



Ararat Rural City

# AGENDA

## ORDINARY MEETING OF COUNCIL

Tuesday 20 August 2019

To be held in the Council Chamber  
Shire Hall, 233-239 Barkly Street, Ararat

Commencing at 6.00pm

Council:

Cr Peter Beales (Mayor)

Cr Gwenda Allgood

Cr Jo Armstrong

Cr Bill Braithwaite

Cr Frank Deutsch

Cr Fay Hull

Cr David Pettman

Our Vision

Our communities, our opportunities

Our Mission Statement

We will demonstrate leadership through social responsibility, openness and transparency by actively working with our community to achieve shared goals.

Our Values

Respect - Respect for each other and the wider community.  
Excellence - Striving for ongoing professionalism and organisational excellence.  
Passion - Passion for our people, community and services.

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

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

SECTION 1 – PROCEDURAL MATTERS .....	3
1.1 LIVE STREAMING.....	3
1.2 TRADITIONAL ACKNOWLEDGEMENT/OPENING PRAYER/COUNCILLORS PLEDGE .....	3
1.3 APOLOGIES .....	3
1.4 CONFIRMATION OF MINUTES.....	3
1.5 DECLARATION OF DISCLOSURE OF INTERESTS .....	4
1.6 ADMISSION OF URGENT BUSINESS .....	4
SECTION 2 – PUBLIC PARTICIPATION .....	5
2.1 REQUEST TO ADDRESS COUNCIL .....	5
2.2 DEPUTATIONS / PRESENTATIONS.....	5
2.3 PETITIONS .....	5
SECTION 3 – REPORTS REQUIRING COUNCIL DECISION .....	6
3.1 DELEGATIONS FROM COUNCIL TO MEMBERS OF COUNCIL STAFF S6.....	6
3.2 APPOINTMENT AND AUTHORISATIONS (PLANNING AND ENVIRONMENT ACT 1987) S11A .....	9
3.3 REVIEW – COUNCILLOR SUPPORT AND REIMBURSEMENT OF EXPENSES POLICY.....	11
3.4 QUARTERLY PERFORMANCE REPORT .....	14
3.5 LOCAL GOVERNMENT RENEWABLE ENERGY POWER PURCHASE AGREEMENT.....	23
3.6 WICKLIFFE ACTION GROUP WICKLIFFE COMMON – S86 COMMITTEE OF MANAGEMENT .....	26
SECTION 4 – INFORMATION REPORTS .....	28
4.1 BUILDING APPROVALS .....	28
4.2 PLANNING MATTERS APPROVED UNDER DELEGATION PLANNING PERMITS AND CERTIFICATION OF SUBDIVISION PLANS .....	30
4.3 LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK (LGPRF) SUBMISSION UPDATE.....	32

SECTION 5 – COMMITTEE MINUTES/REPORTS .....	35
5.1    SECTION 86 COMMITTEES OF MANAGEMENT MINUTES .....	35
5.2    ADVISORY COMMITTEES MINUTES.....	38
SECTION 6 – ASSEMBLY OF COUNCILLORS.....	40
6.1    ASSEMBLY OF COUNCILLORS .....	40
SECTION 7 – COUNCILLORS REPORTS.....	42
SECTION 8 – NOTICES OF MOTION .....	43
SECTION 9 – URGENT BUSINESS .....	44
SECTION 10 – CLOSE SESSION (CONFIDENTIAL) .....	45
CLOSURE OF COUNCIL MEETING TO THE PUBLIC .....	45
OPEN COUNCIL MEETING RECOMMENCEMENT .....	45
LIFTING OF CONFIDENTIALITY OF CLOSED SESSION RESOLUTIONS.....	45

## SECTION 1 – PROCEDURAL MATTERS

### 1.1 LIVE STREAMING

Council is keen to engage with members of the community and now live streams the formal Council Meetings to make them accessible. The stream will be available to view on Ararat Rural City Council's Facebook page from 6pm and on Council's website, [www.ararat.vic.gov.au](http://www.ararat.vic.gov.au) from Wednesday morning following the Council Meeting.

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

### 1.2 TRADITIONAL ACKNOWLEDGEMENT/OPENING PRAYER/COUNCILLORS PLEDGE

#### *Traditional acknowledgement*

We acknowledge the traditional owners of the land on which we meet today, and pay our respects to their elders, past, present and emerging.

#### *Opening Prayer*

Almighty God, we humbly ask you to help us, as elected Councillors of the Ararat Rural City Council. Guide our deliberations. Prosper what is your will for us, to your honour and glory and for the welfare and benefit of the people whom we serve in the Ararat Rural City.

#### *Councillors Pledge*

We will undertake the duties of the office of Councillor in the best interests of the people of the municipal district of the Ararat Rural City Council and faithfully and impartially carry out the functions, powers, authorities and discretions vested in us under the local government act 1989 or any other act to the best of our skill and judgment.

### 1.3 APOLOGIES

#### RECOMMENDATION (if required)

That the apology of Cr?? be accepted.

### 1.4 CONFIRMATION OF MINUTES

#### RECOMMENDATION

That the Minutes of the Council Meeting held on 16 July 2019 be confirmed.

## 1.5 DECLARATION OF DISCLOSURE OF INTERESTS

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

*Local Government Act 1989 Section 79 (2)* A Councillor or member of a special committee who has a conflict of interest and is attending the meeting of the Council or special committee must make a full disclosure of that interest -

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

*Local Government Act 1989 Section 80C)* A person who is providing advice or a report to a meeting of the Council or a special committee, and who has a conflict of interest in a matter to which the advice or report relates, must disclose the constituting the conflict of interest when providing the advice or report and before the advice or report is considered by the Council or the committee.

## 1.6 ADMISSION OF URGENT BUSINESS

Items proposed as urgent business must not be submitted to the meeting other than by resolution of the Council and only if it relates to or arises out of a matter which has arisen since distribution of the Agenda or which cannot be reasonably deferred for inclusion in the agenda of the next meeting.

The Urgent Business Item/s admitted will be considered as part of Section 9 Urgent Business.

### RECOMMENDATION (if required)

**That Council admits as Urgent Business an item titled "XX" and this matter be considered as part of Section 9 Urgent Business.**

## SECTION 2 – PUBLIC PARTICIPATION

### 2.1 REQUEST TO ADDRESS COUNCIL

Questions to address the Council can be made without notice

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

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

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

### 2.2 DEPUTATIONS / PRESENTATIONS

### 2.3 PETITIONS

Clause 15 of Council's Meeting Procedure states:

- 1 A petition presented to Council must lay on the table until the next Ordinary Meeting of Council and no motion, other than to receive the petition or joint letter may be accepted by the Chair, unless the Council agrees to deal with it earlier.
- 2 Petitions received by Ararat Rural City Council will be tabled under "Petitions" in the Order of Business.
- 3 At the meeting the petition will be formally received by Council and referred to the relevant area of Council for consideration and action which will be reported to the next ordinary meeting of Council for decision if one is required.
- 4 When a petition relates to an item already on the agenda at the meeting at which the petition is tabled, the matter will be dealt with at that meeting.
- 5 Any Councillor presenting a petition will be responsible for ensuring that he or she is familiar with the contents and purpose of the petition and that the petition is not derogatory or defamatory.
- 6 Any person who fraudulently signs a petition or joint letter which is presented to the Council is guilty of an offence.

