



Ararat Rural City

# AGENDA

## COUNCIL MEETING

**Tuesday 28 June 2022**

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

Commencing at 6.00pm

Council:

Cr Jo Armstrong (Mayor)

Cr Gwenda Allgood

Cr Rob Armstrong

Cr Peter Beales

Cr Henry Burridge

Cr Bob Sanders

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/aratruralcitycouncil](http://www.facebook.com/aratruralcitycouncil) 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 Meetings held on 31 May 2022 and 14 June 2022 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.

### 2.1.1 JOINT LETTER FROM GOLF LINKS ROAD, ARARAT RESIDENTS

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 4894

#### 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 joint letter was received from residents of Golf Links Road and Lambert Street, Ararat, at the March 2022 Council meeting. In line with Clause 55.1 of Council's Governance Rules the item was then presented to the April 2022 Council meeting, with a resolution to be represented in June 2022. The joint letter requested that these areas be considered for drainage improvement, kerb and channel and road widening. The residents have stated that the inclusion of above construction will reduce the flooding into various properties in the area, as well as make it a safe roadway for residents and pedestrians.

Further investigation has discovered a history of drainage issues identified by residents on Golf Links Road, resulting from some relatively complex local conditions.

Council has allocated \$700,000 to a major urban drainage renewal. This initiative will see a comprehensive drainage study carried out, to ensure the effectiveness of drainage for existing properties and ensure adequacy of the system to support the future development.

The CEO will meet with residents of Gold Links Road in July 2022, to discuss their concerns.

#### DISCUSSION

The joint letter from residents of Golf Links Road and Lambert Street, Ararat consisted of 22 signatures. It included the following comments:

*"When we have very heavy rain, which are becoming more prominent, the drain on our side, which is the only one in the street, fills and overflows into properties....."*

*"Golf Links Road is too narrow (especially on the bend at the beginning of road), as there is a 30mt (roughly) concrete edging that traffic swing away from to go past it"*

*"With the new housing development going ahead it will increase the road use and drainage issues. Hence, we require correct drainage and the road widened"*

In order to identify effective solutions to the concerns raised in the letter, it is proposed that a comprehensive drainage study will be undertaken as a part of the urban drainage renewal project, to ensure the effectiveness of drainage for existing properties and ensure adequacy of the system to support future development.

Once the recommendations of the drainage study have been received by Council, works recommended by this will form elements of the drainage program in 2022/2023 capital works programs.

#### KEY CONSIDERATIONS

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

##### **4 Developing and Maintaining Key Enabling Infrastructure**

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



### ***Budget Implications***

Council will undertake a \$700,000 urban drainage renewal initiative during 2022/2023. This has been allocated in the 2022/2023 Budget.

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

The relevant legislation applying to this situation is section 92 Asset Plan, of the Local Government Act 2020:

- (1) Subject to subsection (6), a Council must develop, adopt and keep in force an Asset Plan in accordance with its deliberative engagement practices.
- (2) The scope of an Asset Plan is a period of at least the next 10 financial years.
- (3) An Asset Plan must include the following—
  - (a) information about maintenance, renewal, acquisition, expansion, upgrade, disposal and decommissioning in relation to each class of infrastructure asset under the control of the Council;
  - (b) any other matters prescribed by the regulations.

### ***Sustainability Implications***

Appropriate management of urban stormwater through adequate drainage systems has impacts on catchment management and land management.

### ***Risk Assessment***

This report is based on community concern around drainage and road safety issues in Golf Links Road. The drainage issues will be managed through undertaking the drainage study and subsequent capital works to mitigate localised flooding risks. The road width issues raised will be considered following planning of drainage works.

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

N/A

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

This report has been generated based on the joint letter from the residents of Golf Links Road and Lambert St. The CEO will meet with residents impacted in July, to ensure that their concerns are covered by the urban drainage renewal.

## **RECOMMENDATION**

That:

1. Council undertake a comprehensive drainage study as a part of the urban drainage renewal initiative to improve the effectiveness of drainage for existing properties in Golf Links Road and ensure adequacy of the system to support future development; and
2. The CEO meet with residents of Golf Links Road in July 2022 to ensure that their concerns are addressed in the specification for the drainage study

## **ATTACHMENTS**

There are no attachments relating to this item.

## SECTION 3 – REPORTS REQUIRING COUNCIL DECISION

### 3.1 POLICY REVIEW – FRAUD AND CORRUPTION CONTROL POLICY AND FRAUD AND CORRUPTION CONTROL PLAN

RESPONSIBLE OFFICER: GOVERNANCE AND ADMINISTRATION COORDINATOR  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 1501

#### OFFICER CONFLICT OF INTERESTS:

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 are updated as part of an ongoing policy and procedure review process.

The Fraud and Corruption Control Policy has been reviewed and is presented to the March 2021 Council Meeting for consideration. The Fraud and Corruption Control Plan is also presented to Council and is used in conjunction with the Policy.

#### DISCUSSION

An effective Fraud and Corruption Control framework requires a policy as well as a control plan. Developing these documents also raises staff awareness and communicates Council's expectations of all Councillors, Council staff, volunteers and contractors.

The Policy and Plan clearly documents Council's approach to controlling fraud and corruption at both strategic and operational levels.

The review of the Fraud and Corruption Control Policy and Plan have been conducted to reflect the policy review schedule timeframes.

Along with a general review of the content and administrative changes, the following addition has been incorporated into the Policy:

*Under Chief Executive Officer on page 3, addition of the following:*

The Chief Executive Officer, as principal officer, must under section 57 of the Independent Broad-based Anti-corruption Commission Act 2011 notify the IBAC of any matters which the person suspects on reasonable grounds involves corrupt conduct occurring or having occurred.

The Chief Executive Officer will report regularly on any fraudulent activity.

The Fraud and Corruption Control Policy will be updated on the Council website following adoption.

#### KEY CONSIDERATIONS

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

5.1 Good governance through leadership

***Budget Implications***

There are no budget implications relating to the review and adoption of the Fraud and Corruption Control Policy and Fraud and Corruption Control Plan.

***Policy/Relevant Law***

Independent Broad-based Anti-corruption Commission Act 2011  
Public Interests Disclosure Act 2012

***Risk Assessment***

Clarity and transparency of Council Policies.

***Innovation and Continuous Improvement***

The regular review and adoption of Council's policies will ensure that Council continues to work in accordance with its established procedures, and within legislative requirements.

***Stakeholder Collaboration and Community Engagement***

While there has been no community consultation undertaken in respect of Fraud and Corruption Control Policy, Chief Executive Officer and the Audit and Risk Committee have reviewed and support the endorsement of the Policy along with the Fraud and Corruption Control Plan.

The Chief Executive Officer presented the Fraud and Corruption Control Policy and Plan to the Councillor briefing held on 9 March 2021.

**RECOMMENDATION**

That Council adopt the

- 1 Fraud and Corruption Control Policy; and
- 2 Fraud and Corruption Control Plan.

**ATTACHMENTS**

- 1 Fraud and Corruption Control Policy
- 2 Fraud and Corruption Control Plan

The two attachments noted above are included as Attachment 3.1.

### 3.2 REFRAMING THE PLANNING SCHEME

**RESPONSIBLE OFFICER:** MANAGER PLANNING, COMMUNITY AND COMPLIANCE  
**DEPARTMENT:** PLANNING, COMMUNITY AND COMPLIANCE  
**REFERENCE:** Review of the Planning Scheme

#### **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 is required to review the planning scheme within 12 months of adopting a new Council plan under the *Planning and Environment Act*. The objective of the review is to enhance the effectiveness and efficiency in achieving the objectives of planning within the state planning framework.

#### **DISCUSSION**

Planning for our community is a fundamental element of the economic prosperity, sense of place and custodial care of the environment. Over an extended period of time the document has not kept pace with the needs of the local people and has continued to evolve through layers of control being added but rarely integrated. Without such integration, it has failed to create logical and consistent foundation that delivers a clear path to the future that meets the community needs.

The review was undertaken in-house by the Planning Team and looked at:

- Issues that had been encountered in the last 3 years in the assessment of applications;
- The changes in the last 5 years by both Council and the State;
- The pattern of applications and processing times; and
- The gaps, as well as opportunities to improve and streamline the scheme going forward.

Key outcomes from this process are:

1. Need to develop greater depth of local policy to guide development or implement sustainable growth outcomes specifically:
  - a. resolve the historic zonings since amalgamation and promote the growth of Ararat town to a sustainable or thriving regional centre
  - b. Promote the ability of the villages to share in the region's growth given the available infrastructure (services, community and social)
  - c. Strengthen recognition of long-standing industrial businesses and the strategic suitability of Ararat on the Melbourne – Adelaide Road and rail connections and central location on the Portland/Geelong port transport route
  - d. Allow the tourism capability of Pomonal, Moyston and Lake Bolac to thrive through a mature approach to the population/human resource needs that such development requires
  - e. develop local heritage policy content that embodies the practical need to support the ongoing investment in these sites and balances the "heritage story" element of these sites and their future usefulness for owners
2. Promote a significant growth initiative for the future to ensure the economic and social stability of the municipality.

3. Integrate zoning and overlays after updating the mapping layers so that development prospects reflect the land capability.
4. Incorporate new pieces of work such as *Ararat in Transition* and the *Ararat Flood Study* into the planning scheme

## Consultation

The Draft Planning Scheme Review was put out for public comment and review from 9 May 2022 to 6 June 2022. The process was undertaken through the *Engage Ararat* portal together with engagement with the various state agencies and consultants that operate across the municipality.

The results of the consultation period were:

- 3 State agencies responded – being GWM Water, EPA and Glenelg Hopkins CMA; and
- 5 submissions were received from individuals.

Attachment A provides the issues raised by each submitter attached and responses to these issues. The feedback was a mix of advice applicable to the next steps in changing the planning scheme, concerns which are already addressed in the planning scheme and issues for consideration. Some matters are beyond the scope of the planning scheme, or indeed the review of it and these are noted.

There were no issues that were considered to radically redirect the proposed actions arising from the scheme review as shown in Part 4 of the Review Report.

The next step is for the Council to review the feedback and staff assessment and if satisfied with the responses to advise those submitters accordingly and provide a copy of the Planning Scheme Review report to the Minister for Planning.

Once this task has been completed, then a detailed work plan for delivering the various components of the Action Plan will be provided to Council and a reporting strategy on progress agreed.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

The review and reframing of the Planning Scheme advances the following objectives and strategies:

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.*

### ***Budget Implications***

The current budget allocates resources for the preparation of this work and a further allocation is proposed to be sought in the 2022/23 budget.

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

The preparation of this review has been undertaken in accordance with the *Planning & Environment Act*. The review advances the objectives set out in section 4 of the *Planning and Environment Act 1987*. It supports the objectives to:

- *Provide for the fair, orderly, economic and sustainable use, and development of land;*
- *Secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria; and*
- *Balance the present and future interests of all Victorians by facilitating the renewal of surplus government land.*

### ***Sustainability Implications***

The review has highlighted that financial, social and environmental sustainability are not adequately managed through the planning process. Assuming the community feedback also recognises this risk, the work program for the subsequent improvements will be framed to overcome these challenges.

### ***Risk Assessment***

As outlined above, the planning scheme review has identified a range of thematic, as well as individual risks, in the designation of zones, overlays and other policy controls.

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

Amending the planning scheme is a process of continuous improvement to build and shape controls on individual sites and areas. The review of the scheme has highlighted extensive changes in the last five years by both the Council and the state across a broad range of areas.

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

The process to review the Planning Scheme has included engagement with:

- The entire community through the *Engage Ararat* platform and promotion of the project through various media channels
- Those state agencies commonly referred to in planning application as outlined in Clause 66 of the current planning scheme
- A selection of consultants that have regularly lodged applications in the last 5 years

## **RECOMMENDATION**

That Council:

1. Endorse the proposed response to the feedback received on the Draft Planning Scheme Review Report;
2. Note that no feedback results in changes to the Draft Planning Scheme Review Report;
3. Adopt the Review Report and provide a copy to the Minister for Planning as required by Clause 12B(5) of the *Planning and Environment Act*; and
4. Consider a detailed work plan for the tasks arising from the review at its meeting in July 2022.

### **Attachments**

Feedback and responses to the Draft Planning Scheme Review Report are provided as Attachment 3.2

### 3.3 MOTION FOR LOCAL GOVERNMENT STATE-WIDE WASTE FORUM

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 5634

#### 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 is extremely supportive of the continuation of groups such as the Grampians Central West Waste and Resource Recovery Forum. Council believes that groups such as this are an integral part of local government and allow Councils of all sizes to work cohesively to deliver effective services.

The formalisation of this group will further enable collaboration between local governments, representing rural, regional and metropolitan Councils, allowing them to provide advice to the State Government on waste and circular economy.

Ararat Rural City Council will express their support towards this forum, by endorsing the motion outlined in the letter received from Councillor Tom Sullivan, Mayor of Moorabool Shire Council and Chair of Grampians Central West Waste and Resource Recovery Forum.

#### DISCUSSION

The Local Government State-Wide Waste Forum is made up of seven Forum Chairs, whom in total represent 79 Local Government Associations across the state of Victoria.

This Forum aims to ensure there is consistent representation across rural, regional, and metropolitan Councils, to advise the State Government regarding the roll out of the Circular Economy (Waste Reduction and Recycling) Act 2021.

On 1 July 2022, the Act will see the establishment of Recycling Victoria, a government business unit to oversee and provide strategic leadership for the waste/recycling sector. The introduction of this new unit will see Waste and Resource Recovery Groups (WRRGs) dissolved and the functions they carry out, will now be the responsibility of Recycling Victoria.

On Tuesday 14 June the CEO received an email from Councillor Tom Sullivan, Mayor of Moorabool Shire Council and Chair of Grampians Central West Waste and Resource Recovery Forum.

The letter outlined the importance of groups such as the Grampians Central West Waste and Recovery forum in delivering effective services, achieving efficiencies of scale, sharing expertise, advocating better legislation, as well as education.

It was recommended that Council support the formalisation of the Forum, so that beyond the 1 July 2022, there will continue to be a structure for ongoing collaboration for Councils on both a regional and state-wide level.

Council will elect a Councillor, to be the representative on recycling and waste matters for this forum. The elected Councillor will assist in providing advice on waste matters, appointing a Chair and various other duties to support the regional collaboration this group offers.

Supporting the formalisation of this forum will strengthen the collaboration between various local government groups, as well as working towards a sustainable and thriving circular economy for Victoria.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

#### *3 Preserving our environment*

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

### *Budget Implications*

A budget allocation is made to the waste reserve each year to fund works associated with waste management.

### *Policy/Relevant Law*

Legislation set by state and federal government agencies related to the delivery of the waste services. These include acts, regulations, policies and guidelines.

### *Sustainability Implications*

This report does not raise any sustainability implications.

### *Risk Assessment*

None identified.

### *Stakeholder Consultation and Communication*

The Mayor, Councillors and CEO have discussed the importance of this forum and concluded that supporting the formalisation of this group will ensure there is an ongoing structure for Councils on a regional and state-wide level to collaborate on waste management.

## RECOMMENDATION

That Council:

1. Notes that the State Government has introduced legislation that dissolves the regional waste management groups effective from 1 July 2022;
2. Recognises the benefits of regional collaboration between local governments including for delivering effective services, achieving efficiencies of scale, sharing expertise, advocacy for better policy and legislation, education and procurement;
3. Notes that the WRRGs have provided an effective mechanism for regional collaboration between Councils; and
4. Elects a Councillor to be the representative on recycling and waste matters for the purposes of:
  - a. Meeting with other Councils in the Grampians Central West region to consider recycling and waste matters and provide advice to Councils in the region;
  - b. Appointing a Chair of the Regional Advisory Group who would represent the region in a state-wide advisory group, including electing a state-wide Chair;
  - c. Developing a proposal for governance (including a Terms of Reference) of regional coordination between Councils, for consideration by Council at a future date; and
  - d. Calling on the State Government to support regional collaboration by providing the secretariat function via RV.



**ATTACHMENTS**

Letter from Moorabool Councillor, Tom Sullivan – Chair, Grampians Central West Waste and Resource Recovery Forum is provided as Attachment 3.3.

### 3.4 COUNCIL PLAN 2021-2025 YEAR 1 ACTION PLAN UPDATE

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S DEPARTMENT  
REFERENCE: 5654

#### 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 Plan Action report is presented to Council updating the progress of actions identified against the strategic objectives in the Council Plan 2021-2025 for Year 1.

The Council Plan 2021-2025 contains actions to be undertaken during the 2021-2022 financial year under the pillars and foundation of Our Community, Our Lifestyle, Our Economy, Our Environment and Our Organisation.

#### DISCUSSION

This report outlines the progress of the actions listed in the Council Plan for Year 1 (2021/2022) as at 23 June 2022.

The Council Plan for 2021/2022 contains 55 actions, which the following table outlines the results in relation to these actions:

Progress	Number
Ongoing	9
0-50% completed	9
51%-99 completed	7
Completed	25
Not started	5
<b>TOTAL</b>	<b>55</b>

Attachment 3.4 details the Council Plan Actions for 2021/2022 in full.

#### KEY CONSIDERATIONS

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

- 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.
- 1.2 Support innovative housing models that work to overcome market failure and create the capacity to increase the population of Ararat Rural City.
- 1.3 Work with other levels of government, business, and not-for-for profits to develop programs to increase in-migration to Ararat Rural City to grow our population.
- 2 Building robust local economies
- 3.1 Partner with Federation University Australia to deliver the Ararat Jobs and Technology Precinct.
- 3 Preserving our environment
- 3.1 Position Ararat Rural City Council as a prime mover in driving circular economy policy in waste management, including local processing and management of recyclables, and in use of renewable energy for Council purposes.

- 4 Developing and maintaining key enabling infrastructure
- 4.3 Deliver infrastructure outcomes that support economic growth, promote community wellbeing and safety, and align with Council's financial sustainability.
- 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 Strong and effective governance

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

Initiatives and projects listed in the Council Plan Action Plan have an allocation in the 2021/2022 Budget.

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

The Local Government Performance Reporting Framework – Governance and Management Checklist No 17 – Council Plan Reporting - Report reviewing the performance of the Council against the Council Plan including the results in relation to the strategic indicators for the first six months of the financial year.

Where Council has a report, it must also provide details of the report, where Council has no report it must provide a reason.

In relation to funding projects, all State Government funding milestone requirements have been met.

