



Ararat Rural City

# AGENDA

## COUNCIL MEETING

**Tuesday 27 August 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

That the apology of Cr be accepted.

### 1.4 CONFIRMATION OF MINUTES

#### RECOMMENDATION

That the Minutes of the Council Meeting held on 30 July 2024 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 COMMUNITY ENGAGEMENT FOR THE SALE OF COUNCIL OWNED LAND IN BANFIELD STREET

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO's OFFICE  
**REFERENCE:** 16666

#### **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**

A request had been received to sell Council owned land in Banfield St, Ararat. At the May 2024 Council Meeting, Council initiated community engagement to seek community views on the proposal to sell this land starting with engagement through the Council's Engage Ararat page, which closed on the 5 August 2024. This report provides a brief update on the first element of the community engagement process.

#### **DISCUSSION**

Council owns a small parcel of land between Banfield and View Point Streets in Ararat. Community input was sought on this area as part of the consideration of a request to sell the land for a residential development aimed at retirees and young professionals. The community engagement process centred around two elements, this report provides a brief update on the first element that sought comment and feedback through the online platform Engage Ararat, which closed on 5 August 2024.

A total of 155 submissions were received, with 151 via Engage Ararat, and 4 via phone, letters or in person to the Council office. This volume of engagement with Council's Engage Ararat page represents a significant increase in interactions with this platform. The contents of the submissions covered a wide range of perspectives and information, including how the parcel is currently used, its history, and comments on the possible future uses and considerations for the different options.

These submissions will be carefully and thoroughly considered alongside the broader pressures and issues that local governments have the responsibility to address in their communities. For example, balancing the benefits received through small public spaces such as this with the benefits from diversifying the housing options in Ararat to support existing residents who wish to downsize whilst remaining in their community, and encouraging more young adults to choose to live in Ararat.

Given the upcoming council elections and the commencement of the caretaker period, these submissions and the broader issues will be further analysed and recommendations made to the newly elected council. As such we recommend that the council defer the decision to sell the land at Banfield Street.

#### **KEY CONSIDERATIONS**

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

This report aligns with the following Council Plan Strategic Objectives:

##### **1. Growing Our Place**

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

## **6. Strong and Effective Governance**

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

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

### ***Budget Implications***

The community engagement activities described in this report has been undertaken with existing Council resources and has therefore not had any budget impacts.

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

Local Government Act 2020

### ***Sustainability Implications***

This item has no direct sustainability implications requiring Council consideration.

### ***Risk Assessment***

The activities described in this report contribute to addressing and mitigating potential risks.

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

The level of community engagement via the Engage Ararat platform and the dissemination of the engagement opportunity through to people who do not use online submission channels represents an improvement in Council's implementation of its Community Engagement Policy. Council officers will continue to innovate and improve the methodologies used to support community engagement in decisions that impact them.

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

The community engagement has two elements, the first of which is briefly summarised in this report. The second element is a public meeting which will be held after the council elections have occurred and the incoming Councillors commence their term.

## **RECOMMENDATION**

**That**

- 1. Council thanks the community for their thoughts and input on this matter,**
- 2. Council receive the report and given the level of community feedback analysis required, Council defer this matter until after the election period**

## **ATTACHMENTS**

The community submissions are provided as Attachment 3.1



### 3.2 DELEGATION FROM COUNCIL TO MEMBERS OF COUNCIL STAFF S6

**RESPONSIBLE OFFICER:** GOVERNANCE AND RISK LEAD  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 16667

**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 for Council to consider adoption of the revised Instrument of Delegation from Council to Members of Council Staff.

#### DISCUSSION

Delegation to Council staff is necessary to enable Council to conduct business efficiently by enabling Council staff to make routine decisions under different Acts.

Various Acts, including the Local Government Act 2020, empower Council to delegate statutory functions, powers and duties. This report recommends that specific functions, powers and duties be delegated to identify staff positions in accordance with the attached S6 – Instrument of Delegation by Council to Members of Council Staff.

