audit it was identified that ARCC has an informal, decentralized approach to compliance management that was not supported by a Compliance Management Framework. The risk for not having a Compliance Framework is that compliance obligations or modifications to obligations may not be identified or responded to appropriately resulting in non-compliance. Non-compliance with legislation and regulations can have varying impacts including:

- Fines and penalties
- Temporary or permanent cessations of services
- Reputational damage

This framework was developed based on the ISO 37301:2023 Compliance Management systems and is accompanied with the compliance policy and has adopted a "high-level structure" to assist in the implementation of specific compliance and integrity related requirements in any management system. It also outlines the obligations, roles and responsibilities of various employees and the council's legislative obligations.

The policy provides a rationale and framework for equitable, transparent and consistent approach to compliance activities undertaken by Ararat Rural City Council so the community can be assured that standards are met.

RECOMMENDATION

That the Compliance Framework and Policy be received.

RECEIVED

ATTACHMENTS

The Compliance Framework is provided as Attachment 9.1.1
The Compliance Policy is provided as Attachment 9.1.2

ACTION:

Compliance Framework should be linked to Risk Management System

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SECTION 10- GENERAL BUSINESS

10.1 INDUSTRY UPDATE- RECENT REPORTS AND PUBLICATIONS OF INTEREST

BACKGROUND

AFS & Associates (AFS) are Council's Internal Auditors. AFS have provided an Industry Update report to be included in the agenda. The Industry Update report lists recent reports and publications that may be of interest to Ararat Rural City Council.

DISCUSSION

The Industry Update report lists 29 recent articles and reports, covering a range of different topics from sources such as: IBAC, IIA, and OVIC etc.

RECOMMENDATION

That the Industry Update report be noted.

NOTED

ATTACHMENTS

The Industry Update report is provided as Attachment 10.1. (December)
The industry Update report is provided as Attachment 10.2 (March)

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SECTION 11 – FUTURE MEETINGS

11.1 FUTURE MEETING DATES

Future meetings of the Audit and Risk Committee are scheduled as follows:

- Tuesday 3 June 2025 1pm
- Tuesday 2 September 2025 1pm
- Tuesday 2 December 2025 1pm
- Tuesday 3 March 2026 1pm

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SECTION 12- NEXT MEETING/CHARTER ITEMS

June 2025	
Ref. from Charter	
5.12	View annually the effectiveness of Council's risk management framework
5.13	Review Council's risk appetite statement and the degree of alignment with Council's risk profile
5.14	Review Council's risk profile and the changes occurring in the profile from meeting to meeting
5.15	Review Council's treatment plans for significant risks
5.16	Review the insurance program annually prior to renewal
5.17	Review the approach to business continuity planning arrangements.
5.19	Receive reports from management about actual or suspected instances of fraud or corruption (as required)
5.20	Review reports by management about the actions taken by Council to report such matters to the appropriate integrity bodies (as required)
5.23	Review progress on delivery of annual internal audit plan
5.24	Review and approve proposed scopes for each review in the annual internal audit plan (as required)
5.25	Review reports on internal audit reviews, including recommendations for improvement arising from those reviews.
5.26	Meet with the leader of the internal audit function at least annually in the absence of management
5.27	Monitor action by management on internal audit findings and recommendations.
5.28	Review the effectiveness of the internal audit function and ensure that it has appropriate authority within Council and has no unjustified limitations of its work
5.29	Ensure that the Committee is aware of and appropriately represented regarding any proposed changes to the appointment of the internal audit service provider. (as required)

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*.

No Notices of Motion received

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*.

No Urgent Business arising

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:

No Confidential Agenda Items

Meeting closed at 6:43pm

I HEREBY CERTIFY THAT PAGES 10274 - 10456 ARE CONFIRMED AND ARE A TRUE AND CORRECT RECORD.

MAYOR - CR JO ARMSTRONG