#### ***Sustainability Implications***

None identified for this report.

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

Not meeting the requirements of the Local Government Performance Reporting Framework will result in negative feedback on the Know Your Council website.

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

The list presented to Council shows the innovation and continuous improvement that Council is providing both the organisation and the community.

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

The Chief Executive Officer along with relevant officers have worked to ensure that Council Plan actions have met expected milestones and timeframes where possible.

### **RECOMMENDATION**

**That the Council Plan 2021-2025 Year 1 Update Report be received.**

### **ATTACHMENTS**

The Council Plan Actions 2021-2025- Year 1 update is provided as Attachment 3.4

### 3.5 ARARAT RURAL CITY COUNCIL DRAFT BUDGET 2022/2023

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 5653

#### 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

In accordance with Section 94 of the Local Government Act 2020, Council is required to prepare a budget for each financial year and the subsequent 3 financial years by 30 June each year, or any other date fixed by the Minister by notice published in the Government Gazette.

Section 96 of the Local Government Act 2020 requires Council to develop the budget in accordance with the financial management principles and its community engagement policy.

#### DISCUSSION

Council's 2022/23 budget is quite different to the previous few in that it is taking a more conservative approach to capital works. This is in response to the volatile nature of pricing in the civil construction and building sectors. Council believes that it is important to minimise financial risk around higher value projects. Council continues to invest in capital works with a healthy investment of \$8.710 million during 2022/2023.

Council will continue to return a dividend to the community for increased organisational efficiency through a zero percent rate rise in 2022/2023. This yields an average zero percent rate rise over the past five years.

#### Key Budget Influences include:

- a. Ararat Rural City Council's 2022/2023 Budget have a zero percent rate rise that will maintain a zero percent rate increase for a five-year average.

In contrast, had Council increased rates to the amount allowable under the State Government's Fair Go Rates System, over the past four years this would have increased the total burden to ratepayers by 10.00%, during the same five-year period Council has delivered a net zero percent rate rise.

- b. Council wished to frame a 2022/2023 budget that:
  - i. provides quality services and value for money for residents
  - ii. funds a more conservative approach to capital works due to market volatility making management of financial risk more difficult. The capital works program will continue to improve local roads, community infrastructure and maintain existing assets
  - iii. ensures rating fairness through maintaining a consistent percentage of rates burden between each rating sector. This protects against "rate shock" through unequal property valuation increases from year to year.

## Revenue

Council's first considerations in framing the 2022/2023 Budget are on the revenue side. Key considerations are:

- ensuring a commitment to maintaining relativities in rating burden by each identified rating sector
- attempting to ease the impact of rates rises on individual ratepayers
- avoiding where possible "rate shock" experiences of large and unexpected rate increases.

It is proposed that the best mechanism for ensuring this is to propose a rating approach in 2022/2023 that, as far as possible, provides similar revenue outcomes across each sector as 2021/2022. Council believes that the approach taken is perfectly consistent with Section 101 (1) (c) where *"the financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community"*.

There have been significant changes in property valuations across the classes of properties in the 2022 valuation, leading to an asymmetric impact on rates projected for the 2022/2023 financial year.

The table below demonstrates the nature of this uneven distribution of revaluations between 2021 and 2022:

Rates Sector	Total 2021 CIV	Total 2022 CIV	Increase in CIV 2021-2022	Average increase in CIV
General	\$1,318,243,500	\$1,771,362,000	\$453,118,500	34.37%
Commercial	\$122,811,500	\$132,125,500	\$9,314,000	7.58%
Industrial	\$34,045,000	\$36,380,000	\$2,335,000	6.86%
Farmland	\$2,802,153,000	\$4,220,757,000	\$1,418,604,000	50.63%
Total	\$4,277,253,000	\$6,160,624,500	\$1,883,371,500	44.03%

If the current 0.40 farmland and 1.25 commercial/industrial differential rates are maintained there will be a change in relativities in rates burden between farm, commercial/industrial and general rates between 2021/2022 and 2022/2023 (assuming a 0.0% rate cap increase).

Rates Sector	Rating Differential	2021/2022	2021/2022
General	1.00	51.3%	49.6%
Commercial	1.25	5.8%	4.5%
Industrial	1.25	1.6%	1.3%
Farmland	0.40	41.3%	44.6%

The mechanism for maintaining relativities in rate burden between rating sectors, created through asymmetries in valuation movement is through alteration of rating differentials. The table below demonstrates the impact of a movement in farm rate differential from 0.40 to 0.36 and commercial/industrial rate differential from 1.25 to 1.44, on adjusting the relative rate burden.

Rates Sector	Rating Differential 2021/2022	2021/2022 Rates burden	Rating Differential 2021/2022	2021/2022 Rates burden
General	1.00	51.3%	1.0	51.4%
Commercial	1.25	5.8%	1.44	5.4%
Industrial	1.25	1.6%	1.44	1.5%
Farmland	0.40	41.3%	0.36	41.7%

Council is proposing a change in the farm rate differential from 0.40 to 0.36 and the commercial/industrial rate differential from 1.25 to 1.44, in order to ensure relative burden between rating sectors is maintained from 2021/2022 to 2022/2023.

### A zero percent rate increase in 2022/2023

Council has budgeted for a 0.0 percent increase to rates in 2022/2023 in order to ensure that:

- the community receives a dividend for improved organisational efficiency and cost savings
- minimises the impacts of rate rises on the community during the COVID-19 event

### Expenditure

The key driver of the 2022/2023 Draft Budget expenditure is to continue to deliver long-term, sustainable value to the Ararat Rural City community. This will be achieved by focussing on the following key areas:

- strategic renewal of Council's key assets
- driving organisational effectiveness through managing performance and efficiency
- implementing a digital transformation program
- ongoing commitment to service review

The proposed Ararat Rural City Council Budget 2022/2023 document outlines the key expenditure areas, which are informed by Council's operational activity, key projects and Year Two of the Council Plan 2021-2025.

### Other considerations

The waste management collection charges will increase by approximately 6.4%, however the level of service will be substantially expanded across the municipality.

The Municipal Charge will be fixed at \$96 for 2022/2023.

The budgeted operating result for 2022/2023 is a surplus of \$0.612 million, as compared to a budgeted result of \$8.865 million surplus in 2021/2022.

The budgeted cash flow statement indicates a decrease in cash & cash equivalents of \$1.386 million.

The following written submission was made to Council's Budget 2022/2023.

Name	Key points	Outcome
Catherine	Would love to see some improvement to the local playgrounds available. There are plenty of young families in the community as well as touring families who stop into Ararat. Would be great to see some improvement in available playgrounds using Kyenton Community Park as an example. It is something that incorporates nature, water and sensory play for kids	The 2022/2023 Budget makes \$1,500,000 for capital works around community infrastructure. There will be provision made for playground renewal and improvements within this allocation. There will be further community engagement around these projects during 2022/2023.
Darren Ford	The good news story is no rate increase. Nothing to see here is what they want you to swallow, again. The alternative view is that rates for you, the Town, are double what they should be to start with. Nothing is being done or demonstrated, to reasonably address the big problem of favouritism amongst most Councillors who should be representing equity and	This submission appears to largely provide a critique of Council's adopted revenue and Rating Strategy 2021-2025. This was adopted following significant

	<p>fairness for all Ratepayers, not just themselves - wealthy farm enterprises. Vested interests seem well served by this draft budget. The few are benefiting the most from the prosperity of Ararat. The budget is based on the historical legacy of the Farm and Town paying about half the Rate burden each. Ten years ago, the value of the Farm and the Town were about the same. But now the value of the Farm is about 250% more. If rates are argued to be a 'Wealth Tax' rather than historical benefit to the few, would you not expect the Farm to help pay the bills a bit more. If things were equal, Farmers would pay 68% of the rate burden of \$14 million. The discrepancy of \$3.5 million is picked up by the Town doubling your rate assessment. An example is the Moyne Shire that treats Ratepayers equally. When compared to Ararat with a similar rate burden, the Town Rates are one half (cents/\$CIV 0.2 versus 0.4). If things were equal in Ararat, Farmers would pay \$800 per million more in rates the value of their Farm. Instead, the current situation is the Town paying \$800 per house more. Does it take 20 houses to keep one average Farm Enterprise benefitted / entitled in the current circumstance? I agree that differential rates are not a discount, but I do alert you to the fact they are a distortion to equity and fairness decided by your Councillors. Blaming the State Government for distortion is not valid. An example of distortion is this draft budget with the differential rate for Commercial &amp; Industrial properties being four times that of the Farm. Residential is 2.8 times that of the Farm. That is what it takes to keep the historical entitlement of the vested interests happy. The State Government does not allow a differential to be more than four times. So Commercial &amp; Industrial are at the maximum and Residential is getting closer every budget. I believe that it is not the intention of State Government that the dominant class of land be distorted by four times or anywhere near that against a weaker class of land. It is obvious that this distortion will have exaggerated and amplified effect on the little guy – you, with less capacity to pay than wealthy farm enterprises. Equity and fairness should be paramount – not historical entitlement. If there were any real representation of the Town's interest amongst Councillors you should be hearing a lot of noise at this appalling situation. No noise either from the VFF who must be very happy. I acknowledge that figures used are estimates and I would encourage Council to model the actual values of the alternative narrative. A response to Ratepayers would demonstrate transparency. I ask for Ratepayers support to refute Councillors that they are doing a good job.</p>	<p>community engagement last year. There have been six face to face, two online forums and Engage Ararat where the community have had the opportunity to raise concerns around the rating model. This is the only objection received.</p>
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There were two further submissions received, however, these contained no content relating to the budget.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

6 Strong and Effective Governance

6.1 Deliver responsible budget outcomes, linked to strategy, that deliver value, innovation and rating fairness

### *Budget Implications*

The Draft Budget has been prepared within the following parameters:

- The Draft Budget proposes the following differential rates - general rate – 100%, commercial and industrial rate – 144% of the general rate and farm rate – 36% of the general rate
- A 0% increase in the total amount received from general rates and charges;
- No increase in the Municipal Charge which will remain at \$96 per rateable property in 2022/2023;
- An increase of approximately 6.4% for recycle collection and other waste management charges, however the level of service will be substantially expanded across the municipality;
- A balanced budget in terms of a cash result and an operating surplus of \$0.612 million in terms of an accrual accounting result;
- A net decrease in cash and cash equivalents of \$1.386 million;
- A capital works program of \$8.710 million;
- No new loan borrowings; and
- Capital budgets have been prepared in accordance with good asset management principles.

More detailed information is contained in the Budget document.

### *Policy/Relevant Law*

Council is required under Section 94 of the Local Government Act 2020 to prepare a budget for each financial year. The budget contains the Financial Statements, a description of services and initiatives to be funded in the budget, service outcome indicators, and major initiatives to be undertaken during the financial year and the performance measures in relation to each major initiative.

### *Sustainability Implications*

In developing the Draft Budget 2022/2023 all environmental, social and economic impacts have been considered.

### *Risk Assessment*

Council must implement the principles of sound financial management, which includes managing financial risks faced by Council and ensuring that decisions are made and actions taken having regard to their financial effects on future generations. The reduction in rates and charges are not considered to affect Council's long term financial sustainability.

### *Innovation and Continuous Improvement*

The Draft Budget has been prepared over a considerable period of time, with significant input from Council officers and Councillors. The Draft Budget allows Council to consider all forms of revenue that are required to fund Council services.

### *Stakeholder Collaboration and Community Engagement*

Councillors and the Chief Executive Officer have discussed the draft Budget 2022/2023 at briefings held on 3 May 2022, 17 May 2022, 24 May 2022, 7 June 2022, and 14 June 2022.

Consultation on the draft Budget 2021/2022 was carried out over a 4-week period, which included:

- Engage Ararat website – Council sought community feedback through this platform; and
- Community workshop sessions held in Tatyoon, Elmhurst, Ararat, Willaura, Pomonal and Lake Bolac between 13 June 2022 and 17 June 2022.



**RECOMMENDATION**

That Council, having considered the draft Budget 2022/23 and having distributed the budget for community consultation, resolves as follows:

- 1 To adopt the Budget 2022/23, comprising the 2022/23 financial year plus the subsequent three financial years 2023/24 to 2025/26, pursuant to Section 94 of the Local Government Act 2020
- 2 To declares Rates and Charges for the 2022/23 financial year as follows
  - a. An amount of \$17,120,655 be declared as the amount which Council intends to raise by General Rates, Municipal Charge, Annual Service Charges and Special Charges which amount is calculated as follows:

	Amount
<b>General Rates</b>	
Residential	\$7,014,600
Commercial	\$753,400
Industrial	\$207,400
Farm	\$6,018,800
Supplementary Rates	\$100,000
Municipal Charge	\$626,016
<b>Annual Service Charges</b>	
Kerbside Collection Charges	\$2,391,600
Water Supply	\$6,272
<b>Special Charges</b>	
Bunnugal Drainage	\$2,567
<b>TOTAL</b>	<b>\$17,120,655</b>

- b. A general residential rate of 0.3960 cents in the dollar of the Capital Improved Value be declared for the period 1 July 2022 to 30 June 2023
- c. A commercial/industrial differential rate of 0.5702 cents in the dollar of the Capital Improved Value be declared for the period 1 July 2022 to 30 June 2023
- d. A farm differential rate of 0.1426 cents in the dollar of the Capital Improved Value be declared for the period 1 July 2022 to 30 June 2023
- e. Council resolves to adopt a municipal charge of \$96 per rateable assessment for the period 1 July 2022 to 30 June 2023
- f. Annual Service Charge be declared for the period 1 July 2022 to 30 June 2023 on properties where the service is provided, as follows:
  - i. Kerbside collection – 4 bin system \$462
  - ii. Kerbside collection – 3 bin system \$410
  - iii. Water Supply (Mininera, Rossbridge, Tatyoon and Travellers Rest) \$456
- g. Special Charge be declared for the period 1 July 2022 to 30 June 2023 on all properties in the Bunnugal Drainage area, for maintenance works within the drainage area, as follows:
  - i. High rating zone – charge per hectare \$1.65
  - ii. Low rating zone – charge per hectare \$1.00
- 3 To declare the Fees and Charges for the 2022-2023 financial year, contained in Section 6-Schedule of Fees and Charges of the Budget document.

**ATTACHMENTS**

The Draft Budget 2022/2023 is included as Attachment 3.5.

### 3.6 YEAR 2022 GENERAL VALUATION

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 5640

#### 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

On 2 June 2022 Council received notification from the Valuer-General, certifying the 2022 General Valuation to be generally true and correct.

The Valuer-General has reported to the Minister for Planning that the 2022 General Valuation is generally true and correct with respect to each of the bases of value.

Once the Minister has made his declaration that the valuation is suitable to be adopted and used Council can raise rates for the 2022/23 financial year.

#### DISCUSSION

The Valuer-General Victoria is the valuation authority responsible for revaluing all properties in the municipality each year.

The Valuer-General Victoria appointed PW Newman PTY LTD as the valuer. Mr. Paul Newman has delivered valuations for rateable and non-rateable leviable properties to Council. The non-rateable leviable valuations are returned to enable Council to calculate the Fire Services Levy for these properties. The Valuer-General has audited the valuations to ensure they are generally true and correct. The Minister for Planning will make a declaration under the provisions of the Valuation of Land Act 1960 that allows the returned valuation to be used to raise rates for 2022/23.

	2022 Rateable Valuations	2022 Non Rateable Leviable Valuations	Total
Site Value	\$4,909,336,500	\$23,493,500	\$4,932,830,000
Capital Improved Value	\$6,181,462,500	\$86,702,000	\$6,268,164,500
Net Annual Value	\$367,680,725	\$4,794,000	\$372,474,725

The following table illustrates the change in capital improved valuations (CIV) between each category of property as a result of the revaluation. The categories included in this table are based on Valuation Best Practice Guidelines which are not consistent with the classifications used for rating purposes. For example, the rural category includes urban farmland that may not necessarily be defined as farmland for rating purposes. There are several properties that are rated at the general rate but are classed as rural for the fire services levy.

Category	2022 CIV\$	2021 CIV\$	% Change
Residential	\$1,565,348,000	\$1,169,454,000	33.85%
Commercial	\$144,279,000	\$132,403,000	8.97%
Industrial (includes windfarms)	\$66,357,000	\$594,009,500	-88.83%
Rural (including Urban Farm Land)	\$4,405,478,500	\$2,932,527,000	50.23%
Non Rateable Leviable	\$86,702,000	\$86,547,000	0.18%
<b>Totals</b>	<b>\$6,268,164,500</b>	<b>\$4,914,940,500</b>	<b>27.53%</b>

### Residential properties

In comparison to 2021 valuations, residential property valuations have increased by 33.85%.

### Commercial and Industrial properties

In comparison to 2021 valuations, commercial property valuations have increased by 8.97%.

Industrial property valuations have decreased by 88.83%, primarily due to a revision of the way Wind Farms are valued.

### Rural properties

In comparison to 2021 valuations, rural valuations have increased by 50.23%.

### Non rateable leviable properties

In comparison to 2021 valuations, non-rateable leviable property valuations have increased by 0.18%.

Whilst these properties are non-rateable for municipal rates, they are charged the *Fire Services Levy*. Land in this category includes properties such as Council owned properties and churches.

The table below outlines the movement in valuations over previous years:

	2022	2021	2020	2019	2018	2016	2014
Residential	33.85%	14.73%	3.07%	4.32%	3.45%	3.88%	-0.76%
Commercial	8.97%	1.17%	0.29%	1.43%	8.69%	6.66%	8.35%
Industrial	-88.83%*	0.36%	3.83%	0.09%	0.75%	10.97%	12.06%
Rural	50.23%	39.00%	21.79%	2.72%	24.48%	7.09%	2.45%
Non-Rateable	0.18%	5.67%	37.49%	3.06%	1.15%	-2.55%	0.35%

\* Industrial property valuations have decreased by 88.83%, primarily due to a revision of the way Wind Farms are valued.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

#### 6 *Strong and Effective Governance*

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

### *Budget Implications*

The Valuer-General Victoria is now responsible for the cost of the annual general revaluation. Council is required to pay for the costs of supplementary valuations during the year and these costs are included in the budget each year

### *Policy/Relevant Law*

The Valuer General Victoria is required to revalue all properties in accordance with the Valuation of Land Act 1960

***Sustainability Implications***

The report does not raise any sustainability implications.

***Risk Assessment***

Low.