The instrument of Delegation has recently been updated to reflect the following changes:

- Removal of sections 12(2), 12(4)-(7) of the Road Management Act 2024.
- Deletion of the Residential Tenancies (caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020, as they have been revoked pursuant to regulation 4(a) of the Residential Tenancies (Carvan Parks and Movable Dwellings Registration and Standards) Regulation 2024. The new regulations commenced on the 29 June 2024 and have been included.
- The Food Act 1984 was amended pursuant to the regulatory Legislation Amendment (Reform) Act 2024 which has resulted in:
  - Including 19(4)(a)(ia) and 19(4)(a)(ib), and amended 19(4)(a)(ii), which relates to Council's power to direct that a copy of an order be affixed, displayed or published.
  - Included section 19FA(1), which relates to Council's power to direct a proprietor of a food premises to revise the foods safety program for the premises or comply with any requirements specified in the food safety program.
  - Included section 19FA(3)(a), which relates to Council's power to refuse to approve an application for registration or renewal of premises, where a proprietor of a food premises fails to comply with a direction given under 19FA(1).
  - Included section 19FA(3)(b), which related to Councils power to revoke a registration granted in respect of premises, where a proprietor of a food premises fails to comply with a direction given under section 19FA(1).
- Included section 19FA(3)(c) which related to Councils power to suspend a registration of premises, where a proprietor of a food premises fails to comply with a direction given under 19FA(1).

#### 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:

## 6 Strong and Effective Governance

We will work hard to build models of governance that place delivering public value at the centre through effective financial management; well measured risk management; and implementation of effective community engagement practices.

### ***Budget Implications***

There are no budget implications arising from the review of the S6 Instrument of Delegation – Council to Members of Council Staff.

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

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 the changes in legislation and staff. The Council can amend or revoke any delegated power at any time. Council must review all delegations within a period of 12 months after a general election.

### ***Sustainability Implications***

There are no economic, social or environmental implications in relation to S6 Instrument of Delegation – Council to Members of Council Staff.

### ***Risk Assessment***

The amendment of the Instrument of Delegation from Council to Members of Council Staff ensures ongoing legislative compliance for Ararat Rural City Council. It is essential that the Instrument of Delegation is kept up to date to ensure that the members of staff are properly empowered to undertake their roles.

The formal delegation of legislated powers, duties and functions via instruments of delegation, supported by consistent policies allows Council staff to perform day to day duties and make decisions that may otherwise need to be decided upon Council.

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

The amendments of Instruments of Delegation from Council to Members of Council staff that been updated using the Maddocks Lawyers Delegation Service and RelianSys software.

The delegation service provides tow updates per year and mini updates as required when legislation changes.

Chief Executive Officer and relevant officers have reviewed then documents.

## **RECOMMENDATION**

That:

**In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Ararat Rural City Council (Council) resolve 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 Member 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 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 ser out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopts; 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 3.2

### 3.3 ELECTION PERIOD POLICY 2024

**RESPONSIBLE OFFICER:** GOVERNANCE AND ADMINISTRATION COORDINATOR  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 16668

**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 Policies and Strategies are regularly updated as part of legislative requirements.

The Election Period Policy has been updated to reflect legislative changes and requirements.

#### DISCUSSION

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

This policy was adopted by Council on the 30 April 2024. However, on Wednesday 25 June 2024, the Local Government Amendment (Governance and Integrity) Act 2024 (the Amended Act) was given Royal Assent. The Amendment Act includes reforms to strengthen council leadership, capability and councillor conduct, improve early intervention and effective dispute resolution and strengthen oversight mechanisms. The Amendment Act makes a range of changes to the Local Government Act 2020.

The Local Government (Electoral) Amendment Regulations 2024 were made on the 25 June 2024. These regulations bring into effect changes to key dates relating to the conduct of elections, including the nomination day and the lodgement date for candidate statements and questionnaires.

With these regulations confirmed, the election period for the 2024 general elections will begin at 12 noon on Tuesday 17 September 2024 and end at 6.00pm on Saturday 26 October 2024.

This Policy now reflects this key change in date when the election period begins.

#### KEY CONSIDERATIONS

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

6 Strong and effective governance

***Budget Implications***

There are no budget implications in relation to the adoption of the Election Period Policy 2024.

