



Ararat Rural City

# AGENDA

## COUNCIL MEETING

**Tuesday 30 January 2024**

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

Commencing at 6.00pm

Council:

Cr Bob Sanders (Mayor)

Cr Gwenda Allgood

Cr Jo Armstrong

Cr Rob Armstrong

Cr Peter Beales

Cr Henry Burridge

Cr Bill Waterston



Ararat Rural City

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

The recording is being streamed live via Facebook, to improve transparency between council and the community and give more people the opportunity to view what decisions are being made. You do not require a Facebook account to watch the live broadcast, simply enter [www.facebook.com/araratruralcitycouncil](https://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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## SECTION 1 – PROCEDURAL MATTERS

### 1.1 LIVE STREAMING

Council is keen to engage with members of the community and live streams the formal Council Meetings to make them accessible. The stream is available to view on Council’s Facebook page from 6pm and on Council’s website following the Council Meeting.

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

#### *Traditional acknowledgement*

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

#### *Opening Prayer*

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

#### *Councillors Pledge*

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

### 1.3 APOLOGIES

#### RECOMMENDATION (if required)

That the apology of **Cr** be accepted.

### 1.4 CONFIRMATION OF MINUTES

#### RECOMMENDATION

That the Minutes of the Council Meeting held on 28 November 2023 be confirmed.

## 1.5 DECLARATION OF CONFLICT OF INTEREST

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

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

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

## SECTION 2 – PUBLIC PARTICIPATION

### 2.1 PETITIONS AND JOINT LETTERS

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

## SECTION 3 – REPORTS REQUIRING COUNCIL DECISION

### 3.1 FAIR ACCESS ACTION PLAN

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 13272

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

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

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

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#### **EXECUTIVE SUMMARY**

This report recommends that Council adopt the Fair Access Action Plan, which lists a number of actions that both Council and clubs will work towards, in order to achieve the principles outlined in the Fair Access Policy.

The Action Plan ultimately seeks to address known barriers that are experienced by women and girls within our municipality, in accessing and using community sports infrastructure and recreation reserve facilities.

The scope of the Fair Access Action Plan is a detailed document that outlines specific, measurable and timely goals in line with each the Fair Access principles.

#### **DISCUSSION**

This project has been initiated in response to the Victorian Government Office of Women and Girls - 2022, **Fair Access Policy Roadmap**.

Fair, inclusive and safe places to connect, participate and exercise are a basic human right.

We will use the following Victorian Government's Fair Access Principles to guide the development of our Fair Access Policy and Action Plan:

1. Community sports infrastructure and environments are genuinely welcome, safe and inclusive
2. Women and girls can fully participate in all aspects of community sport and active recreation, including as a player, coach, administrator, official, volunteer and spectator
3. Women and girls will have equitable access to and use of community sport infrastructure:
  - a) Of the highest quality available and most convenient
  - b) At the best and most popular competition and training times and locations
  - c) To support existing and new participation opportunities, and a variety of sport and recreation activities
4. Women and girls should be equitably represented in leadership and governance roles
5. Encourage and support all user groups who access and use community sport and recreation infrastructure to understand, adopt and implement gender equitable access and use policies
6. Prioritise use and support to all user groups who demonstrate an ongoing commitment to gender equitable access and use of community sport and recreation infrastructure

The development of a Fair Access Action Plan is not legally mandatory but will be required to be in place for Council to secure funding from the Victorian Government for sport and recreation infrastructure.

To ensure that our sport and recreation infrastructure is maintained and developed to an appropriate standard, securing external funding is critical and as such we are developing the Fair Access Policy and Action Plan to comply with this requirement.

Image: Fair Access Principles





For Ararat Rural City Council, the Fair Access Action Plan applies to the following community sports infrastructure/facilities:

	Facility	Location
1	Alexandra Oval Community Centre	Waratah Avenue, Ararat
2	Gordon Street Recreation Reserve	Gordon St, Ararat
3	Ararat Fitness Centre	61-73 High St, Ararat
4	Moyston Recreation Reserve	Moyston- Great Western Road, Moyston
5	Willaura Recreation Reserve	Delacombe Way, Willaura
6	Pomonal Recreation Reserve	Ararat-Halls Gap Road, Pomonal
7	Tatyoan Recreation Reserve	Tatyoan Road, Tatyoan
8	Mininera Recreation Reserve	Mac Street, Mininera
9	Elmhurst Recreation Reserve	Green Street, Elmhurst
10	Lake Bolac Recreation Reserve	Lake Bolac Complex Road, Lake Bolac
11	Buangor Recreation Reserve	Main Street, Buangor

### Implementation

Council acknowledges that the requirement to have a gender equitable access and use policy and action plan (or equivalent) in place, and the ability to demonstrate progress against that policy and action plan (or equivalent), will form part of the eligibility criteria for Victorian Government funding programs relating to community sports infrastructure from 1 July 2024.