## SECTION 3 – REPORTS REQUIRING COUNCIL DECISION

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

RESPONSIBLE OFFICER: GOVERNANCE AND ADMINISTRATION COORDINATOR  
DEPARTMENT: **CEO'S OFFICE**  
REFERENCE: 14055779 S6

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

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

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

---

#### EXECUTIVE SUMMARY

This report is an update on the delegations made by Council to members of staff (other than the CEO) and proposes amendments to the *Instrument of Delegation from Council to Members of Council staff*.

Most statutory bodies have a power of delegation. Delegation is generally considered essential to enable day-to-day decisions to be made.

#### DISCUSSION

Under the Local Government Act 1989 (LGA) Councils have the power to delegate specific functions, powers or duties under any Act to Council officers or special committees of Council.

Council utilises an instrument of delegation in order to delegate its functions, powers and duties.

Section 98(6) of the Local Government Act requires that the Council must review all delegations within a period of 12 months after a general election.

This report identifies legislative changes to delegations since the previous document was adopted on 19 March 2019. A review of the current delegates to this Instrument of Delegation has also been carried out.

The changes are as follows:

- Review of staff delegates;
- Section 185L of the Local Government Act 1989 has been added to provide clarification about the ability of Council's Chief Executive Officer to declare and levy a cladding rectification charge.
- Addition of section 61(2A) of the Planning and Environment Act 1987, to provide clarity between a mandating authority and a recommending authority (61(2)).

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

5.1 Good governance through leadership

### *Budget Implications*

There are no budget implications.

### *Policy/Legal/Statutory*

Section 98(1) of the Local Government Act provides that a Council may, by instrument of delegation, delegate to a member of its staff any power, duty or function of a Council under the Local Government Act or any other Act, other than certain specified.

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

This report is presented to reflect several changes to legislation and a recent review of staff delegates.

### *Risk Assessment*

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

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

The Council can amend or revoke any delegated power at any time. Section 98(6) of the Local Government Act requires that the Council must review all delegations within a period of 12 months after a general election.

### *Stakeholder Consultation and Communication*

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

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

Chief Executive Officer and relevant officers have reviewed the document.

## CONCLUSION

The Instrument of Delegation from Council to Members of Council staff is presented to Council for consideration.

## RECOMMENDATION

That:

In the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of delegation, Ararat Rural City Council (Council) resolves that -

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

## ATTACHMENTS

The Instrument of Delegation from Council to Members of Council Staff S6 is provided as Attachment 3.1.

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

RESPONSIBLE OFFICER: GOVERNANCE AND ADMINISTRATION COORDINATOR  
DEPARTMENT: **CEO'S OFFICE**  
REFERENCE: 14055779 S11A

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

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

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

---

#### EXECUTIVE SUMMARY

This report submits a schedule on the appointment and authorisation of staff under various legislative provisions under the Planning and Environment Act 1987.

Earlier reports to this meeting have covered the Council's power to delegate specific functions, powers or duties to Council officers and Appointment and Authorisations under the Local Government Act 1989.

#### DISCUSSION

This report identifies legislative changes to delegations since the previous document was adopted on 19 March 2019. A review of the current delegates to his Instrument of Delegation has also been carried out.

There are no major changes, other than to reflect changes following the review of staff delegates to this Instrument of Appointment and Authorisation.

#### KEY CONSIDERATIONS

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

5.1 Good governance through leadership

##### *Budget implications*

There are no budget implications.

##### *Policy/Legal/Statutory*

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

Under Section 98(6) A Council must review within the period of 12 months after a general election all delegations which are in force and have been made by the Council under subsection (1).

This report is presented to reflect changes to legislation and a recent review of staff delegates.

##### *Risk Assessment*

The updating of the Instrument of Appointment and Authorisation schedule, from time to time, ensures ongoing legislative compliance for Ararat Rural City and that staff are properly empowered to undertake their roles.

*Stakeholder Consultation and Communication*

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

CONCLUSION

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

The Appointment of Authorised Officers (Planning and Environment Act 1987) is presented to Council for consideration.

RECOMMENDATION

That;

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

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

ATTACHMENTS

The Instrument of Appointment and Authorisation (Planning and Environment Act 1987) S11A is provided as Attachment 3.2.

### 3.3 REVIEW – COUNCILLOR SUPPORT AND REIMBURSEMENT OF EXPENSES POLICY

RESPONSIBLE OFFICER: GOVERNANCE AND ADMINISTRATION COORDINATOR  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 19107062

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

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

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

---

#### EXECUTIVE SUMMARY

Council policies are updated as part of an ongoing review process.

The Councillors Support and Reimbursement of Expenses Policy has been reviewed and is presented to Council for consideration. A copy of the policy follows this report.

#### DISCUSSION

A review of the Councillor Support and Reimbursement of Expenses Policy has been undertaken.

The review of the Councillor Support and Reimbursement of Expenses Policy took into account the findings and recommendations from the Victorian Auditor-General's Office (VAGO) Report entitled *"Fraud and Corruption Control – Local Government"* released in June 2019. The report can be downloaded at <https://www.audit.vic.gov.au>.

Along with the review of the Councillors Support and Reimbursement of Expenses Policy, the associated forms were also reviewed. The *"Councillor Request for Reimbursement of Expenses Form"* and *"Councillor Travel and Remote Travel Reimbursement Form"* now include changes as outlined in the VAGO report.

The main changes to the policy and forms are as follows:

#### POLICY DOCUMENT

##### Mayoral Car

In the last paragraph of this section the words *"or the Mayor not requiring full use of the vehicle"* have been added.

##### Reimbursement of Expenses

A sentence has been included in the last paragraph *"When claiming reimbursement Councillors must use the "Councillor Request for Reimbursement of Expenses Form". The form must include details of expenses and the community benefit along with copies of receipts/tax invoices"*.

##### Travel and Related Expenses

A new paragraph has been included regarding the travel form and what is required to be completed on the form.

*"When claiming travel reimbursement expenses Councillors must use the "Councillor Travel and Remote Travel Reimbursement Form". The form must include:*

- *Date of travel;*
- *Vehicle details;*
- *Destination;*
- *Odometer readings (start and finish);*
- *An explanation of the purpose of the business (ie function/event and the benefit to the community); and*
- *Signed confirmation of travel taken as part of role of Councillor."*

#### Dependent Care

The Child Care or Adult Carer Expenses section has been deleted and replaced with a new section entitled "Dependent Care". The new section provides clarity on the purpose of the care expense.

#### Professional Development

A final dot point has been included under "Professional Development should be tested against the following criteria:

- The benefit to the community.

#### Professional Memberships and Subscriptions

This section has been deleted.

#### Website and Annual Report

The clarification of what expenses will be included in both these sections as per the Local Government (Planning and Reporting) Regulations 2014 section 14(2)(db)).

#### COUNCILLOR EXPENSES FORMS

The *Councillor Request for Reimbursement of Expenses Form* and *Councillor Travel and Remote Travel Reimbursement Form*, now include a section for the Councillor submitting a claim to sign to confirm that the costs claimed for reimbursement have been incurred while performing their duties as a Councillor. The two forms also require further information in relation to the details of Council business and inclusion of the benefit to the community

The *Councillor Travel and Remote Travel Reimbursement Form* now includes a vehicle details section and an odometer reading (start/finish) column.

