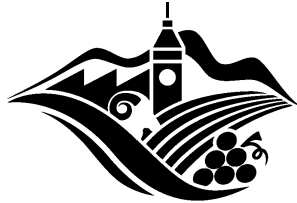




Ararat Rural City

COUNCIL MEETING AGENDA

TUESDAY 22 AUGUST 2017



Ararat Rural City

18 August 2017

Dear Councillors,

You are cordially advised and invited to attend the next ordinary Council Meeting, which will be held in the Council Chamber, Shire Hall, Barkly Street, Ararat on ***Tuesday 22 August 2017*** commencing at ***6.00pm***.

BUSINESS:

- 1 **Traditional Acknowledgement/Opening Prayer/Oath**
- 2 **Apologies**
- 3 **Disclosure of Interests**
- 4 **Officer's Reports**

Your attendance is respectfully requested.

Yours sincerely,

COLLEEN WHITE
INTERIM CHIEF EXECUTIVE OFFICER

An audio recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the Council Meeting, Special Council Meeting or Assembly of Councillors. Recordings of Council Meetings and Special Council Meetings (excluding closed sessions) will be made available on Council's website.

1 – TRADITIONAL ACKNOWLEDGEMENT / OPENING PRAYER/OATH

TRADITIONAL ACKNOWLEDGEMENT

WE ACKNOWLEDGE THE TRADITIONAL OWNERS OF THE LAND ON WHICH WE MEET TODAY, AND PAY OUR RESPECTS TO THEIR ELDERS, PAST AND PRESENT.

OPENING PRAYER

ALMIGHTY GOD, WE HUMBLY ASK YOU TO HELP US, AS ELECTED COUNCILLORS OF THE ARARAT RURAL CITY COUNCIL. GUIDE OUR DELIBERATIONS. PROSPER WHAT IS YOUR WILL FOR US, TO YOUR HONOUR AND GLORY AND FOR THE WELFARE AND BENEFIT OF THE PEOPLE WHOM WE SERVE IN THE ARARAT RURAL CITY.

COUNCILLORS OATH

WE WILL UNDERTAKE THE DUTIES OF THE OFFICE OF COUNCILLOR IN THE BEST INTERESTS OF THE PEOPLE OF THE MUNICIPAL DISTRICT OF THE ARARAT RURAL CITY COUNCIL AND FAITHFULLY AND IMPARTIALLY CARRY OUT THE FUNCTIONS, POWERS, AUTHORITIES AND DISCRETIONS VESTED IN ME UNDER THE LOCAL GOVERNMENT ACT 1989 OR ANY OTHER ACT TO THE BEST OF OUR SKILL AND JUDGMENT.

2 – APOLOGIES

MOTION (if required)

That the apology of (Name) be accepted.

3 – DISCLOSURE OF INTERESTS

Disclosure of Interests are to be made immediately prior to any relevant item being discussed.

Local Government Act 1989 Section 79 (2)

A Councillor or member of a special committee who has a conflict of interest and is attending the meeting of the Council or special committee must make a full disclosure of that interest -

- (a) by either -
 - (i) advising the Council or special committee at the meeting of the details required under paragraph (b) and (c) immediately before the matter is considered at the meeting; or
 - (ii) advising the Chief Executive Officer in writing of the details required under paragraphs (b) and (c) before the meeting; and
- (b) classifying the type of interest that has given rise to the conflict as either -
 - (i) a direct interest; or
 - (ii) an indirect interest and specifying the particular kind of indirect interest under section 78, 78A, 78B, 78C, 78D or 78E; and
- (c) describing the nature of the interest; and
- (d) if the Councillor or member advised the Chief Executive Officer of the details under paragraph (a) (ii), the Councillor or member must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

Local Government Act 1989 Section 80C)

A person who is providing advice or a report to a meeting of the Council or a special committee, and who has a conflict of interest in a matter to which the advice or report relates, must disclose the constituting the conflict of interest when providing the advice or report and before the advice or report is considered by the Council or the committee.

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ITEM 4.1 **MINISTER FOR LOCAL GOVERNMENT,
COMMISSION OF INQUIRY REPORT AND
ARARAT RURAL CITY COUNCIL RESPONSE AUGUST 2017
17085885
CORPORATE STRATEGY, RISK AND GOVERNANCE**

Introduction

The Commission of Inquiry into the Ararat Rural City Council report was presented to the Minister for Local Government, the Hon Natalie Hutchins on 1 August 2017.