At this point in time, it only includes Victorian Government funding programs, it does not include grant programs through other sporting bodies such as VicHealth.

### 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 **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.
- 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.
- 5.3 Partner with community groups, not-for-profits, and traditional owner organisations to develop Ararat Rural City as a more inclusive and diverse community.

#### *Budget Implications*

There are no budget implications.

#### *Policy/Relevant Law*

The Fair Access Policy has been introduced as a mandatory requirement by State Government, as part of these clubs, councils and organisations are required to implement an action plan to achieve the policy principles.

Council policies include:

- Gender Equality Act 2020
- Local Government Act 2020
- Equal Opportunity Act 2010
- Gender Equality Action Plan 2011-2025 (Ararat Rural City Council)

- Diversity and Inclusion Strategy 2023-2026 (Ararat Rural City Council)
- Seasonal User Agreement Alexandra Oval - Ararat Rats Football Netball Club
- Seasonal User Agreement Alexandra Oval - Ararat Eagles Football Netball Club
- Gymnastics Club Ararat Fitness Centre Agreement
- Ararat Basketball Association Ararat Fitness Centre Agreement
- Grampians Cricket Association

***Sustainability Implications***

There are no environmental sustainability implications.

***Risk Assessment***

The implementation of the Fair Access Plan mitigates the risk of not being eligible for Victorian State Government funding as of 1 July 2024.

***Innovation and Continuous Improvement***

Council will consider the Fair Access Plan when reviewing policies, planning, maintenance, and capital works on community sports infrastructure which is managed by Council, to ensure that ongoing improvements in this area are implemented.

***Stakeholder Collaboration and Community Engagement***

The Policy has been reviewed by the following council officers: Contracts & Procurement Lead, Recreation Engagement Coordinator and Human Resources Business Partner, all of which work closely in this space.

**RECOMMENDATION**

**That Council adopts the Fair Access Action Plan dated January 2024.**

**ATTACHMENTS**

A copy of the Fair Access Action Plan is provided as Attachment 3.1

### 3.2 WESTERN BULLDOGS YOUTH LEADERSHIP PROGRAM MEMBERSHIP

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 13274

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

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

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

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#### **EXECUTIVE SUMMARY**

The purpose of this report is to determine the viability of Councils membership in the Western Bulldogs Youth Leadership Program (WBLYP) in 2024.

Council has contributed to the WBLYP since 2017. Renewal of membership to the program is due in January 2024, therefore, Council needs to determine whether this program is of benefit to the young people of Ararat Rural City.

#### **DISCUSSION**

Ararat Rural City Council first began their membership with the WBLYP in 2017, with an initial contribution of \$12,000, and the program commenced with 8 students. The program aims to provide young people with hands-on opportunities to build capacities in leadership, teamwork, communication, goal setting and resilience, along with contributing and growing as leaders in our community.

There has been some interest in the program of the past 6 years, The program in 2023 had 16 participants. The cost of the program has gradually increased since 2017, with a contribution by Council in 2023 of \$25,000.

The program has only engaged a relatively small number of young people each year and there is a sense that the quality of facilitation has varied during the period of Council's involvement with WBLYP. There is also a sense that the program was easier to access for urban young people rather than those rurally based.

This is not to suggest that the program has not been of benefit to the young people involved. A number of them have demonstrated leadership in our community and feedback has been that they have generally appreciated the opportunity to engage with the WBLYP.

It is recommended that Council seek a program that is more carefully curated to the needs of young people in Ararat Rural City, engages with a broader demographic and builds a range of skills focussed on employment, key life transitions and community engagement.

#### **KEY CONSIDERATIONS**

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

##### **5 Enhancing Community Life**

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

- 5.3** Partner with community groups, not-for-profits, and traditional owner organisations to develop Ararat Rural City as a more inclusive and diverse community.

##### ***Budget Implications***

There are no significant budget implications of this recommendation. Withdrawing from the program will allow Council to invest resources into a more locally focussed young people's program.