***Innovation and Continuous Improvement***

Revaluing properties every year allows current land values to be used for Council Rating purposes and Land Tax purposes.

***Stakeholder Collaboration and Community Engagement***

The valuation process is undertaken by the Valuer-General and widely promoted to ratepayers across various websites including the Department Environment Land Water and Planning, State Revenue Office and the Council's.

**RECOMMENDATION**

That subject to Ministerial approval, Council adopts:

- 1 The General Valuation for 2022 conducted by Mr Paul Newman for total Site Value of \$4,932,830,000 (rateable Site Value of \$4,909,336,500 and non-rateable leviable Site Value of \$23,493,500);
- 2 Total Capital Improved Value of \$6,268,164,500 (rateable Capital Improved Value of \$6,181,462,500 and non-rateable leviable Capital Improved Value of \$86,702,000); and
- 3 Total Net Annual Value of \$372,474,725 (rateable Net Annual Value of \$367,680,725 and non-rateable leviable Net Annual Value of \$4,794,000).

**ATTACHMENTS**

There are no attachments in relation to this item.

### 3.7 CIRCULAR ECONOMY UPDATE

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 5652

**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 had established a stretch target to implement a four-bin-based materials collection and processing system by 1 July 2022. The timeframe to complete implementation is proposed to be extended to 3 October 2022.

This extension of time will provide Council:

- an additional two months to transition to in-house kerbside collection
- three months to roll out the four-bin system across the municipality
- time to manage the effective distribution of over 20,000 new bins to urban and rural service users
- implement an effective community engagement model to ensure a smooth transition.

Attempting to implement the new circular economy model in a shorter timeframe increases the risk of poor service outcomes or service.

#### DISCUSSION

Council's implementation of the "circular economy" approach to waste management has focussed on the early adoption of the four-bin model for the collection of waste streams, maximising local processing of waste streams to yield more positive environmental outcomes and management of implementation costs. Council was not prepared to wait for a "perfect" solution to implementation of the circular economy policy, rather be a prime mover and move towards improved or more "perfect" solutions as the program rolled out.

The materials collection system will be based on four bins. These will collect glass (80 litre purple lid bin), organics: garden waste and some food scraps (240 litre green lid bin), Comingled recyclables; paper, cardboard, tin and aluminium (240 litre yellow lid bin) and general waste to landfill (140 litre red lid bin). The red bin will be collected weekly, the yellow and green bins on alternate fortnights and the purple bin monthly. The collection frequency will be regularly reviewed and adjusted based on demand and volumes collected.

Council has chosen an "all in" collection model, which will provide a universal service to all residents regardless of location across the municipality, presenting challenges in terms of negotiation of bin collection locations and truck travel times. The universal service applies to three waste streams – general waste, comingled recyclables and glass. Organics collection will only apply to properties of less than 5 hectares.

Council has committed to processing the waste streams locally, aiming to improve the percentage of waste diverted to landfill substantially. The management of the four waste streams is detailed below:

- **Glass:** processed using a glass crusher in Ararat. The "glass sand" produced is suitable for use as being used as a bedding sand substitute in drainage works or potentially as a sand substitute in concrete. repurposing the "glass sand" are being explored. The glass crusher has been commissioned is currently installed and being tested.
- **Organics:** Council has entered into a research and development agreement with Gaia Envirotech to process Councils organics stream – this includes garden waste and some food waste. The processing

will take place and produce an Australian Standard AS4454 compost that can then be on-sold or utilised locally.

- **Comingled recyclables:** It is anticipated that in time Council will be seeking local, higher-value options for recycling these materials streams.
- **General Waste:** Council will continue to dispose of this at the Cleanaway landfill site in Northern Grampians Shire. It is anticipated that the volume of waste disposed of in this way will decrease significantly as the community responds to the other materials management streams available.

Council has decided to “in-house” collection the four waste streams to provide flexibility to respond to changes in material volumes more effectively, maintain a focus on service quality and directly manage the challenges of introducing a complex service change. Council will deliver the service without increasing the cost to households who already receive a waste and recycling service. New services will be charged at the same level, with a lower charge for those on properties over 5Ha not using the organics bin.

There is a need to undertake a community communication campaign to ensure the community understand the mechanics of the four-stream system.

In addition, a Container Deposit Scheme (CDS) will be introduced in Victoria in 2023. The CDS will provide a ten-cent refund on drink cans, and bottles returned for recycling. Based on interstate experience, this may remove approximately thirty percent of this material from the other recycling systems.

### *Challenges*

The implementation of a new resource recovery service is possibly the most complex service improvement that can be undertaken by a Council. In the current environment, there are a number of additional complications based on staffing and access to trucks and machinery to be managed.

Council established a stretch target around full implementation of the four-bin system on 1 July 2022. This commencement date has been delayed due to several factors, including:

- Delays in acquiring trucks and drivers to manage a smooth transition to “in-housing” the four material streams
- The Gaia Envirotech system will not be commissioned until September 2022 to process organics on site.
- Managing the complexity of optimising the extended rural routes.
- Distribution of over 20,000 new bins across the municipality where pricing has been excessive or contractors unavailable to undertake the work.

In order to ensure service continuity and effective roll-out of the new services the following steps are proposed:

- That Council’s existing contractor, Wheelie Waste, is engaged for an additional two months to undertake kerbside collection services of existing household services in July and August 2022.
- Council commences in-house kerbside collection for existing customers on 5 September 2022, which is rolled out the entire expanded network on 3 October 2022.
- Collection of the full four-bin service commences on 3 October 2022 across the municipality.
- Delivery of new bins to existing urban residential services is undertaken in-house in between July and September 2022.
- Distribution of bins to rural customers will be from a series of local collection locations across the municipality.
- Implementation of community communication campaign commencing in July 2022.

It is always disappointing when it is not possible to meet targets on critical projects. Given the current circumstances around access to human resources, trucks and processing the three-month delay could not be avoided without threatening service continuity in waste services. The critical issue, in this case, is ensuring that existing waste streams continue to be collected until the full four-bin model can be fully implemented.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

The outcomes of implementing Council's circular economy plan relates directly to the following elements of the Council Plan:

3. Preserving our environment  
We will take pragmatic approaches to ensuring that Ararat Rural City Council takes a regional lead in responsible environmental management and engagement with the circular economy.
- 3.1 Position Ararat Rural City Council as a prime mover in driving circular economy policy in waste management, including local processing and management of recyclables, and in use of renewable energy for Council purposes.

### *Budget Implications*

There are no significant budget implications in the revised implementation model. The cost of extending the engagement of the existing contractor will be of the order of \$45,000 per month, which will be offset as Council will not be operating the in-house collection service. Ratepayers receiving waste service for the first time will pay pro rata for their service from 3 October 2022.

### *Policy/Relevant Law*

Council will still meet its obligations under the Victorian Government's Circular Economy Policy to introduce a four-bin system well ahead of the 2030 deadline. Making this commitment early provides an opportunity for Council to be a rural prime mover in the materials recycling space.

### *Sustainability Implications*

Early implementation of Council's four stream materials system will have substantial, positive sustainability implications. There will be significant diversion of waste from landfill to other materials streams that will support development of a circular economy. Local processing of materials streams will reduce the "road miles" placed on waste and decrease the weight and volume of material transported considerable distances.

### *Risk Assessment*

Implementing the proposed changes to the roll-out of the circular economy model will significantly reduce the risk profile of the project. Engaging the current contractor for a longer period will ensure that Council has sufficient time to implement the in-house kerbside collection model. Delaying full implementation of the four-bin model for three months provides the opportunity to fine-tune new rural routes, ensure new bins are distributed cost-effectively and implement a community engagement program around the new system. This significantly de-risks the project through avoiding potential service discontinuities and contamination of materials streams through poor community education.

### *Innovation and Continuous Improvement*

Rolling out a universal waste collection system, implementing a four-bin system well ahead of required timeframes and moving towards local processing of two of four waste streams represents significant innovation for a small rural Council.

### *Stakeholder Collaboration and Community Engagement*

Development and implementation of a community engagement program around the project over the next three months will be critical to its success. The engagement program needs to be focussed on the practicalities of the four-bin roll-out and needs to occur in real time as changes are made. A generic or theoretical education program will not assist in a successful roll-out.

## RECOMMENDATIONS

1. That Council endorses the report and acknowledges the challenges in full implementation of the four-bin model by 1 July 2022 and that the timeframe for full implementation be extended to 3 October 2022.
2. That Council endorses the revised timeframe for implementing the proposed actions and timeframes reported for implementation of Council's circular economy project. These timeframes and actions are as follows:
  - Council's existing contractor, Wheelie Waste, is engaged for an additional two months to undertake kerbside collection services of existing kerbside collection services in July and August 2022.
  - Council commences in-house kerbside collection for existing customers on 5 September 2022 and this is rolled out the entire expanded network on 3 October 2022.
  - Collection of the full four-bin service commences on 3 October 2022 across the municipality.
  - Delivery of new bins to existing urban services is undertaken in-house in between July and September 2022.
  - Distribution of bins to rural customers will be from a series of local collection locations across the municipality.
  - Implementation of community communication campaign commencing in July 2022.

## ATTACHMENTS

There are no attachments in relation to this item.



### 3.8 VICTORIAN AUDITOR GENERAL'S OFFICE: FRAUD CONTROL OVER LOCAL GOVERNMENT GRANTS

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 5651

#### 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 Victorian Auditor General's Office (VAGO) tabled a report to the Victorian Parliament on 11 May 2022 into *Fraud Control Over Local Government Grants*. The report provided nine recommendations to all Victorian Councils to improve management of Council grant programs. These recommendations fell into two categories: improving fraud control and improving guidance and training. It is recommended that Ararat Rural City Council review its current processes, policy, and practice to reflect the recommended practices outlined in the VAGO report.

#### DISCUSSION

The VAGO report was based on an audit of Council grant programs at six Victorian Councils. The audits raised issues around current practices in management of conflict of interest, assessment of applications against established criteria, documenting decisions, acquittal of funds and evaluation of grant outcomes. It was believed that the practices observed increased the risk of fraud and did not provide adequate transparency around the process.

VAGO made nine recommendations to assist Victorian Councils improve current practices. The first six relate directly to improving fraud controls and the latter three to improving guidance and training. There was an additional recommendation directed specifically at one of the audited Councils. This was recommendation seven and has been deleted from this report as it does not apply to the general recommendations provided by VAGO to Councils.

#### VAGO Recommendations

1. improve their conflict-of-interest processes by:
  - requiring staff and councillors to declare conflicts of interest for each grant application they assess or approve
  - documenting how the council manages declared conflicts of interest
2. Develop eligibility and assessment criteria for all their grant programs and:
  - assess and document each application against them
  - communicate assessment outcomes and reasons to unsuccessful applicants
3. Exclude councillors from assessing and making recommendations on grant applications
4. Verify that all grant recipients use grant funds for their intended purpose

5. Evaluate the benefits of:
  - recurring grants and require recipients to seek future funding through existing competitive grant programs
  - non-recurring grants (if appropriate) and consider their risks and value
  
6. Document all funding decisions in a consistent and structured way within a centralised system to ensure their decision making is transparent, including by recording:
  - the names of individuals involved in assessing or approving grant applications
  - if applicants met the eligibility criteria
  - how assessors and approvers scored applicants against the assessment criteria
  - what assessors and approvers considered to determine funding amounts
  - reasons why any funding decisions do not align with assessments
  
7. Excluded
  
8. Develop their own overarching grant policy that details:
  - when and why the council uses grants to achieve its strategy
  - how the council will administer grant programs across their life cycle
  - the risk-based approach the council uses to determine if it will evaluate each grant program
  - staff and councillors' roles in managing grants
  - relevant council policies and procedures, including policies and procedures for declaring conflicts of interest
  
9. Include grant-related fraud risks in their risk management and fraud and corruption plans and assign responsibility for managing these risks
  
10. Develop mandatory training for staff and councillors that covers:
  - declaring and managing conflicts of interest
  - fraud risks specific to grant programs
  - the council's relevant policies and procedures (see Section 2.4).

It is recommended that Council review its current community grants program to ensure that VAGO's recommendations are implemented.

Council has previously reviewed its approach to community grants, adopting a revised model at the 15 December 2020 Council meeting. This was following recommendations arising from the Victorian Local Government Inspectorate inquiry, *Protecting Integrity: Yarriambiak Shire Council Report*. This revision made a number of changes very similar to some of those outlined in the recommendations of the VAGO report. It is important for Council to ensure compliance with current best practice and the existing community grants process needs to be reviewed to ensure that this occurs.

As this issue relates to fraud control and transparency the revised community grants framework will be provided to members of the Audit and Risk Committee for comment prior to adoption by Council.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

6 Strong and Effective Governance

### *Budget Implications*

There are no budget implications in implementing this item.

***Policy/Relevant Law***

Review of the community grants program based on the VAGO recommendations relates to a number of requirements of the Local Government Act 2020 including, community accountability, financial management and service performance.

***Sustainability Implications***

None identified.

***Risk Assessment***

There is significant reputational, fraud and integrity risk to Council in failure to adequately address the recommendation of the VAGO report.

***Innovation and Continuous Improvement***

Reviewing the current Council grants program provides an opportunity to ensure processes are moving towards current best practice. Regular review of policy and procedures and response to findings of external bodies such as VAGO and the Local Government Inspectorate ensures continuous improvement in approaches to key Council governance activities.

***Stakeholder Collaboration and Community Engagement***

Once the new community grants process has been adopted and implemented by Council feedback from grant applicants will be sought from successful and unsuccessful applicants and non-applicant community organisations on the ease of use and effectiveness of the process.

**RECOMMENDATIONS**

That:

- 1 The current community grant process is reviewed by the CEO to ensure the recommendations of the Victorian Auditor General's Office *Fraud Control Over Local Government Grants* are implemented;
- 2 The revised community grant process is provided to members of the Audit and Risk Committee for review prior to adoption by Council; and
- 3 The revised community grant process is brought to the September 2022 Council meeting for adoption.

**ATTACHMENTS**

The Victorian Auditor General's Office report *Fraud Control Over Local Government Grants* is provided at Attachment 3.8

### 3.9 APPLICATION FOR PLANNING PERMIT PA3134 45 LOT MULTI-STAGED SUBDIVISION, REMOVAL OF EASEMENT AND NATIVE VEGETATION REMOVAL

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 5656

#### 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

Application PA3134 was lodged by Hatch Planning Pty Ltd for a staged 45 residential lot subdivision, removal of sewerage easement and removal of native vegetation at 2 Ironbark Lane and 89-91 Queen Street Ararat on 20 April 2022.

The land is zoned General Residential with the Specific Controls Overlay (Schedule 1) and the Design and Development Overlay (Schedule 4) applying to the site.

Notice of application was carried out by forwarding letters to respective owners and occupiers in the surrounding area in addition to a notice published in the local newspapers. Following the advertising period, 8 objections were received for the application and a mediation meeting was held on 10 June 2022. All parties were provided with the draft conditions of approval to review the following discussions on some potential means of resolving concerns.

The proposal represents a future opportunity to diversify and intensify housing stock in addition to increase housing affordability within Ararat. The subdivision supports the local economic growth of this General Residential Area, as the proposed lots could accommodate a mix of dwellings in the future which would appeal to a range of occupants including older residents/single residents and families.

The subdivision is compliant with the Planning Scheme design and subdivision provisions in Clause 56. The recommendation is that the proposal be supported subject to conditions.

#### THE PROPOSAL

The proposal consists of an application for a 45 lot multi-staged (3 stages) subdivision, removal of sewerage easement and removal of native vegetation at 2 Ironbark Lane and 89-91 Queen Street Ararat. The 3 lots involved in the subdivision have a total area of 2.98ha.

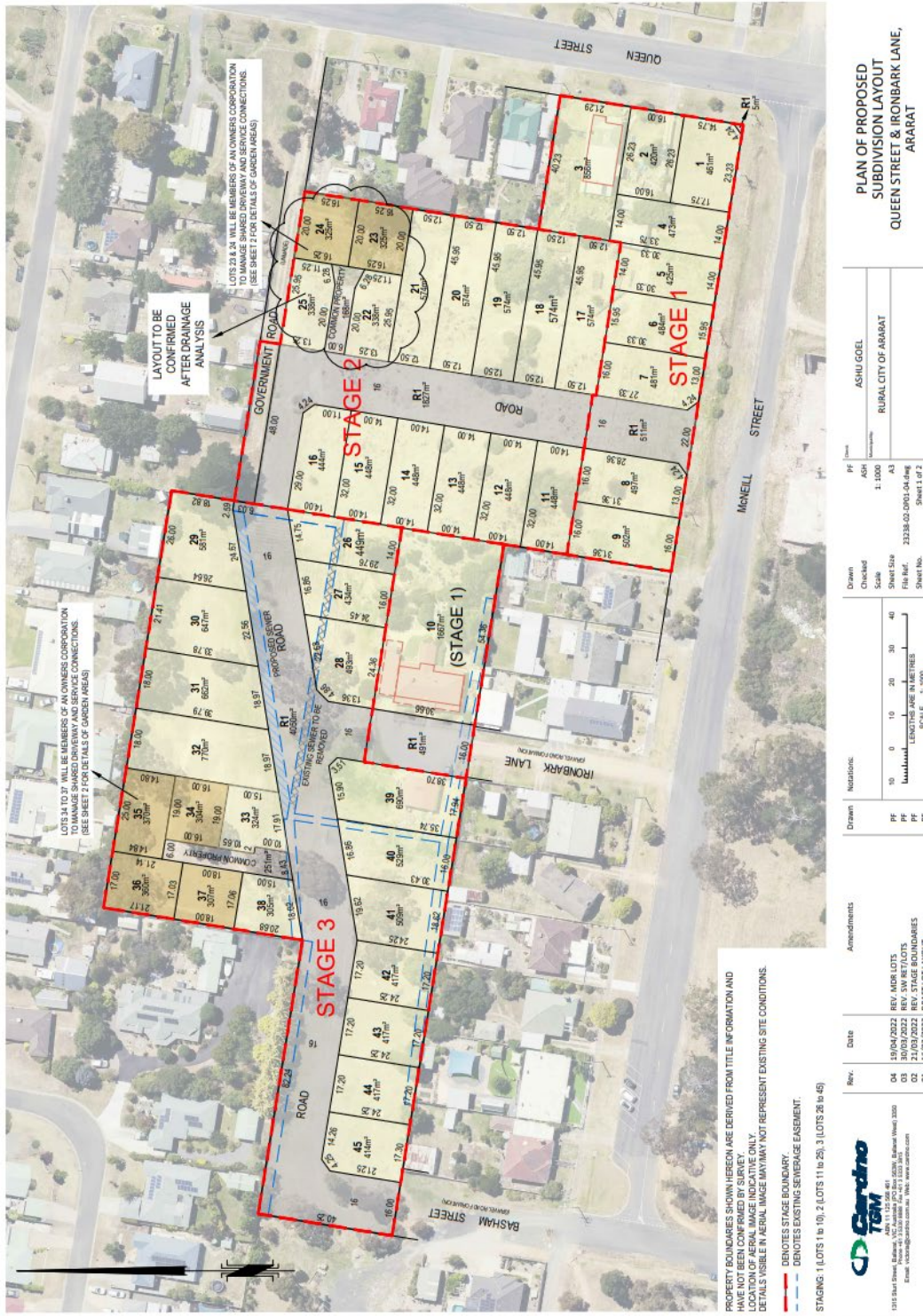
Areas of the lots proposed vary across the proposal from 304m<sup>2</sup> as the smallest new parcel on Ironbark Lane to 1,667m<sup>2</sup> as the largest containing the existing house.