***Policy/Relevant Law***

Local Government 2020 Act:

- S69 Governance Rules to include election period policy
- (1) A Council must include an election period policy in its Governance Rules.
  - (2) An election period policy must prohibit any Council decision during the election period for a general election that—
    - (a) relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
    - (b) commits the Council to expenditure exceeding one per cent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or

- (c) the Council considers could be reasonably deferred until the next Council is in place; or
- (d) the Council considers should not be made during an election period.
- (3) An election period policy must prohibit any Council decision during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.
- (4) A Council decision made in contravention of subsection (2)(a) or (b) is invalid.
- (5) Any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is invalid by virtue of subsection (4) is entitled to compensation from the Council for that loss or damage.

***Sustainability Implications***

There are no economic, social and environmental implications identified.

***Risk Assessment***

If the Election Period Policy 2024 is not updated and adopted there is a risk that Council has not covered its legislative requirements.

***Innovation and Continuous Improvement***

None identified.

***Stakeholder Collaboration and Community Engagement***

The revised Election Period Policy 2024 was presented to the Council briefing on 13 August 2024

**RECOMMENDATION**

**That**

- 1. Council adopts the revised Election Period Policy 2024.**

**ATTACHMENTS**

A copy of the Election Period Policy 2024 is included as attachment 3.3

## SECTION 4 – INFORMATION REPORTS

### 4.1 2023/2024 CAPITAL WORKS PROGRAM – AUGUST 2024

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 16669

#### **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 Council has approved its 2024/2025 Capital Works Program as a pivotal component of the current budget. With a substantial capital works investment totaling \$15.513 million, the budget primarily targets infrastructure enhancements.

Key initiatives include:

- Mount William Road Stage Two Construction - supported by Federal Government funding.
- Buangor Ben Nevis Road Stage One Construction - beginning from the Western Highway section for approximately 1.5 kilometres
- Urban Gravel to Seal Road Upgrades continuing to upgrade accessibility across urban areas.
- Maintenance of Footpaths, Drainage, and Kerb and Channel

These projects underscore the Council's commitment to improving local infrastructure and fostering community development in the 2024/2025 fiscal year.

#### **DISCUSSION**

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

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

Key areas include:

- Enhanced road reseal program
- Urban drainage improvements
- Footpath network upgrades
- Major urban road gravel to seal program
- Stage two of Mt William Road Reconstruction
- Three Roads to Recovery funded projects (Churchill Avenue, Webb Street, Buangor Ben Nevis Road bridge)

Budget Status:

As of 22 August, 2024, 8% of the budget is spent, with end-of-month invoices pending. With estimates being sourced for the current annual road resealing program and completion of projects from the previous financial year, including Mt William Road which is close to completion.

Work are have commenced on the Resurfacing of Pomonal Tennis Courts, approval the oval upgrade works at Tatyoon has been received, and Buangor Ben Nevis Road plans are complete, pending cultural heritage and flora and fauna reports before commencement.

	Budget	Committed/ Contracted	Expended	%	Notes
<b>PROPERTY -CAPITAL</b>					
Property Capital	\$270,000	\$103,796	\$1726	39%	Works have been committed for resurfacing of the Pomonal Tennis Courts and replacement of windows at the Town Hall in the Arts & Crafts Room.
Ararat Library Upgrade	\$200,000	\$38,455		19%	Final Quotations are being compiled for the works for the Library Upgrade, with extensive lead times the internal fitout quotes are expected to be complete by mid September, for works to be undertaken in February 2025.
Tatyoan Oval, Drainage, Irrigation & Resurfacing	\$333,500 \$83,500 Council \$250,000 CFNP	\$314,186	\$378	95%	Aqualines Irrigation Pty Ltd are the contractor for this works. Pre-commencement designs and ordering is being undertaken and commencement on site is planned for late September.
<b>TOTAL PROPERTY</b>		<b>\$456,437</b>	<b>\$2,104</b>	<b>57%</b>	T
<b>PLANT &amp; EQUIPMENT</b>					
Book stock - Library Book Replacement	\$40,000	-	-	-	
<b>TOTAL PLANT &amp; EQUIPMENT</b>		-	-	-	
<b>ROADS</b>					
Gravel Road Sheeting & Gravel Road Widening	\$1,800,000	-	\$159,683	9%	Isolated Road Resheeting works have commenced.
Reseal Program	\$1,000,000	-	\$1,443	-	An estimate has been received from Inroads for this years reseal program, once finalised this amount will be committed to the budget for the next Council meeting.  Works are expected to commence in October 2024.
Mt William Road (24/25 – HSVPP Funding)	\$6,250,000	-	\$404	-	These works will commence on completion of the current works on Mt William Road, this is expected for the first week of September 2024.
Buangor Ben Nevis Road	\$2,143,000	-	\$45,442	2%	Plans and technical reporting have been completed. Council is working with Australian Cultural Heritage Services to complete CHMP Due Diligence and plan requirements. This is expected to be undertaken by October for the full section of road.