***Policy/Legal/Statutory***

N/A.

***Risk Assessment***

None identified.

***Stakeholder Consultation and Communication***

The recommendation was based on feedback from people engaged in the program.

**RECOMMENDATION**

**That:**

- 1 Council discontinue participation in the Western Bulldogs Youth leadership program, commencing in 2024
- 2 The CEO bring a recommendation to the February 2024 Council meeting for an alternate young people's program for 2024.

**ATTACHMENTS**

There are no attachments in relation to this item.

### 3.3 ARARAT RURAL CITY COUNCIL 2024/2025 BUDGET DEVELOPMENT AND ENGAGEMENT PLAN

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO's OFFICE  
**REFERENCE:** 13299

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

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

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

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#### EXECUTIVE SUMMARY

Council will shortly be commencing development of the 2024/2025 Budget for adoption prior to 30 June 2024. The 2024/2025 Budget will be developed consistent with the key financial drivers adopted at the July 2023 Council Meeting.

The Budget will be developed and go through a process of community engagement consistent with the requirements of Sections 94 and 96 of the Local Government Act 2020. A development and community engagement plan for the 2024/2025 Budget are presented for endorsement by Council.

#### DISCUSSION

Section 94 of the Local Government 2020 requires that Council adopt a budget for 2024/2025 by 30 June 2024. In order to achieve this outcome Council needs to develop a draft budget for 2024/2025 and undertake community consultation around the budget prior to adoption.

#### Budget Development

It is proposed that Council begin developing the 2024/2025 Budget in February 2024 for adoption by Council at the Ordinary Meeting of Council on Tuesday 25 June 2024.

The preliminary draft budget will be developed by Council staff during February and March 2024 for presentation to Council in April 2024. In the first Council Briefing in March 2024, Councillors will consider new initiatives or projects for inclusion in the 2024/2025 budget.

The 2024/2025 Budget will be developed based on the Key Financial Drivers adopted by Council at the July 2023 Council Meeting. These Key Drivers are:

#### Rating

Maintenance of the "pie model" to provide some form of long-term rating equity and reduce rate shock across rating sectors based on annual valuation fluctuations.

#### Debt

Debt is only used to fund strategic infrastructure outcomes with an emphasis on intergenerational equity

#### Asset Preservation

Maintain the asset renewal and upgrade ratio to at least 110% of depreciation

#### Surplus budgets

Maintain cash and operating surpluses in each financial year

### Managing expenditure

Managing expenditure is a key driver of financial sustainability at Ararat Rural City Council

### Rate rises

Rate rises will be kept to a minimum based on seeking organisational efficiency. These efficiencies will be returned to the ratepayer as a dividend through lower rate rises or rate cuts. ***The 2024/2025 Budget will be developed on the basis of delivering a 0% rate rise.***

### Service standards

Expenditure savings and ratepayer dividends will not come at the price of lower service standards.

The timeframe for development of the 2024/2025 Budget is summarized in the table below:

Activity	Timeframe
Budget development by Council staff	February – March 2024
Consideration of new initiatives or projects by Council	5 March 2024
Presentation of 2024/2025 Budget to Council	9 & 16 April 2024
Public release of Budget	19 April 2024
Closure of public submissions	17 May 2024
Consider any matters or submissions as required at the May 2025 Council Meeting	28 May 2024
Adopt 2024/2025 Budget	25 June 2024

### Community Engagement

Section 96 of the Local Government Act 2020 requires that Council undertake community engagement around its budget in a form that is consistent with its Community Engagement Policy.

It is recommended that Council endorse a plan for community engagement around the 2024/2025 budget. This will include several mechanisms of engagement including:

- use of Engage Ararat
- distribution of plain language budget summaries 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 around major 2024/2025 Budget initiatives

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

Engagement Activity	Timeframe
Posting of Council's 2024/2025 Budget on Engage Ararat	By 5:00pm on Friday 19 April 2024
Development of a one-page summary of key budget deliverables – available at a number of sites across the municipality	Friday 19 April 2024
"Town Hall" meetings in the following communities: <ul style="list-style-type: none"> <li>• Ararat</li> <li>• Elmhurst</li> <li>• Tatyoon</li> <li>• Moyston</li> <li>• Lake Bolac</li> <li>• Pomonal</li> <li>• Willaura</li> </ul>	Between Monday 29 April– Friday 10 May 2024
Promotion of key budget elements across mainstream and social media	Ongoing during the budget period

## KEY CONSIDERATIONS

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

Council's Budget is a key strategic document that resources delivery of the Council Plan. In particular the Budget 2024/2025 relates to the following:

#### **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***

As this item relates to the development of the 2024/2025 Budget it has no direct or significant budget implications for the 2023/2024 Budget. The 2024/2025 budget will be framed around the key financial drivers adopted by Council at the July 2023 Council Meeting.