Stage 1 of the subdivision comprises 10 lots ranging in area from of 420m<sup>2</sup> to 1,667m<sup>2</sup>. Lots 1-9 have an existing frontage to Queen and McNeill Streets with access proposed from these existing streets. Road reserves with a total area of 1,002m<sup>2</sup> will be vested in Council at each stage, to facilitate the ongoing access to the site.

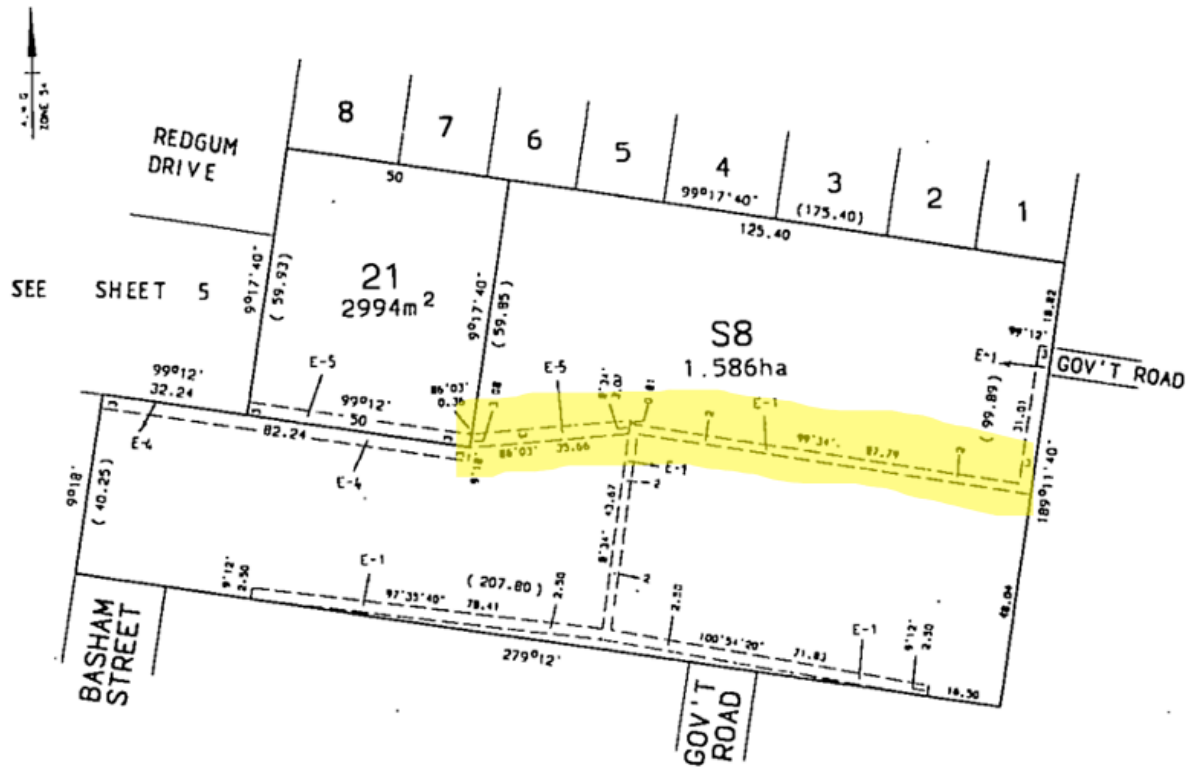
Stage 2 of the subdivision comprises of 15 lots with areas between 325m<sup>2</sup>-574m<sup>2</sup>. Lots 11-22 and 25 are accessed by the new road that is proposed to connect to from McNeill Street. Access to Lots 23 and 24 will be from the new proposed internal common property accessway. The accessway to be utilised in Stage 2 of the proposal runs north and then west through the site connecting to the existing laneway on the northern boundary and 2 Ironbark Lane westward. Ironbark Lane will need to be upgraded as the current condition will not support the traffic movement for this proposal.

Stage 3 of the subdivision comprises the remaining 20 lots with areas ranging from 304m<sup>2</sup> to 574m<sup>2</sup>. Access to Lots 26-33 and 38-45 will be achieved by the proposed new road network which connects to Basham Street, Ironbark Lane and the proposed internal road. Access to Lots 34-37 will be achieved via a common property accessway.

The proposal also involves the removal of sewerage easements as depicted on the title for 2 Ironbark Lane.



The application proposes to realign these easements into road reserves.



**SITE AND SURROUNDS**

The site is located approximately 1.0km north of the Ararat town centre and 250m north of the Ararat Hospital. All lots involved in the application to subdivide are zoned General Residential 1 with the following overlays impacting each lot:

Lot	Zone	Overlay
2 Ironbark Lane	General Residential Zone Schedule 1	<ul style="list-style-type: none"> <li>• Design and Development Overlay – Schedule 4</li> <li>• Specific Controls Overlay – Schedule 1</li> </ul>
89 Queen Street		<ul style="list-style-type: none"> <li>• No overlays</li> </ul>
91 Queen Street		<ul style="list-style-type: none"> <li>• Design and Development Overlay – Schedule 4</li> <li>• Specific Controls Overlay – Schedule 1</li> </ul>

The location of the site provides ease of access to the centre of Ararat and other services such as the Ararat Hospital. The subject site is irregular in shape and has frontages to Basham Street, McNeill Street, Ironbark Lane, Queen Street with an unnamed laneway that runs behind 3-11 McNeill Street. There is no evidence of a consistent form of neighbourhood character in the immediate surrounding area as there are various forms of built form styles throughout the immediate area. Lots surrounding the site are similarly zoned General Residential.

There are two residential dwellings with various remnant vegetation scattered across the site. There is no evidence of a consistent form of neighbourhood character in the immediate surrounding area as there are various forms of built form styles throughout the immediate area.

## NOTICE OF APPLICATION

Notice of the application was carried out in accordance with Section 52 of the Planning and Environment Act 1987 by forwarding notices to 48 surrounding owners and occupiers in addition to a notice in the Ararat Advertiser newspaper.

Objections have been received from 8 residents around the immediate site.

In accordance with Section 60 of the *Planning and Environment Act 1987* the Council must consider '*all objections and other submissions which are received, and which have not been withdrawn*'.

A mediation meeting was held on the 10<sup>th</sup> June 2022 and attended by objectors as well as the applicant and the developer.

## COMMENTS MADE IN OBJECTIONS

Objections have been received from 8 residents. A mediation meeting was held on 10 June 2022, no objector withdrew their objection. The topics and the officer response are set out below in a summarised format:

Objection / Issue	Response
Costs associated with upgrading of roads, drains, sewers and easements	Any costs associated with the upgrading of roads, drains, sewers and easements will be at the cost of the developer except where that responsibility already lies with Council. This was clarified at the mediation meeting. Ironbark Lane will be upgraded and sealed accordingly to ensure that the lane is able to facilitate the use by current future residents.
Water and gas supply issues	Two objectors raised concerns about the existing quality of the water and gas supply, both saying the current supply/flow is weak.  The development must comply with the conditions on the permit from referral authorities. However, if the supply is currently 'weak' then the developer has no obligation for the costs associated with upgrading the existing infrastructure and remains an issue for the service authority.
Flooding risk	Two objectors raised concerns regarding potential flooding events. One objector who lives on McNeill Street with a creek running through the rear of their block has concerns regarding the risk of flooding.  Conditions have been placed on the permit to ensure the appropriate drainage is in place to minimise any flooding risk and professional calculations precede detailed design.
Traffic and road usage	Objectors are concerned with how traffic generated by the development will be managed. With concerns stemming to speed limiting measures and altered traffic flows. Issues regarding traffic along McNeill and Basham Streets are raised multiple times with concerns extending to the site becoming an 'industrial zone' for many months given the proximity of this site to the Prestige Development site.  Traffic within the site and its surrounds will be increased; both during the construction of future dwellings and thereafter. Similar to other issues, conditions have been placed on the permit to ensure that any impacts will be minimised to the fullest extent. Regarding speed limiting, the general speed limit for residential streets is 50km/h and this speed limit will apply for the internal roads proposed within the subdivision proposed. The proposal is likely to generate 4-6 movements per day per

	<p>household. This is 180-270 extra car movements over a 10 hour window this is not expected to create a traffic hazard.</p>
<p>Density and size of homes</p>	<p>Serious concerns regarding the density and size of future homes are raised consistently amongst the objectors. With specific concerns extending to questioning the reason for this change in lot sizes and whether there is a new standard now.</p> <p>Council is bound by State planning controls which along with the General Residential Zone, promote higher density development as a normal form with 20 dwellings per hectare being achieved.</p> <p>Achieving the balance of development extends beyond the current density of development to keep pace with individual housing preferences and ability to pay. The subdivision proposed will lead to new development that will ease the housing shortage as Ararat's population grows.</p> <p>There were also concerns regarding overdevelopment and neighbourhood character loss. Council also has a responsibility to ensure sustainable growth and development for the municipality as well as providing much needed diversity in housing stock. There is no established character in the area and proximity to employment and services needs to be optimised given the location of this site.</p>
<p>Privacy and new fence lines</p>	<p>It is to be noted that most of the objectors raised concerns regarding privacy, despite this application just being for a subdivision.</p> <p>To ease objectors concerns, a condition has been applied to this permit, should it be granted, that fencing around the entire site (at 1.8m in height) is to be constructed prior to works commencing on any stage to minimise any invasion of privacy to adjoining lots.</p>
<p>Biodiversity impacts</p>	<p>An objector has evidence (via a local wildlife expert) that Potaroo's (possum like marsupials) live on this land. Concerns regarding removal of native vegetation and the negative effects this will have for the Potaroos.</p> <p>However, assuming the Potaroos are already in the area, and the relatively limited habitat on the site, it is suggested that the key habitat may be elsewhere nearby (perhaps along Cemetery Creek or in the Hadland Street Reserve). If this is the case then habitat will remain albeit the number of domestic pets may increase in the area due to the subdivision.</p>



## REFERRALS

The application was forwarded to a range of external and internal agencies both under Section 52 and 55 of the Act.

Agency/Organisation	Section	Response
External State Agencies		
GWM Water	Section 55	Approved with conditions
Powercor	Section 55	Approved with conditions
Downer	Section 55	No response
Country Fire Authority	Section 54	Approved with conditions
Internal Council Teams		
Assets	Section 54	Approved with conditions
Rates	Section 54	Further information required

## PREVIOUS RELEVANT APPLICATIONS

No record of previous planning permits or general enquiries for this site were found in the Planning System since 2006.

## PLANNING POLICIES AND DISCUSSION

The relevant planning provisions of the Planning Policy Framework and local clauses within Planning Policy Framework of the Ararat Planning Scheme are as follows:

### Clause 11.01S – Settlement

#### *Objective*

*To facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.*

#### *Strategies*

- *Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities*
- *Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.*
- *Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.*
- *Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.*
- *Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.*
- *Encourage a form and density of settlements that supports healthy, active and sustainable transport.*
- *Limit urban sprawl and direct growth into existing settlements.*
- *Promote and capitalise on opportunities for urban renewal and infill redevelopment.*

### 11.01-R Settlements – Central Highlands

#### *Strategies*

- *Support the development of Central Highlands' regional centres, Ararat and Bacchus Marsh, as the key service centres for each end of the region.*
- *Provide adequate land and infrastructure in appropriate locations to support anticipated population growth.*

### 11.01-1L Settlements – Ararat Rural City

#### *Strategies – Regional Centre*

- *Encourage medium density residential development close to Ararat's town centre.*
- *Provide a range of housing choices in Ararat through medium density and affordable housing opportunities.*

### 11.03-2S Growth Areas

#### **Strategies**

- Encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.
- Provide a diversity of housing type and distribution.

The Council's *Ararat Sustainable Growth Future Report* (February 2014) is an essential strategic planning document. Emphasis is within the context of subdivisions within this document aligns with the overall vision of the document for development to align with Council's sustainable growth plan and vision for the future of Ararat.

Dwelling projections during 2014, of which the *Ararat Sustainable Growth Future Report* was published, anticipated future population growth leading to 35-50 new dwellings per annum over 20 years. However, the emergence of the COVID-19 pandemic in 2020 motivated Victorians to seek a 'tree-change' and move from urban to rural/regional areas such as Ararat. Whether this be for lifestyle changes or work opportunities, access to family or other reasons. The impact has been a further strain on the housing supply and justifying the merit of this subdivision proposal to ease dwelling demand within the locality.

The Council Plan 2021-2025 lists a multitude of growth targets for the municipality, including:

- *Available residential land increased by 600 lots by 30 June 2025*
- *Residential housing stock increased by 300 properties by 30 June 2025*
- *Total population of the municipality increased by 750 by 30 June 2025 (6.3%)*

In order to achieve these growth targets, Ararat needs more residential subdivisions and development.

Medium density housing opportunities are sparse currently in Ararat and Council has seen a large volume of applications that cater for this demand in the last 12 months. Medium density housing provides residents to purchase more affordable homes that are easily managed, especially for those living alone or small households on low incomes. This form of housing stock continues to be popular across the state.

The provision of a variety of housing stock that is different from single dwelling homes on larger blocks is not only essential to achieving the desired targets outlined in the Council Plan, but also ensuring the municipality is able to keep up with the housing demand. If Council was to continually pushback against applications of this type it would significantly impact the local economy and the strength of the community in the future, pushing potential residents to other rural/regional areas across the state.

#### **Clause 12.01-2S Native Vegetation Management**

*To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.*

Native vegetation removal is required to facilitate the 45 lot subdivision. The proposed vegetation removal encompasses the removal of 6 small trees and 3 patches of vegetation. The application has provided the relevant offsets in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation*.

#### **Clause 15.01-1S Urban Design**

*To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.*

The proposed subdivision will facilitate an increase in residential density in an established residential area within walking distance of the Ararat town centre and other key community features. The surrounding area consists of large residential blocks. The proposal does seek to increase the density of the area but not create outcomes that are inconsistent with the *Urban Design Guidelines for Victoria*.

#### **Clause 15.01-3S Subdivision Design**

*To ensure the design of subdivisions achieves, attractive, safe accessible, diverse and sustainable neighbourhoods.*

The proposed lots range in areas from 304m<sup>2</sup> to 1,667m<sup>2</sup>. The proposal will contribute to the creation of an accessible, diverse and sustainable neighbourhood, enabling a diversity of housing options in the immediate area.

#### **Clause 15.01-4S Healthy Neighbourhoods**

*To achieve neighbourhoods that foster healthy and active living and community wellbeing.*

The subject site is located approximately 1km /15 minute walk from the middle of Barkly Street, the main shopping strip as well as only 250m from the Ararat Hospital and other surrounding medical facilities. The Ararat North school is approximately 500m from the site and the bushland spine along Cemetery Creek is about 200m from the site.

The proximity of the site to the centre of Ararat and other services demonstrates a suitable location for the intensification of the area, ultimately fostering healthy and active living.

#### **Clause 15.01-5S Neighbourhood Character**

*To recognise, support and protect neighbourhood character, cultural identity, and sense of place.*

The proposal does not negatively affect neighbourhood character, but ultimately, does not reflect the current neighbourhood character of the surrounding sites given the proposed lot sizes and mix of existing housing forms. The proposed meets the need for more affordable housing needed to accommodate the growing population of Ararat.

#### **Clause 16.01-1S Housing Supply**

*To facilitate well-located, integrated and diverse housing that meets community needs.*

The proposed subdivision will facilitate an increase in residential opportunities in an established residential zoned area within walking distance to many key sites.

#### **Clause 18.02-4S Roads**

*To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.*

The proposed subdivision will ensure people are safe on and around roads. Conditions have been placed to upgrade surrounding roads that access the subdivision. The mandatory upgrading of surrounding roads and

the internal accessways will ensure that the road connections are improved for future residents and the existing residents in the surrounding area and footpaths within the site connect to existing network.

## ZONING

All lots involved in this subdivision are located within the General Residential Zone. The General Residential Zone aims to achieve the following:

- *Encourage development that respects the neighbourhood character of the area*
- *Encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport*
- *Allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations*

Under Clause 32.08-3, a permit is required to subdivide land, and must meet the requirements of Clause 56.

The site is in a location that offers good access to services and transport and provides a diversity housing types that will accommodate the housing growth experienced more recently in Ararat, meeting the purpose of the General Residential Zone.

The permit conditions are outlined to minimise the impact on neighbouring sites and neighbourhood character by ensuring fencing is constructed around the perimeter prior to the subdivision works being commenced and new development focussed on existing interfaces and internally.