					Construction in segmented areas should be able to progress once that area has been documented and approved.
Weighbridge Place, Lake Bolac		\$74,900	\$151	-	Asphalting works at Weighbridge Place have been committed to be complete by 31 October 24 before the commencement of grain season.  The intersection with Mortlake Ararat Road is in poor condition and require the upgrade to withstand the heavy vehicle that use the area.
Churchill Avenue, Ararat	<b>\$800,000</b>	\$2,750	\$6,754	1%	Design works have commenced.
Webb Street, Ararat	<b>\$700,000</b>	\$8,750	\$957	1%	Design works have commenced.
Buangor Ben Nevis Road Bridge (1)	<b>\$1,100,000</b>	\$8,580	\$8,299	2%	Level three bridge reporting has been undertaken on the bridge. In conjunction with the Buangor Ben Nevis Road Cultural Heritage Assessment this area will also be prioritised. This project will be tendered as a design and construct project.
Urban Road Gravel to Seal	<b>\$700,00</b>	\$157,114	\$195,918	50%	Works are currently being completed at various urban locations with kerb and channel and drainage being installed including Mulcahy Road and Moyston Township being completed.  Works in Baileys Lane have been contracted with works due to be complete by 31 October 2024.
Major Patching	<b>\$100,000</b>	-	-	-	Works have not commenced.
Bridges	<b>\$80,000</b>	\$12,800	-	16%	This is to be used for bridge replacement planning works and bridge strengthening works.
Footpath Renewal Program	<b>\$400,000</b>	\$180,912	\$17,961	50%	Council's footpath program has commenced with a footpath section in Elizabeth Street being completed in relation to a customer request.  Tenders for Asphalt Path in Barkly Street and Queen Street are currently out and due to close on 1 August 2024.
Urban Drainage Works	<b>\$750,000</b>	\$12,078	\$28,986	5%	Drainage works have commenced with the purchase of pipe and required reporting for specific works. Ararat Cemetery Drainage is expected to commence by the end of August 2024.



Kerb and Channel	\$239,000	\$3,700	\$9,492	6%	Project plans for the replacement of kerb and channel in various locations are being nominated for approval.
<b>TOTAL INFRASTRUCTURE</b>		<b>\$461,584</b>	<b>\$475,490</b>	6%	
<b>TOTAL CAPITAL WORKS</b>		<b>\$918,021</b>	<b>\$477,594</b>	8%	

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

	Budget	Previously Expended Funds	Committed /Contracted	Expended	%	Notes
Mt William Road	\$1,000,000	\$313,911		\$208,227	52%	Work commenced in late May 2024.  The works have been set out, tree and stabilising works have been completed. There was significant soft spots found within the area and these have been remedied. Stone is currently being installed on site and pavement works commencing.
Buangor Recreation Reserve Kitchen Extension		\$53,849				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.  Funding has been received as part of the Tiny Towns Funding Program which will help progress Stage 1 of this project.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

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

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



***Budget Implications***

The 2024/2025 Capital Works Program represents a significant element of Council's 2024/2025 Budget. In the current civil construction market, it is essential that Council manages capital works expenditure carefully to ensure budget outcomes are met.

***Policy/Relevant Law***

The 2024/2025 Capital Works Program complies with the program funded in the 2024/2025 Budget.

***Sustainability Implications***

There are no environmental sustainability implications. Council is mindful of considering new innovative approaches to improve its sustainability and environmental footprint as a part of the Capital Works program.

***Risk Assessment***

The 2024/2025 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.