#### KEY CONSIDERATIONS

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

5.1 Good governance through leadership

##### *Budget Implications*

Councillors expenses are allocated in the 2019/2020 budget.

##### *Policy/Legal/Statutory*

Section 75 of the Local Government Act 1989 – Reimbursement of expenses of Councillors.

Section 75B of the Local Government Act 1989 – Councillor Reimbursement Policy.

Section 14(2)(db)) of the Local Government (Planning and Reporting) Regulations 2014 outlines the Councillors expenses which should be included in the Annual Report.

##### *Risk Assessment*

Clarity and transparency of Council Policies.

The review of the Councillor Support and Reimbursement of Expenses Policy took into account the findings and recommendations from the VAGO Report entitled "*Fraud and Corruption Control – Local Government*" released in June 2019.

*Stakeholder Consultation and Communication*

The policy was presented to the Councillor briefing held on 13 August 2019.

CONCLUSION

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

RECOMMENDATION

That Council adopt the Councillor Support and Reimbursement of Expenses Policy.

ATTACHMENTS

- 1 Councillor Support and Reimbursement of Expenses Policy;
- 2 Councillor Request for Reimbursement of Expenses Form;
- 3 Councillor Travel and Remote Travel Reimbursement Form.

### 3.4 QUARTERLY PERFORMANCE REPORT

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 13038999

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

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

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

---

#### EXECUTIVE SUMMARY

The financial statements and performance indicators have been prepared for the period ended 30 June 2019. The actual year-to-date figures included in this report have been used to compile Council's "in principle" Financial Statements, which are subject to audit by the Victorian Auditor-General.

The unaudited figures show Council's overall financial performance is far better than the original budget, finishing with an operating surplus of \$3.999 million rather than an operating deficit of \$2.720 million. Council received an extra \$4.198 million in Non-Recurrent Capital grant income, \$1.417 million reimbursed for Natural Disaster Recovery Assistance and \$0.448 million savings in Employee costs.

#### 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 \$34.184 million in revenue and \$30.185 million in expenses to 30 June 2019. This has resulted in a surplus of \$3.999 million for the year ended 30 June 2019.

#### INCOME

Rates and charges account for 62% of the total budgeted income for 2018/19. Rates and charges are recognised when the rates have been raised, not when the income has been received. An amount of \$17.025 million has been recognised as income for the year ended 30 June 2019.

User fees account for 6% of the total budgeted income for 2018/19 and \$1.298 million has been received to 30 June 2019. The majority of this relates to home care services, parking fees, transfer station fees and venue hire fees. Council is no longer invoicing Northern Grampians Shire Council for waste disposal fees so there will be \$0.320 million less in user fees income and \$0.320 million less in materials and services expenditure.

Recurrent Operating Grants total \$7.238 million to 30 June 2019, including \$3.843 million from the Victorian Grants Commission for general purpose grants and \$2.267 million for the local roads grants.

Non-recurrent Operating Grants – Council has been successful in obtaining several grants that had not been budgeted for, including the Full House Pilot Program funding of \$0.030 million, VicRoads towards Safer Speeds funding of \$0.025 million, Anti-graffiti Education funding of \$0.018 million, Ararat in Transition Planning funding of \$0.035 million, Fountain Restoration funding of \$0.031 million, and Safety Lighting funding of \$0.162 million. Council has received Natural Disaster Relief funding of \$1.417 million to offset the expenditure that was incurred as a result of storm damage in September 2016. Accounting standards did not allow the reimbursement to be treated as income in that financial year.

Non-recurrent Capital Grants – Council has been successful in obtaining several grants that had not been budgeted for, including Fixing Country Roads funding for Back Bolac Road of \$0.633 million, Fixing Country Roads funding for Helendoite Road and Tatyoon North Road of \$0.600 million, Ararat Active Link Safety Lighting funding of \$0.225 million, and Ararat on the Move Female Friendly Facilities funding of \$0.325 million. Pick My Project funding of \$0.263 million has been received for the Ararat Basketball Court and the Willaura Multipurpose Facility. The final grant payments of \$1.989 million have been received for the Ararat Arts Precinct Redevelopment.

## EXPENSES

Employee Costs account for approximately 40% of the total budgeted expenditure for 2018/19. For the year ended 30 June 2019 Council has incurred \$11.637 million in employee costs, which was \$0.448 million less than budget. Savings have mostly resulted from recent organisation restructuring, as well as delays in replacing some staff members and other vacancies that have not been filled.

Materials and Services account for approximately 30% of the total budgeted expenditure for 2018/19. For the year ended 30 June 2019, Council has incurred \$8.986 million in materials and services costs, a variance of \$1.529 million. Carried forward funds from previous years have been reviewed and savings have been identified from a number of projects that are no longer relevant.

### Balance Sheet (Attachment 2)

The Balance Sheet is one of the main financial statements and reports Council's assets, liabilities and equity at a given date, in this case 30 June 2019. Comparative figures have been provided as at 30 June 2018.

Council's current assets have increased by \$4.081 million from \$18.429 million as at 30 June 2018 to \$22.510 million as at 30 June 2019. Cash and cash equivalents have increased by \$3.621 million from \$15.705 million to \$19.326 million. Council has received another advanced payment of the Victorians Grant Commission of \$3.124 million. Council owed \$1.077 million to the State Revenue Office for fire services levy at 30 June 2019, and trade payables at 30 June 2019 were \$0.891 million. Trade and other receivables have increased \$0.523 million from \$2.595 million as at 30 June 2018 to \$3.118 million as at 30 June 2019.

Total liabilities have increased from \$6.238 million in 2017/18 to \$8.494 million in 2018/19, with an increase of \$0.375 million in trade liabilities and other payables. The trust funds and deposits have increased by \$0.925 million from \$0.366 million in 2017/18 to \$1.291 million in 2018/19 which includes \$1.077 million payable to the State Revenue Office for fire services levies collected.

### 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 \$15.705 million have increased by \$3.621 million to \$19.326 million as at 30 June 2019.

Net cash provided used in operating activities was \$13.963 million and \$11.209 million was used in investing activities.

Investing activities includes payments for property, plant and equipment, and infrastructure totalling \$11.633 million. This included capital building works and capital road works. Major capital building works included the Ararat Arts Precinct (\$1.726 million); Willaura Memorial Hall (\$0.319 million); and the Skate Park Redevelopment (\$0.317 million). Infrastructure works included Roads (\$4.339 million), Bridges (\$0.677 million), Footpaths & Cycle ways (\$0.170 million) and Drainage (\$0.174 million).

Financial Performance Indicators (Attachment 4)

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

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

Indicator	30/9/2018	31/12/2018	31/3/2019	30/6/2019
<p><i>Working capital</i>  <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>	816%	754%	490%	422%
<p><i>Loans and borrowings</i>  <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>	12.47%	12.15%	12.02%	17.79%
<p><i>Indebtedness</i>  <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>	13.81%	13.19%	12.78%	16.51%

Indicator	30/9/2018	31/12/2018	31/3/2019	30/6/2019
<p><i>Rates concentration</i> <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>	89.39%	76.09%	70.61%	56.78%
<p><i>Expenditure level</i> <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>	\$4,282	\$4,233	\$4,096	\$4,219
<p><i>Indicator - Revenue level</i> <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>	\$1,768	\$1,774	\$1,770	\$1,771

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”.

Capital Works (Attachment 5)

A Capital Works Statement has been included as Attachment 5. This statement details the capital works included in the budget and provides an update on the various capital works areas.

