



Ararat Rural City

AGENDA

COUNCIL MEETING

Tuesday 29 August 2023

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

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

The recording is being streamed live via Facebook, to improve transparency between council and the community and give more people the opportunity to view what decisions are being made. You do not require a Facebook account to watch the live broadcast, simply enter www.facebook.com/araratruralcitycouncil 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 25 July 2023 be confirmed.

1.5 DECLARATION OF CONFLICT OF INTEREST

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

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

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

SECTION 2 – PUBLIC PARTICIPATION

2.1 PETITIONS AND JOINT LETTERS

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

SECTION 3 – REPORTS REQUIRING COUNCIL DECISION

3.1 ROAD AND TRANSPORT ASSET MANAGEMENT PLAN

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 11310

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

Asset plans as referred to in the Local Government Act 2020, are community facing documents that show how Council assets will be managed and maintained, while meeting the community's needs and interests.

Assets managed by Local Government include an extensive network of local roads and other assets such as land, buildings, parks and recreation facilities. Good asset management is critical to the asset intensive nature of Local Government, particularly for rural councils with higher operating costs of assets, it is important to consider the needs, demands and expectations of communities and to deliver services from infrastructure assets in a sustainable and affordable way.

DISCUSSION

The fundamental purpose of the Road and Transport Asset Management Plan is to improve Council's long term strategic management of its road and transport infrastructure. This plan communicates the actions required for the responsible management of assets and the associated services provided, compliance with regulatory requirements and funding needed to provide the required levels of service to the community.

The intent of the document is to outline the approach used by Ararat Rural City Council (Council) in managing its Roads and Transport network. This plan covers the entire lifecycle of managing the Roads and Transport assets including but not limited to:

- Construction and Capital Works.
- Maintenance.
- Inspection and Health Assessment.
- Asset Register and Data.
- End of life/Renewal.
- Valuation.
- Incident Management.
- Reporting.

Council will execute the management of its Road and Transport network aligned with the approach outlined in this plan.

The plan is structured into components representing operational areas of the council called 'services'. The responsibilities that exist within those services combine towards a whole of organisation approach to asset management.

Council service lines included in this plan are:

- Asset Management
- Depot Operations
- Finance
- Engineering
- Procurement
- Customer Services
- Governance
- Occupational Risk and Safety
- Organisational Transformation

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.

- 4.1 Ensure that asset development and renewal during the planning period matches that identified in Councils Asset Plan 2021-2031.
- 4.2 Work directly with asset users to manage and develop new and existing assets.

Budget Implications

The costs associate with reviewing the Asset Management Plans are allocated in the current budget.

Policy/Relevant Law

- Road Management Act 2004
- Transport Act 1983
- Road Safety Act 1986 (Amended 2004)
- Ministerial Code of Practice – Road Management Plans (September 2004)
- Road Management Act 2004 – Code of Practice – Operational Responsibilities for Public Roads (December 2004)
- Road Management Act 2004 – Code of Practice – Management of Road and Utility Infrastructure in Road Reserves
- Ararat Rural City Council - Neighbourhood Amenity Local Law 2022
- Roads to Recovery Act 2000
- Subdivisions Act 1988
- Disability Discrimination Act 1992
- Catchment and Land Protection Act 1994
- Flora and Fauna Guarantee Act 1988
- Environment Protection and Biodiversity Conservation Act 1999
- Building Codes
- Water Act 1989
- Aboriginal Heritage Act 2006
- Aboriginal Heritage Amendment Act 2016
- Local Government Act 2020 & 1989
- Ararat Rural City Council Road Management Plan
- Ararat Rural City Council Plan 2021 – 2025
- Ararat Rural City Council Financial Plan 2021-2031
- Ararat Rural City Council Asset Plan 2021-2031
- Ararat Rural City Council Road Register

Sustainability Implications

The asset management plan is considered within the following future impacts in mind:

- Climate change
- Service delivery
- Demographic change
- Emerging technologies and practices
- Political environments
- Asset volume (including duplication, redundancy and scarcity)
- Asset condition
- Financial capacity

Risk Assessment

The Road and Transport Asset Management Plan is one of the risk management measures in relation to the management of roads and pathways. There is no significant risk in application of the plan. Council officers will ensure that the Plan is implemented across the organisation.

Innovation and Continuous Improvement

The introduction of strategic planning principles, and the integrated approach to planning, monitoring and performance reporting allows for continuous improvement and innovation opportunities to be utilised through the life cycle of Council's assets.

Stakeholder Collaboration and Community Engagement

The review of the Road and Transport Asset Management Plan has been carried out through internal consultation with relevant officers.

The Chief Executive Officer briefed Councillors on the plan at the Council Briefing held on 15 August 2023.

RECOMMENDATION

That:

- 1 Council adopt the Road and Transport Asset Management Plan; and
- 2 The Road and Transport Asset Management Plan be placed on Council's website.

ATTACHMENTS

Road and Transport Asset Management Plan is provided as Attachment 3.1

3.2 BRIDGES AND MAJOR CULVERTS ASSET MANAGEMENT PLAN

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 11311

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

Asset plans as referred to in the Local Government Act 2020, are community facing documents that show how Council assets will be managed and maintained, while meeting the community's needs and interests.

Assets managed by Local Government include an extensive network of local roads and other assets such as land, buildings, parks and recreation facilities. Good asset management is critical to the asset intensive nature of Local Government, particularly for rural council's with higher operating costs of assets, it is important to consider the needs, demands and expectations of communities and to deliver services from infrastructure assets in a sustainable and affordable way.

DISCUSSION

The fundamental purpose of the Bridge and Major Culvert Management Plan is to improve Council's long term strategic management of its bridge and major culvert infrastructure. This plan communicates the actions required for the responsible management of assets and the associated services provided, compliance with regulatory requirements and funding needed to provide the required levels of service to the community.