***Innovation and Continuous Improvement***

Development of the 2024/2025 Capital Works Program represented an agile response to market conditions. A capacity to rework strategy based on a changing environment is a critical element in developing an innovative organisation.

***Stakeholder Collaboration and Community Engagement***

The 2024/2025 Capital Works Program has been developed as an element of the 2024/2025 Budget. There was extensive community engagement undertaken prior to adoption.

**RECOMMENDATION**

**That**

- 1. Council receive the Capital Works Program – August 2024 report.**

**ATTACHMENTS**

There are no attachments related to this item.

#### 4.2 COMMUNITY SUPPORT GRANTS REPORT JULY 2024

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 16670

#### 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 6 applications for the July 2024 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 3 of the applications, 2 of which were for the full requested amount, and the other at half the requested amount. The rejected applications were due to the following reasons:

1. Didn't align with the scope of the Community Support Grants, will need to seek Sponsorship instead
2. The organisation received a grant in the last round of applications
3. The organisation has already received contributions from Council for the same event in the form of Sponsorship

#### 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 6 applications for the July 2024 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 3 of the applications, 2 of which were for the full requested amount, and the other at half the requested amount

The successful grants were as follows:

Community Organisation	Purpose	Amount
Ararat Basketball Association	New uniforms to encourage more girls to come and try basketball	\$2435.00
Mt William Polo Club	Mount William Station Polo Tournament event to take place on the 26th and 27th of October 2024	Half - \$2500.00
Pomonal Primary School	Pomonal Primary School Art Show – to raise funds for the school through a community event	\$2000.00
<b>Total Funding</b>		<b>\$6935.00</b>

The unsuccessful grants were as follows:

Community Organisation	Purpose	Reason unsuccessful	Amount
Ararat VRI Bowls Club	Comedy Bowls Night – to bring a fun night of lawn bowls and comedy to community members with the aim of bringing more members to our club	Didn't align with the scope of the Community Support Grants, Sponsorship of \$1000 provided instead	\$3000.00
Golden Gateway Festival	Golden Gateway Festival – Program. The program that is created covers all events across the 10 days showcasing all the festival has to offer. The aim is that the	A meeting to be arranged to work out exactly what they need from Council. Sponsorship for town hall fees	\$3800.00

	program goes to print and is delivered to all residences across Ararat by minimum one week prior to the festival commencing	to be waived for ball already provided. They have requested the Traffic Management Plan to be covered by Council also	
Grampians Soaring Club	2024 GSC Junior Gliding Scholarships - Start Date: 03/07/2024 End Date: 29/06/2025 To provide young people of all genders and backgrounds, aged between 15 and 18, with the opportunity to learn to fly gliders, attend junior training events and learn the art of cross-country soaring.	Received a grant in the March 2024 Community Support Grants	\$3000.00
<b>Total Funding</b>			<b>\$9800.00</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 July 2024 funding round.**

**ATTACHMENTS**

There are no attachments related to this item.

#### 4.3 UPDATE ON FEBRUARY BUSHFIRES

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 16671

##### **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**

On 13 February 2024, a bushfire commenced on the Mt Willaim Range in the Grampians National Park which was ignited by lightning and impacted the Pomonal township and destroying 46 houses, native vegetation, farmland and fencing.

On the 22 February 2024, another bushfire commenced in the Mount Buangor State Park which burnt 14,684ha destroying residential properties, farmland, stock and fencing.

This report is a six-month update on what has occurred since February.

##### **DISCUSSION**

Recovery begins immediately after an emergency and can span from months to several years, depending on the complexities involved. It involves a collaborative effort from various agencies, with the community at the heart of the recovery process.

###### **1. Initial Response and Council Actions**

- **Recovery Hub Transition:** Initially located at the Pomonal Store, the Recovery Hub moved to the Pomonal Hall, integrating with the Relief Centre to become a comprehensive support point.
- **Ongoing Presence:** Council has maintained a continual presence in Pomonal, including the Manager of Development and Regulation, to assist with the rebuilding process.

###### **2. Community Engagement and Workshops**

- **Round Table Workshops:** In collaboration with the Pomonal Resilience team, Council organized two workshops featuring experts in architecture for bushfire-prone areas and planning to discuss future strategies.
- **Landscaping and Garden Expo:** Scheduled for August 31, this event will gather plant and garden experts to address bushfire recovery in landscaping.