The total budget including carry forward funding from 2017/18 was \$10.606 million. Actual expenditure at year end was \$11.633 million, a variance of \$1.027 million.

A major highlight of the capital works program was the completion of the Ararat Town Hall redevelopment.

Other highlights in the capital works area includes:

- Willaura Hall redevelopment
- Skate Park development
- Ararat Men’s Shed
- Outdoor water slide

- Olver Grandstand restoration
- Ararat E-Waste infrastructure
- Various Roads, Bridges and Drains totalling \$6.8 million

There are a number of projects that span two financial years and transfer to reserves have been provided for to allow the completion of these works in 2019/20.

#### Transfers to and from Reserves 2018/19

The following tables represent the amounts proposed to be transferred to and from Reserves for the year ended 30 June 2019. A number of these transfers are in accordance with the budget. The *Transfers to the Capital Works Reserves* includes funds received in 2018/19 that relate to 2019/20 and a number of specific projects included in the budget for 2018/19 that have not commenced or are in progress and proposed to be carried forward to 2019/20.

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

- Victorian Grants Commission advance payment (\$3.124 million)
- Bridge – Elmhurst-Landsborough Road (\$0.506 million)
- Fixing Country Roads Grant – Helendoite Road & Tatyoon North Road (\$0.600 million)
- Ararat on the Move (\$0.957 million)
- Ararat Active Safety Lighting Grant (\$0.161 million)

#### TRANSFERS TO RESERVES

CAPITAL WORKS RESERVE	
Planning	
Ararat in Transition Grant	\$85,000
Environmental Health	
Domestic Wastewater Plan	\$60,000
Community Development	
Red Cross Redi Communities Grant	\$5,973
Community Grants	
Community Grants	\$32,255
HACC	
CHSP Grant	\$94,000
Recreation Services	
Walk to School Grant	\$6,500
Ararat Active Link Safety Lighting Grant	\$161,042
Fitness Centre Contract	\$35,000
Recreation Projects	
Town Hall Fountain	\$47,740
Ararat Active Link Stage 2 Grant	\$342,150
Ararat on the Move Grant - Premier Sporting Facility	\$957,190
Stronger Communities Grant (Round 4)	\$2,560
PMP Grant - Basketball Court & Scoreboard	\$82,616

PMP Grant - Multi Purpose Facility Willaura	\$104,627
Pool Safety Improvements-Indoor (Hoist)	\$23,000
Facilities Renewal Planning	\$182,000
Maternal & Child Health	
Supported Parent & Playgroups Grant	\$97,280
Enhanced Home Visiting Grant	\$33,500
Art Gallery	
Regional Digitisation Roadshow Grant	\$32,900
Performing Arts Centre	
Full House Pilot Program Funding	\$44,300
Design & Project Management	
Electric Car Charging Points	\$30,000
Road Maintenance	
Road Safety-VicRoads Towards Safer Speeds	\$14,500
Gravel Roads-Bell Mouths	\$40,000
Parks & Gardens	
Tree Works	\$87,000
Property Maintenance	
Lake Bolac Public Toilet	\$43,500
Depot Improvement Works	\$20,000
Structural Works Urban Buildings	\$20,000
Defibrillators Maintenance	\$6,100
Infrastructure Capital	
Grants Commission-Local Roads	\$1,154,556
VicRoads-Barkly Street Safety Improvements	\$4,400
Fixing Country Roads - Helendoite Road & Tatyoon North Road	\$600,000
Bridge-Elmhurst-Landsborough Road	\$506,000
Path-Condition Assessment Program	\$95,700
Culvert Extension Frontage Rd	\$30,000
Back Bolac Road (Fixing Country Roads)	\$130,000
Chatsworth-Wickliffe Road	\$65,000
Finance	
Grants Commission-General	\$1,969,717
Economic Development	
Ararat Co-working Space	\$70,000
Bendigo Bank/ARCC Projects	\$30,000
Ararat Retail Strategy	\$50,000
Retail Facade grants	\$70,000
Gum San	

Gum San Special Project Donation	\$2,000
<b>Total for Capital Works Reserve</b>	<b>\$7,468,106</b>

WASTE MANAGEMENT RESERVE	
Provision for Waste Management Works	\$150,000
Tip Reinstatement Ararat	\$7,500
Tip Reinstatement Rural	\$139,800
Minor Improvement-Transfer Stations	\$4,200
Big Bin Replacements	\$6,900
<b>Total for Waste Management Reserve</b>	<b>\$308,400</b>

ELECTION COSTS RESERVE	
Provision for Election Expenses	\$25,000
<b>Total for Election Costs Reserve</b>	<b>\$25,000</b>

GRAVEL PIT RESTORATION RESERVE	
Net Operating Surplus to Reserve	\$33,229
<b>Total for Gravel Pit Restoration Reserve</b>	<b>\$33,229</b>

INFORMATION TECHNOLOGY RESERVE	
Digitisation Transformation	\$600,000
<b>Total for Information Technology Reserve</b>	<b>\$600,000</b>

LOAN REPAYMENT RESERVE	
Alex Oval Loan Repayment	\$285,714
Ararat Town Hall Loan Repayment	\$100,000
<b>Total for Loan Repayment Reserve</b>	<b>\$385,714</b>

BUILDING CAPITAL RESERVE	
Interest on Building Capital Works Reserve 2018/2019	\$69,808
Provision for Building Capital Works	\$225,000
Ararat Regional Park Mountain Bike Track	\$300,000
Ararat East Development Zone	\$300,000

Infrastructure Development	\$800,000
Total for Building Capital Reserve	\$1,694,808

TOTAL TRANSFERS TO RESERVE	\$10,515,257
----------------------------	--------------

Transfers from Reserves

BUILDING CAPITAL WORKS RESERVE	
Ararat on the Move	-\$450,000
Ararat Active Link	-\$100,000
Total for Building Capital Reserve	-\$550,000

WASTE MANAGEMENT RESERVE	
Ararat E-Waste Infrastructure	-\$104,876
Lake Bolac Transfer Station Upgrade	-\$17,490
Total for Waste Management Reserve	-\$122,366

PLANT REPLACEMENT RESERVE	
Net Operating/Capital/Recoup Surplus from Reserve	-\$951,643
Total for Plant Replacement Reserve	-\$951,643

VEHICLE REPLACEMENT RESERVE	
Provision for Vehicle Replacement	-\$97,870
Total for Vehicle Replacement Reserve	-\$97,870

CAPITAL WORKS RESERVE	
Transfer from Capital Works Reserve for 18/19 Works/Projects	-\$7,504,405
Total for Capital Works Reserve	-\$7,504,405

TOTAL TRANSFERS FROM RESERVES	-\$9,226,284
-------------------------------	--------------

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

#### 5.1 Good governance through leadership

##### *Budget Implications*

Council's financial performance is better than expected, due largely to the reimbursement of Storm Damage reinstatement and salary savings as a result of the recent restructure.

##### *Policy/Legal/Statutory*

Section 137 of the Local Government Act 1989 states a Council must establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management.

Section 138 of the Local Government Act 1989 states at least every 3 months, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to the Council at a meeting which is open to the public.

##### *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.

##### *Stakeholder Consultation and Communication*

Council's financial performance reports are published quarterly.