### ***Policy/Relevant Law***

Sections 94 and 96 of the Local Government Act 2020 (LGA 2020) requires that Council prepare and adopt a budget for each financial year and the subsequent three financial years by 30 June each year. Section 96 requires that Council undertake community engagement around its budget in a form that is consistent with its Community Engagement Policy

### ***Sustainability Implications***

N/A

### ***Risk Assessment***

The most significant risk to be managed is to ensure that the 2024/2025 Budget aligns with community expectation and Council's key strategies outlined in the Council Plan 2021-2025.

### ***Innovation and Continuous Improvement***

N/A

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

This agenda item relates directly to a process of community engagement around the development of the 2024/2025 Budget.

## RECOMMENDATION

That Council:

### 1. Endorse the timeframe for development and adoption of the Budget 2024/2025.

Activity	Timeframe
Budget development by Council staff	February – March 2024
Consideration of new initiatives or projects by Council	5 March 2024
Presentation of 2024/2025 Budget to Council	9 & 16 April 2024
Public release of Budget	19 April 2024
Closure of public submissions	17 May 2024
Consider any matters or submissions as required at the May 2025 Council Meeting	28 May 2024
Adopt 2024/2025 Budget	25 June 2024

### 2. Endorse the community engagement plan relating to the 2024/2025 Budget.

Engagement Activity	Timeframe
Posting of Council's 2024/2025 Budget on Engage Ararat	By 5:00pm on Friday 19 April 2024
Development of a one-page summary of key budget deliverables – available at a number of sites across the municipality	Friday 19 April 2024
"Town Hall" meetings in the following communities: <ul style="list-style-type: none"> <li>• Ararat</li> <li>• Elmhurst</li> <li>• Tatyoon</li> <li>• Moyston</li> <li>• Lake Bolac</li> <li>• Pomonal</li> <li>• Willaura</li> </ul>	Between Monday 29 April– Friday 10 May 2024
Promotion of key budget elements across mainstream and social media	Ongoing during the budget period

## ATTACHMENTS

There are no attachments relating to this item.



### 3.4 PITCH MUSIC FESTIVAL 2024 – TOWAWAY ZONES

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 13641

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

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

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

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#### EXECUTIVE SUMMARY

The purpose of this report is to request endorsement from Council to establish tow-away zones adjacent to the Pitch Music Festival site.

Council will work in conjunction with Pitch Music Festival (Sound Event Group), and a contractor to install and manage the installation, enforcement and removal of vehicles.

#### DISCUSSION

Pitch Music Festival, in conjunction with Council and VicRoads have established a tow-away zone to mitigate risks from the parking of vehicles in the road reserves adjacent to the festival site.

The risks include the following:

- Vehicles being parked over dry grass and other vegetation creating an extreme fire hazard
- Vehicles pulling over on side roads causing traffic hazards
- Restricting the carriageway width on road reserve which require unobstructed travel for the time of the festival
- Risk of pedestrian accidents while passengers are disembarking from a vehicle located along the highway
- Vehicles being used as camp sites during the time of the festival

Council officers and festival organisers believe that undertaking this action will improve safety and reduce risk to the community, road users and festival attendees during the time of the Pitch Music Festival. Having the authority to undertake the enforcement and removal vehicles within an area of the festival provides some rigour to the process, and immediately eliminate a risk once it has been identified.

Further work will be undertaken to finalise the event contractor installation and, a reasonable cost recovery process which sees no cost to Council will need to be established.