Discussion

The Commission of Inquiry into Ararat Rural City Council was tabled in Parliament on Wednesday 9 August 2017.

The Minister for Local Government wrote to the Mayor, Cr Paul Hooper outlining the findings and recommendations by the Commission. The Minister under section 218 of the *Local Government Act 19689* provided a list of recommendations Council should take to address the issues identified by the Commission in its report.

At the Council Meeting held on Tuesday 15 August 2017, Council resolved the following:

“That:

- 1 *Council accept and endorse the Minister for Local Government’s recommendations following the Commission of Inquiry into Ararat Rural City Council; and*
- 2 *The correspondence from the Minister for Local Government, the Hon Natalie Hutchins and the Commission of Inquiry Report be placed on Council’s website. “*

The report and correspondence has now been placed on the Ararat Rural City Council website www.ararat.vic.gov.au.

Councillors met on 14 August 2017 to discuss the Minister of Local Government’s correspondence and the Commission of Inquiry into Ararat Rural City Council Report. Officers prepared a draft Work Plan/Action Plan for Councillors to consider and review.

The Work Plan/Action Plan has now been updated from the feedback received and is presented for consideration. This Work Plan/Action Plan is a live working document and will be amended, added to and refined as required prior to being forwarding to the Minister for Local Government. The Work Plan/Action Plan will be a standing item at Ordinary Council Meetings to ensure transparency and keep all stakeholders informed of progress and ongoing improvement.

Council looks forward to working with the Ministerial appointed Monitor and external Interim Chief Executive Officer to implement the Work Plan/Action Plan as per the Minister of Local Government’s recommendations. Council is committed to going above and beyond the recommendations to continuously improve Council’s systems and processes.

POTENTIAL IMPLICATIONS ARISING FROM THIS ISSUE

Council plan reference

- 1.1 Assist communities to develop and prosper

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

Officer's Declaration of Interest

Under Section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

No person involved in the preparation of this report has a direct or indirect interest requiring disclosure.

Financial and resource implications

The costs associated with the Commission of Inquiry will be referred to Ararat Rural City Council. There is no budget allocation for these costs in the 2017/2018 budget.

Risk implications

Endorsement of the recommendations from the Minister for Local Government, and actioning of the recommendations will ensure good governance is followed.

Statutory Implications

Council has statutory implications in relation to the Minister for Local Government's recommendations.

Community Implications

It is important that Council continue to engage with the community, in particular the recommendations from the Commission of Inquiry into Ararat Rural City Council and the Minister for Local Government recommendations.

Environmental Implications

None identified.

Internal/external consultation

Minister for Local Government, the Hon Natalie Hutchins
Commission of Inquiry into Ararat Rural City Council
Executive Director, Local Government Victoria
Councillors
Senior officers of Council

Options

Council could

- 1 Accept the Ararat Rural City Council Response to Recommendations Work Plan/Action Plan – August 2017;
- 2 Amend the Ararat Rural City Council Response to Recommendations Work Plan/Action Plan – August 2017.

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Attachments

A copy of the Ararat Rural City Council Response to Recommendations Work Plan/Action Plan – August 2017 is included as Attachment 4.1.

Conclusion

Following discussions regarding the findings and recommendations of the Minister for Local Government and the Commission of Inquiry, Council accept and endorse the Ararat Rural City Council Response to Recommendations Work Plan/Action Plan – August 2017.

Recommendation

That:

- 1 Council accept and endorse Ararat Rural City Council Response to Recommendations Work Plan/Action Plan – August 2017;**
- 2 The Ararat Rural City Council Response to Recommendations Work Plan/Action Plan – August 2017 be forwarded to Minister for Local Government, the Hon Natalie Hutchins;**
- 3 The Ararat Rural City Council Response to Recommendations Work Plan/Action Plan become a standing item at all Ordinary Council Meetings during the term of the Municipal Monitor; and**
- 4 A copy of the Ararat Rural City Council Response to Recommendations Work Plan/Action Plan – August 2017 be placed on Council’s website.**