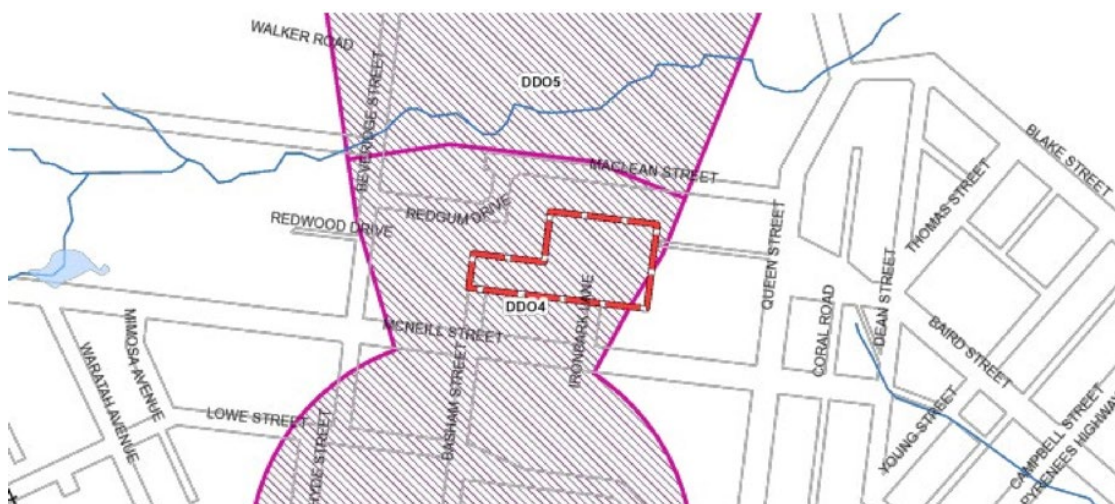
The proposal meets the decision guidelines of the General Residential Zone. The pattern of the subdivision proposed, whilst being intense when compared with the immediate surrounds of the site, is still consistent with the scheme expectations as outlined at Clause 11 (as discussed earlier) and Clause 56.

The subdivision is not consistent with other recent subdivisions in the immediate area. However, similarities can be made between 2 Ironbark Lane and 89-91 Queen Street and Evans Park as well as Greenhill Estate, as these applications demonstrate the need for providing housing diversity and affordability throughout the town, adding to the choice of locations for future residents, or existing residents who may be seeking to downsize.

## OVERLAYS

The subject site is located within the Design and Development Overlay – Schedule 4 (DDO4), and the Specific Controls Overlay – Schedule 1 (SCO1).

### Clause 43.02 – Design and Development Overlay



The purpose of the DDO4 is:

- *To ensure that the height of buildings and works do not encroach on the flight path areas associated with the Ararat Hospital helicopter landing site.*
- *To ensure that the height of development avoids creating a hazard to aircraft using the Ararat Hospital helicopter landing site.*

This control does not apply to subdivision.

#### Clause 45.12 Specific Controls Overlay

The purpose of the SCO is to:

- *Apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.*

The SCO1 includes the incorporated document; *Hospital Emergency Services – Helicopter Flight Path Protection Areas Incorporated Document, June 2017*. This control does not apply to submissions.

### **PARTICULAR PROVISIONS**

#### Clause 52.02 – Easements, Restrictions and Reserves

The proposed subdivision seeks to remove an existing easement under Section 23 of the *Subdivision Act 1988* relating to the sewer easement on Lot S8. A permit trigger applies under this Clause.

#### Clause 52.17 – Native Vegetation

Due to the proposed native vegetation removal, a permit trigger applies to this site. Clause 52.17-2 specifies that an application must meet the requirements specified in the *Guidelines for the removal, destruction or lopping of native vegetation* (Guidelines). The total vegetation to be removed amounts to 0.316ha, which under the Guidelines allows for a basic pathway assessment.

A Native Vegetation Information Management (NVIM) report was submitted with this application.

Aligning with Clause 52.17, the application is accompanied by an assessment of the native vegetation to be removed, meeting the requirements of the Guidelines. The application has suitably demonstrated the securing of offsets.

Given that the site is in the General Residential Zone, the immature nature of the vegetation and the entirety of the site is to be utilised for residential purposes, there are no other opportunities to minimise or avoid vegetation loss/removal.

#### Clause 53.01 Public Open Space Contribution and Subdivision

Public Open Space Contribution has previously been paid to Council for 2 Ironbark Lane, therefore, this land is exempt from providing Public Open Space Contribution. A condition has been placed on this permit, should it be granted, for the Public Open Space Contribution payment of 5% of the raw land value for 89 and 91 Queen Street.

### **GENERAL PROVISIONS**

#### Clause 65.02 Approval Of An Application To Subdivide Land

DECISION GUIDELINES	RESPONSE
<i>The suitability of the land for subdivision.</i>	The land presents suitable opportunity to be subdivided. There are no Section 173 Agreement or restrictions on title to prohibit a subdivision on these lots.
<i>The existing use and possible future development of the land and nearby land.</i>	The site is predominantly vacant with an existing dwelling at 91 Queen Street which requires extensive maintenance.
<i>The availability of subdivided land in the locality, and the need for the creation of further lots.</i>	Given the need for medium-high density housing in Ararat, there is a shortage of readily available subdivided land. The population growth expected in Ararat over the next 5 years justifies the creation of these lots.
<i>The effect of development on the use or development of other land which has a common means of drainage.</i>	The development is not expected to impact on drainage. More pressure will be placed on existing resources but any future connections to services will be upgraded to accommodate the subdivision and planned to ensure any existing drainage problems are not exacerbated.
<i>The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.</i>	The subdivision pattern has taken into consideration the existing boundary interfaces, boundary dimensions, surrounding vegetation and fall of the land.
<i>The density of the proposed development.</i>	The proposed subdivision will provide for a diversity in lot sizes and potential future housing options. The proposal meets relevant density requirements of Clause 56.
<i>The area and dimensions of each lot in the subdivision.</i>	The area and dimensions for each lot meet the requirements of Clause 56.
<i>The layout of roads having regard to their function and relationship to existing roads.</i>	The internal road networks proposed have been designed in a manner that will ensure that the functioning of existing road network is maintained.
<i>The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.</i>	The new roads proposed are dimensioned to allow for safe and efficient movements when entering and exiting the development. New roads/accessways will be constructed in accordance with Council's subdivision standards and the adopted Infrastructure Design Manual.
<i>The provision and location of reserves for public open space and other community facilities.</i>	No space is proposed for this development but future residents are within a 15 minute walk to Alexandra Oval, Cemetery Creek and have ready access to and other open space areas throughout Ararat.
<i>The staging of the subdivision</i>	The subdivision will occur through 3 stages: Stage 1: 10 lots Stage 2: 15 lots Stage 3: 20 lots
<i>The design and siting of buildings having regard to safety and the risk of spread of fire.</i>	Any future dwellings on the subdivided lots will need to ensure construction standards that achieve a BAL 12.5.
<i>The provision of off-street parking.</i>	At this stage of the development no off-street parking is proposed. The subdivision site and any future dwellings will need to comply with the relevant clauses outlined at Clause 52.06 of the Planning Scheme.

<i>The provision and location of common property.</i>	Common property for this subdivision includes the proposed internal road network in two sites at the eastern and western end of the site respectively.
<i>The functions of any body corporate.</i>	Any function of a body corporate will need to be done in accordance with the <i>Owners Corporation Act 2006 for the 2 common property areas.</i>
<i>The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.</i>	All utilities will need to be provided by the applicant during the development of the property. All servicing authorities have provided support for the application subject to conditions.
<i>If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.</i>	The development is to be sewered in accordance with GWM Water's conditions. This will ensure no issue with wastewater management arises.
<i>Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.</i>	The subdivision plan proposed requires the removal of native vegetation. To achieve the medium-high density living Ararat requires to accommodate the projected population growth, the removal of native vegetation at this site is unavoidable. The existing patches do little to improve the amenity or environment of the surrounds.
<i>The impact the development will have on the current and future development and operation of the transport system.</i>	The proposal is unlikely to overly burden the transport system. However, as the township continues to grow, infrastructure should be provided to ensure that the public transport infrastructure of Ararat can keep up with the expected population growth. This is beyond the scope of one application.

## CONCLUSION

The application seeks planning approval for a 45 lot multi-staged subdivision at 2 Ironbark Lane and 89-91 Queen Street. The proposal represents an opportunity to diversify and expand housing options within Ararat and supporting growth of the population and economy.

Throughout the assessment process, the proposal has been assessed against the Planning Policy Framework, the purpose of the zone, and the relevant Particular Provisions. The proposal demonstrates a significant alignment with Council's strategic intent for the area, allowing for affordable mixed housing opportunities to accommodate the municipality's expected population growth in a convenient and central location.

The subdivision is likely to provide some impacts to the surrounding area and these are mainly associated with rise in traffic volume, in the future. The shift from low density housing to mixed density housing is the largest change that will impact the surrounding areas. However, future use and development of dwellings must comply with any planning policy and the relevant building legislations.

It is therefore considered that the proposal demonstrates an acceptable outcome with regard to the provisions of the Ararat Planning Scheme. It is recommended that the application for a 45 lot multi-staged subdivision be supported.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

*1 Growing Our Place*

We will create settings to support growth across our municipality through an improved planning scheme, actively pursuing new housing options and exploring models for in-migration.

*4 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.

*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.

Deliver responsible budget outcomes, linked to strategy, that deliver value, innovation and rating fairness.

### *Budget Implications*

There are no budget implications in implementing this item.

### *Policy/Relevant Law*

The policy, legal and statutory considerations defined by the planning scheme and overarching legislation and practice have been outlined in the assessment of the application and throughout this report.

### *Risk Assessment*

The assessment process follows the provisions of the legislation, the planning scheme and related documents such as the Infrastructure Design Manual to ensure that the outcomes meet community standards as well as achieve acceptable and safe design responses.



RECOMMENDATION	
<p>That the Council issue a Notice of Decision to grant this planning permit application PA3134 for a 45 lot multi-staged subdivision on 2 Ironbark Lane and 89-91 Queen Street Ararat 3377, subject to the following conditions:</p> <p>Conditions applying to the overall development</p>	
1.	<p><b>Formal Plan of Subdivision</b> The development as shown on the endorsed plans must not be altered without the prior written consent of Council.</p> <p>The formal plan of subdivision lodged for certification must be in accordance with the endorsed plan and must not be modified except to comply with statutory requirements or with the written consent of Council.</p>
2.	<p><b>General Amenity</b> The development must be managed at all times so that the amenity of the area is not detrimentally affected, through the:</p> <ol style="list-style-type: none"> <li>Transport of materials, goods or commodities to or from the land.</li> <li>The appearance of any building, works or materials.</li> <li>Emission of noise, artificial light, vibration smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.</li> <li>Presence of vermin to the satisfaction of Council.</li> </ol> <p>In particular any works undertaken through the summer months must be managed to minimise dust nuisance to adjoining landholders to Council's satisfaction. If this cannot be achieved due to weather conditions and/or access to a water truck then works will be directed to stop.</p>
3.	<p><b>Payment in Lieu of Open Space</b> The applicant or owner must pay to the Council a sum equivalent to 5% of the site value of all land in the subdivision &amp; the cost incurred with the land valuation to set the Open Space contribution, excluding Lot S8 PS322397X. This payment must be made before a statement of compliance is issued for Stage 2 and may be varied under section 19 of the Subdivision Act 1988.</p>
4.	<p><b>Drainage Discharge Plan</b> Before any of the development starts, or before the plan of subdivision is certified under the Subdivision Act 1988, a properly prepared drainage discharge plan with computations to the satisfaction of Council must be submitted to and approved by Council.</p> <p>The plans must be drawn to scale with dimensions. The information submitted must show the details listed in the Council's Infrastructure Design Manual and be designed in accordance with the requirements of the manual. The information and plan must include:</p> <ol style="list-style-type: none"> <li>Detail of how the works on the land are to be drained and/or retarded</li> <li>Computations and specification</li> <li>Independent drainage for each lot</li> <li>Underground pipe drains conveying stormwater to the legal point of discharge for each allotment</li> <li>A maximum discharge rate from the site is determined by computation to the</li> <li>Creation of Stormwater easement where stormwater drainage is in private properties</li> </ol>

	<ul style="list-style-type: none"> <li>g. Road reserve and road widths must be in accordance with the requirements of the Infrastructure Design Manual</li> <li>h. Full details regarding the capture of stormwater run-off for reuse within the site, including toilet flushing and garden irrigation.</li> <li>i. A stormwater treatment infrastructure maintenance plan.</li> </ul> <p>When approved, the plans will be endorsed and will then form part of the permit.</p>
<p>6.</p>	<p><b>Construction of Works</b> Before the development starts or certification of the first stage of the subdivision, plans must be submitted to and approved by Council. The applicant or owner must construct road works, drainage and other civil works, in accordance with plans and specifications approved by Council and must include:</p> <ul style="list-style-type: none"> <li>a. Staging of roadworks</li> <li>b. Fully asphalt sealed pavement width 6.2m with kerb and channel and vehicle crossing for all new roads</li> <li>c. Road widening of McNeill Street matching with the existing seal width in Stage 1</li> <li>d. Construction of the extension, including drainage, of Ironbark Lane as part of Stage 1 and Basham Street as part of the works in Stage 3</li> <li>e. Construction of kerb and channel on all lot frontages of the development including McNeill Street frontage in Stage 1</li> <li>f. Construction of one side footpath including McNeill Street frontage in Stage 1</li> <li>g. Construction of underground stormwater</li> <li>h. Construction of Stormwater detention/retention is required to reduce pressure on Council's drainage system</li> <li>i. Topsoiling and seeding of nature strips and street trees all lots frontage to the satisfaction of Council</li> <li>j. Installation of Street Signage</li> <li>k. Fencing around the entire site with a 1.8m timber paling or Colorbond fence prior to works commencing on any stage</li> <li>l. Footpaths along new roads in accordance with the IDM</li> </ul>
<p>7.</p>	<p><b>Lighting</b> Prior to the commencement of works for Stage 2, a street lighting proposal for the entire development must be prepared by a suitably qualified and experienced person generally in accordance the appropriate sections of AS1158, having regard to the classification of the road, and submitted to the Council for approval.</p> <p>Once approved, all works detailed on the plans must be installed to the satisfaction of the Council prior to the issue of a Statement of Compliance for each stage.</p> <p>Any lighting on road intersections is to be undertaken at the earlier of the 2 stages involved to ensure road user safety unless otherwise agreed in writing by Council.</p>
<p>8.</p>	<p><b>Landscape Master Plan</b> Before the certification of the first stage of the subdivision; a Landscape Master Plan for all landscape works must be submitted. The plan must be drawn to scale with dimensions. The landscaping plan must be generally in accordance with the landscape concept plan submitted except that the plan must show:</p> <ul style="list-style-type: none"> <li>a. Details of surface finishes of pathways, driveways, footpath location and linkages through the subdivision.</li> <li>b. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plan.</li> </ul> <p>When approved, the plan will be endorsed and will then form part of the permit.</p>

<p>9.</p>	<p>Powercor Conditions Ref No: 308456487 <i>This letter shall be supplied to the applicant in its entirety.</i></p> <p>a. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act</p> <p>b. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor’s requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor’s electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.</p> <p>c. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR). Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.</p> <p>d. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purpose of establishing a substation or substation. Notes: Areas set aside for substations will be formalised to the Distributor’s requirements under one of the following arrangements:</p> <ul style="list-style-type: none"> <li>o RESERVES established by the applicant in favour of the Distributor.</li> <li>o SUBSTATION LEASE at nominal rental period for 30 years with rights to extend the lease for a further 30 years.</li> <li>o The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.</li> </ul> <p>e. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements. Notes:</p> <ul style="list-style-type: none"> <li>o Existing easements may need to be amended to meet the Distributor’s requirements</li> <li>o Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:</li> </ul> <table border="1" data-bbox="331 1350 1278 1485"> <thead> <tr> <th>Easement Reference</th> <th>Purpose</th> <th>Width (Metres)</th> <th>Origin</th> <th>Land Benefited / In Favour Of</th> </tr> </thead> <tbody> <tr> <td></td> <td>Power Line</td> <td></td> <td>Section 88 - Electricity Industry Act 2000</td> <td>Powercor Australia Ltd</td> </tr> </tbody> </table>	Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of		Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of							
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd							
<p>10.</p>	<p>CFA Conditions Ref: 16000-76349-118987</p> <p>a. Subdivision Plan Not to be Altered The subdivision as shown on the endorsed plans must not be altered without the written consent of CFA.</p> <p>b. Hydrants Prior to the issue of a Statement of Compliance under the <i>Subdivision Act 1988</i> the following requirements must be met to the satisfaction of the CFA:</p> <ul style="list-style-type: none"> <li>o Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.</li> <li>o The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority. Note: CFA’s requirements for identification of hydrants are specified in ‘Identification of Street Hydrants for Firefighting Purposes’ available under publications on the CFA website (<a href="http://www.cfa.vic.gov.au">www.cfa.vic.gov.au</a>).</li> </ul> <p>c. Roads</p>										

	<p>Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.</p> <ul style="list-style-type: none"> <li>○ The average grade must be no more than 1 in 17 (14.4%) (8.1 degrees) with a maximum of no more 1 in 5 (20%) (11.3 degrees) for no more than 50 metres. Dips must have no more than 1 in 8 (12%) (7.1 degree) entry and exit angle.</li> <li>○ Curves must have a minimum radius of 10 metres.</li> <li>○ Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres about the access way.</li> <li>○ Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives</li> </ul>
<p>11.</p>	<p>GMMWater Ref: 04/04/1392</p> <ol style="list-style-type: none"> <li>a. The owner/applicant must enter into a Developer Agreement with GMMWater for the supply of water and sewerage to each lot of the subdivision.</li> <li>b. The owner/applicant must install water mains and associated works to serve each lot of the proposed development, at the owner's cost, and in accordance with GMMWater's specifications and requirements.</li> <li>c. The owner/applicant must install water mains and associated works to serve each lot of the proposed development, at the owner's cost, and in accordance with GMMWater's specifications and requirements.</li> <li>d. The owner/applicant must provide plans and estimates for all proposed water supply works prior to commencement, for GMMWater's approval.</li> <li>e. The owner/applicant must provide plans and estimates of all proposed sewerage works prior to commencement for GMMWater's approval.</li> <li>f. The owner/applicant must pay to GMMWater a fee of 3.25% of the total cost of construction (including design and supervision) for its review of design documentation and supervision of works. This fee relates to checking that the works are designed and constructed in accordance with GMMWater's requirements and does not relieve the developer from ensuring proper design and appropriate supervision.</li> <li>g. The owner/applicant must provide three metre wide easements in favour of GMMWater over all existing and proposed sewers located within private land. Lots 23, 24, 35 and 36 must allow vehicles leaving in a forward direction. Plans provided at the time of development must include turning templates for passenger vehicles to verify this requirement can be met.</li> <li>h. The owner/applicant must provide written notification of commencement of the works to enable GMMWater standards. This includes water quality, compaction, air and hydrostatic pressure testing as directed by GMMWater.</li> <li>i. The owner/applicant must provide "as constructed" plans and a schedule of final asset costs at the level identified in GMMWater's asset register for all water and sewerage works upon completion.</li> <li>j. The plan of subdivision submitted for certification must be referred to GMMWater in accordance with Section 8 of the Subdivision Act.</li> <li>k. The owner/applicant must provide an owners corporation to manage all common sewer property services.</li> <li>l. The owner/applicant must provide an owners corporation to manage all common sewer property services.</li> <li>m. The owner/applicant must ensure the integrity of GMMWater's existing sewer assets during construction of roads and infrastructure required to service the development. This obligation will remain for a period of 12 months beyond the issue of Statement of Compliance.</li> <li>n. The owner/applicant must engage a qualified arborist to determine the appropriate methodology for the removal of vegetation in the vicinity of the</li> </ol>