Bridge infrastructure is spread throughout Ararat Rural City Council with bridge volume exceeding 200 units. Bridges within the municipality are typically providing the purpose of road linkage over a body of water such as a river or stream. The Hopkins River and its associated tributaries such as the Fiery Creek and Mt Emu Creek account for a significant number of bridge crossings within the municipality.

The intent of this document is to outline the approach used by Ararat Rural City Council in managing its bridge network. This plan covers the entire lifecycle of all elements of managing the bridge network including but not limited to:

- Construction and Capital Works.
- Maintenance.
- Inspection and Health Assessment.
- Asset Register and Data.
- End of life/Renewal.
- Valuation.
- Incident Management.
- Reporting.

Council will execute the management of its Road and Transport network aligned with the approach outlined in this plan.

The plan is structured into components representing operational areas of the council called 'services'. The responsibilities that exist within those services combine towards a whole of organisation approach to asset management.

Council service lines included in this plan are:

- Asset Management
- Depot Operations
- Finance
- Engineering
- Procurement
- Customer Services
- Governance
- Occupational Risk and Safety
- Organisational Transformation

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.

- 4.1 Ensure that asset development and renewal during the planning period matches that identified in Councils Asset Plan 2021-2031.
- 4.2 Work directly with asset users to manage and develop new and existing assets.

Budget Implications

The costs associate with reviewing the Asset Management Plans are allocated in the current budget.

Policy/Relevant Law

- Road Management Act 2004
- Transport Act 1983
- Road Safety Act 1986 (Amended 2004)
- Roads to Recovery Act 2000
- Subdivisions Act 1988
- Disability Discrimination Act 1992
- Catchment and Land Protection Act 1994
- Flora and Fauna Guarantee Act 1988
- Environment Protection and Biodiversity Conservation Act 1999
- Building Codes
- Water Act 1989
- Aboriginal Heritage Act 2006
- Aboriginal Heritage Amendment Act 2016
- Local Government Act 2020 & 1989
- Ararat Rural City Council Road Management Plan
- Ararat Rural City Council Plan 2021 – 2025
- Ararat Rural City Council Financial Plan 2021-2031
- Ararat Rural City Council Asset Plan 2021-2031
- Ararat Rural City Council Road Register

Sustainability Implications

The asset management plan is considered within the following future impacts in mind:

- Climate change
- Service delivery
- Demographic change
- Emerging technologies and practices
- Political environments

- Asset volume (including duplication, redundancy, and scarcity)
- Asset condition
- Financial capacity

Risk Assessment

The Bridges and Major Culverts Asset Management Plan is one of the risk management measures in relation to the management of bridges and major culvert assets. There is no significant risk in application of the plan. Council officers will ensure that the Plan is implemented across the organisation.

Innovation and Continuous Improvement

The introduction of strategic planning principles, and the integrated approach to planning, monitoring and performance reporting allows for continuous improvement and innovation opportunities to be utilised through the life cycle of Council's assets.

Stakeholder Collaboration and Community Engagement

The review of the Road and Transport Asset Management Plan has been carried out through internal consultation with relevant officers.

The Chief Executive Officer briefed Councillors on the plan at the Council Briefing held on 15 August 2023.

RECOMMENDATION

That:

1. Council adopt the Bridge and Major Culvert Asset Management Plan; and
2. The Road and Transport Asset Management Plan be placed on Council's website.

ATTACHMENTS

The Bridge and Major Culvert Asset Management Plan is provided as Attachment 3.2.

3.3 NOTICE OF MOTION FOR MEMBERSHIP TO THE LOCAL GOVERNMENT MAYORAL TASKFORCE SUPPORTING PEOPLE SEEKING ASYLUM

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 11244

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

Since 2018, the Local Government Mayoral Taskforce Supporting People Seeking Asylum has been collaborating across Australian Local Government councils and advocating for the rights of people seeking asylum.

Established and chaired by Greater Dandenong Council, the Mayoral Taskforce Supporting People Seeking Asylum is currently made up of 38 councils nationwide advocating for a fairer and swifter Refugee Status Determination process and access to appropriate supports.

Applications for asylum are clearly stuck in a broken system and in Australia there are close to 100,000 people waiting for their application for protection to be finalised. This includes people who have waited for over ten years.

This overly slow approach prevents individuals and families gaining the stability that refugee status provides. The result is vulnerable people living on the edge for years, without access to critical support service such as Centrelink, Medicare, public housing, education, mental health and food.

Since its inception the Taskforce members have promoted its advocacy through targeted meetings with relevant federal government ministers and Members of Parliament, and through a dedicated web based 'Back Your Neighbour' Advocacy Campaign platform.

DISCUSSION

On 21 April 2023 the Taskforce endorsed an updated Terms of Reference which included three membership categories with the following composition, responsibilities and fees:

Executive Member Council (\$5,000 per annum)

- i. Drive the implementation of the strategic priorities of the Taskforce.
- ii. Actively participate in the activities of the Taskforce, including providing feedback, endorsing motions and facilitating advocacy and campaign activities as required.
- iii. Make key decisions on strategic matters of the Taskforce in a timely manner, including the expenditure of funds collected from Member Councils.
- iv. Report decisions back to Member Councils including the acquittal of funds received.
- v. Always have a representative or delegate attend meetings - Mayors, Deputy Mayors, interested Councillors or senior officers.

General Member Council (\$500 per annum)

- i. Assist the Executive in setting and implementation of the strategic priorities of the Taskforce.
- ii. Provide resources where needed to help achieve the strategic priorities.
- iii. Contribute to decision-making on strategic matters of the Taskforce.