The locations of the proposed tow away zones are as follows:

- Moyston Dunkeld Road from White Cockatoo Road north of the Pitch Site (the patron entry is at the intersection of Moyston Dunkeld Road and Regulating Basin Road), south to Mafeking Road
- Andrews Lane from Moyston Willaura Road to Muirhead Road
- Regulating Basin Road from Moyston Dunkeld Road to past Muirhead Road
- Mafeking Road from Moyston Dunkeld Road to Muirhead Road
- Muirhead Road from Andrews Lane to Regulating Basin Road

These locations are outlined on the map which is provided as Attachment 3.4

It is proposed that:

- Pitch Music Festival event organisers (Sound Event Group) in conjunction with Council, establish an appropriate impound area at the Council depot – as long as the vehicles are kept safe.
- The release fees will comply with Road Management Act 2004 Schedule 4 clause 5(2A). It must reflect the reasonable costs of impoundment, including overhead and indirect costs.
- If a contractor is undertaking the towing, then any cost recovery fee received by the council is received as an agent for the towing company and can be paid to them. It would be best if the fee charged to the customer is the fee charged by the contractor, with the council not keeping any excess.
- Council authorised officers will negotiate this payment process with event organisers. This fee charged also needs to reflect the cost associated with all aspects of management and release of impounded vehicles.
- The formal notification requirement for the tow away will be published in the Government Gazette. This cost and the cost of appropriate signage will be required to be met by the event organisers.
- Council officers will arrange the application through VicRoads to receive the appropriate authorities to establish and enforce the tow-away zones for the length of the festival.
- If Council were to install the signage, they would remain permanent signs, as the festival has a planning permit to allow them to host the festival on that site for the foreseeable future. These signs would not be applicable/enforced when the festival has concluded for that year.

## 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:

#### **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.

**5.3** Partner with community groups, not-for-profits, and traditional owner organisations to develop Ararat Rural City as a more inclusive and diverse community.

**6.2** Ensure appropriate risk management is applied to Council and organisational decisions. Councils internal function is applied to areas of perceived risk.

### ***Budget Implications***

There are no budget implications

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

Road Management Act 2004

Neighbourhood Amenity Local Law 2022

### ***Risk Assessment***

If vehicles are allowed to park on the road reserves adjacent to the festival site, they are likely to pose a significant fire risk to the festival itself and to surrounding residents and townships. Enforcing the tow away zones mitigate the risk to the best of Councils ability.

### ***Stakeholder Consultation and Communication***

This was discussed with the community at the Community Consultation session which was held on 19 April 2023 at the Moyston Recreation Reserve.

Consultation with VicRoads has also been undertaken to ensure that the appropriate processes have been followed.

The Chief Executive Officer discussed this topic with Councillors at the Tuesday 23 January Council Briefing.

## RECOMMENDATION

### That Council:

1. Endorse the application process to gain delegation from VicRoads to establish the tow-away zone in the locality of the Pitch Music Festival for the duration of the festival each year going forward; and
2. Endorses the Chief Executive Officer's actions to authorise council officers on behalf of the Pitch Music Festival event organisers to implement an appropriate process to apply fees associated with the management and enforcement of the tow-away zone for the duration of the festival.

## ATTACHMENTS

A copy of the proposed tow-away zone map has been provided as Attachment 3.4

### 3.5 PUBLIC OPEN SPACE CONTRIBUTION POLICY

**RESPONSIBLE OFFICER:** MANAGER DEVELOPMENT & REGULATION  
**DEPARTMENT:** DEVELOPMENT & REGULATION  
**REFERENCE:** 13645

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

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

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

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#### **EXECUTIVE SUMMARY**

Ararat Planning Scheme has a provision for the collection of open space contributions under Clause 53.01 for subdivisions that create more than two lots. The contribution is to be used in the vicinity of the area being subdivided for the purpose of either creating or improving open space areas.

The contribution is regarded as necessary for this purpose but can have some negative impacts in promoting smaller lot subdivisions. To provide a balance for collecting the contribution and encouraging smaller lot subdivisions Council officers have put together an informal open space contribution policy.

The purpose of this report is to seek approval from Council to adopt the Public Open Space Contribution Policy.

#### **DISCUSSION**

Clause 53.01 provides a mechanism for the collection of open space contributions. The purpose of this policy is to provide guidance on when the contribution is to be collected and the amount to be collected dependent on the zone and the number of lots.

The Council plan seeks to increase residential lots by 600 by June 2025. The collection of open space can limit applicants with smaller lot subdivisions. The policy balances the need to create and maintain open space while encouraging smaller lot subdivisions.

The policy provides clear guidance on how the funds are collected and how the funds should be used and who is responsible for each action throughout the collection process.

#### **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:

#### **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 new planning scheme for Ararat Rural City that is clear in its intention, supports growth and builds confidence and certainty around land use.

#### **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.
- 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 will measure 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***

There are minor implications to the budget with less open space contributions collected. However, this is balance by the need to encourage smaller lot subdivisions to mee the Council Plan's measure of success.