	<p>corporation's sewer assets. A work plan detailing the proposed removal of vegetation must be accepted by GWMWater prior to the commencement of works.</p>
12.	<p><b>Expiry Date</b> This permit will expire if:</p> <ol style="list-style-type: none"> <li>The Plan of Subdivision for Stage 1 is not certified within 2 years of the date of permit.</li> <li>The Certified Plan of Subdivision for Stage 1 is not registered within 5 years from the date of certification of the plan.</li> <li>Each subsequent stage is to be certified within 2 years of Statement of Compliance for the previous stage and receive Statement of Compliance for that stage within 5 years of the date of certification</li> </ol> <p>Council may extend the periods referred to in Part (a) and (c) only if a request is made in writing before the permit expires or as specified under Section 69 of the Planning and Environment Act 1987.</p>
<p><b>Conditions applying to each stage of development</b></p>	
13.	<p><b>Section 173 Agreement – Subdivision</b> Prior to the issue of a Statement of Compliance for each Stage, the owner must enter into an Agreement with Council under the provision of Section 173 of the Planning and Environment Act 1987 in which it will be covenanted that:</p> <ol style="list-style-type: none"> <li>Stormwater tanks of minimum 2000L to be installed on each block of the proposed development prior to the use commencing. Each tank must be plumbed for water use in the garden, toilet or laundry.</li> <li>All vehicles associated with Lots 23, 24, 35 and 36 must enter and exit in a forward direction</li> <li>Development on each lot must comply with Clause 32.08-4 Minimum Garden Area</li> <li>On Lots 23, 24, 34, 35, 36, 37 the building envelope is to be shown as per Cardno TGM Plan 23238-02 DPO-04.dwg dated 19/04/2022.</li> </ol> <p>The owner must arrange for the preparation of the Section 173 Agreement at their cost and subject to the approval of Council.</p>
14.	<p><b>Roadway Cleanliness</b> Throughout the construction program, material must not be deposited or remain deposited on any road external to the site by any means including construction vehicles or associated plant entering or leaving the land subject to this permit.</p> <p>Any material deposited on the road must be removed by mechanical or manual means to the satisfaction of the Council.</p>
15.	<p><b>Vehicle Access</b> Vehicle access to the proposed development must be constructed at approved locations in accordance with plans, designs and specification approved by Council.</p> <p>All works must be completed to the satisfaction of Council prior to the issue of a Statement of Compliance.</p>

<p>16.</p>	<p>Completion of Landscaping works for subdivision Before the Council grants a Statement of Compliance for each stage of the subdivision, all landscape works forming part of the endorsed Landscape Plans for that particular stage must be completed and maintained to the satisfaction of the Council. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Council for a minimum period of 2 years. Any dead, diseased or damaged plants are to be replaced prior to the end of this period.</p> <p>Where landscaping works forming part of the endorsed plans are not completed to the satisfaction of the Council prior to the applicant seeking Statement of Compliance for all or a particular stage of a subdivision, the Council may issue a Statement of Compliance where the works are appropriately bonded or covered by a bank guarantee.</p> <p>At the written request of the owner, the Council may defer the implementation of the landscaping works due to water restrictions.</p> <p>Where a bond or bank guarantee is required, the estimate for the cost of incomplete landscaping works must be professionally costed and then be submitted to the Council for approval. The estimate must allow for completion of all incomplete works, maintenance of all of the works for a minimum period of 2 years, and include a 10% contingency factor.</p>
<p>17.</p>	<p>Naturestrips The nature strip fronting the development of each stage must be constructed in accordance with levels and specifications submitted to and approved by the Council. The works must include –</p> <ol style="list-style-type: none"> <li>a. The reshaping of the naturestrip.</li> <li>b. Topdressing the area with a 75 millimetre rolled depth of good quality loamy topsoil free of any weed or seed.</li> <li>c. Seeding the area with an appropriate seed mix.</li> </ol> <p>All works must be completed to the satisfaction of Council prior to the issue of a Statement of Compliance for that stage.</p>
<p>18.</p>	<p>Engineering Fees Under section 17(2)(b) of the <i>Subdivision Act 1988</i> and clause 8 of the <i>Subdivision (Permit and Certification Fees) Regulations 1989</i>, the prescribed fee for supervision of work must be up to 2.5% of the cost of constructing those works, which are subject to supervision. Such a fee must be paid to the Council prior to the issue of a Statement of Compliance.</p> <p><i>Disclaimer</i> <i>In supervising the works to ensure that all approved designs, plans and specifications are complied with, Council is not responsible for any defects or failure in the works being undertaken (or the consequence of such defect or failure). The Developer must be responsible for ensuring that the works are completed in accordance with the approved designs, plans, specifications, any Act or Regulation or Council Local Law.</i></p>
<p>19.</p>	<p>Fee for Checking Engineering Plans Under section 43(2)(a)(iv) of the <i>Subdivision Act 1988</i> and clause 9 of the <i>Subdivision (Permit and Certification Fees) Regulations 1989</i>, the prescribed maximum fee for checking engineering plans must be 0.75 % of the estimated cost of constructing the works proposed on the engineering plan. Such a fee must be paid to the Council prior to the issue of a Statement of Compliance.</p> <p><i>Disclaimer</i> <i>In supervising the works to ensure that all approved designs, plans and specifications are complied with, Council is not responsible for any defects or failure in the works being</i></p>

	<p><i>undertaken (or the consequence of such defect or failure). The Developer must be responsible for ensuring that the works are completed in accordance with the approved designs, plans, specifications, any Act or Regulation or Council Local Law.</i></p>
20.	<p><b>Drainage Construction</b> All underground or surface works must be constructed in accordance with plans, computations and specifications submitted to and approved by the Council before the use commences. Such drainage works must be designed and installed to transport stormwater run-off from the subject land and surrounding land or adjoining road(s) to an approved point of discharge. Stormwater must not drain or discharge from the land to adjoining properties. All works must be completed to the satisfaction of the Council prior to Statement of Compliance being issued.</p>
23.	<p><b>Bond - Outstanding works</b> To enable the Council to agree to the issue of a Statement of Compliance under section 21 of the <i>Subdivision Act 1988</i>, prior to all works being completed in accordance with the approved plans and specifications, the Developer may lodge a bond by way of an unconditional bank guarantee or cash for an amount equal to 150% of the outstanding works.</p> <p>A bond must only be accepted for -</p> <ol style="list-style-type: none"> <li>a. The final pavement test prior to surfacing.</li> <li>b. The surfacing of the pavement.</li> <li>c. Topdressing of naturestrips.</li> <li>d. Construction of footpath.</li> <li>e. Planting of trees in naturestrip.</li> <li>f. Or as otherwise agreed with the Council.</li> </ol> <p>All other works must be completed and appropriate fees paid, which includes the maintenance or defects period bond.</p> <p>An agreement under section 17(2)(C) or section 21(1)(b)(ii) of the <i>Subdivision Act 1988</i>, or section 173 of the <i>Planning and Environment Act 1987</i>, as appropriate, must be entered into at the time of lodgement of the bond or guarantee.</p> <p>The conditions that must apply for the acceptance of a bond and form part of the agreement are:</p> <ol style="list-style-type: none"> <li>a. The bond must either be an unconditional bank guarantee or cash for the predetermined amount.</li> <li>b. The developer undertakes to complete all outstanding work within a period of 13 weeks of payment of the bond.</li> <li>c. Should all works not be completed to the satisfaction of Council within the 13 weeks, Council may engage suitably experienced people to complete the works.</li> <li>d. Payment for any person engaged by Council to complete works must be paid for from the bonded money.</li> <li>e. Should the need to engage people to complete works arise, costs incurred by Council must be paid for from the money.</li> <li>f. Should all works be completed within the 13 weeks, the whole of the bonded money (excluding maintenance/defects bond) must be returned to the Developer.</li> </ol> <p>The maintenance period associated with the works must commence once all works have been completed to Council's satisfaction and the Council notifies the Developer of the commencement of the maintenance/defects period.</p> <p>A Maintenance Period of 2 years, including 2 summers must apply to all works. The new road must transfer to Council at the later of:</p>

	<ul style="list-style-type: none"> <li>a. The issue of the Statement of Compliance, or</li> <li>b. The completion of the maintenance period.</li> </ul>
24.	<p><b>Common Trenching</b></p> <p>All reticulated services including telecommunications infrastructure must be undergrounded. Where possible all services are to be provided within common trenches.</p>
25.	<p><b>Defects Liability Period</b></p> <p>The Defects Liability Period for each stage will commence from the date of Acceptance of Works or the issue to Council of the title(s) for roads created within the Plan of Subdivision (when Council is then deemed to become the Road Manager under the Road Management Act), whichever is the later.</p> <p>Unless specified otherwise on the planning permit, the Defects Liability Period for all assets, other than landscaping assets, to be vested in Council will be 12 months. Landscaping and WSUD assets will have a Defect Liability Period of 24 months.</p>
26.	<p><b>Transfer of Road to Council</b></p> <ul style="list-style-type: none"> <li>a. The new roads constructed in each stage must transfer to Council at the later of: <ul style="list-style-type: none"> <li>i. The issue of the Statement of Compliance, or</li> <li>ii. The completion of the maintenance period.</li> </ul> </li> <li>b. Naming of roads are to be separately approved by Council prior to inclusion of road names on the plans of subdivision and must be compliant with state naming policy</li> </ul>

**ATTACHMENTS**

Objections to PA3085 and Clause 56 are provided as Attachment 3.9



### 3.10 DRAFT ASSET PLAN 2022-2032

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO's OFFICE  
REFERENCE: 5662

#### 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

Section 92 of the Local Government Act 2020 requires that Council adopt an Asset Plan for at least a ten-year period by 30 June 2022. The Asset Plan 2022-2032 has been developed using Council's Asset management Schema as a basis.

The Plan highlights connections to the Council Plan 2021-2025, provides key links between physical asset management and financial plans, outlines key infrastructure projects for the planning period, identifies the need to improved data analysis and highlights opportunities for innovation through crowd sourced data and use of IoT technologies.

#### DISCUSSION

The draft Asset Plan 2022-2032 has been developed based on a number of significant pieces of work including of the Asset Management Schema, improvements to asset condition assessment reporting, identification of key asset priorities over the ten-year planning window and engagement with local road users around development of user focussed roads plans. There have been opportunities for community and stakeholder engagement as elements of the Asset Plan have been developed. The adopted final draft Asset Plan 2022-2032 will be placed on Engage Ararat to enable ongoing community input into asset management issues as the plan is delivered.

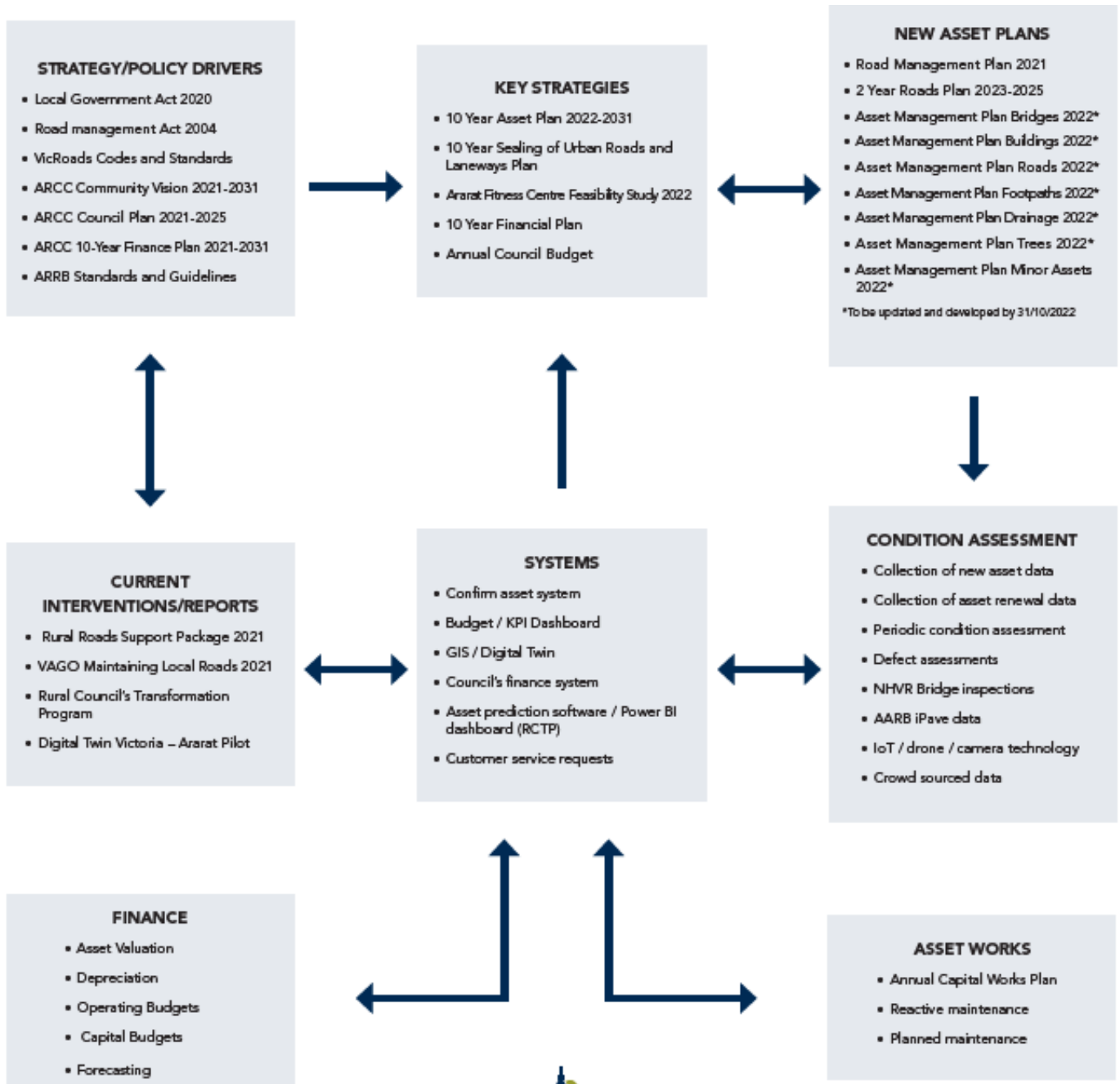
The Asset Plan 2022-2032 has been developed to ensure integration of Council's physical asset management processes with financial plans to ensure the goals of the Community Vision 2021-2031 and Council Plan 2021-2025 are met. Council is currently working through detailed asset plans across all asset classes, and these will be completed by 31 October 2022. As these are completed they will be endorsed by Council and placed on Engage Ararat under the Asset Plan banner for consideration.

The draft Asset Plan 2022-2032 is presented to be adopted by Council. The Asset Plan highlights six key strategic objectives:

- 1 **Engaging our Community:** We will engage our community around key asset development, management, and renewal decisions
- 2 **Data is critical:** We understand that accurate and well managed data is critical in making decisions around maintaining, renewing, and developing Council's assets. This data is sourced in a range of ways, it needs to be current and accessible.
- 3 **Building analytical systems:** We will develop and implement systems that will ensure that asset data from each asset class is analysed to support decision making around asset maintenance, renewal, and development.
- 4 **Ensuring funding of major asset classes:** We recognise that maintenance of community assets is a key stewardship responsibility of Council and financial plans must integrate with asset plans.
- 5 **Planning for management of key assets:** We will develop planned approaches to management of each asset class that articulate standards, intervention levels and financing models
- 6 **Improve focus on "softer" asset classes:** We will develop approaches to improving management practices for assets classes that have not recently had a substantial focus

Each of the strategic objectives, identified above, has three action areas associated with it. Each year Council will produce an Annual Asset Plan that will be Council’s roadmap for implementing its Asset Plan 2022-2032. The Annual Asset Plan 2022/2023 will be adopted at the July 2022 Council meeting along with the Annual Plan 2022/2023 derived from the Council Plan 2021-2025.

The Asset Management Schema is a key method for articulating the linkages between the critical strategic and operational elements of the Asset Management Plan 2022-2032.



Asset Management Schema

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

The Asset Plan 2022-2032 plays a critical role in delivery of Council Plan 2021-2025 objectives, particularly:

**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.

- 4.1 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.

### *Budget Implications*

Implementation of the Asset Plan 2022-2032 will require substantial, sustained financial commitment from Council to maintain the 110% asset renewal ratio, maintain current spending on asset maintenance in real terms and invest in identified key infrastructure projects over the ten-year period. The ten-year financial plan indicates that the asset renewal ratio and current spending on asset maintenance can be maintained. The implementation of key infrastructure projects will require co-investment from Council and other levels of government.

### *Policy/Relevant Law*

In accordance with Section 92 of the Local Government Act 2020 Council must prepare and adopt an Asset Plan for a period of at least the next ten financial years.

### *Sustainability Implications*

Good stewardship of the community's assets is a key consideration in relation to Council's ongoing financial sustainability. Maintaining a range of assets to a high standard has significant environmental sustainability concerns. Good management of road networks, drainage, bridges, street trees and parks and gardens all have substantial environmental impacts.

### *Risk Assessment*

Failure to appropriately manage the asset network exposes Council to a wide range of financial, reputational and insurance risks. This does not only relate to physical management of assets, it also relates to financial planning and documentation of interventions and assessments of condition.

### *Innovation and Continuous Improvement*

There are a number of innovations included in the Asset plan 2022-2032. These include a strong emphasis on data analysis, crowd sourcing of information and use of IoT technology. The close integration of physical asset condition with financial management represents a significant improvement on current organisational practice.