## CONCLUSION

The report for the year ended 30 June 2019 has been prepared on an accrual basis and in accordance with accounting practices, including a Comprehensive Income Statement, Balance Sheet and Statement of Cash Flows. Council's overall financial performance was better than budget.

## RECOMMENDATION

That the Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators for the period ended 30 June 2019 be received and the carryover, transfers to reserves totalling \$10,515,257 and the transfers from reserves totalling \$9,226,284 be adopted.

## ATTACHMENTS

Further information regarding this item is provided as Attachment 3.4.

### 3.5 LOCAL GOVERNMENT RENEWABLE ENERGY POWER PURCHASE AGREEMENT

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: **CEO'S OFFICE**  
REFERENCE: 19107308

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

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

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

---

#### EXECUTIVE SUMMARY

The purpose of this report is for Council to consider participation in a Renewable Energy Power Purchase Agreement for Local Government.

Ararat Rural City Council have joined a group of 45 Victorian Councils to investigate the viability of a joint Local Government Power Purchase Agreement (LG PPA). The proposal now has real potential to provide Councils with clean energy at a competitive price. This report outlines the benefits of the LG PPA proposition and how it will help Council achieve its clean energy goals.

#### DISCUSSION

The LG PPA is a unique opportunity to join a group of 45 Victorian Councils in the biggest Council renewable energy purchasing activity in Australia to date. The LG PPA group engaged industry leading advice to examine the costs, risks, and market appetite for a power purchase agreement using the load types specific to Council operations. The results showed that as an aggregate group, participating Councils could save up to 12% on their electricity use charges over ten years. Participating councils include Ballarat, Bendigo, Buloke, Central Goldfields, Ganawarra, Hepburn, Macedon Ranges, Mildura, Mount Alexander and the Pyrenees Shire Council.

The concept of a Renewable Energy Power Purchase Agreement is not a new one. Recently a consortium of Melbourne based organisations lead by the City of Melbourne went to tender to purchase renewable energy power and the winning tender was Pacific Hydro and the Crowlands Windfarm. Other Australian companies have done likewise such as Telstra, Commonwealth Bank and recently the Victorian Water Authorities. The model has been tested and shown to be sound business practice to manage energy price risks. Over the past year the Central Victorian Greenhouse Alliance (CVGA) has been working with other Victorian alliances of Council's to investigate a long-term renewable energy PPA contract for councils.

A consortium of 45 councils facilitated by the alliances and led by City of Darebin committed in October 2018 to developing a business case, which has now been completed. The MAV has since come on board as the procurement/contracting agent for the tender stage.

There has been a considerable amount of work done as part of the business case to identify and assess the risks and to forecast energy pricing. The business case has demonstrated that there are no unreasonable risks and that there is an opportunity to realise a cheaper electricity price than what is forecast for conventional electricity. As such the group considers there is a strong basis on which to pursue to tender.

When all accounts are combined, a renewable PPA is cheaper than business as usual in the majority of forecast pricing scenarios modelled in the business case. It is estimated that a Council equivalent to Ararat in size, could result in a price offering 25% to 5% below BAU across a 10-year PPA contract.

Council currently purchases its electricity supplies from retailer ERM for large sites and street lighting via the MAV bulk procurement contract. Electricity for small sites is purchased from retailer Origin via the MAV contract. The ERM contract ends on 31<sup>st</sup> December 2020, and the Origin contract ends on the 30<sup>th</sup> June 2020.

Electricity costs Council approximately \$400,871 per year. Last year, Victorian local governments experienced significant price increases of 30-50% on their energy tariffs from the previous 2 year contracts. This was a result of rising wholesale energy prices. Such significant increases in energy bills create some budget uncertainty for Council's trying to plan year on year.

The group is now preparing for the Tender stage of this project and Councils who wish to continue with this project need to sign a Participation Agreement by mid-August 2019. This will ensure that the loads tendered to market are firm commitments upon which retailers will base their prices. The Local Government Power Purchase Agreement (LG PPA) is an opportunity for Council to achieve a reduction of our greenhouse emissions and also save considerable money. This group of 45 Victorian Councils has nominated over 140 Megawatt-hours of annual electricity load to this proposal, over a quarter of the total Victorian LGA electricity load. If this agreement proceeds it will represent the largest buyers' group established in Australia and will be the largest single activity that any group has undertaken to reduce greenhouse gas emissions from Council operations.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

- 4.3 Protected and enhanced natural environment
- 4.3.2 Identify and pursue initiatives to reduce greenhouse gases, energy
- 5.1 Good governance through leadership
- 5.1.5 Pursue strategic alliances and partnerships that assist Council in policy development and service delivery planning

### *Budget Implications*

The opportunity will allow Council to save on power costs over ten years. The approach to collaboration over a 10-year period provides a less risk approach to a volatile energy market. Electricity is an ongoing operating expenditure for Council. The proposed PPA is estimated to provide council with electricity at costs lower than BAU through a PPA 10-year contract. To commit to the PPA tender process, Council will need to contribute \$4000 (excluding GST).

### *Policy/Legal/Statutory*

Legal advisers will be contracted by the Victorian LG PPA Project Working Group to review tender documentation on behalf of councils.

### *Risk Assessment*

#### *Council reputation risk*

Externally, many committees have electricity contracts under Council's current ERM Power contract. Price rises and falls affect these groups greatly. It is anticipated that the prices and long-term certainty of a PPA will be favourable for these committees, however they must be considered thoroughly and communicated with well.

### *Stakeholder Consultation and Communication*

There has been no community consultation undertaken in relation to this agreement.

## CONCLUSION

The Local Government Power Purchase Agreement is an opportunity for Council to achieve a reduction of our greenhouse emissions as well as improved electricity pricing. It is proposed that Ararat Rural City Council participate in the LGPPA by signing the agreement.

#### RECOMMENDATION

That the:

- 1 **Council agree to a commitment to purchase 100% of Council's electricity via the Local Government Power Purchase Agreement; and**
- 2 Value of the potential Power Purchase Agreement **contract may exceed the CEO's delegation,** Council therefore authorises the CEO to sign the contract documentation resulting from the PPA tender process.

#### ATTACHMENTS

There are no attachments relating to this item.

### 3.6 WICKLIFFE ACTION GROUP WICKLIFFE COMMON – S86 COMMITTEE OF MANAGEMENT

RESPONSIBLE OFFICER: GOVERNANCE AND ADMINISTRATION COORDINATOR  
DEPARTMENT: **CEO'S OFFICE**  
REFERENCE: 19107266

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

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

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

---

#### PURPOSE

The Wickliffe Action Group Wickliffe Common – Section 86 Committee of Management has been a S86 Committee since December 2006. As part of a review of Council Committees, Council officers have reviewed the status of the Wickliffe Action Group Wickliffe Common Section 86 Committee of Management.

#### EXECUTIVE SUMMARY

Following a review of Council committees, it was considered appropriate for the Wickliffe Action Group to continue as an independent Committee, and that the Wickliffe Action Group Wickliffe Common Section 86 Committee status be dissolved.

#### DISCUSSION

Wickliffe Action Group Wickliffe Common Committee of Management has been a section 86 Committee on behalf of Council since 19 December 2006.

The original service level agreement gave the Wickliffe Action Group Wickliffe Common Committee the responsibility of inspections, cleanliness, BBQ cleaning and mowing of the Wickliffe Common located at 31 Walker Street, Wickliffe.