- iv. Participate in the activities of the Taskforce where appropriate, including attendance at meetings, providing feedback, endorsing motions and supporting other campaign activities.
- v. Advise the Executive on best practice examples of community engagement.

Supporter Council (no annual fee)

- i. Support the purpose of the Taskforce.
- ii. Supply organisational logo for use in promotional activities of the Taskforce.
- iii. Encouraged to promote the Taskforce, campaign and associated activities.

Membership transition

General Members are encouraged to nominate for Executive membership with the expectation to fulfil the requirements as an Executive Member Council after a membership duration of two years.

Supporter Members are encouraged to nominate for General membership with the expectation to fulfil the requirements as a General Member Council after a membership duration of two years.

Member Councils can transition to a different membership tier at any point in time. Nominations are to be submitted for approval by Executive Member Councils at the next scheduled meeting.

The Council performing Taskforce Secretariat responsibilities has committed 0.5EFT towards this function. Taskforce membership fees will be utilised to extend the resourcing available to coordinate joint state-wide advocacy and address other issues relating to humanitarian arrivals where collaboration by Councils would be of benefit.

Alignment to Council Plan Strategic Objectives

The proposed motion has potential impact on the following Council Plan 2021-2025 actions:

- 1 **Growing our Place**
We will create the settings to support growth across our municipality through an improved planning scheme, actively pursuing housing options and exploring models for in-migration.
- 2 **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 proposed motion has no impact on Council's 2023/2024 Budget.

Policy/Legal/Statutory

Nil

Risk Assessment

The submission of the proposed motion can be considered to be very low risk.

Stakeholder Consultation and Communication

Proposing the motion is the first stage in undertaking a broader based lobbying, communication and engagement piece, with rural Councils, rural communities and government.

RECOMMENDATION

That:

Council joins the Mayoral Taskforce Supporting People Seeking Asylum as a General member council fulfilling the requirements of such membership as outlined in the Terms of Reference.

ATTACHMENTS

There are no attachments in relation to this item.

3.4 ELECTRIFICATION POLICY

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 11312

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

This report recommends that Council adopt the Electrification Policy, which seeks to reduce Ararat Rural City Councils contribution of carbon emissions.

The scope of the Electrification Policy is to support Ararat Rural City Council to take positive action towards achieving lower carbon emissions, promote zero emissions transport within our community and feed used electric vehicles into the second-hand market.

The objectives of this policy include the following:

- For Council to explore a preference for electric vehicles or plant options for the following: light vehicles, light plant, parks and gardens equipment
- Ensure the fleet of Council operations are met in the most efficient, transparent, and equitable manner with the lowest possible environmental footprint
- For Council to take a proactive approach and respond to ever increasing evidence and global concern of the impact of vehicle emissions on human and environmental health
- To continue Council's commitment to addressing climate change and reducing local airborne emission through the purchase and operation of low emission vehicles
- Demonstrate a commitment to environmental sustainability through a range of practices that promote more fuel-efficient vehicles and the reduction of single occupancy vehicle trips.

DISCUSSION

Local governments play an integral role in steering the transition to electric vehicles in Australia. Driven by the need to reduce carbon emissions, electric vehicles are being integrated into local government fleets, charging infrastructure is being installed in public places, and projects and policies are being developed to encourage and accelerate the shift towards green transport.

As transport, small plant and heavy fleet are the significant contributors to Ararat Rural City Councils carbon emissions, it is important Council look at ways to reduce these levels. Transitioning local government fleets to electric vehicles is one way to reduce these levels, promote zero emissions transport within our community and feed used electric vehicles into the second-hand market.

Transitioning the transport and small plant sector to cleaner alternatives is inevitable, given the economic, social, and environmental benefits that this transformation can deliver. However, we must accelerate this shift to meet climate targets and remain a leader amongst other small rural Councils.

Key benefits this initiative brings to Council include the following:

- Reduced energy costs
- Lower asset maintenance costs and longer asset life expectancy
- Enhanced energy security
- No air pollution and reduced noise pollution
- Improved driving and operator experience

Ararat Rural City Council will seek to optimise its fleet and plant and commence transitioning where suitable electric or zero emissions options are available. This includes seeking quotes for electric or zero emissions options as a part of future procurement processes.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

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

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

Budget Implications

There are no budget implications.

Policy/Relevant Law

- Vehicle Policy 2022
- Ararat Rural City Council's – Council Plan 2021-2025
- Asset Management Policy

Sustainability Implications

There are no environmental sustainability implications. This policy will significantly benefit the environment by reducing the emission levels that are produced by Council.

Risk Assessment

The implementation of the Electrification Policy mitigates Council further contributing to the carbon emission levels. There are no significant risks associated with this policy.

Innovation and Continuous Improvement

Council will consider the Electrification Policy when reviewing fleet and asset policies in the future to ensure that ongoing improvements in this area are implemented.

Stakeholder Collaboration and Community Engagement

The Policy has been reviewed by relevant Council senior officers working in the fleet and asset department and Councillors discussed the Policy at the 15 August 2023 Briefing.

RECOMMENDATION

That Council adopts the Electrification Policy dated August 2023.

ATTACHMENTS

The Electrification Policy is provided as Attachment 3.4

3.5 2023/2024 CAPITAL WORKS PROGRAM – AUGUST 2023

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 11313

OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

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

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

EXECUTIVE SUMMARY

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

Major works include the following:

- Stage one of the Ararat Leisure Centre
- Urban gravel to seal road upgrades
- Maintaining and repairing rural and urban roads and drainage.

DISCUSSION

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

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

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

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

The capital work budget is currently 11% spent to 23 August 2023. This is very close to our target with end of month invoices still to be provided. This has taken a whole team effort to achieve this result. It is still important to note that the October flood event represented a significant disruption to the smooth roll out of the program and pricing volatility has also impacted projects such as the Helendoite Road bridge.