### *Stakeholder Collaboration and Community Engagement*

The Asset Plan 2022-2032 model has been developed over an extended period of time. User and community engagement is a key feature of current decision making over major capital works project evaluation. Engage Ararat will continue to be an important feature of ongoing engagement around development of the Asset Plan.

## RECOMMENDATION

That Council adopt the Asset Plan 2022-2032.

## ATTACHMENTS

Asset Plan 2022-2032 is provided as Attachment 3.10

### 3.11 ADOPTION OF AMENDMENT C039ARAT PT2

RESPONSIBLE OFFICER: MANAGER PLANNING, COMMUNITY AND COMPLIANCE  
DEPARTMENT: PLANNING, COMMUNITY AND COMPLIANCE  
REFERENCE: AMENDMENT C039arat PT2

#### 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 has been working since 2018 to implement the findings of the *Rural Ararat Heritage Study* (2016).

The majority of the 110 sites and precincts were included in the amendment to the Planning Scheme on 10 June 2021; with 5 sites excluded due to errors/inconsistencies in notification of owners and 1 site mapped incompletely. The Part 2 amendment seeks to address these shortcomings and complete this project, as directed by the Department of Environment, Land, Water and Planning (DELWP).

One objection was received from GrainCorp in relation to the proposed listing of the Willaura Railway complex, including the shedding and silos. Council sought to negotiate concerns but was unsuccessful. Less than 3 business days before the hearing was due the consultants for GrainCorp advised it no longer contested the listing but sought an alternative form to it. Given the:

- available time,
- the detailed nature of the proposed changes and that GrainCorp hadn't offered to prepare this work, and
- the inconsistency of the proposed change with common practice for listing individual sites

this change was refuted by Council staff.

The Panel proceeded *on the papers* the following week and Council was advised on 31 May 2022 that its position was supported by Panel. To finalise the amendment the Council no needs to adopt the Panel Report and advise the Minister for Planning that it wishes to finalise the amendment.

#### DISCUSSION

Amendment C039arat Pt2 implements the recommendations of the *Rural Ararat Heritage Study* (2016) by applying the Heritage Overlay to 5 individual places and amending the overlay on one place. This process has been necessary due to errors in the initial advertising of these changes in Part 1 of the amendment in 2018.

The amendment applies to 6 discrete areas in private ownership in the localities of Elmhurst, Tatyoon, Westmere, Wickliffe and Willaura.

#### Submissions

Graincorp lodged an objection on the last day of the advertising period. Its grounds for objection were reported to Council on 15 February 2022 and were not supported by planning staff. Council staff held meetings with Ratio and GrainCorp in an effort to resolve the matter on two occasions; however, no substantive planning position was put that would provide a basis to re-assess the proposed heritage listing.

Along the way it was found that there had been a change in the mapping by DELWP inadvertently and another anomaly that would see two references to the Willaura Station under the HO. Council staff used the panel process to resolve these issues and minimise future confusion. Details of these matters is provided in the Part B submission attached.

A number of documents have been circulated in the lead up to the Panel Hearing which was set for 23rd May 2022.

No.	Date	Description	Provided by
1	11/04/2022	Directions Hearing Letter	PPV
2	26/04/2022	Directions letter and timetable	PPV
3	29/04/2022	Rural Ararat Heritage Study Volumes 1 to 4	Council
4	09/05/2022	Part A submission	Council
5	16/05/2022	Roger Beeston RBA Architects expert witness statement	Council
6	16/05/2022	Email from GrainCorp withdrawing from the Hearing	GrainCorp
7	16/05/2022	Memo from Trethowan Architecture re 31 and 49 Main Street, Willaura	GrainCorp
8	16/05/2022	Email from GrainCorp offering to attend a Hearing if needed	GrainCorp
9	17/05/2022	Email request from Council to conduct the Hearing on the papers	Council
10	17/05/2022	Email confirmation from GrainCorp agreeing to a Hearing on the papers	GrainCorp
11	18/05/2022	Email confirmation from Council submitting its Part B submission	Council
12	19/05/2022	Further Directions letter	PPV
13	20/05/2022	Submission on behalf of GrainCorp	GrainCorp
14	23/05/2022	Part B submission	Council

Following this a series of email exchanges over 16 and 17 May 2022, Ratio indicated that they would no longer object to the Heritage Overlay being placed over the site. It is unfortunate that the process occurred as it did use significant time and resources of Council staff, its consultants and experts for no apparent gain. The approach of GrainCorp seemed intent on frustrating the outcome rather than building a solid case to negotiate or amend the proposed citation.

#### **In its findings Planning Panels Victoria found:**

*...the Amendment is supported by, and implements, the relevant sections of the PPF and is consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is well founded and strategically justified, and the Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapter.*

*The Panel concludes:*

- *Applying the Heritage Overlay (HO240) to the Willaura Railway Station Complex is appropriate and justified.*
- *The exhibited Map 15 for HO240 should be replaced by the updated version provided by Council in its Part A submission (Document 4).*
- *Heritage Overlay (HO128) should be removed from the Willaura station building.*
- *The exhibited statement of significance should be replaced by the updated statement of significance attached as Appendix C in Mr Beeston statement of evidence (Document 5).*

*The Panel recommends*

1. *Replace Map 15 (HO240) with the Panel preferred version in Appendix B.*
2. *Remove the Willaura station building from the Heritage Overlay (HO128)*
3. *Replace the text of the statement of significance with the Panel preferred version in Appendix*

## **KEY CONSIDERATIONS**

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

The review and reframing of the Planning Scheme advances the following objectives and strategies:

**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.*

**3 Preserving our environment**

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

**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 Project costs have predominantly been met by work done to date by Council. The preparations of this amendment were prepared by Council and DELWP in partnership.

The actions of GrainCorp increased the project costs thus:

Component	Cost (\$)
Planning Panel	2,607
Consulting support	2,585
Expert evidence	16,640
Lost staff time	1,350
<b>TOTAL</b>	<b>23,182</b>

Whilst there is no ready mechanism within the planning scheme amendment process to recover this cost it is worthwhile to note that this spend re-directs funding from other planning scheme improvements, and future negotiations with GrainCorp should be wary about the prospect of good faith bargaining.

***Policy/Relevant Law***

The preparation of this amendment has been undertaken in accordance with the *Planning & Environment Act*. The amendment advances Clause 15.03-15 which seeks to *ensure the conservation of places of heritage significance*.

***Sustainability Implications***

The proposed amendment does not seek to impact on sustainability of each of the sites.

***Risk Assessment***

Heritage controls seek to protect identified public and private assets for the benefit of future generations. Preservation of places that reflect the history and story of the area are intimately connected to the wellbeing of future generations.

***Innovation and Continuous Improvement***

Amending the planning scheme is a process of continuous improvement to build and shape controls on individual sites and areas.

***Stakeholder Collaboration and Community Engagement***

The development of the original Rural Ararat Heritage Study was underpinned by extensive community engagement. This process to amend the Planning Scheme has included direct engagement with the relevant owner of each site.

## RECOMMENDATION

That Council:

1. Endorse the findings of the report from Planning Panels Victoria on Amendment C39Arat Part 2;
2. Endorse the changes proposed to the amendment by it's expert heritage witness and supported by the Planning Panels being
  - a) *Replace Map 15 (HO240) with the Panel preferred version in Appendix B.*
  - b) *Remove the Willaura station building from the Heritage Overlay (HO128)*
  - c) *Replace the text of the statement of significance with the Panel preferred version in Appendix C;*  
and
3. Advise the Minister for Planning of this resolution and seek to have C39Arat Part 2 included in the Ararat planning scheme as soon as practicable.

## ATTACHMENTS

- 1 Planning Panel Report, *Ararat Planning Scheme Amendment C39arat Part 2 Rural Ararat Heritage Study* 31 May 2022
- 1 Submission Part B - Council
- 1 Ratio Panel Submission, *Amendment C39arat Part 2 31 & 49 Main Street, Willaura* is provided as Attachment 3.11

## SECTION 4 – INFORMATION REPORTS

### 4.1 BUILDING APPROVALS

RESPONSIBLE OFFICER:       MANAGER PLANNING, COMMUNITY & COMPLIANCE  
DEPARTMENT:                 PLANNING, COMMUNITY & COMPLIANCE  
REFERENCE:                     3243

#### 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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#### DISCUSSION

This report outlines the monthly building permit approvals issued by Ararat Rural City Council and by private building surveyors for building works within Ararat Rural City for May 2022.

#### Approvals by Ararat Rural City Municipal Building Surveyor May 2022

Permit No.	Applicati on Date	Approval Date	Building Address	Description of Building Works or Use of Building		
Nil						

TOTAL VALUE \$Nil



Approvals by private surveyors – May 2022

Permit No.	Date Approved	Notification Received by Council	Building Address	Description of Building Works or Use of Building	Surveyor
4776331991872	04/05/2022	04/05/2022	17 Picnic Road Ararat	Construction of a detached dwelling	Lighthouse Building Permits
4286554245518	09/05/2022	23/03/2022	21 Barkly Street Ararat	Extension to existing dwelling	Coast to Country Building Approvals
1259129351302	10/05/2022	24/03/2022	39B Elizabeth Street Ararat	Construction of Carport	Lighthouse Building Permits
5082153499252	10/05/2022	04/05/2022	15 Blackie Avenue Ararat	Garage/Storage Shed	Coast to Country Building Approvals
8950324558304	18/05/2022	18/05/2022	1680 Warrak Road Warrak	Construction of decking	Express Permit Building Surveyors and Consultants
7958993328282	19/05/2022	21/12/2021	19 Buangor Road Buangor	Proposed dwelling with attached dual verandahs & decks	Widdison Building Services
7623858871177	19/05/2022	17/05/2022	87 Moore Street Ararat	Outdoor Undercover Area	Coast to Country Building Approvals
8354286789299	19/05/2022	18/05/2022	79 Campbell Street Ararat	Restump to an Existing Dwelling (1ai)	Permit Point Building Consultants Pty Ltd
7381189787914	24/05/2022	02/05/2022	23 Banfield Street Ararat	Carport	Coast to Country Building Approvals
6168756546366	24/05/2022	23/05/2022	91 Queen Street Ararat	Demolition of Dwelling & 2 x Sheds	Coast to Country Building Approvals
9403055259584	26/05/2022	27/05/2022	17 View Point Street Ararat	Demolition of a shed	Provic Building Approvals
7939441207962	27/05/2022	27/05/2022	21 Crebbins Lane Ararat	Construction of Shed (10a)	Provic Building Approvals
9555620501161	27/05/2022	28/05/2022	51 Blind Creek Road Elmhurst	Domestic Storage Shed	Belmont Building Permits & Inspections

TOTAL VALUE \$1,242,723

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

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

## RECOMMENDATION

That the Building Approvals Report be received.

## ATTACHMENTS

There are no attachments relating to this item.

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

**RESPONSIBLE OFFICER:** MANAGER PLANNING, COMMUNITY & COMPLIANCE  
**DEPARTMENT:** PLANNING, COMMUNITY & COMPLIANCE  
**REFERENCE:** 3243

**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.

**DISCUSSION**

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

Planning permit approvals under delegated authority – May 2022

Application No.	Date Lodged	Date of Delegated Approval / Refusal	Applicant	Location	Proposed Use of Development
VS2022033	03/05/2022	06/05/2022	VODA Building Services	79 High Street, Ararat	Building and works to facade, signage replacement and new pylon sign
VS2022034	06/05/2022	10/05/2022	Sally Langley	161 Middle Creek Road, Middle Creek	Demolition and building a house withing 100m of waterway
3131	11/04/2022	05/05/2022	Les Gason	Picnic Road, Ararat	Development of a dwelling and shed within 100m of a waterway and in the BMO
3101	14/01/2022	06/05/2022	Ararat Survey Pty Ltd for e2eGrowth Consultants P/L	6-8 Dawson Street, Ararat	4 Lot Subdivision
3108	07/02/2022	09/05/2022	Michael Stapleton, Alindare Pty Ltd	Cnr Nott Road & Kennedy Streets, Ararat	Use and development for Worker Accommodation - up to 30 people
3132	13/04/2022	13/05/2022	Geoff Todd	65 Queen Street, Ararat	Buildings and works to replace roof under Heritage Overlay
3115	10/03/2022	17/05/2022	NR Links	75 Wannon River Road, Bornes Hill	Development of a dwelling and detached accommodation

Application No.	Date Lodged	Date of Delegated Approval / Refusal	Applicant	Location	Proposed Use of Development
3105	16/03/2022	20/05/2022	Victoria Vaysman	65 Rundell Street, Ararat	Construction of 2 dwellings
3117	22/3/2022	20/05/2022	Tim Hatch for e2e Growth Consultants P/L	24 Churchill Avenue, Ararat	Development of Land with 3 dwellings and 3 Lot Subdivision
3136	28/4/2022	31/5/2022	Pierrepoint Planning	Londonberry Road, Moyston	Use and Development of a dwelling

VCAT				
Application No.	Applicant	Location	Proposed Use or Development	Status
3048	A Lacey for Peatt	Government Road, Warrak	Use and development of a dwelling	Hearing 30/08/2022

[Certification of subdivision plans under delegated authority – May 2022](#)

Application No.	Date Lodged	Date of Decision	Applicant	Location	Procedure
S3107	26/04/2022	05/05/2021	Brayley and Hayes	653 Back Bushy Creek Road, Narrapumelap South	Statement of Compliance issued in relation to PS905756W (Version 2)
PA2988	11/10/2021	13/05/2022	Brayley and Hayes	65 Rundell Street, Ararat	Certification and Statement of Compliance issued in relation to PS847948H
PA2915	16/09/2020	11/05/2022	Ferguson and Perry	246-248 Barkly Street, Ararat	Certification issued in relation to S164241V
PA3044	28/07/2021	11/05/2022	Ferguson and Perry	Queen Street South, Ararat	Certification issued in relation to PS900846X
PA2915	16/09/2020	16/05/2022	Ferguson and Perry	246-248 Barkly Street, Ararat	Certification and Statement of Compliance issued in relation to S164241V
PA3044	28/07/2021	16/05/2022	Ferguson and Perry	Queen Street South, Ararat	Statement of Compliance issued in relation to PS900846X
VS2021026	10/05/2022	17/05/2022	Brayley and Hayes	5 Queens Avenue, Ararat	Statement of Compliance issued in relation to PS905759Q
PA3035	15/03/2022	17/05/2022	Brayley and Hayes	75 Campbell Street, Ararat	Certification issued in relation to PS905747X
PA3037	15/03/2022	17/05/2022	Brayley and Hayes	8 Baird Street	Certification issued in relation to PS905746A
PA3046	23/8/2021	27/5/2022	Tract consultants Pty Ltd	4 McDonald Park Road, Ararat	Certification issued in relation to PS900849R

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

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

2 **Building Robust Local Economies -**

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

#### RECOMMENDATION

That the report on Planning Matters Approved under Delegation – Planning Permits and Certification of Subdivision Plans and Statement of Compliances be received.

#### ATTACHMENTS

There are no attachments relating to this item.

#### 4.3 COMMUNITY ASSET COMMITTEES ANNUAL REPORT

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 5498

##### 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 Community Asset Committee is a committee with powers of the Council, established and with members appointed by Council. Powers are delegated by the Chief Executive Officer, subject to the terms and conditions specified by the Chief Executive Officer, for the purpose of managing a community asset in the municipal district

Section 47(6) of the Local Government Act 2020 states that a Chief Executive Officer must submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section.

This report outlines the activities of the Community Asset Committees since last reported in January 2022.

#### DISCUSSION

##### Chief Executive Officer Update

I have attended various meetings of Council's Community Asset Committees of the past five months, these include but are not limited to:

- Ordinary Committee and Annual General Meetings;
- Meetings to discuss the future of the Community Asset Committees and the way forward; and
- Discussion relating to the redevelopment or develop of current facilities.

I have been working with several committees on scheduled projects, which Council has a project management budget to upgrade these facilities. These projects are listed later in this report.

The contribution to maintaining these facilities by Community Asset Committee members is a credit to them and I congratulate all involved and thank them for their contribution.

I provide the following report in relation to the activities of Council's Community Asset Committees.

##### 1 COVID-19 Update

With the lifting of restrictions the Committees have started to meet again following COVID- 19 protocols.

##### 2 Community Asset Committee - Meetings Minutes

The following table outlines the recent meetings held by the Community Asset Committees.

Minutes provided show that the Committee members have been very busy over the past seven months, with general maintenance requirements, event preparation and future planning for their facilities.

Minutes received are provided as an attachment to this report.

Community Asset Committee	Meetings held during the report period	Meetings scheduled advised
Alexandra Hall	10 February 2022; and 12 May 2022	14 July 2022 Ordinary and AGM
Buangor Community Sports Centre	8 February 2022; 8 March 2022; 5 April 2022; 3 May 2022; and 7 June 2022	Wednesday 13 July
Elmhurst Public Hall	9 February 2022; and 11 May 2022	10 August 2022; and 9 November 2022.
Lake Bolac Memorial Hall	No meetings held.	Meeting schedule not provided
Maroona Recreation Reserve	No meetings held	Meeting schedule not provided
Mininera Recreation Reserve	No meetings held	Meeting schedule not provided
Moyston Public Hall	22 February 2022; and (24 May 2022 no quorum met)	Meeting schedule not provided
Pomonal Hall and Recreation Reserve	1 December 2021 (2 February 2022 no quorum met) (2 June 2022 no quorum met)	Meeting schedule not provided
Streatham Memorial Hall	No meetings held	Meeting schedule not provided
Tatyoorn Hall and Recreation Reserve	7 March 2022 14 June 2022	August 2022
Warrak Public Hall	21 March 2022  6 June 2022 (minutes not received)	Meeting schedule not provided
Westmere Hall	No meetings held	Meeting schedule not provided
Wickliffe Recreation Reserve	No meetings held	Meeting schedule not provided
Willaura Memorial Hall	3 February 2022; and 7 April 2022;	2 June 2022
Willaura Recreation Reserve	20 January 2022 (Special Meeting); 20 January 2022 (Ordinary Meeting); 10 February 2022 (Special Meeting); 24 February 2022 (Ordinary Meeting); 1 April 2022; and 25 May 2022	Meeting schedule not provided.
Yalla-Y-Poorra Community Centre	20 March 2022	November 2022 (AGM)

A copy of minutes of Community Asset Committees are included as an attachment to this report.

### 3 Capital Works Update

The capital works program includes provisions for the upgrade of halls and recreation reserves in the municipality.