With changes to the committee over a period of time, it has been identified that the original service levels have changed.

The Wickliffe Action Group has identified that they would like to re-establish itself as a community group for the benefit of Wickliffe and district.

#### KEY CONSIDERATIONS

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

- 1.1 Work with communities to develop and prosper
- 4.1 Attractive streetscapes, town entrances, parks and gardens
- 5.2 Services and infrastructure that meets the municipality's existing and future needs

##### *Financial*

All costs relating to the area located at 31 Walker Street, Wickliffe are the responsibility of Council.

*Policy/Legal/Statutory*

A Section 86 Committee is a delegated committee, enacting the wishes of Council through an Instrument of Delegation. The Section 86 Committee is a Council of Council and must follow the governance requirements of the Local Government Act 1989. Currently the Committee do not provide Council with minutes or updates of their activities.

*Risk Assessment*

Dissolving the Committee will reduce the risk that Council has in relation to the current responsibilities.

*Stakeholder Consultation and Communication*

Council's Governance department will work with the Wickliffe Action Group to assist them re-establish their independent community group.

CONCLUSION

The Wickliffe Action Group Wickliffe Common Committee have identified a new direction for their community group, and Council officers will work with them to re-establish a Wickliffe Action Group. This report is presented to dissolve the Wickliffe Action Group Wickliffe Common Section 86 Committee of Management.

RECOMMENDATION

That Council:

- 1 Council dissolve the Wickliffe Action Group Wickliffe Common Section 86 Committee of Management; and
- 2 Council write a letter of appreciation to the Wickliffe Action Group Wickliffe Common Committee of Management for their assistance with the Wickliffe Common area, and wish the Wickliffe Action Group the very best for their future endeavours.

ATTACHMENTS

There are no attachments relating to this item.

SECTION 4 – INFORMATION REPORTS

4.1 BUILDING APPROVALS

RESPONSIBLE OFFICER: PLANNING & DEVELOPMENT OFFICER  
DEPARTMENT: PLANNING AND PUBLIC HEALTH  
REFERENCE: 13038442

OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

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

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

DISCUSSION

This report outlines the monthly building permit approvals issued by Ararat Rural City Council and by private building surveyors for building works within Ararat Rural City for June 2019.

Approvals by Ararat Rural City Municipal Building Surveyor. – July 2019

Permit No.	Application Date	Approval Date	Building Address	Nature of Works	Use of Building
191679/0	18/06/2019	09/07/2019	176 Montgomery Street, Lake Bolac	Change of use	Boarding House
191684/0	27/06/2019	24/07/2019	2079 Pomonal Road, Pomonal	Construction of Alfresco/gazebo	Alfresco, gazebo
191685/0	5/07/2019	29/07/2019	7 Vincent Street, Ararat	Construction of a shed	Shed

TOTAL VALUE \$170,850

Approvals by Private Surveyors – July 2019

Permit No.	Date Received by Council	Date Approved	Building Address	Description of Building Works or Use of Building	Surveyor
20191219/2	27/06/2019	24/06/2019	68 Vincent Street, Ararat	Service Station Upgrade Works and Canopy Replacement	Steve Watson & Partners
20190182/0	26/06/2019	27/06/2019	Roche Road, Rossbridge	Re-erection of dwelling (lock-up to completion Stage) & Extensions/ Alteration	Beaton Building Consultancy Pty Ltd
2184913748 573	19/06/2019	29/07/2019	9 Jengarla Court, Ararat	Dwelling – 1 Storey, verandah, garage	Daville Building Surveying

TOTAL VALUE \$727,112

## KEY CONSIDERATIONS

*Alignment to Council Plan Strategic Objectives*

3.3 Effective and efficient land use planning and building controls.

## RECOMMENDATION

That the Building Approvals Report be received.

## ATTACHMENTS

There are no attachments relating to this item.

4.2 PLANNING MATTERS APPROVED UNDER DELEGATION PLANNING PERMITS AND CERTIFICATION OF SUBDIVISION PLANS

RESPONSIBLE OFFICER: PLANNING & DEVELOPMENT OFFICER  
DEPARTMENT: PLANNING AND PUBLIC HEALTH  
REFERENCE: 13038445

OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

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

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

DISCUSSION

Planning permits, certification of subdivision plans and liquor license applications are approved under delegated authority by relevant Council officers each month, where possible. This report outlines the various approvals for Council's information.

Planning permit approvals under delegated authority – July 2019

Application No.	Date Lodged	Date of Delegated Approval	Applicant	Location	Proposed Use of Development
02793	08/01/2019	30/07/2019	CPB Contractors & Seymour Whyte	Colonial Road, Buangor	Use and works to establish a borrow pit for soil and stone extraction
Amendment to PP 02671	16/07/2019	17/07/2019	Bruce Blake	4082 Mortlake-Ararat Road, Lake Bolac	Development of a Farm Building
02817	17/04/2019	15/07/2019	Ann Hardy	258 Glue Pot Road, Pomonal	2 Lot Subdivision
02819	23/04/2019	09/07/2019	Katherine Gibson	1939 Astons Road, Narrapumelap South	Use and development: Construction of a Dwelling
02826	29/05/2019	09/07/2019	Bart Wilson	63 Campbell Street, Ararat	Construction of a Crossover in a Road Zone – Category 1
02832	19/07/2019	26/07/2019	Darayne Pty Ltd	226-230 Barkly Street, Ararat	Installation of Business Signage and External Painting

VCAT				
Application No.	Applicant	Location	Proposed Use of Development	Status
NIL				

Certification of subdivision plans under delegated authority

Application No.	Date Lodged	Date of Decision	Applicant	Location	Procedure
S01176	02/08/2018	23/07/2019	Ferguson Perry Surveying Pty Ltd	134 Burke Road, Ararat	Certification issued in relation to PS821974C, Version 2
S01079	19/12/2012	03/07/2019	Dickson Hearn Pty Ltd	34 Princes Street, Ararat	Statement of Compliance issued in relation to PS714367X. Version 02
S01186	19/12/2019	15/07/2019	Ferguson Perry Surveying Pty Ltd	15 Tobin Street, Ararat	Certification issued in relation to PS825680Y, Version 2
S01191	02/05/2019	05/07/2019	Steele Surveying P/L for Skewes	18 Tuson Street, Ararat	Certification & Statement of Compliance in relation to PS820906B, Version 02

<i>LIQUOR LICENSE APPLICATIONS</i>			
Applicant	Location	Application	Consent
NIL			

KEY CONSIDERATIONS

*Alignment to Council Plan Strategic Objectives*

3.3 Effective and efficient land use planning and building controls.

RECOMMENDATION

That the Planning matters approved under delegation Planning permits and Certification of Subdivision plans be received.

ATTACHMENTS

There are no attachments relating to this item.

#### 4.3 LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK (LGPRF) SUBMISSION UPDATE

RESPONSIBLE OFFICER: MANAGER ORGANISATIONAL TRANSFORMATION  
DEPARTMENT: EXECUTIVE SERVICES  
REFERENCE: 19107243

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

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

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

---

##### EXECUTIVE SUMMARY

Increased effort in working with the community has resulted in improvements to community satisfaction in the Local Government Performance reporting.

The Local Government Performance Reporting Framework (LGPRF) is due for submission to Local Government Victoria in August each year. Council has made a submission of data and was commended for the high quality of commentary provided. The commentary provides important context for performance results and offers an opportunity to tell a meaningful story to constituents and other councils.