	Budget	Committed/ Contracted	Complete	Notes
PROPERTY -CAPITAL	\$400,000			
Park Infrastructure		\$10,850		These works are made up of a series of smaller projects. Projects include upgrade of the town hall square lighting and power, Willaura Memorial Hall Kitchen installation and bluestone works at the Alexandra Gardens Fernery.
Playgrounds		\$3045	\$4995	
Sporting Infrastructure		\$48,178	\$60,672	
Community Facilities		\$52,140		
Ararat Fitness Centre Stage 1	\$950,000			Work has commenced with the Architect to commence detailed design of stage one of the Ararat Fitness Centre redevelopment.
TOTAL PROPERTY		\$114,213	\$65,667	
PLANT & EQUIPMENT	\$40,000			
Book stock - Library Book Replacement			\$13,702	Quarter 1 Bookstock payment has been made.
TOTAL PLANT & EQUIPMENT			\$13,702	
Gravel Road Sheeting & Gravel Road Widening	\$2,800,000	\$89,505	\$448,277	The 23/24 Resheeting and Road Widening program has commenced well even with the wet weather conditions. These works will continue over the financial year.
Reseal Program	\$1,000,000	\$77,000	\$308.00	Feature survey and native flora and fauna reporting is being undertaken for road widening on Rhymney Rd and Buangor Ben Nevis Rd. Road reseal program will commence in September 2023.
Mt William Road	\$1,000,000		\$159.00	Project management has commenced in-house to undertake the Mt William Road Reconstruction.
Urban Road Gravel to Seal	\$2,200,000	\$24,410		Feature surveys are being completed for nominated roads in this years program.
Footpath Renewal Program	\$400,000	\$44,572	\$15,212	Works have been awarded for the George Road Pedestrian Refuge adjacent to the Ararat West Primary School, these works will be completed in the September school holidays. Bridal Hill Walking track is progressing. Footpath connections and condition assessments are being completed inhouse.

Urban Drainage Works	\$750,000	\$137,660	\$1249	Works have been awarded to complete drainage works in Golf Links Road, Ararat and Thompson and Kneale Street, Ararat – works are expected to commence in October 2023.
TOTAL INFRASTRUCTURE		\$373,147	\$465,205	
TOTAL CAPITAL WORKS		\$487,360	\$544,574	

There are also recreation facilities projects that were funded in the 2021/2022 budget that have extended beyond the single financial year. The committed expenditure includes contracts entered for construction of various elements of the projects. The table below provides a summary of these projects:

Capital Work Element	Committed expenditure	% complete	Notes
Gordon St Recreation Reserve	\$4,472,677	97%	The project is running on time and very close to budget. The remaining elements yet to be procured is seeding of construction of the playing fields.
Buangor Recreation Reserve Kitchen Extension	\$40,520	15%	Project halted due to huge variations in construction pricing. The project is tender ready and currently waiting of an updated cost plan. Is currently out to tender to test the market.
Lake Bolac Golf Club Kitchen	\$174,124	80%	Works are being undertaken by Build Forth, from Ballarat, works are expected to be complete in October 2023.
Lake Bolac Hall Design Project		0%	No progress on project.
Total	\$4,707,322	92%	

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

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

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

Budget Implications

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

Policy/Relevant Law

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

Sustainability Implications

There are no environmental sustainability implications.

Risk Assessment

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

Innovation and Continuous Improvement

Development of the 2023/2024 Capital Works Program represented an agile response to market conditions. A capacity to rework strategy based on a changing environment is a critical element in developing an innovative organisation.

Stakeholder Collaboration and Community Engagement

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

RECOMMENDATION

That the 2023/2024 Capital Works Program - August 2023 report be received.

ATTACHMENTS

There are no attachments in relation to this item.

3.6 ARARAT RENEWABLE ENERGY PARK DEVELOPMENT PLAN

RESPONSIBLE OFFICER: MANAGER DEVELOPMENT & REGULATION
DEPARTMENT: DEVELOPMENT & REGULATION
REFERENCE: 11329

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

Ararat Renewable Energy Park is a Council project designed to encourage industrial development specifically around renewable energy and the circular economy. Council officers are in discussion with several interested parties to develop individual lots. To facilitate any development within the park, an approved Development Plan is required.

The purpose of this report is to seek approval of Council to adopt the Ararat Renewable Energy Park Development Plan.

DISCUSSION

The subject site is owned by Council and covers an area of approximately 35.6 hectares. The land is situated some 5 kilometres east of the Ararat township and adjoins the Western Highway. The land adjoins Public Use Zone 6 (Local Government) for the purpose of the Ararat Aerodrome. The subject site is zoned Industrial 1 and is covered by a Design and Development Overlay Schedule 1 (Airport Environs), Development Plan Overlay Schedule 1 (Ararat Renewable Energy Park) and Specific Controls Overlay Schedule 2 (East Grampians Rural Pipeline Project).

The Development Plan Overlay (DPO) prevents the granting of permits under the zone before a Development Plan has been approved. This limits the development of the land until a Development Plan has been prepared and ensures works occur in a coordinated manner. The plan details the form and conditions that must be met by future development of the land.

The DPO applies over the entire Ararat Renewable Energy Park Area. This area consists of a single landowner being Council however the development plan provides guidance to ensure development is achieved in accordance with the principles and objectives for the land.

The application of a DPO allows for the preparation of a Development Plan, which is distinct from a planning permit. Planning permits for subdivision, use and development will still be required, where there is an existing permit trigger under the underlying zone or existing overlays.