***Policy/Legal/Statutory***

Clause 53.01 (Public Open Space Contributions and Subdivision) of the Ararat Planning Scheme provides for the collection of open space contributions. Previous to this policy all residential subdivisions were charged a 5% contribution.

***Risk Assessment***

The approval of the Public Open Space Contribution Policy will reduce the risk of Council not meeting its Council plan objectives.

***Stakeholder Consultation and Communication***

The Public Open Space Contribution Policy will become a public document for all stakeholders to view.

**RECOMMENDATION**

**That:**

1. Council considers the contents of this report and endorse the Public Open Space Contribution

**ATTACHMENTS**

A copy of the Public Open Space Contribution Policy January 2024 has been provided as attachment 3.5

## SECTION 4 – INFORMATION REPORTS

### 4.1 COMMUNITY SUPPORT GRANTS REPORT NOVEMBER 2023

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER

**DEPARTMENT:** CEO'S OFFICE

**REFERENCE:** 13275

#### 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 14 applications for the November 2023 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 12 of the applications, majority to the full requested amount. Two of the rejected applications were due to the following reasons:

1. Event being cancelled due to poor weather, no longer required funding; and
2. The organisation not meeting grant guidelines – as it was not a local community organisation.

#### 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 14 applications for the November 2023 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 12 of the applications, majority to the full requested amount.

The successful grants were as follows:

Community Organisation	Purpose	Amount
Ararat & District 8 Ball Association	Event support – 2024 Country Cup	\$ 5000
Ararat Bowling Club	Removal and installation of new ramp	\$ 3000
Ararat Neighbourhood House	Event support- Harmony Day 2024	\$ 5000
Ararat VRI Bowling Club	Update equipment	\$ 2500
Ararat Y's Menettes Club	Event support – Carols by Candlelight	\$ 4000
Bazz Music	Event support – Expand the Sounds 2024	\$ 2800
Lake Bolac Music Club	Installation of new lighting at the Lake Bolac Hall	\$ 3000
Mount Cole Equestrian Assoc.	Purchasing of new jumps & equipment	\$ 5000
Stawell Soccer Club	Purchasing of new uniforms	\$ 3000
Willaura Healthcare Auxiliary	Willaura Healthcare Outdoor Market	\$ 3000
Willaura & District Community Development Group	Development of community website	\$ 1500
Willaura Kindergarten	Upgrade of playground equipment	\$ 3000
<b>Total Funding</b>		<b>\$40, 800</b>

## 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/Legal/Statutory*

Community & Event Support Grants Guidelines

### *Risk Assessment*

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

### *Stakeholder Consultation and Communication*

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

## RECOMMENDATION

**That Council receive the Council Community Support Grants report for the November 2023 funding round.**

## ATTACHMENTS

There are no attachments related to this item

#### 4.2 2023/2024 CAPITAL WORKS PROGRAM – JANUARY 2024

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 13646

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

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

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

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#### **EXECUTIVE SUMMARY**

Council adopted its 2023/2024 Capital Works Program as a key element of the 2023/2024 Budget. The 2023/24 budget has a strong focus on infrastructure with a \$9.5 million investment in capital works.

Major works including the following:

- Stage one of Mount William Road construction, urban gravel to seal road upgrades, and maintaining and repairing rural and urban roads and drainage

#### **DISCUSSION**

Council's 2023/2024 Capital Works Program continues to be substantially different to previous years, the program does not have a number of major road and bridge construction and will continue to undertake a "small targeted" capital works program.

The emphasis for 2023/2024 is on renewal and updating Council assets, undertaking a larger number of smaller projects of lower value to avoid the impacts of price volatility in the market. Using this approach will also provide opportunities to leverage in-house capability, support local employment and engagement of local contractors.

The capital works program has had an emphasis on the following areas:

- An enhanced road reseal program.
- Improvement to urban drainage.
- Upgrades to the footpath network.
- A major urban road gravel to seal program.
- Commencement of Mt William Road Reconstruction works.

The capital work budget is currently 42% spent to 17 January 2024. This result sees our Capital Works Budget tracking at the expected monthly rate with end of month invoices still to be provided and two pay runs to be allocated to the program. This has taken a whole team effort to achieve this result. The half of the year of the 2023/2024 financial year has seen significant works in road resheeting with 76% of the available budget being expended and the small property capital projects having expended 65% with completion of the playgrounds project and the official opening occurring in December 2023. During the summer months works will be focused on the urban gravel to seal program and the commencement of stage one of the Mount William Road construction.