The data ranges in terms of performance. It appears that where more resources have been put into services the results have improved and conversely where some savings have been realised our performance starts to slip. People resources remains a closely scrutinised area as we find the appropriate sustainable balance that ensures levels of service match community expectations across service delivery and budget lines.

The final LGPRF information will be published on the "Know Your Council" website for the community to view in the coming months.

##### DISCUSSION

The Local Government Performance Reporting Framework is a mandatory system of performance reporting for all Victorian Councils. It ensures that councils are measuring and reporting on their performance in a consistent way to promote transparency and accountability in the local government sector.

The framework is made up of a range of measures, including roads, planning, animal management and waste. It is complemented by a Governance and Management checklist of 24 items, which shows the policies, plans and procedures in place at each council. Together, they build a comprehensive picture of Council performance which can be viewed on the Know Your Council website.

The attached table provides an overview of the data submitted by Ararat Rural City Council for the 2018/2019 reporting period along with historical data from 2017/2018 and 2016/2017 as a means of comparative data. It also provides a comparison against the state data and rural data for the reporting period of 2017/2018. Please note that the comparative data is not for the 2018/2019 year. An updated account of comparative data for 2018/2019 will be provided to Councillors once it has been published on the Know your Council website.

Key areas of performance improvements that have been achieved this year include;

- Community Satisfaction with the consultation and engagement efforts of Council
- Community satisfaction with how Council has performed in making decisions in the interests of the community.
- Direct costs of the food safety service
- Percentage of collected cats and dogs which have been reclaimed
- Direct cost to Council of providing outdoor aquatic facilities
- Median number of days taken between receipt of a planning application and a decision on the application
- Direct cost to Council of local road resealing per square metre resealed
- Community satisfaction rating with how council has performed on the condition of sealed local roads
- Number of kerbside bin collection requests received by council per 1,000 kerbside bin collection households
- Resignations and terminations compared to average staff

Areas of performance decline requiring action this year include;

- Health inspections at aquatic facilities (daily inspections are carried out 4 times a day by the operator - this indicator relates to an annual inspection by the Environmental Health Officer)
- Cost of animal management service
- Food safety assessments
- Council decisions made at closed meetings (largely due to an overall decrease in decisions made)
- Cost of statutory planning service (increased use of contractors to clear backlog)
- Cost of kerbside recyclables collection service

As the finances have not yet been audited the outcomes are not reflected in this report however the anticipated data is listed in the attached table.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

- 1.1 Work with Communities to develop and prosper
- 4.4 Long term asset management
- 5.1 Good governance through leadership
- 5.4 Sustainable long-term financial management

### *Budget Implications*

The LGPRF reporting itself has no direct implication on budget however it gives us a guide for measuring performance against other Councils of similar size.

### *Policy/Legal/Statutory*

The Local Government Performance Reporting Framework is part of an annual mandatory reporting process to Local Government Victoria.

### *Risk Assessment*

No risk assessment has been undertaken as part of the performance reporting process

### *Stakeholder Consultation and Communication*

This report aims to be the commencement of communication with our community about Local Government Performance Reporting. Full information will be made public by Local Government Victoria on the Know your Council website.

#### CONCLUSION

Overall the data reflects a positive performance result for Ararat Rural City Council over the last reporting period. We expect to see further improvements over this financial year as we implement a new Key Performance Indicator dashboard across all service areas which will be monitored on a monthly basis. Councillors and constituents will see quarterly performance reporting against these indicators. This move reflects a desire for Ararat Rural City Council to not only be undertaking mandatory reporting to Local Government Victoria, but to move towards best practice that has the organisation voluntarily sharing information with our community in an open and transparent way.

#### RECOMMENDATION

That the Local Government Performance Reporting Framework report be received

#### ATTACHMENTS

The Local Government Performance Reporting Framework Table of results is provided as attachment 4.3

SECTION 5 – COMMITTEE MINUTES/REPORTS

5.1 SECTION 86 COMMITTEES OF MANAGEMENT MINUTES

**AUTHOR'S TITLE:** GOVERNANCE AND ADMINISTRATION COORDINATOR  
**DEPARTMENT** CEO'S OFFICE  
**REFERENCE:** 13039110 / 19107230 (Elmhurst Public Hall) / 19107237 (Tatyoan Hall and Recreation Reserve / 19107075 (Willaura Hall) / 19109716 (Willaura Reception Reserve)

**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.

**EXECUTIVE SUMMARY**

Section 86 Special Committees are established to assist Council with executing specific functions or duties. By instrument of delegation Council has delegated to the Special Committees such functions and powers of the Council that it deems appropriate, utilising provisions of the Local Government Act 1989.

**DISCUSSION**

Section 86 Special Committees are required to report to Council at intervals determined by the Council.

Council officers have recently contacted each Committee to request minutes of meetings and to also confirm when the Committees are holding their Annual General Meetings.

**Summary of S86 Committee Meetings Minutes Received**

The following table lists the Section 86 Committee meeting minutes received by Council in the past month.

Please note that due to the timing of meetings some minutes may not have been confirmed at the time they have been presented to Council.

Special Committee	Councillor representative	Councillor Attendance Record	Current meeting (as presented)	Next proposed meeting/s	Minutes last presented to Council
Alexandra Hall Committee of Management	Cr Allgood	Cr Allgood - attended	Ordinary and AGM – 8 August 2019	14 November 2019	9 May 2019
Elmhurst Public Hall Committee	Cr Beales	Cr Beales - attended	13 June 2019	8 August 2019 19 September 2019 AGM	11 April 2019

Special Committee	Councillor representative	Councillor Attendance Record	Current meeting (as presented)	Next proposed meeting/s	Minutes last presented to Council
				10 October 2019 12 December 2019	
Tatyoan Hall and Recreation Reserve Committee	Cr Beales	Cr Beales - attended	15 April 2019	16 September 2019 - AGM	17 September 2018 AGM and Ordinary
Willaura Memorial Hall	Cr Beales	Cr Beales - attended	1 August 2019	3 October 2019 (AGM)	6 June 2019
Willaura Recreation Reserve	Cr Pettman	Cr Pettman apology	16 July 2019	13 August 2019	22 May 2019

#### KEY CONSIDERATIONS

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

5.1 Good governance through leadership

##### *Budget Implications*

No budget impact for the receiving of minutes.

##### *Policy/Legal/Statutory*

Council's Section 86 Committee Instrument of Delegation states that Committees must "Adhere to the *Section 86 Committee Governance Manual (Governance)* in relation to all reporting requirements." Section 86 Committee Minutes must be forwarded to Council within 14 days after the meeting.

##### *Risk Assessment*

Council need to be aware of issues raised in the minutes and take action were required. Not receiving the minutes in a timely manner can lead to delays in implementation of the requests.

##### *Stakeholder Consultation and Communication*

Councillor representation on Section 86 Committee of Management.

#### CONCLUSION

It is a legislative requirement of the *Local Government Act 1989, section 86* for minutes of these committees to be presented to the Council.