Once the development plan is approved, the DPO exempts permit applications that are generally in accordance with the approved Development Plan from further notice and review. In this instance it is considered that the intent of the land use was dealt with during the rezoning process which went through a notification process. Therefore, no further notification has been undertaken with the exception of Glenelg Hopkins Catchment Management Authority (GHCMA) as they have a direct interest due to potential flooding in a small portion of land in the west. GHCMA responded with no objection just highlighting that part of the land is subject to flooding.

The plan provided is broad enough to allow flexibility for use and development of the site in accordance with the DPO. Once the Development Plan is approved, all planning permits granted by must be generally in accordance with the approved Development Plan. To fulfill this requirement, the Council assessment

process will test each proposal against the requirements of the plan. Any planning permit that is issued will deal with all other matters. A permit application under the zone which is generally in accordance with the plan does not mean that a permit should be granted if other relevant planning policies or considerations indicate that it should be refused. If a proposal gives rise to valid planning concerns, even those not addressed in the Development Plan, that cannot be resolved by a planning condition or agreement, the Council can refuse a permit application, even if it is generally in accordance with the Development Plan.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

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

2 Building Robust Local Economies

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

2.2 Work with other levels of government, local business, and private investors to develop a business park within Ararat Rural City, focused on agricultural value adding and advanced manufacturing, potentially leveraging “behind the meter” power.

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

3.3 Partner with local organisations and scientific experts to develop an appropriate and pragmatic local government Environment Strategy, focussed on the circular economy, emission reduction through renewable energy and management of Council assets.

4 Developing And Maintaining Key Enabling Infrastructure

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

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

Plan objective Building Robust Local Economies clause 2.2 to develop a local business park.

Budget Implications

There are no negative budget implications for the adoption of the Ararat Renewable Energy Park Development Plan. The approval of the plan will provide ability to planning applications to be submitted and approved further adding to the economic prosperity of Ararat Rural City Council.

Policy/Relevant Law

Clause 43.04 (Development Plan Overlay) of the Ararat Planning Scheme prevents any development of the site until a Development Plan is approved. All planning applications must be generally in accordance with the approved Development Plan.

Sustainability Implications

The approval of the Ararat Renewable Energy Park Development Plan will assist with encouraging sustainable development within the Ararat Rural City Council.

Risk Assessment

Adoption of the Ararat Renewable Energy Park Development Plan reduces the risk of the land being developed in a manner not considered appropriate for its intended use. It also reduces the risk of the land not being developed.

Innovation and Continuous Improvement

The sole purpose of providing this land in the first instance is to provide for innovation in the renewable energy sector. The approval of the plans will ensure continuous improvement in energy and circular economy sectors.

Stakeholder Collaboration and Community Engagement

The Development Plan will become a public document for all stakeholders to view.

RECOMMENDATION

That Council considers the contents of this report and endorse the Ararat Renewable Energy Park Development Plan.

ATTACHMENTS

The Ararat Renewable Energy Park Development Plan July 2023 is provided as Attachment 3.6.

3.7 REFRAMING THE PLANNING SCHEME – WINDFALL GAINS TAX IMPACT

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 11330

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

In July 2022 Council adopted a project entitled *Reframing the Planning Scheme* with an aim to undertake a complete revision of the current planning scheme to provide land use certainty, rezoning of land to ensure sustainable growth of the municipality and incorporate the recommendations of a Planning Scheme Review adopted by Council in April 2022.

The project has been delayed for a range of reasons, the most critical of these is the potential economic impact of Windfall Gains Tax on property owners, for whom land rezoning will result in an economic uplift in land value.

The project was due for completion in December 2023. The project has been stalled for a number of months. It is proposed that the project be restarted with a revised project plan, timeframes and amended budget be presented to Council by the CEO at the September 2023 Council Meeting.

DISCUSSION

At the Council Meeting on 26 April 2022 Council endorsed the Planning Scheme Review Report following a review of Council's planning scheme required under the provisions of the *Planning and Environment Act 1987*. The key findings of this Review were to:

1. 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. Implement a process that 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

Since the Planning Scheme Review two additional new key studies have been funded or undertaken which will need to be incorporated into any substantial revision of the current planning scheme:

- Aradale Development Strategy: Concept Master Plan and Feasibility Report, which has been completed and awaits work around implementation
- Unlocking Ararat North-East is a Victorian Planning Authority funded project which seeks to understand key infrastructure requirements to support growth in the Ararat East Development Zone and areas to the north. This project is yet to be commenced

Following the adoption of the Planning Scheme Report Council adopted a project titled *Reframing the Planning Scheme* at the July 2022 Council meeting which aimed to provide a complete revision of the current planning scheme to address the issues raised above and provide a stronger level of surety over land use across the municipality. The project framework is provided in Figure One below.

The project drew on a comprehensive evidence base to inform the rescoping process including:

- significant new studies to provide current perspectives in key areas such as the environment and fire management
- additional work to inform understanding of agricultural land, public land and trunk infrastructure needs
- existing planning amendments based on the findings of the flood study
- broad based community engagement processes
- engagement with traditional owners

The process was planned to be completed by December 2023, with finalisation of the new planning scheme, including rezoning and implementation of a range of supporting strategic planning work, supported by policy in key areas such as housing, settlement, heritage, economic development, transport, and infrastructure.

Project delays...

The project has been significantly delayed largely by several factors including:

- Senior staff changes in planning over the past twelve months
- Completion of the Aradale Development Strategy, which introduces a range of key strategic planning considerations
- Planning for growth around industrial development, particularly in relation to circular economy-based development
- Impacts of the COVID 19 event during 2022 that delayed undertaking key project studies
- Potential economic impacts of the Windfall Gains Tax (WGT)

Without doubt the most significant factor in delaying the successful reframing of the planning scheme has been the impact of the WGT.