###### **3. Parks and Gardens Maintenance**

- **Roadside Cleanup:** The Parks and Gardens team has completed the cleanup of Council roads, including the replacement of signs, culverts, and roadside posts.

###### **4. Coordination and Cleanup Efforts**

- **Emergency Recovery Victoria (ERV):** ERV coordinated the cleanup of destroyed assets in Pomonal, with Hansen Yuncken completing their tasks. ERV also managed the registration of hazardous trees on private property in Pomonal and Bayindeen.
- **Disaster Relief Australia (DRA):** DRA undertook six weeks of intensive cleanup on private properties, removing debris, cutting trees, clearing fence lines, and alleviating the burden on residents.

5. **Blazeaid Contributions**

- **Base at Coob and Co:** Blazeaid operated from Buangor until the end of July, clearing 114 km of fences and rebuilding 81 km, supported by 198 volunteers. A special thanks to the Coob and Co Committee for hosting them.

6. **Support from Other Agencies**

- **Collaborative Efforts:** Over the past six months, agencies such as the Department of Fairness, Family and Housing (DFFH), Fire Forest Management Victoria (FFMV), Country Fire Authority (CFA), Victoria Police, Department of Health (DH) Grampians Community Health, and Ballarat Community Health have actively supported the communities.

7. **Local Initiatives**

- **Habitat Box Program:** Initiated by local residents in Bayindeen, this program aims to create safe habitats for native wildlife as their natural environment recovers.

8. **Acknowledgements**

- **Business and Volunteer Support:** Numerous businesses and volunteer groups have provided invaluable assistance, whether through hands-on help or donations, in both Bayindeen and Pomonal.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

This report links to the following Council Plan 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*

No budget implications.

### *Policy/Relevant Law:*

Municipal Emergency Management Plan

### *Sustainability Implications*

Nil.

### *Risk Assessment*

Nil.

### *Innovation and Continuous Improvement*

### *Stakeholder Collaboration and Community Engagement*

Collaboration has been undertaken with working with local groups including but not limited to the Pomonal Resilience Group, CFA (local and regional) and individual residents.

## RECOMMENDATION

That

Council receive the 6-month bushfire report

## ATTACHMENTS

There are no attachments relating to this item

**SECTION 5 – COMMITTEE MINUTES/REPORTS**

No Committee Minutes/Reports received

## SECTION 6 – INFORMAL MEETINGS

### 6.1 COUNCIL BRIEFINGS

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

#### OFFICER'S DECLARATION OF INTEREST

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

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

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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 13 August 2024

#### Issues discussed at the briefing:

- CEO Performance and Remuneration Committee
- Caretaker Period
- Remaining Council meetings for the current term – still work to do
- Local Government Amendment (Governance and Integrity) Act 2024
- Land at View Point Street – Community Consultation outcomes
- Innovation and Economic Development Tactical Plan
- Economic Development update
- Ararat City Tennis Lighting, Access & Facilities Upgrades
- New Covered Sports Arena for the Ararat Pony Club
- Building Blocks - Inclusion Grants for council managed kindergarten facilities
- Country Football Netball Program, Sport and Recreation Victoria
- Lake Bolac childcare development
- External asset revaluation program
- Community Support Grants – Round 2 June/July 2024
- EGHS Memorandum – Health Services Plan

#### KEY CONSIDERATIONS

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

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

**6. STRONG AND EFFECTIVE GOVERNANCE**

**We will work hard to build models of governance that place delivering public value at the centre through effective financial management; well measured risk management; and implementation of effective community engagement practices.**

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

***Financial***

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

***Policy/Relevant Law***

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

***Risk Assessment***

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

***Stakeholder Collaboration and Community Engagement***

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

**RECOMMENDATION**

That

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

**ATTACHMENTS**

The Summary of Council Briefings are provided as Attachment 6.1.



**SECTION 7 – NOTICES OF MOTION**

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

**SECTION 8 – URGENT BUSINESS**

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

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

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

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

- Item 9.1 – CEO Employment and Remuneration Committee Update

#### **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:**

- 1. The confidentiality of the report and decision in relation to Item 9.1 not be lifted on adoption of the motion**