These projects have been developed in consultation with the relevant Community Asset Committees. I have attended various site meetings with community members of the Buangor Community Sports Centre, Lake Bolac Complex and Tatyoorn Hall and Recreation Reserve Community Asset Committees.



The following highlights the works carried out to date.

- **Buangor Community Sports Centre \$270,000**

Undertake renovation and extension of the Buangor Recreation Reserve kitchen –

The project is at the design options stage, with the Committee choosing their preferred design to go to tender.

- **Lake Bolac Complex \$218,000**

Undertake renovation of the Lake Bolac Complex kitchen –

This project is at the design stage, with architects engaged and working through the design process. Council officers have also been working closely with committee members to ensure that the design meets the community needs.

- **Lake Bolac Hall \$20,000**

Work with the Lake Bolac Hall Committee to complete preliminary design for Lake Bolac Hall refurbishment -

- **Tatyoan – New Social Facility**

The Tatyoan Recreation Reserve wish to upgrade their social room facilities from the existing hall to a more appropriate purpose-built facility, closer to the existing change rooms. The Committee have already put significant work into planning and development of the facility and are fundraising to ensure a significant community financial contribution.

#### 4 **Community Engagement**

Council officers will be commencing a program of community engagement sessions with all Community Asset Committees over the next six months. This engagement will help to clarify the roles and responsibilities between Council and the Community Asset Committees. A review of each Committee's Instrument of Delegation will form part of this work.

It is important for Council to support these important community facilities and the volunteers who put in their time to run them on behalf of Council.

### KEY CONSIDERATIONS

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

#### 4. **Developing and Maintaining Key Enabling Infrastructure**

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

#### 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.

5.2 Develop models of volunteering that recognise, support and properly utilise the skills that community volunteers bring to community life.

#### *Budget Implications*

All Community Asset Committee projects or maintenance are allocated in the current budget.

Community Asset Committees report on their finances at their meetings.

#### *Policy/Relevant Law*

The Local Government Act, section 47(6) states that a Chief Executive Officer must submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section.

***Sustainability Implications***

All economic, social and environmental implications were considered when writing this report.

***Risk Assessment***

Not reporting the Community Asset Committees activities and performance to Council would breach the legislative requirements of the Local Government Act 2020 in particular section 47(6).

***Innovation and Continuous Improvement***

Council has been proactive in ensuring the Community Asset Committee halls and recreation reserves are identified for infrastructure improvements.

***Stakeholder Collaboration and Community Engagement***

The Chief Executive Officer has attended the majority of Community Asset Committees since the last report in January 2022.

The Community Asset Committees consist of Committee members who volunteer their time to manage the facilities on Council's behalf.

**RECOMMENDATION**

**That the Community Asset Committee Annual Report be received.**

**ATTACHMENTS**

Community Asset Committee Meeting Minutes are provided as Attachment 4.3.

#### 4.4 COMMUNITY SATISFACTION SURVEY 2022

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 343

##### 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 has received the results from the 2022 Annual Community Satisfaction Survey. The Survey provides insight on how the community views the performance of Council.

Overall, the results are tracking in a positive direction. Community satisfaction with most services has improved since the last four survey periods. Council's performance against small rural and state-wide averages has demonstrated substantial improvement in the 2022 survey.

There are still opportunities for substantial service improvement in all areas of Council's operations that will be a focus of activity in the next twelve months.

#### DISCUSSION

The Department of Environment, Land, Water and Planning (DELWP) coordinates the survey, which this year has been conducted by the independent research group, JWS Research. The 2022 survey was conducted through interviews with 400 randomly selected households between 27 January and 24 March 2022.

Of Victoria's 79 Councils, 67 have participated in the 2022 survey, providing data benchmarked against state-wide results and the 18 Councils within the small rural Council group.

In 2022 Council showed improvement, on the previous year, in 14 of 23 areas of service delivery surveyed and 7 with a marginal declines. There were also two new service delivery areas surveyed, which Council included for the first time, being Environmental Sustainability and Slashing and Weed Control.

Table One below provides Council's community satisfaction performance across the surveyed service areas for 2022, 2021, 2020, 2019 and 2018. The trend is towards significant improvements in several areas. However, there are still several scores in the 50s and 60s providing room for substantial service improvement.

Table One

Service	ARCC 2022	ARCC 2021	ARCC 2020	ARCC 2019	ARCC 2018
Overall performance	69	66	60	49	37
Value for Money	57	55	-	-	-
Overall Council direction	69	65	63	55	29
Customer service	75	77	70	69	56
COVID-19 Service	77	78	-	-	-
Appearance of public areas	76	75	73	69	65
Emergency & disaster management	74	75	74	73	70
Art Centres and Libraries	75	74	78	76	70
Recreational facilities	75	74	71	68	64
Elderly support services	71	72	68	65	64
Bus/community dev./tourism	69	65	61	61	n/a
Community & cultural	65	64	63	63	n/a
Community decisions	65	63	57	46	33
Informing the community	64	63	58	49	41
Lobbying	64	63	56	50	44
Local streets & footpaths	63	62	62	55	53
Waste management	67	61	60	60	64
Consultation & engagement	62	61	56	49	41
Sealed local roads	58	59	56	50	43
Planning and building permits	58	59	51	52	46
Unsealed roads	47	50	44	39	33
Environmental sustainability	62				
Slashing and weed control	53				

Table Two provides a comparison of Council's customer satisfaction scores against the average of small rural and the state-wide average. Council achieved higher satisfaction scores against the small rural average in 21 service areas and lower score in 2. Compared to the state-wide average Council performed better in 21 areas, the same in 1 and worse in 1.

Table Two

Service	ARCC 2022	Small Rural average 2022	State-wide average 2020
Overall performance	69	58	59
Value for Money	57	51	53
Overall Council direction	69	51	50
Customer service	75	67	68
COVID-10 response	77	69	69
Appearance of public areas	76	73	71
Art Centres and Libraries	75	71	73
Recreational facilities	75	69	69
Emergency & disaster management	74	68	66
Elderly support services	71	70	67
Bus/community dev./tourism	69	63	60
Waste management	67	68	68
Community decisions	65	54	54
Community & cultural	65	68	65
Informing the community	64	59	59
Lobbying	64	54	53

Local streets & footpaths	63	55	57
Consultation & engagement	62	54	54
Environmental sustainability	62	59	61
Planning and building permits	58	48	50
Sealed local roads	58	50	53
Slashing and weed control	53	50	49
Unsealed roads	47	42	41

Table three shows the performance of Council when compared to the small rural and state-wide averages across 2022 and 2021. There is a significant lift in Council's performance against these averages in 2022. These comparisons are important as they indicate significant relative improvement against sector trends.

Table Three

ARCC performance	2022		2021	
	Small rural	State-wide	Small rural	State-wide
Better than	21	21	18	19
Same as	-	1	2	-
Worse than	2	1	1	2

In 2022 Council has compared well with the small rural and state-wide averages and has demonstrated improvement across many service areas. The 2022 Local Government Community Satisfaction Survey results should be seen as an aid to undertake further service improvement rather than an endorsement of performance.

### 2023 Community Satisfaction Survey

In 2022/2023 Council will be moving to quarterly interviewing for the Community Satisfaction Survey. This option of quarterly interviewing will allow for any seasonality that may influence the results. The first quarterly interviewing will commence towards the end of April to June 2022.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

This report links to the following Council Plan objective:

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

### *Budget Implications*

No budget implications.

### *Policy/Relevant Law*

The Local Government Performance Reporting Framework includes three measures taken directly from the Community Satisfaction Survey data.

### *Sustainability Implications*

Nil.

### *Risk Assessment*

Nil.

### *Innovation and Continuous Improvement*

Careful analysis of the full 2022 Local Government Community Satisfaction Survey Report will provide significant data to base further continuous improvement activity in each service area.

*Stakeholder Collaboration and Community Engagement*

This report is based on a survey of Ararat Rural City Council Residents seeking to measure their satisfaction with service delivery in several key service areas.

**RECOMMENDATION**

That the Community Satisfaction Survey 2022 Report be received.

**ATTACHMENTS**

Community Satisfaction Survey 2022 is provided as Attachment 4.4.

#### 4.5 AUDIT AND RISK COMMITTEE CHAIRPERSON'S REPORT

**AUTHOR'S TITLE:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT** CEO'S OFFICE  
**REFERENCE:** 5614

##### **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**

As per the Audit and Risk Committee Charter the Chairperson of the Audit and Risk Committee will prepare a report to Council through the Chief Executive Officer on the Committee's activities twice per annum.

The Audit and Risk Committee Chairpersons report was presented to the 07 June 2022 Audit and Risk Committee Meeting.

##### **DISCUSSION**

The appointment of independent members to the Committee enables the Committee to provide advice to Council on matters related to its responsibilities based on broader skills and experience than might otherwise be the case and in so doing bring additional benefits to Council.

The Chairperson of the Audit & Risk Committee has provided a report to Council on the Committee's activities as required by the Charter.

The Committees 7 areas of responsibilities and activities are summarised below:

- Financial and performance reporting
- Internal controls
- Risk management
- Fraud prevention systems and controls
- Internal audit processes
- External audit processes
- Compliance with policies and legislative and regulatory requirements

The Chairperson's report is provided as an attachment. The Committee's minutes are also presented to Councillors in the Council agenda after each Committee meeting as an information report.

##### **KEY CONSIDERATIONS**

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

6 Strong and Effective Governance

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

No budget impact for the receiving of the Audit and Risk Committee Chair Report.

***Policy/Legal/Statutory***

Audit and Risk Committee Charter -

- 6.2 The Chairperson of the Audit and Risk Committee will prepare a report to Council through the Chief Executive Officer on the Committee's activities twice per annum. One of these reports will be prepared after the meeting at which the annual financial report and the annual performance statement have been considered and recommended to Council for adoption, such report indicating how the Committee has discharged its responsibilities as set out in this Charter for the previous year.

***Risk Assessment***

The report is presented to meet the requirements of the Audit and Risk Committee Charter.

***Stakeholder Consultation and Communication***

Audit and Risk Committee members.

Chief Executive Officer and relevant Council officers.

The Chairperson's biannual report was presented to the Audit and Risk Committee on 7 June 2022.

**RECOMMENDATION**

**That the Audit and Risk Committee Chairperson's Report be received.**

**ATTACHMENTS**

The Audit and Risk Committee Chairperson's Report as Attachment 4.5



#### 4.6 THE ARADALE ECONOMIC AND SOCIAL DEVELOPMENT STRATEGY

**RESPONSIBLE OFFICER:** CHIEF EXECUTIVE OFFICER  
**DEPARTMENT:** CEO'S OFFICE  
**REFERENCE:** 5650

##### **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 provide information for Councillors and the public about the process to develop the Aradale Economic and Social Development Strategy.

Located at the gateway to Ararat, the 100-hectare site features 63 precinct buildings with several of the original 1860s buildings and structures deemed to be of state significance.

However, due to the site being left largely vacant with no significant maintenance works undertaken for more than 30 years, the main historic asylum building and its iconic features are at risk of falling into a complete state of disrepair unless action is urgently taken to resolve the future of the site.

In 2018, Regional Development Victoria (RDV) proposed for Ararat Rural City Council to lead the development of a comprehensive highest and best use needs analysis for the site.

A number of Council reports and plans have also highlighted the need to solve the Aradale site, including the Ararat East Concept Plan 2012 and the Green Hill Lake Estate Plan 2017, Ararat in Transition Planning Study 2021, and the Ararat Rural City Council Plan 2021-2025.

In August 2021, Council submitted what was ultimately a successful funding application to the Victorian Government's Investment Fast-Track Fund, with the Minister for Regional Development, the Hon Mary-Anne Thomas MP, announcing on 08 December 2021 that Ararat Rural City Council had been awarded \$500,000 to deliver the project. Ararat Rural City Council have committed a further \$125,000 to the project.

#### **BACKGROUND**

Since the closure of the Aradale Lunatic Asylum in 1993, the 100-hectare site has been largely underutilised. Constructed in 1864 and opened to patients in 1865 until its closure, a number of mixed and temporary uses have taken place on the site, including the Melbourne Polytechnic Ararat Training Centre 2002-2015 featuring a 28 hectare vineyard and wine making facilities.

The current reservation is State-owned Crown land reserved for Public Purposes (Education and Recreation). Northern Melbourne Institute of TAFE (NMIT)/Melbourne Polytechnic are the Committee of Management of the site. Under this arrangement, Melbourne Polytechnic manage the issuing of permits, licenses, and any existing informal arrangements with the users on site.

These uses include: Aradale Ghost Tours; Aradale Golf Club; Aradale Bowls Club; and Aradale Cricket Club. The site has also had occasional use by Corrections Victoria and Victoria Police for Dog Squad training exercises.

Melbourne Polytechnic wish to terminate their lease on the site and finalise any responsibilities to de-commission modifications or remediate site assets at the conclusion of the lease.

While Ararat Rural City Council has no direct responsibility for the site, its assets and predominantly unprogrammed land (over 75 hectares) has the potential to offer the Grampians region's largest premium mixed commercial development opportunity.

The main heritage precinct of the Aradale site is concentrated to just 22 hectares. It is expected that by leveraging private investment to fully activate the site, it will both preserve Aradale's important heritage assets and create a residential and commercial gateway to Ararat.

## PROCUREMENT

In May 2022, Ararat Rural City Council launched a public procurement process seeking suitably qualified planning consultants to provide a quotation that offers practical and innovative approaches to unlock the planning complexity and deliver an economic vision that will attract investment to fully activate the Aradale site.

Central to this work will be the delivery of a comprehensive highest and best use analysis and market-ready development prospectus that identifies feasible development and land use opportunities for the entire Aradale site.

Following the closure of public tenders on 03 June 2022, and an Evaluation Panel made up of Council officers and a Victorian Government representative from the Department of Environment Land, Water and Planning (DELWP), Ararat Rural City Council at the Unscheduled Council Meeting of 14 June 2022 awarded the contract to consultancy team led by Tract Consultants to deliver the project.

Tract Consultants have relevant experience delivering state significant, tourism and adaptive reuse, mixed use, residential and cultural master plans. This includes the Hanging Rock Precinct Master Plan currently underway for the Victorian Government; the Budj Bim National Park Master Plan; the Point Nepean Master Plan; the Jacks Magazine Site Management Plan for Heritage Victoria; the Wangaratta CBD Master Plan; and planning input and peer review of the Collingwood Arts Precinct Master Plan Concept.

Tract will lead a team of professionals in economic, heritage and engagement specialists along with their in-house experts in urban design, architecture, place strategy, planning, urban renewal, and public realm design to deliver the project.

## DISCUSSION

The consultants have been commissioned to deliver the project in-full, including regional economic evaluation, and site assessments and strategies covering heritage, cultural, planning and urban design, and the delivery of stakeholder engagement.

Tract Consultants have assembled a team of 19 expert staff to deliver the project, which will produce a concept master plan and site development strategy by late September 2022. Key components of the deliverables will include: precinct vision/concept plan; directions plans for land use, heritage, public realm and open space, access and sustainability; a planning implantation framework to support the master plan; a benefits plan; and investment prospectus.

Ararat Rural City Council in partnership with RDV have the primary governance responsibility for the Aradale Economic and Social Development Strategy. A Project Governance Group (PGG) has been formed with a structure that is designed to provide oversight of the project at a senior level from each of the project partners.

Chaired by the CEO of Ararat Rural City Council, the PGG includes executive level representatives of RDV, DELWP, Development Victoria, and the Victorian Planning Authority.

The multi-government department and agency cooperation of the PGG members is expected to clear the way of any impediments due to the complexity of the site and the condensed project timeframe.

Post completion of the project, Ararat Rural City Council will work with the Victorian Government to put the Aradale development prospectus to market. We expect to receive an innovative and commercially viable development model for the site that will create a template for heritage asset activation, preservation and re-use in regional and rural Victoria.

This model should provide lessons and strategies that will enliven, diversify the economy and new pathways to grow the critical mass of small rural communities that have unique riches of underdeveloped heritage.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

- 5 *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.
  
- 6 *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.

Delivery of this project is a key measure of success of the Ararat Rural City Council, Council Plan 2021-2025 under the category of Developing and Maintaining Enabling Infrastructure *"Aradale planning project funded and completed by 30 June 2023."*

### *Budget Implications*

Council has allocated \$625,000 in its budget. The amount comprises \$500,000 from the Regional Development Victoria Investment Fast Track Fund and Council's contribution of \$125,000. The awarded tender and associated project costs are to be achieved within this budget.

### *Policy/Relevant Law*

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

### *Sustainability Implications*

This project will undertake economic, social, heritage, cultural and financial assessments for works recommended at the Aradale Site.

### *Risk Assessment*

Low Risk – Risks will be managed through project planning and management procedures and contract administration.

### *Innovation and Continuous Improvement*

New or alternative processes will be considered in line with the strategic direction provided within the final report.

### *Stakeholder Collaboration and Community Engagement*

Extensive Stakeholder engagement will occur as a part of the development of the Aradale Solution - Economic and Social Development Strategy. Project meetings and the provision of a stakeholder engagement plan will be delivered by the consultants as a part of the project.

#### RECOMMENDATION

That Council confirms its commitment to the project as the best opportunity to preserve the heritage of the iconic Aradale site via the delivery of a market-ready development prospectus that attracts future investment opportunities to activate the site.

#### ATTACHMENTS

There are no attachments in relation 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:** 5615

#### **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 07 June 2022.

#### **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 07 June 2022.

Council Committees	Councillor representative	Current meeting (as presented)	Next scheduled meeting/s
Audit and Risk Committee	Cr Jo Armstrong (Cr Burridge was absent)	07 June 2022	08 September 2022

#### **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 07 June 2022 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 07 June 2022
Council Briefing held on 14 June 2022

#### Issues discussed at the briefing:

- Budget 2022/2023
- Capital works program 2022/2023
- Community projects in Capital Works program
- Budget "Town Hall" meetings- preferred formant
- Commonwealth Games
- Lobbying strategy for State Election 2022
- Planning issues- objections and decisions
- Community Satisfaction Survey 2022 results

#### 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. 686 Panel Supply Tender
- Item 9.2- Contract No. 685 Panel Supply Tender

## 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:

- 1 The Confidentiality of the report in relation to 9.1 and 9.2 not be lifted on adoption of the motion; and
- 2 The Confidentiality of the decision in relation to 9.1 and 9.2 be lifted on adoption of the motion.