WGT applies from 1 July 2023 on land rezoned by a planning scheme amendment resulting in a value uplift to the land of more than \$100,000. In determining the value uplift, all land owned by the person or group and subject to that rezoning is taken into account. The rates of WGT levied are as follows:

- more than \$100,000 but less than \$500,000: the tax will apply at a marginal rate of 62.5% on the uplift above \$100,000
- \$500,000 or more: a tax rate of 50% will apply to the total uplift

The liability for WGT arises when the land is rezoned. Landowners have the option to defer payment of all or some of their windfall gains tax liability until the next dutiable transaction occurs, or 30 years after the rezoning event, whichever occurs first. The payment will be indexed during the deferment period.

Medium to long term residential, industrial, or commercial growth will most likely be to take place through rezoning farmland. This will result in significant economic uplift and a subsequent levying of WGT. This will act as a significant disincentive for Council to undertake its strategic planning scheme review and subsequent rezoning to make provision for future growth and development. This will create an unacceptable current impost on affected landowners for an uplift in land value that they had not sought.

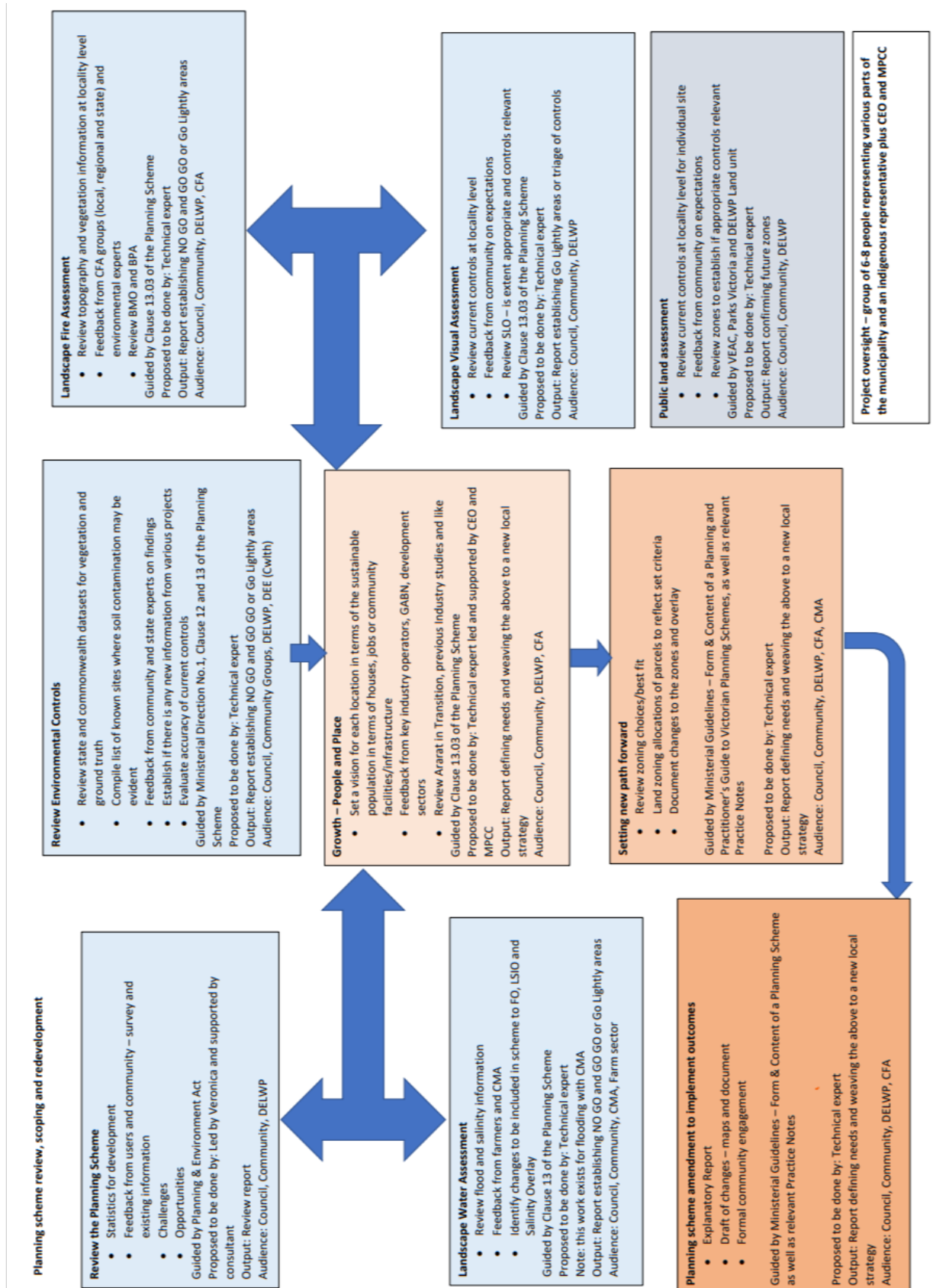


Figure One

A path forward...

Regardless of the impact of WGT and the other issues leading to a delay in finalising the reframing of the planning scheme there is a need for Council, as far as is reasonable and practicable, to undertake and complete a strategic planning project to:

- provide long term surety of land use
- implement outcomes of key planning studies, including the Aradale Development Strategy
- make provision for sustainable development of the municipality, including ensuring identification of suitable land to support residential, commercial, and industrial development
- implement the recommendations of the Planning Scheme Review
- ensure a strategic planning process underpinned by broad based community engagement
- engage the Eastern Maar Aboriginal Corporation and Barengi Gadjin Land Council Aboriginal Corporation as project partners

It is believed that this can be achieved largely within the framework provided in Figure One above. It is proposed that this framework be utilised, with the exception of, finalising the rezoning recommendations. This will provide a strategic framework to support future sustainable growth while rezoning land. This shortcoming of the process is regrettable but unavoidable given the adverse impacts of the WGT on development in rural communities.