	Budget	Committed/ Contracted	Complete	Notes
<b>PROPERTY -CAPITAL</b>	<b>\$400,000</b>			
Property Capital		\$7,758	\$261,100	These works are made up of a series of smaller projects. Projects include upgrade of the town hall square lighting and power, Willaura Memorial Hall Kitchen installation, bluestone works at the Alexandra Gardens Fernery, and painting and new windows for the Warrak Hall.
Alexandra Oval Resurfacing	<b>\$200,000</b>		\$140,128	
Ararat Fitness Centre Stage 1	<b>\$950,000</b>		\$29,222	
				Seeding of the Alexandra Oval is complete – users have been advised that they will be able to commence training from 1 April 2024.
				Work has been halted on this project with other recreational options to be explored.
<b>TOTAL PROPERTY</b>		<b>\$7,758</b>	<b>\$433,357</b>	
<b>PLANT &amp; EQUIPMENT</b>	<b>\$40,000</b>			
Plant and Vehicles			\$289,365	Includes three new passenger vehicles, a new mower and new survey equipment. Quarter 2 Bookstock payment is due to be made. Payment made in July was amended to 22/23 FY.
Book stock - Library Book Replacement			\$6,860	
<b>TOTAL PLANT &amp; EQUIPMENT</b>			<b>\$296,224</b>	
Gravel Road Sheeting & Gravel Road Widening	<b>\$2,800,000</b>	\$13,923	\$2,124,159	The 23/24 Resheeting and Road Widening program has commenced well. Works are expected to slow over the summer months. These works will continue over the financial year.
Reseal Program	<b>\$1,000,000</b>	\$56,796	\$477,694	Design works are complete for Rhymney Rd, the feature survey has been received for Buangor Ben Nevis Rd, design has commenced. Road reseal program commenced in September 2023, the full extent of this year's program is expected to be complete before Christmas. Line Marking is expected to commence in February 2024.
Mt William Road	<b>\$1,000,000</b>	\$97,740		Documentation is being prepared for the first section of Mt William Road Reconstruction. Stone has been ordered for works. Works are to commence in February 2024.

<b>Urban Road Gravel to Seal</b>	<b>\$2,200,000</b>	\$91,467.96	\$13,860	Feature surveys have been completed and design works have commenced for roads nominated in this year's program. Ironbark Lane has commenced. Plans are currently being reviewed and authorised.
<b>Major Patching</b>	<b>\$200,000</b>		\$50,264.34	Major patching works are currently being allocated to contractors for works to commence. Additional asphaltting works have been completed at the Deneys Carpark in conjunction with works in High Street.
<b>Footpath Renewal Program</b>	<b>\$400,000</b>	\$101,062	\$190,316	Works have been completed on the George Road Pedestrian Refuge adjacent to the Ararat West Primary School, a new footpath in Main Street, Willaura adjacent to the railway station back to Delacombe Way, and new footpath in Albert Street, Ararat. The award of works for footpath in McGibbony Street, Ararat and Warranooke Street, Willaura have commenced work. The final capital footpath contracts are currently out to tender in Ford Street, Ararat and Walkerville/Wileman Street, Willaura. Footpath connections and condition assessments are being completed inhouse.
<b>Urban Drainage Works</b>	<b>\$750,000</b>		\$256,084	Works have been completed in in Golf Links Road, Ararat. Works in Thompson and Kneale Street, Ararat are currently being undertaken, with underground boring works complete.
<b>TOTAL INFRASTRUCTURE</b>		\$360,989	\$3,128,988	
<b>TOTAL CAPITAL WORKS</b>		\$368,748	\$3,858,570	

There are also recreation facilities projects that were funded in the 2021/2022 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:

Capital Work Element	Committed expenditure	% complete	Notes
Gordon St Recreation Reserve	\$4,505,8131	91%	The project is running on time and very close to budget. The pavilion work is almost at completion with the sewer connection being undertaken and fascia lighting being finished. The alterations to the fields are being completed inhouse.
Buangor Recreation Reserve Kitchen Extension	\$53,590	20%	Project halted due to huge variations in construction pricing. The project has been out to the market and came in with a significant price difference between the cost plan

			and the pricing received from the tenderers. This project will be withdrawn – funding opportunities will be looked into with the community.
Lake Bolac Golf Club Kitchen	\$179,864	91%	Works are being undertaken by Build Forth, from Ballarat, this project is complete.