#### RECOMMENDATION

That Council receives the:

- 1 Ordinary and Annual General Meeting minutes of the Alexandra Hall Committee of Management meeting held on 8 August 2019;
- 2 Ordinary Meeting minutes of the Elmhurst Public Hall Committee of Management meeting held on 13 June 2019;
- 3 Ordinary Meeting minutes of the Tatyoon Hall and Recreation Reserve Committee of Management meeting held on 15 April 2019;
- 4 Ordinary Meeting minutes of the Willaura Hall Committee of Management meeting held on 1 August 2019; and
- 5 Ordinary Meeting minutes of the Willaura Recreation Reserve Committee of Management meeting held on 16 July 2019.

#### ATTACHMENTS

The Section 86 Committees minutes as listed above are provided as Attachment 5.1.

## 5.2 ADVISORY COMMITTEES MINUTES

**AUTHOR'S TITLE:** GOVERNANCE AND ADMINISTRATION COORDINATOR  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 13039075

### OFFICER'S DECLARATION OF INTEREST

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

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

---

### EXECUTIVE SUMMARY

Council reviews its Committees at the Statutory Meeting each year and the Minutes of these minutes are presented to Council.

This report contains the records of Council Committee meetings minutes received since the last Council Meeting.

### DISCUSSION

The following table outlines the Advisory Committees held since the last Council Meeting.

Council Committees	Councillor representative	Councillor Attendance Record	Current meeting (as presented)	Next scheduled meeting/s
Municipal Emergency Management Planning Committee	Cr Beales	Cr Beales - Attended	7 August 2019	6 November 2019

### KEY CONSIDERATIONS

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

5.1 Good Governance through leadership

#### *Budget Implications*

No budget impact for the receiving of minutes.

#### *Policy/Legal/Statutory*

Section 3(1) of the Act defines an Advisory Committee to be any committee established by the Council that provides advice to: Council, a Special Committee or a member of staff with a delegated duty, function or power of the Council under Section 98.

#### *Risk Assessment*

Council need to be aware of issues raised in the minutes and take action were required.

#### *Stakeholder Consultation and Communication*

Councillor representation on Council Committees.

#### CONCLUSION

The minutes of Council Committees are presented to Council for information.

#### RECOMMENDATION

That the Council Committees Report be received.

#### ATTACHMENTS

The Advisory Committee minutes as listed above are provided as Attachment 5.2.

## SECTION 6 – ASSEMBLY OF COUNCILLORS

### 6.1 ASSEMBLY OF COUNCILLORS

**AUTHOR'S TITLE:** GOVERNANCE AND ADMINISTRATION COORDINATOR  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 13039074

#### OFFICER'S DECLARATION OF INTEREST

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

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

---

#### EXECUTIVE SUMMARY

The *Local Government Act 1989* (Act) (Section 80A) requires that the record of an assembly of Councillors is to be reported to the next practicable Council meeting and be included in the minutes of that meeting.

As a requirement of the Act, all Assemblies of Councillors held since the last Council Meeting are presented to Council and recorded in the minutes of the Council Meeting.

#### BACKGROUND

Certain types of meetings involving Councillors are defined to be Assemblies of Councillors. Councillors must disclose conflicts of interests at Assemblies of Councillors. Records of Assemblies of Councillors must be reported to Council meetings and recorded in the Council minutes

Section 76AA of the Act defines the following meetings to be Assemblies of Councillors: An Advisory Committee of the Council that includes at least one Councillor; or A planned or scheduled meeting of at least half the Councillors and one staff member.

#### DISCUSSION

The following records of meetings of the Assembly of Councillors since the last Council Meeting are attached.  
*Note: Any disclosures of interest, relevant to these items, are recorded in the Assembly of Councillors record.*

Assembly of Councillors
Assembly of Councillors held on 6 August 2019
Assembly of Councillors held on 7 August 2019 – Municipal Emergency Management Planning Committee
Assembly of Councillors held on 13 August 2019

#### KEY CONSIDERATIONS

*Alignment to Council Plan Strategic Objectives*

5.1 Good Governance through leadership

*Financial*

No financial impact for the receiving of Assembly of Councillors records.

*Policy/Legal/Statutory*

As a requirement of the *Act*, a record of Assembly of Councillors must be kept and presented to the next available Council Meeting. Conflict of interest disclosures are noted in the record of Assembly of Councillors.

*Risk Assessment*

Records of Assembly of Councillors are reported regularly and related documentation retained as required by legislation.

*Stakeholder Consultation and Communication*

Council receives delegations from various organisations and individuals throughout the year.

CONCLUSION

This is a legislative requirement of the *Local Government Act 1989, section 80*. The records of Assemblies of Councillors since the last Council Meeting are presented for information.

RECOMMENDATION

That the Assembly of Councillors Reports be received.

ATTACHMENTS

The Assembly of Councillor records listed above are provided as Attachment 6.1.

## SECTION 7 – COUNCILLORS REPORTS

At each Council Meeting, all Councillors will have the opportunity to provide an overview of any meetings attended.

If a Councillor chooses to provide details, the name of the conference/event and the Councillor attending will be noted in the Minutes of the meeting. If a Councillor requires additional information on the conference/event to be included in the Minutes, the Councillor must submit in writing to the Chief Executive Officer by no later than 12pm (noon) the day following the meeting.

### RECOMMENDATION

That the Councillors Reports be received.

## SECTION 8 – NOTICES OF MOTION

Notices of Motion must be in writing and lodged with the Chief Executive Officer no later than 5pm on the Wednesday which is at least four (4) business days before the meeting at which it is intended to be considered, unless a public holiday falls within that four days, as per Clause 18(4) of the Ararat Rural City Council Meeting Procedure.

No Notices of Motions were received by 5pm on 15 August 2019.

SECTION 9 – URGENT BUSINESS

Ararat Rural City Council Meeting Procedure, Clause 17 Urgent Business states:

- (1) Items proposed as urgent business must not be submitted to the meeting other than by resolution of the Council and only if it relates to or arises out of a matter which has arisen since distribution of the Agenda or which cannot be reasonably deferred for inclusion in the agenda of the next meeting
- (2) The nature of the urgency must be stated by the Councillor and outlined in the minute of the meeting.

Discussion on Urgent Business Items admitted and accepted by resolution of Council at the commencement of the meeting:

## SECTION 10 – CLOSE SESSION (CONFIDENTIAL)

### CLOSURE OF COUNCIL MEETING TO THE PUBLIC

The Open Council Meeting will now be closed, but members of the public are welcome to rejoin the Council Meeting following the recommencement of the meeting.

#### RECOMMENDATION

That the meeting be closed to members of the public to discuss the items listed in the confidential agenda, in accordance with the following provision:

***"89 Meetings to be open to the public***

*(2) A Council or special committee may resolve that the meeting be closed to members of the public if the meeting is discussing any of the following—*

- (a) personnel matters;*
- (b) the personal hardship of any resident or ratepayer;*
- (c) industrial matters;*
- (d) contractual matters; and*
- (f) legal advice.*

### OPEN COUNCIL MEETING RECOMMENCEMENT

#### RECOMMENDATION

That the Open Council Meeting recommence.

Gallery invited to return to Council Chamber.

### LIFTING OF CONFIDENTIALITY OF CLOSED SESSION RESOLUTIONS

#### RECOMMENDATION

That the Confidentiality of the:

- 1 Report and decision in relation to Item 10.5 of the Confidential Agenda not be lifted until Monday 26 August 2019.
- 2 Decision in relation to Item 10.4 of the Confidential Agenda be lifted on Monday 26 August 2019; and
- 3 Report and decision in relation to Items 10.2 and 10.3 of the Confidential Agenda be lifted.