It is proposed that a detailed plan be provided to the September 2023 Council meeting that will restart the *Reframing the Planning Scheme* project, provide a detailed project plan with revised timeframes and provide a revised budget.

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.
- 1.2 Work directly with asset users to manage and develop new and existing assets.
- 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.
- 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.
- 4 **Developing and Maintaining Key Enabling Infrastructure**
We will ensure that we plan, fund and develop new infrastructure in ways that delivers strong public value. Existing infrastructure will be managed, renewed, and maintained to ensure that it continues to serve identified public needs.
- 4.3 Deliver infrastructure outcomes that support economic growth, promote community wellbeing and safety, and align with Council's financial sustainability.
- 6 **Strong and Effective Governance**
We will work hard to build models of governance that place delivering public value at the centre through effective financial management; well measured risk management; and implementation of effective community engagement practices.
- 6.3 Continuously improve Council's community engagement process and practices in line with deliberative engagement practices, while acknowledging the need for a range of different techniques to ensure effective engagement.

Budget Implications

A revised budget for completing the project will be provided to the September 2023 Council meeting. There is existing unexpended budget from allocations to the project in 2021/2022 and 2022/2023.

Policy/Relevant Law

The *Planning & Environment Act* sets out objectives in Section 4. The proposed approach 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 current planning process. The development and implementation of the *Reframing the Planning Scheme* project act 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. The proposed approach seeks to work from current data and include a cross section of the community in the process for developing the new scheme to ensure it reflects more than the voices of technical staff and state agencies that do not have a direct interest in the outcome.

Innovation and Continuous Improvement

Amending the planning scheme is a process of continuous improvement to build and shape controls on individual sites and areas and reflect changing community values as well as fortunes. 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 and make changes will include both formal and informal stakeholder collaboration with key elements proposed to be as follows:

- Recruitment of a Community Reference Group to ensure the project is grounded in the needs of existing and future residents and businesses
- engage the Eastern Maar Aboriginal Corporation and Barengi Gadjin Land Council Aboriginal Corporation as project partners
- Formal notification of any proposed changes as they are developed and agreed
- Information going out to the entire community through the *Engage Ararat* platform and promotion of the project through various media channels as work is available for review
- Inclusion of input of those state agencies commonly referred to in planning application as outlined in Clause 66 of the current planning scheme as work progresses

RECOMMENDATION

That:

- 1 Council endorses the exclusion of land rezoning from the *Reframing the Planning Scheme* project outcomes to ensure that landowners are not impacted by unintended consequences of the Windfall Gains Tax; and
- 2 That Council request that the CEO present a revised *Reframing the Planning Scheme* project plan to the September 2023 Council meeting for endorsement. This project plan will include a plan to restart the *Reframing the Planning Scheme* project, revised timeframes, and an amended budget.

ATTACHMENTS

There are no attachments in relation to this item.

SECTION 4 – INFORMATION REPORTS

4.1 CONTAINER DEPOSIT SCHEME

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 11314

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

A container deposit scheme (CDS) is part of the Victorian Government's over \$515 million investment to deliver the biggest transformation and reform of Victoria's waste and recycling industry. This includes \$380 million to deliver Recycling Victoria: A new economy which will fundamentally reduce waste, boost jobs, and establish a recycling system Victorians can rely on.

The CDS will complement the new household waste collection system and is one of many ambitious reforms that's making recycling easier and more effective

The Victorian Container Deposit Scheme (CDS) starts on 1 November 2023.

This new recycling program will increase the recycling of drink cans, bottles and cartons and reduce Victoria's litter by up to half.

Victoria's CDS will be easy to use and accessible with a variety of locations including shopping centres and drive through collection depots, mobile drop off points for events and community festivals as well as reverse vending machines in public places to return cans, bottles and cartons to.

All charities, community and sports groups will be able to benefit from Victoria's CDS as they do in every other state. The CDS will give charity, community, and sports groups a range of new ways to fundraise by receiving donations from the community, initiating collection drives, and the option of operating container collection points