## 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 Developing and maintain 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 management, 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 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 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***

The 2023/2024 Capital Works Program represents a significant element of Council’s 2023/2024 Budget. In the current civil construction market, it is essential that Council manages capital works expenditure carefully to ensure budget outcomes are met.

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

The 2023/2024 Capital Works Program complies with the program funded in the 2023/2024 Budget.

### ***Risk Assessment***

The 2023/2024 Capital Works Program was developed as a mitigation of the financial risks associated with market volatility currently being experienced in the civil and building construction sectors.

### ***Stakeholder Consultation and Communication***

The 2023/2024 Capital Works Program has been developed as an element of the 2023/2024 Budget. There was extensive community engagement undertaken prior to adoption.

## RECOMMENDATION

**That Council receive this information report.**

## ATTACHMENTS

There are no attachments related to this item

## SECTION 5- COMMITTEE MINUTES/REPORTS

### 5.1 AUDIT AND RISK COMMITTEE MEETING

**AUTHOR'S TITLE: CHIEF EXECUTIVE OFFICER**

**DEPARTMENT CEO'S OFFICE**

**REFERENCE: 11734**

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

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

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

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#### **EXECUTIVE SUMMARY**

This report contains the minutes of the Audit and Risk Committee meeting held on 05 December 2023.

#### **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 05 December 2023.

<b>Council Committees</b>	<b>Councillor representative</b>	<b>Current meeting (as presented)</b>	<b>Next scheduled meeting/s</b>
Audit and Risk Committee	Cr Jo Armstrong	05 December 2023	05 March 2023
Audit and Risk Committee	Cr Bob Sanders	05 December 2023	05 March 2023

#### **KEY CONSIDERATIONS**

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

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

##### ***Budget Implications***

No budget impact for the receiving of minutes.

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

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

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

##### ***Risk Assessment***

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

##### ***Stakeholder Consultation and Communication***

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

**RECOMMENDATION**

**That the Audit and Risk Committee Meetings minutes of 05 December 2023 be received.**

**ATTACHMENTS**

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

## SECTION 6– INFORMAL MEETINGS

### 6.1 INFORMAL MEETINGS

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

#### OFFICER’S DECLARATION OF INTEREST

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

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

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#### EXECUTIVE SUMMARY

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

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

#### DISCUSSION

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

INFORMAL MEETINGS
Council Briefing held on 23 January 2024

#### Issues discussed at the briefing:

- Fair Access Action Plan
- Western Bulldogs Youth Leadership Program Membership
- 2024/2025 Budget development and engagement process
- Community Support Grant
- Landfill and transfer station management
- Pitch festival Tow Away Zone
- Council Election 2024 update
- Council communication strategy / plan
- Building and planning monthly report
- Open Space Policy
- Council Watch “petition”

#### KEY CONSIDERATIONS

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

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

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

***Financial***

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

***Policy/Relevant Law***

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

***Risk Assessment***

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

***Stakeholder Collaboration and Community Engagement***

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

**RECOMMENDATION**

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

**ATTACHMENTS**

The Summary of Council Briefings are provided as Attachment 6.1.

**SECTION 7 – NOTICES OF MOTION**

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



**SECTION 8 – URGENT BUSINESS**

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

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

#### **SECTION 9 – CLOSE SESSION (CONFIDENTIAL)**

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

- Item 9.1 – Contract No. P-01 – PANEL SUPPLY CONTRACT – PROVISION OF TRADE SERVICES: PAINTING, ELECTRICAL & PLUMBING
- Item 9.2 – Contract No. P-03 – PANEL SUPPLY CONTRACT – PLANT & EQUIPMENT HIRE

#### **CLOSURE OF COUNCIL MEETING TO THE PUBLIC**

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

#### **RECOMMENDATION**

**That the meeting be closed to members of the public pursuant to section 66(2)(a) of the Local Government Act 2020 to consider confidential reports.**

#### **OPEN COUNCIL MEETING RECOMMENCEMENT**

#### **RECOMMENDATION**

**That the Open Council Meeting recommence.**

**Gallery invited to return to Council Chamber.**

#### **LIFTING OF CONFIDENTIALITY OF CLOSED SESSION RESOLUTIONS**

#### **RECOMMENDATION**

**That the confidentiality of the report and decision in relation to 9.1 and 9.2 not be lifted on adoption of the motion.**