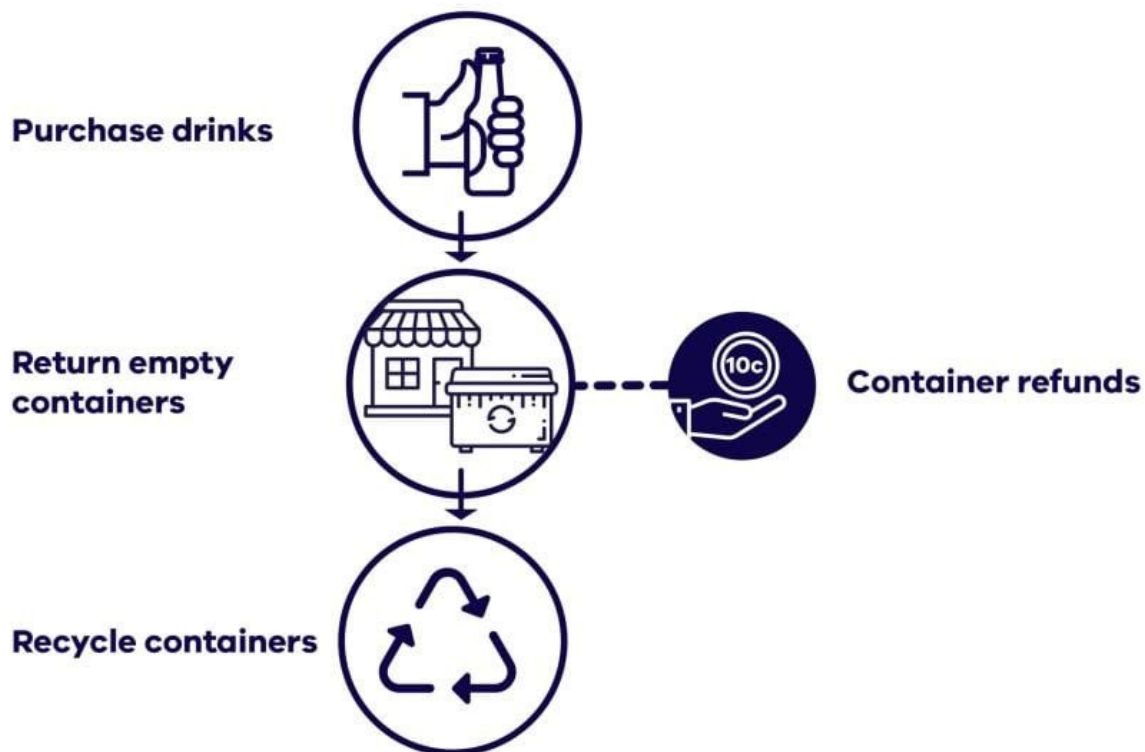
DISCUSSION

From 1 November 2023, you will earn 10 cents when you return any eligible can, carton or bottle through the Victorian Container Deposit Scheme.

This financial incentive serves as a reward for responsible waste disposal and actively encourages recycling while reducing littering. By returning eligible containers, participants contribute to a cleaner environment and earn money while doing so.

As well as promoting and encouraging recycling, this scheme will create fundraising opportunities for local businesses, community organisations and sporting groups.

By becoming registered collection points groups can actively participate in the scheme and generate revenue to raise funds for their activities, initiatives, and projects through the collection of eligible containers.



The above image outlines the process which will occur to form part of the Container Deposit Scheme. How it will work:

- Purchase a drink.
- Return your empty drink container to a refund point. With 600 refund points planned across Victoria, you can choose a location that is convenient for you.
- Receive a 10-cent refund for every eligible container you return. You can choose to keep the funds or donate to a participating charity, community group, environmental group, educational organisation or sports group.
- The returned container is then given a new lease on life. The material is recycled and remanufactured into a new product, saving it from landfill or littering the environment.

To explore the fundraising opportunities offered by the Victorian Container Deposit Scheme and to register your interest to become a collection point, interested businesses, community organisations, and sporting groups must [register](#).

The registration process will provide further information on the requirements and benefits associated with participating in the scheme as a collection point.

For further information on the scheme such as:

- Which containers are eligible for refund
- Who will run the scheme
- Where you can take your drink containers
- How your organisation, charity, community group, or educational organisation can express their interest in participating in the scheme

Organisations, community groups, sporting clubs etc. can visit the Container Deposit Scheme website:
<https://www.vic.gov.au/container-deposit-scheme>

TOMRA Cleanaway has been confirmed as the Container Deposit Scheme network operator for Ararat Rural City Council.

If you are interested in hosting a CDS refund point; becoming a donation partner; or charity and community group fundraising, please visit the TOMRA Cleanaway website: <https://www.cleanaway.com.au/>

A Container Deposit Scheme has the opportunity to reduce recycling costs for council, reduce litter and share the responsibility for waste management with the community. Council has expressed its support for a CDS and will continue to do so in this regard.

Alignment to Council Plan Strategic Objectives

The Container Deposit Scheme strongly aligns with the thrust of the Council Plan 2021-2025, particularly the following:

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

The proposed motion has no impact on Council's 2023/2024 Budget.

Policy/Legal/Statutory

Nil.

Sustainability Implications

This report does not raise any sustainability implications. The introduction of the Container Deposit Scheme, as of 1 November 2023, will provide a clean stream of materials that can be recycled.

Risk Assessment

Failure to support the Container Deposit Scheme and educate the community on the importance of this system carries a high level of risk for Victorian councils, as pollution and waste may continue to increase.

Stakeholder Consultation and Communication

When collection points are established, Council will list details about the Container Deposit Scheme on their website to ensure community groups, sports clubs, schools, and not-for-profit organisations have readily available information about hosting collection points.

As well as providing information on where the community can dispose of their drink cans, bottles, and cartons.

RECOMMENDATION

That Council receives the Container Deposit Scheme and reiterates its support for the introduction of scheme within Victoria.

ATTACHMENTS

There are no attachments in relation to this item.

SECTION 5– INFORMAL MEETINGS

5.1 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.

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 8 August 2023
Council Briefing held on 15 August 2023

Issues discussed at the briefing:

- Local Government Mayoral Taskforce Supporting People Seeking Asylum
- IBAC Operation Sandon
- Barengi Gadjin Land Council (BGLC) Recognition and Settlement Agreement (RSA)
- Membership of Rail Freight Alliance
- Capital Works Program 2023/2024
- Council Electrification Policy
- GAIA EnviroTech Service Agreement
- New models for passenger fleet ownership
- Container Deposit Scheme
- Enrolment for the 2024 Council Elections
- Transmission line development in ARCC
- New customer service approach
- Future of the planning scheme review
- Reporting on planning and building data
- Adoption of individual asset strategies

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 5.1.

SECTION 6 – 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 7– 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 8 – 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 8.1 – Digital Twin – Ararat Rural Information Network
- Item 8.2 – Contract No. 667 – Provision of Environmental Health Services
- Item 8.3 – Gaia Waste processing agreement – Gaia Envirotech

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

That the:

- 1 Decision in relation to Confidential Agenda Item 8.2 be lifted;
- 2 Report of Confidential Agenda Item 8.2 not be lifted; and
- 3 The confidentiality of the report and decision in relation to 8.1 and 8.3 not be lifted on adoption of the motion